

**The Deputy Minister of Finance (Shri B. K. Bhagat):** (a) and (b). The counterpart funds represent rupees generated by the sale to public of consumable commodities, such as wheat and non-ferrous metals, received from Canada as grants under the Colombo Plan. These funds are available for utilisation on mutually agreed projects in the Plan. While negotiations are going on for selecting such projects, it has been agreed that a part of the funds, equivalent of \$ 10 million, will be earmarked for development of higher technological institutes.

**Shri Shree Narayan Das:** May I know whether the expenditure from this fund will be disbursed by any special committee or departmentally?

**Shri B. R. Bhagat:** The expenditure is made out to the various projects and it is earmarked to the department concerned. For instance, if it is for Mayurakshi Project, it is given to the project authorities. If it is for the Canada-India Reactor, it is given to the atomic energy department.

**Shri Shree Narayan Das:** What is the total amount that has so far been spent out of this fund?

**Shri B. R. Bhagat:** So far we have spent Rs. 9.24 crores out of the counterpart funds.

**Shri Radha Raman:** The fund was created in 1958 and the Deputy Minister stated that the matter is still under negotiation as to the projects on which the fund is to be spent. May I know how long will the finalisation of these projects take and whether any project is nearing finalisation?

**Shri B. R. Bhagat:** There is no delay. The fund is a continuing one. As and when we get money by the sale of consumable commodities like non-ferrous metals and wheat to the public, that is added on to the fund. On the other hand, we are spending money out of the fund also. As I have stated, we have already spent Rs. 9.24 crores, 10 million dollars have been earmarked and we are finalising the details with the Ministries

concerned. Other schemes are in progress. There is absolutely no delay.

**Shri Radha Raman:** The hon Deputy Minister stated that the counterpart funds will be utilised in the form of non-ferrous matters and consumer goods. I want to know some items of the consumer goods.

**Shri B. R. Bhagat:** I did not make any such statement.

**Shri Ramanathan Chettiar:** What is the total amount of counterpart funds in India and how much of it is in regard to this agreement with Canada?

**Shri B. R. Bhagat:** This question relates to the counterpart funds generated by the sale of wheat and non-ferrous metals that we have got from Canada. The total fund now available is Rs. 34.09 lakhs.

**Shri Ramanathan Chettiar:** The counterpart funds are not only from Canada but also from America. I want to know how much of it relates to Canada.

**Shri B. R. Bhagat:** This question relates to Canada. If information is required on a larger question, I want separate notice.

#### Recognition of Central Government Employees' Unions

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\*749. { **Shri S. M. Banerjee:**  
**Shri Agadi:**  
**Shri Sugandhi:**  
**Shri Tangamani:**  
**Shri Aurobindo Ghosal:**

Will the Minister of Home Affairs be pleased to state:

(a) whether Government have restored the recognition of those unions recognition of which was withdrawn after the July, 1960 strike; and

(b) names of those Unions whose recognition has been restored?

**The Minister of Home Affairs (Shri G. B. Pant):** (a) No.

(b) Does not arise.

**Shri S. M. Banerjee:** Under 4B of the Government Servants' Conduct Rules an employee cannot become a member of a union if it is not recognised. So, some of the unions are not able to function now. May I know whether Government will suspend the application of this rule till the question of the restoration of recognition is finally decided?

**Shri G. B. Pant:** Government have no intention of suspending any existing rule.

**Shri Nath Pai:** The other day, Mr. Speaker, you gave a ruling that individual cases it will not be appropriate to bring in this House and in the absence of the normal channel to the employees being shut up, this is causing tremendous inconvenience and, in view of that.....

**Mr. Speaker:** Only in this House I never said that the hon. Member could not write to the Minister.

**Shri Nath Pai:** These are the only normal channels and this is a very delicate fabric. The recognition of the unions was withdrawn as a result of participation in a strike which was declared illegal under the Ordinance.

**Mr. Speaker:** The hon. Member is arguing. What is the question?

**Shri Nath Pai:** The question is coming and the preamble to this question is very essential, because the answer has been very cryptic "No. Does not arise". The whole fabric of trade unionism will collapse if organisations which were representative and recognized by Government . . .

**Mr. Speaker:** What is the question?

**Shri Nath Pai:** Will the Government, in view of the fact that the trade unions have to play an important role in our democracy and the hardships that are being caused by denial of this recognition, speedily take up the issue? May I also draw the attention of the hon. Home Minister to the statement which he made

before the Consultative Committee that Whitley Council will be constituted. If they are to be constituted, who will be representing the employees in the absence of recognition of the old and established unions?

**Shri G. B. Pant:** Well the matter is being actively considered and there will be rules also laying down the conditions for recognition. When all that is done, then due recognition may be withdrawn from some of the then unions, but.....

**Some hon. Members rose—**

**Mr. Speaker:** Order, order. He has said that some of the recognitions will be withdrawn.

**Shri Rajendra Singh:** After the recognition of some of the unions have been withdrawn, those unions went to the High Court and the High Court has issued a writ against the employers, that is, the railways. There are some such unions. Why is it that when the High Court has issued a writ the Government is not giving the usual facilities to those unions which can function?

**Shri G. B. Pant:** I have not received any order from any High Court.

**Shri Rajendra Singh:** To pin-point it the Eastern Railway Employees' Union was served with a notice by the railway withdrawing its recognition. On a petition by the union the High Court of Calcutta has issued a writ against the order of the railways. In spite of that writ of the High Court, Government is not giving the usual facilities to the union to function normally.

**Mr. Speaker:** The hon. Member may put the question straight. The hon. Minister has answered that he has not received any such notice or writ or orders passed on the writ. The hon. Member says that in respect of the Eastern Railway Workers' Union the High Court of Calcutta has issued a writ. Is the hon. Minister in possession of it?

**Shri G. B. Pant:** I have not received any intimation about it. a

**Shri Rajendra Singh rose—**

**Mr. Speaker:** I shall call him later, if necessary.

**श्री १०.१६ बंस :** क्या माननीय मंत्री जी को यह मालूम है कि इस प्रकार के अनेक मजदूर संघ, जिनमें से जबलपुर के सम्बन्ध में खुद मेरा तजुर्बा है, इस हड़ताल के असफल होने के बावजूद अभी तक अपने इन प्रकार के देशद्रोह के कामों को जारी रखे हुए हैं, और ऐसी हालत में क्या सरकार इस बात का निर्णय कर लेगी कि जिन मजदूर संघों ने प्रत्यक्ष या परोक्ष किसी भी रूप से इस हड़ताल को प्रोत्साहन दिया था, उनको हार्गिज मान्यता न दी जावे ?

**Shri Nath Pai:** Mr. Speaker, the hon. Member should not be allowed to make insinuations that unions are indulging in treasonable activities. Government have a law which they can enforce and see that nobody indulges in those activities. This is the second time this insinuation is being brought. We cannot sit idle here listening to accusations of treachery.

**Mr. Speaker:** The hon. Member started it (*Interruptions*). Hon. Members should take their seats. If the hon. Member utilizes this opportunity to make a speech and then make suggestions, it is equally open to another hon. Member to suggest that it ought not to be done. (*Interruptions*).

**Shri Nath Pai:** He can make suggestions but not insinuations.

**Mr. Speaker:** No, there is no insinuation. According to the hon. Member some unions have engaged themselves in treasonable activities. I do not think even the God himself can be responsible for the actions of the creatures that he has created, and much less the hon. Member who is connected with a trade union for every individual trade union or member of the trade union. There may be some cases here and there. Under those circumstances.....

**Shri Braj Raj Singh:** They should be able to deal with them under the ordinary law. (*Interruptions*).

**Mr. Speaker:** Order, order. Nobody can stand guarantee for all the persons in the world. Under these circumstances, some hon. Members are of the opinion that it is treasonable and, therefore, they have engaged themselves in treasonable activities. Therefore, the hon. Member suggests that Government should be careful in trying to give recognition with respect to them. It is equally asserted by another hon. Member that recognition ought to be given to them. There are differences of opinion. Otherwise, there will be only a dictatorial or totalitarian State and not a democracy in this country. There are two views and I am allowing both the views to be expressed in this House. It is rather strange that hon. Members should be vociferous when they want to express their views and then refuse to allow other hon. Members to make their own points about it. (*Interruptions*).

**Shri Nath Pai:** Views are different from accusations.

**Shri Hem Barua:** On a point of order.

**Mr. Speaker:** What is the point of order?

**Shri Hem Barua:** You were pleased to give your ruling to the effect.....

**Mr. Speaker:** I have not given any ruling contrary to the rules.

**Shri Hem Barua:** You were pleased to make an observation to the effect that there should be no speech-making during the question hour. Will you please extend that observation to the effect that there should be no accusations of treasonableness and things like that made against any people?

**Shri Raghunath Singh:** How can there be a point of order on the observations of the Speaker?

**Shri Ranga:** Where is the question of making charges?

**Mr. Speaker:** Order order. When Shri Nath Pai intervened he said it is an important matter. The hon. Home Minister in answer said that it is a matter which is engaging the attention of the Government and the hon. Home Minister. Shri Nath Pai was not satisfied with that and he wanted to get it changed. So, he said this is the only channel through which individual cases can be brought to the notice of Government and if this only channel is shut out, what is to be done? When he said this is the only channel, another hon. Member suggested that in giving recognition Government should not be hasty because there are certain persons or unions who ought not to be recognised because they are guilty. On a prior occasion the hon. Minister has stated that those individuals who have engaged themselves in violent activities shall not be recognized. The hon. Member stretched the point a little further and said that those who are treasonably violent should not be recognized. That is all what he said. There is nothing more than that. Now let us proceed to something else.

**Shri Braj Raj Singh:** The Home Minister said just now that the matter is under active consideration. May I know by what time the consideration stage shall be over? Shall we have some time limit of, say, 1 month, 2 months or 3 months by which the decision will be taken?

**Mr. Speaker:** How long is it likely that the hon. Minister will take to come out with a decision?

**Shri G. B. Pant:** To come out with a decision? I do not want to delay the decision. But I cannot give any exact date by which the consideration stage will be over. But there is no desire to delay matters. We want to proceed with things as expeditiously as we reasonably can.

**Shri Tyagi:** I want to get one clarification in this connection. What is the clear policy of the Government in regard to such organisations as

saboteurs, whether they are recognized or not recognized. I cannot understand the meaning of shifting ground every day. After all, when the Minister gave orders and withdrew the recognition from these organisations, he did it after full consideration of the matter, I am sure. How is it that he is again actively considering this question?

**Shri G. B. Pant:** I did not say that I am actively considering this particular question.

**Shri Tyagi:** After all, Government's word must carry some weight.

**Shri G. B. Pant:** I have not been guilty of any inconsistency.

**Shri Nath Pai:** The recognition was withdrawn because of participation in an illegal strike, not because of treasonable activities. Sir, you must defend us. This means that we are guilty of treasonable activities (*Interruptions*).

**Mr. Speaker:** What does he want?

**Shri Nath Pai:** I am entirely in your hands. Things cannot be allowed to be said here palpably making accusations of the most dangerous and sinister type. Recognition was withdrawn not because of any treason but because the strike was an illegal one and under the existing law..... (*Interruption*). Please listen now because you do not know the basic facts... (*Interruption*). The recognition was withdrawn not because of treason but because of an illegality. Illegality and treason are very different things and so senior an hon. Member like Shri Tyagi should know this difference . . . (*Interruption*).

**Mr. Speaker:** I will not allow any further discussion on this matter. Hon. Members are interested in seeing that recognition of these unions is wholly restored. The hon. Home Minister is considering this matter and he says that as early as possible he will do so. (*Interruption*).

**Shri Tyagi:** I am afraid he has not promised to do so. He is only considering it. It only depends.... (*Interruption*).

**Shri G. B. Pant:** If you will permit me, I do not think there was any ambiguity about what I said. Ordinarily, I do not want to confuse any section in this House by ambiguous statements. What I said was that the entire question of relationship between the Government and its employees was under consideration. It included also the question of the conditions on which recognition should be granted. As and when these questions are decided, we will look into these matters as to which of those which have been de-recognised should be recognised. I had stated previously also when I dealt with this question at the initial stage that though we are now ordering de-recognition, we will see how these various unions behave and then we would consider this question. There is nothing inconsistent in what I said then and what I am saying now. (*Interruption*).

**Shri Tangamani and Shri Rajendra Singh** rose—

**Mr. Speaker:** Shri Tangamani.

**Shri Rajendra Singh:** We do not mind.....

**Mr. Speaker:** Order, order. I have called Shri Tangamani.

**Shri Rajendra Singh:** \* \* \*.

**Mr. Speaker:** Let not a single word of the hon. Member after I called him to order be included in the record.

**Shri Rajendra Singh:** \* \*.

**Mr. Speaker:** Order, order. I have told him that if necessary I will call him. He cannot catch hold of the whole House and go on haranguing like this. If he wants an opportunity to ask a question, I would have called him after Shri Tangamani. The hon.

Member comes here once in a while and wants to ask all the questions, as if he can exhaust them, on a single day, because he is absent on the other days.....(*Interruption*). Old men and young men all behave in the same manner: what am I to do? Shri Tangamani.

**Shri Tangamani:** Is it not a fact that under the recommendations of the Second Pay Commission, rule 4(B) will not apply to unions but will only apply to associations; if so, may I know whether the provisions of rule 4(B) which no longer applies to the unions will be extended to associations also? Also, are Government going to modify, if at all, the terms and conditions of recognition which have been given to the various unions recognised before de-recognition takes place; if so, what is their nature?

**Shri G. B. Pant:** As I said, the matter is under consideration as to the terms and conditions that should govern recognition. Then all these matters will come under consideration.

**Raja Mahendra Pratap:** I want to ask one question.

**Mr. Speaker:** I am not going to allow the hon. Member. I have put up with him enough; so also the House. In season and out of season, irrespective of the occasion, the hon. Member gets up and asks a question. I have been very tolerant to him.

**Raja Mahendra Pratap:** I only want to ask one question....(*Interruption*).

**Mr. Speaker:** I will not allow him to do so. I am not going to call him on this question at all. Shri Banerjee.

**Raja Mahendra Pratap:** \* \*

**Mr. Speaker:** Order, order. Not a word of what the hon. Member has said in spite of my not calling him and telling him that I am not going to allow him to ask a question shall go on record. His remarks would be expunged from the record. If, in

spite of my asking an hon. Member not to proceed, he goes on, then the punishment is that that portion shall not appear in the official record, nor shall it be published by the newspapers. It is not open to him to go on as he likes. This is the first punishment that I am thinking of. But if he persists, then I am afraid I will have to think of other punishments.

**Shri Rajendra Singh** rose—

**Mr. Speaker:** Yes.

**Shri Rajendra Singh:** May I know whether it is a fact that the Government has issued a circular to the effect that officers shall not entertain interviews with MPs regarding the service conditions of employees in the Railways and other Central Government services?

**Shri G. B. Pant:** There is a general rule. I do not know if any circular has been issued to the effect that Government employees should not worry the hon. Members of Parliament or others about matters affecting their own promotion dismissal or other disciplinary action or such questions as relate to service matters. I have been somewhat tolerant and I have been answering almost every letter that has come to me from hon. Members of Parliament going thereby against the rule. I think I have to pull up myself.

**Shri Anthony Pillai:** The hon. Minister was kind enough to say....

**Seth Govind Das** rose—

**Mr. Speaker:** Hon. Member has never taken interest in labour affairs. He must allow me to allow other hon. Members an opportunity.

**Seth Govind Das:** I know everything about it. I have taken some interest in that.

**Shri S. M. Banerjee:** He has no hold in Jabalpur. I can assure you.

**Mr. Speaker:** I am here to judge who is who in this House so far as questions are concerned. Shri Anthony Pillai.

**Shri Anthony Pillai:** The hon. Minister was kind enough to state that he was anxious to come to a decision quickly and that nothing should delay a decision. May I know what factors are delaying his decision because after all five months have passed since recognition was withdrawn and if recognition is not re-granted in time many of these unions will die as many of them have provision to the effect that unless they are renewed within six months or so, membership lapses?

**Shri G. B. Pant:** All unions have not been de-recognised. There are a number of unions, which can and are, I think, functioning even today. As to the time of five months or four or three months, the question has been actively under consideration. The hon. Member will pardon me for saying that he does not perhaps fully appreciate the magnitude, complications and intricacies involved in these matters.

**Shri S. M. Banerjee:** With the withdrawal of recognition the negotiating machinery or the monthly meetings with the various representatives of the federation has also stopped. I would like to know whether till the Whitley Council constitution is finally drafted or is shaped the Government will kindly consider whether or not negotiations should be held with the representatives so that accumulated grievances are properly discussed even without recognition.

**Shri G. B. Pant:** Of de-recognised unions or of those which still stand recognised?

**Mr. Speaker:** The hon. Member is making a suggestion. He wants temporary recognition until final recognition is given. The point is that whichever unions are still recognised they will do so. But he suggests that whichever are not recognised or have been de-recognised they must be allowed to act on behalf of the Union until recognition takes place. That means, immediately there must be a suspension and the same persons be allowed to negotiate.

**Shri Nath Pal:** That is a channel.

**Mr. Speaker:** Of course, that is the only channel.

**Shri G. B. Pant:** That will not be consistent with the idea of de-recognition.

**सेठ गोविन्द दास :** मैं यह पूछना चाहता था कि . . . . .

**Mr Speaker:** There is no good using words which will be misunderstood. It can be equally wrong by using other words.

**सेठ गोविन्द दास :** मैं यह पूछना चाहता था कि जब इस प्रकार के मजदूर संघों की मान्यता बहुत सोच-विचार के बाद रद्द की गई है और जब मैं अपने व्यक्तिगत अनुभव के आधार पर भी कह सकता हूँ कि अभी तक इस प्रकार के मजदूर संघों का वही रवैया है, जो कि स्ट्राइक के समय था, तब इस मान्यता के विषय पर फिर से विचार करने की आवश्यकता क्यों पड़ गई है।

**Mr. Speaker:** Very well. These are suggestions on both sides. If and when the hon. Minister makes up his mind and comes to a decision and if the House wants an opportunity to show that that decision is not right and no recognition ought to be allowed, I will give an opportunity and Dr. Govind Das may say so. To others who may not be satisfied, I will give an opportunity. Next question.

**Shri Braj Raj Singh:** Before proceeding to the next question, may I make a submission? You were pleased to observe the other day and today also that not a word shall go into the press about what Raja Mahendra Pratap said. I do not challenge your ruling. I only want to submit that, since this is an interpretation of the rules, you will be pleased to take the opinion of the various groups in the House about the change in the rules.

**Mr. Speaker:** I have not made any change in the rules. Any unparliamentary expression can be expunged. That is one thing. The other thing is that no hon. Member can speak or put questions without my consent—with-out my calling upon him to do so. If, however, hon. Members go on, making it a meeting of their own and expressing their views, shall I allow them to go on? What is the other way for me except to direct that those proceedings would not form part of the record? If any hon. Member talks irrelevantly, I can remove his remarks. The remarks made by the hon. Member in question are irrelevant, because I had not called him. So, I directed that they would not form part of the record. Otherwise, I cannot see how order can be maintained in this House. Hon. Members will kindly consider this. Where there are no rules, there is a rule towards the end of the Rules of Procedure which says that I am to see that order is maintained. I welcome the hon. Member Shri Braj Raj Singh's question. If he can tell me how else I have to carry on I have no objection to do so. It pains me to do it.

**Shri Nath Pal:** Raja Mahendra Pratap does not hear. He is hard of hearing. Therefore, he goes on speaking. I do not say that he does so in a spirit of defiance. Unless somebody helps him, he goes on. This may perhaps be considered. He is one of the best behaved Members.

**Mr. Speaker:** I have nothing against him. Personally, I have great regard for him. Hon. Members would have noticed his interruptions from time to time. Is it right to interrupt like that?

**Shri Hem Barua:** On a point of order, Sir, you were pleased to observe or give a ruling to the effect that unparliamentary expressions will be expunged from the proceedings of this House. When you give a ruling expunging something from the proceedings in the House, that is one thing.

But then there are occasions, may I humbly submit, when you order expunction of passages which you may consider in your wisdom unparliamentary, from your Chambers, not on the floor of the House.

**Mr. Speaker:** Since he has raised the point, I may state that the practice adopted is this. I generally expunge things in the House. Whatever is expunged on the floor of the House is known to hon. Members. I am not presiding all the time. There is the Deputy-Speaker. There are others who preside. Afterwards, the proceedings are brought to me. Under the rules, I have got the right to expunge. The only thing is, as soon as I expunge anything in my Chamber, I cause to be put up in the Notice Office the portion that is expunged, and if any hon. Member says that so far as he is concerned, that portion ought not to be expunged, I consider it. In future, if I have to expunge any particular portion in my Chamber, I will send for the hon. Member concerned and tell him that I intend expunging a particular portion. If we are satisfied, I shall do so. We have been adopting this practice of putting up a copy of the expunged portion in the Notice Office. Hereafter, I would not expunge anything without informing hon. Members, unless it is absolutely unparliamentary. Even then, I will give them an opportunity. Why should they have a grievance?

**Shri Hem Barua:** On a previous occasion.....

**Mr. Speaker:** There is no good going into previous occasions. I will do this hereafter.

**Shri Braj Raj Singh:** I have to submit one thing. you were also pleased to direct the Press not to publish anything. Would it not be possible that you just make an observation and the Press shall take care of it and see whether it is possible to publish it or not?

**Mr. Speaker:** No, no. Then there is no good my having expunged it. I am here to see that the proceedings of the House are recorded. It is not

a public meeting where it is open to the press to report or not to report. Outside, the press can be present, hon. Members may make speeches and they may report or may not report. As part of the proceedings of this House, I would not allow the Press to report the expunged portions. If I expunge a portion, is it right that they should publish it? I ask an hon. Member not to speak and he goes on. I have no control. The other way is. I must ask him to leave the House. That is the ultimate remedy. In the meanwhile, if he goes on saying something and if it is allowed to remain on record, the very object of my asking him to stop will be defeated. Therefore, this is the proper course. I am not imposing too much of a punishment on him. Next question.

#### Revision of Pay Scales of I.P.S. Officers

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\*750. { **Shri S. M. Banerjee:**  
**Shrimati Ila Palchoudhuri:**  
**Shri Osman Ali Khan:**

Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that the Government of India have sent to the State Governments a proposal concerning revision of pay scales of I.P.S. officers for their comments;

(b) if so, the details thereof; and

(c) the views of the State Governments received in regard thereto?

**The Minister of Home Affairs (Shri G. B. Pant):** (a) Yes.

(b) and (c). The Government of India are still in correspondence with the State Governments on the subject.

**Shri S. M. Banerjee:** I want to know what are the terms of reference and whether a committee has been appointed for this purpose or whether the Central Government will act on the recommendation of the State Governments.

**Shri G. B. Pant:** The proposal has been before the Central Government