

Date.....18.11.2014

**THE**  
**PARLIAMENTARY DEBATES**  
**(Part I—Questions and Answers)**

**OFFICIAL REPORT**

1397

1398

**HOUSE OF THE PEOPLE**

*Wednesday, 2nd July, 1952*

*The House met at a Quarter Past  
Eight of the Clock.*

[MR. SPEAKER in the Chair]

**ORAL ANSWERS TO QUESTIONS**

**Short Notice Question and Answer**

**STRIKE BY POSTAL EMPLOYEES IN 1946**

**Shri K. Subrahmanyam:** (a) Will the Minister of Communications be pleased to elucidate the Prime Minister's statement of the 25th June, 1952 on the demand of postal employees for payment of wages during strike period in 1946 and the assurances said to have been given by the then Minister in charge of Communications to Mr. Jai Prakash Narain, President of the Postal Employees Union?

(b) Is the reluctance of Government to pay wages for strike period based on principle or is it due to reasons of financial stringency?

(c) What would have been the amount involved if the demand had been conceded?

**The Minister of Communications (Shri Jagjivan Ram):** (a) to (c). With your permission, Sir, I would like to answer these questions by means of a statement in elucidation of what the Prime Minister stated on the 25th June, 1952, in regard to the demand of the All India Postmen and Lower Grade Staff Union for wages for the strike period in 1946. Shri Jai Prakash Narain, President of that Union, has undertaken a 21 day fast which, according to the statement issued by him is in fulfilment of a vow which originated from certain unsuccessful negotiations he had carried on with Shri Rafi Ahmed Kidwai, the then Communications Minister.

133 P.S.D.

2. The Prime Minister has expressed our grief on the step taken by Shri Jai Prakash Narain.

3. This question relates to a strike which took place as long as six years ago, in the middle of 1946, when the Government in office was what was called the "Caretaker Government". On the 11th July, 1946, the Postmen and Lower Grade Staff in the Posts and Telegraphs Department went on a strike and certain other categories of staff joined them. Some of the demands of the Postmen and Lower Grade Staff Union were completely or partially met, the rest being rejected. After the termination of the strike, the question of payment of wages for the period of the strike was raised. Invariably, in such cases not only are the wages for the strike period not paid, but the period of absence from duty does not count for leave or pension. In this particular instance, owing to an ambiguous statement made by the then Member of Government in charge of Communications, Sir Eric Conran Smith, it was ordered, as a special case, in December, 1947 by Shri Rafi Ahmed Kidwai, the then Communications Minister that the period shall count for leave and pension. This in itself was a great concession. It was made clear that this would not be treated as a precedent.

4. There were several attempts made by the Postmen and Lower Grade Staff Union to obtain pay for the strike period. Government were, and are, in principle, opposed to payment of wages for the period of any strike. The demand was, therefore, turned down. There was no question of financial stringency. The amount involved was about 10 lakhs.

5. Shri Jai Prakash Narain has had several discussions and exchanged letters with Shri Rafi Ahmed Kidwai and also with the Prime Minister on this subject. While Shri Rafi Ahmed Kidwai consistently and categorically refused to entertain any proposal for payment of the strike pay, he was prepared to consider any suitable formula,

short of payment of the strike pay, that was presented to him. Somehow, Shri Jai Prakash Narain formed the impression that Shri Rafi Ahmed Kidwai had promised to allow payment of the salary for the period of the strike or to compensate the strikers in some other form.

6. Shri Rafi Ahmed Kidwai avers that he did not make any such commitment. I have looked into the official records. There is nothing in them which shows that any commitment was made. Here I may quote from the reply given by him on the floor of the House on the 7th February, 1950, to Starred Question No. 136 asked by Shri R. L. Malaviya, Shri Rafi Ahmed Kidwai said:

".....No promise was made about the payment of wages for the strike period in 1946 and there is no question of implementing this 'promise'. In regard to the demand of wages for the strike period in 1946, Government have always held that no such payment can be made. They were prepared to consider any solution short of payment of salary for the period of strike and they are always prepared to consider any practicable formula."

7. Indeed, in a letter dated the 24th September, 1949, to Shri Rafi Ahmed Kidwai, Shri Jai Prakash Narain in referring to his talks on the subject recounted:

"One of the most important demands of the men was that they should be paid the wages for the strike period of 1946. If you remember, you had told me that you might be able to do something in that matter after 3 months or so. You had said that in a similar situation, when the employees of the Irrigation Department in the U.P. had gone on strike, you had arranged for payment for the strike period in the shape of payment against extraordinary leave."

Then, again, in a letter dated the 4th January, 1950, to the Prime Minister, Shri Jai Prakash Narain wrote in these words:

"Rafi Sahib had given me an assurance that after 3 months he would do what was possible to settle the demand for payment for the period of strike of 1946. He had further told me that he would have a formula worked out to make this payment not in the shape of payment for a strike period but as payment against leave due or special leave."

This was replied to by Shri Rafi Ahmed Kidwai in his letter dated the 29th

January, 1950, wherein he reiterated his views as follows:—

"I had made it clear again and again that we can never agree to make payments for the strike-periods. In February last year in the course of our discussions I was reminded of a certain strike wherein it was agreed that if any striker had his earned leave due, the strike period would be converted into a period of absence on leave. I then gave an assurance that after three months I would try, if possible, to evolve some such formula. When I looked into this matter, I found that any such solution is not practicable. More than two years had elapsed since the strike and if any one had at the time of strike his earned leave due, in most of the cases he must have availed himself of it. For these reasons I have not been able to evolve any formula that can be practicable. I am always prepared to consider any suggestion. But I would not accept a suggestion that would create difficulties later." "To allow the strike-period to be treated as earned leave is simply converting one form of punishment into another, i.e. forfeiting the earned leave instead of forfeiting the pay. But that cannot be so if we pay for the strike period and refuse them leave that may fall due. I have explained the reasons for my inability to evolve a formula. If you can suggest a way out, I am always prepared to consider it. I am surprised you call this as a definite understanding or undertaking on my part for payment for the strike period of 1946. You yourself in your letter say that I had given 'an assurance that after three months I would do what was possible.' This shows that it was a mere promise to consider a possible way out. It cannot be treated as more than that. That assurance is still there. We have simply to find out a practicable solution."

8. In view of the refutations made by Shri Rafi Ahmed Kidwai on the floor of the House and in his letter, there was no room for ambiguity in regard to the stand taken by him. Shri Jai Prakash Narain somehow feels that Shri Rafi Ahmed Kidwai has not kept his word. All I would say is that it would seem to be a case of genuine misunderstanding which, however, was subsequently cleared up both by Shri Kidwai and the Prime Minister. In so far as Shri Kidwai gave an assurance of his willingness to explore every avenue of finding a practicable solution, Government still stand by that assurance.

9. From the press reports, it appears that the All-India Postmen and Lower Grade Staff Union is contemplating to serve on the 15th July, 1952, a notice of strike which will be effective from the 5th August, 1952. We have so far received no official confirmation of it. In the statement issued by Shri Jai Prakash Narain on the eve of his fast, he has stated—

“The fast being an entirely personal affair, I do not want any publicity, agitation or any sympathetic public manifestation in connection with it. The postmen, particularly, should not feel that they have any responsibility in the matter, and should not indulge in any agitation on my account.”

Under the circumstances, the strike would be most ill-conceived. Government hope that wiser counsels would prevail and that the Postmen and Lower Grade Staff will refrain from taking a step which will cause serious inconvenience to the public and would invite their condemnation.

10. The House will not expect me to deal with the alleged grievances of the Union which have appeared in the press. Government recognise the important nature of the services which the Postmen and Lower Grade staff perform to the community and are prepared to redress all their legitimate grievances which are brought to their notice in a proper and constitutional manner.

**Shri K. Subrahmanyam:** According to the Resolution passed by the Executive Council of the All-India Postal and Lower Grade Staff Union, the said assurance was given neither by the Prime Minister nor by his Cabinet, but by the then Minister in charge of Communications to Mr. Jai Prakash Narain, President of the Union, in the presence of ten Members of the Union.

**Mr. Speaker:** Is he making a counter-statement? He can ask for information, but not make a counter-statement.

**Shri K. Subrahmanyam:** I want to know whether he is in the know of it, and what his reaction is, Sir.

**Mr. Speaker:** In the know of what?

**Shri K. Subrahmanyam:** The resolution passed by the Executive Council of the Postal Employees' Union. I have to place this before him.

**Shri Jagjivan Ram:** I have already said in the statement that we have seen that in the Press, but that we have received no information officially, about the strike.

**Shri K. Subrahmanyam:** This is a meeting that took place on 19th October, 1949. The discussion was between Mr. Jai Prakash Narain and ten Members of the Executive Council on the one side and Mr. Rafi Ahmed Kidwai on the other. What is the reaction of Government to that?

**Shri Jagjivan Ram:** I have made it quite clear, Sir, that there was no commitment on the part of Mr. Kidwai.

**The Minister of Food and Agriculture (Shri Kidwai):** I want to say a few words about this. There has been a persistent demand on behalf of the Postmen who went on strike in 1946, that the strike period pay should be paid to them. The Government's answer on that occasion categorically stated that there could be no question of paying for the strike period. On the day referred to in Mr. Jai Prakash Narain's letter, a discussion was going on. I was reminded that on a previous occasion in another place when I had to deal with a strike, I had agreed that those who had earned leave due, instead of punishing them by deducting the pay for the strike period, that earned leave may be forfeited; and so it happened that those who had earned leave due, their leave was forfeited and others lost the pay for the strike period. I agreed to examine the possibilities of the proposal and tried to find out what proportion of affected men will benefit by it. I consulted my advisers, and they said that the form of punishment could be changed. It took three months to collect the information from all the States as to how the situation stood. I found that very few of them had earned leave due on the date when they went on strike. A proposition was made by the Union people and by Mr. Jai Prakash Narain that it might be deducted from the leave that would fall due in future. To that I didn't agree. Mr. Jai Prakash Narain in one letter said I had promised that I might find a solution. That itself shows that there was no definite promise that was made and that an attempt would be made to find a solution.

**Shri K. Subrahmanyam:** Will the Government be prepared to appoint a non-official committee, a committee of Members of this House to go into this assurance said to have been given by the then Minister in charge of Communications to the Members of the Union?

**Mr. Speaker:** His question is inadmissible, because he is making a suggestion, but I am allowing it.

**The Prime Minister (Shri Jawaharlal Nehru):** I don't understand how

this arises at all. If it is a charge that Government is breaking its word, Government will not accept it in the slightest, and talk to anybody on the ground that they have been false about it. So far as we are concerned, it is a question of honour. If it is a moral question to them, it is a moral question to the Government, and to me personally as Prime Minister. I have been in these negotiations at every stage, and I say it is completely wrong. There may be misunderstanding, of course, but it is completely wrong to say that at any time there was an assurance that this would be done. The assurance was that every avenue would be explored. It may be that the people may be mistaken about it. What is a Committee of this House or a Judge, or a Court set up about it, going to do? We are prepared even now to consider the matter *de novo*. We know what was said. It must be accepted. If they challenge our *bona fides*, there is an end of it. We cannot talk to each other if people consider each other liars in this connection. It is amazing that during the last three years this has been said repeatedly. My hon. colleague has quoted some letters. I have written some three, four or five long letters myself. This is a six or seven year old matter. I must state with a feeling of extreme distress that these matters should arise in our public life. I do not understand it. This is not the kind of public life I am used to.

**Shri Velayudhan:** Apart from the promise or breaking it, I want to ask whether Government is aware of the reasons for the strike other than the breaking of the pledge?

**Shri Jagjivan Ram:** As I have said we have seen nothing more than what has appeared in the press, and my friend can see that there are a number of other demands lumped together with this main demand.

**Shri Velayudhan:** May I know, Sir...

**Mr. Speaker:** I do not think we need proceed further with the matter.

## WRITTEN ANSWERS TO QUESTIONS

### ORDNANCE STORES

\*1387. **Sardar Hukam Singh:** Will the Minister of Defence be pleased to refer to the reply to starred question No. 288 asked on the 3rd March, 1952 and state:

(a) whether any packages are still lying unopened in Ordnance Depots at various centres; and

(b) if so, when it is expected to complete their opening and re-packing?

**The Minister of Defence (Shri Gopalaswami):** (a) Yes.

(b) It is expected to complete their opening and re-packing by the 31st October 1953.

### INCOME-TAX APPELLATE TRIBUNAL

\*1388. **Sardar Hukam Singh:** Will the Minister of Law be pleased to state:

(a) the number of Benches of the Income Tax Appellate Tribunal functioning on the 31st March, 1952;

(b) the total number of cases pending before them on that date; and

(c) the number of cases decided by them during the year 1951-52?

**The Minister of Law and Minority Affairs (Shri Biswas):** (a) Eight. Two at Bombay, two at Madras and 1 each at Calcutta, Delhi, Allahabad and Patna.

(b) Bombay Benches . . .	3,285
Madras Benches . . .	1,630
Calcutta Bench . . .	2,264
Delhi Bench . . .	1,634
Allahabad Bench . . .	725
Patna Bench . . .	811
TOTAL . . .	10,349

(c) 10,074.

### ALLOWANCES OF M. PS.

\*1389. **Shri S. N. Das:** Will the Minister of Law be pleased to state:

(a) whether the question of introducing a Bill which will determine the salaries and allowances which Members of either House of Parliament shall be entitled to receive in the present session of Parliament has been considered by Government; and

(b) if so, what decision has been taken in the matter?

**The Minister of Law and Minority Affairs (Shri Biswas):** (a) and (b) Government have the matter under consideration, and they are awaiting the recommendations of the Joint Committee of Parliament appointed by the Speaker on the 6th June, 1952 to examine the question of salaries and/or allowances to be paid to the Members of Parliament.