

Title: Regarding situation arising out of labour unrest in Maruti Udyog Limited and steps taken by the Government.

14.34 hrs

The Lok Sabha re-assembled after Lunch at thirty-four minutes

past Fourteen of the Clock.

(Shri P.H. Pandiyan in the Chair)

MR. CHAIRMAN: Now, the House shall take up Calling Attention Motion.

Shri T.M. Selvaganpathi - Not present.

14.35 hrs.

**CALLING ATTENTION TO MATTER OF
URGENT PUBLIC IMPORTANCE
Labour unrest in Maruti Udyog Limited**

श्री रामजीलाल सुमन (फिरोजाबाद) : महोदय, मैं भारी उद्योग और लोक उद्यम मंत्री का ध्यान अविलम्बनीय लोक महत्व के निम्न विषय की ओर दिलाता हूँ और प्रार्थना करता हूँ कि वह इस संबंध में वक्तव्य दें :

"मारुति उद्योग लिमिटेड में श्रमिकों में असंतोष से उत्पन्न स्थिति और इस संबंध में सरकार द्वारा उठाये गये कदम। "

THE MINISTER OF HEAVY INDUSTRIES AND PUBLIC ENTERPRISES (SHRI MANOHAR JOSHI): Sir, I wish to make a statement concerning the labour unrest in Maruti Udyog Limited, MUL, a 50:50 joint venture between Government of India and Suzuki Motor Corporation of Japan. The labour unrest started from 9th September, 2000 mainly due to differences between the management of MUL and Maruti Udyog Employees Union, MUEU, regarding productivity linked incentive payable to workmen. The other demands of the workers include revision of conveyance allowance, formulation of a company based pension scheme, promotion of workers to Supervisory level in non production areas and setting up of a grievance redressal mechanism in the company, etc.

The 1995 incentive scheme in MUL was operational for a period of four years with effect from 1st April, 1995. The management of MUL was keen to keep the employee costs in check to retain the competitiveness of MUL in a highly competitive market while making the new incentive scheme. MUEU, on the other hand, has been opposing the new method of calculating the incentive. The Union representatives and the MUL management held a meeting on 23rd September, 2000 to consider the management's proposal for the new incentive scheme but no agreement could be reached.

As the matter could not be resolved and the production in the factory was getting affected, the management on 11th October, 2000 decided to notify the new incentive scheme to bring normalcy in the operations. Management has also sought a Good Conduct Undertaking from workmen before entering the factory with effect from 12th October, 2000. MUEU had sought *ad-interim* injunction from the Civil Court against Good Conduct Undertaking, but the Court dismissed the request. MUL has dismissed and terminated the services of 44 workmen and 21 trainees and suspended another 10 workmen since the start of the agitation.

SHRI PRAVIN RASHTRAPAL (PATAN): This is highly objectionable. Workers cannot be asked to give certificates of good conduct.

MR. CHAIRMAN : The Minister is making the statement. Let him complete it first.

...(Interruptions)

SHRI VARKALA RADHAKRISHNAN (CHIRAYINKIL): How can the management demand good conduct certificates from the workers?...*(Interruptions)*

PROF. A.K. PREMAJAM (BADAGARA): This is a kind of dictatorship.

SHRI BASU DEB ACHARIA (BANKURA): For the first time this has happened.

MR. CHAIRMAN: You follow the procedure.

...(Interruptions)

SHRI BASU DEB ACHARIA : We want to know whether the Minister would subscribe to it....(Interruptions) आप क्या इसका समर्थन करते हैं?

डा. रघुवंश प्रसाद सिंह (वैशाली) : सभापति महोदय, मजदूरों के प्रति सरकार की दमनकारी नीतियां हैं। (व्यवधान) वहां पर 83 लोगों को बर्खास्त कर दिया गया है। (व्यवधान)

श्री रामदास आठवले (पंढरपुर) : सभापति महोदय, वहां पर मजदूरों के हकों को नजर-अंदाज किया जा रहा है। (व्यवधान)

MR. CHAIRMAN: He is making the statement. You hear the statement first. Please see the last two lines.

...(Interruptions)

SHRI MANOHAR JOSHI: Sir, I have not yielded. I would like to complete my statement....(Interruptions)

MR. CHAIRMAN : Dr. R.P. Singh, you hear the Minister fully.

SHRI MANOHAR JOSHI: There had been two unfortunate incidents of death involving MUL personnel on 17th and 18th October, 2000. The MUEU had alleged that high-handedness on the part of the management resulted in these two incidents....(Interruptions)

MR. CHAIRMAN: You hear the entire statement.

SHRI MANOHAR JOSHI: The management of MUL has claimed that they have nothing to do with it....(Interruptions)

SHRI BASU DEB ACHARIA : Suzuki is not above the law of this country, Sir....(Interruptions)

MR. CHAIRMAN: This is Calling Attention Motion. Nobody is permitted to speak except the names mentioned here.

...(Interruptions)

MR. CHAIRMAN: Nobody is permitted.

...(Interruptions)

SHRI PRIYA RANJAN DASMUNSI (RAIGANJ): What is your policy? (Interruptions)

SHRI MANOHAR JOSHI: You are not listening to the policy. You have no courtesy to hear me. The policy has been explained in the statement. Sir, I expect that the Members should have the courtesy to listen to the policy of the Government....(Interruptions)

MR. CHAIRMAN: Dr. R.P. Singh, please take your seat.

...(Interruptions)

SHRI MANOHAR JOSHI: I hope the Members would have the courtesy to listen to the policy of the Government about the undertaking which the management is asking for. If you do not listen to it, then how can I explain?... (Interruptions)

SHRI VARKALA RADHAKRISHNAN : What is your stand on Good Conduct Undertaking? ... (Interruptions)

SHRI MANOHAR JOSHI: I will reply to your question, if you ask it in a proper manner and not when I am reading the statement. ... (Interruptions)

MR. CHAIRMAN: The Minister may complete his statement.

...(Interruptions)

SHRI MANOHAR JOSHI: I am sorry, Mr. Chairman, to say that I will be able to reply to them if they ask me in a proper manner. This is not the manner which I am expecting in this supreme House....(Interruptions)

MR. CHAIRMAN: This is not the procedure at all.

...(Interruptions)

SHRI MANOHAR JOSHI: The management of MUL claims to have been able to increase the production to normal levels with the help of managers, supervisors, apprentices and workmen who have signed the Good Conduct

Undertaking. Out of a total of 4515 unionized employees in the Company, 1474 have reported for duty till 27th November, 2000. The management has informed that average daily production from April to September was 1205 vehicles whereas during November, 2000, MUL has been able to achieve a higher level of production with an average daily production of 1310 vehicles until 27th November, 2000.

I have held several meetings with the Union representatives and management. Honourable Members of Parliament have also been meeting me in this regard. At every stage, I have endeavoured to resolve the dispute and bring about an amicable settlement between the labour and the management. It is important that discipline in the factory is maintained and profitability of the enterprise is not impaired particularly in the face of fierce competition that exists today in the market. It is equally, if not more, important that the rights of workers are protected and they are not subjected to any humiliation. The management had sought certain safeguards to ensure that harmony will be restored in the organisation and that the law will have to take its course in regard to disciplinary action taken against workers. The incentive scheme notified by the management is founded on present day norms of productivity and needs to be duly honoured. However, Government did not consider it appropriate to insist that each worker executes a Good Conduct Undertaking. Such an undertaking is not in consonance with the spirit of collective bargaining. Government had, therefore, proposed that unions may furnish an assurance to the management that the employees will abide by the extant Standing Orders of the Company. This would only amount to the workers agreeing to work in accordance with the established rules and procedures. Besides such an assurance, the union was requested to agree that disciplinary action pending against workers for alleged misconduct would be pursued in accordance with the appropriate labour laws and that the scheme of incentive notified by the management would be accepted.

The management has agreed to this course of action and to drop insistence on individual workers furnishing a Good Conduct Undertaking. The response of the Union is awaited. We hope that the workers would find these terms of settlement acceptable as their principal demand that the Good Conduct Undertaking be withdrawn is being acceded to. It might be noted that the essence of the settlement is the spirit of collective bargaining and protection of the basic rights of workers.

MR. CHAIRMAN : Shri Ramji Lal Suman.

...(Interruptions)

MR. CHAIRMAN: He has given notice of a Calling Attention. Only those hon. Members who have given notice of a Calling Attention shall be allowed to speak. Please take your seat.

...(Interruptions)

SHRI BASU DEB ACHARIA : In the absence of Shri Selvaganapathi, you please allow me to speak....(Interruptions)

SHRI PRIYA RANJAN DASMUNSI : As an ally of AIADMK, I have a right to be substituted! Are you agreeing to this?

MR. CHAIRMAN: No. Nobody can be substituted.

...(Interruptions)

MR. CHAIRMAN: Shri Ramji Lal Suman to speak.

SHRI BASU DEB ACHARIA : When you are sitting in the Chair, you please allow me to speak. Since your party Member is absent, I can be allowed to speak.

SHRI PRIYA RANJAN DASMUNSI : You are not his ally.

SHRI BASU DEB ACHARIA : He is my good friend.

SHRI MANOHAR JOSHI: Sir, I have no objection to this. I know that Shri T.M. Selvaganapathy, who has to initiate this discussion, is not present in the House at the moment. Of course, the next Member can speak.

MR. CHAIRMAN: That is why, I called Shri Ramji Lal Suman to speak. Rule 197 provides that only those Members who have given notices alone are eligible to put supplementary questions.

SHRI BASU DEB ACHARIA : The Chair has the discretionary power to allow me. Sir, you can exercise your power.

MR. CHAIRMAN: It would apply if there are no Members. But now there are three Members to speak. So, Shri Ramji Lal Suman to speak now.

श्री रामजीलाल सुमन : सभापति महोदय, मारुति उद्योग लिमिटेड में पिछले 18 महीने से काफी असंतोह है। श्रमिकों का उत्पीड़न हो रहा है और अनुशासन के

नाम पर उनका दमन किया जा रहा है। मैं समझता हूँ कि प्रबंधनतंत्र ने जो लिखकर दिया होगा, उसे माननीय जोशी जी ने पढ़ दिया होगा। मेरी जानकारी के अनुसार 4167 मजदूर अभी भी बाहर हैं। वे काम करना चाहते हैं लेकिन प्रबंधनतंत्र काम कराने के लिये तैयार नहीं है। मारुति उद्योग लिमिटेड एम्पलाइज यूनियन ही उक्त संस्थान की एकमात्र यूनियन है जिसने मैनेजमेंट से प्रार्थना की थी कि उनकी दो समस्याएँ हैं जिसे हल करने के लिये मिल बैठकर विचार कर लिया जाये। बुनियादी तौर पर उनकी दो समस्याएँ हैं : उत्पादन में प्रोत्साहन योजना और पेंशन स्कीम। यूनियन द्वारा बार बार अनुरोध करने के बावजूद जब उनकी बात नहीं सुनी गई तो 18 सितम्बर को यूनियन ने स्ट्राइक का नोटिस दिया। उसके तत्काल बाद उन लोगों ने क्रमिक अनशन शुरू कर दिया। 12 अक्टूबर को कारखाने का गेट बंद कर दिया गया और यूनियन के महामंत्री जो हड़ताल पर थे, उन्हें बिना किसी वारंट के गिरफ्तार कर के जेल भेज दिया गया। सबसे महत्वपूर्ण बात यह है कि गेट के पास एक तरफ यह हलफनामा चिपका दिया गया कि जो मजदूर अंडरटेकिंग देगा, उस पर अपने हस्ताक्षर करेगा तभी वह अंदर जा सकेगा। 12 मजदूरों को निलम्बित किया गया और 70 मजदूरों का निकासन हुआ।

थोड़ा बहुत कानून के बारे में हम भी जानते हैं। यदि किसी को दंडित करना है तो उसे इतना मौका मिलना चाहिए कि उसका पक्ष भी आप सुन सकें। यह कर्मकारों से संबंधित स्थाई आदेश मारुति उद्योग लि. गुड़गांव का है। यह जो किताब है, इसमें जो नियमावली है, किसी मजदूर को हटाने के लिए 21.2, 21.3 और 21.4 इसमें प्रावधान है। खंड 21.1 के उपखंड 21.12 के अंतर्गत कोई आदेश तब तक जारी नहीं किया जा सकता जब तक संबंधित कर्मकारों को आरोपित कदाचारों के संबंध में लिखित सूचना नहीं दी जाती और उसके विरुद्ध आरोपित परिस्थितियों के संबंध में उसे स्पटीकरण देने का अवसर प्रदान नहीं कर दिया जाता। खंड 21.3, खंड 21.1के उपखंड(व्यवधान)

MR. CHAIRMAN : You can put a question.

...(Interruptions)

MR. CHAIRMAN: The rule 197(2) says:

"There shall be no debate on such statement at the time it is made but each member in whose name the item stands in the list of business may, with the permission of the Speaker, ask a clarificatory question and the Minister shall reply at the end to all such questions."

You are debating. You put a question to the Minister.

श्री रामजीलाल सुमन : मैं उसी पर आ रहा हूँ। मेरा कहने का मतलब है कि कर्मचारियों को बगैर कोई नोटिस दिये, बगैर उनका पक्ष जाने उन्हें दंडित कर दिया गया और सबसे महत्वपूर्ण बात यह है कि दो कर्मचारी श्री चंद्रभान और श्री राजेश की लाशें मारुति उद्योग लि. के परिसर में मिलीं, इन दोनों को मार दिया गया। वहाँ की यूनियन बराबर यह प्रयास करती रही, प्रार्थना करती रही कि अगर मैनेजमेंट यह कहता है कि हमारा दो नहीं है तो पूरे मामले की सी.बी.आई. से जांच करा ली जाए। सभापति महोदय मेरा आरोप है कि प्रत्यक्ष या अप्रत्यक्ष तौर से मैनेजमेंट इसके लिए जिम्मेदार है। बुनियादी सवाल यह है कि छ. फरवरी, 1998 को यूनियन और मैनेजमेंट के बीच एक समझौता हुआ था और यह एग्रीमेंट 31 मार्च, 2000 को समाप्त हो गया। नया एग्रीमेंट हो सकता है। श्रमिकों का जो पक्ष है, श्रमिकों की जो यूनियन है, वह चाहती है कि उनके साथ नया एग्रीमेंट हो। लेकिन मैनेजमेंट दूसरा एग्रीमेंट करने के लिए तैयार नहीं है। करोड़ों का नुकसान हो रहा है और सबसे महत्वपूर्ण बात यह है कि मारुति उद्योग में कारों के उत्पादन में काफी वृद्धि हुई है, प्रति गाड़ी कम खर्चा आया है। उत्पादन में वृद्धि हुई है, मुनाफा हुआ है, क्या उस मुनाफे में श्रमिकों का हिस्सा नहीं हो सकता है। उन्हीं के खून-पसीने की कमाई से मारुति उद्योग लाभ कमा रहा है और जब वे यह मांग करते हैं कि इस मुनाफे में उनका भी आंशिक अंश होना चाहिए तो उनके साथ बदसलूकी करते हैं, मार-पिटवाई करते हैं, उन्हें बिना कारण बताये आप प्रतिठान के बाहर कर देते हैं। यह किसी भी तरह से न्यायसंगत नहीं है।

MR. CHAIRMAN: You have to put a clarificatory question. It is not a debate. The Chair cannot allow a debate. You have already taken more than five minutes.

श्री रामजीलाल सुमन : मेरी माननीय मंत्री जी से मांग है कि उत्पादन प्रोत्साहन योजना और पेंशन योजना का लाभ श्रमिकों को मिलना चाहिए और उसके लिए एक नया एग्रीमेंट होना चाहिए। जो एग्रीमेंट पहले था, उसकी अवधि समाप्त हो गई है। अब नया एग्रीमेंट हो। जिन लोगों की मृत्यु हो गई है, उनकी मृत्यु के बारे में सी.बी.आई. जांच हो तथा जो निकासित और निलम्बित श्रमिक हैं, उन्हें तत्काल काम पर वापिस लिया जाए और जो शपथपत्र गेट पर लगा दिया गया है, उसे वहाँ से हटा दिया जाए, अवैध तालाबंदी तत्काल समाप्त की जाए, यही मेरा निवेदन है।

डा.सुशील कुमार इन्दौरा (सिरसा) : माननीय सभापति जी, जिस बात का डर था कि मल्टी नेशनल कम्पनीज भारत में आयेगी और देश के मजदूरों के माध्यम से देश को गुलाम बनाने का काम करेगी, उसका पहला शिकार मारुति उद्योग के मजदूर हुए हैं। आज मारुति उद्योग में मैनेजमेंट और मजदूरों के बीच एक टकराव है और उस टकराव में मजदूरों ने मांग की है जिसके बारे में माननीय मंत्री जी ने बताया।

लेकिन उसमें दो मुख्य मांगों - जैसे प्रोत्साहन योजना का संशोधन और कंपनी धारा पेंशन योजना के निर्धारण के साथ-साथ सरकार ने यह प्रतिबंध लगाया कि अच्छे आचरण के प्रफॉर्म पर साइन करके मज़दूर फैक्ट्री में काम करने के लिए जा सकता है। इसी बीच में कुछ घटनाएँ हुईं जिसमें दो मज़दूरों की जान चली गई। मैं माननीय मंत्री जी से जानना चाहूँगा कि जो मजदूर मारे गए हैं, उसकी निपक्ष जांच क्या वह सी.बी.आई. से करवाएंगे?

सभापति जी, मंत्री जी ने अपने वक्तव्य में कहा कि 1.4.1995 को इन्होंने प्रोत्साहन योजना शुरू की थी, लेकिन विस्तार से इन्होंने नहीं बताया कि उसमें मजदूरों का क्या हिस्सा था। मजदूर ने अपनी मेहनत से, अपने खून-पसीने से न केवल मारुति उद्योग को, बल्कि देश को भी मज़बूती दी अतः उसमें मजदूरों का भी हिस्सा बनना है। इस प्रोत्साहन योजना का कितना प्रतिशत पहले मजदूर को दिया जा रहा है और आगे सरकार की क्या योजना है कि वह मजदूर को कितना प्रतिशत हिस्सा देगी जिससे उत्पादन भी बढ़े और उसका फायदा न केवल देश को हो बल्कि मजदूरों को भी हो। मैं मंत्री जी से यह भी जानना चाहूँगा कि लोकतंत्र में मजदूरों का अधिकार होता है कि जब भी उस पर कोई मुसीबत आती है तो वह लोकतांत्रिक तरीके से, चाहे हड़ताल के माध्यम से या जलसा-जुलूस के माध्यम से अपनी बात सरकार तक पहुंचाए, मगर सरकार ने प्रतिबंध लगाकर उनके अधिकारों का हनन किया है। माननीय मंत्री जी से निवेदन है कि वे गुड कंडक्ट अंडरटेकिंग पर जो कर्मचारियों के हस्ताक्षर लिये जा रहे हैं, उसको भी रोकने का काम करें। आप खुद जानते हैं कि मारुति उद्योग के बहुत से कर्मचारी यूनियन के लोग न केवल आपसे मिले हैं, पांडियन जी से मिले हैं, रामजीलाल जी से मिले हैं, बल्कि अनेक माननीय सदस्यों और प्रधान मंत्री जी से भी मिले हैं और उन्हें अपनी दुखदायी घटनाएँ बताई हैं। उनकी मांगों पर गौर कर उन्हें न्याय दिलवाया जाए। उन्हीं लोकतांत्रिक तरीके से अपनी बात कहने की कोशिश की है, लेकिन यह आश्वासन भी मिलना चाहिए कि हड़ताल समाप्त करके मैनेजमेंट उनका विक्टिमाइजेशन तो नहीं करेगी।

श्री प्रियरंजन दासमुंशी : हरियाणा सरकार द्वारा लेबर कमिश्नर पर दबाव डालें, मगर हरियाणा सरकार दबाव नहीं डाल रही है। आप चौटाला जी को कहिये। (व्यवधान)

डॉ. रघुवंश प्रसाद सिंह : वहां मजदूरों को जाने नहीं दे रहे हैं, काम नहीं करने दे रहे हैं।

(व्यवधान)

SHRI PRIYA RANJAN DASMUNSI : Mr. Chairman, Sir, I would like to submit, through you, that if the distinguished Member can help the Government of Haryana and if the Government of Haryana becomes active to take action against the management of Maruti Udyog Limited on the labour issue, the hon. Minister here will have to act. But both the parties, the party that is in power in Haryana as well as the party to which the hon. Minister belongs, are in the National Democratic Alliance and that is why I am requesting them.

डॉ. सुशील कुमार इन्दौरा : माननीय सभापति महोदय, यह केन्द्र सरकार से जुड़ी हुई बात है। यह हरियाणा सरकार से न जुड़कर केन्द्र से जुड़ी हुई बात है क्योंकि मारुति उद्योग में केन्द्र सरकार का 50 प्रतिशत हिस्सा है और जापान की सुजुकी कंपनी का 50 प्रतिशत हिस्सा है। इसलिए इस पर केन्द्र सरकार को ऐक्शन लेना है। मैं मंत्री जी से जानना चाहूंगा कि मारुति उद्योग के उत्पादन पर इसका क्या असर पड़ा है।

15.00 hrs.

जैसे मंत्री जी ने बताया कि वाहन का औसतन उत्पादन बढ़ा है जबकि मेरे पास बिजनेस स्टैंडर्ड नामक अखबार की कटिंग है, उसमें लिखा है कि -

"The sale of Maruti-800 comes down from 16,223 units in September to just 8,775 units in October. "

डॉ. रघुवंश प्रसाद सिंह : 20 हजार करोड़ रुपये का घाटा है। (व्यवधान)

MR. CHAIRMAN : Dr. Raghuvansh Prasad Singh, you are a senior Member. While sitting, you are talking. This is the institution of Parliament.

...(Interruptions)

MR. CHAIRMAN: If you had given a notice, I would have allowed it.

...(Interruptions)

डॉ. सुशील कुमार इन्दौरा : मेरा कहना है कि जो बिक्री का मामला है, वह उत्पाद पर डायरेक्टली प्रोपोर्शनेट है। अगर उत्पाद बढ़ेगा तो बिक्री भी बढ़ेगी। मैं मंत्री जी यह जानना चाहता हूँ कि यदि वाकई ही उत्पाद बढ़ा है तो बिक्री क्यों घटी है ?

MR. CHAIRMAN: You put a question. That is all.

श्री सुशील कुमार इन्दौरा : मैं भाण न देकर सवाल ही पूछ रहा हूँ। माननीय मंत्री जी ने अभी कहा कि जो निलंबित किये गये थे, उनमें से 44 कामगारों और 21 प्रशिक्षियों की सेवाएं हैं जबकि मेरी जानकारी के हिसाब से 88 वर्कर्स को डिसमिस और 15 वर्कर्स को सस्पेंड किया गया है। क्या यह सही जानकारी है या मेरे पास जो जानकारी है, वह सही है ? डिसइन्वेस्टमेंट पर भी चर्चा चल रही थी।

(व्यवधान) यह कहा जाता है कि देश बिक रहा है, डिसइन्वेस्टमेंट हो रहा है। मैं मंत्री जी से जानना चाहता हूँ कि क्या सरकार मारुति उद्योग में भी डिसइन्वेस्टमेंट लाकर इसको बरबाद करने पर तुली है ?

मैं सरकार से यह भी जानना चाहता हूँ कि क्या सरकार जल्दी से इस मामले में हस्तक्षेप करके उन गरीब मजदूरों के हित की कोई बात करने जा रही है या नहीं ? इसके साथ-साथ आयात का जो प्रॉफिट है, वह अधिकारीगण को ज्यादा मिलता है या मजदूरों को, क्योंकि मजदूरों की तन्ख्वाह का एवरेज 7,500 रुपये है। मैंने यह सुना है कि अधिकारीगण दो से तीन लाख रुपये का मुनाफा कमा रहे हैं। मैं मंत्री जी से जानना चाहता हूँ कि उन मजदूरों के खून पसीने का पैसा उनको मिल रहा है या नहीं ?

SHRI AJOY CHAKRABORTY (BASIRHAT): Thank you, Mr. Chairman. I call the attention of the hon. Minister to this issue and the statement made by the hon. Minister. I would like to say that it is rather contrary to the facts. The dispute arises in the Maruti Udyog Limited not because of unrest of the workers but due to the unconstitutional, unethical, illegal and stern attitude of the management. The management does not pay any respect to the laws of the country. They have thrown away the labour laws in the waste paper basket. Even then, they have not agreed to have bilateral talks with the sole recognised union of the Maruti Udyog Limited.

Not only that, the workers are being prevented to enter into the factory. Before entering, they are asked to endorse a good conduct certificate. It is a good behaviour certificate just like that under the 107 Cr.P.C. Are they bonded labourers? Are they 'Bandhua Mazdoors'? Why should they give a good conduct certificate before entering into the factory? Not only that, the management has also dismissed 83 workers. The management has suspended more than 70 workers. The action taken by the management of the Maruti Udyog Limited is unethical and

unconstitutional. It is an infringement of rights which have been given in the Constitution of India to every citizen of the country.

The workers were prevented by the management to carry on peaceful trade union activities, which is embodied in the statute. It is not only that but the management is giving wrong advertisement in the papers everyday that the rate of production is decreasing day by day and that they have incurred a loss of Rs.300 crore.

MR. CHAIRMAN : What is your question? This is not a debate. Please put your question.

SHRI AJOY CHAKRABORTY : Sir, I am putting my question. They have also sought the intervention of the Haryana Police also and the police arrested the Secretary and the President of the workers union when they were on hunger strike.

My specific questions to the hon. Minister are that in view of the joint memorandum submitted by MPs from various political parties to the hon. Prime Minister, will the Government kindly take appropriate steps to bring about normalcy in Maruti Udyog Limited to end the stalemate? Whether the Government will take steps to direct the management to withdraw the 'Good Conduct Undertaking Order' for seeking undertaking for good conduct from individual workers? Whether the Government is ready to direct the management of MUL to withdraw the suspension and dismissal order forthwith? Whether the Government is ready to direct the appropriate statutory bodies to process other pending issues? Whether the Government is ready to initiate impartial probe order of the death of the worker while they are working within the premises of the factory? Lastly, whether the Government has forgotten that the Government is the owner of MUL and 50 per cent of its shares are held by it and whether the Government has taken a decision to surrender before the Suzuki Company by selling out the ownership of the company to them?

These are my specific questions to the hon. Minister.

श्री नवल किशोर राय (सीतामढ़ी) : माननीय सभापति महोदय, अभी ध्यानार्काण प्रस्ताव पर मारुति उद्योग के मजदूरों के असंतोष पर माननीय मंत्री जी ने वक्तव्य दिया है, मैं आपके माध्यम से माननीय मंत्री जी से कहना चाहता हूँ कि यह वक्तव्य देखने से लगता है कि यह मारुति उद्योग प्रबंधन द्वारा बनाया गया वक्तव्य है। इसमें इन्होंने जो बताया है कि मारुति उद्योग में वाहनों का उत्पादन बढ़ा है, यह बिल्कुल सत्य से परे है। मारुति उद्योग के मैनेजमेंट ने पूर्व नियोजित तरीके से इस मामले को खड़ा किया, जिसके कारण से पहले से 25,000 गाड़ियाँ बनाकर स्टोर करके रखी गईं और उनको अब निकालकर एक फर्जी फीगर देकर इसके उत्पादन को बढ़ाने की बात कही जा रही है, जबकि 4700 मजदूरों में से 4100 मजदूर फ़ैक्टरी से बाहर हैं। यहाँ माननीय सदस्यों की तरफ से जो चर्चा हो रही है कि इस मामले को जिस तरह से पेश किया जा रहा है कि यह मजदूरों का आन्दोलन है। मैं इससे इन्कार करता हूँ। यह मजदूरों का आन्दोलन नहीं है। मजदूरों को तो भीतर जाने से रोका गया है। मैं आपके सामने एक फोटोग्राफ प्रदर्शित करना चाहता हूँ।

गेट पर पुलिस लगाकर, गुड कंडक्ट अंडरटेकिंग का बोर्ड लगाकर मजदूरों को रोका गया कि इस पर जो हस्ताक्षर करेंगे वही अंदर जाएंगे। हमने ऐसा कोई आंदोलन नहीं देखा, जिसमें इस तरह मजदूरों को रोका गया हो, जबकि यहाँ तो आंदोलन ही नहीं हुआ। कहा जा रहा है कि मजदूर आंदोलन पर हैं, मैं इससे सहमत नहीं हूँ। मजदूरों को पुलिस लगाकर रोका गया।

आपने कहा है कि गुड कंडक्ट अंडरटेकिंग वापस लेने के बारे में सरकार ने कहा है। जब गुड कंडक्ट अंडरटेकिंग का बोर्ड लगाकर मजदूरों को प्रवेश करने से रोका गया, उसके बाद मजदूरों ने सभा की और सरकार के पास फरियाद पहुंचाने का प्रयास किया। इसके बाद 70 लोगों को निकालकर कर दिया गया और 15 को निलम्बित किया गया। जो 15 साल से, 30 साल से काम कर रहे हैं, उनको गुड कंडक्ट का बोर्ड लगाकर काम करने से रोका गया। जो कर्मचारी इस काले कानून को मानने को तैयार नहीं हुए, उनको निकालने की कार्रवाई की गई। मंत्री महोदय बयान दे रहे हैं कि श्रम कानून के अधीन कार्रवाई की जाएगी। मारुति उद्योग प्रबंधन ने ऐसी स्थिति पैदा की। उसने नया काला कानून टांग दिया, मजदूरों को अंदर नहीं जाने दिया और इसके तहत कार्रवाई की गई। मैं मंत्री जी से पूछना चाहता हूँ कि क्या सरकार प्रबंधन को यह आदेश देगी कि बिना शर्त निलम्बन और निकासन की तिथि से सभी कर्मचारियों को सम्मान के साथ सेवा में वापस लिया जाए ? मारुति उद्योग में प्रति वर्ष मजदूरों की मेहनत से आय बढ़ती जा रही है। पिछले वित्तीय वर्ष में 300 करोड़ रुपए मजदूरों के पसीने से अर्जित किए गए। 1995 में जो प्रोत्साहन योजना लागू की गई, जो इंसेंटिव दिया गया, पेंशन के बारे में निर्णय लिया गया, उस एग्रीमेंट की अवधि समाप्त हो गई इसलिए इस अवधि में जो मुनाफा बढ़ा, उसी रेशो से मजदूरों के लिए क्या सरकार प्रोत्साहन योजना लागू करना चाहती है या नहीं ? पेंशन के बारे में आदेश देना चाहती है या नहीं ? चन्द्रभान और राजेश (व्यवधान)

MR. CHAIRMAN : You should put a question.

श्री नवल किशोर राय : मैं आधा मिनट और लूंगा। जिन कर्मचारियों की रहस्यमय मौत हुई, क्या उनके परिवार वालों को मुआवजा दिया जाएगा या नहीं ? सभापति महोदय, इस मामले को गम्भीरता से लिया जाए और जल्द से जल्द इसको हल किया जाए। (व्यवधान)

MR. CHAIRMAN : Now, the hon. Minister may now reply.

...(Interruptions)

SHRI RAJIV PRATAP RUDY (CHHAPRA): Sir, I have given a notice. ...(Interruptions)

MR. CHAIRMAN: Shri Rudy, your notice was disallowed by the Speaker.

SHRI RAJIV PRATAP RUDY : Sir, I want to make my submission. ...(Interruptions)

MR. CHAIRMAN: You cannot. The Speaker has disallowed your notice.

...(Interruptions)

MR. CHAIRMAN: You are all senior Members. Show me any provision in this book - Rule 197 - under which I can permit you.

...(Interruptions)

SHRI PRIYA RANJAN DASMUNSI : Sir, I urge upon your wisdom to use your discretion. This is such an important matter relating to a major undertaking and to the public interest. The Minister should clarify as to what is the policy of the Government in regard to keeping this unit or disinvest it. What is

the policy of the Government in regard to taking back the dismissed employees? ...(Interruptions)

MR. CHAIRMAN: Since I am in the Chair, I am not able to speak. The Minister may recall the representation that I made.

SHRI BASU DEB ACHARIA : Mr. Chairman, Sir, kindly allow me to put a question to the hon. Minister after the reply of the Minister. ...(Interruptions)

MR. CHAIRMAN: Shri Basu Deb Acharia, please take your seat.

...(Interruptions)

श्री राजीव प्रताप रुडी : 2 लाख 747 हजार करोड़ रुपए लोक उपक्रमों में लगाए गए

₹ (व्यवधान)

...(Interruptions)

MR. CHAIRMAN : Nothing will go on record.

(Interruptions)*

MR. CHAIRMAN: It will not be recorded.

...(Interruptions)

MR. CHAIRMAN: You must follow rule 197. This is Calling Attention. Shri Rajiv Pratap Rudy, you take your seat.

...(Interruptions)

MR. CHAIRMAN: No, it will not go on record.

(Interruptions)*

MR. CHAIRMAN: Shri Ramdas Athawale, this will not go on record.

(Interruptions) *

MR. CHAIRMAN: You have not been permitted by the Speaker himself. You resume your seat.

...(Interruptions)

*Not Recorded.

MR. CHAIRMAN: This is not proper. This is improper. You must respect the ruling of the Chair.

...(Interruptions)

MR. CHAIRMAN: You must respect the ruling of the Chair.

...(Interruptions)

MR. CHAIRMAN: Then, I have to take action. Nothing will go on record.

(Interruptions)*

MR. CHAIRMAN: Shri Rajiv Pratap Rudy, you are inviting an action.

...(Interruptions)

MR. CHAIRMAN: Shri Rajiv Pratap Rudy, take your seat. This is not expected of a Member. I will take action against you. I have to take action.

...(Interruptions)

MR. CHAIRMAN: Mr. Minister, you control your side. You have to control.

...(Interruptions)

MR. CHAIRMAN: This is not proper.

...(Interruptions)

MR. CHAIRMAN: Shri Rajiv Pratap Rudy, nothing will go on record.

(Interruptions)*

MR. CHAIRMAN: This is not proper.

...(Interruptions)

MR. CHAIRMAN: Why do the ruling Parties not control him?

...(Interruptions)

MR. CHAIRMAN: Why do you not control him?

...(Interruptions)

MR. CHAIRMAN: Why do you not control him? Shri Rajiv Pratap Rudy, this is not proper.

...(Interruptions)

*Not Recorded.

MR. CHAIRMAN: Shri Rajiv Pratap Rudy, nothing will be recorded.

(Interruptions)*

MR. CHAIRMAN: The Chair is constrained to take action. You are not sitting. I have to take action. I will take action. I will name you. I will name Shri Ramdas Athawale. I have to name you.

...(Interruptions)

MR. CHAIRMAN: No, there is an end to it. You must follow a procedure. You must follow the rule. I will take action.

...(Interruptions)

MR. CHAIRMAN: You have already finished.

...(Interruptions)

MR. CHAIRMAN: No. Now the hon. Minister, you can commence your speech.

...(Interruptions)

MR. CHAIRMAN: Nothing will go on record, except the speech of the Minister.

(Interruptions)*

MR. CHAIRMAN: Shri Nawal Kishore Rai, I will name you.

...(Interruptions)

MR. CHAIRMAN: Shri Nawal Kishore Rai, I have to name you.

SHRI MANOHAR JOSHI: I am thankful to all those Members who participated in the debate. I am thankful to them for bringing out all the points which were necessary to be brought before this August House. I am indeed happy that the issue has been discussed because it was necessary to discuss in the interest of all those concerned with Maruti Udyog. I agree with Shri Basu Deb Acharia that it is in the interest of the nation also that this issue should be discussed in the House.

*Not Recorded.

Therefore, my request to the entire House would be that the points which I would like to make today are important from the point of view of the management of such companies as well as from the point of view of unions also. This is a very strange situation which the country is facing today. It is needless to say that there is a recession all over. It is needless to say that unemployment problem is also existing today to a large extent.

Let me complete. ...(*Interruptions*)

MR. CHAIRMAN : Shri M.V.V.S.Murthi, you have not given a notice. What is this? You must follow the rules.

SHRI MANOHAR JOSHI : It is the responsibility of all of us to see that those companies which are running, also keep on running. I am sure that one who has the interests in the welfare of the Country will definitely agree with my views that we must look to the interests of the Country first, above everything else. And, therefore, taking due interest in the political parties, taking due interest in the unions for which we work, also it is necessary to see that the units of different Companies do not close down. And, therefore, for the last almost three months as the concerned Minister, I have been trying to find out a settlement between the Management and the Unions seriously. Here, it is a strange case. I am happy to mention that this Company has a good management and the Company has equally good workers. ...(*Interruptions*) Of course, when I say workers, it means that the leaders of the workers are also included.

A Company's prosperity is not only because of one aspect. There are various reasons for the prosperity of the Company which the Company has done and we must all be proud of a company like Maruti Udyog Limited . This Company made a tremendous progress since its inception. Somebody may not give credit to the Company just because of the licensing system which existed earlier. Even during the competition time in the last few years after 1991-92 also, when the other companies suffered, this Company maintained its leadership. I have seen, in the case of other companies, that initially the companies started as companies of our own but slowly they have been taken over by a number of multi-nationals. Today in the Automobile Sector, the picture is grave and we find that the only company where 50 per cent of the shares are with the Government – we may call with the Indians – is this particular Company and therefore, the matter must be looked at seriously.

It is not that I am here to side with either the management or the union. But if I place before you a few figures, you must take them in the proper spirit. I will discuss the issues which were raised in the House and I will discuss all the questions that have been raised, provided the time permits. But I must say that the incentive – one must understand – is not a question for bargaining. The incentive is an offer by the Company. The incentive is not a deal or a point of dispute. The incentive is decided by the management on its own will, agreed by the unions also. It is not considered to be a right. There may be other things like the DA, salary, or basic salary. They are the rights of the workers for which they fight for. And there may be other issues like pension etc. Those issues have been raised in this House. But the workers have never raised them before me.

The two issues about which the workers were sensitive right from the beginning were, one about the incentive issue and the other about the Good Conduct Undertaking which has been very strongly put forth by the Members of Parliament here.....(*Interruptions*) Of course, I will deal with victimisation which has also been raised and for which a reply has been given in my statement. Of course, to that also I will refer.....(*Interruptions*)

Therefore, I said this is a case where both the sides are good, the strike has continued and sometimes I personally feel that there is a necessity to go into the roots to find out what may be the other exterior reasons for this particular strike, which I have not been able to find so far.

But the apparent reason is that there is no strike. But the people have been referring it as a strike. ...(*Interruptions*)
But I have said that it is not a strike. ...(*Interruptions*)

MR. CHAIRMAN : Shri Ajoy Chakraborty, you cannot get up without my permission.

...(Interruptions)

SHRI MANOHAR JOSHI: First, I come to the incentive issue. The incentive issue was started right from 1988. For four years, the agreement was done. First time, there was an agreement. The second time, an agreement could not be arrived at. Therefore, after four years, a declaration was made by the management and the workers accepted the incentive. Therefore, on the same lines, this time also it was made. The incentive was declared, but it was not accepted by the workers. It is interesting to note what the incentive is and what are the results of the incentive. I would like to put before the August House the comparison of the incentives – the union proposal and the management proposal, cost to the company of this incentive. This figure is really interesting. I would be happy if all the workers could get that amount on the present date.

Sir, in 1999-2000, the union proposal was Rs. 25,636 and management proposal was Rs. 23,008. In 2000-2001, the management proposal was Rs. 25,800 approximately and the union proposal was Rs. 30,000. On the same lines, the management's proposal would have been Rs. 29,743 in 2001-2002, while it would have been Rs. 37,000 from union side. In 2002-2003, the proposal would be Rs. 33767 while union was for Rs. 42559. In the year 2000, in the present circumstances also, the management is prepared to give the incentive. But the workers are asking for Rs. 42,000. May I ask a simple question, which all my learned friends present here can reply? I would like to know whether it is possible to pay such a huge amount after three or four years. The company, in its wisdom, thought that this decision should not be taken today.

Sir, we know what has happened in the case of number of different Governments belonging to different States. The salaries were given to any extent without application of mind because there was no management as such in the Governments and today almost all States are facing financial problems. Some of the States are not in a position to pay the salaries to the workers also. Do you want that condition to happen in the case of Maruti Udyog Limited? ...*(Interruptions)* Shri Rajiv Pratap Rudy, I am sorry. I am not supporting one side or the other. I am simply giving the facts. Ultimately, let them decide.

However, on certain points I must make it clear that I am also in favour of the workers. This is the point, which we must also consider whether it is possible to pay a particular salary. I must give you the figures as to what was the profit of the company when it started; what was the profit after ten years; what is the profit today; and what will be the profit of the company after five years. One must consider the company, as one's own. One cannot say that running a company, like this, is the concern of the Government. This Government may be the Government of this particular Party today, but Governments keep on changing. We have seen it in the past. So, we must always feel that this Company belong to us. And if the Company belongs to you, can you behave in the same manner? If you behave in the same manner, this Company will also be like some of the other States that the Company will not be able to pay today. Therefore, I am prepared to present to all the Members what are the salaries paid by other companies, which Shri Rajiv Pratap Rudy said here and which has not gone on record. ...*(Interruptions)*

MR. CHAIRMAN: You cannot answer Shri Rudy. His speech was expunged.

SHRI MANOHAR JOSHI: I am not answering him here. ...*(Interruptions)*

Shri Rajiv Pratap Rudy, you need not worry about it. The figures are really astonishing. The present position is that no other Company is paying even 50 per cent of the salary which Maruti Udyog Limited pays.

With this also, all this trouble started. I must say that it is not only me but the Government is also in favour of workers. But if the workers are paid Rs.15,000 as salary, the amount, including incentive, goes to Rs.23,000 – I am talking about the average so that you can understand; sometimes it may be more than that, sometimes it may be a little less than that - and they have all facilities which a normal worker should have. ...*(Interruptions)*

I heard you patiently. I never disturbed any Member when they were speaking. My request would be to please listen to me also. Therefore, Sir, I negotiated with the workers. Let me tell you that my discussions with the workers were for more number of times than with the management. If you want to know, I have got the record of the meetings which I have taken. I discussed with the management two times but I discussed with the workers' representatives ten times. So, it is not that I have failed to understand their sentiments. I discussed with them because they are the bigger part of the society, not the management. If you feel that this Government wants to side with the management, this impression is unfortunately not a correct impression. I discussed with the workers ten times and ultimately they have now told that the issue of incentive is not that important.

I am not going into it as to how many workers have gone inside or how many workers are outside. I may say that my figures are not always authentic, but the figures may be almost the same because I have the figures from both and I have found that the figures are almost the same. The figures are not important, the principle involved is important, that is, whether you can give the salaries as demanded. I personally feel that it is really not possible for any Government or for any company to increase the salaries.

I must say that this industrial unrest was not started all of a sudden. The scheme was notified earlier on 31.3.1999. A Committee was formed to prepare a new Scheme in December, 1999. A number of meetings were held between the union and the management between 2nd of August, 2000 and 7th of September, 2000. The union did not agree with the proposition. That also I did not mind. The workers started agitation by wearing black badges, holding gate meetings and going slow on 11.9.2000. On 3rd October, 2000 onwards, they went on tool-down strike along with go-slow. There was a loss of more than 5,500 vehicles due to tool-down strike, go-slow, raising slogans within the factory premises, processions, etc. I can always understand that because this is the right of the workers. On 18.9.2000, there was relay hunger strike and from 11.9.2000 to 22.9.2000, the contract labour was prevented from entering the factory. So, these are the number of things that happened. Therefore, ultimately a Good Conduct Certificate was asked from the workers by the management.

Now the question is whether this certificate is ever asked for. Somebody said here that this is never asked for. Not that it is never asked for, but I can understand that generally there is no such practice. If somebody says that this is never asked for, then I will have to produce here, in this House, that it is not only asked for but such undertaking has already been given in other companies.

SHRI BASU DEB ACHARIA : Not individually.

SHRI MANOHAN JOSHI: This is a Good Conduct Bond given in TELCO, Lucknow, and I am prepared to read the contents of this bond.â€¦ (Interruptions)

SHRI AJOY CHAKRABORTY : Do you support it?

MR. CHAIRMAN : Shri Chakraborty, you have asked the question and he is replying. You cannot ask another question.

SHRI MANOHAR JOSHI: Sir, let me make it clear that I am reading it just to meet their argument. If somebody says it is never given, I say this has been given, not in one company, in four companies. I would not like to go into it because I have said that neither me nor this Government agrees with this type of undertaking.

Someone showed me a book of the Standing Orders. I am prepared to give you this book on Standing Orders. What is this book? I have marked each page of this. The House is not the place where I can read each and every word of this book. This is the Standing Order for every workman which even the workers have agreed to sign. There is no difficulty from the point of view of workers. They are prepared to sign it again.

This is the Good Conduct Undertaking. Each sentence of this book and this – both – include the same thing. I do not really understand why the management is insisting on this. I do not also understand why the workers are refusing to sign this. I am prepared to sit with the hon. Members who have strongly opposed this. You tell me – is it not the same thing like ego either from this side or that side and ultimately putting the company into a great loss? Apart from the monetary loss, what is the reputation of Maruti Udyog today? This Company has the finest reputation. I am sorry to say that because of such strikes, the reputation goes down. If at all this Company is for disinvestment, somebody tries to take advantage of this for bringing down the prices. So, does it not happen? You tell me about it.

Therefore, I am prepared to show word by word that whatever is asked for in the undertaking is nothing else than what the workers have agreed to right from the beginning in the Standing Order. So, there is nothing special in asking for it and there is nothing special in refusing it. Unnecessarily this became a point of prestige.
...(Interruptions)

DR. SUSHIL KUMAR INDORA : Then, why is the management pressing for it? ...(Interruptions)

MR. CHAIRMAN : Hon. Minister, one hour has passed in this Calling Attention. You have taken one hour.

SHRI MANOHAR JOSHI: Sir, this issue is very difficult to understand. ...(Interruptions)

SHRI BASU DEB ACHARIA : Why is the management pressing for giving the undertaking for individual workers?
...(Interruptions)

SHRI MANOHAR JOSHI: Let me complete. Sir, this is an important issue.

SHRI PRIYA RANJAN DASMUNSI : Why are you asking for the Good Conduct Undertaking?

MR. CHAIRMAN: Shri Dasmunsi, under what rule you got up?

...(Interruptions)

SHRI MANOHAR JOSHI: Sir, let the House know what the wording of the Good Conduct Undertaking is. Please allow me also to read the wording of the standing order. ...(*Interruptions*)

SHRI BASU DEB ACHARIA : We know the Standing Order.

SHRI MANOHAR JOSHI: If you know the Standing Order, then the wording of the undertaking is also the same.

SHRI BASU DEB ACHARIA : When there is a Standing Order, what is the need for Good Conduct Undertaking? ...(*Interruptions*)

MR. CHAIRMAN: Hon. Minister, please address the Chair. If you look at them, they will ask questions.

SHRI MANOHAR JOSHI: Sir, therefore, my point is the same that this point came only for ego and, therefore, this problem, according to me, has no importance. Ultimately, the Government has proved that the Government is with the workers and, therefore, they have asked the Company to withdraw this.

SHRI BASU DEB ACHARIA : Sir, he has not replied to the main thing. ...(*Interruptions*)

SHRI MANOHAR JOSHI: Sir, we are not insisting on the undertaking now. Let me make it clear. We have only said that this particular Standing Order is important and on behalf of the workers the Union is prepared to give it. ...(*Interruptions*)

डॉ. रघुवंश प्रसाद सिंह : सभापति महोदय, मंत्री जी इस विवाद को हल करवा दें।

श्री मनोहर जोशी: मैं वही कहना चाहता हूँ।

श्री रामदास आठवले : सभापति महोदय, यह सवाल कितने दिन में हल हो जायेगा? एक दिन में, दो दिन में या दो महीने में? ...(*Interruptions*)

MR. CHAIRMAN: What is this? Are you following the rules?

...(*Interruptions*)

SHRI BASU DEB ACHARIA : Sir, the workers have been suspended without giving any notice. The management is violating all the labour laws of our country. ...(*Interruptions*)

MR. CHAIRMAN: You resume your seat.

SHRI BASU DEB ACHARIA : Sir, he has not replied to it. ...(*Interruptions*)

MR. CHAIRMAN: Nothing will go on record.

(*Interruptions*)*

MR. CHAIRMAN: Shri Basu Deb Acharia, you are asking for withdrawal of good conduct undertaking. You see your conduct here. You please raise above it.

SHRI MANOHAR JOSHI: Sir, I am ready to explain about the undertaking in detail. I am prepared to read it to you. I will give you both the copies. I have no objection in giving both the copies. ...(*Interruptions*)

SHRI BASU DEB ACHARIA : Sir, we want to know whether the Government will ask the management to withdraw the victimisation action and the punishment imposed on the workers. He has not replied to it. That is the main problem. ...(*Interruptions*)

MR. CHAIRMAN: Shri Basu Deb Acharia, I am not allowing you. Nothing will go on record.

(*Interruptions*)*

SHRI MANOHAR JOSHI: Sir, I am coming to the issue of termination of service.

MR. CHAIRMAN: Hon. Minister, please wait for one minute. Shri Basu Deb Acharia, you are asking for withdrawal of the victimisation and about good conduct undertaking etc. You must see your own conduct here.

...(*Interruptions*)

SHRI MANOHAR JOSHI: Sir, they must be finding it difficult to listen to me.

It is inconvenient to the unions. ...(*Interruptions*)

SHRI MANOHAR JOSHI: Sir, somebody may find it inconvenient to listen to me because it is inconvenient to the unions. ...(*Interruptions*) I am not speaking for the unions; I am speaking for the workers. ...(*Interruptions*)

MR. CHAIRMAN : Senior Members should conduct themselves.

SHRI BASU DEB ACHARIA : Sir, he is not resolving the problem. ...(*Interruptions*)

MR. CHAIRMAN: Minister may conclude now.

...(*Interruptions*)

SHRI MANOHAR JOSHI: Sir, I am not being allowed to speak. ...(*Interruptions*)

SHRI BASU DEB ACHARIA : Sir, he is not replying. ...(*Interruptions*)

MR. CHAIRMAN: Shri Basu Deb Acharia, kindly resume your seat.

SHRI BASU DEB ACHARIA : The main issue is the issue of victimisation. He has not responded to that. ...(*Interruptions*)

MR. CHAIRMAN: Members should conduct themselves. That is all I can say.

SHRI MANOHAR JOSHI: I am coming to that point also provided they allow me to speak. ...(*Interruptions*)

MR. CHAIRMAN: Members should observe rules and Members should conduct themselves.

...(*Interruptions*)

SHRI BASU DEB ACHARIA : The main issue is the issue of victimisation. ...(*Interruptions*)

MR. CHAIRMAN: What can I do?

...(*Interruptions*)

MR. CHAIRMAN: You conclude now.

SHRI MANOHAR JOSHI: Sir, I am coming to all the points raised by the Members. ...(*Interruptions*)

SHRI PRIYA RANJAN DASMUNSI : Sir, we are prepared to listen. The Minister in his reply should tell only three points – whether they are going to withdraw the dismissal, whether they are going to disinvest and whether they are ...(*Interruptions*)

MR. CHAIRMAN: Shri Dasmunsi, under what rule are you speaking?

SHRI BASU DEB ACHARIA : Sir, we are speaking under the convention. Convention is there.

MR. CHAIRMAN: But you should follow the rules.

...(*Interruptions*)

MR. CHAIRMAN: Shri Basu Deb Acharia and Shri Dasmunsi, you must conduct yourselves and you must observe rules. Then only we can talk of rules for others.

SHRI MANOHAR JOSHI: Sir, I am happy that you are following much more discipline than in Maruti company. I am really happy. ...(*Interruptions*)

SHRI BASU DEB ACHARIA : Then, there is a convention also. ...(*Interruptions*)

SHRI PRIYA RANJAN DASMUNSI : Sir, there is a convention that Members should address the Chair. So, we address you. ...(*Interruptions*)

MR. CHAIRMAN: When we talk of discipline, at least we must discipline ourselves.

SHRI MANOHAR JOSHI: Sir, I appreciate this. ...*(Interruptions)* Sir, therefore, on the fourth point of undertaking, though the decision in the court was against the undertaking, the court took the point. I have got the judgement of the court also. ...*(Interruptions)*

SHRI BASU DEB ACHARIA : This is the highest forum. ...*(Interruptions)*

SHRI MANOHAR JOSHI: The first decision went against the Union. The Unions did not succeed in getting an injunction. ...*(Interruptions)* Therefore, after that, ...*(Interruptions)*

SHRI BASU DEB ACHARIA : Sir, you yourself are an eminent lawyer and you know the law. ...*(Interruptions)*

MR. CHAIRMAN: Shri Basu Deb Acharia, under what rule are you speaking?

...*(Interruptions)*

SHRI PRIYA RANJAN DASMUNSI : Sir, I thank the Minister. I know that he is in favour of Maruti Company. I know that he is against disinvestment. ...*(Interruptions)*

MR. CHAIRMAN: Shri Dasmunsi and Shri Basu Deb Acharia, please resume your seats.

...*(Interruptions)*

SHRI MANOHAR JOSHI: If his intention is only about Maruti, then I can understand. But his intention goes much beyond that. ...*(Interruptions)*

MR. CHAIRMAN: I ask the Minister to kindly conclude.

SHRI MANOHAR JOSHI: Sir, I conclude within three minutes.

If the question is about termination and other parts and action of dismissal, then I would like to inform that we have taken the legal advice in regard to this matter. I will just read it and you listen to it carefully. I read:

"The services of 25 workmen have been terminated for not maintaining the essential services necessary for operations in the company. In their cases, individual notices were issued to the employees and public notices were also issued. Nineteen workmen have been dismissed on account of gross misconduct such as instigating the workers to resort to go slow, tool down strike as well as indulging in stopping of production line."

...*(Interruptions)* Sir, let me explain what happens in Maruti car factory. These are the days of competition. Please listen to me. If this type of behaviour continues in the company, cars will not be produced and ultimately, the Company will go and everybody will be unemployed. I am trying to save the workers.

SHRI BASU DEB ACHARIA : What about management's behaviour? What is he doing?

SHRI MANOHAR JOSHI: What you are doing today is not the way to save the workers.

Sir, I must say that the cars are produced one after the other. If one shop does not work, the entire car will not be produced. Who is responsible? That is what the workers tried to do and therefore, the action of dismissal was to be taken. Sir, it is done in a very systematic way. I have gone into that. Those workers, who tried to stop the work of the factory, have been terminated. Essential services have to be done by everyone. ...*(Interruptions)*

MR. CHAIRMAN : Shri Basu Deb Acharia, I am not permitting you, and you cannot speak.

SHRI MANOHAR JOSHI: Sir, I am trying to save all the workers. It is not that we are taking action against all the workers. ...*(Interruptions)*

MR. CHAIRMAN: You should have given a notice. This is not the procedure.

SHRI BASU DEB ACHARIA : I have given the notice.

MR. CHAIRMAN: It has been disallowed and you are not in the priority list. Your name has not come in the ballot.

...*(Interruptions)*

SHRI MANOHAR JOSHI: Please listen to me. Finally, I cannot save the employment of all the workers by the methods which some of the people want me to adopt. The law will take its own course. If they are legally saved, we have nothing to say, and we will be very happy also. Let all of them be saved. ...(*Interruptions*)

MR. CHAIRMAN: Shri Basu Deb Acharia, Dr. Indora, please sit down.

...(*Interruptions*)

SHRI MANOHAR JOSHI: Whatever the Company wants to do, it can do so. Ultimately, one must understand that this Company is not entirely owned by the Government. This Company is under the management of a Board. ...(*Interruptions*)

MR. CHAIRMAN: You have to obey the rules, the law and the Chair.

SHRI MANOHAR JOSHI: On the question of disinvestment, may I read the resolution passed by the Disinvestment Committee? ...(*Interruptions*)

MR. CHAIRMAN: Nothing will go on record. Shri Dasmunsi, you are testing my patience.

(*Interruptions*)*

SHRI MANOHAR JOSHI: I must say that for the purpose of saving the workers, sometimes, one has to be strict. If we are not strict, the Company cannot be saved. For saving a few workers, if we sacrifice the jobs of all the workers, then who will be responsible for that? We are not prepared to do that. We want to save the jobs of all the workers and, therefore, this action has been taken against them. At the same time, I would like to say that the law will prevail. We are in favour of the law taking its own course. Whatever is permissible under the law will be positively done. ...(*Interruptions*)

MR. CHAIRMAN: The Minister's statement ends the debate.

SHRI BASU DEB ACHARIA : Under what rule?

MR. CHAIRMAN: I am not saying this; Rule 197 says that.

SHRI MANOHAR JOSHI: Therefore, I personally feel that the House must cooperate in this matter. The House should send a good signal that if we want to

*Not Recorded.

encourage competition in the Country, then we must help the management, which is working in the interest of the workers. Ultimately, it is the management which is trying to save the jobs of the workers. Therefore, we should not be carried away by sentiments only.

With these few words, I conclude my speech.

...(*Interruptions*)

MR. CHAIRMAN: Please take your seat.

...(*Interruptions*)

MR. CHAIRMAN: Without following the procedure, you cannot get up like this.

...(*Interruptions*)

MR. CHAIRMAN: We will now take up the next item, that is, 'Matters under Rule 377'.

...(Interruptions)

SHRI BASU DEB ACHARIA : It is an illegal action....(Interruptions)

MR. CHAIRMAN: You have taken one hour and fifteen minutes for the debate, and you must be satisfied with it.

15.48 बजे

(इस समय श्री अखिलेश कुमार सिंह, श्री रामदास आठवले, श्री अजय चक्रवर्ती सभा पटल के निकट फर्श पर खड़े हो गए।)