

the Company to file an appeal within a month from the date of the order before the concerned Collector of Central Excise (Appeals). We are seeking legal opinion whether coercive action can be taken for recoveries even before the expiry of the one month period allowed by the Supreme Court.

It is the considered policy of this Government that assessed demands even though disputed, should be recovered by all means at the disposal of the Government unless such recoveries are stayed by the order of the competent Court or authority and we will spare no effort in recovering the outstanding dues from this Company as well.

[Translation]

SHRI BHOGENDRA JHA (Madhubani): Mr. Speaker, Sir, is my turn over?

MR. SPEAKER: No, your turn has not come as yet.

SHRI BHOGENDRA JHA: Then, should I wait for my turn?

MR. SPEAKER: Yes, you may please take your seat.

SHRI BHOGENDRA JHA: O.K. I shall wait outside the House. Prof. Dandavate has taken permission for two minutes, but now it is almost 12.30 P.M.

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): For God's sake, please take your seat. Papers are being laid at the moment.

MR. SPEAKER: Bhogendraji please take your seat in the House. This is the time for laying papers.

12.30 hrs.

STATEMENT UNDER DIRECTION 115

[English]

Re. the reply given by Minister of Commerce and Tourism on behalf of Minister of Steel and Mines to USQ No. 2842 dated 30-3-90 denying any agreement having been reached between Management and Trade Unions in Bokaro Steel Plant

SHRI A. K. ROY (Dhanbad): Mr. Speaker, Sir, with your permission, I rise to make a statement under Direction 115 as under:—

The reply of the Minister to my Unstarred Question No. 2842 dated 30 March, 1990 denying even the existence of the Agreement whose implementation is sought there was totally incorrect and untrue and amounts to hiding some vital facts from the Parliament and from its scrutiny. Thus preventing it from discharging its duty towards the workers.

The seven unions of Bokaro Steel Plant jointly served strike notice on the management of Bokaro Steel Ltd. as per Industrial Disputes Act giving 21 points demands in 1986, on which there was nightlong conciliation in which in addition to the management, and the unions, the Deputy Commissioner, Dhanbad and the Deputy Labour Commissioner participated. At the end there was an agreement which was recorded by the Deputy Labour Commissioner as the agreed view points signed by both the management and the unions. Though four years have passed the management of Bokaro Steel Ltd. has not implemented many of the 21 points demands perpetuating a simmering discontent. The object of the USQ was to draw the attention of the Ministry to this so that corrective measures are taken in time before any major unrest breaks out. But instead of taking corrective step to implement

[Sh. A. K. Roy]

in full all the agreed points the Ministry denied even the existence of any agreement and thus committed an offence of supplying untrue information before the Parliament and on being pointed out under Direction 115 tried to cover it up by dragging the term 'settlement' which was never referred to.

So the attempt to misinform and mislead the House and hide an important document from it which contains the signature of the management, unions and the labour department and prepared through a night-long discussion in which even the Deputy Commissioner participated in the interest of the industrial peace, should be viewed seriously and so placed before the House requesting measure or measures so that the Parliament is not taken for a ride in this way in future.

THE MINISTER OF STEEL AND MINES AND MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): Sir, I rise, with your permission, to make the Statement of facts and clarifications in response to Hon. Shri A. K. Roy's statement.

I appreciate the deep concern shown by the Hon'ble Member in regard to the reply to Question No. 2842 answered in this Hon'ble House on 30th March, 1990.

The Statement made by the Hon'ble Member brings out the basic issue whether an agreement was arrived at between the eight unions and the Management of Bokaro Steel Plant in October, 1986. It would be worthwhile to recall the sequence of events that took place:

1. Eight unions submitted a charter of demands dated 12-9-1986 as also a strike notice under Section 22 (1) of the Industrial Disputes Act, 1947.

2. The Deputy Labour Commissioner submitted a failure of conciliation report under Section 12(4) of the Industrial Disputes Act on 2-10-

1986 to the Labour Secretary, Government of Bihar.

3. Discussion took place in the office of Deputy Labour Commissioner on 5-10-1986 wherein the representatives of the Management of Bokaro Steel Plant gave their view points. They also submitted their view points in writing, every page duly signed so as to be authenticated, to the Deputy Labour Commissioner with their letter dated 6-10-1986 with the request that if the hunger strike is lifted and the agitational approach is withdrawn, the Deputy Labour Commissioner may communicate the view points of the Management to the concerned units suitably in his own way.

There is no document bearing the signatures of the representatives of Management, the Unions and the Deputy Labour Commissioner.

From the sequence of events stated above, even if the charter of demands is regarded as an 'offer', there was no acceptance thereof by the Management. Similarly, if the view points of Management submitted to the Deputy Labour Commissioner is taken as an 'offer' or a 'counter offer', there was no acceptance thereof. It, therefore, cannot be inferred from the above sequence of events that an agreement was arrived at between the Management of Bokaro Steel Plant and the eight unions.

This is our view. I would submit that there has never been nor there is any intention to deliberately misinforming the Hon'ble House.

On my direction, my Ministry has consulted the Deputy Labour Commissioner, Bokaro Steel City, as well as the Ministry of Law on this issue. Both of them have expressed the view that no agreement has been arrived at between the Management of Bokaro Steel Plant and the unions. Hence, the reply dated 30 March, 1990.

I trust this statement would satisfy the Hon'ble Members.