

13.28 hrs.

ESTIMATES COMMITTEE

Second and Third Reports

[English]

SHRI JASWANT SINGH (Jodhpur): Sir, I beg to present the following Reports:

- (i) Second Report (Hindi and English versions) of Estimates Committee on action taken by Government on the recommendations contained in the 80th Report of the committee (Eighth Lok Sabha) on the Ministry of Surface Transport-Dredging Operations in Major Ports.
- (ii) Third Report (Hindi and English versions) of Estimates Committee on action taken by Government on the recommendations contained in the 79th Report of the Committee (Eighth Lok Sabha) on the Ministry of Health and Family Welfare (Department of Health) All India Institute of Medical Sciences.

13.28 1/2 hrs.

BUSINESS OF THE HOUSE

[English]

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF TOURISM (SHRI SATYA PAL MALIK): With your permission, Sir, I rise to announce that Government Business in the House for Thursday, the 16th and Friday the 17th August, 1990 will consist of:-

- (1) Consideration of any item of Government Business carried over from today's Order Paper.

(2) Consideration and passing of:

- (a) The Prasar Bharati (Broadcasting Corporation of India) Bill, 1989.
- (b) The Lokpal Bill, 1989.

SHRI HARISH RAWAT (Almora) I am on a point of order. I have given an amendment...

(Interruptions)

MR. SPEAKER: There is no point of order. There is no question of any amendment now. Now we shall take up Calling Attention. Shrimati Geeta Mukherjee to call the attention of the Minister.

13.30 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

13.30 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

Agitation by employees of the All India Institute of Medical Sciences

[English]

SHRIMATI GEETA MUKHERJEE (Panskura): Sir, I call the attention of the Minister of Health and Family Welfare to the following matter of urgent public importance and request that he may make a statement thereon:-

"The situation arising out of agitation by the employees of All India Institute of Medical Sciences causing hardship to the patients and the steps taken by the Government to resolve the issues involved."

[Translation]

THE MINISTER OF STATE OF THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI RASHEED MASOOD): Mr. Deputy Speaker, Sir the Karamchari

[Sh. Rasheed Masood]

Union of the All India Institute of Medical Sciences, New Delhi, representing Group C&D employees and other technical staff have been agitating during the past few weeks for the acceptance of the following demands:-

- (i) Implementation of Dr. B.N. Tandon Committee Report which has recommended a minimum of three promotions at an interval of five year each for the non-faculty staff on the basis of Assessment Promotion; and
- (ii) Promotion of all those employees who have completed eight years of service in a grade in accordance with the first cadre review scheme which was introduced in 1984 with effect from 1st April, 1984.

The Karamchari Union went on a relay hunger strike from 6th July, 1990. They abstained from duties for three hours from 8.00 to 11.00 A.M. from 17th to 19th July 1990 adversely affecting the OPD services. They observed total strike for a day on 24th July, 1990. They have now gone on an indefinite strike from 8th August, 1990.

The demands of the Karamchari Union was carefully considered by the Government. As far as the implementation of Tandon Report is concerned, it may be pointed out that the employees of AIIMS both ministerial and scientific and technical have been allowed the same scales of pay as have been adopted for the corresponding categories of employees of the Central Government based on the recommendations of the Fourth Central Pay Commission. Since the pay structure of these employees corresponds to the pay structure of similar categories of staff in Central Government, there is no justification for review of further pay structure or introduction of time bound promotion in their case alone. Any such move will obviously have wide repercussions in re-

spect of similar posts under the Central Government. Further, in the Government promotions are linked to availability of posts and no time bound promotions are considered as a matter of policy. The Assessment Promotion Scheme is in operation in a few S&T organisations where flexible complementing scheme obtains. This scheme cannot be allowed to be considered for any new organisation. As such it has not been found possible for the Government to agree to this demand.

The second demand of the employees is that all the employees who have completed 8 years of service after the first cadre review conducted in 1984, be also given promotion on completion of 8 years of service. The first cadre review was done in 1984 for the first time after the Institute was established in 1956. This cadre review was done prior to the recommendations of the Fourth Central Pay Commission. Before 1.1.1984 there was a system of selection grade to relieve stagnation in certain cadres. However, after the implementation of the recommendations of the Fourth Central Pay Commission in full in respect of these employees, the very basis of the first cadre review ceased to exist. Apart from elongated pay scales introduced as per the recommendations of the Fourth Pay Commission the Pay Commission had also introduced up to three stagnation increments. Therefore the number of personnel actually stagnating has decreased considerably. In this context conceding the demands of the employees virtually would mean time hour promotions for the staff on completion of 8 years. This cannot be done without wide repercussions not only in autonomous bodies under all Ministries but more significantly amongst the staff of other hospitals under this Ministry. Hence it is also not possible to concede this demand of the employees.

I would like to assure the House that every effort was made by the Ministry and also by myself to explain the situation to the representatives of the employees. It is unfortunate that despite this, the Union has resorted to agitational methods including an

indefinite strike which is definite to disrupt patient care services. What is more unfortunate is that the striking employees have forcibly prevented willing employees from doing their work. Incidents have occurred where the striking workers have pulled out willing workers from wards and have tried to cut off essential supplies of water, electricity and gas. There has been a report of misbehavior with some staff nurses who have complained about their insecurity after such happenings. Deliberate attempts have been made to stop the working of lifts putting patients and their relatives to unnecessary inconvenience and hardship. Perishable and costly items in deep freezers and refrigerators have been put to risk by interfering with the supply of electricity. The supply of vital liquid oxygen was prevented yesterday when the tanker was sent back without being allowed to off load with the threat that the vehicle will be put on fire. Appropriate steps have been taken to file cases with the Police under the law. The striking staff have unfortunately not only adopted agitational methods which has caused great inconvenience to the patients but some misguided elements amongst them have also done things which endanger the safety and security of the patients. Instead of taking any harsh measures I have continued to try to reason with the striking employees so that they may go back to work especially to avoid hardship to patients from far off places. It is most unfortunate in these circumstances that the Karamchhari Union has persisted with its agitation.

I have set out the reasons about why Government cannot accept the demands of the employees. It is not a question of only Rs. 5 or 10 lakh involved in payment to the members of the AIIMS Karamchhari Union alone but the same principle will have to be applied to all similar cases. The Government is not oblivious to problems of its Group C & D employees. In fact on a demand raised by the JCM, Government is considering a general proposal for granting at least one promotion in the career of all Group C and D employees. A decision is likely in the early future on the introduction of such a scheme,

the same can be extended to Group C and D employees of AIIMS also. We see, therefore, no justification for the employees to continue their agitation. While the AIIMS have taken steps and drawn contingency plans to meet the situation arising out of the strike, I hope that the employees will see reason and will not act in a manner prejudicial to their own interest and the interest of the Institute as well as patient care services. While being sympathetic to genuine grievances of employees I would like to make it clear that Government has a responsibility also towards the public. Govt. must ensure that patients are not put to difficulty and costly and perishable equipment is not put to risk

[English]

MR. DEPUTY SPEAKER: Before the discussion starts on the Calling Attention, I would like to bring to the notice of all the hon. Members that yesterday we decided to take up discussion under Rule 193 relating to the Atrocities against SC and ST at 2 O'clock today. I do not know whether we will be able to complete the discussion on this Calling Attention before 2 O'clock. However, I would like to request the Members to be very brief and ask only one question. If it is not possible to complete this discussion by 2 O'clock, at 5 minutes to 2 p.m. we will take up Matters under Rule 377 and immediately after that is over we will take up the discussion under Rule 193 so that these matters are discussed. If there are other Members left out who are listed to speak on the Calling Attention without getting an opportunity to speak, then we will postpone it to the next day.

(Interruptions)

[Translation]

SHRI RAM KRISHAN YADAV (Azamgarg): Mr. Deputy Speaker, Sir, kindly allow me to speak for two minutes only. I want to speak on a very important matter. (Interruptions)

MR. DEPUTY SPEAKER: Now we have switched over to another issue, you will get time for it afterwards.

[English]

SHRIMATI GEETA MUKHERJEE (Panskura): Sir, I could not follow you. (*Interruptions*)

MR. DEPUTY SPEAKER: I am requesting the hon. Members to be very brief. As per the rules, they can ask only one question. That is one thing. Then, supposing if all the Members are not in a position to ask the questions today, then we will postpone it to the next day, so that the remaining Members may also ask the questions and the Minister may also reply. And we close the discussion on the Call Attention Motion at five minutes to 2 O'clock and at five minutes to 2 O'Clock, we take up Matter under Rule 377 which can be completed within five minutes' time. Then, we go to discussion under Rule 193, as we decided yesterday.

SHRIMATI GEETA MUKHERJEE: We will resume this discussion, after the discussion on Private Members' Business; is this the proposal you are making? (*Interruptions*)

MR. DEPUTY SPEAKER: We have decided yesterday that at 2 O'Clock, we will take up the discussion under Rule 193. We are going to stick to it.

SHRIMATI GEETA MUKHERJEE: Do you propose that after the discussion under Rule 193, we shall take up the discussion on the Call Attention? (*Interruptions*)

MR. DEPUTY SPEAKER: The discussion under Rule 93 has to be completed before we take up Private Members' Business because Private Members would not allow us to continue with this discussion.

(*Interruptions*)

SHRIMATI GEETA MUKHERJEE: Then, when will we take up this discussion?

MR. DEPUTY SPEAKER: If we complete it today, it is very good. Otherwise, it will be on the next working day.

SHRIMATI GEETA MUKHERJEE: On the next working day, with the same Members and with the same ballot, is it not?

MR. DEPUTY SPEAKER: Certainly.

SHRIMATI GEETA MUKHERJEE: Sir, this is such a subject, in which one can ask a long question and short question, as well.

MR. DEPUTY SPEAKER: According to the Rule also, every Member has to complete/her say, within five minutes. If you want, I can read it out to you.

(*Interruptions*)

SHRIMATI GEETA MUKHERJEE: Is that how, Zero Hour is being conducted? (*Interruptions*)

MR. DEPUTY SPEAKER: If we conduct everything like that, then we would not be able to do anything.

(*Interruptions*)

SHRIMATI GEETA MUKHERJEE: I shall be following the House, Sir. (*Interruptions*)

MR. DEPUTY SPEAKER: You could have asked yours questions by this time.

SHRIMATI GEETA MUKHERJEE: I shall be asking questions; but I will not be able to finish it in four or five minutes.

Sir, I am sorry, I am totally dissatisfied with the Statement given by the Minister with regard to the situation in AIIMS. I, with every other hon. Member in the House, including those who are not here now, share the concern that this is a very complicated situation and it must be immediately resolved. From that point of view, I find that the reply given by the Minister has not taken into account, the urgency of the situation; be-

cause he says that the demands cannot be met. What are the reasons? Firstly, for the demand that the employees' promotional avenues be opened and that they be treated on a special category as far as pay structure is concerned, he says that it would then apply to every other Central Government institution. Research and stagnation are contradictory and it really cannot happen in life if we are serious. It is not only this institution. The Fourth Pay Commission did not fix a single pay scale for each category of employees; for example, the research and scientific institutions like the ISI, Bhabha Research Institute, TIFR, have a different scale for the same category of employees in Central Government departments. Has that been the case with all the other Government employees? No. Therefore, in these research institutions—whether research is conducted or not, that is a different thing, but these are research institutions—this should not stand in the way. (*Interruptions*)

MR. DEPUTY SPEAKER: Madam, I do not want to offend or obstruct you. But, I would just like to bring to your notice, about the rule on this.

'There shall be no debate on such statements 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'.

SHRIMATI GEETA MUKHERJEE: That, I am asking.

Is it not a fact that there are certain research institutions, like the ones I mentioned already, employees of which are enjoying the same benefits, as are being demanded by the employees of the AIIMS? Is it not a fact that TIFR, BARC, ISI, ICMR, etc., are enjoying the same benefits? About promotions, he said that these cannot be done, etc., etc. It is not a fact that the same kind of promotional avenues are to be given for the research institute if it has been really inspired? According to his own statement, very few people are to be given. He says that

there is no justification for a further review of pay structure or introduction of the time bound promotions as any such move will obviously have wide repercussions, etc., Just prior to that, he says that only a few cases are left. If only a few cases are left, is it not a fact that for those few cases, the entire Institute should not be held at ransom and that should be given? Is it not a fact that it is not only this thing which has created the tension in AIIMS today, but it is a general absence of credibility in the present leadership by the Faculty members, by the employees, by different sections of people connected with the entire institution there, which has created this difficulty? Is it not a fact that there were 9 strikes since 1985 in the same Institute? Is it not a fact that the Director of this Institute has already been given extension twice and that has created a very serious situation in the minds of the employees as well as the Faculty people that they do not feel that this leadership will take up their case as they should? Is it not a fact that five Janata Party MP's have made serious allegations in the Press that very grave irregularities have been committed there while buying certain instruments, etc? Is it not a fact that in the same situation for such allegations, a non-bailable warrant was issued against another Director of a Medical Institute in Lucknow? Is it not a fact that here the appointment of the Director was done in contravention of the rules? Clause 4 of Rule 7 of the AIIMS Act regarding 'Creation of post and appointment reads': "In the event of the Director proceeding on leave, resigning or retiring, for the post falling vacant in any eventuality, till such time a new Director is appointed, the President may appoint the senior most Professor to look after the functions of the Director for a period not exceeding six months."

Is it not a fact that by granting extension, this clause was totally contravened and that created further crisis in the AIIMS. Therefore, as you have appealed to us, I ask: Is the Minister really prepared to conduct a thorough CBI Probe into the situation obtaining in AIIMS today including the conduct of its Director in managing the finances?

[Smt. Geeta Mukherjee]

In the AIIMS, credibility in the leadership can be restored if such like extensions are not given? Is the Minister also prepared to examine *de novo* the cases of the employees as presented by me?

Lastly, I also want to make a special appeal to the employees to change their present behaviour. But it is necessary that special appeal also requires special treatment. I hope, while answering, he will tell us what special treatment he will give for the special appeal which we are prepared to make so that the strike ends and the credibility of the AIIMS leadership is restored.

[Translation]

PROF. YADUNATH PANDEY (Hazaribagh): Mr. Deputy Speaker, Sir, through you I would like to draw that attention of the hon. Minister towards the indefinite strike started from the 8th of this month by the employees of All India Institute of Medical Sciences. I support what Shrimati Geeta Mukherjee has submitted, we are not satisfied with the statement given by the hon. Minister. When the strike started Shri Advani had talked to the hon. Prime Minister, the Minister of Finance and other Ministers who are present in the House. But the measures required to deal with it were not taken.

MR. DEPUTY SPEAKER: If you have any doubts in regard to the submission he has made in the House, you may seek clarification.

PROF. YADUNATH PANDEY: I would like to draw your attention to the irregularities and violation of rules which took place in that Institute. This is a matter related to the employees. But he has concealed some facts while giving his statement. The previous Government had given six months' extension to the Director of the Institute. In December the new Government took over. The change in Government do not reflect any change in the attitude. The hon. Minister

issued orders of further extension merely 15 days before June 30, the date on which the director was to retire. As per the rules of the Institute, the new director is elected three months before the date of retirement of the previous director. But he violated the rules and took the step just 15 days before the retirement. We do not know what is the secret behind it. But the thing is that neither there is lack of leaders nor policies. But what is required is the sincerity of purpose. Now the intention of the hon. Minister has been questioned *

Extension was given despite the charges of corruption that have been levelled against him... (Interruptions)

SHRI HARISH RAWAT: ...* I have no grudge against any one. I am unhappy over what has been taking place in the Institute because it is not functioning properly and many complaints have been received to this effect. The person whom you are referring to cannot come here to defend herself. Do not mention her name.

MR. DEPUTY SPEAKER: Do not mention the name of an individual.

PROF. YADUNATH PANDEY: Dr. Ram Nigam Swami was made chairman of the Selection Committee.

MR. DEPUTY SPEAKER: Again you are making a speech. You cannot talk about it. You are supposed to keep the rules in mind while speaking in the House.

(Interruptions)

PROF. YADUNATH PANDEY: The person who was made chairman had been the advisor to Shrimati Indira Gandhi and Shri Rajiv Gandhi. When AIDS spread in India a machine costing Rs. 25 crores was purchased from America. Her son works as

an agent of some company. She has taken commission. In this manner the functioning of the Institute is being affected. (*Interruptions*)

MR. DEPUTY SPEAKER: Such speeches cannot be allowed. You have to put a question.

PROF. YADUNATH PANDEY: The hon. Minister may kindly tell whether it is true or not that the director selected the chairman and the chairman selected the Director, whereas the chairman works under the director.

MR. DEPUTY SPEAKER: Pandey ji, I feel that you want to speak extensively on this issue but the time is very short and we have to discuss many other important issues. Therefore I will give you a chance next time. Now I am taking up the next matter i.e. Matter Under Rule 377.

13.56 hrs.

MATTERS UNDER RULE 377

- (i) **Need to take steps to improve the lot of coffee growers of Kerala, Karnataka and Tamil Nadu**

[*English*]

SHRI MULLA TALLY RAMACHANDRAN (Cannanore) **M. Deputy-Speaker:** Sir, the coffee growers of Kerala, Karnataka and Tamil Nadu are facing the worst crisis in several decades.

In Kerala, the district of Wyanad produces the largest quantity of coffee. The small and marginal coffee growers are the worst affected by the present crisis and are on the agitational path to seek justice.

The present crisis is precipitated not only by the fluctuations in the international market but is aggravated by the policy of the Government and indifferent attitude of the

Coffee Board. The indiscriminate taxes imposed by State Government, for example, purchase tax, with retrospective effect, on the one hand, and the small margin that sale price of coffee has over production cost, on the other hand, has made it impossible for the small and marginal coffee growers to pay tax, repay loans and purchase insecticides and fertilizers.

Instead of trying to help out the coffee growers, the Coffee Board and the Government are more keen to help the instant coffee manufacturers.

It is, therefore, earnestly requested that the hon. Minister for Commerce may take immediate steps to see that coffee growers are assured of remunerative price. The State Government may also be requested to withdraw the purchase tax levied with retrospective effect. Immediate urgent steps must also be taken to revamp the Coffee Board. Other Ministries may be requested to extend better financial assistance to coffee growers.

- (ii) **Need to expedite construction of the by-pass for the National Highway No. 47 in Quilon town in Kerala**

S. KRISHNA KUMAR (Quilon): **Deputy Speaker, Sir,** the proposals for construction of a bypass for the National Highway 47 in Quilon town in Kerala was initiated as early as in 1959. The present alignment was finally approved by the Government of India, Ministry of Surface Transport in May, 1970.

The bypass is to start from Km. 488/972 of NH 47 at Kavanad near Sakthikulangara at the North up to Km 502/804 near Thattamala at the South end. The entire land through which the bypass passes is aligned except the portions where it crosses the back water which is owned by private parties and hence land acquisition is a major hurdle in the formation of the bypass. The approximate cost of land acquisition together with cost of work comes to Rs. 700 lakhs.