

NOTIFICATION UNDER INCOME TAX ACT

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRI JANARDHANA POOJARY): I beg to lay on the Table a copy of the Income-tax (Second Amendment) Rules, 1982 (Hindi and English versions) published in Notification No. S.O. 268 (E) in Gazette of India dated the 12th April, 1982 under section 296 of the Income-tax Act, 1961. [Placed in Library. ... See No. LT-3957/82.]

MR SPEAKER: Nothing will go on record without my permission. Shri Ajit Kumar Saha.

**** (Interruptions)**

MR. SPEAKER: Not allowed.

**** (Interruptions)**

अध्यक्ष महोदय : कुछ तो सोचा करो । सदन में किसी इम्पोर्टेंट विषय पर चर्चा करो । बिला-वजह की बातें करते हो ।

... (व्यवधान) **

श्री हरिकेश बहादुर : (गोरखपुर) एक इम्पोर्टेंट इशु पर मैंने ध्यान दिलाया था । श्री जार्ज फर्नण्डीस के सवाल को मैं उठा रहा हूँ ।

MR SPEAKER: It is not a question of 'he' or 'you'. It is a question of a Member. A Member is a Member, whosoever he is.

**** (Interruptions)**

MR. SPEAKER: I do not act on hearsay. That is finished now. Not allowed.

श्री हरिकेश बहादुर : किसी दिन ये मुझे भी फंसा देंगे । ... (व्यवधान) ... हम आप से अपने लिए प्रोटेक्शन चाहते हैं ।

MR. SPEAKER: You have my protection and full protection there is. Don't worry.

I will protect you with full force.

12.10 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

PROLONGED STRIKE OF TEXTILE WORKERS IN BOMBAY AND ACTION TAKEN BY GOVERNMENT

SHRI AJIT KUMAR SAHA (Vishnupur): Sir, I call the attention of the hon. Minister of Labour to the following matter of urgent public importance and request that he may make a statement thereon:—

"The serious situation arising out of the prolonged strike of workers in textile mills in Bombay and the action taken by Government in this regard."

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI BHAGWAT JHA AZAD): Sir, the Cotton Textile Industry in Bombay employs about 2.25 lakh workers in 60 mills. The industry is governed by provisions of the Bombay Industrial Relations Act, 1946 which recognises a single bargaining agent as a representative union on an industry-cum-locality basis. The Rashtriya Mill Mazdoor Sangh has been recognised as the representative union in the Cotton Textile Mill Industry. Wages and other benefits in the industry are regulated by a subsisting agreement, entered into in 1979 between the Bombay Mill Owners Association representing the management and the Rashtriya Mill Mazdoor Sangh. The operation of this agreement extends till the end of 31st December, 1984. An agreement regarding bonus for the year 1980 was reached between the Rashtriya Mill Mazdoor Sangh and the Bombay Mill Owners Association on the 20th October, 1981 in consultation with the State Government.

An unrecognised union called the Maharashtra Girni Kamgar Union raised a demand for 20 per cent bonus

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and pay increases ranging from Rs. 250 to Rs. 400 per month and called for strike in the industry. The Union commenced the strike in all the 60 mills from the 18th January, 1982.

Industrial Relations in Textile Industry in Bombay have for the last many years been peaceful and cordial, thanks to the bipartite agreement reached between the representative Union and the Mill Owners Association from time to time. The Chief Minister of Maharashtra has made it known that the State Government which is the appropriate authority in this case, would look into the legitimate demands of the workers, through legally constituted machinery on restoration of normalcy in the Industry. The State Government has made it clear that discussion would be held only with the recognised union in accordance with the provisions of the Bombay Industrial Relations Act.

The Government of India is in full agreement with the State Government that if there are legitimate demands of the textile workers, they should be resolved through the normal legal machinery. The Government of Maharashtra have taken all necessary steps to ensure that there is no intimidation against any worker who is willing to come back to work and have also taken adequate measures to deal sternly with anti-social elements indulging in violence or intimidation.

SHRI AJIT KUMAR SAHA: Sir, after reading his statement, I feel that the Minister has undermined the seriousness of the situation that has arisen due to the long drawn-out strike in textile mills in Bombay. In the statement he has referred to the Bombay Industrial Relations Act of 1946. The main demand of the workers is the repeal of this Bombay Industrial Relations Act. The Minister has said that the State Government is doing all the things and are taking the necessary steps as if he has no responsibili-

ty in this serious situation. I would like to say that the functioning of Mr. Bhagwat Jha Azad in this situation is not as the Central Labour Minister he is functioning as if he is the INTUC Union Minister. Despite all propaganda through the All India Radio, the one-day bandh in Maharashtra was very successful. The very fact that the police had to arrest about 2,500 leaders and activities shows how panicky the Maharashtra Government has become during the bandh. In several places the Police resorted to lathi charge but the bandh was peaceful and orderly. The bandh has shown the support enjoyed by the textile workers all over the State.

Press reports indicate that some millowners are prepared to negotiate with the striking workers and settle the matter but the State Government and the stooge union, Rashtriya Mill Mazdoor Sangh which has no following whatsoever among the textile workers are preventing the negotiations.

While the Government has declared the year 1982 as the year of productivity, in the textile industry in Bombay already production of goods worth Rs. 400 crores and 2.5 million man-days have been lost. On the one hand the Government is reluctant to solve the problem and solve the demands of the workers and on the other hand, they are resorting to repressive measures against the workers.

What is the background of this strike? 2.5 million workers of Bombay began a strike on January 18 and already three months have passed. The current strike is taking place after a period of 8 years. On September 27, 1981 all Opposition trade unions, namely, CITU, AITU, BMS and Sarva Sramik Sangh gave a call for token strike. That was very successful in the teeth of the opposition from the officially recognised RMMS, an affiliate of INTUC.

SHRI ATAL BIHARI VAJPAYEE
(New Delhi): RMMS is not a representative Union.

12.18 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

SHRI AJIT KUMAR SAHA: Sir, what are the demands of the striking workers? There are only three main demands. They are: (1) a wage hike of Rs. 300 per month, inclusive of dearness allowance, house-rent allowance, travelling allowance, etc.; (2) abolition of the temporary (badli) workers system, which affects more than 60,000 workers, who have not been made permanent even after five to ten years of service; (3) repeal of the Bombay Industrial Relations Act and withdrawal of recognition to the INTUC-affiliated RMMS, which has always functioned as the Trojan horse of the millowners' association and Government in the textile field for more than 30 years. Apart from these main demands, there are other demands. Apart from these demands, the other longstanding demands are there. They are:

- (1) a complete overhaul of the standards for workloads, wages and working conditions, which have remained unchanged since 1948,
- (2) annual revision of pay-scales,
- (3) restructuring of dearness allowance, travel allowance, medical benefits. etc.
- (4) increase in the amount of casual leave with pay, and scrapping of the condition requiring a minimum of 240 day's attendance,
- (5) minimum bonus of 12/1-2 per cent and so on.

These are all the demands of the striking workers.

In view of these facts as also due to modernisation—in 1948 the total number of permanent textile workers was 2,40,000—in 1982 the number has come down to 1,64,000. Only 9 business groups control about 70 per cent of the private Mills in Bombay. In 1980, for instance, the profit made by some of those mills was as follows after deducting some amount for the reserve fund etc:

1. Centurian Mills	Rs. 27.64 crores.
2. Standard—Mafatlal Mills	Rs. 10.2 crores.
3. Bombay Dyeing	Rs. 8.97 crores.

In these mills, the millowners profits are soaring up.

In this regard I would like to ask only two questions. Firstly, I would like to know whether the Central Government will at least call a meeting of the leaders of the striking unions and the millowners with a view to find out the solution to this long-drawn strike? Secondly, will the Government agree to hold secret ballots of textile workers specially in Bombay to decide with whom the Government wants to negotiate?

SHRI BHAGWAT JHA AZAD: Sir, the hon. Member started by saying that I had undermined the seriousness of the situation. It is the other way round. We are serious about it. We know the workers are suffering. And it is the hon. Members who have been instigating them, they are trying to take advantage of their misery and they are not allowing them to go to their work. So, it is the other way round. ((Interruptions) I am very serious about it. I am replying to what you have said. So, you must have my reply also.

So, I say that the Government has not undermined the seriousness of the situation. It is those hon. Members of the political parties who have made

[Shri Bhagwat Jha Azad]

political capital out of it, they want to take advantage of it and they are not allowing the innocent workers who are suffering to go to their work. Therefore, I say it is the other way round. The second point that he made is about the repeal of the Bombay Textile Workers Act. He has listed long demands from the Weekly Bulletin of his party and has made some subtractions and additions to those demands. They have not demanded the repeal of the Bombay Industrial Relations Act as demanded by the C.P.M. party to which he belong (*Interruptions*) which they did. Of course you must be proud of it. I say that the Bombay Industrial Relations Act 1946 like many other Acts are on the labour front. (*Interruptions*).

MR. DEPUTY-SPEAKER: You may leave these things to the next Member, Shri Paswan. He will put his questions. Please don't spoil the situation. That diverts his attention. His attention gets diverted (*Interruptions*)

SHRI BHAGWAT JHA AZAD: Sir, the Bombay Industrial Relations Act of 1946 like any other and many other Acts for the welfare of the labour have been passed by the Bombay Assembly. Therefore, it is within their competence to amend it or repeal it. In the present circumstance I do not see any reason to do that. Now, let us see what is the dispute and what does the Act say. The Act recognises a representative union under Section 14

SHRI ATAL BIHARI VAJPAYEE: Why don't you agree to hold a secret ballot?

SRI BAGWAT JHA AZAD: Sir, I would advise them to shut their mouths and open their ears. I Will explain all these things.

SHRI ATAL BIHARI VAJPAYEE: This is not a happy expression.

SHRI BHAGWAT JHA AZAD: I am requesting you to give your ears. I only say give your ears and not your mouths.

Sir, under Section 13 of the Bombay Industrial Disputes Act there is provision for any trade union registered to apply for being a representative union. Nothing prevented or prevents Datta Samant's union which was born only on 28th December 1981 and went on strike on 19th January, 1982 to ask for this that they are the real ones. They can also apply under Section 18 of Maharashtra Recognition of Trade Union and Prevention of Unfair Practices to apply for the same for their recognition. What I am saying is that when the Act is there for all why should hon. Members tell us to act beyond the Act. On the one hand they shout loudly that we are doing beyond the Act and when we act according to the law then they want us to throw it away and do as they want us to do.

Sir, I am not one who will act beyond the law or beyond Parliament or State legislature. If they have membership and strength then they should ask... (*Interruptions*) what I am saying is why don't they ask their own protege Datta Samant, to apply for it. (*Interruptions*) That is where the shoe pinches. Sir, they should sit down and hear me. He must hear me. He has said so many unpleasant things. Now why should he not listen to me.

What I am saying is that because they do not want me to stick to the legal and the constitutional thing, therefore, they are shouting to submerge my voice.

I am talking to you. (*Interruptions*) Would Mr Vajpayee express his mind? Would he ask me to act beyond the Acts of Parliament and the Assemblies?

SHRI ATAL BIHARI VAJPAYEE: No.

SHRI BHAGWAT JHA AZAD: That is right. Here is one man who says the correct thing. This is the position under the Bombay Industrial Disputes Act till it is amended in the Bombay Legislature by his party if his Party has the majority; I don't know how many members the CPM has got in the Assembly there. But that apart, till then, I will stick to this. Section 13 of that Act is saying about this. You have the Bombay Industrial Relations Act. They say that RMS is a representative union. Maharashtra Government has said this and said very rightly. We agree with the Maharashtra Government that we don't make it a prestige issue with the workers. We know that they are in difficulties and that is why we appeal to them repeatedly. Maharashtra Government has said this. We agree with the Maharashtra Government, that they should withdraw the strike, come to work and whatever legitimate demands are there could be settled by constitutional means which are available. What is the wrong thing there? There is nothing wrong about it. The hon. Member was saying, I am an INTUC trade union Minister. I must confess that I am a Minister here who gets support and gives support to these unions which believe in constitutional means and constitutional working of the trade union movement and who work according to the laws of the country. INTUC has done so on the 19th January strike. Regarding yesterday's strike, it has been proved to the country that all their combined appeals have been negatived by the people. Only INTUC's appeal has been upheld. The strike yesterday was a flop; the strike on 19th was a flop. (Interruptions) I support the INTUC trade union movement. Let him see the *Times of India*, *Indian Express* and all other papers, the free press, for which they stand. They have said, strike has been flop or partial or negative. I am not saying anything new. It has been

proved that it was flop. They were saying that they will see that there is complete bandh in Bombay, they will paralyse the life etc. All that they said. But what happened? Buses were there on the road. Taxis were there on the roads. Industries were there; shops were there. All the papers by which they stand — I also stand for them — the free press of India, have said that either it was a flop or it was a partial success except one or two committed paper here and there.

तो काबुल में भी गधे होते हैं, कोई बात नहीं। (व्यवधान) एक-आध तो होते ही हैं।

इसलिए मेरा कहना यह है कि . . .

(Interruptions)

MR DEPUTY-SPEAKER: There are four other hon. Members. You are not the only person.

SHRI BHAGWAT JHA AZAD: We are not standing on any prestige issue. We are appealing to the workers of Bombay to come to work and that the Government will consider the demands according to the legal and constitutional means available.

SHRI ATAL BIHARI VAJPAYEE : His one remark is likely to vitiate our relationship with Afghanistan; it is a question of friendship with a neighbouring country.

श्री भागवत झा आजाद : वह तो कहावत है, वही प्रयोग करते हैं। हिन्दी साहित्य में वही कहावत है, उसी का प्रयोग करते हैं।

श्री अटल बिहारी वाजपेयी : आप काबुल की क्यों कह रहे हैं, बम्बई की कहिए।

श्री भागवत झा आजाद : मैं यह संशोधन स्वीकार करता हूँ कि वह कहते हैं कि बम्बई में भी गधे हैं।

श्री अटल बिहारी वाजपेयी : इन्हें सब जगह गधे ही नजर आ रहे हैं तो मैं क्या कर सकता हूँ ।

प्रो. मधु दंडवते (राजापुर) : बम्बई में नहीं है, कभी-कभी आते हैं ।

श्री राम विलास पासवान (हाजीपुर) : उपाध्यक्ष महोदय, मैं सर्वप्रथम मंत्री महोदय से कहना चाहूंगा कि

MR DEPUTY-SPEAKER: Mr Paswan, you should know that the strike always strikes the workers and their families. Therefore, the welfare of the striking workers must be looked after. You please concentrate on that and see how best it is possible to bring back all these striking workers to their job so that their families may not be starving. Therefore, you must discuss on that point and draw the attention of the Government and not on other issues.

SHRI HARISH KUMAR GANGWAR (Pilibhit): Sir, you kindly ask the hon. Minister to help the striking workers. He is not serious at all.

MR DEPUTY-SPEAKER: Two lakhs of families are involved.

(Interruptions)

SHRI CHANDRAJIT YADAV (Azamgarh): Sir, let the hon. Minister talk about the strike. He is talking about the bandh only.

श्री राम विलास पासवान : (हाजीपुर) : उपाध्यक्ष महोदय, अभी मंत्री महोदय ने कहा कि यह राज्य सरकार का मामला है और हम चाहते हैं कि राज्य सरकार ही उसको डील करे, केन्द्रीय सरकार हस्तक्षेप नहीं कर सकती है । सदन जानता है, देश की जनता जानती है कि अब यह एक स्टेट का मामला नहीं रह गया है, अब वह एक राष्ट्रीय समस्या बन गई है । मुझे आशा है कि मंत्री महोदय जवाब देते हुए बतायेंगे कि वहां पर कुल कितना घाटा हो चुका

है । विभिन्न समाचारपत्रों और आर्थिक जगत के विद्वानों के मुताबिक वहां 4 करोड़ रुपये प्रति-दिन का लास हो रहा है । उसके हिसाब से अभी तक 400 करोड़ रुपये का घाटा हुआ है । और यह 400 करोड़ रुपये की हानि सूतों मिलों के बन्द होने से हुई है, जो बम्बई में 25, 30 प्रतिशत हैं । उनके अलावा उनकी सहयोगी मिलें हैं, जो फीडर का काम करती हैं, अगर हम उनका भी हिसाब लगायेंगे, तो उसमें भी 400 करोड़ रुपये से कहीं ज्यादा घाटा हो चुका है । इसके अलावा कपास उपजाने वाले किसानों के लिए भी परेशानी है, क्योंकि उनकी कपास खरीदने वाला कोई नहीं है । वहां पर प्राइव्जन को हानि हो रही है । जैसा कि मंत्री महोदय ने बताया है, 2.25 लाख मजदूर चार महीने से हड़ताल पर हैं यदि इन मजदूरों के परिवारों को भी ले लिया जाए, तो कम से कम 10 लाख लोग तो यही हुए और कुल मिला कर करोड़ों लोग इस हड़ताल से प्रभावित हो रहे हैं । इसलिए यह राज्य का मामला नहीं है । यह हड़ताल पूरे देश के लिए एक चिन्ता का विषय बन गई है ।

एक समाचार पत्र के एडिटोरियल में कहा गया है :—

“बैरिस्टर बाबासाहब भोंसले ने मुख्य मंत्री बनने पर घोषणा की थी कि उनका पहला काम सूतों मिलों की समस्या को हल करना होगा । ऐसा लगता है कि केन्द्रीय सरकार के संकेत पर उन्होंने इस दिशा में आगे कदम नहीं बढ़ाया ।”

यह संकेत किस ने किया है ? अभी एक सप्ताह पहले मंत्री महोदय वहां गए थे । उन्होंने तो नहीं कह दिया कि कुछ न किया जाए ?

दत्ता सामन्त कौन है, क्या है, इससे हमें मतलब नहीं है ।

श्री अटल बिहारी वाजपेयी : वह पुराने कांग्रेसी हैं। उनकी पत्नी कांग्रेस में कांग्रेस (आई) की सदस्या हैं।

श्री राम विलास पासवान : प्रेस में छपे समाचारों से ऐसा लगता है कि यह झगड़ा दत्ता सामन्त, पाटिल और आजाद के बीच में है और इसको एक प्रैस्टीज इश्यु बनाया जा रहा है। सब से बड़ी बात यह है कि मजदूरों के सामने एक समस्या खड़ी हो गई है और देश के लिए भी एक समस्या उत्पन्न हो गई है। इस पर गम्भीरतापूर्वक विचार करना चाहिए।

मंत्री महोदय ने कह दिया कि यह राज्य की समस्या है। तो फिर केन्द्रीय सरकार ने वहां पर सी आर पी की बैठकियों क्यों भेजी? अगर लाठी गोली चलाने की बात हो, तो यह केन्द्रीय सरकार का कामला बन जाता है और अगर मजदूर का कोई बेनिप्रिट देने की बात हो, तो कहा जाता है कि राज्य सरकार का कामला है। यह प्रेस कटिंग है कि सी आर पी के एक हजार लोग वहां पर भेजे गए हैं। क्यों भेजे गये हैं? इसलिए कि राज्य सरकार स्थिति से नहीं निपट सकती।

मंत्री महोदय का कहना है कि यह बंद फलाप हो गया। यह टाइम्स आफ इंडिया का फोटो देखिए। एक भी आदमी रोड पर नहीं है। यह स्टैसमैन का फोटो देखिए। रोड पर एक भी आदमी दिखाई नहीं दे रहा है।

श्री भागवत झा आजाद : टाइम्स आफ इंडिया में क्या लिखा है, उसको कोट कीजिए।

श्री राम विलास पासवान : आप फोटो देखिए न।

श्री भागवत झा आजाद : रामविलास जी, एक बात कीजिए, जिस टाइम्स आफ इंडिया को आप कोट कर रहे हैं उस को पढ़ दीजिए कि क्या लिखा है उस में? ... (व्यवधान) ...

श्री राम विलास पासवान : उपाध्यक्ष महोदय, अभी कोई आदमी पार्लियामेंट का फोटो ले लें और कह दें कि यहां 50 मेम्बर हैं और पार्लियामेंट के बाहर न्यूज निकले कि पार्लियामेंट एक दम फुल है तो दोनों में से किस की बात सही होगी? जो फोटो आया है वह सही होगा। तो जो फोटो है उस में एक आदमी भी रोड पर नहीं है और आप कहते हैं कि फलाप कर गया। आप ने कहा कि बसें थीं, कारें थीं ...

एक माननीय सदस्य : यह रात के तीन बजे का फोटो होगा।

श्री राम विलास पासवान : आप ने कह दिया कि रोड पर बसें और कारें थीं। तो बसें और कारें तो रोड पर हमेशा रहती हैं, वह अंडरग्राउन्ड तो नहीं जा सकती हैं। इसलिए मैं मंत्री महोदय से कहूंगा कि वह सर्वप्रथम इस बात को लें कि यह एक राष्ट्रीय समस्या है।

MR. DEPUTY-SPEAKER: What is your suggestion to end this strike?

श्री राम विलास पासवान : सजेश्चन क्या है? सजेश्चन तो आप ने बढ़िया दे दिया। आप ने अपना सजेश्चन दे दिया। आप ने रूलिंग दे दी बढ़िया। लेकिन गवर्नमेंट मानेगी?

दूसरी बात मैं कहता हूं कि मंत्री महोदय ने इस साल के उत्पादकता वर्ष, प्रोडक्टिविटी ईयर निर्धारित किया है। आप ने रखा है कि 1 लाख करोड़ रुपया आप का जी एन पी० होगा।

[श्री राम विलास पासवान]

आठ सौ करोड़ उस में से चला गया, 0.8 परसेंट तो आप का उसमें साफ़ हो गया। अभी हमारे साथी ने कहा कि यह सीक्रेट बैलट पेपर से सम्बन्धित है। आप क्या समझते हैं कि यह जो हंगामा चल रहा है, इस को इस तरह खत्म कर देंगे। इस में वजाय यह करने के कि कौन मान्यता प्राप्त है, कौन मान्यता-प्राप्त नहीं है,—हम लोग तो लेबर फ़ील्ड के इंचार्ज नहीं हैं और न इतना अधिक जानते हैं, लेकिन इतनी बात जरूर जानते हैं कि जब आप के मन के लायक चीज होगी तो जिस का रेप्रेजेंटेशन नहीं भी हो वह भी चला आता है बात करने के लिए और जब आप के मन के लायक बात नहीं होगी तो वहां सारा का सारा एकाडिंग टु ला ऐन्ड कांस्टीट्यूशन के मुताबिक चलना शुरू कर देते हैं।

जो उनकी मांग थी वह आप सब को मालूम है, उस में जाकर के मैं आपका समय व्यर्थ नहीं करना चाहूंगा। मैं मंत्री महोदय से सीधा सीधा कहना चाहता हूं कि देश के सामने गंभीर समस्या उत्पन्न हो गई है और आप डटे हुए हैं कि मजदूरों को झुका कर रहेंगे यह आप ने प्रेस्टिज ईश्यू बना लिया है। आप के मंत्री वम्बई में जा कर घडयंत्र रख कर के चले आते हैं। दूसरी तरफ़ मजदूर भी वेंट अपान हैं, मजदूर भी कहते हैं कि जो उनका कांस्टीट्यूशनल राइट है उस को लेकर रहेंगे। 1978 में हमारी सरकार थी, उस समय पहली बार जार्ज फ़र्नान्डिस ने उनका इन्फ़्लेमेंट बढ़ाया था, शायद 45 से 65 परसेंट बढ़ाया गया था। पहली बार मजदूरों को राहत मिली थी। तो मजदूर भी दो ढाई लाख लोग हैं, 10 लाख उनके पूरे परिवार के लोगों

को लेकर हैं। वह भी वेंट अपान हैं कि हम अपनी जायज मांग मनवा कर रहेंगे। आप कहते हैं और इस बात पर अड़े हुए हैं कि हम उनको ध्वस्त कर देंगे, उन पर बुलडोजर चला देंगे और उनकी एक भी मांग को मानने के लिए तैयार होना तो दूर रहा उस पर सहानु-भूतिपूर्वक विचार करने के लिए भी तैयार नहीं हैं। हां, आप की यूनियन के माध्यम से वह जाते तो अभी तक पूरे का पूरा निगोशिएशन, और समझौता वार्ता शुरू हो जाती। तो मैं आप से पूछना चाहता हूं कि क्या आप राज्य सरकार के ऊपर छोड़ कर सारे मामले को डेड लाक करना चाहते हैं, दरवाजे को बन्द करना चाहते हैं? आप क्या चाहते हैं कि मजदूर जो लाखों की संख्या में हैं उन को दबा लेंगे? और इस का असर दूसरे उद्योग धंधों पर भी पड़ रहा है जिस का असर सीधे किसान पर भी पड़ रहा है। हमें मालूम है कि जो कपड़ा मिल मालिक हैं उन की सरकार के साथ सांठ गांठ है। वह समझते थे कि हमारे पास स्टॉक काफ़ी है, हम मजदूरों को झुका लेंगे। यह उन के दिमाग में बात बैठी हुई थी। लेकिन वह भी सारे का सारा स्टॉक खत्म हो गया। तो क्या इस तरह को प्रेस्टिज ईश्यू बना कर मजदूरों की समस्या का निदान करना चाहते हैं या कुछ आप ब्राड आउटलुक लेंगे और कुछ उदारता की नीति अपनाएंगे? कांस्टीट्यूशन मानवता पर आधारित है या कोई भी कानून को हो वह मानवता पर आधारित है। पहले मानवता है उसके बाद में कोई भी संविधान या कानून है। और आज मानवता खतरे में है। उनके परिवार मर रहे हैं। उसका इफ़ेक्ट किसानों पर पड़ रहा है और दूसरी इन्डस्ट्रीज पर पड़ रहा है। इसलिए आप कोई रास्ता निकालिए। तो आपकी

रिकग्नाइड लेबर यूनियन्स हैं, उन से आप बात-चीत कीजिए। आपका जो लेबर कमिश्नर है वह क्या करता है? जो लेबर यूनियन्स है उन से बात-चीत की जाए। पोलिटिकल पार्टिज के जो लेबर लीडर्स हैं, उन से बात-चीत हो और कोई रास्ता आप निकालिए। इस तरह का एटीट्यूड आप छोड़िये कि वह स्टेट गवर्नमेंट का मामला है, सेंटर का मामला नहीं है इसलिए भोंसले साहब या स्टेट गवर्नमेंट जो भी करना चाहे करे। इस एटीट्यूड को छोड़ कर, इस गम्भीर समस्या का समाधान करने के लिए आप कोई रास्ता निकालिए।

श्री भागवत झा आजाद : उपाध्यक्ष महोदय, यह बात सही है, राम विलास जी ने प्रारम्भ में ही कहा कि इसमें घाटा हो गया है और घाटा रोज हो रहा है। प्रश्न यह नहीं है कि कितना घाटा हुआ है लेकिन यह दुख की बात है। महत्वपूर्ण प्रश्न यह है कि घाटा किस के कारण हो रहा है और उसके लिए जवाब देह कौन है? मैं आप से बार बार कह रहा हूँ कि कृपापूर्वक अगर आप लोगों की शक्ति है और आपका प्रभाव मजदूरों पर है तो आप उनसे कहिए। हड़ताल तो करवाई दत्ता सामन्त ने और आप जो उसके बाद में पीछे लग लिए। आप जो बार बार कह रहे हैं वह यह है कि सभी ट्रेड यूनियन्स को बुलाइये और कुछ लोग कहते हैं कि पोलिटिकल पार्टिज को बुलाइये। लेकिन क्यों? इसलिए कि सीधे और भोले श्रमिकों को एक बहुत ऊंची मांग की आस दिलाकर हड़ताल करवा दी। जो एग्रीमेंट और फ़रनान्डीज की बात राम विलास जी ने कहीं, यह एग्रीमेंट दिसम्बर, 1984 तक है। वहां पर जार्ज फ़रनान्डीज की ही सहायता से एग्रीमेंट हुआ था।

राम विलास जी ने कहा है कि इस एग्रीमेंट में जो बढ़ौतरी दी गई है, उस में जार्ज फ़रनान्डीज स्वयं गए थे और वहां वे उपस्थित थे और यह एग्रीमेंट एक एवार्ड बन गया है। सारा कुछ उनकी सलाह से हुआ है। अब बात बात में कोई यूनियन आवे और अपनी मांग को आकाश में उठाकर रख दे और उसके पीछे शारीरिक शक्ति और समर्थन देकर कहे कि उसको मान लिया जाए तो औद्योगिक जगत में यह करना सम्भव नहीं है। औद्योगिक कानूनों के अन्तर्गत ही हम सभी काम करते हैं। औद्योगिक कानून वर्षों के अनुभव से बनते हैं—चाहे वह श्रमिकों से संबंधित हों, उद्योग-पतियों से संबंधित हों या सरकार से हों—वह कानून अनुभव से बनाये जाते हैं। यह कानून किसी टेलर शाप में दो दिन में नहीं बनते हैं। इसलिए यह कहना कि अपने हाथ में ले लीजिए, अगर हम हाथ में ले लेंगे तो कल वेस्ट बंगाल में मंत्री महोदय को कैसा लगेगा इसलिए संविधान के अन्तर्गत जो एग्रीप्रियेट गवर्नमेंट है वह कार्य कर रही है।

राम विलास जी बार बार कहते हैं कि इसका प्रतिष्ठा का प्रश्न बना लिया है, झुका देंगे और बुलडोज़र चला देंगे। जो नहीं, प्रतिष्ठा का प्रश्न उन्होंने बनाया है क्योंकि एग्रीमेंट लागू होते के बावजूद वर्कर्स को स्ट्राइक पर ले गए और आज उस पर डटे हुए हैं कि हम देख लेंगे। हम बार बार कहते हैं कि कृपापूर्वक आप स्ट्राइक काल आफ कोजिए और एग्रीमेंट के बावजूद भी अगर आपकी कोई उचित ग्रीवन्स हो, बोनस पर या पे ऐंड एलाउन्सेज पर तो आकर के बात चीत कीजिए। लेकिन यह प्रतिष्ठा का प्रश्न हमने नहीं बनाया है बल्कि उन महानुभावों ने बनाया है। हम तो कानून

[श्री भागवत झा आजाद]

पसन्द व्यक्ति हैं और हम जनतंत्र में, पार्लियामेंट और असेम्बलीज में विश्वास करते हैं। इसलिए उसी नियम के अन्तर्गत कृपापूर्वक- यदि आपका मजदूरों पर कोई असर है या दत्ता सामन्त पर है, तो उन से कहिए कि वे स्ट्राइक को काल-आफ कर लें। उसके बाद एग्रीमेंट के अन्तर्गत जो संभावनाएँ हैं, उस पर बात करें। हम कभी भी यह नहीं कहते हैं कि यह प्रतिष्ठा का प्रश्न है। प्रतिष्ठा का प्रश्न उन लोगों के लिए है जिन्होंने यह गलत काम किया है और उसको सपोर्ट कर रहे हैं। इसलिए पासवान जी हम सच कहते हैं कि हम लोग इसको कोई प्रतिष्ठा का प्रश्न नहीं बनाना चाहते हैं। आपने ही पार्लियामेंट और विधान सभाओं के कानून बनाये हैं। हम तब तक इसके बियोण्ड काम नहीं कर सकते हैं, जब तक उस कानून में परिवर्तन न हो जाए। इस लिए मैं पासवान जी से कहूंगा कि वे बम्बई जायें और कहें कि हमारे नेता श्री जार्ज फरनान्डीस ने मजदूरों से 1984 तक के लिए जो एग्रीमेंट करवाया था और बोनस के बारे में भी, वर्कर्स बात करें, स्ट्राइक वापिस करवा दें और बात करने के लिए कहें। यही संभावनाएँ हैं। अगर कोई कठिनाई है, तो वह दूर हो सकती है। यही संवैधानिक और नियमानुकूल तरीका है।

MR. DEPUTY-SPEAKER: Mr. Basudeb Acharya is not here. Now Mr. Ajit Bag.

SHRI AJIT BAG (Serampore): My esteemed colleagues who have just spoken calling the attention of the Minister have dealt with most of the salient points regarding the demands of the workers. The textile workers of Maharashtra are fighting for legitimate demands. It is not unjust or

sky-high, as the hon. Minister has just now said.

They are very poorly paid, those in the engineering and chemical concerns in that State get much more. Recently, they have received an enhancement of Rs. 300/- to Rs. 400 per month. At the end of 1978, the minimum wage of an unskilled worker in the textile industry was Rs. 470. At the same time, the minimum wage for the same category in various engineering and chemical companies was as follows:

Larsen & Toubro ..	Rs. 687/-
Mahindra & Mahindra ..	Rs. 700/-
Rallis India ..	Rs. 734/-
Excel India ..	Rs. 701/-
Kamani Engineering ..	Rs. 685/-
Air Control & Chemicals ..	Rs. 1292

And the condition of the badli workers who constitute not less than 30 per cent of the total workers in the industry, is still more appalling. According to a consensus, their monthly earning on an average is less than Rs. 125/-, while the owners in this industry make soaring profits. So, their demand for a wage hike is quite justified.

They ask for the scrapping of the Bombay Industrial Relations Act, and it is also quite justified, because it has safeguarded the interest of the stooge union, namely, RMMS which has no following among the workers. This has been proved. My esteemed colleague has pressed for ballot. Ballot has already been cast during this long, prolonged historic struggle. Workers have proved beyond doubt that there is not a single following behind RMMS. They alleged that because of some threatening and so on, for lack of safety the workers were not able to go to the factory. Government have engaged 500 policemen each in front of two factories. In spite of that, not a single worker reported for duty. That is about the following of RMMS. What Government is trying to do, is to safeguard the interests of the stooge union namely, RMMS. So, their demand is

also justified. This historic struggle of the textile workers of Maharashtra has entered the 93rd day today, and in this Year of Productivity, it has affected the total economic life of Maharashtra. Besides 2.5 lakh textile workers, several lakhs of workers who are engaged in dies, chemicals, spare parts, printing, handloom, powerloom and such other ancillary industries are adversely affected. It has affected the cotton growers, trade in cotton goods and in the imported items also. The entire economic life of Maharashtra is about to come to a standstill.

There has been a fall in production of cloth worth about Rs. 400 crores while millions of people of our country have suffered badly from shortage of cloth. The livelihood of at least 10 millions of people is at stake. The Government have made it a prestige issue accusing Mr. Datta Samant. Who is Mr. Datta Samant? It is your creation, it is the creation of the party which is now ruling this country. Previously, he was elected MLA on Congress ticket. He was an INTUC leader. Now, since he is fighting for the just cause of the workers, you blame him. You have thrown these millions of workers and their dependants into the jaw of starvation simply to serve the cause of this stooge union—the Anti working Class Union, the RMMS. This is causing a colossal loss to the economy of the nation.

Now, in view of the gravity of the situation which I have just pointed out, I want to put only one single pointed question to the hon. Minister. Has the Government assessed the dangerous consequence of this prolonged strike in the textile industry of Maharashtra which is one of the major foreign exchange earning industries of the country and give up its position of fighting on the prestige issue of the scab union and bring about a settlement of this dispute. My suggestion also is that if the hon. Minister fails

to do this, he should resign for such an adject failure.

SHRI BHAGWAT JHA AZAD: The hon. member has said about the disparity or the difference between the wages of the Engineering, Chemicals and the textile industry. It is true. He has opened; with this and this is the truth. At least, once in his statement and in one point he has spoken the truth that there is a difference between the Engineering, Chemicals Industry pay scales and the textile industry. But the point which he did not mention is that whereas the wage component in Chemicals is 4.5 per cent, in Engineering 11.7 per cent, in textile, it is 15 to 26 per cent. He knows; very well, if he knows, that there are industries which are capital intensive, there are industries which are labour intensive. Both Engineering and Chemicals are capital-intensive, and it is true that Mr. Datta Samant could play that trick that in some of these industries, he gave them a good chunk and passed on to the entire thing of Chemicals, for example, to textile and he did pass it on. For example, in other industries, he gave a rise and passed it on to the consumers. In textile, it is not possible it being labour-intensive to have the same scales. He has mentioned the pint but did not say the reason. It is wrong to say that Badli workers are getting Rs. 150 or Rs. 125 as he said. It is not that. It is true what he said that there are also 30 per cent, not less, maybe a little more, Badli workers in textile. But does he mean to say that because absenteeism in textile is 30 per cent, therefore, textile should keep 130 per cent permanent strength? No, Sir. That is not possible. Nowwhere is it possible. What is possible is, as he asked, what is badli getting? So far as the wages are concerned and dearness and other things are concerned, Badli gets the same as the other permanent workers. Therefore, it is a false statement to say that they are getting very much less and they are in trouble. That is not a statement of fact. The statement of fact is that the ..Badli worker is also getting the same thing.

13 hrs.

MR. DEPUTY-SPEAKER: *Badli* comes and works in the absence of the worker.

SHRI BHAGWAT JHA AZAD: That is right.

MR. DEPUTY-SPEAKER: When workers go on leave they come and work. They are paid the same salary as the workers.

SHRI BHAGWAT JHA AZAD: Yes. What happens is, in the textiles there are about 30 per cent absentees. (*Interruptions*). In this industry, on an average about 30 per cent are absent every day. *Badlis* go in their place and they work and they get the same as the permanent people get. So, about the first question, I have replied. The second question about *Badli* I have replied. The third one is a political question, as usual about RMMS. To that political question, the political answer I have given. If I give that answer again they will shout.

MR. DEPUTY-SPEAKER: Political questions you will reply politically, outside.

SHRI BHAGWAT JHA AZAD: I have finished saying this. I have already told them. They may kindly take stock of the situation. They have given a call that the workers should all combine on January 19, and again on 19th April, but the workers have negated them. So, please, they should see reason. Therefore, they should advise the workers to go to work.

Sir, the hon. Member has asked me whether the Government is seized of the dangerous consequences of this strike. Yes, Sir, we have. That is why, all the time we are requesting, we are praying to those hon'ble gentlemen that if they have any following among the workers, they should make understand these dangerous consequences and ask them to come to work, and if possible start working.

And the last question, the cheapest one, was that I should resign.

मैं इस्तीफा नहीं देता क्योंकि मैं जानता हूँ कि जनता इस सरकार के साथ है और इसी सरकार में मैं हूँ।

The cheapest answer is. I reject it outright. It is not worth considering. (*Interruptions*)

PROF. MADHU DANDAVATE: Do not resign. The next man who will be coming may be worse.

MR. DEPUTY-SPEAKER: Shri Sudhir Giri.

SHRI SUDHIR GIRI (*Contai*): Mr. Deputy-Speaker, Sir, at the outset I should say that I am not going to deal with the law and order problem in the States. But the hon. Minister pointed out that whenever the name of West Bengal is uttered here, the Members from West Bengal shout, but I want to object to this, that whenever West Bengal is uttered here we do not object. Whenever you tread on the law and order situation, whenever you tread upon the subject which is included in the State List, we object. But whenever you said something on the Central subject list under the Union List, we do not object. So, at the outset, I should tell the hon. Minister that I am not going to deal with any subject included in the State List of the Constitution.

MR. DEPUTY-SPEAKER: You are on the safe side now, very safe.

SHRI SUDHIR GIRI: Sir, the progress and prosperity of the country we do want and we want it first of all, I think. Why do I want it? And the hon. Minister and the Government day in day out proclaim in this House that they also do want the development and prosperity of the society and of the country. The workers of the country are producing the goods. They are producing the assets of the country and they also know that that if production is hampered, if the economy is damaged, then the sorrows and sufferings will go to them and not to the mill owners or to the Minister. They know it very well. (*Interruptions*)

SHRI BHAGWAT JHA AZAD: Not to the Member, say that also.

SHRI SUDHIR GIRI: You do not know, so you are saying so. Because you live in some luxurious places, you enjoy some luxuries, you are saying so.

The workers do know very well that if they go on strike, what will happen to them in the long run? They know it very well that they will have to starve. But in spite of all this, why do they go on strike? Why have these textile workers in Bombay gone on strike? What are their demands? Some of the demands have been elaborated here. I am not going to repeat them. But I would like to deal with some of the demands which have not been mentioned here.

Modernisation is a good thing. It is a must for the development of the society and the country. It is also a must for increasing our exports. But we will have to take into consideration the evil affects of modernisation. In 1948, in the Bombay Textile Mills, there were 2.40 lakh workers. Due to modernisation, in 1982, their number has gone down to 1.64 lakh. The number of women workers in 1948 was 40,000. But in 1982, their number has been reduced to 4000.

PROF. MADHU DANDAVATE: Equal pay for equal work.

SHRI SUDHIR KUMAR GIRI: Not only this. The living conditions of the workers are very poor. They have been compelled to live in a single room in chawals. On some occasions, their number exceeds 25. Not only this. They suffer from various kinds of ailments. The accidents of tuberculosis amongst the workers exceeds 15 per cent. In view of these things, the demand of the workers to increase their wages and some allowances, is justified. That should be considered. But without considering all these things, the Government is bent upon branding them as followers of a political party or a particular trade union.

They are saying all these things, thus side-tracking the real issue.

There is no annual increment given to the workers. After working continuously for a period of five years, there is a paltry annual increase of one per cent only. 80 per cent of the workers of the Bombay Textile Mills are in debt. Besides this, they are not sanctioned any leave. They have to go without any leave. In view of the compelling circumstances the workers have demanded increase in their allowance, to regulate their leave to accommodate them in suitable places and all these things. All these are humanitarian problems. I think, the Government should consider all these aspects with an open mind.

The hon. Minister has said that we are sticking to politics. But is it not a fact that the mill-owners have diversified their profits earned in the textile mills in other industries? Is it not a fact that those who are working in the other units are getting higher wages than those working in the textile mills? I am not going to deal with the amount of profits which the mill owners have earned, which has been pointed out by others. The hon. Minister has referred to the Constitution. There is one chapter in the Constitution, Chapter IV, which deals with the Directive Principles of State Policy. The founding fathers of the Constitution thought in those days, in 1948 or 1950, that it was not possible to bring in all those socialist ideals immediately but, in course of time, the conditions of society will change and, thereafter, Government will bring in socialistic changes. In that Chapter there is a specific article which clearly points out that there would be reduction of disparities in the national wealth and income. But, after the introduction of the Constitution in our country we have been finding, to our dismay, that there is no reduction in disparity of wealth and income, on the other hand, the disparity is going on increasing, the rich is becoming richer and the poor poorer. The Planning Commission document

[Shri Sudhir Kumar Giri]

has pointed very clearly that 48.6 per cent of the people are living below the poverty line. It is in this perspective that I would like to ask a few questions.

Does the hon. Minister consider the grievances of the workers as regards leave, increase in dearness allowances, living conditions etc. which I have mentioned, justified? If he considers them justified, then, will he come forward and take suitable measures to settle the dispute? Even if the mill owners do not come forward, he should compel them to come to terms with the workers, because it is the workers who are producing the assets of the country.

SHRI BHAGWAT JHA AZAD: I will reply only to those portions which pertain to my Ministry. Otherwise, hon. Members lectured to us about Constitution, socialist society and so on. We know our responsibilities and duties much better.

SHRI SOMNATH CHATTERJEE (Jadavpur): How can a reference to the Directive Principles of State Policy be called a lecture? I think the time has come when he has to be reminded of it every day.

SHRI BHAGWAT JHA AZAD: He should have the patience to listen to me instead of standing up even before I have replied to the question. Please listen to me. I know Chapter IV of the Constitution which deals with the Directive Principles of State Policy. What I am saying is that the labour policy of the Government of India is in tune with these Directive Principles, which say that all such labour disputes should be solved by conciliation, adjudication and arbitration. But we have to remember that all these are governed by the laws passed by Parliament and the State Legislatures. Let not the hon. Members say that we, who have given the Constitution to the people of India, have forgotten it, let them not charge us with confusion. The hon. Members of the CPM should not come and lecture to us on that

score.....(Interruptions) What I say is this, we are not against the demand of the labour... (Interruptions) Since the hon. Members on the other side have no case, they are indulging in running commentary. Let them listen to me very patiently. Let them hear my reply. They are very wise. But I can reply only according to my wisdom, not according to their wish. Therefore, they should hear me. And that is this. We are not against the demands of workers. That is why I am pointing out that these demands were discussed in 1979 with the representatives of the union. What the hon. Member now wants me to do is to throw the Bombay Industrial Act into the sea and act on what Mr. Samant says. That I am not going to oblige. I am saying, we are responsive to workers' demands, we request them once again—we are in full agreement with what the Maharashtra Government has said—that they should come to work, they should adopt the constitutional and legal means which they adopted in 1979 when Mr. George Fernandes was the Industry Minister and Mr. Sharad Pawar as Chief Minister got this agreement signed. Not only that. It went to the court and it became an award. Now, if he wants to change that award and have something more, the proper method is not strike; the proper method is to sit round the table as they have been doing in the past. Bombay has got a very good history about the agreement arrived at in this industry between the management and the representatives of the workers union and all this has been disturbed, and disturbed with a political aim in view. I am not one of those who will permit the hon. Members to take political advantage of the workers' misery by misguiding them. What I am requesting them is, they should come to work and as the Maharashtra Government has said, if there are legitimate demands, they can be solved through the constitutional and legal means sitting round the table and, therefore, I again say the same thing that it is not that we are against the demands of the

labour, they are not the champions for the labour. They are saying about Bombay, they forget that there are 18 jute mills which are under lock-out—lock-out, not strike. What have they done? (*Interruptions*). Now they are shouting. The moment I mention West Bengal, they are shouting. Let them hear. (*Interruptions*). See how they are shouting.

Now, about the second point, they will shout again. Today in this country the lowest wage given to a textile worker is only in West Bengal under the CPI(M) Government.

13.15 hrs.

MATTERS UNDER RULE 377

(i) REGULARISATION OF UNAUTHORISED COLONIES DELHI.

SHRI H. K. L. BHAGAT (East Delhi): There are over 612 unapproved colonies in Delhi, where more than a million people reside, who generally belong to lower middle and poor class. The then Government in February 1977 took a comprehensive policy decision to regularise these colonies on humanitarian considerations. Since the installation of the present Government in 1980, a number of colonies have been regularised for which the people are grateful. Laxmi Nagar and Shakarpur are also the colonies which have been in existence since long, which are inhabited by over 2 lakhs people in pucca houses. It answer to an unstarred (written) question No. 5670 answered on 29th March, 1982, the Minister of Works and Housing was pleased to reply on the basis of reports by the DDA that since it was found that these colonies were predominantly on Government land, they do not qualify for regularisation.

This answer on the floor of the House has created strong misgiving in the minds of the people in the Shakarpur and Laxmi Nagar area, as also in other colonies. These colonies stand on the same footing as colonies which have been regularised. They are in fact older than many colonies which have been regularised and are entitled to be regularised. The DDA's report about these colonies is no correct. More than 200 colonies, apart from Laxmi Nagar and Shakarpur both in the urban and rural areas yet remain to be regularised and it would be necessary to provide civil amenities in the same and others.

The Minister of Works and Housing was pleased to call a meeting in the Ministry on Saturday, the 17th April, 1982, on our request and discussed the matter in the presence of the Secretary, Works and Housing, Lieutenant Governor, Delhi and Vice-Chairman, DDA. He was pleased to inform that the Shakarpur and Laxmi Nagar colonies were included in the list of 612 colonies as reported by the MCD and DDA and that same will be regularised as per the policy of the Government.

A press release was also released by the Ministry. Since the earlier answer came through an unstarred question tabled in Lok Sabha, it is necessary that the position may be clarified in Parliament itself. The matter is of urgent public importance and I would, therefore, request the Minister for Works and Housing to make a statement on the subject and clarify that the Government will regularise all the 612 colonies including Laxmi Nagar and Shakarpur which figure in the list of DDA and MCD expeditiously and take all possible steps to provide civil amenities to them as soon as possible.

(*Interruptions*).

MR. DEPUTY-SPEAKER: You must be happy that he is replying.