

NOES

Abraham, Shri K. M.	Mukerjee, Shri H. N.
Banerjee, Shri S. M.	Nair, Shri N. Sreekantan
Chakrapani, Shri C. K.	Nambiar, Shri
Daschowdhury, Shri B. K.	Pate, Shri J. H.
Devgun, Shri Hardayal	Patil, Shri N. R.
Gowd, Shri Gadilingana	Saboo, Shri Shri Gopal
Jha, Shri Shiva Chandra	Santosham, Dr. M.
Joshi, Shri S. M.	Sen, Shri Deven
Kandappan, Shri S.	Sharma, Shri Beni Shanker
Khan, Shri Ghayoor Ali	Shastri, Shri Sheopujan
Kothari, Shri S. S.	Singh, Shri J. B.
Lobo Prabhu, Shri	Somani, Shri N. K.
Madhukar, Shri K. M.	Sondhi, Shri M. L.
Mangalathumadam, Shri	Tyagi, Shri O. P.
Meghachandra, Shri M.	Vajpayee, Shri Atal Bihari
Misra, Shri Srinibas	Viswambharan, Shri P.
Molahu Prasad, Shri	

MR. DEPUTY-SPEAKER: The result\* of the Division is: Ayes: 54; Noes: 33.

*The motion was Adopted.*

SHRI DHIRSWAR KALITA (Gauhati): My vote is not recorded.

MR. DEPUTY-SPEAKER: It makes no material difference to the result. That will be corrected.

15.40 hrs.

**FOOD CORPORATIONS (AMENDMENT) BILL.**

MR. DEPUTY SPEAKER: Now, we

shall take up the Food Corporations (Amendment) Bill.

We have two hours for this. I shall give one hour for general discussion and one hour for Clause by Clause discussion.

SHRI S. M. BANERJEE (Kanpur): One hour is not sufficient.

MR. DEPUTY SPEAKER: You should have gone to the Business Advisory Committee for this. Let the hon. Minister begin.

\*The following Members also recorded their votes:—

AYES: Shri Mahant Digvijai Nath

NOES: Sarvasbri S. M. Krishna, K. Ramani, K. Anirudhan, Dhirsvar Kalita, K. Halder and S. A. Dange.

**THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND CO-OPERATION (SHRI ANNASAHIB SHINDE) :** I move that the Bill to amend the Food Corporations Act, 1964 and to declare the Central Government as the appropriate Government under the Industrial Disputes Act, 1947 in relation to the Food Corporation of India, be taken into consideration.

I think that this is the least controversial Bill and therefore, all sides of the House would support the provisions of the Bill.

Sir, as the hon. Members are aware that a number of times, they have raised the question on the floor of this House regarding the future of the employees of the Food Department whose services were to be transferred to the Food Corporation. It was explained a number of times that the legitimate interests of the employees of the Food Department whose services would be transferred to the Food Corporation would be protected. But, even then, dissatisfaction was expressed by various sections and also by the Association of the employees. Government took some troubles to examine the implications of it and they thought that it would be worthwhile if statutory provision is provided for transferring the services of the employees.

This Bill has, therefore, been brought forward with a view to provide statutory provision for the transfer of the services of the employees of the Food Department and in this, the Clause says :

"Where the Central Government has ceased or ceases to perform any functions which under section 13 are functions of the Corporation, it shall be lawful for the Central Government to transfer, by order and with effect from such date or dates (which may be either retrospective to any date not earlier than the 1st January, 1965, or prospective) as may be specified in the order, to the Corporation any of the officers or employees serving in the Department of the Central Government dealing with food or any of its subordinate or attached offices and engaged in the performance of those functions."

So, the main provision is to have statutory protection for the transfer of services which has been provided for in the Bill. I may now explain the principles on the basis of which this piece of legislation has been brought forward.

Then, Sir, a point was raised whether the employees will have the option with regard to pay scales applicable to posts held by them under the Government immediately before the date of the transfer or to scales of pay applicable to posts under Corporation to which they are transferred or to other terminal benefits admissible to the employees of the Corporation under this Act. It has been under (4) (b) as follows :-

"(4) (b) by the retirement or other terminal benefits admissible to employees of the Central Government in accordance with the rules and orders of the Central Government as amended from time to time or the provident fund or other terminal benefits admissible to the employees of the Corporation under the regulations made by the Corporation under this Act."

So, every officer or other employee transferred by an order made under sub-section (1) shall, within six months from the date of transfer, exercise his option in writing.

In regard to the points enumerated above and a little earlier, this Bill also provides for statutory protection to the employees of the Food Department. A point was raised that normally a government servant is entitled to protection under Article 311 of the Constitution and if the services of the employees of the Food Department are transferred to Food Corporation, then perhaps this protection may not be available. Government then went into this problem and again decided in favour of the employees.

Now, as per the provisions, opportunity is being taken to declare the Central Government as the 'appropriate Government' under the Industrial Disputes Act, 1947, in relation to the Food Corporation of India.

15.41 HRS.

[ SHRI GADILANGANA GOWD  
in the Chair. ]

Then, Sir, there is another important provision according to which whenever any employee of the Food Corporation is to be dismissed or removed from service or any disciplinary action is to be taken against him, more or less the same procedure which is provided for in Article 311 would be applicable to the employees of the Food Corporation.

So, by and large, these terms and conditions and the retirement benefits, pension and provident fund should satisfy the employees and I am sure this will receive wide support from all sections of the House. I would not like to take much time of the House at this stage because it will be clear from the Bill which has already been circulated to all the hon. Members that the intention of the government is to give protection to these employees. It is a very salutary measure and I wish hon. Members belonging to the various parties will support this legislation. With these observations, I move :

"That the Bill to amend the Food Corporations Act, 1964 and to declare the Central Government as the appropriate Government under the Industrial Disputes Act, 1947 in relation to the Food Corporation of India be taken into consideration."

MR. CHAIRMAN : Motion moved :

"That the Bill to amend the Food Corporations Act, 1964 and to declare the Central Government as the appropriate Government under the Industrial Disputes Act, 1947 in relation to the Food Corporation of India, be taken into consideration."

SHRI DEVEN SEN (Asansol) : I beg to move :

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 15th February, 1969." (15)

SHRI VISHWA NATH PANDEY  
(Salempur) : I beg to move :

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 31st January, 1969." (26)

SHRI LOBO PRABHU (Udipi) : Mr. Chairman, the hon. Minister is subjecting himself to self-deception in assuming that this Bill will receive support from all parties in this House. I have known no Bill which has caused so much discontent among the different sections of the employees than this Bill and it will be clarified at different stages by various Members of the opposition parties.

At this stage I would like to say this, that having been associated with the food administration since 1939, in government and outside, I have come to this conclusion that the Food Corporation is a monument of the mistakes of government. In 1964, when this Corporation was formed, the government tried to siphon its responsibility to an organisation which.....

SHRI ANNASAHIB SHINDE : It was formed only in 1965. Only the Bill was passed in 1964.

SHRI LOBO PRABHU : I accept that amendment, if it is of any importance. Now, in this year of grace 1968, they are trying to siphon the staff and the chaos that has arisen in the food problem on to the Food Corporation. We cannot dismiss the food problem by assuming that it does not exist. It is a problem of the creation of Food Ministry. The Food Ministry has discounted ordinary reason; the Food Ministry has discounted facts in pursuing its policy.

SHRI ANNA SAHIB SHINDE : Sir, the hon. Member should confine himself to the provisions of the Bill. He is going much beyond them, because he is very allergic to any public sector organisation.

SHRI LOBO PRABHU : May I request the hon. Minister to allow me to have my say uninterrupted, as he had his ? I would make it clear to him that if there is no food problem then there is no need for a Food Corporation and there is no need for a Bill of this type. If it is clear

[Shri Lobo Prabhu

to him, let him hold his peace till I conclude.

Now, what are the policies of this government? One is food procurement. What is food procurement? Even in Bihar, even in areas where there is scarcity, this government goes and procures food. What does it succeed in doing? It succeeds in raising prices at a place where people somehow could have lived before with what they had. In surplus areas they prevent the prices from falling by assuring a support price. They created a food problem by having so many zones. What do the zones do? They create three, four or five levels of prices because of which smugglers, blackmarketeers and, no doubt, corrupt officials have their fill, have their day. Lastly, and this is an irony which the hon. Minister must explain to the House and to the country, when this country according to their own statistics had the capacity to supply 18 ounces of food per person last year, what did this government do? It allotted six ounces and even less in Kerala in statutory rationed areas... (interruptions) Yes, only four ounces in some areas. Where did this food go? This is the irony. They talked of a food policy which assures everybody 18 ounces a day. The Food Corporation is not for assuring food supplies to the people, it is for denying the supplies. That is the position today.

Now the question is: How long can this unreal—I should say, almost criminal—state of things continue? It is criminal because the Government does not exercise the slightest intelligence on this problem. Take the question of procurement. They procure food at practically half the market price in most areas. Having procured it, they sell it at about 40 per cent above their own price. I asked for a break-up of this difference and I was furnished with various details which do not seem to agree with the simple fact that they procured rice in 1966-67 at prices between Rs. 72 and Rs. 95 a quintal and their issues prices were Rs. 95 to Rs. 135 a quintal—a difference of 40 per cent which the Minister did not explain. That is what he has to explain, namely, how this Government can keep a margin of 40 per cent over their procurement prices. They are unfair, therefore,

on the one hand, to the producers who get half the market price and, on the other, they are unfair to the consumers who have to pay 40 per cent to the Government which is a proportion far higher than any grain dealer, the most extortionist grain dealer, has charged. So this is the meaning of food procurement.

Now we come to the Food Corporation. What was the necessity for this Food Corporation? It was given the same functions which the various regional directorates had. It was a brainchild, I suppose, of a Food Minister who had come from the Steel Ministry. Perhaps, his mind had hardened from that transit and he wanted a Food Corporation to do exactly the same kind of thing which was done by the regional directorates. He wanted the Food Corporation—I do not want to be uncharitable because this has been suggested—to accommodate the various relations of ministers and secretaries in this Ministry. Names are given of ministers and of secretaries. But what I am suggesting is that when recruitment was made, not according to Government rules but by mere advertisement and interview, there was room for a great deal of favouritism. Many people have got in, specially at the officer level, who had no right to be there. There have been cases where someone drawing Rs. 300 a month was appointed to a job on which he now draws Rs. 1,100 a month.

What I suggest is that before any question of making this staff permanent is considered, the Public Service Commission must be made to examine these appointments, at least in the higher scales, because it is a firm belief that the Food Corporation simply suited the Minister, the first Chairman and those who wanted to profit out of the difficulties of the people and out of an imaginary situation of food scarcity created by Government for which, in addition to their own organisation, they wanted another where the control was not theirs and the blame, therefore, was not theirs.

Now I come to the question of staff with which this Bill is concerned. This question has been oversimplified by the Minister by saying that it is nothing at all. May I remind him that there are

three classes of staff involved? First of all, there are 3,000 members of the Food Corporation directly recruited by the methods I have mentioned. Then there are 18,000 employees of Government who are going to be added, of whom probably 11,000 have already been transferred. Thirdly, there are the Secretariat staff who are not being provided in the Bill at all and who, presumably, will revert to their own departments.

The 3,000 direct employees are concerned that they will be swamped when the 18,000 people from the Food Ministry are imposed on them. The rule "First come, first go" will be applied and in the circumstances, that the Food Corporation and the Food Ministry will shrink from an improvement in the food position, they think that their loss of employment is almost certain. This much cannot be denied that when the two organisations are amalgamated, the duplication that exists will have to be removed. When this is removed, a proportion of those in employment in the new Food Corporation will have to go. I was shown certain orders where such retrenchment has already taken place. So, the employees of the Food Corporation are worried.

The employees transferred are also worried because they are afraid of their pensionary rights and because many of them are comparatively in a less favoured position than employees of the Food Corporation who were confirmed after one year.

MR. CHAIRMAN : The hon. Member may conclude now. He should cooperate with me and adhere to time limit.

SHRI LOBO PRABHU : I am cooperating with you. But I have to cooperate with my country and my party also. I have to make out a case. I am concluding.

Now, they are concerned that once they join the Food Corporation, their right to go back to the Home Ministry will be affected. They are also concerned that because their functions will be duplicated, many of the posts which were available

to them in the original Food Departments will be lost. Lastly, they are concerned about their pensionary rights, specially in respect of those who are not permanent.

About the secretariat staff, it is rather strange that when the transfer of work is made, they are left alone. I would like the House to consider why the transfer be made. This transfer is not going to affect the country at all. I have obtained a statement from the Food Ministry itself which shows that if the transferees are paid at higher scales of pay, it may cost the country something like between Rs. 3 to 4 crores more. Is it necessary to do this? Is it necessary to put further tax of Rs. 3 to 4 crores on the people? If the Minister has any doubt, I can lay the statement on the Table of the House.

Then, all these employees will become eligible to bonus, not only 4 per cent on the existing salary, this year at the rate of 20 per cent because the Food Corporation has done profiteering and made a profit of Rs. 3 to 4 lakhs last year. This is another tax on the people.

So, my request, first of all, is that this Bill is complicated and it should go to the Select Committee. We cannot, here and now, specially in 2 hours, dispose of it. Failing that, I would suggest to Government to stop this whole thing. They can treat the employees of the Food Department as on deputation with the Food Corporation as they were so far—it makes no difference—and if and when, they become surplus, they have the right to revert to the Home Ministry's pool. That is a simple suggestion. I hope the Minister will accept it because he is making the change on the wrong presumption that the food problem which they have created, which they alone have created, is going to last for ever. It is not going to last for ever. So, why sacrifice public finance, why sacrifice the employees' legitimate interests and why sacrifice even our time in Parliament.

श्री विरबन्धन पट्टिय (सलेमपुर) : सभा-पति महोदय, राश्व मंत्री महोदय ने मंत्री जो विधेयक प्रस्तुत किया है उसके द्वारा लाख

[ श्री विश्वनाथ पान्डेय ]

निगम अधिनियम, 1964 में संशोधन करने तथा भारत सरकार के खाद्य निगम के संबंध में केन्द्रीय सरकार को औद्योगिक विवाद अधिनियम, 1947 के अधीन समुचित सरकार घोषित करने का प्रस्ताव है। मैं सदन को स्मरण दिलाना चाहता हूँ कि 1964 कानून के द्वारा खाद्य निगम की स्थापना हुई। उसमें यह विचार था, उसको यह अधिकार दिया गया था कि खाद्य के सम्बन्ध में वितरण, जमा करना, खरीद करना, एक स्थान में दूसरे स्थान पर भेजना और उस की बिक्री करना इत्यादि। लेकिन मैं आप के माध्यम से मंत्री महोदय से यह कहना चाहता हूँ कि जिस उद्देश्य से इस निगम की स्थापना की गई थी, उस उद्देश्य की पूर्ति नहीं हुई। उत्तर प्रदेश का उदाहरण मैं आपके सामने रखना चाहता हूँ। जब अन्न की खरीद हुई तो चाहे वह पूर्वांचल में हो, चाहे पश्चिमी इलाके में हो, उसमें कई तरह की गड़बड़ियाँ हुईं और उन गड़बड़ियों को यह मिटा नहीं सका। जहाँ पर खाद्य रखा जाता है, जो स्टोरेज है, गोदाम है, उसमें बहुत सा गल्ला सड़ जाता है, गल जाता है, उसका भी समुचित प्रबन्ध नहीं किया है जिस से उसकी रक्षा हो सके। आप जानते हैं खाद्यान्न के मामले में भारत आत्म निर्भर नहीं है। विदेशों से अरबों रुपये का अन्न मंगाया जाता है और यहाँ के लोगों को दिया जाता है। इस लिए आवश्यक है कि खाद्य निगम जो 1964 में बना है, उस को जो कमियाँ थीं, उनकी पूर्ति होनी चाहिए। उसी के अन्तर्गत यह विधेयक प्रस्तुत किया गया है। इस विधेयक के अन्दर दो-तीन बातें मुख्य हैं—एक तो यह जो सरकारी कर्मचारी खाद्य विभाग से खाद्य निगम में आए हैं, उन की तनख्वाहें, उनकी नौकरी, उनकी सुब-सुविधाओं के लिए संरक्षण दिया जाय। मैं समझता हूँ कि इस में किसी को आपत्ति नहीं है, इस अंश को तो सभी लोग पसन्द करेंगे, लेकिन इस विभाग के अन्तर्गत कूच और भी

सरकारी कर्मचारी हैं जो प्रत्यक्ष रूप से खाद्य निगम द्वारा नियुक्त किए गए थे, वे अल्पमत में हैं, निःसहाय हैं, गरीब हैं, उन की आवाज़ न इस सदन में और न मंत्री महोदय के पास है—उनकी नौकरी के बारे में, उनकी तनख्वाह के बारे में, उनकी उन्नति के बारे में इस बिल में कुछ भी नहीं कहा गया है, उन को बिलकुल छोड़ दिया गया है। जिन लोगों का खाद्य विभाग से निगम में हस्त-तरण किया गया है, उनकी संख्या 18 हजार है, इन 18 हजार लोगों के संरक्षण की आपने व्यवस्था की है, लेकिन वे मुलाजिम जो प्रत्यक्ष रूप से खाद्य निगम ने नियुक्त किए थे, जिनकी संख्या 3000 है, उन के संरक्षण का आपने इस में कोई समावेश नहीं किया है। इस लिए यह आवश्यक है कि उन के ऊपर भी आप विचार करें। यदि ऐसा नहीं करते हैं तो मैं समझता हूँ कि आप एक अनुचित कार्य कर रहे हैं, अन्याय कर रहे हैं। आपने खाद्य निगम का भारतवर्ष के कोने-कोने में जाल बिछा दिया है, लोगों को नौकरियाँ भी दी हैं, आपकी संरक्षण देने की भावना भी है, लेकिन उन लोगों को भी संरक्षण दीजिए जो डायरेक्ट—प्रत्यक्ष रूप से उस में नौकर हैं और जो पहले से काम कर रहे हैं।

16 hrs.

मैं इस विवाद में नहीं जाना चाहता कि निगम ने उत्तम काम किया है या गलत काम किया है। इस का उद्देश्य तो उत्तम था ही, जिसमें देश खाद्य के मामले में आत्म-निर्भर हो सके, खाद्य का संचय हो और सही तरीके से एक तरफ से दूसरी तरफ जाय। लेकिन निगम को देखते हुए यह आवश्यक मालूम होता है कि खाद्य नीति में आपको आमूल-परिवर्तन करना चाहिए, क्योंकि देश की परिस्थितियों के अनुसार, देश की आवश्यकता के अनुसार, लोगों की मांगों के अनुसार, जब कि देश के अन्दर अकाल पड़ता है, कई जगहों पर दुर्भिक्ष है, कई जगहों पर अन्न का पूर्ण अभाव है, आज आवश्यकता इस

बात की है कि आप इन सब को दृष्टि में रख कर अपनी सख्त नीति में आमूल परिवर्तन करें। यदि परिवर्तन करेंगे तो मैं समझता हूँ कि इस का जो विचार है, जो इस का ध्येय है, उस ध्येय की पूर्ति हो जायेगी।

इसी दृष्टि से बहुत से माननीय सदस्यों ने इस में संशोधन दिए हैं, जब संशोधनों का समय आयेगा, तब उन के सम्बन्ध में मैं अपना विचार प्रकट करूँगा लेकिन जहाँ तक निगम के अपने कर्मचारियों का सम्बन्ध है, उन को संरक्षण अवश्य दिया जाय, उन को सविस्तर की गारन्टी दें, सिव्योरिटी दें, पेंशन दें और वे सब सुविधायें उन को मिलें जो दूसरों को मिलने वाली हैं। इन शब्दों के साथ मैं इस बिल का समर्पण करता हूँ।

SHRI S. KANDAPPAN (Mettur) : The Food Corporation was established in 1965 by an enactment of Parliament. As Mr. Lobo Prabhu was pointing out, there is definitely a bungling on the part of the Government; within three years of its working, it seems to have accumulated a lot of anomalies; this is so even with regard to its location. We presume that when Government brings a Bill and puts it on the Statute Book, it takes sufficient care to analyse and find out the pros and cons as to how they are going to work it, what is the purpose for which it is established, where it should be located and all that. As per the Act, section 4 (1), the headquarters of the Corporation were to be located at Madras. But I am sorry to say that I now find that, for all purposes they have shifted the headquarters to Delhi, and virtually the Corporation has been functioning from Delhi for the past so many months. I would like to know what prompted the Government within the shortest possible time to shift the headquarters from Madras to Delhi. When this matter was mooted we have been opposing it on the floor of this House and we were given to understand that there was only a proposal from the then Chairman. Mr. Chandy was, I think, the Chairman then and he made the proposal to shift it, but we were told that Government was not taking a final decision on

that. But subsequently they have made that decision and, probably, keeping in view the provisions that are provided in this Bill, they might have notified the matter in the gazette. I do not know whether they notified it. Anyway, we were not taken into confidence. And, I do not know whether even the State Government were taken into confidence. I would like to know from the hon. Minister as to what are the real causes which have impeded the work of this Food Corporation that was functioning at Madras and therefore it was really difficult for them to perform their functions from Madras. What are the real reasons why they have thought it fit to select some other location now? It is only three years since it has been functioning at Madras. Why should they adopt this sort of light-heartedness and casual approach to serious problems, I would like to know. Because, after all, when this matter was first discussed in this House, I remember very well, some people objected to its location at Madras. The then Food Minister answered those points and various reasons were given. I think Government is a continuous process. Ministers may come and Ministers may go but the congress party remains there, and as long as we are going to allow them, they are going to remain there. I am sure their policy has not changed along with the change of ministers. So, Sir, it is for the hon. Minister to give us the reasons as to why they have shifted it and also why they should shift it within such a short time since it started functioning. In a light-hearted way and within a short time, such corporations are being set up and shifted and it shows that they are treating this matter in a light-hearted way, without any seriousness and, I am afraid, this only shows that the Government does not know its business. I am sorry to say this, but this is exactly what has happened in this case. As my previous speaker has pointed out, after all, the Food Corporation has got some definite functions to perform. The hon. Minister while initiating the discussion, said as if there is nothing very controversial in this Bill. But, let me draw his attention to the Statement of Objects and Reasons, in which, the first paragraph, last sentence, reads like this :

"In doing so, care has been taken to ensure that the pay, pension and other

[ Shri S. Kandappan ]

conditions of service are not, as far as possible, adversely affected on account of such transfer."

Sir, these words 'as far as possible' are ample proof that there is going to be some trouble. That is what is happening, if the representations that we are receiving in the past few days is any indication. I think it has already started.

**SHRI ANNASAHIB SHINDE :** I wish to draw his attention to the provision where the option is given. The option is provided that if a particular employee wants to opt for pension, retirement benefits, etc. he can exercise that option.

**SHRI S. KANDAPPAN :** I will come to that. I have gone through the Bill many a time. This Bill reads very innocuous on the face of it. I also on the first reading thought that it is a good Bill. Afterwards when we probed into it and when we went into the root of the matter, I thought that there is going to be lot of complaint. Even before the passing of this Bill, here is a telegram which I received from Thanjavoor where the Food Corporation of India's personnel are functioning. The telegram reads :

"Twenty-four Direct recruits, Category IV, with more than one year's service under orders of ousting. Take immediate action. Wired Management."

This is the telegram which has been received by me. If the ousting has already started even before the passing of this Bill, I am afraid, how many more are going to follow in the wake of this Bill. There are 18,000 employees in the Food - wing who are going to be amalgamated with this Food Corporation. Under the Food Corporation there are 3,000 employees also, I am told. The Food Corporation has got its own grades, its own rules and regulations governing the employees and their remuneration, their promotion and all that. After all, as per this Bill, they are going to bring everything under the Industrial Disputes Act. Now, the position is this. The Food Corporation was thought to be an autonomous and commercial corporation. Everybody thought there is ample scope for efficiency and as far as I know, Sir,

there were many people who left their jobs elsewhere and competed, and on a competitive basis, got into this Corporation. There are many qualified people, BA., B. Scs., M. A., M. Scs. and so on who are working in this Corporation. By virtue of the seniority of the food wing people who are going to be amalgamated here, if these people are going to be driven away or if their seniority is going to be affected, I am sure it is not going to be a healthy set-up for the administration of the Corporation in the future. What is the protection given to these employees who are already employed in the Corporation? While reading the Bill, I thought, after all, the Food Corporation is not going to be wound up, it is there, the people who were employed formerly in the food wing of the Central Government are going to be added to it, and it is in the fitness of things that provision is made for them. But here we find that so many people are retrenched or are under order of retrenchment.

I am afraid there is some lacuna in this. Sufficient protection was not given to these employees already there. This is a very important point the Minister should attend to and while answering allay the fears of those people who are already employed in the Corporation.

There is another thing. I am told even in the food wing, about 60-70 per cent of the employees are kept as temporary. I do not know what their fate is going to be. If there is going to be shrinkage by all indications, it seems there is going to be a shrinkage in many cadres—I do not know how many people are going to be affected. This is a very serious matter, and I hope the hon. Minister would allay the fears of the employees who are already there in the Corporation and also the employees who are going to be added to it.

Another very important thing is concerning the functions of this Corporation. If I remember aright, when the parent Bill was originally under discussion, we were told that it was going to be a commercial corporation and they were going to enter the market, compete with businessmen and bring the monopoly of the grain buyers, hoarders and so on to a stop and bring the



prices down to a considerable extent, without giving a monopoly to the Corporation and all that. But our past experience does not prove that Government have acted in that way. I would personally welcome a corporation of this type operating in the public sector. So long as there is scarcity, so long as we do not have a corporation of this type, there is no hope of preventing the hoarders and grain traders from indulging in malpractices. In that sense, this is a welcome move. But unless you have an effective organisation, unless you have effective working of the organisation, I am afraid it is not going to prove a success. In various places, it has already failed. In some places, they have succeeded. I concede that to the Corporation.

But I am sorry to have to say something about the way they are handling the top post in the organisation. They first put in Shri Pai as chairman that was very much welcomed. He did a good job. But somehow differences or disagreements developed between him and the Minister or Government, and he left. Then there was someone else. The present occupant of the post, Shri Shahnawaz Khan, is, I am sorry to say, a once-defeated Congressman.

AN HON. MEMBER : Had to be provided for.

SHRI S. KANDAPPAN : This is the notorious path the Congress has already been following.

SHRI S. M. KRISHNA (Mandya) : Otherwise, where will he go?

SHRI S. KANDAPPAN : Government can create another berth for him. But this is a vital public sector concern. I have nothing against him personally. But to put a defeated Congressman and a politician in charge of such a big organisation which is going to operate on an all-India basis, an organisation which is going to compete with many big business concerns in the country, where we should put some better person in charge, betrays an attitude which has to be condemned.

I am sorry to say that the attitude itself shows that the Government is not serious about its business. They are just

trying to find berths for their own men who have been thrown out. This mentality the Government should get rid of. At least in this Corporation I hope they will try to eschew this kind of attitude and find a man who is suitable for the job.

I hope the hon. Minister will take all the points very seriously and in the course of his reply allay the fears of the workers of the Food Corporation as well as those of the Food Wing of the Government.

श्री भोलानाथ मास्टर (अलवर) : चेयरमेन महोदय, यह जो बिल लाया गया है वास्तव में इसकी बड़ी आवश्यकता थी और यह करीब एक साल के बाद फिर हमारे सामने आया है जबकि इसको पहले ही जा जाना चाहिए था क्योंकि जब फूड डिपार्टमेंट को हम फूड कारपोरेशन से अमलगमेट करना चाहते थे और उनकी सेवाओं को फूड कारपोरेशन में ट्रांसफर करना चाहते थे उससे पहले ही यह कार्यवाही हो जानी चाहिये थी। लेकिन देर आयद बुरुस्त आयद। अब जल्दी में इस कानून को पास करने की आवश्यकता महसूस हो रही है कि जो फूड डिपार्टमेंट के कर्मचारी हैं उन को जल्दी से जल्दी कारपोरेशन को दे दिया जाये। और यह आवश्यक भी है कि अगर उनको विया जाता है तो उनकी सेवाओं का आधार भारत सरकार की सेवाओं के कानून के मुताबिक था उसी के मुताबिक चलने दिया जाय। इसलिये इस बिल में जो प्राविधान किये गये हैं वे वास्तव में बहुत उपयोगी हैं और जो सेवाएँ उधर कारपोरेशन को दी जा रही हैं उन के लिए वह बहुत उपयोगी है और वे सेवाएँ वहाँ जाने पर संतुष्ट होंगी।

हमारे माननीय लोको प्रभू इस बात की चर्चा कर रहे थे तो उन्होंने दोनों तरफ की बातें कहीं। पहले उन्होंने कारपोरेशन के खिलाफ कहा, फूड डिपार्टमेंट की नीति के वह विरुद्ध हैं। लेकिन साथ ही यह वह भी कहते हैं कि फूड डिपार्टमेंट के जो आवसी उधर कारपोरेशन में जायेंगे वे बोनस का फायदा उठा-

[ श्री भोलैनाथ मास्टर ]

येंगे। तो फायदा उनको पहुंचने वाला है और कंपलसरी बोनस उनको चार परसेंट मिलने वाला है। ऐसी स्थिति में उनके लिये तो वह अच्छी चीज है। लेकिन फिर भी वह उसकी बुराई करते हैं।

कारपोरेशन के बारे में अलग-अलग राय हो सकती है, वैसे वह विरोध करते हैं कारपोरेशन का बुनियादी तरीके से। लेकिन हमारे यहाँ हाउस में कई बार चर्चायें होती हैं जब आल इंडिया रेडियो के बारे में कहा जाता है कि यह गवर्नमेंट का एक डिपार्टमेंट है इसको एक कारपोरेशन बना दिया जाय, जैसे बी० बी० सी० है। लेकिन अब कारपोरेशन बनता है तो उसकी मुसालिफत की जाती है। प्रारम्भ में जब कारपोरेशन बनाया गया तो उसका कार्यक्रम कम था। इसमें कोई शक नहीं कि अब वह कार्यक्रम धीरे-धीरे ज्यादा-से-ज्यादा बढ़ाया जा रहा है। फूड डिपार्टमेंट के जितने 18 हजार कर्मचारी आज ऊधर जाने वाले हैं उनके जाने से जो तीन हजार कर्मचारी पहले से रेक्यूट किये गये हैं उनको एक अनिश्चित हालत में नहीं छोड़ना चाहिये। क्योंकि आज हम देखते हैं कि जैसे काटेज इंडस्ट्रीज का एम्पोरियम जो कि कारपोरेशन है वहाँ पर हड़ताल चल रही है और वह झगड़ा सिर्फ प्रोमोशनस का है। आगे कैसे तरक्की दी जाय इसका सवाल है। कारपोरेशन में जाने के बाद सरकार तो बराबर तस्वीर में रहने वाली है ही, वह हटने वाली नहीं है। यदि उन कर्मचारियों के प्रोमोशन में कोई सही तरीके से डायरेक्शन नहीं दिया गया तो आगे दिक्कतें पैदा होने वाली हैं और जो तीन हजार कर्मचारी उधर हैं वह किस प्रकार सफिट इन होंगे, क्योंकि फूड डिपार्टमेंट के कर्मचारियों की सीनियारिटी वास्तव में पहले से चली आ रही है उनमें किस प्रकार से तीन हजार की सफिट इन किया जायगा, सैप आफ सर्विस के हिसाब से किया जायगा या कैसे किया जायगा यह एक लम्बा प्रोसेस

होगा और इसमें हमको कोई प्रोविजन करना चाहिये जिससे कि तीन हजार कर्मचारियों में असंतोष न फैले और फूड कारपोरेशन का काम सही तुरीके से चले। वरना यह डर मालूम होता है कि तीन हजार कर्मचारी, 18 हजार कर्मचारियों के आने के बाद, जो कि पहले से और सुविधायें पाते हैं, ये तीन हजार कर्मचारी जो डायरेक्ट रेक्यूट हुए हैं, उनके साथ किस प्रकार से व्यवहार होगा। उनकी सीनियारिटी कैसे फिक्स होगी, इसके लिये भी इस बिल में कोई प्रोविजन रखा जाना चाहिये था। मैं निवेदन करूंगा कि मंत्री महोदय इसके बारे में जरूर स्पष्टीकरण करें।

फूड कारपोरेशन का दफ्तर यहाँ दिल्ली में आने में कुछ मद्रास के मित्रों को नाराजगी हो सकती है लेकिन मैं समझता हूँ फूड कारपोरेशन यहीं पर होना चाहिए था। पंजाब, हरियाणा, राजस्थान, यू. पी. इत्यादि जो उत्तरी प्रदेश हैं उन्हीं में कारपोरेशन ज्यादा से ज्यादा प्रोक्योरमेंट करता है और उसका सही नियंत्रण आवश्यक रहता है। कारपोरेशन द्वारा की गई पब्लिक से सम्बंध में बहुत सी कम्प्लेंट्स भी आती रहती हैं। मैंने भी इस आशय का एक पत्र लिखा है कि कारपोरेशन को मार्केटिंग सोसायटीज, कोआपरेटिव सोसायटीज के जरिए से ही अनाज का प्रोक्योरमेंट करना चाहिए, इन संस्थाओं को ही उसे अपना एजेंट मुकर्रर करना चाहिए। इसमें कई प्रकार की दिक्कतें पेश आती हैं और मार्केटिंग सोसायटीज को जो प्रेफरेंस देना चाहिए वह भी नहीं दिया जाता है। तो इस प्रकार की बहुत सी शिकायतें आती रहती हैं जिनको सही तौर से इन नजदीक के प्रांतों में रहकर ही अटेण्ड किया जा सकता है जहाँ से कि ज्यादातर ये शिकायतें आती हैं। इस सुविधा को ध्यान में रखकर ही दिल्ली में दफ्तर रखा गया है। इसमें बुराई की कोई बात नहीं है

मैं अधिक समय नहीं लेना चाहता। मैं यह मानता हूँ कि अभी कारपोरेशन की आवश्यकता है लेकिन जैसा कि सरकार का टागैट है कि सन् 1972 तक हम अन्न के मामले में सेल्फ सफ़ीशियन्ट हो जायेंगे और फिर बाहर से अनाज इम्पोर्ट करने की आवश्यकता नहीं रहेगी तो इस बात का संकेत कब शुरू होगा और कब कम स्टाफ की आवश्यकता रहेगी उन सब बातों का भी इसमें समावेश होना चाहिए था। सन् 1972 में हम सेल्फ सफ़ीशियन्ट हो जायेंगे लेकिन फिर भी बफर स्टाक रखने के लिए और किसी इमरजेन्सी को मीट करने के लिए इसकी आवश्यकता रहेगी। इसके साथ-साथ हम यह भी कल्पना करते हैं कि धीरे-धीरे यह व्यवस्था भी खत्म हो जायेगी। यदि ऐसा हुआ तो फिर हमारे सामने 21,000 कर्मचारियों की समस्या आयेगी। इसलिए अभी से इस चीज को भी हथ में मद्धे-नजर रखना है। इस कानून के मातहत जो 18,000 कर्मचारी ट्रान्सफर होंगे उनके लिए कोई ऐसा प्राविजन करना चाहिए कि एक सर्टेन पर्सन्टेज में उनको भी एन्जावं किया जायेगा ताकि एक समन्वय स्थापित हो सके और इस कारपोरेशन का काम भी ठीक से चल सके। वे कर्मचारी भी सही ढंग से अपने काम को अन्जाम दे सकें। बस इतना ही मेरा निवेदन है।

**एक माननीय सदस्य:** कुछ चेयरमैन के बारे में भी कहिए।

**श्री भोलानाथ मास्टर:** चेयरमैन के बारे में भी मैं एक बात कह देना चाहता हूँ। जनरल शाह निवाज खां ने आई. एन. ए. के द्वारा इस देश को आजाद कराने में हर तरह से प्रोक्वोरमेन्ट का काम किया था। जो व्यक्ति देश के आजाद कराने में सहायक हुआ उस व्यक्ति से बढ़कर, इस देश में अनाज को प्रोक्वोर कराने के लिए और कौन मिल सकता है? जो व्यक्ति देश की आजादी के फ्रन्ट पर लड़ा था वह अगर इस अनाज के

काम के लिए भी मुकर्रर किया जाता है तो वह इस खाद्य के फ्रन्ट पर भी अच्छी तरह से लड़ सकता है। ऐसे आदमी को रखकर एक ठीक काम ही किया गया है।

**श्री प्रकाशाचौर शास्त्री (हापुड):** यह तो पिछला इतिहास है, आपको वर्तमान भी बतलाना था कि उनका मेरठ का इतिहास क्या है?

**श्री बेवेन सेन (आसनसोल):** मैं बुनियादि तौर पर इस विधेयक का विरोध करता हूँ। साथ ही साथ कई पहलुओं पर हम मंत्री महोदय से स्पष्टीकरण चाहते हैं और तभी हम अपनी कोई आखिरी राय दे सकेंगे। मंत्री महोदय ने शुरूआत में कहा कि इस बिल पर शायद ही कोई विरोध किया जाए। मैं सबसे पहले यह पूछना चाहता हूँ कि जब कारपोरेशन का प्रधान ध्येय यह था कि केन्द्रीय खाद्य विभाग के कर्मचारियों को लिया जाएगा तब फिर बाहर से तीन हजार आदमियों को क्यों लिया गया? इसका अर्थ यह न समझा जाए कि जो बाहर से कर्मचारी रखे गए हैं मैं उनके खिलाफ हूँ, तो उनकी भी सुरक्षा चाहता हूँ लेकिन मैं यह जानना चाहता हूँ कि बाहर से तीन हजार आदमी क्यों लिए गए? मैं तो ऐसा समझता हूँ कि ये तीन हजार आदमी जो बाहर से लाये गये उनके लिए, जैसेकि रिजर्व फारेस्ट होता है, यह रिजर्व डिपार्टमेंट बनाया गया, काँग्रसी लोगों और मत्रियों के रिस्तेदारों के लिए यह बनाया गया है। इस सिलसिले में मैं आपको कुछ मिसालें भी देना चाहता हूँ यद्यपि तीन हजार आदमियों की मिसाल देना तो मुश्किल है। एक कोई प्रेमवती हैं जिनको कि श्री एस० के० पाटिल० की सिफारिश पर बिठाया गया है। उनकी क्वालिफिकेशनस कोई नहीं जानता लेकिन उनकी पोस्ट है असिस्टेन्ट मैनेजर की। एक हैं बी० एन० राव जो कि स्टेट हैल्थ मिनिस्टर के लड़के हैं। वे पहले कस्टम्स में तीन सौ रुपए पर काम करते थे और अब यहाँ पर उनकी तनखाह एक हजार से ऊपर है और वे डिप्टी मैनेजर

[श्री डेवेन सेन]

के पद पर हैं। एक श्री गुन्डू राव हैं जोकि आंध्र के ला सेक्रटरी के दामाद हैं, उनकी भी तनस्वाह एक हजार रुपए है। इसी तरह से एक मि० प्रसाद हैं जिनके पिताजी ने एलेक्शन में 36 हजार रुपए दिए थे। उसी के कम्पेन्सेशन के रूप में उनके पुत्र को डिस्ट्रिक्ट मॅनेजर, पटना की पोस्ट मिली है और उनकी तनस्वाह है 1200-1800। तो जिस प्रकार से रिजर्व फारेस्ट होता है जिसमें जानवरों को रखा जाता है उसी प्रकार से इन सब लोगों को रखने के लिए यह रिजर्व डिपार्टमेंट बनाया गया है। इसीलिए मैं यह प्रश्न उठाना चाहता हूँ कि केन्द्रीय खाद्य विभाग के कर्मचारियों के बजाए बाहर से क्यों रेक्यूटमेंट किया गया ? मेरा दूसरा प्वाइन्ट यह है कि कर्मचारियों की हिफाजत के लिए सर्विस कन्डीशन्स का इस बिल में कई जगह पर तो जिक्र आया है लेकिन कई जगहों पर जिक्र नहीं आया है। पेज २ पर सेक्शन (3) में कहा गया है :

“As respects remuneration and other conditions of service, including pension, leave and provident fund”

लेकिन मैंने देखा कि कन्ट्रिब्यूटी आफ सर्विस का कहीं जिक्र नहीं किया गया है। जो कर्मचारी खाद्य विभाग से कारपोरेशन में आयेंगे उनकी सर्विस कब से गिनी जायेगी ? जिस दिन वे केन्द्रीय खाद्य विभाग में भर्ती हुए थे उस दिन से या फिर कब से ? इस बात का उसमें कोई स्पष्टीकरण नहीं किया गया है। अगर इसका स्पष्टीकरण नहीं होता है तो फिर खाद्य विभाग के कर्मचारी कारपोरेशन में आना ही क्यों चाहेंगे ?

इसके अतिरिक्त इसमें जितनी बड़ी-बड़ी पोस्ट्स हैं सब नए रेक्यूट्स को दी गई हैं यानी जैसा मैंने पहले कहा, रिजर्व डिपार्टमेंट के लोगों को दी गई हैं।... (श्रवधान)..... खाद्य विभाग में सबसे ऊंची तलब साढ़े चार सौ रुपए है लेकिन कारपोरेशन में 700 और 900 है। लेकिन खाद्य विभाग से जो कर्मचारी ट्रांसफर होंगे उनके लिए यह 700 या

900 की नौकरी पाने का कोई रास्ता नहीं रखा गया है। ऐसी हालत में उन लोगों के लिए वहाँ पर आने का क्या लालच होगा ? अगर ऊंची तलब दूसरे लोगों को दे दी जायेगी तो फिर वे क्यों आयेंगे ? इसमें सारा काम नये लड़कों के मातहात ही कर दिया गया है और फिर ऊंची पोस्ट्स पर वे प्रमोशन भी नहीं पायेंगे। इस चीज का स्पष्टीकरण यहाँ पर होना चाहिए।

कई एक प्वाएंट्स पर मंत्री महोदय ने कर्मचारियों के साथ एग््रीमेंट किया था लेकिन वह एग््रीमेंट माना नहीं गया। उदाहरण के लिए मैं आपको बतलाऊँ कि इस फूड कारपोरेशंस (अमेन्डमेन्ट) बिल के पेज 2 पर क्लॉज 2 के पार्ट 3 में लाइन 19 पर यह लिखा हुआ है:

shall cease to be an employee of the Government

कर्मचारियों ने कहा कि यह चीज उनके हक के खिलाफ जायेगी। हम गवर्नमेंट के नौकर हैं और गवर्नमेंट की जितनी सुविधाएँ हैं वह हमें मिलनी चाहिए और जो गवर्नमेंट के मुलाजिम होते हैं उनके बच्चों को जैसे स्टाइपेन्ड मिलता है वह सब सुविधाएँ हमें मिलनी चाहिए। अब यदि हम कारपोरेशन में जायेंगे तो हमको वह तमाम स्टाइपेन्ड आदि की सुविधाएँ मिलेंगी या नहीं इसलिए मैं चाहूँगा कि मंत्री महोदय को इन सब बातों का स्पष्टीकरण कर देना चाहिए।

इसके अलावा यह बात भी देखनी है कि कब से वह ट्रांसफर्ड समझे जायेंगे ? मंत्री महोदय ने मान लिया था और यह उन्होंने उस समय कहा था :

The minister mentioned that he would be prepared to consider 31-12-68 as the date from which all the employees of the Food Department would be notionally deemed to have been transferred.

कर्मचारियों ने यह नेशनल डेट 1-1-65 की प्रैस की थी और मंत्री महोदय इसे एग्जांमिन कराने के लिए ऐसी भी हो गये थे

लेकिन बिल में उसका भी कोई जिक्र नहीं है।

डाइरेक्ट रिक्रूटमेंट के बारे में भी मंत्री महोदय ने कहा था कि हम लोग डाइरेक्ट रिक्रूटमेंट करेंगे टोटल इंटिग्रेशन के लिए तैयार हो जायेंगे लेकिन अभी यहाँ पर टोटल इंटिग्रेशन का कोई जिक्र नहीं है बल्कि बिल में यह दिया हुआ है: "ऐनी वन औफ दी एम्प्लॉईज" "आल दी एम्प्लॉईज" करके कहीं नहीं है इसलिए इसको लेकर भी कर्मचारियों के दिल में एक शंका है।

अगर शिक्रेज हो या वाइडिंग अप हो तो कर्मचारियों की सिक्वोरिटी आफ सर्विस रहेगी और उसके लिए मंत्री महोदय ने मान लिया था कि ऐसे सरप्लस एम्प्लॉईज के ऐबसोर्बेशन के लिए वह गवर्नमेंट का एक्जीक्यूटिव आर्डर इश्यू करायेंगे। उन्होंने यह कहा था :

The minister agreed that he would have no objection to the executive orders of the Government regarding absorption of surplus employees being suitably incorporated in the regulations to be framed.

लेकिन इस चीज का भी बिल के अंदर कोई जिक्र नहीं है। जो असली व पुराना बिल है उसकी धारा 45 में यह कहा गया है कि सरकार जब चाहे उनकी सर्विस कंडिशन को बदल सकती है तो मेरा कहना है कि अगर सरकार के पास इस हद तक कानूनी अधिकार रहेगा तो अभी फूड डिपार्टमेंट के जो कर्मचारी फूड कारपोरेशन में हैं उनकी हिफाजत कैसे होगी? मैं उनकी हिफाजत के ही बारे में नहीं कहता बल्कि जो 18,000 हैं उनकी हिफाजत के बारे में मैं ज्यादा जोर देता हूँ। यह कारपोरेशन उनके लिए ही बना था इसलिए मैं उनका जिक्र करता हूँ लेकिन जो नया रिक्रूटमेंट हुआ उनकी भी हिफाजत के मैं खिलाफ नहीं हूँ। मैं तो चाहता हूँ कि उमान कर्मचारियों की सिक्वोरिटी आफ

सर्विस रहे। लेकिन मुझे खेद के साथ कहना पड़ रहा है कि सरकार के पास उनके बास्ते कोई प्लान नहीं है और सरकार के दिल में कर्मचारियों के लिए कोई दर्द नहीं है और हो यह रहा है कि सरकार कभी किसी को लेती और कभी किसी को निकाल देती है। कोई एक निश्चित इसके लिए प्लान बना कर वह काम नहीं करती है। इसलिए मंत्री महोदय द्वारा जब तक इन तमाम बातों का स्पष्टीकरण न हो तब तक हम लोगों का बिल को मान लेना मुश्किल है। बस इतना कह कर मैं समाप्त करता हूँ।

SHRI HIMATSINGKA (Godda) : Mr. Chairman, Sir, I have not been able to follow the criticisms which have been levelled by Shri Sen as regards the difficulties that he has pointed out. Sub-clause (iv) of Clause (2) clearly gives the option to the employees as to whether he would like to have the same conditions to be continued immediately before the date of transfer or whether he would like to be governed by the scales of pay applicable to the posts held by him under the Government immediately before his transfer or by the scale of pay applicable under the Corporation to which he is transferred. It is the option that has been given to him and this option can be exercised by him within six months of his transfer.

Then again, as regards the benefits also, the option is given to him. Therefore, I have not been able to follow what objection can there be to the provisions of the Bill. So far as other things are concerned, I think the present Bill deals only with the question of the services of the persons who will be transferred from the Government Departments to the Food Corporation and I feel that the Bill, so far as it goes, has tried to protect the conditions of service and other things of the employees who are to be so transferred.

While on this subject I would like to invite the attention of the hon. Minister to certain matters of anomaly which are causing a lot of difficulties in the country. The Prevention of Food Adulteration Act is an act with a very good intention and no

[ Shri Himatsingka ]

one will support any kind of adulteration that may take place. In fact, there is a lot of adulteration that is going on things like oil and other things. But, so far as the definitions of certain articles are concerned, I feel that the hon. Minister must give some attention and consideration to the point to which I am drawing his attention. If in a quintal of wheat there is one kilogram of gram, it becomes 'adulterated' that comes under the purview of Food Adulteration Act, and it is very natural. As a matter of fact, in the countryside, the gram is mixed with wheat and it is eaten. But, according to the definition under Prevention of Food Adulteration Act, if a certain quantity of gram is mixed with wheat, it becomes an adulteration. I think it is a very absurd to say so. What is happening is that a lot of corruption is going on because any inspector or any health who goes inspector to inspect things naturally says that this is mixed in the field and that it is not done deliberately. Similarly, there is no definition for dal. It is covered by the word 'bean' and the classification has been laid down is such that it cannot be that complied with easily.

If the dal is affected by weevil, which is very natural in this country, because a certain portion of it is always eaten by weevil, under the Act it becomes "adulterated" and a person who deals in that dal becomes liable for prosecution and imprisonment up to a minimum period of six months and more, if the offence is repeated again. I want to draw the attention of the Minister to these things.

SHRI S. M. BANERJEE : Sir, how are they relevant to the discussion of this Bill? I am asking this question because when Shri Lobo Prabhu wanted to discuss certain aspects of the working of the Food Corporation, he was asked by the hon. Minister to confine himself to the provisions of the Bill.

SHRI HIMATSINGKA : I know the scope of the discussion. I am inviting the attention of the hon. Minister to the difficulties that are being created by certain of the rules framed under the Food Corporation Act.

MR. CHAIRMAN : He may kindly confine himself to the clauses of the Bill.

SHRI HIMATSINGKA : We cannot really discuss the Bill unless we are permitted to point out the difficulties which have been created by the working of the Act.

For example, take the levy, of paddy. As soon as an order for giving a certain quantity of paddy or rice or wheat is served on the cultivator, he cannot use even for his own purpose. If he does so, he is liable to prosecution. He is not supposed to touch it. Certainly, that gives a handle to corrupt officials to extort money from him. These are small matters which are giving opportunities for corruption, which we want to put down. So, I want to invite the attention of the Minister to this fact.

Then, Shri Lobo Prabhu referred to the increase in cost. Now, what is happening is that the Food Corporation serves a notice on the cultivator that he has to supply so much of wheat or paddy at a particular place, generally the Office of the BDO. From there it is transported to the district headquarters and from there to the godown. All this add enormously to the cost and the government does not gain anything either. The result is that the consumers have to pay a much higher price without any benefit to the cultivator or government. So, some method should be devised by which the cultivator supplies it direct to the godown from where it is distributed or to the mills. Of course, these are small matters, but they are causing hardship to the cultivators and loss to the country and scope for corruption to some officials. I hope these things will be looked into. With these words, I support the provisions of the Bill, which are good so far as they go.

16.44 HOURS

[ MR. SPEAKERS *in the Chair* ]

श्री हरबयाल देवगुन (पूर्व दिल्ली) : अध्यक्ष महोदय, यह विषयक कुछ कर्मचारियों की सेवा शर्तों का प्रावधान करने के लिए लाया गया है। अच्छा होता कि कारपोरेशन की सेवाओं का भी कुछ संरक्षण करने का विधान भी इस विषयक में किया जाता और उन सेवाओं की चर्चा

करने और बहस करने का इस सदन को अवसर दिया जाता ।

बड़े दुर्भाग्य की बात है कि यहां पर खाद्यान्नों का अभाव है और इस अभाव को दूर करने के लिए सरकार को अपने जिस दायित्व का निर्वाह करना चाहिये था उसका वह निर्वाह नहीं कर सकी है । इस के लिए उसको फूड कारपोरेशन बनाना पड़ा है । चाहिए तो यह था कि आर्थिक शक्तियों स्वयं इसका इन्तजाम करती कि इस देश में खाने पीने की चीजों का अभाव न होता और लोगों को सुगमता से और सस्ते दामों पर खाने पीने की चीजें मिल जातीं, उत्पादन बढ़ता और कीमतें भी इस प्रकार की होतीं जिन को लोग सहन कर सकते । परन्तु सरकार की आर्थिक नीतियों का यह फल है कि दोनों बातें नहीं हो सकी हैं । न खाने पीने की चीजें सुलभ हो सकी हैं और न ही वे उचित मूल्य पर उपलब्ध हो सकी हैं । इसकी व्यवस्था सरकार को करनी चाहिए थी । ऐसा करने के बजाय उसने यह दायित्व फूड कारपोरेशन पर डाल दिया ।

फूड कारपोरेशन का भी यह मकसद बताया गया था कि वह एक कम्पोटोर के तौर पर मार्केट में आएगी और किसानों को उचित मूल्य देने का इन्तजाम करेगी और प्राइसिस का स्टेबलाइज करेगी । लेकिन ये दोनों बातें भी वह नहीं कर सकी । विशेष रूप से कीमतों पर कोई नियन्त्रण फूड कारपोरेशन के कारण नहीं हो पाया है बाकी भी जो इन्तजाम उसने किया है वह हमारे सामने है । उसे कई बार इस सदन में लाया गया है । किस प्रकार से कारपोरेशन की गफलत से, उसकी लापरवाही से गला सड़ा अनाज लोगों को दिया गया, किस प्रकार से अनाज भण्डारों में खराब हुआ और बही खराब अनाज लोगों में बांटा गया, किस प्रकार यहाँ

दिल्ली में ही मैदे के वितरण में घोटाला हुआ । इस दो साल के अल्पकाल में इस प्रकार की बातें इस सदन में उठाई गई हैं और उनको प्रकाश में लाया गया है । इसलिए यह उचित होता कि आज इस विधेयक के साथ ही इन तमाम बातों पर भी अर्थात् कारपोरेशन की सेवाओं पर भी विचार किया जाता । ऐसा नहीं होना चाहिए कि जिस उद्देश्य से इस कारपोरेशन को बनाया गया था वह उद्देश्य ही पूरा न हो और इस को एक सफेद हाथी के रूप में देश की अर्थव्यवस्था पर रखा जाए ।

इस कारपोरेशन पर हम बहुत ज्यादा खर्च कर रहे हैं । दिल्ली में ही इसका जो कार्यालय है उसका किराया हम पचास हजार रुपया महीना दे रहे हैं । इसी तरह से दूसरे स्थानों पर भी इस प्रकार से हम इसके अधिकारियों, मैनेजर तथा दूसरे लोगों पर खर्च कर रहे हैं । उनका सिलैबशन किस तरह से किया गया है वह चीज भी हमारे सामने आ चुकी है । जो ऊपर के अधिकारी चुने गए हैं वे किस आधार पर और किन शर्तों पर चुने गए हैं, इस पर भी विचार होना चाहिए जो आरोप लगाए गए हैं उनको दृष्टि में रखते हुए मैं मांग करता हूँ कि जितने भी उच्च अधिकारी हैं उनका दुबारा स्क्रीनिंग पब्लिक सर्विस कमिशन के द्वारा होना चाहिए । इसके बारे में मांग भी की गई है और मैं उस मांग का समर्थन करता हूँ । भाई भतीजावाद को पूरा करने के लिए यदि किसी को पद दिया गया है तो वह बात नहीं होनी चाहिए थी । केवल योग्य व्यक्तियों को ही पद मिलने चाहिए । यह भी बड़े दुर्भाग्य की बात है कि सत्ताकण्ड दल ने अपने ही स्वार्थों को सामने रख कर बेयरमैन और दूसरे लोगों की नियुक्ति की है । अपनी पार्टी के हितों को सामने रखते हुए अपने एक आदमी को उसने उच्च स्थान प्रदान किया है । यह कारपोरेशन एक व्यापारिक संस्था है । इसका देश की बर्त

## [श्री हरदयाल देवगुण]

व्यवस्था के साथ बहुत गहरा सम्बन्ध है। इसलिए कोई अनुभवी व्यक्ति ही, कोई अर्थशास्त्री ही और कोई विशेषज्ञ ही इसका अध्यक्ष और मैनेजिंग डायरेक्टर होना चाहिए था। लेकिन केवल अपने लोगों को ही जगह देने के लिए इस कारपोरेशन का अगर इस्तेमाल किया गया तो इसके भविष्य के बारे में किसी को भी कोई आशा नहीं हो सकती है। आज जिस प्रकार से पदों का वितरण किया जा रहा है, जिस प्रकार से नियुक्तियाँ की जा रही हैं उससे इसके भविष्य के बारे में संशय होता है। यही कारण है यह संस्था जिसका उद्देश्य कीमतों को स्थिर रखना होना चाहिये जिन भावों पर अन्न या दूसरी चीजें खरीदती है, उनमें यह पचास परसेंट ज्यादा पर वस्तुओं को मार्केट में जा कर बेचती है। इसने उद्योग भावों पर वस्तुओं को मार्केट में जाकर बेचा है। खाद्य निगम के यहाँ खरीद वगैरह पर बहुत ज्यादा ओवर हैड एक्सपेन्डीचर होता है।

मैं समझता हूँ कि इस संस्था को केवल लाभ के उद्देश्य से ही काम नहीं करना चाहिए। इस संस्था का उद्देश्य यह भी होना चाहिए कि वह सरकार की इस जिम्मेदारी को पूरा करे कि उसने लोगों को खाने के लिए देना है और उचित दर पर देना है। अगर महंगाई होती है, तो वह उसको कम करने की कोशिश करे, न कि खुद अनुचित रूप से महंगाई करे और रुपया कमाये। इस संस्था को दोनों बातें अपने सामने रखनी चाहिए।

खाद्य निगम में तीन प्रकार के कर्मचारी हैं। एक तो उसके द्वारा सीधे भर्ती किये गये कर्मचारी हैं। सीधे भर्ती किये गये कर्मचारियों में भी दो प्रकार के हैं। जिन को सिफारिश के आधार पर रखा गया है और योग्यता से अधिक तनखाह दी गई है, उनकी स्कीमिंग पब्लिक सर्विस कमिशन या किसी

उचित निष्पक्ष निकाय द्वारा होनी चाहिए। जिन नीचे के लोगों को सीधे भर्ती किया गया है, उनकी सेवा-शर्तों की ठीक व्यवस्था होनी चाहिए।

इस विधेयक का गहरा अध्ययन करने से मालूम होता है कि खाद्य विभाग से आये हुए सरकारी कर्मचारियों के प्रेजेन्ट पेस्केल के बारे में प्रावधान किया गया है, लेकिन इस विधेयक के द्वारा उनकी पहले की सेवा-शर्तों को लागू नहीं किया गया है, जो उनकी केन्द्रीय सरकार के कार्यालयों में थे। उनको यह आश्वासन दिया गया है कि वे सरकारी कर्मचारी रहें या फूड कारपोरेशन के कर्मचारी रहें। लेकिन उन लोगों की पहले की सब सेवा-शर्तें पूरी की पूरी सुरक्षित कर दी गई हैं, इस विधेयक में यह व्यवस्था नहीं है। मैं समझता हूँ कि इस विधेयक में यह भी प्रावधान करना चाहिए कि उन लोगों की सर्विस सुरक्षित होगी और अगर इस संस्था में शिकेज होगा, या काम कम होगा, या इसको वाइंड अप अर्थात् बन्द करना पड़ेगा, तो उनका भविष्य सुरक्षित रहेगा।

सीधे भर्ती किये गये तीन हजार कर्मचारियों की सेवा शर्तों का भी विशेष रूप से ध्यान रखना चाहिए। वास्तव में वे ही कारपोरेशन के मूल कर्मचारी हैं। उनको अस्थायी समझकर उन्हें किसी भी प्रकार से डिसएडवाण्टेज में नहीं डालना चाहिए। अन्य कर्मचारियों की तरह उनकी सेवा-शर्तों को सुरक्षित करने का भी प्रावधान होना चाहिए। उनको स्थायी माना जाना चाहिए और अगर इस संस्था में शिकेज होता है, तो उन्हें कहीं न कहीं सरकारी कार्यालयों में खपाने का आश्वासन देना चाहिए, ताकि अपने भविष्य के बारे में उन्हें कोई आशंका न रहे।

SHRI N. SREEKANTAN NAIR  
(Quilon) : Mr. Speaker, Sir this is one of the unique occasions during the session of Parliament when progressive sections of



the Opposition are in a position to welcome the Bill which is brought forward by Government. I do welcome the general outlines of the Bill. But there are two or three aspects of the Bill which I want to bring to the notice of the House.

Firstly, we find that an inquiry officer becomes the prosecutor, the judge, the appellate authority and the hangman, all combined into one, and that is unfair. I suggest that the Secretary of the Department may be the appellate authority so that an officer who has got a complaint may appeal to him. That may be considered.

Secondly, there is the question of counting previous service. What would be the fate of 10 or 15 years temporary service? Will that service be also taken into consideration for the purpose of pension? When they go over to the Food Department, 10 or 15 years temporary service should be credited to them and it should also be taken for the purpose of pension. That is an important aspect which should not be forgotten.

Thirdly, there is one anomalous question. These are Central Government employees and they have got accommodation in respective cities. They have already been given notice to vacate their houses or quarters because they are no longer Central Government employees. This is a very serious question. Where will they go? Can they find another house? Can they pay for it? So, these people who are already having the quarters should not be asked to vacate their quarters. You may not extend the benefit any further. Let the Corporation build their own accommodation in future. But it will take 7 or 8 years or so. These employees who are already occupying these quarters should not be affected. The Minister should move with Housing Ministry to see that they are allowed to keep their quarters, wherever they enjoy the benefit now.

Lastly, staff recruitments have been going on both in the Department and in the Corporation; during the last three years there have been about 2,000 employees who have been recruited by the Corporation and almost the same number, or rather 1,500, have been recruited by the Govern-

ment. There may be some surplus. In computing the service of all these people, the date of recruitment, the seniority as from that date, may be considered so that no section may find fault with the Government for any favouritism.

श्री मृत्युंजय प्रसाद (महाराज गंज) : अध्यक्ष महोदय, जो विधेयक हमारे सामने है, उसके सम्बन्ध में बहुत कुछ अलग से कहने की आवश्यकता नहीं है। सरकार ने यह बहुत अच्छा किया है कि इन कर्मचारियों की सेवा-शर्तों के बारे में कुछ नियम बनाये हैं। उन नियमों में आगे भी सुधार की गुंजायश रहेगी और आवश्यकता पड़ने पर समय समय पर सुधार करना चाहिए। श्रीकान्तन नायर ने यह ठीक कहा है कि रिटायरमेंट के समय जो टर्मिनल बेनिफिट्स मिलते हैं, उन के लिए गवर्नमेंट को कांफिरिशन के पास फंडज जमा करने होंगे। अगर वे लोग गवर्नमेंट के पास रहते, तो गवर्नमेंट को उन्हें देना पड़ता। इसलिए अब गवर्नमेंट को प्रोपार्शनेट फंडज कांफिरिशन के पास जमा करने होंगे, वना कांफिरिशन नहीं दे सकेगी।

यह कोई नई बात नहीं हुई है कि गवर्नमेंट के कर्मचारी किसी कांफिरिशन में गए हैं और वहाँ के नियमों से बंध कर रहे हैं। कंट्रोलर ऑफ इनशोरेंस के दफ्तर से कई आफिसर लाइफ इनशोरेंस कांफिरिशन में गए हैं और वे ऊँचे ऊँचे पदों पर पहुँचे हैं। लेकिन प्रश्न यह है कि जिन कर्मचारियों को कांफिरिशन खुद ले रही है और जो सरकारी विभागों से आए हैं, उन दोनों के बीच का इन्टिग्रेशन किस प्रकार से किया जाए, ताकि उन के दिलों में जलन, कोई सन्देह या असन्तोष न रहे और सीनियारिटी का संकट कम से कम रहे। ये सारी बातें योग्यता के आधार पर होनी चाहिए। पुरानी सविस की पूरी कीमत देते हुए भी ऐसा नहीं होना चाहिए कि नए योग्य से योग्य व्यक्ति के लिए आगे कोई ठिकाना न रहे। दोनों के बीच का एक मध्यम रास्ता निकाला जाए, जिस से सभी के साथ श्याय हो सके।

[श्री मृत्युञ्जय प्रसाद]

यह बहुत अच्छा अवसर मिला है कि खाद्य निगम के काम के बारे में हम कुछ चर्चा करें, गो कि इस कानून से उस का सीधा सम्बन्ध नहीं है। मैं दो तीन बातों की ओर मंत्री महोदय का ध्यान दिलाना चाहता हूँ।

यह खाद्य निगम दो दृष्टियों से बनाया गया है—या बनाया जाना चाहिए था : एक तो व्यापारिक दृष्टि से घाटा न हो, दूसरे, सेवा की दृष्टि से उसमें घाटा भी न हो, मुनाफा भी न हो और निगम अधिक से अधिक सेवा कर सके। लेकिन होता क्या है? व्यापारिक दृष्टि रखने के लिए व्यापारियों की अच्छी बातों की तरफ ध्यान देना आवश्यक है। उदाहरण के लिए निगम को व्यापारियों से यह सीखना होगा कि वे लोग किस प्रकार महीनों, और कभी कभी साल भर, सम्भाल कर अन्न का भण्डार रखते हैं। उन के यहाँ गल्ला कम खराब होता है, जब कि निगम के यहाँ ज्यादा खराब हो रहा है।

17 Hours

व्यापारियों से यह भी सीखना होगा कि बाजार में फसल आने के बाद ही यह तय न किया जाए, बल्कि फसल तैयार होने से पहले ही तय किया जाए कि निगम ने कितना माल कहा से लेना है। ऐसा करने पर निगम को नयी फसल से गाँव गाँव से काफी मात्रा में माल मिल जाएगा और वह सस्ता भी मिलेगा। उस सस्ते का ख्याल न कर के हम दो पैसे बेसी दे देंगे तो प्रोक्योरमेंट के लिए कठिनाई नहीं होगी। माल सहज में मिलेगा। किन्तु साथ साथ ऐसे एक्सपर्ट तरीके से, सावधानी से माल लेना होगा कि कहीं ऐसा न हो कि जैसा पिछले साल हुआ कि अन्न सूखने न पाया, खलिहान से आया और खलिहान से ही मण्डी में आया, वहीं से आप के पास आ गया। जैसा सूखना चाहिए वैसा सूख नहीं पाया और कम सूखा हुआ अन्न फूँधी लगने से खराब हुआ, सड़ा।

इस से बचने के लिए जो व्यवस्था आप करेंगे उस के साथ एक व्यवस्था और करनी है कीड़ों से और चूहों से बचाने के लिए। वैसे आप पेस्टिसाइड्स लगाइए लेकिन उस की सीमा ऐसी होनी चाहिए कि कहीं वह आदमी के लिए खतरनाक न हो जाय। क्योंकि बार बार पेस्टिसाइड्स देने से क्यूमुलेटिव एफेक्ट होगा, वह जमा होता जायगा उसी में और खर्च नहीं होगा। पीछे जाकर वह आदमियों के लिए खतरे की बात हो जायगी। इसी के साथ एक बात और आती है कि आप के यहाँ खर्च इसलिए बहुत ज्यादा बढ़ रहा है कि जहाँ बाजार में 5 आदमियों से काम होता है वहाँ वैसे ही और उतने ही काम के लिए आप के यहाँ दस आदमी रहते हैं, और उन दसों के साथ भी आप पूरा काम किस ढंग से ले पाते हैं, यह सन्देह की बात बनी रह जाती है। इसलिए आपको न सिर्फ उन के साथ यही तय करना है कि किस तरह से उन को क्या देंगे बल्कि यह भी तय करना है कि उन से कर्मचारी हर एक से कितना काम और कैसे लेंगे? अगर यह न कीजिएगा और एकतरफा बात कीजिएगा तो अब तक जैसे घाटे में आप रहते आए हैं वैसे ही रहेंगे और उस घाटे की पूर्ति के लिए अगर आप बहुत ज्यादा दाम बढ़ा देते हैं तो उस में जनता का नुकसान होता है।

दूसरी तरफ यह कि भण्डार कम से कम दिनों के लिए रहे। उस के मूवमेंट बराबर चालू रहना चाहिए और इस तरह से रहना चाहिए कि जहाँ से लें वहीं से माल सीधे बिक्री केन्द्रों को चला जाय, डिस्ट्रीब्यूट हो जाय तो सब से अच्छा है।

एक आखिरी बात और कहना चाहता हूँ। वह सीधे आपका फंक्शन है या नहीं, यह मैं नहीं जानता। किन्तु यदि आप उस का ध्यान रखें तो बहुत काम होगा। वह यह कि अगर आप अच्छी कीमत देते हैं किसान के हाथ में, अच्छे पैसे देने को राजी

हो जाते हैं तो जिस समय फसल तैयार होती है उस समय प्रोवियोरमेंट में दस विवन्टल आप हम से मांगते हैं तो हम 15 विवन्टल भी देने को तैयार हो जाएंगे क्योंकि कीमत हमें अच्छी मिलती है। मगर यह भी तो हम कह सकते हैं कि साहब, दस विवन्टल तो आप ले लीजिए, और फाजिल 5 हमारा भण्डार कर के रख दीजिए हमारे खाते में, हम से भाड़ा ले लीजिए क्योंकि आप के पास स्टोरेज का बन्दोबस्त अच्छा है और जब बाजार का रेट बढ़ेगा दो चार महीने बाद तब हम बेचेंगे। वैसे हालत में आप के द्वारा किसान के लिए ऐग्रीकल्चरल क्रेडिट का भी बन्दोबस्त हो सकता है आपके ही मार्फत और उन से भाड़ा भी आप वसूल कर सकते हो। इस का इंडीपेंडेन्ट बन्दोबस्त करना वैसे जरा मुश्किल हो जायगा लेकिन वह करना ही होगा। यह करने से आप किसान के धन्यवाद के पात्र होंगे और किसान की जेब में दो पैसे ज्यादा जाएंगे और फिर भी उपभोक्ताओं को सस्ता गल्ला आप दे सकोगे।

**SHRI S. M. BANERJEE (Kanpur):**  
I am not going to say anything about the Food Corporation or about its function because the Bill is confined to the condition of the Government employees who were transferred from the Food Department to the Food Corporation of India. I wish the Food Corporation all success. When there was food in the country there was no Corporation and there is Corporation now but no food. Naturally, Sir, I do not want to say much.

I wish to congratulate, the leaders of the Central Government Food Employees Association. After the formation of the Food Corporation this Association had to agitate to bring this legislation. Today, on the whole, generally they are satisfied with the main features of the Bill. For this I welcome this Bill. But there have been certain assurances which were given by hon. Ministers to which I wish to make reference. Mr. C. Subramaniam the then

Minister of Food and Agriculture, said on 14th May, 1966 as follows :

"It is our intention to see that the employees get full satisfaction with regard to the terms under which they are transferred to the Food Corporation of India and thus, the intention being, that none of the present benefits which the employees are having should be lost to them."

That was the solemn assurance given to this House by Mr. C. Subramaniam. Then, after that, assurances were given by Shri Shinde and Shri Jagjivan Ram. But today, I have received a telegram from Shri Asru Bose, the General Secretary, All-India Central Government Food Employees Association which says :

"Food Corporation Amending Bill this week. Stop. Settlement reached which Shri Jagjivan Ram March last for deleting 'cease to be an employee of the Central Government' under Section 12-A. Sub-section 3, not being honoured."

If a solemn assurance was given by Shri Jagjivan Ram to the members of this particular Association, that should be honoured. Assurances given in this House are solemn, this being an august House, and I say that those assurances should be translated into action.

After the Food Corporation of India started work in 1965, the Central food department employees found that there was no provision with regard to their years of continuous Central Government service in the Food Corporation Act, 1964. Then an agitation started. When the Bill was introduced, even at the introduction stage we asked what has happened to the conditions of service of those employees, whether they would be fully protected, would they enjoy the same benefits as Central Government employees and so on. Then we were assured that every possible step would be taken to see that those conditions were embodied in the particular legislation.

Now there are certain things which need change. Transfer of service from the Central Food department of employees

[Shri S. M. Banerjee]  
to the Food Corporation should be with the continuity of service of these employees intact. Under sub-section (3) of the new section 12A, the words 'cease to be employees of the Central Government' should be deleted, as it is apprehended that the employees transferred to the Corporation would lose the benefits of continuity of service which they so long enjoyed. This should be done, with particular reference to the assurance given by Shri C. Shubramaniam in 1965.

With the lawful transfer of these employees to the Corporation, they will become Corporation employees, so long as they are in the Corporation. That is already provided in the same sub-section. Benefits such as emoluments at the existing rates, allocation of government quarters, housing benefits, as pointed out by Shri Sreekantan Nair, reimbursement of expenses incurred for children's education, then hospital beds, medical expenses, reimbursement of advances, widow pension etc., should be protected with the transfer of the Central Government employees concerned to the Corporation under sub-section 4 of sec. 12A. We want that this should be incorporated in the regulations to be made by the Food Corporation under sec. 45 of the original Act. This should be done in such a way that they are in no way, in no manner and at no time put in a less favourable position than that enjoyed by the Central Government servants under their conditions of service. This requires a modification of sec. 45 of the original Act, which is not proposed in this Bill. So we submit that this matter should be taken care of so as to protect the 20,000 employees who have come under the Corporation. Now, for all practical purposes, they will be employees of the Corporation. Their service conditions should in no way be less advantageous or less lucrative than the conditions of service of Central Government employees or what they enjoyed when they were in the Food Department.

All employees of the Food Department should be confirmed before they are transferred to the Corporation. We want a solemn assurance from Shri Shinde on this score, because we do not know what will happen if the Corporation is

abolished. We do not know the food policy of Government; nobody knows—at least after 12 years here, I do not know. What will happen is known only to the astrologer or God, whoever is nearer to them. We are apprehensive that the Food Corporation may be abolished. They may bring forward another legislation or when Parliament is not in session promulgate an Ordinance and do it. Then we do not know what will happen to these employees. I want an assurance that rules protecting these interests of the employees will be framed and placed before the House.

Coming to the application of article 311 of the Constitution in the matter of disciplinary proceedings, he says that the spirit has been accommodated in this Bill. When we take up the clause-by-clause consideration I would like to mention certain things. Clause 2 (5) reads :

"No officer or other employee transferred by an order made under sub-section (1),—

(a) shall be dismissed or removed by an authority subordinate to that competent to make a similar or equivalent appointment under the Corporation as may be prescribed;"

In this connection we want a specific answer from the hon. Minister whether in the matter of disciplinary proceedings article 311 will be made applicable or whether the Control and Appeal Rules which are in conformity with article 311 will be made applicable to them as in the case of other Government employees.

Coming to the direct recruits. I feel that their interests also should be protected. Although the first preference goes to those employees who have spent 17 or 18 years of service in a particular department and are now transferred to the Food Corporation, under no circumstances should these direct recruits who were recruited after proper examination etc., be retrenched. We want some immunity against retrenchment of these employees.

The interests of the Secretariat employees who have gone over to the Food Corporation should also be safeguarded.

In the end I welcome this Bill and request the hon. Minister to say whether there is any scope for accepting further amendments. In that case some of the amendments moved by my hon. friend Shri Deven Sen should be accepted. If they have made it a final thing it is all right but some sort of assurance must be given as to what will happen to the employees in case the Corporation is abolished. That should be made very clear.

**SHRI SHIVAJIRAO S. DESHMUKH** (Parbhani): I rise to congratulate the Minister for once coming up with what may be described as a progressive measure. It is certainly true that it seeks to give statutory form to a solemn affirmation and promise given by the hon. Food Minister to this august House. In that respect I am one with several hon. members in welcoming certain provisions in the Bill which guarantee certain minimum conditions of service to the Central Government employees who are transferred from the Food Department.

In this context it will be worthwhile to note that the erstwhile Food Department is the successor of the Civil Supplies Department which came into existence during the Second War. It was the practice then to describe all sub-standard goods as war quality goods. So the Department which was started as a war quality department, which was to be a temporary department started just for getting over temporary difficulties during the war ultimately came to be a permanent department with permanent employees with the respectable name of Food Department, and after the failure on the food front of the Food Department the baby is passed on to the Food Corporation of India. In this process it is true that the employees have suffered several injustices. Many of them might have suffered in silence, but at last the Government has come to their rescue to guarantee certain minimum service conditions and in that respect I certainly agree that the Government deserves congratulations.

When the Food Corporation was created we on this side of the House were jubilant

that once and for all there would be State Trading in foodgrains, that the middle man would be got over and the cultivators would get what the consumer pay for the foodgrains. But it is the most unfortunate experience of us all that in spite of the creation of the Food Corporation, in spite of the Food Corporation taking over the purchase and distribution of foodgrains, the consumer continues to pay much higher rates and the cultivators continue to receive the lowest prices for his foodgrains. So, while moving for the consideration of this Bill I think the hon. Minister morally owes us the courtesy to assure us that the expenditure that would be incurred on this so called white elephant of the Food Corporation would be kept to the minimum and that he would see to it that the margin that accrues towards cost of distribution will not be taken by the Food Corporation alone but that the cultivators will also get some share of it. Therefore, I think that it will be proper to urge on the hon. Minister that the expenditure on the Food Corporation is kept in check. So far there has not been any information given to this House whether there had been any work-load study, what work the Food Corporation employee is doing, how many workers do what type of work and whether such a type of work was done in the private place with the help of almost skeleton or fraction of the staff. Government have to see that a scientific workload study is made and it should see that the number of employees is kept to the minimum and the Food Corporation should not be used as a receptacle by transferring all the food department employees with this guarantee as a carrot before them that their services would be protected. I think the intention behind the Government moving this Bill is not to assure continuity of service to the Food Corporation employees and it is not passing the baby from the Food Department to the Food Corporation. I think the Government will explain this. Further if the Department employees are transferred, there are two classes or categories of employees of the Food Corporation. The Corporation is supposed to have recruited its own employees. They are about a thousand. Now the same Food Corporation is supposed to take over a large number of employees of the Food Department. I have been told that many

[Shri Shivajirao S. Deshmukh

of the employees, so-called direct recruits, are more qualified and young men coming to the Food Corporation with certain promise of making a career in the Food Corporation. The Government seems to have decided that only the Food Department employees will have certain surety conditions of service and certain guarantees against ill treatment in the event of dismissal from service, while the direct recruits who have been recruited by the Food Corporation as the sole employer, will be again in the streets. I think Government will do something to assure that no injustice is done to the so-called direct recruits of the Corporation. If there has to be equality of service and if there has to be equality of opportunity and if there has to be merger of seniority, let them be equally magnanimous even in the case of direct recruits of the Food Corporation. So I have no objection in giving the conditions of surety of service to the erstwhile employees of the Food Department but the Food Corporation direct employees should get the same sort of terms which in effect they are getting to-day. I would urge upon the Minister to suitably amend the Bill if he thinks it necessary in the interests of direct employees of the Food Corporation.

**SHRI K. M. ABRAHAM (Kottayam) :** The bill does not show the benevolence of the Government. After a long round struggle of the employees of the Food Corporation and on account of the pressure brought by the Opposition on the floor of this House, Government was forced to bring such a measure.

**SHRI ANNASAHIB SHINDE :** Now you will welcome it.

**SHRI K. M. ABRAHAM :** I do welcome the Bill, but it is inadequate. Even the interest of the employees of the former Food Department have not been safeguarded in this Bill. Their continuity of service and their seniority also must be guaranteed. They must continue to enjoy all the facilities even though they are now employees of the Food Corporation. They must continue to enjoy all the facilities which

they were enjoying while they were in the Food Department. Their emoluments should also be protected. I am not in favour of throwing out the direct recruits who were recruited on merits. I am against the favouritism shown by the FCI authorities and their anti-labour policy, by perpetuating the quarrel between the former Food Department employees and the direct recruits. The interests of the direct recruits should also be safeguarded.

About favouritism in the FCI, the least said, the better, sons and relatives of former Ministers and high officials are getting the topmost offices in the Food Corporation, and an enquiry into this affair must be conducted, and this must be highlighted. The FCI is more known not as the Food Corporation of India but as the 'Favorite Corporation of India.' That name must be removed immediately by conducting an enquiry.

I next come to the working of the FCI. Let me quote a few observations from a leading paper in Calcutta-*Capital*. It says :

"The Corporation has not yet been able to get into its stride and tackle the chief problem—food—particularly in relation to the procurement of food grains, creating buffer-stocks, holding the priceline, and ensuring even distribution to various areas of the country and the lack of co-operation from various State Governments, the surplus ones frowning upon the Corporation's procurement and storage measures, and the deficit ones expressing dissatisfaction with its performance. Even District Collectors in certain States have reported to have shown off their superior power in dealing with the Corporation, and the latter has been able to expedite things in the interior areas."

Unless you change the existing chaotic policy in the FCI, unless the entire food-grain trade is taken by the Corporation, the middlemen and the traders will continue to fleece the society and they will charge higher prices for our foodgrains. But why is the Government not doing so? Because the middlemen and the traders, or the profiteers,—shall I say—are the main financiers of this Congress party who are

the main sabouters of the FCI. If you are very serious about safeguarding the interests of the employees and if you are serious about giving food to the people, you must take stringent steps, so that these anti-social elements may be checked.

**SHRI K. NARAYANA RAO (Bobbili):** Mr. Speaker, Sir, this Bill really depicts a difficult situation which the Ministry itself got into after the creation of the Food Corporation. The Food Corporation was created with a view to devolve certain of the functions which hitherto the Ministry has been doing. Naturally, the persons who have been hitherto employed in the Food Ministry must be accommodated and the best way to accommodate them is to lend their services to the Food Corporation. The Government has the power under the law to terminate the services; it will be a hard step, and therefore, the Ministry has taken a rather lenient view in this regard and they have absorbed them into the Food Corporation.

The next problem is, was this function allotted to the Food Corporation? Certainly they cannot forget the fact that they are the civil servants of the Government. Now, this anomalous situation cannot be continued for a long time. Therefore, the Government must obviously determine the status, but where do they stand? They had been recruited originally as civil servants, but they are now to be accommodated in the public undertaking, and in the usual course, their conditions differ. There are quite a large number of privileges like rights under article 311, seniority, promotion, medical facilities, housing facilities, etc., which civil servants get. Is it possible to extend all these facilities *en masse* to both the types of employees? However much the ministry wants to do it, it is extremely difficult.

It does not stop at that. It has also been pointed out here that the employees who were recruited directly by the corporation now resent the differential treatment. Taking into consideration all these things, the Bill purports to cover a few areas and accommodate them. I know that both the types of employees will still have certain grievances after this Bill is passed. In respect of disciplinary rights under article 311, scale

of pay and terminal and retirement benefits, the Bill gives option to the employees who have been transferred from the Central Government. In all other respects, both types of employees are going to be treated on a par under the regulations contemplated by the act. I feel this is the best that can be done in the circumstances.

Certain apprehensions are there particularly about the future of the corporation. Many people are afraid that one fine morning, it may be wound up. But I do not look at it in that dismal fashion. After all, the corporation has been created to discharge certain functions hitherto discharged by the Food Ministry. If a situation arises in future in which the corporation is to be wound up, the functions will revert back to the Food Ministry and in that case, they can be re-employed.

I would only submit that in framing the regulations in regard to the new direct recruits, care must be taken to see that parity is maintained. The service conditions of the two types of employees should be brought as near to each other as possible, so that there may not be any cause for complaint.

With these words, I support the Bill.

17.28 HRS.

Re-DEVELOPMENTS IN HARYANA—  
(Contd.)

**श्री मधु सिन्घे (बुधेर):** अध्यक्ष महोदय, पहले हरियाणा के बारे में कोई बयान नहीं आएगा ?

**अध्यक्ष महोदय :** हरियाणा के बारे में मुझे कैसे मालूम हो सकता है ?

**श्री मधु सिन्घे :** सरकार से पता लगाया जाए ।

**श्री अटल बिहारी वाजपेयी (बलरामपुर)** अध्यक्ष महोदय, आप सरकार से कहिये कि कल बयान माना चाहिए। हरियाणा में जो क्राइस उत्पन्न हो गई है अब राज्यपाल पर दबाव डाला जा रहा है कि विरोधी दल को सरकार बनाने के लिए न बुलाया जाए। इसको बदलित नहीं किया जायेगा।