

पुनाचा साहब को मिलना था, लेकिन मिला डा. साहब को, यह बड़ी अच्छी और खुशी की बात है। परन्तु मुझे डा. साहब से एक निवेदन करना है—जिस तरह से इस बजट में रेल भाड़ा नहीं बढ़ा है, उसी तरह से जब वह अगले वर्ष 1970-71 का बजट रखें, उसमें भी इसी प्रकार से दिखायें कि हमारे इस कार्यकाल में जो कि एक वर्ष का हमें मिला है सर्व साधारण जनता को रेल द्वारा सुविधा मिली है।

MR. DEPUTY SPEAKER : The hon. Member may resume his speech next time. We shall take up private Members' business now.

15.30 hrs.

COMMITTEE ON PRIVATE
MEMBERS' BILLS AND
RESOLUTIONS

Forty-Fourth Report

SHRI BHALJIBHAI PARMAR
(Dohad) : I beg to move :

"That this House do agree with the Forty-fourth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 26th February, 1969."

MR. DEPUTY-SPEAKER : The question is :

"That this House do agree with the Forty-fourth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 26th February, 1969."

The motion was adopted.

15.30½ hrs.

RESOLUTION RE : FUNCTIONING
OF CENTRAL SERVICES—*contd.*

MR. DEPUTY-SPEAKER : We shall now take up further discussion of Shri Nambiar's resolution.

SHRI S. M. BANERJEE (Kanpur) : More time should be allotted to this Resolution. If you decide to extend the time at the last moment ; many Members will be excluded. Let the House decide now itself ; let us have two hours and twenty minutes. The other Resolution can come. The third Resolution cannot come up by any stretch of imagination.

MR. DEPUTY-SPEAKER : I do recognise the importance of that Resolution. But others also are equally important. We shall see as we proceed further. Shri Nambiar should conclude his speech in 15 minutes ; he has already taken eight minutes. The total time allotted for this is one hour and thirty minutes.

SHRI NAMBIAR (Tiruchirappalli) : Sir, I had moved this Resolution on 20 December, 1968 and to remind the hon. Members, I shall read it in full again :

"In view of the serious situation created by the policy of victimisation that is being pursued by the Central Government following the one-day token strike by the Central Government employees on 19 September, 1968, resulting in the removal from service, launching prosecution against, issue of suspension orders on and issue of orders effecting break in service of a very large number of Central Government employees, this House is of opinion that a serious threat has arisen to the smooth and efficient functioning of the Central services spread all over India in the prevailing atmosphere of tension and bitterness among the employees and recommends that all the above acts of victimisation be withdrawn forthwith and normalcy be restored."

When this question was discussed in the Committee on private Members' Bills and Resolutions, even then you were good enough to say that the Resolution could be given only some little time of 1½ hours or so because by the time it came up for discussion—two months from then—everybody would have been reinstated and there may not be much purpose in discussing it at all. Unfortunately that hope

has not come true. Those persons who were to be prosecuted under section 4 or even prosecuted under section 5 of the Ordinance have not been taken back. Apart from that a large number of cases are pending in Delhi and other places under section 185 for breaking the ban imposed under section 144 and they are threatened with discharge from service. Departmental proceedings are pending against a large number of employees and there are still many under suspension. The number of such persons in Railways alone comes to 4500; and about 4,000 workers had already been removed from the railway services on the ground that they were temporary employees. Apart from that, action was taken against about 10,000 employees in the postal department and some of them have already been removed from service. Out of 10,000, a few thousand have been taken back. Information about exactly how many were suspended or terminated should come from the other side. But the fact remains that even now the figure of those under suspension or notice of termination or prosecution will go beyond 10,000. The minister can enlighten us about the exact number.

As I said the other day, we have violated article 863 of the ILO, which says that right to strike is fundamental and it cannot be taken away by anybody even by legislation. We are a party to that and we are bound to accept the spirit of it. Therefore, we should not have gone to the extent of banning strikes or making it illegal by an ordinance. The whole thing is against the spirit of article 863 of the ILO. The minister should see that certain norms are accepted by the Government.

Labour is a class of workers whose rights should be protected by the State as a fundamental right. There is no reason to deny it. The demand of the employees was a need-based minimum wage, not here and now but it should be referred to arbitration according to the JCM terms of reference. But Government said, it is not arbitrable because it will create conditions difficult for Government. Now

the question of need-based minimum wage, increase in DA proportionate to rise in prices and other issues are in cold storage. Now the workers are concentrating on seeing that the 10,000 victimised employees are taken back. Therefore, Government think that to that extent the main demands can be postponed or made to be forgotten. But the people of this country are not taking things lying low. They are teaching the rulers of today that if they misbehave like this, they cannot be rulers of tomorrow and they will be sent out. I do not want to use harsh words like saying that they will be kicked out. They must read the writing on the wall. The entire working class and progressive thinking people will stand behind the workers, because the right to strike is so fundamental that no worker will allow it to be trampled upon.

The principle behind the right to strike is collective bargaining. If there is no right to collective bargaining, what is the possibility of the workers getting their due share? Where is the guarantee that their reasonable demands will be conceded? Once the right to strike is removed they have only the right of petitioning: to which Government will say, no. The only alternative left for them will be to pray. What other pressure is there on the Government to meet their demands? There is no pressure. That is exactly the reason why we say that the right to strike is a fundamental right without which the bargaining power is lost. Therefore we cannot play with it.

The hon. Minister the other day told us, when the Bill to ban strikes was passed here, that another comprehensive Bill will be brought during the course of this Session where the right of government employees to plead for their demands will be incorporated. What is he going to say by that? He is going to say that it could be referred to arbitration. But he also says that once a decision to go to arbitration is taken the question of strike does not arise. After the award of the arbitrator what is going to happen nobody knows. If he feels that by some hook or crook this right should be taken or would be taken then the

[Shri Nambiar]

Government should understand that the united will of the working class, not only the central government employees . .

DR. MAITREYEE BASU (Darjeeling) : What about China ? Is there a right to strike ?

SHRI NAMBIAR : I am not a member of the Chinese Parliament. I am speaking in the Indian Parliament. If the hon. Member will accompany me I will ask for a passport for her so that we can go and see things for ourselves. I have no brief for China. I am not a spokesman of the Chinese. Perhaps the hon. lady Member may be a spokesman of somebody else.

DR. MAITREYEE BASU : If he is prepared to bear my expenses I will go with him,

SHRI NAMBIAR : I am sorry to hear such a thing from the Opposition side. If I had heard such a thing from that side

MR. DEPUTY-SPEAKER : Order, order. There should not be irrelevant interruptions.

SHRI P. M. MEHTA (Bhavnagar) : What about the Kerala Government which forfeited the services of 600 employees who went on a token strike in Kerala ?

SHRI NAMBIAR : I would like to correct the hon. Member. As soon as the strike was over the State Government restored all the rights to them. If it is not restored till now I assure the hon. Member on behalf of the Government of Kerala that it will be done in another 24 hours. We are not playing with all these things. We can understand anything else. On certain issues there is no compromise. That is the issue about the right to strike of the workers. If they go on an illegal strike, according to you, you think you can victimise them and victimise them in such a way that they must forget the question of strike for ever. If you want to teach them a lesson by that then it is a matter between the working class of this country and the ruling class. Then it will be a battle royal, what we call a class war. We accept

it as a class war and it will be fought with all the force that is necessary. Do not drag the country to that position. Let us not think that we will gain anything thereby. Nobody will gain, neither the workers nor the country. I do not want you to take us to that position of back to the wall and fight to the end. That is not possible.

The position today is, they went on strike for one day. On the 20th morning they came back to duty. Just like coming back to duty after a Sunday or a holiday they came back to duty. More than half of them were on holidays, who did work on Sunday except the railwaymen who are supposed work round the clock. They could have easily ignored the position and said that if they come back to duty normalcy will prevail. But till now there is normalcy and the workers are still kept outside. That is why we say that they must be brought back. If any one person, any group or any section had indulged in violent activities there is the court to decide that.

But when there is no violence, there is no necessity for you to prosecute them.

Then I will come to promulgation of section 144. I have got all the papers with me here. In Delhi also it was promulgated. On the 17th there was provocation for trouble because there were some arrests. The arrest took place prior to the strike. So, workers and employees came to the streets and the authorities said that this is breaking of the ban under section 144. Therefore, they were all hauled up in hundreds. I am told that in Delhi alone the number of arrests came to 2,000 and odd. This cannot, strictly speaking, be called an act of violence it is only a technical breach of the law for which you have penalised them. Government have not yet issued orders to take them back.

The most shameful thing is that tents are erected and employees are asked to stand up in a queue/before the so-called court where a magistrate comes and sits; it looks more like an auction shop in a market. Justice is going to be meted out to these employees in that court. The central Government is ruling the

roost here and the magistrate is under the direct control of the Central Government. They say they want to give justice to these people. Yet, they say: let these people get acquitted from the court; when they get clearance, they will be absorbed. It is just like saying that a camel should pass through the eye of the needle. It is an impossible condition that they are putting. So, my humble request is that they should create a situation of normalcy. My Resolution also says only the same thing.

I will give some specimen cases to show how termination of services was done in the case of temporary staff. In the Southern Railways, one Purushothaman, senior clerk, Works Branch, Divisional Superintendent's Office, Olavakkot, whose date of appointment is 10.3.55—he has put in 14 years of service and yet he is a temporary man—he has been removed from service. Another clerk, P C Sivanandam, Divisional Superintendent's office, Olavakkot, whose date of appointment is 1958, who has put in 11 years of service, has been removed from service. These are the type of people whom you call temporary employees. You have removed them from service, because they are not permanent. I would say that it is the government that must be accused of not making them permanent for so long. For years together you have kept them temporary and now the time has come for victimisation you say they are temporary and, therefore, they are going to be removed from service. There are several cases of this type with me.

Then I come to casual labourers. There were 137 casual labourers in Trichinopoly who have put in five to six years of service. Because they are casual labourers, they were automatically removed from service for the so-called participation in strike. These men did not come to work because they were afraid that they will be harassed by their colleagues. Now their services have been terminated. In the railways, posts and telegraphs and civilian side of the defence department a large number of workers are being prosecuted and persecut-

ed. My only request to you is to bring in normalcy and take all of them back.

Recently, in the Light Arms Factory Trichinopoly, some employees were brought before the court for participation in the strike and the court acquitted them. Immediately, they were transferred from Trichinopoly to such places as Kirkee, Poona and even Timbaktoo perhaps,

What is this? Have Government departments become mad? There must be an end to madness. Why should people be transferred like that from one end to the other? What are you gaining thereby? It means that you want to torture, harass and terrorise the people.

Only now Shri Gupta was giving cases of victimisation on the railways. I have got many cases but I do not want to stuff the entire speech with a long list of persons; that is why I am not doing it.

MR. DEPUTY SPEAKER: Leave something for others also.

SHRI NAMBIAR: In Kerala the P & T is singled out because of the fact that the Chief Minister, Shri Nambudiripad, stated that he would not prosecute these people. He wanted the cases to be withdrawn. Then circulars from the P&T Department went to the officials saying that if the cases are withdrawn in the court by the State Government, it should be contested and the cases are being contested. A large number of employees, including extra-departmental staff, to the extent of several hundreds, is being victimised. Kerala has been singled out in that matter on political grounds.

I have here with me a circular issued by the P&T Department on the 13th or 14th November 1968 where in what sort of punishment should be inflicted and how harsh it should be and all these things are there. Therefore I submit that Government should think in terms of withdrawing all these cases and of starting with a clean slate of employee-employer relations on the public sector side so that the private sector could behave. In this country there must be a guarantee and a right of the working class, the class of toilers who produce wealth. They must have the right to strike and enforce it.

MR. DEPUTY SPEAKER : Resolution moved :

"In view of the serious situation created by the policy of victimisation that is being pursued by the Central Government following the one-day token strike by the Central Government employees on 19th September, 1968, resulting in the removal from service, launching prosecution against, issue of suspension orders on and issue of orders effecting break in service of a very large number of Central Government employees, this House is of opinion that a serious threat has arisen to the smooth and efficient functioning of the Central services spread all over India in the prevailing atmosphere of tension and bitterness among the employees and recommends that all the above acts of victimisation be withdrawn forthwith and normalcy be restored".

There is one amendment by Shri GuptaHe is not here. I would like to know how much time the hon. Minister would take.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : About 20 minutes.

MR. DEPUTY-SPEAKER : Will five minutes for the hon. Member's reply do ?

SHRI NAMBIAR : Yes.

MR. DEPUTY-SPEAKER : That means, another 25 minutes gone. We have hardly one hour and there are a number of speakers ; so, I would request every hon. Member to be very brief and not to repeat because the hon. Member has placed a lot of information before the House. Shri Damani.

SHRI S. R. DAMANI (Sholapur) : Mr. Deputy Speaker, Sir, with all the sympathy for Government employees because they have to carry out all the developmental work of the country: I oppose the Resolution moved by the hon. Member. I think, this matter has been discussed on the floor of this House last session for many days and now there is no cause to raise a further discussion on

this subject. Therefore, at the very outset I oppose the Resolution.

SHRI NAMBIAR . But you support their reinstatement.

SHRI S. R. DAMANI ; Our Government employees know their responsibility and have not responded to the call for a strike. Therefore our friends in the Opposition are trying to bring up this matter just to get their sympathy. It is a political cause and not the actual cause of the Government employees.

Secondly, our country is passing through a difficult time. Even after the Pakistani aggression, successive failure of crops, the economy being depressed and production in agriculture and in industry being at a low ebb, Government accepted the Pay Commission's report and implemented it. Government is very anxious and has been very lenient towards its employees. Members of the Opposition are not the only champions and Government Employees. Government is very sympathetic of the cause of its employees.

Now, I come to the Resolution. In the very beginning, it says :

"In view of the serious situation created....." May I know from the hon. Member what is the serious situation ?

SHRI S. M. BANERJEE : Starvation for 10,000 employees. You starve for a day and see.

SHRI S. R. DAMANI : What is the serious situation ? The prices have stabilised. There are better prospects of crops and other things. The things are settling down. I do not see any reason for a serious situation at present.

Again, the Resolution says :

.....by the policy of victimisation that is being pursued by the Central Government....."

In a large majority of cases, the Government has been very lenient and has withdrawn the cases for many types of offences. In the normal course, under the Government Servants Conduct Rules, such offences would have been dealt with more seriously. But the Government has been very lenient and they have withdrawn many cases. The number of cases that are pending are very limited,

They are on account of serious offences. The number of cases withdrawn is much more than the number of cases that are pending.

Further, the Resolution says :

".....resulting in the removal from service, launching prosecution against, issue of suspension orders on and issue of orders effecting break in service of a very large number of Central Government employees,....."

In this connection, I would like to say that, after all, the Government have to run administration. If ordinary citizens of the country had indulged in violence and had committed some such other offences, under the Penal Code, they would have been dealt with and action taken against them. If the Government servants indulge in the same of kind of things, is the Government not justified in trying cases against them and taking action against them? If the Government fails in doing that, how will the discipline be maintained? The discipline is already at a low ebb. If the action is not taken in such serious cases, what is going to happen? How will the administration be run? It is a matter which should be viewed on both sides, not only on one side. Besides this, the cases are going to be tried before the courts. If they have not indulged in violence, why are they afraid? They can get acquittal. So, according to me, there is no case for this Resolution.

With these words, I oppose the Resolution.

MR. DEPUTY-SPEAKER. Shri N. K. Somani.

DR. MAITREYEE BASU : By way of explanation, please allow me a minute about my remark which irritated the hon. Member, Mr. Nambiar. I just wanted to know whether other countries like China and the dictatorial countries like Czechoslovakia allow their workers to go on strike. That irritated him so much. I am not at all against his Resolution. Had I been speaking on it, I would have qualified it. I am not speaking on the Resolution. I am just mentioning it that I do not oppose his Resolution. But, at the same time, I am very much in favour

of that Convention of the I. L. O. about which he mentioned. Does he abide by that?

SHRI NAMBIAR : I abide by that, If Russia does not abide by that, I have no brief for them.

DR. MAITREYEE BASU : Only in today's papers, we have seen that Czechoslovakian workers are agitating for this right. They have no right to strike. The Chinese workers also cannot go on strike.

16 hrs.

MR. DEPUTY-SPEAKER : The hon. lady Member should remember that when she tried to interrupt him, I said that it was an irrelevant interruption because to question the loyalty of any Member or to cast any doubt about it is, I think, repugnant to the oath that we have taken. With these words, I accept your explanation.

SHRI SAMAR GUHA (Contai) : Sir, it will be unjust if you put it that way. The hon. lady Member has not raised the question of loyalty of any Member. You have made certain observations. That may apply to others also...(*Interruptions*) She wanted some sort of information. She did not question the loyalty of any hon. Member. So, why should you put it that way? In future also you may be taking it in that way. This is a very pertinent question. There are other totalitarian set-ups in the world where there is no freedom at all to labour.....(*Interruptions*).

MR. DEPUTY-SPEAKER : My impression when I heard her was that there was some doubt. Now, after her explanation, I am thoroughly satisfied and the House is also satisfied. It should not, in any manner, cast any doubt on the loyalty of the member.

DR. MAITREYEE BASU : How is it casting any doubt on the loyalty of the member.

SHRI SHEO NARAIN (BASTI) : She simply put a question to the hon. Member whether China allowed that. She did not doubt his loyalty.

MR. DEPUTY-SPEAKER : The direction of the question was such that this impression was created. We are governed by the laws of this House. Our Government is a member of the ILO...(*Interruptions*). My impression was this and I have clarified the position. I am very happy that the lady Member has also clarified. There ends the matter.

श्री प्रकाशवीर शास्त्री (हापुड़) : प्राप का जो आसन है, मेरी निजी राय है कि वहां से कोई राय न दी जाये तो अच्छा है।

MR. DEPUTY-SPEAKER : I am very sorry. I will make it very clear. I have only said that I felt that there was some doubt. If any Member were to cast any doubt on the loyalty of any member in this House, this is a bad thing. Only that much, I have observed. She has now explained and I have accepted her explanation. (*Interruptions*).

SHRI SAMAR GUHA : Where has any member cast any reflection? There was no relevance at all. Why should you have put it that way?

MR. DEPUTY-SPEAKER : I have made the position clear. She immediately explained. Not to do injustice to her, I said that that interruption was irrelevant. She immediately explained....

DR. MAITREYEE BASU : I did not immediately explain. I took time. Moreover, I had no occasion to explain. I just asked him whether China allowed that. How does this cast any doubt on his loyalty?

MR. DEPUTY-SPEAKER : Mr. Somani.

SHRI N. K. SOMANI (Nagpur) : The continued deterioration in the relationship between the Government and its employees, be it in the Railways or in the Posts and Telegraphs or in the general administration of the various Ministries in the Central Government, I think, is a cause for concern for all right-thinking people. I personally think that this relationship has been allowed to deteriorate to such an extent

that extremely polarised views have started to be taken on both sides; the type of language that my hon. friend had to use against the Government in terms of teaching lesson to one another, the type of industrial conflicts that are being generated, the type of unrest, insecurity and instability that was allowed to be generated in the minds of the government employees, I think, are very serious questions that all of us have to consider objectively.

To my mind, this is essentially a continuation of the feudal system of master-servant relationship of the 18th and 19th centuries. I would respectfully submitted to this Government that this is intrinsically a matter of industrial and personnel relations—and I would crave for the attention of the hon. Minister who is going to reply to this debate. One has to think not only about the morale of the employees and cannot treat them as inanimate beings, and whatever may have been the behaviour at any point of time either under excitement or under incitement or under a particular set of circumstances, it should not force people to take extremely polarised views of do-or-die or lose-or-win. This is a case where I do not think Government has got to teach any lessons to its own employees.

We have been given lectures time and again. Whenever there is an aberration in the private sector, in terms of alleged malpractices or industrial relations, both Government and trade union leaders make a big issue of it and go on giving lectures to us. The Planning Commission uses the terminology that the public sector in the Fourth Plan has got to be taken to a commanding height. Now if it is the commanding height of labour unrest, if it is the commanding height of absolute lack of confidence between Government and its own employees, if it is a commanding height of procrastination and delays in decisions which lead to this unrest, then I have nothing further to say. But if they recognise and realise the basic, human, underlying principle in terms of relationship, if they look after the physical, psychological and environmental conditions under which the em-

ployees have to work in various departments and ministries of Government, if they take into consideration modern management principles in terms of human relationship, and what is most important, if time is not allowed to keep delaying matters, I do not think the matter would ever have become as serious as it has.

Talking about psychological infrastructure, you cannot expect loyalty, stability or any fortification from the employees if, to begin with, you do not make them permanent for a number of years, as my hon. friend the Mover has mentioned. After all, a government employee must consider and feel himself secure to give of his best. You have classified these human beings, who are working to run the apparatus and administration of the country in terms of classes I, II, III and IV employees. We do not have any Ministers who are class I, II, III or IV; we do not have any MPs with this kind of stratification. Therefore, this is a completely wrong approach, and as I said, it bespeaks of a continuation of the old feudal British policy, for which Government has got to be responsible.

To say the least, if at all Government wants to achieve the status of commanding height, it will have to act as a model employer, instead of giving lectures on the theory and practice of industrial relations, day in and day out, instead of having always to say something against the private sector. To my mind, the practices in the private sector are far superior at those prevailing in government. If content has to be brought to the commanding height, Government will have to amend its posture, and whatever has happened on the fateful day, 19 September 1968, will have to be condoned; Government will have to show its bigness by condoning and forgetting those incidents.

SHRI LOBO PRABHU (Udipi): What about discipline?

SHRI N. K. SOMANI: As for the Essential Services (Maintenance) Ordinance, 1968, first of all, it was basically wrong in conception. I have never heard

of any attempt by this Government in the matter of either a Cordial Relations (Maintenance) Ordinance or a ordinance concerning maintenance of confidence between Government and its employees, I personally think that when an Ordinance or law of this kind is ushered in the tremendous haste, it is either a complete failure to handle human relationship or an action by some people in panic. Therefore, this win-or-lose attitude that Government has shown so far, due to which a number of Central Government employees have been victimised—I will give one or two instances—does not augur well for either. This is the mid-term when the children of various employees and staff are in school.

The Government, in its enthusiasm to punish Government employees in the railways, posts and telegraphs and certain other services, have ordered the instant transfer of people, of the kind Mr. Nambiar just mentioned. Even if the Government employees have made a mistake, this is not the kind of revenge or blind action that the Government has got to take. After all, there are the people who will suffer. Have you ever given a thought to the problem of their children's education, the problem of residential quarters, the number of inconveniences that they are going to be subject to. Therefore, it is not a question of teaching them a lesson, it is a question of each one of us taking a lesson from this unfortunate situation.

When the first United Front Government came to power in West Bengal, there were some businessmen in the private sector who purposely went on breaking the law and not giving enough to their workers, as a result of which some cases of gheraos and industrial unrest were caused to be generated. If the businessmen in the private sector do not take any responsible attitude towards their own workers, naturally it results in this gherao etc. I am not defending gherao or what they did on 19th September, I am only saying that if you do not show any sensitivity at all to the needs of the situation, to the justified demands of the people, naturally

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the situation is bound to turn ugly. Therefore, I would like that the Government should not only build up the psychological infrastructure of its own employes and give them good working conditions, so that their loyalty would never be in doubt. In this respect, our friends in the trade unions can also give a leading and lending hand. I would like the Government to encourage its own departmental managers and employes to become constructive trade union leaders themselves.

Therefore, before I conclude I would say that this is essentially a human problem which should be turned into a professional, personnel administration matter. Mr. Hanumanthaiya after considerable pains had suggested to the Prime Minister that there should be a separate department for personnel affairs. This suggestion was not made lightly. It is a suggestion which deserves the serious consideration of all people concerned.

Therefore, as the *National Herald* said on September 8th last year, this Government has no wage policy at all, and it takes shelter under procrastination and delays and indecision which gives rise to discontent, and I say that this Government has no personnel policy also, as a result of which 11 of us are in a mess. I hope the situation is not yet out of hand, and the Government would make a constructive approach to the problem.

श्री रणधीर सिंह (रोहतक) : उपाध्यक्ष महोदय, हम सब इंसान हैं। चाहे कोई मालिक हो या नौकर हो, हाकिम हो या महकूम हो, हुकूमत हो या अपोजीशन हो, इंसान-इंसान है। वह बेरोजगारी का वक्त है। अगर आपको चपड़ासी भी रखना होता है तो प्रेजुपट अपने आपको उस पोस्ट के लिए पेश करते हैं। एक मामूली क्लर्क भी अगर आपको दफ्तर में रखना होता है तो उसके लिए जिन्होंने डाक्ट्रेट हासिल कर रखी है, जो पी. एच. डी. हैं जो डी लिट हैं, वे अपने आपको बतौर एक उम्मीदवार के पेश करते हैं। एक नहीं हजारों की तादाद

में आदमी बेरोजगार हैं, लाखों करोड़ों की तादाद में बेरोजगार हैं। यही नहीं कि एक आदमी बेरोजगार है बल्कि एक-एक आदमी के पीछे दस-दस और पन्द्रह-पन्द्रह आदमी होते हैं, उसका कुनबा इंतजार करता है उसके बच्चे देखते हैं कि मेरा बाप कब तन-रूवाह लाये और कब उसको पैसे मिलें। एक दो तारीख को जब वह तनरूवाह लेकर घर आता है तब कहीं जा कर वह कपड़े की सिलाई दे पाता है तब कहीं चाय, पानी, कपड़े वगैरह के वह पैसे दे पाता है।

उपाध्यक्ष महोदय, यह जो समस्या पैदा हुई है इसका एक इखलाकी पहलू भी है जिसे हमें देखना है। यह मामूली बात नहीं है। इस देश की यह बदकिस्मती है कि इस देश में जिम्मेदार सियासी पार्टी उधर कोई नहीं है और खास तौर पर अपोजीशन जो है, वह जिम्मेदार रोल अदा नहीं कर रही है। लेकिन मां खसम करे और बेटा दंड भरे, यह नहीं होना चाहिए। वेईमानी ये करें तो सजा बेचारे सरकारी कर्मचारियों को क्यों मिले। इन्हीं को पकड़ कर आप क्यों नहीं जेल में भेजते हैं। फिर चाहे श्री नम्बियार हों या कोई दूसरा अपोजीशन का मॅम्बर हो या फिर कोई कांग्रेस वाला भी क्यों न हो। चाहे कोई केन्द्र का सरकारी कर्मचारी हो या गैर सरकारी कर्मचारी हो, चाहे स्टेट का हो या मरकज का हो, उन लोगों के गले पर कुलाहड़ा नहीं चलना चाहिये। इन राजनितिशों के हथकंडों में बेचारे पुलिस के कर्मचारी आ गये और इसका नतीजा यह हुआ कि दस हजार आदमी घरबार से खत्म हुए और बेचारे आज भी कैद में हैं और उन पर मुकदमे चल रहे हैं। मुकदमों को लटकाये रखा जा रहा है। कोई फँसला ही नहीं हो पा रहा है। लटका कर उनको रख छोड़ा है। उनका इन लोगों ने भट्टा बिठा दिया है। बेचारे ये पुलिस वाले इनके पास भी जाते हैं, मेरे पास भी आते हैं और आपके पास

भी आते होंगे। होम मिनिस्टर के पास भी जाते हैं। लेकिन उनका कुछ नहीं हो रहा है.....(इंटरफ़ॉन्स) मैं पंचायती बात कहूंगा, गलत नहीं कहूंगा, फिर चाहे किसी को अच्छी लगे या बुरी लगे। उन लोगों को इन लोगों ने भड़काया, बहकाया अपना हलवा मांडा बनाने के लिये, अपनी दूकान-दारी चलाने के लिए, अपनी सियासी दूकान चलाने के लिए। उन बेचारों को आप जेल में डालते हैं और उन पर मुकदमे चल रहे हैं। जो बेरोजगार हुए हैं उनके पीछे सैकड़ों नहीं हजारों आदमी हैं, प्राणी हैं। जो बेरोजगार हो गये हैं वे इनकी जान को रोंते हैं।

उन लोगों का कसूर क्या था। इतना ही तो उनका कसूर था कि वे इनके बहकावे में आ गये। चाहे दिल्ली पुलिस हो जिसमें हजारों आदमी बेकार हुए, चाहे पटवारी हों जिन्होंने आन्दोलन किया था, मास्टर हों या मजदूर हो, लोकल वाडीज के स्कैवेंजर हों सबको इन लोगों ने बहकाया। चढ़ जा बेटा सूली पर, राम भली करे। आजकल के इन लीडरों का वही हाल है बगावत मेरा पेशा बागी कहलाता हूँ मैं। इसमें अगर बागी की जगह लफ़्ज़ लीडर रख दिया जाए, तो यह बिल्कुल फिट बैठता है। लीडरी मेरा पेशा, लीडर कहलाता हूँ मैं। ये लोग कौम के लिए और देश के लिए भी गलत काम कर रहे हैं।

मेरी हमदर्दी उन लोगों के साथ है जो इनके बहकावे में आ जाते हैं और गलत काम कर बैठते हैं। मैं ट्रेजरी बैचिज़ से कहना चाहता हूँ कि आखिर यह पत्थर दिल कब तक चलेगा। जो कुछ भी करना है करो। ऐसा नहीं होना चाहिए कि बकरी दूध भी दे लेकिन मँगनें डाल कर। जो भी फँसला आपको करना हो, दो टूक करें। हजारों की तादाद में लोग बेकार होकर घरों में बैठ गए हैं। दीवार पर जो लफ़्ज़ लिखे हुए हैं उनको आपको पढ़ना होगा। केरल की गवर्नमेंट या बंगाल की गवर्नमेंट जो आज

करती है उसको आप कल को करें या उससे उलट आप करें, ऐसा नहीं होना चाहिये। पहले वे करते हैं और बाद में अगर आप करते हैं तो वे इसका नाजायज फायदा उठाते हैं, उनको पब्लिक प्रापेगंडा करने का मौका मिल जाता है। यह बात कांग्रेस के भी खिलाफ जाती है इनिशिएटिव वे क्यों लें, आप क्यों न लें। क्या क्रेडिट लेने का उन्होंने ही ठेका उठा रखा है? कांग्रेस को इस बात का फरब्र है कि उसने हुंबुलवत्नी से हमेशा काम लिया है और देश के लिए उसने काम किया है और करके दिखाया है। लेकिन हमारे उधर के भाइयों का तो यह हाल है कि हाथी के दांत खाने के और दिखाने के और उन्होंने तो दूकान खोल रखी है।

मैं होम मिनिस्टर साहब से कहना चाहता हूँ कि ऐसा नहीं होना चाहिए कि हजारों आदमियों की गर्दन के ऊपर तलवार लटकती रहे चाहे वह विक्टिमाइजेशन की हो या रिमूवल की हो या सस्पेंशन की हो। यह नौकरी का सवाल है, रोजी का सवाल है वे भी किसी मां के बेटे हैं, किसी बहन के भाई हैं। उनके बच्चे हैं, उनके मां बाप हैं। हमारा भी कुछ इखलाकी फ़र्ज है। हमें भी हमदर्दी से पेश आना चाहिए। मैं मानता हूँ कि अगर बाड़ ही खेत को खायगी तो खेत में क्या रहेगा। लेकिन उनको मिसगाइड किया गया है। मैं मुलाजिमों को नहीं कोसता इनको कोसता हूँ। भगवान के नाम पर राम के नाम पर जरा अकल करो, उनको क्यों मरवा दिया अपनी लीडरी को कायम रखने के लिये, एम० पी० बनने के लिए, अपना घंघा चलाने के लिये। सरकार से मैं प्रार्थना करता हूँ कि वह गौर करे इस मसले पर। चाहे रेलवे फंडेशन हो, या पुलिस कर्मचारी यूनियन हो, ये जो लीडर हैं चाहे कम्युनिस्ट पार्टी के हों या सोशलिस्ट पार्टी के हों या जन संघ के हों या कांग्रेस के हों, जो कर्मचारियों को बहकाते हैं उनको पकड़ कर आप जेल में दो। इनको आप यूनियन के लीडर न बनने दो। और

[श्री रणधीर सिंह]

को नहीं चोर की मां को आप पकड़ो। चोर की मां वहां बैठी हुई है।

श्री स० मो० बनर्जी : चोर की मां वहां बैठी है।

श्री रणधीर सिंह : ये जो मेरे गरीब भाई हैं, चाहे सरकारी मुलाजिम हैं या गैर सरकारी मुलाजिम हैं, भंगी से लेकर ऊपर सुपरिण्टेण्डेन्ट और असिस्टेंट सैक्रेट्री तक, उनका कोई कसूर नहीं है। उनको ये बहकाते हैं और वे बेचारे इनके बहकावे में आ जाते हैं। वे तो भेड़ बकरियां, कीड़े मकोड़े हैं उनका दिमाग नहीं है उनका दिमाग होना चाहिए। सोशलिस्ट पार्टी और कम्युनिस्ट पार्टी वगैरह की बातों से ऐसा मालूम होता है कि जैसे उन्होंने सरकारी कर्मचारियों के इन्ट्रेस्ट्स की हिफाजत करने का ठेका ले रखा है। असल में इन पार्टियों की हालत उन पांच घुड़सवारों की सी है जिनमें से एक कहता कि मेरा घोड़ा सबसे आगे है, दूसरा कहता है कि नहीं, मेरा टट्टू सबसे आगे है और तीसरा कहता है कि नहीं, मेरा खच्चर सबसे आगे है। इन पार्टियों में लीडरी की दौड़ चल रही है, जिसमें सरकारी कर्मचारियों का बहुत नुकसान हुआ है।

मैं ट्रेजरी बैचिज से कहना चाहता हूं। कि वे चाहे जितनी कोशिश करें, उन्हें मास सेन्टिमेंट के सामने भुक्ना ही पड़ेगा। मैं यह जानता हूं कि आपोजीशन के मुकाबले में उनके दिल में सरकारी कर्मचारियों के लिए ज्यादा हमदर्दी और ज्यादा नमी है। आपोजीशन वाले तो गरजते हैं बरसते नहीं हैं—बातें बहुत करते हैं, लेकिन करते कुछ नहीं हैं, जब कि हम लोग काम करके दिखाते हैं।

मैं होम मिनिस्टर साहब के सामने अपने हल्के का एक मामला रखना चाहता हूं। एक बेवकूफ अफसर ने पुलिस में यह रिपोर्ट दर्ज करा दी कि पोस्ट आफिस के ढाई तीन सौ कर्मचारी 19 तारीख को हड़ताल पर थे, जिसकी वजह से उन बेचारों पर रोहतक

और सोनीपत की अदालतों में मुकदमें चल रहे हैं। एक आदमी की बेवकूफी और नालायकी की वजह से वे लोग तकलीफ उठा रहे हैं। कम्यूनिकेशन्ज मिनिस्टर साहब को इसी की जांच करनी चाहिए। अगर सारे देश में यही हालत है, तो यह बहुत ज्यादा है और ऐसा नहीं होना चाहिए। लेकिन मैं समझता हूं कि मेरी सरकार और पार्टी में हिम्मत है, जिसकी वजह से ऐसे लोगों को जरूर इन्साफ मिलेगा।

इसी तरह दिल्ली पुलिस के हजारों आदमियों पर नाजायज केस चलाये जा रहे हैं। मैं चाहूंगा कि या तो उन को नौकरी से हटा दिया जाये, उनको सजा दी जाये, उन को फांसी पर लटका दिया जाये और या उनके खिलाफ केसिज को वापस लिया जाये। यह हुकूमत सरकारी कर्मचारियों के खिलाफ केसिज को वापस लेगी, लेकिन केरल और बंगाल की सरकारों के ऐसा करने के बाद करेगी। असल में कांग्रेस को, सेंट्रल गवर्नमेंट को, पहले यह काम करना चाहिए था।

जहां तक इस रेजोल्यूशन का ताल्लुक है, यह एक स्टंट है। हम सरकारी कर्मचारियों के साथ इन लोगों के मुकाबले में ज्यादा हमदर्दी रखते हैं। इस लिए मैं निहायत अदब, प्यार और नम्रता के साथ होम मिनिस्टर साहब और सरकार से कहना चाहता हूं कि सरकारी कर्मचारियों का जो विक्टिमाइजेशन और नाजायज तौर पर सस्पेंशन और रीमूवल हो रहा है, उस को यक-कलम खतम कर दिया जाये और इन लोगों को अपने हलवे-मांडे के लिए सरकारी कर्मचारियों को एक्सप्लायट करने का मौका न दिया जाये। मैं चाहता हूं कि आनरेबल मेम्बर अपना रेजोल्यूशन वापस ले लें और उस की स्पिरिट पर गवर्नमेंट अमल करे।

श्री अटल बिहारी वाजपेयी (बलरामपुर) : उपाध्यक्ष महोदय, मैं माननीय सदस्य, श्री नम्बियार, के प्रस्ताव का समर्थन करने के लिए खड़ा हुआ हूं। अच्छा होता, यदि

स्वराष्ट्र मंत्री, श्री चव्हाण, इस समय सदन में मौजूद होते। लेकिन ऐसा लगता है कि वह अपनी जिम्मेदारी श्री शुक्ल पर छोड़ कर इस अप्रिय काम से बचना चाहते हैं।

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री विद्याचरण शुक्ल): दोनों की समान जिम्मेदारी है।

16.25 hrs.

[SHRI R.D. BHANDARE in the Chair]

श्री अटल बिहारी वाजपेयी: सभापति जी, यह खेद की बात है कि 19 सितम्बर को जो सांकेतिक हड़ताल हुई थी, उस के बाद अभी तक कर्मचारियों के साथ न्याय नहीं किया गया है। किन परिस्थितियों में हड़ताल हुई, मैं उस में नहीं जाना चाहता। लेकिन एक बात स्पष्ट है कि हड़ताल एक दिन की थी, सांकेतिक थी और कर्मचारियों ने अपनी उचित मांगों की ओर सरकार और देश का ध्यान खींचने के लिए सांकेतिक हड़ताल के द्वारा विरोध-प्रदर्शन का तरीका अपनाया था। एक दिन की हड़ताल के लिए कर्मचारियों को नौकरी से निकालना, उन की सेवाओं में भंग करना, गलत आरोप लगा कर उन पर मुकदमे चलाना, ये सामान्य स्थिति कायम करने में सहायक नहीं हो सकते।

आश्चर्य की बात यह है कि 4 जनवरी, 1969 को मंत्रि-मंडल ने जो यह निर्णय किया था कि जिन कर्मचारियों ने हिंसा और तोड़-फोड़ नहीं की है, उन को काम पर वापस ले लिया जायेगा, उस निर्णय का भी ईमानदारी के साथ पालन नहीं हो रहा है। शायद ही कोई ऐसा मामला हो, जिस में कर्मचारियों ने हिंसा की हो। लेकिन हिंसा के भूटे मुकदमे बनाये जा रहे हैं। उदाहरण के लिए पठानकोट के रेलवे कर्मचारियों ने एक इंजिन में से कोयला निकाल दिया, तो कहा गया कि उन्होंने

हिंसा और तोड़-फोड़ की। अगर इंजिन में कोयला भरा रहता, तो इंजिन का बायलर फट सकता था, रेलवे की सम्पत्ति क्षति हो सकती थी इस प्रकार के भूटे मुकदमे बनाये जा रहे हैं और अफसरों को आवश्यकता से अधिक अधिकार दे दिये गये हैं, जिन का वे दुरुपयोग कर रहे हैं। कर्मचारियों से बदला लेने की भावना से काम किया जा रहा है।

मैं नहीं जानता कि केन्द्रीय सरकार की यह मंशा है या नहीं। अगर उस की यह मंशा नहीं है, तो उसे अपने अधिकारियों पर नियंत्रण रखना चाहिए और जो निर्णय लिये गये हैं, उन्हें ईमानदारी से कार्यान्वित कराना चाहिए। सरकार द्वारा निर्णय लिये जाने के बाद भी बहुत से कर्मचारी ऐसे रहते हैं, जो नौकरी पर वापस नहीं लिये गये हैं। मैं नहीं समझता हूँ कि उन को नौकरी से अलग रखने का कोई औचित्य है। वे कर्मचारी फिर से नौकरी पर लिये जायें, यह जरूरी है। इस बात की आवश्यकता है कि उन के विरुद्ध मुकदमे वापस ले लिये जायें। इस प्रकार कर्मचारियों और सरकार के सम्बन्धों में एक नये अध्याय का श्रीगणेश होना चाहिए।

आश्चर्य की बात यह है कि सरकार एक ओर तो विवादों को वार्ता के द्वारा या पंच-फंसले के द्वारा हल करने की चर्चा कर रही है और दूसरी ओर कर्मचारियों का हड़ताल करने का अधिकार हमेशा के लिए छीन लेना चाहती है। ऐसी परिस्थिति पैदा की जानी चाहिए, जिस में हड़ताल करने की आवश्यकता ही न पड़े। लेकिन हड़ताल का अधिकार छीना जाये, एक लोकतंत्रवादी देश में इस का समर्थन नहीं किया जा सकता है। माननीय महिला सदस्य चीन और रूस का नाम ले कर किसी और सदस्य का मुँह बन्द कर सकती हैं, लेकिन उस बात के औचित्य का प्रतिपादन नहीं कर सकती कि एक लोकतंत्रवादी देश में हड़ताल के अधि-

[श्री अटल बिहारी वाजपेयी]

कार पर प्रतिबन्ध होना चाहिए। अगर कर्मचारी को काम करने का अधिकार है, तो काम न करने का भी अधिकार है। लेकिन इस अधिकार को काम में लाने की आवश्यकता न पड़े, ऐसी परिस्थिति पैदा करना जरूरी है।

इंग्लैंड में भी कम्पलसरी आरबिट्रेशन है, मगर उन्होंने कर्मचारियों का हड़ताल करने का अधिकार नहीं छीना है। अगर अनिवार्य मध्यस्थता में निर्णय सरकार के खिलाफ़ जाता है, तो सरकार संसद् में आ सकती है। संसद् में सरकार को बहुमत प्राप्त है। वह उस निर्णय को बदलवा सकती है; कर्मचारियों के मार्ग में अनेक कठिनाइयाँ पैदा की जा सकती हैं। इस लिए मेरा निवेदन है कि अगर सरकार चाहती है कि हड़ताल न हो, तो उसे ईमानदारी के साथ हर एक विवाद को पंच-फ़सले के लिए देने के प्रस्ताव को स्वीकार करना चाहिए। अगर यह कहा जाये कि आवश्यकताओं पर आधारित न्यूनतम वेतन को पंच-फ़सले के लिए नहीं भेजा जायेगा, तो कर्मचारियों को संतोष नहीं होगा। अगर मध्यस्थता, पंच फ़ैसला अनिवार्य है तो हर एक बार उस में जाना चाहिए और सरकार को अधिकार होगा, संसद् के सामने आ कर लेकिन कारण बता कर, किसी पंच फ़ैसले को न माने तो वह स्थिति एक बार समझ में आ सकती है। लेकिन प्रारंभ में इस बात से इनकार करना कि हम किसी सवाल को पंच फ़ैसले के लिए भेजें या न भेजें यह हम तय करेंगे तो यह कर्मचारियों को संतुष्ट करने का, उन के विवादों को नीति और न्याय के आधार पर तय करने का कोई तरीका नहीं है और मेरा निवेदन है कि जो भी इस मामले पर सरकार निर्णय करे, कर्मचारियों के संगठन चाहे वह मान्यता-प्राप्त हैं या नहीं हैं, उन सब को एक बार बुला कर चर्चा

करना जरूरी है। सामान्य स्थिति बनाने के लिए मुकदमे वापस लिए जायें। कर्मचारी काम पर वापस लिए जायें और जो तबादले किये जा रहे हैं बदले की भावना से, वह तबादले रद्द होने चाहिए फिर स्थायी व्यवस्था क्या हो यह विचार करने के लिए सभी केन्द्रीय कर्मचारियों के संगठनों को निमंत्रण दे कर बुलाइए, उन के साथ चर्चा करिए और ऐसा हल निकालिए जो कि थोड़े दिन टिक सके और कर्मचारियों के और सरकार के संबंधों में सुधार हो सके।

श्री शिव नारायण (वस्ती) : अध्यक्ष महोदय, मैं होम मिनिस्टर से दरखास्त करना चाहता हूँ कि पैसेटिक और निहायत ठंडे दिल से इस विषय को विचारना है। मैं आज इस गवर्नमेंट से कहना चाहता हूँ और गवर्नमेंट आफिसर्स से भी कहना चाहता हूँ :

Who is the government ? In reality it is the government servant. If we want honesty in our country, if we want dignity in our country, let us go back to the Karachi Resolution. I congratulate the West Bengal Government and welcome their announcement that the State Ministers will draw only a salary of Rs. 500. Let our ICS officers, let our Ministers and Prime Minister draw only Rs. 500 a month. This is the demand of the country today. In 1947 also this very question arose and ICS officers were prepared to work on Rs. 500 a month, Today the West Bengal Government has put an example before the country. They have given a lead to the country.

Then I would appeal to the government to reconsider their decision about those government employees who took part in the strike and who were suspended. Let them be restored to their posts. If they have common sense, they will come back to their posts and do their duty. I am sure they will not do such a wrong thing again.

The government servant has every right to ask for increased salaries. He can ask for increased dearness allowance. But he cannot go on strike, because they

are the government. Therefore, I would request them to come back and rejoin duty and I would request the government to deal with their case sympathetically.

If the government is prepared to implement the Karachi Resolution, I am sure the whole opposition will join hands with me in saying that everyone should work only on a salary of Rs. 500 a month and no more. We are a poor country and our problems cannot be solved if we pay more.

Here I have one thing to say about our officers. In this strike public sympathy was not with them.

श्री हरदयाल बेवगुण (पूर्व दिल्ली) : आप को गवर्नर बना दिया जाय तो क्या तनख्वाह लेंगे ?

श्री शिव नारायण : जो आप लेंगे वही मैं लूंगा। जो यह लेंगे वही मैं लूंगा। कोई अन्तर नहीं है। हजार लेंगे तो हजार लूंगा। सौ लेंगे तो सौ लूंगा।

तो अध्यक्ष महोदय, मैं होम मिनिस्टर से कहना चाहता हूँ कि आवाहन करिए देश के बड़े बड़े बुद्धिमानों को, बड़े बड़े पंडितों को एकत्र करिए और एक फारमूला लांच करिए, इस मुल्क में चाहे चमार हो चाहे ब्राह्मण हो, चाहे मुसलमान हो, चाहे हिन्दू हो, आई० सी० एस० हो या छोटा चपरासी हो, उन की तनख्वाहों में एक और दस तक का रेशियो हो। सारे देश में एक रेशियो कर दीजिए। और मैं होम मिनिस्टर से अपील करूंगा कि सारे सरकारी कर्मचारियों को काम पर वापस कर लीजिए।

“क्षमा बड़न को चाहिए, छोटन को उल्पात”। आप बड़े हो। उन को क्षमा करो और काम पर रेस्टोर करो। यही मैं कहना चाहता हूँ और नम्बियार साहब अपना रेजोल्यूशन वापस ले लें। आपस में बैठकर विचार कर के कोई ऐसा तरीका निकाला जाय जिस में स्टेबिलिटी रहे। सब को अपनी अपनी जगह काम पर वापस बुलाया जाय यही हमारा कहना है क्योंकि हमारे

मुल्क के हर आदमी ने जब 1965 में पाकिस्तान ने हमारे ऊपर हमला किया था तो रेलवे कर्मचारियों ने और प्राइवेट लोगों ने सब ने मिल कर काम किया था, देश के नाम पर सब एक हुए थे और डट कर काम किया था। इसलिए मैं अपील करना चाहता हूँ कर्मचारी वर्ग से भी और सरकार से भी और देश भर से कि एक सूत्र में बंध कर और ईमानदारी से इस गरीब के कल्याण के लिए कार्य करें। एक सूत्र में बंध कर इस देश के कल्याण की बात सोचें। इन चन्द शब्दों के साथ मैं पुनः सरकार से अपील करूंगा कि दस हजार कर्मचारी आज बेकार हैं। मैं ने देखा है अपनी आंखों से कि डेढ़ डेढ़ सौ रुपये पाने वाले रेलवे के बाबू लोग जो नौकरी से हटा दिए गए हैं उन के बच्चे रोटी के लिए परेशान हैं। वह बहुत दुखी हैं। इस चीज को सरकार को रिअलाइज करना चाहिए क्योंकि यह गवर्नमेंट गाजियन है सारे गवर्नमेंट सर्वेइस की और यह आप की प्राइम ड्यूटी है कि आप उन को खाना, कपड़ा दें। इसलिए इन्हें वापस काम पर बुलाया जाय यह मेरी प्रार्थना है।

SHRI NAMBIAR : If what Shri Sheo Narain has said is the attitude of Government, I am prepared to withdraw the Resolution and leave it to them.

SHRI SAMAR GUHA : The Hon. Minister is taking down notes. Shri Sheo Narain has qualified himself today to be the next Governor of West Bengal.

AN HON. MEMBER : Send him to Kerala if there is any possibility.

SHRI S. KANDAPPAN (Mettur) : Sir, I am fully in support of the Resolution moved by Shri Nambiar. If the speakers are any indication, the sense of the House is that the Government should accept this Resolution *in toto*. If Government's only excuse is that they are passing through critical times, it is very amazing because from 1947 onwards they are telling us that they are passing

[Shri S. Kandappam]

through critical times. We would like to know from Government when we are going to pass it completely ; or, are we only going to pass away in the critical times of this Government ? The Government should be fair in their mind and in their approach and should try to see the writing on the wall. Even the spokesmen of that side are very categorical in their approach to the problem. They were in effect totally supporting the Resolution of Shri Nambiar. So, I hope that the hon. Minister, Shri Shukla, instead of going through the routine reply that he has already in his possession, would consider the views expressed here and say something concrete as to what they are going to do restore normalcy.

Sir, there is a proverb in Tamil which means that only the baby that cries will get its milk. Without any pressure or demand or any kind of an agitation, can employees or for that matter any section of the people hope to get anything from this Government ? Even innocuous demands like changing the name of a place or stoppage of a train at a certain place--I find in the newspapers that Shri S. M. Banerjee is demanding that the Rajdhani Express should stop for a few minutes at Kanpur and, I am sure, Government would take a decision only after the train is virtually stopped there forcibly ; then only, they will concede the demand--like that we find that throughout the country even small innocuous and genuine demands are being conceded only after pressure is brought on the Government. I doubt whether some of the ministers in the Council of Ministers would have been there but for the pressure that they exercised on the Prime Minister. So, everywhere we find that it is pressure that counts.

If the basic right is taken away from the workers, the employees, of this country, what will be the fate of these people ? Apart from that if the Government are going to stick to the decision that they have taken earlier, they have no moral right to call themselves either a democratic government or a socialistic government because this ban on the

strike is totally repugnant to both these ideas. So, they should reconsider these things. As some hon. Members have already demanded, they should also withdraw from the ILO because they have no business to stay there after violating the basic article of the ILO.

There is another serious problem arising out of this strike and that is the law and order situation created in various States. The Government may say that, technically and constitutionally, they have got every right to promulgate an Ordinance and stick to it. But by the very same consideration, I am sure, the State Governments have got the right to withdraw the cases if they do not feel like prosecuting them. Here is a serious problem which the Government should, rather, deeply think instead of trying to circumvent the situation that is created in West Bengal or in Kerala. Have they got any right to say to Kerala or to West Bengal that they should not withdraw the cases when the strike is not of their making when they are not the culprits ? It is the Central Government with its Ordinance which created a situation which put the State Governments into difficulties. Even common courtesy demands that the Centre should have consulted the States before taking such a drastic measure. But after the matter is over, when the State Government in their wisdom, constitutionally, feel that they have got the power to withdraw the cases, it would be unfair on the part of the Central Government, and very wrong, to do something which will lead to serious repercussions and consequences, to insist that the cases should not be withdrawn or if they try to go to court and seek some other remedy. I think, the Government should seriously keep that in mind.

There is another problem which will arise out of this, namely, when the people who were prosecuted are exonerated in Kerala and West Bengal, what will be the fate of the employees of the same category working in other areas. If the State whether in Maharashtra or in Andhra or in other States prosecute employees for the same offence for which the employees in Kerala and West Bengal are not prosecuted, that will create a very

serious anomaly amongst the employees who are working in the same categories and in the same Department but in different places. So, this will lead to discontentment amongst the employees.

The Government, being the biggest employer in the country, should set an example to the private employers and to the private capitalists. If they are going to make the point of banning the strike, I am afraid, they have to concede the right of the State Governments and to the demands of the private entrepreneurs also. Then, virtually, the whole class of workers in the country, whether they are in the public sector or in the private sector, whether they are in industries or in Government Departments, will be deprived of their legitimate right of exercising pressure on the Government or whoever it might be to get the demands accepted.

With these words, I press that the Government should give serious consideration to it. Probably, Mr. Shukla might not have got the mandate from Mr. Chavan to give a clear and categorical answer here and now. In that case, he can take time and consult his senior colleague, tell him the consensus of the House and see that something is done to restore the normalcy.

SHRI CHINTAMANI PANIGRAHI (Phubaneswar) : Mr. Chairman, Sir, all along, from this side of the House, we have maintained the stand that a very difficult situation was created by the strike of the Central Government employees last year. The situation was so difficult that it was due to the great efforts of the Members on this side here, in the Congress Party, and due to the sympathy of the Government, the Prime Minister, the Home Minister and all concerned, that we have been able to get out of a very difficult situation.

Sir, I associate myself with the feelings which were expressed by my hon. friend, Shri Randhir Singh. On the last occasion also, when I had an opportunity to speak on such a discussion, I had spoken very clearly that the Government had been sympathetic all along. The Government has certainly understood the difficulties

of the vast number of employees who suffered, and sometimes even the leaders of the Opposition, who encouraged the strike, have also acknowledged the attitude of sympathy and understanding which the Government has shown all these days. The number of government employees who were going to suffer was more than 50,000, but because of the policy of sympathy and understanding pursued by the Government the number has now been reduced to 10,000.

There are many employees in my State also. They have come to me many times. They are very good people and it cannot be said that they are communists or something like that and, therefore, we would not take up their cases. They are all very good and sincere government employees. They were, to a certain extent, misguided. The time has come when all these cases have to be very sympathetically considered. Some of these employees are going through the process of courts; I have seen some of the employees running to the courts; there would be clear cases of harassment. When Government has taken courage and are dealing with the question with large-heartedness, I do not understand why it is that certain people somewhere try to make out a case as if there is a great controversy between the Centre and the States, as if one State is very liberal with certain employees and the Central Government is not. This is not correct. The Central Government has been following a policy of sympathy and understanding all along. I would once again request the Hon. Minister that the cases of suspension and all these things should not be pursued in such a manner as would appear that perhaps certain authorities in certain departments are persuading the Government to reverse the policy of liberalisation and adopt a policy of victimisation.

Ours is the Gandhian tradition of struggle, and it would have been better if leaders like Mr. Joshi who believe in this tradition—about 10 or 15 of those leaders—had come forward and said that they owned the struggle, that they had asked them to do this and, therefore, whatever punishment was going to

[Shri Chintamani Panigrahi]

be given to the government employees should be given to them...

SHRI NAMBIAR : Yes ; you can punish us.

SHRI CHINTAMANI PANIGRAHI : Since they have not come forward all these two or three months, I venture to tell the Hon. Minister that we on this side, 20 or 40 of us, are coming forward and we take the responsibility for those employees ; let Government consider their cases sympathetically, withdraw cases and free all of them ; we have the courage to take the responsibility and let Government punish us for them.

SHRI S. M. BANERJEE (Kanpur) : I rise to support the Resolution of Shri Nambiar and I must congratulate him for having brought this Resolution before this House. Two or three decisions were taken by the Cabinet. The first decision was taken on 18th October, 1968, after the Prime Minister came from Latin America. Even after that decision, I have information, I have a list of those persons who were suspended or terminated in Defence, in P & T Railways and other installations and who have not been taken back. My submission is that the decision of 18th October has not been implemented by those officers who took a vindictive attitude and who wanted just to score a point ; they were prejudiced against those employees and, therefore, vindictive in implementing this decision. My submission to the Hon. Minister is that he should depute some officer to see whether the decision of 18th October has been implemented *in toto*, and all those employees whose services were terminated, who were given one month's notice or one month's salary in lieu thereof, should be taken back. What has happened ? 42,000 employees were taken back, but those employees whose services were terminated by giving one month's salary have not been taken back on the ground that they not merely participated in the strike but also instigated. I have several such instances ; in Delhi itself there are 2,400 cases of P & T and other government employees and about 300 cases of Defence employees. Some of them, in COD, Delhi Cantt.

and MES were kept in full employment for three full months and again they were not taken back on the ground that they were responsible for instigation. I am surprised to know that in Shillong, out of 200 civilian employees in the air force, 117 were discharged on the ground of responsibility for instigation. This is something extraordinary. How can 117 men out of 200 be charged with instigation ?

Then another decision came in Jan. 1969. When Opposition members met the Prime Minister, she came out with the statement that a lenient view would be taken, particularly regarding those employees whose services were terminated, if they applied individually. What was the Jan. 1969 decision ? It was that cases under sec. 4 of the Ordinance would be withdrawn by Government, knowing full well that of 10,000 or 12,000, less than 2,000 or 1800 were under this section. Even these people have not been taken back. Generally, the cases were under sections 4/5 of the Ordinance. Naturally this decision was taken knowing full well that nobody was going to be benefited. I would like to know from Shri Shukla how many cases were withdrawn after the Jan. 1969 decision under this section. What does section 5 say ? It relates to instigation. I would ask the Hon. Minister here and now : is there any case of violence on the part of the 55,000 men whose services were terminated ? Is there any case of violence on their part from Pathankot to Kerala or to Calcutta or even Gauhati ? Who were shot ? 12 employees lost their lives. But there was no case of violence by the employees. Naturally, a decision should have been taken to withdraw all cases.

I congratulate the Chief Minister of West Bengal on taking the decision to withdraw the cases. I must congratulate the Punjab Government on withdrawing the cases. I must also congratulate Shri E.M.S. Nambudiripad on taking a bold decision against the wishes of the Central Government to withdraw all cases in his State.

The time has now come to restore normalcy. They will have to withdraw all cases. In Delhi itself, section 188 cases are not withdrawn. There are

240Q employees involved in Delhi alone apart from others in MP, UP. When are the e people going to be taken back? I was told—I was a government employee for 20 years—that there was discretion vested with the local administration. The discretion is that if there are court cases against any individual not involving moral turpitude, then he will not be suspended. After all, sec. 188 IPC does not involve any moral turpitude. So why should people be suspended? But even here that discretion has been used against the interests of the government employees and not in their favour.

I would urge upon the Minister to withdraw the suspensions and the cases. Even today 10,000 employees are on the streets—it may be 10,000 to 12,000. After the decision of 18 October, after the decision of Jan., 1969 and after all the assurances of the Prime Minister, the Home Minister and other Ministers in this House and outside, about 12,000 men are on the streets. The All-India Defence Employees Federation under the leadership of Shri S. M. Joshi has taken a decision that if nothing happens, latest by 23rd March, 1969, we shall be forced to go on a hunger strike to champion their cause. The South-Eastern Railway Federation Union has also taken a similar decision.

Let him charge me and Shri Joshi with inciting the workers again, but you tell us what to do. Should we see these employees suffering, starving on the streets! We are not able to feed them. They are actually starving today. Holi is approaching, Id is approaching, but these 10—12,000 employees have nothing to give to their children. A situation has come today when the Government must consider withdrawal of all cases whether under section 5 of the Ordinance or section 188, because both these do not involve moral turpitude.

Another very important point is about the de-recognition of associations, unions and federations. In the 1960 strike I still remember that recognitions were withdrawn by the late Gobind Ballabh Pant, who was the then Home Minister. After three months he did realise that the All India Railwaymen's Federation, the All

India Defence Employees Federation, the National Federation of Post & Telegraph Employees and the Confederation of Central Government employees were the real representatives and the NFIR and the other federations connected with INTUC were anaemic, they had no following, they had no representative character. Naturally, the recognitions were restored. Today, I am sorry to say that in spite of repeated requests the JCM meeting was called on 27th December with the same representatives who do not represent the Central Government employees. The Confederation was not called, the NFPT was not called, the All India Railwaymen's Federation representatives were not called. So, recognition must be restored. Otherwise, do you want us to go underground and function. We should behave like underground Nagas and create trouble, and then the hon. Prime Minister or the Home Minister will call us to have talks with them.

Whatever legislation may be brought again in this House, the right to strike must be restored. The employees, the working class, after fighting for a hundred years, after shedding blood in Bombay, in Kanpur and other places, have gained this right to strike. Under no circumstances will they give up this right. Let him not bring forward that legislation and withdraw the right to strike. That we will oppose. It may not be taken as a threat, but I can assure him in all earnestness, in all seriousness, that if that Bill is brought, it will be opposed inside and outside. Because of the victimisation of the Central Government employees, because of automation, because of section 36 AD curtailing the trade union rights of bank employees, because of this hated black Bill which was passed in this House, in West Bengal the Congress has been completely wiped out. It is only Mr. Atulya Ghosh, the Ali Baba and 55 thieves who escaped.

SHRI SHEO NARAIN : This is very objectionable. They are hon. Members elected by the people.

SHRI S. M. BANERJEE : My demand is that employees whose services

[Shri S. M. Banerji]

have been terminated should be reinstated, cases should be withdrawn, and recognition of unions and federations should be restored.

17 Hours.

The last point is about break in service.

They are temporary Ministers. The ministry is reshuffled every other day. But they are allowed to decide the fate of permanent employees and say that there is a break in the service. There was a good joke which was current in Delhi. A Minister said something to a chaprasi, class IV servant of the Government, which he ought not to have said and another chaprasi who was hearing it asked him: why did you not say something in reply to the remark of the Minister? He replied:

कौन लगे इस के मुंह यह तो टेम्पोरेरी आदमी है मैं तो परमानेन्ट हूँ।

It is they who have to decide the fate of permanent employees. Their services will be broken within three years in 1972. How can they decide the fate of the permanent Government employees? This cannot be.

श्री एस० एम० जोशी (पूना) : सभापति जी, मैं सदस्य का ज्यादा समय नहीं लेना चाहता हूँ क्योंकि इस विषय के बारे में जो कुछ कहना था वह मेरे साथियों ने, उधर के और उधर के, सब कुछ बता दिया है। मगर मैं एक बात कहना चाहता हूँ कि जैसे हम लोगों को यह कहा गया कि हम अन्तरमुख हो जायें मैं वैसे शासन के जो मंत्री हैं उन से भी कहूंगा कि वह भी अन्तरमुख हो जायें और सोचें कि क्या गलती सिर्फ मजदूरों की ही थी, या आप की तरफ भी कोई गलती का हिस्सा है या नहीं? मेरा खयाल है कि कितना भी क्यों न कहा जाय कि बाहर के हम लोगों ने मजदूरों को प्रोत्साहित किया गलत काम करने के लिये, मगर वह सही नहीं। 1960 की हड़ताल के बाद जो मशीनरी

बनी उस में हम लोग नहीं थे। उस मशीनरी में जो लोग वहाँ प्रतिनिधि बन कर जाते हैं वह तो मजदूर ही जाते हैं। उस मशीनरी के द्वारा वह जब कुछ नहीं कर पाये और हुकूमत की तरफ से जो कुछ पहला ऐग्रीमेंट हुआ था उस के मुताबिक जब काम नहीं चला तब सिर्फ विरोधी दल के लोग नहीं, विरोधी दल के बिचार के भी मजदूर नहीं, यूनियन के नेता नहीं मगर इन्टक के नेता भी श्री ए० पी० शर्मा, के साथ सब वाक आउट कर के बाहर आ गये। यह वाक आउट क्यों किया गया? क्या वह लोग पागल हो गये थे? क्या हुकूमत की तरफ से कोई गलती नहीं हुई?

17.03 hrs.

[MR. SPEAKER *in the Chair*]

मैं भी बाबबार पूछ रहा था चव्हाण साहब से, जब 30 अगस्त की चर्चा चली, कि अगर यह मान भी लें कि यह मामला आबिट्रिबिल नहीं है, तो उस से मामला हल नहीं हुआ, मामला तो रह जाता है, अब इस मामले को कैसे हल किया जाय? उस के लिये कोई दूसरा विकल्प बता सकेंगे? मगर कोई जवाब नहीं मिला। और जब जवाब नहीं मिला तो मजदूरों को स्ट्राइक नोटिस सर्व करनी पड़ी। मेरे मित्र पाणिग्रही जी ने कहा कि अगर मिसलीड किया है मजदूरों को तो जिन्हें ने मिसलीड किया है उन को सजा देनी चाहिये। हम इस बात को मानले हैं। गोया मैं मानता हूँ कि हम ने कोई मिसलीड नहीं किया। 30 अगस्त को भी कहा था, और उस के बाद भी कहा और आज भी कहता हूँ कि मजदूरों की बात को मनवाने के लिए, और जो जायज बात है उसको मनवाने के लिए जो शांतिमय तरीका है, उस तरीके से हम लोग कुछ अपना काम करना चाहते हैं। आज देश में जो हिंसा का वातावरण पैदा हो रहा है उस से ऐसा नहीं मालूम होता है कि अगले एलेक्शन में हम कभी जीतेंगे। अगर लट्ठधारी लोग खड़े हो

जाय और यह कहें लोगों से कि तुमको वोट नहीं देना है तो लोकतंत्र कैसे चलेगा ? यह जो हिंसा का वातावरण बढ़ रहा है, उसका कारण क्या है ? वजह यह है कि जब लोगों की जायज मांगों के लिए हुकूमत की तरफ से कोई समाधान नहीं किया जाता तो लोग हिंसा की तरफ बढ़ते हैं। अगर आप सोचते हैं कि हमने मिसलीड किया है तो हम सजा पाने के लिए तैयार हैं। जब हमारी कांफ्रेंस हो गई और हमारे यहां के नेता लोग वहां गये थे, डांगे साहब ने कहा कि अगर हमने गलती की है तो हमको भेजो पांच साल के लिए, मैं ने कहा कि अगर तुम पांच साल के लिये जाने को तैयार हो तो मैं सात साल के लिए तैयार हूँ। अगर आप समझते हैं कि हमने गलती की है तो हमको जेल में भेजना चाहिए। तब उप-प्रधान मंत्री ने कहा कि इनको सजा नहीं देंगे क्यों कि अगर सजा देंगे तो ये हीरों बन जायेंगे। इसलिए जिनकी गलती है उन्हीं को सजा देंगे। इसको हम विक्टिमाइजेशन कहते हैं, बदले की भावना कहते हैं, नहीं तो यह ऐसी चीज नहीं होती। इसलिए मैं कहूंगा कि यह चीज बहुत नहीं बढ़नी चाहिए और अगर आगे बढ़ती है तो हमारे उसूलों के मुताबिक हम लोग अपने कदम आगे रखेंगे, मुझे इसमें कोई पश्चाताप नहीं होगा। मैंने जब राष्ट्रपति का भाषण पढ़ा और उन्होंने बताया कि कम्पलसरी आर्बिट्रेशन ही एक तरीका है तो मैं पूछता हूँ कि क्या यह बात आपको उस वक्त नहीं सूझी थी जब पहले लोग कम्पलसरी आर्बिट्रेशन मांग रहे थे, उस वक्त क्यों नहीं दिया ? यह मामूली बात है कि अगर मजदूरों को सबक सिखाने की कोशिश हुकूमत की तरफ से होगी अच्छी बात नहीं होगी और देश के लिए भी तो अच्छी बात नहीं होने वाली है।

यहां बार बार कहा जाता है कि शासक विरोधी दल के लोगों का सहयोग चाहते हैं। मगर सहयोग कैसे मिलेगा जब तक आप अपनी बात के ऊपर डटे रहेंगे और अन्तर्मुख

होकर नहीं सोचेंगे क्या मजदूरों और उनके नेताओं को एक दिन की हड़ताल करने के लिए सरकार ने मजबूर नहीं किया था ? क्या कोई ऐसा कदम नहीं उठाया गया जिससे मजदूरों के लिए मुश्किल हो गया ? मैं कहना चाहता हूँ कि जब पहला फ्राडिनन्स निकला तब मैं पटना में था और वहां से यहां आया और जो हमारी ज्वाइन्ट ऐक्शन काँसिल है उसके सामने यह सवाल था, मैं कुछ नहीं बोला। मंत्री महोदय, क्या यह सोचते हैं कि मजदूर जब चाहते हैं तभी यह बात होती है। ऐसी बात नहीं है। आप लोग भी पिछले जमाने का अनुभव लिए हैं और जानते हैं कि हम लोगों को शांतिमय तरीके से जनता की समस्याओं का समाधान करना पड़ता था। इसलिए जरूरी है कि आज भी उनको संतोष दिलाने के लिए कोई ऐसे ठोस कदम उठाने चाहिए कि जिनसे वे आगे चलकर गलत रास्ते पर न चले जायं जैसे बम्बई में हुआ और दूसरी जगहों पर होता है या तेलंगाना में हुआ। ऐसा यहां पर एलेक्शन के समय पर होता है जोकि नहीं होना चाहिए। अगर वातावरण को ठीक करना है, हिंसा के वातावरण को रोकना है, जो निहायत जरूरी है अगर देश में लोकतंत्र को कामियाब बनाना है तो हिंसा की भावना को खत्म कर देना चाहिए और ऐसे कदम उठाने चाहिए जिसमें ऐसी चीज न हो। हमारे गृह मंत्री यहां पर नहीं हैं मगर उनके दूसरे साथी हैं, उनसे मैं अनुरोध करूंगा कि आप जरा सोचिये कि हम लोगों के ऊपर जैसा आप इल्जाम लगाते हैं, मजदूरों के ऊपर जो इल्जाम लगाते हैं, वंसी क्या आपकी तरफ से भी कोई गलती हुई है या नहीं ? और अगर ऐसा लगता है कि हुई है तो जो बदले की भावना से काम हो रहा है वह खत्म होना चाहिए। आप कहेंगे कि इसमें बदला नहीं है। तुमने कानून तोड़ा है इसलिए सजा हो रही है। हरगिज नहीं ऐसा नहीं है। जब हम लोग कोई समझौता करने की कोशिश करते हैं या ऐसा वाता-

[एस० एम० जोशी]

वरण पैदा करने की कोशिश करते हैं तो ऐसा नहीं होना चाहिए। जब हड़ताल कामियाब हो जाती है तो उनको छोड़ देते हैं इसलिए जैसे उनको छोड़ देते हैं वैसे ही इनको छोड़ देना चाहिए और जो उनके बच्चे आज भूखे मर रहे हैं उनके बारे में भी आपको सोचना चाहिए। आप यह सोचें कि अकेले यह हमारा ही काम है और आप लोगों का नहीं है, यह गलत है। हमको आप कितना ही बुरा कहें लेकिन मैं माननीय रणधीर सिंह, पाणिग्राही और माननीय शिव नारायण ने जो भावना दिखाई है और हमारी भावना का समर्थन किया है, उसके लिए उन की तारीफ़ करता हूँ। माननीय सोमानी जी ने भी जो स्वतंत्र पार्टी के हैं, हमारी भावना का आदर किया है और जो नुक्ते निगाह आपके सामने रखा गया है, उससे अगर हम काम लें तो मैं समझता हूँ कि इस देश में लोकतंत्र कामियाब हो सकता है, नहीं तो जो पोलराइजेशन हो रहा है उससे किसी का फायदा नहीं होगा।

SHRI TENNETI VISWANATHAM (Visakhapatnam) : Sir, the right to strike is part of the trade union movement, just like collective bargaining. If that is to be taken away, some alternative must be given to the Government employees.

I would suggest, if the employees make a demand that demand must be either conceded or rejected or referred to arbitration within one month (*Interruption*). I am trying to make some constructive suggestion. If you want to remove the right to strike at least give them an alternative. When they present a set of demands see that they are solved within a month. If you are not able to solve them within a month refer them to arbitration. Make a law and take power from this House. Do not ask these people to go outside the conference table, to go outside the conference forum or the forum of legislatures. Do not compel them to go

into the streets. Fix a time for the arbitrator to settle the matter say three or four months according to the complexity of the problem. Show a willingness to have the matter settled at the conference table, within the legislatures or within the Parliament. If you want to save the country from the violence that is going on throughout, adopt a new approach...something like what I have said. If what I have said is defective you may improve upon it, but see that matters are settled in that manner. That is my appeal, that is my demand.

I am intervening because the ordinance which made the September 19th strike illegal was in my opinion a very immoral ordinance. At the time the Unions gave notice, to strike was legal. Overnight the Government converted a legal strike into an illegal one by passing an ordinance. This is very wrong. This is hitting below the belt. You compelled them to act in an illegal way. You cannot at the last moment, on the 17th, after having had 14 days notice, declare it illegal by an ordinance. The very basis of the ordinance was wrong. Therefore, in this case the demand, the request and the appeal of all sides of the demand, the request and the appeal of all sides of the House to the Government is that the Government should take a broad view of the matter. It is with reference to the persons who are not actually connected with any act of violence or sabotage. It is with reference to persons whose offence is only a technical offence, that they had committed an offence because you passed an ordinance. But for the ordinance their act was not an offence. In one place there was local executive who went to Calcutta to persuade their employees not to strike. But they were over-ruled and they also joined the strike. But even that local executive were punished.

Then, Sir, there is break of services, there is prosecution, there is suspension and there is dismissal on the ground that the employees are temporary. As Shri Nambiar said there are departments where people are temporary for nine to ten years in spite of the rule, State rules as well as Government of India rules, that a person in service continuously for two or three years must be made

permanent. I ask the Government : Why do you add to the troubles of this country ? Why do you create technical offences by an immoral ordinance and victimise the people permanently ? It is absolutely necessary that you should recognise the various organisations which have been de-recognised as a punishment.

As I said, the basis itself, namely, the Ordinance, was wrong and the other things followed it. Whenever there are demands from government servants, you must consider them within a month or refer them to arbitration, give a time-limit to the arbitrator and then scrupulously follow the decision of the arbitrator. Then there will be peace. When there are already others ready to go on strike, to go on the streets, why do you add to their numbers ?

SHRI SAMAR GUHA (Contai) : Mr. Speaker, Sir, while supporting the resolution moved by my hon. friend, Shri Nambiar, I am sorry to remark that while dealing with the strike of the government employees, our government have betrayed an attitude of totalitarianism, although this government professes to be a democratic one. I have no doubt that after terrorising the government employees to submission, they have in a way tarnished the image of Indian democracy.

It is well-known that there are two sets of principles regarding labour-rights that are prevalent in the world today, one in totalitarian countries and the other in democratic countries. In the totalitarian countries the right to strike has been denied : but in the democratic countries the right to strike has been legally accepted. If it is so, it is naturally expected that if government employees, or employees in other sectors, resort to strike, the government should adopt an attitude totally different from the one that is adopted in a totalitarian country. It is expected that the government should not consider these who resort to strike as criminals or enemies. If the government feel that the strikers have committed certain excesses, even then the attitude and perspective of the government should be that of a parent to his erring children. Unfortunately, in dealing with the strikers the government have adopted, as I have

already said, a totalitarian attitude of terrorising the government employees.

This error of judgement in a democratic set-up has cost the government party in the mid-term elections. By pursuing this policy you have not only demoralised the whole government servants but you have brought in an air of frustration in the bureaucracy of our country.

As my friends have said, although in the month of January government have declared that they will take certain lenient measures towards those employees who participated in the strike, still nearly 10,000 employees are still under suspension or termination of service. There are various cases where government employees who have been in service for 10 to 15 years have been discharged from service on the ground that they are temporary employees. Many such cases are there. Then, many employees have been transferred to those areas where there is no prospect of promotion. There are other cases where they have withdrawn all the benefits, saying there is a break in service. Then, they have adopted one set of measures for defence and posts and telegraphs employees and another set of measures for railway employees, resulting in discrimination. Some of the benefits which have been given to defence and P & T employees have been denied to railway employee.

I would say that even at this late hour government should take note of the steps taken by the State Governments of Kerala, West Bengal and Punjab. The hon. Congress governments in those States have withdrawn all cases against the government employees who resorted to that one day strike.

But, unfortunately, the bulk of the ten thousand Government employees, who are still under suspension or under order of termination of their services, belong to Delhi, UP, Haryana, Rajasthan and Madhya Pradesh. If the Congress have the interest of their own party at heart, they should see that it does not seep into the minds of the Government employees that the non-Congress governments have a better attitude towards Government employees than the Congress governments have. The discrimination

[Shri Samar Guha]

between the attitude of the non-Congress governments and the Congress governments should not be there.

In Delhi nearly 2,400 Government employees who were arrested have still not been taken back in service. I welcome the policy that has been adopted by the Government of West Bengal today and by Punjab and Kerala. I will warn these people that it is in their own interest and for their own benefit that they should withdraw cases against all Government employees belonging to areas which are now governed by the Congress Party.

I do not want to digress more. I only want to say one thing. The Government propose to set up a joint consultative machinery. Let that machinery work in an atmosphere of confidence, mutual faith and an expectation of benevolence from the Government. If they really want to do that, it is incumbent on the part of Government that they should withdraw all service termination orders, all suspension orders, all transfer orders, all court cases and other punitive measures. At the same time, all the derecognised unions should be recognised.

Lastly, in Assam where the Praja Socialist Party controls all the railway unions. At least, our Government will not dare to say that the Praja Socialist Party is saboteurs or believes in any totalitarian philosophy yet ten railwaymen have been brutally killed in the state. I want that the Government should pay compensation to the families of those persons who have been brutally killed by the Government.

They should see the writing on the wall. It is in their interest as also of their party that in these cases these should prove themselves to the people of our country that they are changing their attitude and are going to identify themselves with the interest of the common masses.

श्री बबु लिमये (भुंनेर) : अध्यक्ष महोदय, आज मेरे मित्र श्री नम्बियार ने इतना महत्वपूर्ण सवाल उठाया, लेकिन खेद की

बात है कि मजदूर मंत्री यहां पर मौजूद नहीं है। यह केवल गृह मंत्रालय और हम लोगों के बीच का मामला नहीं है, इस में श्रम नीति सम्बन्धी कुछ बुनियादी सिद्धान्त जुड़े हुए हैं।

मैं मंत्री महोदय से एक ही सवाल करना चाहता हूँ। आज तक एक और मजदूर संगठन, दूसरी ओर मालिक, जिस में सरकार भी है, और सरकारें, इन तीनों को मिला कर एक त्रिदलीय श्रम सम्मेलन बनाया गया इन्डियन लेबर कांफ्रेंस। इधर दस-बारह साल से यह नीति चल रही थी कि यदि मजदूरों के सम्बन्ध में कोई भी कानून आयेगा तो सब से पहले वह इन्डियन लेबर कांफ्रेंस के सामने आयेगा, उस में बहस होगी और उस के बाद निर्णय किया जायेगा। लेकिन पिछले वर्ष से मैं देख रहा हूँ कि इस बुनियादी नीति से सरकार हट रही है और एक प्रतिक्रियावादी श्रम नीति अपना रही है और चला रही है। अब तक उन्होंने तीन कानून पास किये हैं बिना त्रिदलीय सम्मेलन की राय लिये। एक तो बैंक में संशोधन करने वाला कानून, जिस के अन्दर बैंक कर्मचारियों के ट्रेड यूनियन अधिकारों पर रोक लगाई गई थी, दूसरा उन्होंने रेलवे आर्डिनेंस और रेलवे कानून बनाया, और तीसरे उन्होंने यह आवश्यक सेवा आर्डिनेंस और आवश्यक सेवा कानून बनाया, और अब चौथा कानून बनाने की धमकी यह दे रहे हैं।

मैं मंत्री महोदय से सिर्फ यह कहना चाहता हूँ कि चुनाव का जो नतीजा निकला, कौन दल हारा, कौन दल जीता, इस की चर्चा छोड़ दीजिये, लेकिन मोटे तौर पर हम कह सकते हैं कि जो मध्यावधि चुनाव हुए, उन में केन्द्रीय सरकार की नीतियों पर लोगों ने अपना मतदान किया है और उन नीतियों के खिलाफ, चाहे गवर्नरों के जरिये शिक्षण्डी सरकारों का निर्माण हो चाहे प्रतिक्रियावादी श्रम नीति हो, उस के

[श्री मधु लिमये]

खिलाफ लोगों ने राय व्यक्त की है। इस लिये मेरी प्रार्थना है कि आप बहुत गम्भीरता के साथ इन मसलों पर सोचें और यह जो तीन कानून सरकार ने पास किये हैं उन्हें वापस ले लें। वह चौथे कानून को पास करने की धमकी न दें। इसको त्रिदलीय सम्मेलन के सामने लाया जाये। वहां आपस में बात कर के जो नीति बने उस के पीछे आप चलें तो इस में आप का भला है, देश का भला है और मजदूरों का भी भला है।

अन्त में यह कहूंगा कि इन तीनों कानूनों के मातहत जो कार्रवाइयां आप ने चला रखी हैं उन्हें भी आप तत्काल वापस लें।

SHRI BAL RAJ MADHOK (South Delhi) : Mr. Speaker, Sir, I wholeheartedly support the Resolution that is before the House. I only want to ask one thing from the hon. Minister. There are a number of cases still pending. In Delhi itself, there are a couple of thousands or even more than that. I have found—some of them have come to me also—in many cases, no charge-sheets have been given to them. They are simply going to court and coming back. It is just adding to their harassment. The Government have themselves in their policy statement said, "We will take a lenient view and that, excepting those who are charged with violence, all others will be taken back." But most of the people who are still out of job, who are still being just prosecuted, do not know what crime they have committed except that they absented themselves on that day.

My appeal to you will be, please scrutinise every case and you will find out that out of 10,000 people, on the basis of criteria that you yourself have laid down, more than 9,000 will have to be set free and taken back. The delay that is being caused is defeating the very purpose of the policy that you laid down. It is said, justice delayed is justice denied. Therefore, my appeal to you is that you please ask all the Ministries to scrutinise every case

individually and you will find that most of the people will have to be taken back on the basis of the policy that you have yourself laid down.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : Mr. Speaker, Sir, right from the beginning the Government has been taking a very conciliatory attitude towards the employees' demands. I would remind the House that it was Government's first view that the need based minimum and merger of D.A. with pay was not arbitrable under the present scheme of the Joint Consultative Machinery. This was the view we had invited the representatives of the Government employees to come and discuss this matter further with a Cabinet Sub-Committee which included the Deputy Prime Minister, the Home Minister and the Labour Minister. The House might remember that even this offer was not accepted by the leaders of the employees and so no fruitful talk could take place. Here again, I do not wish to go into the merits and demerits of the 19th September strike because this matter has been very extensively discussed in the House.

The Hon. Member, Shri Tennati Viswantham, raised the question that the Ordinance that was issued was immoral because, when the strike notice was given, this Ordinance was not called for and so it was immoral. This is a common practice. Many times, the notices are given and after some efforts are made, if they do not succeed, the strikes are declared illegal. Even under the existing labour laws, either the workers withdraw the strike notice or the strike is gone through and the legal process takes place. Just because the Ordinance was not in existence when the strike notice was given, the Ordinance does not become immoral or anything like that.

I would also remind the Hon. Members that even after the Ordinance was issued, I would say, a good many, a majority of the unions who had given the strike notice withdrew the strike notice after the Ordinance was issued

and they rescinded their steps. He based his case that because the Ordinance was immoral, so every other action taken by the Government was immoral. I would like to say that Government's attitude towards the employees has always been of sympathy. We always wanted to discuss the matter and settle it. We tried our best to persuade the employees not to go on strike.

But when they did go, it was our duty to see that the public services were maintained and they were not disrupted. I have already said in this House that it did not matter whether it was one day's token strike or a total strike, because it was well known, everybody knew it, that the token strike was only a prelude to a total strike. This was well known and it was also published in one of the papers of the trade union. With that view, we tried to prevent the token strike from coming on because we knew that this token strike would not serve either the interests that they had in their heart or the interests of the employees which we have in our heart. After the strike was over and certain actions were taken in pursuance of the Ordinance, we started the process by which we tried remove such sections of government to employees who had gone into strike unwittingly or who were misled into it. Therefore, the notices of termination of services which were given to 44,666 employees were withdrawn except for a small number of 500 or so who were allowed to be involved in violent activities or intimidation or instigation. After that, a series of actions have been taken by Government to normalise the situation and these actions, which I shall relate a little later, go to show that there is no question of victimisation. We are not picking and choosing the government employees to be transferred or prosecuted or suspended. There is a law and according to that law, action has been taken. Anybody who came within that mischief of law had to be proceeded against. I would not say that each action that has been taken is justified. There may be instances where, because of some local jealousy or prejudice, wrong actions might have been taken by Heads of Departments here and there. But that is not the intention of the

Government, and if such instances come to our notice, we shall definitely do our best to remove the grievances. (*Interruptions*) The number of temporary employees whose services were dispensed with by giving them one month's salary in lieu of notice was 2,658, and the total number of employees who were arrested for offence under section 4 of the Ordinance and for other offences came to 9,996. Here also we have issued instructions that even in regard to such employees whose services were dispensed with by paying them one month's salary in lieu of notice, if this action was taken only for violating section 4 of the Ordinance, such employees should be reinstated, should be taken back into service. These are the instructions that we have issued to the Head of Departments and to various Ministries and Departments of Government. Even in regard to government employees who have been suspended, we have issued instructions that if such employees are involved only in offence relating to section 4 of the Ordinance, their suspension orders should be revoked; even if the proceedings go on in the court, they should be reinstated and allowed to work...

SHRI SAMAR GUHA : In the case of railway employees, a phrase has been coined as 'other aggravating factors'. What does this mean?

SHRI INDRAJIT GUPTA (Alipore): This is a circular which says that the Head of the Department must satisfy himself that there are no other aggravating factors. Where were those aggravating factors in the charges brought against them?

SHRI VIDYA CHARAN SHUKLA : Only in cases where there is violation of section 4 of the Ordinance, this action will be taken. The other things like intimidation or instigation or violence are the other aggravating factors. If such factors are also mixed up with the case, then, of course, our instructions would not apply.

SHRI SAMAR GUHA : What is meant by 'other aggravating factors'?

SHRI VIDYA CHARAN SHUKLA : I had explained it, he was not attentive.

[Shri Vidya Charan Shukla]

I have said that these are the three other aggravating factors. I said even if the cases are going on and not withdrawn and we find that the original action of suspension was taken because the employee took part in the strike and there was no other aggravating factor, his suspension would be revoked and he would be reinstated and allowed to start work in his office.

SHRI S. M. BANERJEE : How many ?

SHRI VIDYA CHARAN SHUKLA : We have issued instructions that the prosecution cases should be closely examined to see if cases had been launched only for participation in the strike and there is no case of violence or intimidation or instigation, and if such cases are there they should be withdrawn, if *prima facie* there is no evidence and the other aggravating factors I have just described.

SHRI SAMAR GUHA : Right to strike is instigation ?

SHRI VIDYA CHARAN SHUKLA : These are legal terms not vague but precisely defined in law. I do not have to define them here.

SHRI INDRAJIT GUPTA : How many people have been taken back under this directive ?

SHRI VIDYA CHARAN SHUKLA : First I will describe what we have done and then I will come to what has been the effect of it.

SHRI S. M. BANERJEE : They have said 'after strict verification'. This is by the Secretary of the Ministry of Home Affairs.

श्री मधु लिमये : अध्यक्ष महोदय, रूल 369 के अन्तर्गत मेरा एक पायंट आफ आर्डर है। माननीय सदस्य जिस सर्कुलर में से पढ़ रहे हैं, वह सभा-पटल पर रखा जाना चाहिये। माननीय सदस्य, श्री इन्द्रजीत गुप्त और श्री बनर्जी, ने इस परिपत्र में से कुछ वाक्य और शब्द कहे हैं। मैं आप से प्रार्थना करता हूँ कि वह परिपत्र सभा-पटल पर रखा जाये,

ताकि गृह मंत्री जी को भी उस के बारे में पता चले और हम लोगों को भी पता चले।

MR. SPEAKER : He has already read it and it has gone on record.

श्री मधु लिमये : पूरा सर्कुलर सदन के सामने आना चाहिए। यह आफिशल डाकुमेंट है। इस को सदन के टेबल पर रखने की इजाजत देनी चाहिए।

MR. SPEAKER : That can only be considered later on as regards laying it on the Table. But he has already read it.

SHRI INDRAJIT GUPTA : He is not dealing with the point I quoted here.

MR. SPEAKER : Let him be heard ; he says he will deal with it.

SHRI S. M. BANERJEE : These instructions were issued by Government in Jan. 1969...

SHRI VIDYA CHARAN SHUKLA : Apart from the measures taken to rehabilitate people who were misled and who were not really guilty of aggravating factors, we are further considering other measures. We want to give further concessions to government employees. When we feel that they are not at fault, we will give them further relief so that the difficulty that has come in the way is further reduced.

As for the question of the effect of these instructions, we would require some more time to collect full information from various outlying agencies of Government functioning all over the country in various departments and ministries.

श्री अटल बिहारी वाजपेयी : अभी गोल डाकखाने का मामला तय नहीं हुआ है।

SHRI VIDYA CHARAN SHUKLA : I would not mind coming with this information before the House as soon I have it, but unless I have reliable information, I cannot give it to Parliament. I would not give vague and incomplete information.

So, I would say that instructions have been issued, they are being implemented. We are also following up to see that they are properly implemented, as soon as we get the information, I would not

mind coming to the House again and giving the information.

SHRI INDRAJIT GUPTA : That means veto power has been given to the officers.

SHRI VIDYA CHARAN SHUKLA : Shri Banerjee handed over to me certain cases which, according to him, should also come under the category of employees who should benefit by these instructions. We shall definitely have this matter examined, and I would invite Hon. Members from both sides of the House to give such instances if they have any.

SHRI S. M. BANERJEE : Let the Speaker appoint a committee of the House. We will prove that the orders have not been implemented. We are prepared to establish it.

SHRI VIDYA CHARAN SHUKLA : There should be not complaint of lack of action as far as this particular matter is concerned.

SHRI S. M. BANERJEE : It appears Mr. L. P. Singh is the Home Minister, and not Mr. Chavan.

SHRI VIDYA CHARAN SHUKLA : Mr. Banerjee has his own peculiar way of expressing. I am not going to be upset by what he says.

I have stated the basic stand of the Government, which is one of sympathy and of treating the employees with complete equity and justice. There is no question of victimisation. We do not want to let political parties to take advantage of this dispute between the Government and its employees. We wish to take the whole matter on its merits. Mr. Viswanathan and Mr. Guha were kind enough to advise us that it is in our own interest that we do this and do that. I am again emphasize here that we are not judging these issues from the view point of our interest. Our only view point is the employees' interests. We keep the employees' interests in view. When we consider our interest and their interests, it is very clear what is the view point by which they want us to judge the issues. Our view point is not the interests of the Congress Party or the

interests of the opposition parties. The only view point that we have in our mind is the interests of the employees, and in dealing with this matter we are going to keep that constantly in mind.

MR. SPEAKER : The point raised by many of them was that what you have done is very good, but they are not implementing.

SHRI VIDYA CHARAN SHUKLA : I have said that they are being implemented.

MR. SPEAKER : Take some steps to implement what you want to do.

SHRI VIDYA CHARAN SHUKLA : I have already said that the instructions are being implemented, but the proof of implementation is when we say that so many cases have been withdrawn, so many people have been reinstated. These figures are being collected, and as soon as they have been collected, I will give it to them.

Mr. Madhu Limaye mentioned about the Indian Labour Conference. This matter has never been treated as a labour matter. This has been an employees' matters right from the beginning, and it has been dealt with by the Home Ministry.

SHRI N. K. SOMANI : Why don't you stay their transfer for the time being, because the education of their children is in mid-term? At least this gesture you can make.

SHRI VIDYA CHARAN SHUKLA : If the hon. member gives any specific instance, I have already said I will look into them. Merely saying transfers should be stayed, we do not know which transfer.

SHRI SAMAR GUHA : I immediately gave the case of 169 employees in Dohman in Jalpaiguri.

SHRI TENNETI VISHWA NATHAM : In the earlier part of the speech he said that there are 400 or 500 cases which come under the category of instigation, intimidation, incitement etc. Therefore, it is clear that the list should be confined only to 500 cases or so. Will he say that the list has been reduced from 10,000 to 500 at least within a week, because

[Shri Tenneti Vishwanatham]

according to his own number, the others should be reinstated ?

SHRI VIDYA CHARAN SHUKLA : I said that out of 44,666 employees who were given notice of termination, there were 500 cases who were suspended, who were proceeded against, whose services were dispensed with. Their category is different. We expect that out of these eight or nine thousand employees who have been affected by this, at least half would be benefited by our instructions.

श्री सुरज भान (अम्बाला) : आपने कहा कि हम मुलाजमीन के साथ सिम्पथी का एटीचूड रखना चाहते हैं अम्बाला में पी० एण्ड टी० और रेलवे के एम्पलाइज को कोर्ट ने बरी कर दिया है, लेकिन आप रिवीजन पेटिशन के लिये जा रहे हैं।

श्री विद्याचरण शुक्ल : आप बाहर बताइयगा, मैं देखूंगा।

SHRI RANDHIR SINGH : There is much substance in what Prof. Madhok has said. Criteria had been laid down ; the question of implementation is there. I shall give you a specific example from my own constituency where there are about 150 cases. I have read the FIR ; that does not disclose any violence or intimidation or instigation. I am a lawyer and I have seen it myself. I wrote to the Home Minister and the Communications Minister and I am again writing to my friend Prof. Sher Singh but nothing has come out so far ; for the last two months I have been writing. Those persons are suspended and they should be re-instated. It is the nation that is ultimately the loser. There are cases like this in other parts also. A certain date should be fixed ; say, within one month or even two months cases against such persons should be decided and they should be brought back to work. He should make a categorical statement.

DR. MAITREYEE BASU : The Home Minister does not know that both the employees and labour come under the definition of workmen ; they are dealt with in the Indian Labour Conference. He says : We have not treated

employees as labour. How can such ignorance be tolerated in a Minister ?

SHRI NAMBIAR : I heard carefully the speech of the Hon. Minister. He says that the result of the past sympathy will flow out in the orders and that it may take some time. That is not the promise which I sought through my motion. I wanted that there should be withdrawal of all cases of victimisation and that there should be no prosecution or prosecution and normalcy should be brought about so that we shall go ahead with a clean slate with the proposed legislation. That is what I wanted. He says that instructions issued in January may result in taking back about half the number of employees... (*Interruptions.*) That is according to his estimate. Granting that, what about the remaining half ? I am not satisfied with that promise, even granting that full credit could be given to that and the bureaucracy does not stand in the way of implementing in full what he has in mind. A sizeable number still remains—4,000 to 5,000 men. So, he must think *de novo* so that normalcy could be restored. That is my request ; he should have heeded that. In the history of Parliament in the recent past, such unanimity of opinion was not there on any other issue ; almost the entire House is united, including Shri Randhir Singh and Shri Shoo Narayan. With what I could understand of him, I thought that it was not Shri Shoo Narayan but somebody from the Opposition benches who was speaking. So, also Shri Panigrahi. The Cabinet and the hon. Minister must understand the feeling of this House on this issue and they must do something positive and not come forward with hair-splitting arguments that the benefit may or may not accrue and that the Judge may or may not think so. He said the ILO Convention is not applicable in this case and it is a matter of Government's political policy. Article 863 of the ILO Convention says that Government employees have the right to strike and Government cannot curtail it. It also says that in certain matters, even if the employees belong to the Services, Police, etc., even then they have the right. Either he should follow that article or

he should persuade the Union Cabinet to withdraw from the ILO. To victimise 5000 employees of Government, he can take pains to get the Government of India out of the ILO and show to the world that a progressive pro-employee Government is functioning here, leading towards socialism ! It will be a treatise on socialism and justice to the under-dogs !

The Hon. Minister says, it is not a labour matter. It is a labour matter and the ILO convention refers to it. His Ministry should get the help of the Labour Ministry. Unfortunately, the Labour Minister is not here to advise him. I have got great respect for Mr. Shukla, who is a Bachelor of Law. He is a young man who is supposed to come up in parliamentary life. I am surprised he should be so ignorant of the law of the land and of the ILO convention. I hope he will correct himself, so that he may qualify for promotion. Let the Government consider the feelings of the House and act, though no promise has been given now.

MR. SPEAKER : Shall I put the resolution to vote ?

SHRI NAMBIAR : Yes, Sir. I cannot withdraw it because no promise is forthcoming.

MR. SPEAKER : He has given you tons of sympathy.

SHRI NAMBIAR : That is about the past. I want something for the future.

MR. SPEAKER : The question is :
"In view of the serious situation created by the policy of victimisation that is being pursued by the Central Government following the one-day token strike by the Central Government employees on 19th September, 1968, resulting in the removal from service, launching prosecution against, issue of suspension orders on and issue of orders effecting break in service of a very large number of Central Government employees, this House is of opinion that a serious threat has arisen to the smooth and efficient functioning of the Central services spread all over

India in the prevailing atmosphere of tension and bitterness among the employees and recommends that all the above acts of victimisation be withdrawn forthwith and normalcy be restored."

The motion was negatived.

17.53 hrs.

RESOLUTION RE : AMORTISATION
OF DEBTS OF STATES

SHRI P. P. ESTHOSE (Muvattupuzha) : Sir, I beg to move :

"In view of the serious financial crisis facing all the States and the fact that enormous debt charges of the States eat into their capacity to launch development schemes, this House calls upon the Government to immediately work out a scheme of amortisation of debts in consultation with the States and to implement it."

The other day the Prime Minister said in the Rajya Sabha that she did not subscribe to the view that Centre-States relations had deteriorated recently. She advised the State Governments to realise that the whole country must hang together and no State Government could go entirely its own way. I would only say that it is a clear attempt to side-track the real issue and claim that everything is going on well. This complacency on the part of the Prime Minister is only taking our country towards ruin and disaster.

If you look at the Central Government's attitude towards the State Governments in the matter of financial relations you will clearly see that provincial autonomy in the country is a sheer hoax. It is only autonomy in words and autocracy of the Centre in practice. The attitude of the Central Government towards the States can only be compared with the attitude of the World Bank tycoons towards undeveloped countries. As pointed out by the Government of Kerala in the memorandum submitted to the Fifth Finance Commission, the increasing dependence of the States on the Centre is diluting on the one hand the accountability of State Cabinets to their