

MR. SPEAKER : My difficulty is about adjusting the amendment of Shri Mohan Dharia with the main motion.

17.50 hrs.

[Mr. Deputy-Speaker in the Chair]

SHRI JYOTIRMOY BOSU : Sir, under rule 340 I move that the debate on this be adjourned so that we can take up more important items.

STATUTORY RESOLUTION  
RE: SERVICE IN FOOD  
CORPORATION OF INDIA

MR. SPEAKER : We shall now take up Item No. 23.

Shri Annasaheb Shinde.

MR. SPEAKER : I am inclined to agree with the suggestion of Shri Jyotirmoy Basu. Let us adjourn the consideration of this motion to the next session. In the mean time, we will examine it. We will now leave it as it is and take up the next item. I hope all of you agree to this.

SHRI S. M. BANERJEE (Kanpur) : Sir, I rise to oppose it. I have already written to you.

SHRI RAJ BAHADUR : We do not agree to this. We have discussed it and we have spent so much time on it. Let us dispose it of.

SHRI JYOTIRMOY BOSU (Diamond Harbour) : So do I. I oppose the move to curtail the trade union right of the workers which is their birth right

MR. DEPUTY-SPEAKER : Let the Minister first move the Resolution.

MR. SPEAKER : If you are not agreeable to its postponement to the next session and if you want sometime to consider how to adjust the amendment with the main motion, we will postpone this discussion for the time being and take up the next item. We will again take up this item later today. Do you agree to this ?

THE MINISTER OF STATE IN THE  
MINISTRY OF FOOD AND AGRICULTURE  
(SHRI ANNASAHEB P. SHINDE) :  
Sir, I beg to move

SHRI RAJ BAHADUR : Yes, Sir

MR. SPEAKER : So, we keep it pending till it is finally redrafted in such a way that it fits in with the wording of the main motion.

"In pursuance of sub-section (2) of section 2 of the Essential Services Maintenance Act, 1968 (No. 59 of 1968), this House approves of the Notification of the Government of India in the Department of Food G.S.R. No. 152 published in the Gazette of India Extraordinary dated the 29th January, 1971 and laid on the Table of Lok Sabha on the 23rd March, 1971 declaring the service in the Food Corporation of India to be an essential service for the purposes of the said Act."

SHRI RAJ BAHADUR : We will be ready with our proposals in about ten minutes.

MR. SPEAKER : In the mean while, we will take up Item No. 22.

As is well known to the hon. Members and to this honourable House, the Food Corporation of India has assumed a very important place in the life of the community of the country. The Food Corporation of India after it was set up in 1964 is now acting as an agency for import of foodgrains, for storage of foodgrains, for distribution of foodgrains and for procurement of foodgrains. It is doing a very important work both from the point of view of protecting the interests of producers as well as protecting the interests of consumers.

SHRI K. N. TIWARY : Sir, on a point of order. How can you postpone a business before the House and then take it up again later ?

MR. SPEAKER : This discussion is postponed for the time being. We will take it up later on when members are ready with their proposals.

Now, in a number of things, we find that sometimes there is a danger of break-

down of supplies which are so essential to the life of community. Therefore, it has been represented to us by the Food Corporation of India as well as some States in the country that in order to ensure supply of foodgrains which is so essential to the community, the service in the Food Corporation of India should be declared as an essential service under section 2 of the Essential Services Maintenance Act, 1968. I laid a Notification on the Table of the House some days earlier. As per the rules, if a Notification is laid on the Table of the House, within 40 days a resolution approving the issue of the Notification is to be passed by the Parliament. Therefore, I have come to this House in order that this resolution may be approved by the House.

It is a simple proposition. I know some Members seem to be agitated over it. But no politics should be brought into it. Food is such an important supply to the life of the community that if it gets disturbed, that affects the economy of the country and the life of the community. Like water, electricity and health services, this is also an important service. Therefore, I would request the House to support the resolution unanimously.

**MR. DEPUTY-SPEAKER :** The Statutory Resolution is before the House.

**SHRI S. M. BANERJEE :** Mr. Deputy-Speaker, Sir, if you will read the wording of the Resolution, it says :

"...and laid on the Table of the Lok Sabha on the 23rd March, 1971 declaring the service in the Food Corporation of India to be an essential service for the purposes of the said Act."

Had the intention been to see that the flow of foodgrains to the Corporation is not interrupted, I would have appreciated it. Had it been used against anti-social elements for hoarding and depriving the Food Corporation of the foodgrains, I would have appreciated it. But I know this has been done after the strike by the employees of the Food Corporation of India who were given certain promises that after their services were transferred to the Food Corporation of India they will be given certain benefits.

There was a strike in Madras and there

was a strike also in Bombay and Calcutta. I am sorry to say that in order to punish or to take away the right of strike of the Food Corporation of India employees, this is being done.

Sir, I oppose this mainly because in 1968 when the Essential Services Maintenance Act was enacted I opposed it on the basis that by declaring strike illegal or banning strikes, no strike can be checked. There were certain solemn promises made to the employees of the Food Corporation of India and I would ask the hon. Minister whether this resolution is in the interests of the employees or is it against their interests. My submission is that it is going against their interests. I agree that the flow of foodgrains to the Corporation is essential in the larger interests of the country but this is not that. The main question is that the employees are being deprived of their legitimate trade-union rights for which I oppose and I would request every other hon. Member of this House and other groups to oppose it.

**SHRI D. N. BHATTACHARYYA (Serampore) :** Sir, I also emphatically oppose this notification and if the Minister is so very eager to see that there is no disruption in the flow and storage of foodgrains and other commodities he has just now enunciated, I will ask him to take special measures. So far as labour-management relations are concerned, the relations prevailing in the Food Corporation have thoroughly changed. Sometime back, in February and January there were country-wide strikes for the simple reason that the contract labour is still employed there in huge Members and there was a promise and assurance given in this House also that the contract labour will be totally abolished. But the Government in its own undertaking is now engaging labourers on contract basis. That means they want to deprive the legitimate rights of the workers which they would enjoy if they are engaged directly by the management. From the notification, it appears that it is not the storage of the foodgrains, it is not to see that the Food Corporation works without any disturbance. It is only to curtail the trade union rights of the employees that this notification has been issued. So, if justice is to be done to the workers and employees in the Food Corporation, steps should be taken to im-

[Shri D. N. Bhattacharyya]

prove their conditions, both their wages and other service conditions and that would serve the purpose of bringing the matter into a workable situation.

So, while opposing it, I will request other hon. Members also to oppose this notification so that there may not be any imposition of this illegal law on the employees of the Food Corporation of India.

**श्री के० एन० तिवारी (बेतिया) :**  
उपाध्यक्ष महोदय, मैं इस प्रस्ताव का स्वागत करता हूँ। जिन्दगी के लिए अन्न की बहुत जरूरत है और हर एक व्यक्ति का जीवन इस पर निर्भर करता है ऐसी हानात से अगर फूड कारपोरेशन में सेवा को एंजल सर्विस करार न दिया गया और इस सत्ता में स्ट्राइक के कारण बाहर से अनाज के आने और देश में उसका इकट्ठा करने के काम का संचालन ठीक तरह से न हुआ, तो अनाज की कमी हो जायेगी और आम जनता को काफी कष्ट होगा।

जहाँ तक इस कारपोरेशन में काम करने वाले कर्मचारियों का सम्बन्ध है, मैं मन्त्री महोदय से निवेदन करूँगा कि वह उनकी मुख-सुविधाओं और ऐमिनिटीज का भी पूरा ध्यान रखें।

मैं इस स्थल से इस प्रस्ताव का हृदय से स्वागत करता हूँ कि अन्न की महंगाई न बढ़े और आम जनता को तकलीफ न हो।

18.00 hrs.

**SHRI CHINTAMANI PANIGRAHI (Bhubaneswar) :** I am sorry to strike a different note. I cannot agree with this motion that the Minister has brought forward. If he has brought forward a motion to see that the Food Corporation of India manages its affairs well I would have been very happy about it.

But, from my little knowledge and experience—I have known top brass officials of the FCI,—I know this that their real object is to misguide the Government, to deny the legal trade union rights of thousands and thousands of workers who are

employed today in the FCI so that they are debarred of their trade union rights.

I know there are thousands of workers who are working in the contract system in the FCI. This system should have been disbanded and they should have been made permanent. But this has not been done. There are some top officials in the FCI and its branches in various parts of the country who are misappropriating and there are serious charges, but those are not being looked into. In order to hoodwink the Government and the people, they have persuaded the Ministry to come forward with this kind of Notification followed by this kind of a motion.

I only humbly request that this should not be decided by the Ministry officials, or top officials of the FCI. It is better to ask the Union, the trade union workers, so that they can come to some consultations, so that if there is any difficulty about wage conditions, etc those can be looked into and resolved. I know the hon Minister is very kind and he will look into it. After doing this, if it is necessary that such an order should be passed, I would be very happy to support. But what I would suggest is that before that he should have consultations with the workers, with those who are engaged in the FCI, so that they will feel that the Minister is not misguided by the top officials of the FCI who are harassing the workers and the employees.

**श्री हुकम चंद कर्षबाय (मुरेना) :**  
उपाध्यक्ष महोदय, यह जो प्रस्ताव मन्त्री महोदय ने रखा है मैं उसका विरोध करने के लिए खड़ा हुआ हूँ। जितने मेम्बर अब तक बोले हैं अधिकांश का विरोध किया है। यह जो प्रस्ताव लाया गया है खाद्य निगम के कर्मचारियों के अधिकारों पर कुठाराघात करने के लिए लाया गया है, उनके अधिकार छीनने के लिए लाया गया है। उनकी जो बाजिब माँगें हैं उनको दबाया जाय, कुचला जाय, इसके लिए इसका उपयोग किया जायेगा। मैं इस से सहमत नहीं हूँ। मैं एक बात कहना चाहता हूँ कि यदि अनाज लोगों को सस्ता मिले और उचित समय पर पहुंच सके, अगर यही इसके पीछे भावना है तो मैं इसका स्वागत करूँगा। लेकिन मन्त्री

महोदय की नीयत में हमें ऐसा नहीं लगता है। इसके पीछे और बहुत सी बातें छिपी हुई हैं। आज इस खाद्य निगम के अन्दर बहुत सारे लोग अस्थायी काम कर रहे हैं। उन्हें स्थायी करने के लिए सरकार ने कोई कदम नहीं उठाया। यह भी प्रस्ताव लाया गया है, मैं चाहता हूँ कि वह प्रस्ताव पास न हो और इस का मैं जोरों से विरोध करता हूँ।

**SHRI ANNASAHEB P. SHINDE :** I don't think the apprehensions of the Members are justified in any way because the Food Corporation of India is after all a public sector organisation. There is no question of somebody being a private body exploiting the workers or doing something against the workers and that all. This is a public sector organisation.

As I said earlier the food supply is such an essential item to the life of the community that we have to take all these steps. As far as Food Corporation of India is concerned, they have been trying to be in full sympathy to the cause of the workers and in fact at one stage when the question of amalgamation of the employees in the Food Corporation and the Food Department, and their regularisations etc. came up they were all very sympathetically considered and by and large with the consent of the workers these were regularised.

Now, if there are specific grievances, we can negotiate, we can discuss with Labour Ministry to find out ways and means whereby genuine grievances can be resolved. I don't agree with the contention that this measure is not justified. The whole community which is not at all concerned with any particular dispute as such, is penalised as a result of this kind of stoppage of supply of foodgrains.

I do not think that we should make political capital out of this simple issue. Shri S. M. Banerjee said that we should see that the genuine grievances of the worker should be settled appropriately.

I can assure him that if we are to evolve some impartial machinery to go into the problems of the workers, we can do that; I have no objections to that. In fact, I would be prepared to support any such move for an impartial machinery to look into the problems of the workers or the employees

of the Food Corporation of India. But as far as this resolution is concerned, in various parts of the country, different situations are prevalent, and at times, they are controlled by various factors.

**श्री हुकम चन्द कच्छवाय :** इस अधिनियम के माध्यम से वे हड़ताल कर सकते हैं या नहीं ?

**SHRI ANNASAHEB P. SHINDE :** Sometimes, some ulterior motives also exist, and the supply of foodgrains is stopped or a situation is created whereby the supply of foodgrains to the whole community is adversely affected. I would, therefore, request all hon. Members to consider this proposition very coolly and see that they unanimously support this resolution which has been moved after a lot of consideration has been given to it.

**MR. DEPUTY-SPEAKER :** The question is :

"In pursuance of sub-section (2) of section 2 of the Essential Services Maintenance Act, 1968 (No. 59 of 1968), this House approves of the Notification of the Government of India in the Department of Food G.S.R. No. 152 published in the Gazette of India Extraordinary dated the 29th January, 1971 and laid on the Table of the Lok Sabha on the 23rd March, 1971, declaring the service in the Food Corporation of India to be an essential service for the purposes of the said Act."

*The motion was adopted.*

18.07 hrs.

#### CODE OF CRIMINAL PROCEDURE BILL

**THE MINISTER OF STATE IN THE  
 MINISTRY OF HOME AFFAIRS AND  
 IN THE DEPARTMENT OF PERSONNEL  
 (SHRI RAM NIWAS MIRDHA) :** I beg to move :

"That this House do concur in the recommendation of Rajya Sabha that the House do join in the Joint Committee of the House on the Bill to con-