

15.30 hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

ELEVENTH REPORT

SHRI J. M. GOWDER (Nilgiris) : I move :

"That this House do agree with the Eleventh Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 5th April, 1972."

MR. DEPUTY-SPEAKER : The question is :

"That this House do agree with the Eleventh Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 5th April, 1972."

The motion was adopted

15.31 hrs.

RESOLUTION RE : INDUSTRIAL RELATIONS AND LABOUR POLICY—Contd.

MR. DEPUTY-SPEAKER : We now take up further consideration of the following resolution moved by Shri Indrajit Gupta on the 24th March, 1972 :

"This House is of opinion that in the interests of overcoming industrial stagnation, developing self-reliance and expanding social justice for the working class, the Government of India should immediately adopt a new industrial relations and labour policy insuring rights of trade union recognition, collective bargaining without third-party interference, removal of curbs on the right to strike and effective workers' control over production at different levels."

Shri M. C. Daga was on his feet. He has already taken 10 minutes. He should try to conclude now.

SHRI M. C. DAGA (Pali) : I may be ten at least 10 minutes more.

MR. DEPUTY-SPEAKER : We have two hours and a half for this. If you take more time, then what is left for others? You have taken 10 minutes. Try to conclude now. This resolution was discussed a fortnight ago, and for all I know, you will be repeating all the arguments that were made on the last occasion.

श्री मूलचन्द डागा (पाली) : No, Sir. I will not repeat even a single argument.

उपाध्यक्ष महोदय, खाडिलकर साहब ने कल जो राज्य सभा में घोषणा की है उसके लिए धन्यवाद देना चाहता हूँ कि वे इस सम्बन्ध में एक काम्प्रि-हेंसिव बिल : हाँ पर लाना चाहते हैं। लेकिन उसमें जो आप वर्कमेन और इंडस्ट्री की डेफिनीशन में परिवर्तन करना चाहते हैं उसमें मजदूरों की जो भावना है उसको भी ध्यान में रखियेगा। मेरा कहना यह है कि आज हम मजदूरों की दशा में सुधार करने की बात करते हैं लेकिन उसकी बाबत इंटक और एटक ने एक राय दी, एक फामूला दिया उसपर सरकार ने अभी तक कोई विचार नहीं किया है और सरकार को जो कदम उठाने चाहिए वह कदम नहीं उठाती है। इसका एकमात्र कारण, जैसा कि मैं समझता हूँ, यही है कि हमारा जो ट्रेड यूनियन मूवमेंट है वह कुछ ऐसे लोगों का है जो अशिक्षित हैं, जो अधकचरे राजनितिज्ञ हैं वे अपने राजनीतिक उद्देश्यों को पूरा करने के लिए उन यूनियनों पर हावी हैं। उसके कारण जो हमारे एम्स ऐंड आब्जेक्ट्स हैं वह पूरे नहीं हो पाते हैं। दूसरे जो सरकारी मशीनरी हैं वह कानूनों की आड़ में मजदूरों को एक्स्प्लायट करती है, मजदूरों का शोषण करती है। आज पूँजीवादी, सरकार की कुलमूल नीति के कारण, मजदूरों का शोषण करते हैं। मैं यह भी मानता हूँ कि ट्रेड यूनियन के लीडर्स अशिक्षित हैं, असंयमी हैं, अधकचरे हैं और वे मजदूरों के माध्यम से अपने राजनीतिक उद्देश्यों की पूर्ति करना चाहते हैं। इसलिए मैं समझता हूँ जबतक मजदूरों को पालिटिक्स से दूर नहीं कर दिया जायेगा और स्वस्थ ट्रेड यूनियन्स नहीं बन जायेगी तब तक मजदूरों का कल्याण होने

वाला नहीं है। पूंजीवादी कभी नहीं चाहते कि मजदूर उनके हकों को छीनें। पूंजीवादी एक मनुष्य और मशीन में कोई अन्तर नहीं समझते। इसलिए :

“Where it is essential that trade unionists should have a worked-out programme for economic and political action which is manifestly designed to replace to capitalist control of economic enterprises by a system of control by public servants, responsibly to the community and rewarded for their services by the community.”

मैं एक बात कहना चाहता हूँ कि मजदूरों की जो समस्या है, उनमें जो काम करने वाले हैं उनके हक में कोई भी बोलने वाला नहीं है। जो हमारी नीकरशाही है वह पूंजीवाद के हक में ही बोलती है। नीकरशाही पूंजीवाद की ही बरालत करती है, वह कभी भी मजदूरों की बरालत नहीं करती है। इसलिए मैं चाहता हूँ कि इस देश में एक स्वस्थ वातावरण बनाया जाये। इसीलिए इन्टक ने, 28 मार्च को जो रजोल्यूशन पास किया है उसमें भी उन्हीने कहा है :

“The Executive Committee urged the Government to go ahead with a new industrial relations legislation based on the limited accord among the three Central trade union organisations on the question of union recognition

उनकी एग्जिक्यूटिव ने निर्णय ले लिया कि जोर जुल्म की टक्कर में हड़ताल हमारा नारा है। यह बन्द होने वाला नहीं है क्योंकि उसके पास केवल यही एक शस्त्र है। जब आपका कानून उसकी मदद नहीं करता, जब आपकी सरकारी मशीनरी उसकी मदद नहीं करती तो उसके पास केवल हड़ताल का अस्त्र ही बाकी रह जाता है। इन्टक ने आने रजोल्यूशन में कहा है :

“The emphasis should be on the positive side of providing labour with a new and effective means of settlement of disputes rather than the negative emphasis on a moratorium on strikes.”

आपकी सरकारी मशीनरी ऐसे कानूनों को पारित करानी रही जिनसे मजदूरों का शोषण हो रहा है। आज भी आप देखें कि मजदूरों का मंहगाई भत्ता नहीं बढ़ता चाहे चीजों के दाम कितने ही क्यों न बढ़ जायें। आज सरकारी कर्मचारियों की तनखाहें बढ़ जायेंगी लेकिन मजदूरों के मंहगाई भत्ते की तरफ कोई ध्यान और नहीं दिया जाता। कारखानों के प्रबन्धक, सेठ मालिक कभी भी मजदूर की तनखाह बढ़ाना नहीं चाहते। इसलिए मैं कहता हूँ कि यह जो बात बही गयी है वह मुझे ठीक लगती है :

“If the unions are to meet the new challenges of the times, they must secure freedom from political control—a freedom which could only be secured by distinguishing industrial interests from political interests.”

तो मेरा कहना यह है कि जब तक राजनीतिक उद्देश्यों को लेकर ट्रेड यूनियन का काम चलेगा तब तक मजदूर कभी भी सुख नहीं पा सकता है। आपकी जो नीकरशाही है वह कानूनों के द्वारा उनका शोषण करती है। इसलिए यह जरूरी है कि इन कानूनों को बदल दिया जाये। यदि आप नहीं बदलते हैं तो मेरी यह चेतावनी है कि मजदूर स्वयं उसी बदलने के लिए तैयार हो जायेंगे, आगे आने वाले समय में।

MR DEPUTY SPEAKER : We had one hour and 25 minutes left for this debate. So, we must conclude everything by 5 O' clock, including the reply of the Minister and the reply of the Mover of the Resolution.

SHRI DINEN BHATTACHARYA (Serampore) : I have read the Resolution, and the main attention of the Mover, so far as I can understand it, is a new

[Shri Dinen Bhattacharya]

industrial relations or labour policy should be introduced at the earliest. He has also incorporated in the Resolution certain ideas. He has said in his speech that so long as this capitalist economy continues, no basic and or material change in the conditions of the life of the workers can be brought about within its framework. So, our country is passing through a capitalist economy, and I do not think that there is any real scope for bringing in legislation by which a thorough change in industrial relations can be affected. If we study the history of industrial relations, the history of the working class struggle in our country, everybody will admit it, even our hon. Minister will admit, that for very minor concessions, for very minor changes in the conditions of service, the workers had to wage a long, united struggle.

Before our independence and even after that, for every little benefit, the workers had to go through a long and arduous struggle. Even now, what is the state of affairs? The President has appealed for a moratorium on strikes. The Prime Minister is echoing the same sentiment and I know the Labour Minister also is dittoing the same.

Why does a strike take place? Where there is organised trade union movement, strike is the last weapon in the armoury of the workers. Who wants to go on strike and undergo all the sufferings? So, it is not the intention of workers to go on strike. But the employers, whether in the form of Government or private employers, force the workers to go on strike. A year ago—I do not know wherefrom he got it—the Labour Minister talked of a “strike-free” situation. Then, there will be no dispute between the employer and employee. He has now abandoned that idea and taken up the plea to see that there is no strike. Everybody wants the development of the country, but development for whom?

The resolution speaks of “developing self-reliance”. But if we go to the actual state of affairs, instead of self-reliance, what a foreign capitalist gets by loot and exploitation has been approved by this

government also. Then, the resolution speaks of “expanding social justice”. But there is no national minimum wage. When Shri Nanda was Labour Minister in 1956, all the trade union organisations pleaded for a national minimum wage throughout the country, but up till now, there is no national minimum wage either at the State level or national level. Even after the passing of the Minimum Wages Act it is, not properly implemented. There is nobody to see how far these Acts are implemented or not.

So, the issue of strike is an issue which is before the whole country and government would rather worsen the situation by bringing forward such a legislation which they are contemplating.

Coming to recognition of trade unions, I stand for recognition of one union in one industry. It should be done by secret ballot. I know that INFUC and some elements of AITUC do not favour this idea. I belong to CITU. Though we do not claim to be a very big organization, we still insist that at the national and plant level the representative character of the union should be decided by secret ballot. If that is done most of the disputes would be minimised. Similarly, when there is any agreement between employers and employees in a public sector or private sector undertaking it should be ratified by the employees by secret ballot. Then only the real intention or purpose of the agreement would be served.

The Mover of the Resolution wants some legislation to be enacted. It is one thing to enact a legislation and it is another thing to implement it so that the workers are really benefited. We are now talking of democracy in trade unions and right to be given to workers to determine their future. But what is the real position, especially in West Bengal, where the CPI and the Congress have combined to form a government? Unions after unions are being forcibly occupied by gangsters. They take the tricolour flag and raise slogans in support of Shrimati Indira Gandhi and the Congress. The Sen Raleigh factory was closed for one year during President's rule and it is now opened. The workers and the management have come to a settlement

under which the workers want to resume duty. But when they go to the factory to join duty they are prevented by some goonda elements. So, I would appeal to the Mover of the Resolution, who is the leader of his party and the Labour Minister to see that at least the minimum democratic rights should be given to the workers and they should be allowed to go back to work.

Then, if you give an opportunity to the workers to choose their own representatives I have no quarrel with that. If the workers are going to decide it by majority, let them decide it.

Today I have got a telegram from the Secretary of the State Bus Employees Union in Calcutta, Shri Manoranjan Roy who is a member of the Rajya Sabha that in depot after depot the goondas are going and resisting the workers from resuming duties. These anti-socials are also taking possession of trade unions offices. If this situation continues, how can the Labour Minister and the Government expect a peaceful situation to prevail in the industrial field. So, it is my plea that they should see to it so that forcible occupation of trade unions by the goondas is stopped. Of course the goondas will be nowhere unless they have the backing of the police and the CRP.

The main instrument which is terrorising the workers is the police and the C R P. So, I appeal, through you Sir, to the Government to see that they look into these matters so that a situation can really be created in which all the trade unions may give their considerable decisions on the issue of how to minimise disputes and how to settle disputes at the earliest so that production goes on in an unfettered manner.

श्री राम नारायण शर्मा (धनबाद)
उपाध्यक्ष महोदय इस प्रस्ताव को रखते हुए श्री इन्द्रजीत गुप्त ने जो भावनाएँ व्यक्त की हैं, मैं उनमें सहमत हूँ। लेकिन हमारे श्रम मन्त्री जी ने इस चीज का बिम्बुल स्पष्ट कर दिया है कि राष्ट्रपति या प्रधानमन्त्री ने मोरेटोरियम की चर्चा की है, वे उनके अपा खयाल हैं और सरकार हड़ताल के ऊपर कोई बन्धन

डालने की नहीं सोच रही है। इसको देखते हुए मैं समझता हूँ कि इस प्रस्ताव की सारी बुनियाद है वह हिल जाती है। फिर भी इस प्रस्ताव को दर्शाने यहाँ रख कर मजदूर वर्ग की बहुत बड़ी सेवा की है। मजदूरों के अन्दर खाम कर चिन्ता पैदा हो गई थी आखिर यह बन्धन उनके ऊपर क्यों लगाया जा रहा है और सरकार इस तरह की कोई कार्रवाई क्यों नहीं करती जिससे हड़ताल की जरूरत ही न पड़े।

15 52 hrs.

[SHRI K. N. TIWARY in the Chair]

सरकार को चाहिए कि वह अपनी सारी मशीनरी को मुचारू रूप से चालू रखे और जब कोई शिकायत सामने आए उसको दूर करवा दिया करे। अगर ऐसा हो जाए तो हड़ताल की नीयत ही नहीं आएगी। मजदूर हड़ताल कोई जलमा मनाने के लिए नहीं करता, आनन्द में हिस्सा लेने के लिए नहीं करता। यह उसके पास अन्तिम हथियार है। समझ बूझ कर वह इसका सहारा लेता है। जब उसके पास सारे जो तरीके उपलब्ध हैं, वे काम नहीं देते हैं तब उसको हड़ताल के अन्तिम अस्त्र को उठाना पड़ता है। जब वह हड़ताल के अन्तिम अस्त्र को उठाना है तो उस समय यह इस बात के लिए तैयार होकर उठाना है कि उसका किसी भी तरह की कुरबानी करनी पड़ सकती है और बहुत अशा में उसको कुरबानी करनी भी पड़ती है। ऐसी हालत में वह इस आखिरी अस्त्र को क्यों उठाए? लेकिन मजदूर होकर उसको इस अस्त्र का सहारा लेना पड़ता है। सरकार चाट्टी है कि मालिक और मजदूर के झगड़े का निपटारा यह किया करे और उसमें दखल दे कर सही सरी रास्ता निकाले। लेकिन आमतौर पर यह हो नहीं पाता और उसका फल यह होता है कि हड़ताल होती है। हड़ताल की नीयत खास कर जो सार्वजनिक क्षेत्र है, वहाँ और भी ज्यादा आती है। कारण यह है कि सार्वजनिक क्षेत्र को जो चलाने वाले लोग होते हैं उनको यह चिन्ता नहीं रहती कि इससे जो

[श्री राम नारायण शर्मा]

उत्पादन होगा वह देश के निर्माण के काम में आएगा। उस उत्पादन के साथ उनका अपना कुछ भी जुड़ा हुआ नहीं रहता है। उनको तरक्की हर साल मिलती जाती है। उनकी बहाली कुछ अवधि के लिए वहां हुआ करती है और शायद इस तरह की ट्रबल क्रियेट करके अगर वे कहीं दूसरी जगह चले जाते हैं तो उनकी तरक्की भी हो जाती है। वैसी हालत में उनको यह चिन्ता नहीं होती कि वे मजदूरों की जो कठिनाइयाँ हैं उनको दूर करें ताकि उत्तेजित होकर मजदूर वर्ग अस्थिर अस्त्र उठाने के लिए विवश न हो। लेकिन सरकार की जो मशीनरी है वह खिसकती नजर नहीं आती।

इस प्रस्ताव में कहा गया है कि थर्ड पार्टी का इंटरवेशन नहीं चाहते हैं। हमारा मजदूर अभी तक इतना ताकतवर नहीं हुआ है कि उनको इसके ऊपर छोड़ दिया जाए कि वे दोनों अपनी शक्ति की आजमाइश करके यह फैसला कर लें कि कौन अधिक शक्तिशाली है और कौन किससे अधिक ले सकता है। वारगेनिंग पावर के प्रदर्शन में राष्ट्र को क्षति होती रहे, मुल्क का उत्पादन घटता रहे, मुल्क की तरक्की रुकी रहे, प्राज की स्थिति में इसको सहन नहीं किया जा सकता है। मैं मजदूरों के बीच में काम करता हूँ। आपके सामने यह उदाहरण है कि हम लोगों ने मांग की है कि कम से कम 8 ½ परसेंट बोमस होना चाहिए और इस दृष्टि से जहाँ चार परसेंट देने की बात है वहाँ कम से कम 8 ½ परसेंट किया जाना चाहिए। इस पर कोई समझौता नहीं हुआ। लेबर मिनिस्टर चाहते थे कि उनको पन्द्रह दिन का समय दिया जाए। एक सेशन के लोग बहुत उतावले थे और जल्दबाजी में उन्होंने वारगेनिंग पावर का प्रदर्शन करने के लिए बम्बई में हड़ताल भी करवा दी और बाद में बिना शर्त उस हड़ताल को वापिस भी ले लिया। लेकिन सरकार जो थर्ड पार्टी थी, इंटरवेशन करने वाली थी वह भी सोती की सोती रह गई। जो पन्द्रह दिन में होने वाला था उसको छः महीने से अधिक हो गए हैं लेकिन हो नहीं पाया है। फरवरी

में कंसल्टेटिव कमेटी की मीटिंग हुई थी। मंत्री महोदय ने आश्वासन दिया था कि मैं बोमस को ग्वाइड करने के सम्बन्ध में जो कमेटी बनाने जा रहा हूँ उसकी घोषणा पार्लियामेंट का सेशन शुरू होने से पहले ही कर दूंगा। लेकिन वह अभी तक नहीं हो पाया है। इस तरह से सरकारी मशीनरी भी खिसकती नजर नहीं आती, उसको खिसकाने के लिए और उसको चालू रखने के लिए काफी धक्के की जरूरत पड़ती है, काफी ग्रीज देने की जरूरत पड़ती है। इसी तरह से थर्ड पे कमीशन बंठा हुआ है। उनकी रिपोर्ट आनी नजर नहीं आती। वैसी हालत में लोगों को आप कितने दिनों तक तसल्ली दे कर रखे रह सकते हैं।

सरकार की मशीनरी खिसकती नहीं है। वह फैसला करने में असमर्थ हो जाती है। जब पब्लिक सेक्टर के मामले में कोई डिस्पूट होता है, तो लेबर डिपार्टमेंट अपने आप को असमर्थ पाता है। वह पहले एम्पलाइंग मिनिस्ट्री से पूछता है कि यह सामला ट्रिब्यूनल को दिया जाये या नहीं। थर्ड पार्टी का इंटरवेशन रहने के बावजूद लोगों को राहत नहीं मिल पाती है और जो मिल पाती है, वह नगण्य सी हो जाती है और उसका सारा श्रेय खत्म हो जाता है। जो परिस्थिति बनानी चाहिए, उसको बनाने में सरकार अपने को असमर्थ पाती है। एक तरफ तो सरकार यह परिस्थिति पैदा करने में अपने को असमर्थ पाती है कि काम बन्द न हो और हड़ताल न हो और दूसरी तरफ वह यह भावना रखती है कि लोग हड़ताल न करें। मैं इस तरह की बात की उम्मीद अपने उस राष्ट्रपति से नहीं करता, जो एक जमाने का ट्रेड यूनियनिस्ट रहा है।

16 hrs.

मैं जानता हूँ कि सारी बातें वहाँ तक पहुंच नहीं पाती हैं। सारी बातें मिनिस्टर तक या डिपार्टमेंट के हैड तक नहीं पहुंच पाती हैं। मामला छः, आठ महीने, साल भर तक कानसिलेशन में रहता है। उसके बाद रेफरेंस होता है,

तो तीन चार स ल उसमें लग जाते हैं। फिर डिफरेंट लेबरज पर अभीले होती हैं। इस तरह कभी कभी मजदूरों को आठ दस साल बाद न्याय मिलता है, लेकिन न्याय लेने वाला परमात्मा के यहाँ चला जाता है, उसको यहाँ न्याय नहीं मिलता है। जब इन तरह की स्थिति हो, तो जिस वर्ग का प्रतिनिधित्व करने का हम दावा करते हैं, उस वर्ग के लोगों को हम कैसे कह सकते हैं कि हमने तुमको जो अधिकार दिया है, उस अधिकार को हम ले लेते हैं ?

हमारे यहाँ बहुत आडिडियल बातें की जाती हैं—प्रोडक्शन ब्यो नहीं बढ़ता है, प्राइव्तिटी वर्मिल बनाई गई है। चाय-पानी पीने और टी0 ए0, डी0 ए0 लेने के अलावा प्राइव्तिटी वर्मिल में क्या होगा ? प्राइव्तिटी की जो देन है, वह वर्कर के यहाँ नहीं पहुँच पाती है। प्राफिट-शेयरिंग बोनस का कानून डिफेक्टिव है। उगमे ऐसी कोई बात नहीं है कि मजदूर को प्राइव्तिटी में कोई फायदा हो सके।

वर्कज पार्टिसिपेशन इन मैनेजमेंट की बात कही जाती है। श्री नन्दा 1954 में यूगोस्लाविया गये थे। वह वहाँ से इस बात को लाये।

श्री इन्द्रजीत गुप्त (अलीपुर) दिमाग में लाये।

श्री राम नारायण शर्मा : वहाँ वर्कर ही उद्योग को चलाते हैं। यहाँ वर्कर कैसे उद्योग को चलायेंगे ? यहाँ उद्योग तो मैनेजमेंट को चलाना है। इस लिए यहाँ पार्टिसिपेशन होना चाहिए। लेकिन हमारे यहाँ के मालिक, और खास तौर पर बहुत से सरकारी मालिक, उन वर्कज के साथ कुर्मी पर कैसे बैठेंगे ? तब पार्टिसिपेशन कैसे हो सकेगा ? वर्कज की बातों की कद्र करेंगे और उन पर अमल कैसे करेंगे ?

कहा जाता है कि वर्कज प्रोडक्शन में साथ दें। प्रोडक्शन में तो वे मशीन की

तरह चलकर साथ देते हैं। लेकिन वह कौन सी मशीनरी है, जिस में वर्कज का पार्टिसिपेशन हो ? कहा जाना है कि वर्कज इस काविल नहीं हैं कि वे हमारे साथ बैठें—वे कैंटीन कमेटी और वेलफेयर कमेटी में बैठें और वही पार्टिसिपेशन है। यह साझेदारी तो वैसी ही है कि मेरा हिस्सा खाने का रहेगा, तुम्हारा हिस्सा बर्तन मलने का रहेगा।

मैं चाहता हूँ कि सरकार अपनी गति को ठीक करे। अगर सरकार अपनी स्थिति और कानूनों में सुधार करे, तो हड़ताल बिल्कुल खत्म हो सकती है, लेकिन वह बन्धन लगाकर खत्म नहीं होगी। अगर इस सम्बन्ध में कोई बन्धन लगाया गया, तो जिन बन्धनों को हँकाकर यहाँ से बाहर कर दिया गया है, वे ऐसी परिस्थिति पैदा करेंगे कि हड़ताल बन्द न हो, बल्कि स्थिति और भी बिगड़े।

*SHRI J. M. GOWDER (Nilgiris) : Hon. Mr. Chairman, Sir, supporting the Resolution moved by my hon. friend, Shri Indrajit Gupta, I would like to express some of my views on the Resolution. Because of the recent electoral alliance between the ruling Congress Party and the Communist Party of India I entertain the hope that the Resolution of Shri Indrajit Gupta will be supported even by the ruling Congress Party Members.

Sir, we hear from all sides of this House that industrial relations in our country are not conducive for steady industrial growth. Though the Members of Opposition Parties may say repeatedly how happy industrial relations should be established in the country and what should be done to achieve this objective, the ruling Party Members never categorically say how this laudable objective should be achieved.

I have no hesitation in saying that till workers get representation on the management there is not going to be any hope for sound industrial relation in our country. The workers' right to have a say in what they do should become a reality. Unless

[Shri J.M. Gowder]

their right to have their legitimate share in what they produce is recognised in spirit and letter there is not going to be peaceful industrial relation in our country. Is there any guarantee for the workers in the private sector that they will get their rightful share in production made possible by their sweat and blood? After toiling for one year, they have to plead either with the Central Labour Commissioner or with the Labour Minister that they should be given 10% or 15% bonus. Then the Labour Minister or the Central Labour Commissioner has to exert pressure on the private sector to meet the demands of the workers in full. The private sector on its own never concedes the just demands of the workers. So long as they have to beg for realising their just demands, how can you talk of industrial relation in the country?

Even after two decades of Independence, the workers are continued to be engaged on daily wages and they are treated as casual labour to be dispensed with at the sweet will of the employers. All other employees, whether in the private sector or in the public sector or in the Government get monthly salaries, annual increases and annual bonus as a matter of routine. In the annual budget of the Central Government, provision is made for enhancing the salaries of employees. In order to get their support, just before Elections, we see that the Central as also the State Governments increase the salaries of their employees. But in our country we also witness that the workers are allowed to rot on daily wages and they are treated as casual labour. We do not consider them as the backbone of our society. They are cast aside when they are not wanted. If this situation persists, how can you think of having industrial relation in the country? I would appeal to the Labour Minister that the casual labour system should be abolished for ever and if necessary, suitable legislation should be enacted by the Government.

The highest dignitaries of our Government like the President and the Prime Minister appeal to the workers that they should not resort to strikes if the industrial production is to go up. The President in

his Address has stated that there should be a moratorium on strikes by labour. But, when the State Government of Tamil Nadu was trying to avert the strike in the Simpson Group of companies, solely motivated by the desire not to hamper the industrial production, when the Government was trying to assure the workers that their demands would be met, the Central Minister. Shri Mohan Kumaramanga'am, happened to be there at Madras. He was telling the workers that he was not addressing them in his capacity as a Central Minister but in the capacity of their representative. He was instigating them to strike because the agreement reached between the management and the labour was not wholesome. I wonder whether there is any difference of opinion between him and the Prime Minister and whether he is trying to cut the ground from under the feet of the Prime Minister. On the other hand the Labour Minister adopted a constructive approach to the problem and appreciated the stand taken by the State Government. I want to know whether the unhealthy approach adopted by Shri Mohan Kumaramangalam in this unsavoury dispute was condemned by anyone in the ruling party. I would appeal to the Government to ponder over this problem seriously.

The history will not reveal a single incident in which the private sector has conceded ever the just demands of the workers in the first instance itself. There is no solitary instance in history in which the private sector has ever asked or enquired about the demands of the workers. How can you establish an era of industrial peace in the country? Unless the big industries are nationalised, the industrial relation is not going to grow in this country. On the other hand, the country is getting mortgaged more and more to Tatas and Birlas, as more and more licences are being given to them. No piece-meal nationalisation of big industries in the private sector is going to help the stupendous problem of Industrial peace in the country. If the Government are going to take over five big industries in five years, it is not helping the harassed workers. All the big industries in private sector must be nationalised and the workers must be given representation on their management. This is the only way to have Industrial peace in the country.

I would like to ask of the Central Minister, Shri Mohan Kumaramangalam, who advocated the cause of Simson Group workers in his capacity as a labour representative, in how many public sector undertakings under his Ministry he has given labour representation on the management. He is not going to help the workers by appointing one of their leaders as the public sector undertaking. If he wants really to do good to the workers, then he should ensure labour representation on the management. I don't think he has done this in any of the public undertakings under his Ministry.

Before I conclude, I would urge upon the Labour Minister to see that there is worker's representation on the management of all public sector undertakings, which would be an example for emulation by the private sector. The existing labour Acts are not able to solve the variety of problems faced by the workers. These Acts should be so amended as to be of real assistance to the workers in distress.

With these words, I conclude.

SHRI P. VENKATASUBBIAH (Nandyal) : Shri Indrajit Gupta has brought forward this non-official resolution at a very appropriate time. This is a time when there has talk of industrial peace and cordial relationship between labour and management. Right from the President to the Labour Minister, there have been appeals made to bring about a cordial relationship between labour and management in industry so as to promote industrial production which will lead to self-reliance and also extend social justice to the working class.

The speeches made here do not correctly relate to the problem which Shri Gupta posed or which the Government have in mind. The crux of the problem is whether the present industrial and labour policy is consistent with the conditions prevailing with regard to economic and industrial growth, whether it requires a reorientation, whether it requires a new look, a *de-novo* appraisal in order to see that proper industrial relationship is established in the country.

After independence, the various labour laws enacted from time to time have been more or less modelled on the western pattern rather than on the indigenous pattern we have developed. So many distortions have crept in because many of them do not reflect the actual state of affairs and they do not relate to the actual growth of industrial and labour relationship in the country. So the issues have to be formulated and tackled. These are : (1) whether there is necessity to have a fresh look or a new orientation to the entire industrial labour outlook; (2) to what extent the labour unions are to be depoliticalised; (3) whether the concept of one industry one union is to be adhered to; (4) to what extent, democratic principles ought to be introduced in representation to be given to be various labour organisations; (5) to what extent labour participation or involvement of labour in management should be pursued. These are four or five cardinal principles to which we have to give deep thought.

The President, himself a veteran labour leader, has given a call to the country that there should be a moratorium on strikes and lockouts. It has been reiterated by the Prime Minister also. So this has to be kept in mind when the whole gamut of industry and labour relationship is to be discussed in this country.

As for depoliticalisation of the labour movement, at the inception of the labour movement in the country, we were in a different atmosphere. We were fighting with a foreign Government, and in all facets of our national life, political leadership was necessary in those days. The labour movement was actually started by people who were fighting for freedom. That situation does not obtain today. We have to see that the entire labour movement is freed from the impact or influence of political parties. That is a most important step which will strengthen the labour movement, accelerating in a way economic growth in the the country.

Secondly, there is the attitude of the Government with regard to labour participation. The Government of India is the biggest employer now in the public sector undertakings. In the railways and the posts

[Shri P. Venkata Rubbaiah]

and telegraphs, the Government of India is the biggest employer. What exactly is the attitude and policy of the Government of India with regard to giving proper representation or proper involvement to labour unions in the context of present things?

Thirdly, there is the question of having one union for one industry. To what extent is it practicable? Can it be used only as a shibboleth and slogan or, can it be really implemented in actual practice? These are the three cardinal points on which the whole matter has to be gone through.

Quite recently, there has been labour unrest even in the banking field. Very recently, quite a few days back, there has been a Call Attention motion here and in the other House also as to how the banking industry has come to a stand-still because of certain labour agitation in that field. To what extent can the Government, in such an important sector as the banking industry where there are 14 nationalised banks which are also involved, help to restore the cordial relationship between labour and management at least in this very important field of our economic life? These are the important aspects of the matter.

So, I would only suggest that it is high time that the Government took a comprehensive view of the entire matter. For that purpose, it will not be of much use if Government adopts a unilateral policy and formulates certain things. It is high time that the labour leaders were involved and invited, and I plead with the Hon. Labour Minister to take immediate steps to invite the labour leaders and have a thorough look into the matter and bring in a sort of comprehensive legislation so as to see that industrial peace is restored in this country.

Everytime, in times of crisis, we have seen that labour has acted with magnanimity and with a great sense of sacrifice, courage and patriotism. We have seen it when there was confrontation with China or Pakistan. They never hesitated to work even if it was to their detriment. They never hesitated to work when the time came,

and they have responded most magnanimously and they did not lag behind in coming forward and helping the Government at the time of crisis. So, it is but natural that this factor must be taken into consideration in a comprehensive policy that needs to be adopted by the Government.

Another factor is about disorganised labour, though it is not much relevant to this resolution. Agricultural labour in the country is most disorganised, which also the Government should take into consideration. After all, when we are thinking of enforcing land legislation and also distribution of land, what is the role of agricultural labour? For most part of the year, they are unemployed, and what role are they going to play and what is the benefit that will accrue to them from the labour laws of the Government of India? This factor must also be taken into consideration. There is the danger of migration of agricultural labour from the villages to the urban areas. So, the time may come when agriculture also may receive a setback if you do not look after the welfare of agricultural labour. This factor must also be borne in mind.

I pay my complement to Shri Indrajit Gupta for his having brought forward this non-official resolution. I think there will be no dissentients so far as the sentiments expressed or the principles involved in this resolution are concerned. I hope the Government will look into the matter and see that in order to achieve the objectives that have been put forward, there should be cordial relationship between industry and labour and also there should be industrial peace so that we may march ahead with an accelerated economic prosperity in this country.

SHRI S. M. BANERJEE (Kanpur): I must congratulate my hon. friend Shri Indrajit Gupta for giving us this opportunity for having a frank discussion in this House. He has mentioned certain things in his Resolution. He says:

"In the interests of overcoming industrial stagnation, developing self-reliance and expanding social justice for the working class, the Government of India should immediately adopt a

new industrial relations and labour policy, ensuring rights of trade union recognition, collective bargaining without third-party interference, removal of curbs on the right to strike and effective workers' control over production at different levels."

I hope Government will accept whatever is mentioned in this Resolution. I do not know what they are going to do.

The hon. Labour Minister, in reply to the various questions raised in this House or in the other House or even outside, has tried his best to allay the fears lurking in the minds of the trade unionists and workers that there is going to be a ban on strikes. In his opinion, strikes should be declared superfluous. I can assure you that none of us are professional strikers. We do not come from a family of strikers. It is only because of the injustices meted out to the working class, the repressive measures adopted by the various Governments, including the Central Government, that the workers of this country, whether in the public sector or the private sector, have to go on strike.

When we are discussing this Resolution today, is it not within the knowledge of the hon. Minister that 13,000 workers in the Kanpur Textile Mills are on strike since the 28th of last month? What is their problem? They want the Khadikar formula on bonus to be implemented. The Labour Minister called the representatives, and I congratulate him. He wanted to solve the problem, but the Khadikar formula is being defined by persons other than Mr. Khadikar. It is a peculiar thing that when, to our good fortune, Mr. Khadikar is very much alive in this House, other men are deciding what the Khadikar formula is, and the biggest employers, Singhania and Jaipurias, do not rely on his adjudication. This is a sad commentary on our industrial relations. I must request Mr. Khadikar to assert himself, be in contact with the Chief Minister and see that this strike which is going on in Kanpur Textile Mills, where 90 per cent of the orders pertain to the defence services, is called off and a negotiated settlement is reached.

Shri Venkatasubbaiah has mentioned about the banks in Andhra, including the State Bank and the Reserve Bank. Whenever call was given, in 1962 by Pandit Nehru or in 1965 by Shri Lal Bahadur Shastri or recently by Shrimati Indira Gandhi, the workers have forgotten their over-time, practically shelved all their demands, responded to the call of the nation and worked round the clock. In defence establishments, which I represent, workers have worked 24 hours a day and they have given a portion of their overtime and wages to the National Defence Fund. What is the outcome? Thirty-two employees in Ordnance factories in West Bengal are on the streets today. In the Gun Carriage Factory, 41 were arrested, only 25 have been taken back, the rest were reinstated and transferred, and the others have been sent to jail recently. Don't you think that this is a sad commentary on our industrial relations?

We talk of participation of labour in management. The hon. Member from Dhanbad who preceded me asked what we were doing regarding participation of labour in management. In the Railway Board no workers' representatives can be taken as it is supposed to be sometimes consisting of supernatural men. In the P & T Board no workers' representative can be taken. Even in the Ordnance Production Board which has come out of the repeated demands of the defence employees in the country, no workers' representative has been taken, on the ground that this board consists of specialists. Who is a specialist: Mr. V. C. Shukla or a worker who has put in 23 years service and who knows every inch of the machinery? The moment a man becomes an MP or a minister, he becomes a versatile genius and those who know the job are brushed aside.

While supporting the resolution, I request the minister to tell us why workers' participation at every level is not acceptable. Mr. Turpule, one of the leading members of the HMTS, has been taken as one of the managers in the Durgapur factory. I do not know what this experiment is, but in the HSL, HEC, HAL and all the public undertakings directly under the control of the Government of India, there are no workers' representatives. If really Government wants to move towards

[Shri S M Banejee]

socialism, if really it wants industrial truce and an improvement in industrial relations, Government will have to create conditions in which industrial truce is possible. It cannot be a one-way traffic. Victimisation, retrenchment, closure of factories, etc. are going on unabated and unchecked. Yet, when workers use the last weapon in their armoury, i.e. strike, it is said that they are creating chaotic conditions.

The minister should let us know what is going to be the labour policy in this country, with particular reference to self-reliance. Let us analyse the police adumbrated right from Mahatma Gandhi up to Shrimati Indira Gandhi. Mahatma Gandhi wanted certain things, though he did not spell out the whole thing. Participation of labour in management was also his creation. He did it in a different manner in Ahmedabad. I wish Shrimati Indira Gandhi also does the same thing. It is no use telling that the workers have got every say in every matter. Even in the case of workers' committee and production committee elections, there are restrictions. Even in the joint consultative machinery evolved by the Home Ministry in consultation with the Labour Ministry, victimised employees are not taken. In spite of my being a dismissed Government employee, I have been taken because I am an M.P. But other workers who have been victimised for genuine trade union activity are not taken.

This resolution should be accepted by the minister. There is nothing wrong in it. Right from the President down to all the ministers they have given various assurances on all these issues and I do not think Government will go back and defeat this resolution. On behalf of the AIUC, I must warn this Government that in the name of a moratorium or anything else they want to ban strike, it will boomrang. The history of the strike movement is that in any country where strikes have been banned, it has resulted in more strikes. Whenever we ask the workers to strike it is only in self-defence and not as an offensive. It is only to justify our own existence. For their existence, the working class will fight bitterly. At the same time, when the country is in danger, they will help the Government to fight against reactionary forces.

I hope the minister will accept the resolution and not ask Mr. Indrajit Gupta to withdraw it or ask his own party members to defeat it. I am sure this is a resolution which is least offensive and only incorporates what the Government has been proclaiming from house-tops every day. Today we will see whether the Government accept this resolution or not.

श्री जगन्नाथ राव जोशी (शंजापुर).

महापति महोदय, जो प्रस्ताव गदन के मामले सम्मान्य सदस्य श्री इन्द्रजीत गुप्ता जी लाये हैं, उसमें कई अच्छे सुझाव हैं, इसलिए मैं उसका पूरा समर्थन करता हूँ।

आज की बदौलत स्थिति में और जो नई घोषणा सरकार की हुई है, उसकी वजह से कई आजाएँ सभी के मामले आई हुई हैं और स्वभावतः आज मजदूर भी यही चाहता है कि जिस न्याय के लिए, जिस न्यायपूर्ण अधिकार के लिए वह आज तक झगड़ता आया है, उसको अब कम से कम प्राप्ति होगी, उसको उसके न्यायपूर्ण अधिकार मिलना शुरू होगा। आशा इसलिए पैदा होती है कि महामहिम राष्ट्रपति महोदय ने स्ट्राइक के विषय में जो अपनी एक भावना को प्रकट किया है, वास्तव में उसके लिए कोई दो राय नहीं हो सकती, किन्तु जिस परिस्थिति के अन्दर वही मजदूर की स्ट्राइक करना पड़ता है उसको जब तक हम ध्यान में नहीं लेंगे और केवल यह आशा करेंगे कि कुछ समय के लिए कम से कम दण्ड के अन्दर कोई स्ट्राइक न हो, मैं समझता हूँ कि हम बिना दुनियाद के कुछ बात कर रहे हैं क्योंकि इसके साथ-साथ सरकार के ऊपर यह जिम्मेदारी आ जाती है कि जब हम यह चाहते हैं कि कुछ समय तक कम से कम ये स्ट्राइक न हो तो ऐसी परिस्थिति के निर्माण करना वास्तव में हम भी अपने ऊपर ले और इसके लिए हम आश्वासन दें। जैसा कि मेरे एक मित्र ने अभी बताया कि स्ट्राइकर्स शुड बिकम सुपरफुल्स, अगर ऐसी स्थिति सरकार पैदा करे तो फिर यह जरूर कहेंगे कि वही स्ट्राइक न हो। मेरे मित्र श्री बनर्जी ने कहा कि दुनिया में जहाँ जहाँ स्ट्राइक

को बैन किया गया है, वहाँ बूगरंग हुआ है, मैं इसमें नहीं जाना चाहता लेकिन जहाँ ऐसी शासकीय स्थिति है जैसे कि सोवियत रूस में या कुछ और कम्युनिस्ट देशों में क्या हम यह नहीं सुनते हैं कि वहाँ स्ट्राइक्स नहीं होते हैं ? क्यों स्ट्राइक नहीं होते हैं ? हम यह चाहते हैं कि हमारे देश के अन्दर भी ऐसी कोई स्थिति आ जाए जिससे स्ट्राइक्स न हों क्योंकि हमारी आशा यह है कि धीरे धीरे हम कहीं गलत रास्ते पर तो नहीं जा रहे हैं। पहली बात तो मेरीटोरियम की आह है और फिर कहीं बैन की बात न आ जाय धीरे धीरे ? इसलिए मैं कत्ना चाहता हूँ कि काम करने का अधिकार केवल डाइरेक्टिव ट्रिगगिंग्स में न हो, यह तो सभी का मूलभूत अधिकार होना चाहिए। वैसे ही जो नाम हम करते हैं कि उसके लिए पूरा वेतन मिले और जीवन की आवश्यकताएँ भी पूरी हों, यह देखने की भी जिम्मेदारी हो। इसलिए कुछ चीजों की ओर जो मेरे मित्र श्री एन्ड्रजीत गुप्ता जी ध्यान दिलवाना चाहते हैं, मैं भी उनकी ओर सत्री महोदय का ध्यान आकृष्ट करना चाहता हूँ।

किमी भी एक उद्योग के अन्दर स्ट्राइक क्यों होता है ? उसके लिए एक कारण तो यह है कि इन्टर-यूनियन राइवलरी होती है। यह इन्टर-यूनियन राइ लरी क्यों होती है ? किम यूनियन को रिकग्नीशन मिले या न मिले, इस बात को लेकर होती है। इसलिए ऐसी व्यवस्था हम क्यों न करें जैसे कि हमने प्रजातन्त्र को स्वीकार किया है और उसमें यह है कि देश का शासन कौन चलाए ? जिसको बहुमत मिला हो, वह पार्टी उसको चलाए, ऐसा हमने माना है। इसी तरह से किमी उद्योग में हम आखिर कसको मान्यता दे ? मान्यता का आधार कौन सा हो ? जिसको ज्यादा समर्थन उसी उद्योग में काम करने वालों का हो, वह रहे। जब मध्य प्रदेश के अन्दर संविद शामन था तो हमने एक प्रस्ताव पास किया था कि ट्रेड यूनियन के अधिकार के अन्तर्गत एक उद्योग में जिस

यूनियन को ज्यादा से ज्यादा काम करने वालों का समर्थन मिले, उसको मान्यता मिले और जिनकी भी बातें हों हम उनके साथ करें, किन्तु आजतक सरकार ने इसके विषय में कोई कदम नहीं उठाया है। इसलिए मैं यह चाहता हूँ कि सरकार इन दृष्टि से इसमें कदम उठाए।

दूसरी बात यह है कि इस क्षेत्र के अन्दर काम करने वालों को स्वाभाविक यह अपेक्षा जरूर रहती है कि उनको मान्यता मिले। अभी कुछ दिन पहले मेरे एक मित्र ने सवाल किया था कि भारतीय मजदूर संघ इस क्षेत्र में काम करता है और जो भी मान्यता के लिए आवश्यकताएँ हैं, उन आवश्यकताओं को पूरा करता है। इतना होने पर भी अखिल भारतीय स्तर पर उसको आज तक मान्यता क्यों नहीं मिली ? इस सवाल का यह जवाब दिया गया कि आँकड़े जो थे वे 1968 के थे और 1968 और 1972 में काफी अन्तर आया है। हो सकता है कि 1968 में किमी यूनियन की जो स्थिति रही हो वह 1972 में न रह गई हो। इस वास्ते इस मान्यता के सवाल को लेकर भी झगड़े हो जाया करते हैं। मैं समझता हूँ कि मान्यता देने के बारे में कोई मिडग्लान होगा चाहिये जिस पर चल कर आप मान्यता दें, कोई युक्तिसंगत बात होनी चाहिये। मैं नहीं समझता हूँ कि मान्यता देने के सवाल को, आपको अखिल भारतीय स्तर पर किमी को मान्यता दी गई है, उसमें जोड़ना नहीं चाहिये। आप देखें कि राजनीतिक दलों को मान्यता अखिल भारतीय स्तर पर मिल भी जाती है तो भी किमी प्रदेश में अगर उस दल को चार प्रतिशत मत नहीं मिलते हैं, तो उसको उस प्रदेश में...मान्यता नहीं मिलती है। इसी तरह मैं किमी यूनियन को अखिल भारतीय स्तर पर मान्यता मिली हुई है इसका मतलब यह नहीं हो जाना चाहिये कि हर उद्योग में उसी यूनियन को मान्यता मिले। उस उद्योग के अन्दर जिस किसी यूनियन को भी मजदूर वर्ग का ज्यादा से ज्यादा समर्थन प्राप्त हो, उस यूनियन को मान्यता दी जानी चाहिये।

[श्री जगन्नाथ राव जोशी]

हम वर्कर्स पार्टिसिपेशन इन मेनेजमेंट की बात भी करते हैं। श्री धारिया से सवाल किया गया था कि वे इसकी शुरुआत पब्लिक सेक्टर से क्यों नहीं करते हैं? हमने जब सार्वजनिक उद्योग खड़े किए हैं तो हम यह भी चाहते हैं कि वहां जो आपसी सम्बन्ध है, वे मधुर हों। हमने वहां झगड़ों का निपटारा करने के लिए पश्चिम के तरीके को अपना लिया है। ऐसी बात नहीं होनी चाहिये कि पश्चिम में जो तरीका है उसको ही हमको स्वीकार कर लेना है। यह मालिकों और मजदूरों के बीच सम्बन्ध की बात ही नहीं है। उपभोक्ता भी एक तीसरा पक्ष रहता है और उसका भी विचार हमको करना होगा। ऐसा नहीं हुआ तो मालिक अपना लाभ ले लेगा, काम करने वाला अपना लाभ देखेगा। इन दोनों को भले ही लाभ हो किन्तु उपभोक्ता का जो एक बड़ा वर्ग होता है, उस वर्ग को देखने वाला भी कोई होना चाहिये, उसके हितों की देखभाल करने वाला भी कोई होना चाहिये और वह सरकार ही हो सकती है, उसको ही उनके हितों की रक्षा करनी होगी। मालिकों और मजदूरों के झगड़े तो वह तय करें लेकिन उपभोक्ताओं के हितों की रक्षा भी वह साथ साथ करे। वर्कर्स पार्टिसिपेशन की दृष्टि से भी जब सरकार अपने उद्योग खड़ा करती है सार्वजनिक क्षेत्र में तो उसको एक आवर्ण मालिक के रूप में उस उद्योग को संचालित करना चाहिये। सार्वजनिक उद्योगों में प्राफिट शेयरिंग की बात भी की जाती है। वे अगर घाटे में चलते हैं तो वर्कर्स को क्या देंगे? आज 87 ऐसे उद्योग में से 37 घाटे में चल रहे हैं। आदर्श मालिक के रूप में आप उद्योगों को चलाएं और जो काम करने वाले हैं उनको यह भी लगना चाहिये कि वे उद्योग उनके अपने हैं, उनमें सैस आफ इनवाल्वमेंट होना चाहिये, सैस आफ बिलॉगिंग होना चाहिये। वह इस बात को महसूस करे कि ज्यादा से ज्यादा फायदा इसलिए मैं उद्योग को दिलाऊं कि इससे यह नहीं कि मेरा लाभ होगा बल्कि मेरे देश को लाभ होगा, मेरे देश का भी भला होगा।

हर मजदूर अपनी पूरी ताकत लगाए, अधिक से अधिक उत्पादन बढ़ाए, कोशिश यह होनी चाहिये। साथ ही साथ हर स्तर पर उसको प्रबन्ध में साझेदारी कैसे मिले, इसका भी एक फार्मुला एक नक्शा शासन को सामने लाना चाहिये।

मजदूर को ज्यादा दुख इसलिए होता है, कि जो बात कही जाती है, जो वादे किये जाते हैं, उन पर अमल नहीं किया जाता है। एक मंत्री ने बोनस की बात कही लेकिन दूसरा मंत्री उसको मानने के लिए तैयार नहीं है। अखबारों में हमने पढ़ा कि खाडिलकर साहब ने एक यह फार्मुला दिया कि 8:1 देंगे लेकिन उसकी इस बात को श्री उमाशंकर ट्रीक्षित मानने को तैयार नहीं हैं, वे इसको स्वीकार नहीं करते हैं। इस तरह की बातें होंगी तो मजदूरों का विश्वास आप पर से उठ जाएगा। केवल तब कहने से काम नहीं चलेगा। धारिया जी ने कल कहा कि हम जो कहेंगे उसको करेंगे और वही करेंगे जो हम कहेंगे। इसी आपको करके दिखाना पड़ेगा। आपको देखना पड़ेगा कि इस क्षेत्र में शान्ति कैसे पैदा हो सकती है। यदि हम चाहते हैं कि घेराव न हों तो मालिकों और मजदूरों के बीच में जहाँ भी तनाव पैदा होता है, जहाँ भी अन्याय होता है, वहाँ सरकार को अपने स्थान का उपयोग करके उस अन्याय को दूर करना होगा और मजदूरों को न्याय मिले, इसकी व्यवस्था करनी होगी। जब तक ऐसा नहीं होगा, घेराव के खिलाफ बातें कहते रहने से काम नहीं चलेगा।

आप देखें कि आंध्र में बैंकों की स्ट्राइक हुई। सरकार ट्रिब्यूनल या कमेटी नियुक्त करती है और उसका एवाडेंस या सिफारिशें आती है तो देखा जाता है कि मजदूर के हित में जितनी भी बातें होती हैं उनको कार्यान्वित नहीं किया जाता है और यह कह दिया जाता है कि इसकी सरकार पर जिम्मेदारी नहीं है क्योंकि यह स्ट्रेचूरी नहीं है। इस तरह काम चलने वाला नहीं है। मजदूरों को पूरा न्याय मिले

उस क्षेत्र के अन्तर्गत जहाँ वे काम करते हैं, वहाँ उनकी हर स्तर पर भागीदारी मिले, इसका आपको प्रबन्ध करना होगा। स्ट्राइक हो ही नहीं, ऐसी परिस्थितियों का आपको निराकरण करना होगा।

जितने भी सार्वजनिक उद्योग स्थापित होते हैं उनकी ईंट पर ईंट खड़ा करने वाला सामान्य मजदूर होता है लेकिन वह कभी ईंट के घर में नहीं रहता है, वह झोपड़ी में रहता है। उसको आपको सम्मान देना होगा, उसके श्रम को आपको मान्यता प्रदान करनी होगी। डिगनिटी आफ लेबर जबरन होगी तब जाकर समाजवाद की जो आप दुहाई देते हैं, सामाजिक न्याय की दुई देते हैं उसकी स्थापना हो सकेगी। प्रत्यक्ष रूप से आपको सामाजिक न्याय की प्रस्थापना करनी चाहिये। ज्यादा दिन तक मजदूर जो उसके साथ अन्याय होता है उसको सहन नहीं करेगा। परिस्थितियाँ बदल चुकी हैं और बदली हुई परिस्थितियों में सरकार का जो दायित्व है, उसका उसको निर्वाह करना होगा।

इन शब्दों के साथ मैं इस प्रस्ताव का समर्थन करता हूँ।

SHRI AMARNATH VIDYALANKAR (Chandigarh) : No exception can be taken to the objectives and the spirit with which this Resolution has been placed before us by Shri Indrajit Gupta. The other friends have also subscribed to this spirit.

In the President's Address there is a suggestion or an appeal addressed mainly to the workers, that there should be a moratorium on strikes. Of course, there is a mention about lock-outs also. Whenever we think of strikes, whenever we think of our lower levels of production, we only appeal to the workers, forgetting everything else, forgetting the obstacles that are placed by other sections like the employers and the industrialists. We talk of incentives; generally the employers and industrialists ask for incentives; but nobody thinks of incentives required by the workers. Other

friends also have drawn attention to this : why there are strikes ? It is true that we want our economy to show good results and to progress. We want that there should be some kind of discipline in our economy. But we except discipline only from workers. The other sections, specially the industrialists and the employer classes, observe no discipline. If we want that our economy should progress, there should be some kind of discipline imposed on all the classes, including the employers and also the Government. The workers are disciplined. Only when the workers do not find any way-out as a last resort, they go on strike. All the trade unionists know, those who work among the workers know, by their experience, that nobody wants strikes they rather try to avoid strikes and they try to approach the Government.

There is a mention of interference by Government in the Resolution. I do not fully subscribe to the idea, although I want that there should be less interference and there should be mutual bargaining. From my experience I know that, wherever there is a dispute workers find themselves absolutely helpless; it is the Government which has to come to the help of workers. I know a case in Amritsar. For two years, in an embroidery mill, they have stopped work by lockout. The workers are thrown out. Nobody looks into that. They are, again and again, asking the Government that the mill should be taken over and some arrangements should be made to run that factory. There are other factories also like this. Government's interference is very much required in such cases. But we should know, what is the motive of interference, what is the purpose of interference, what is the manner of interference. At present in many cases—I do not say, in all cases—Government interference goes against the workers by and large. I cannot say that this happens in all the cases but generally this is the attitude of the officers. What is required is a change in the attitude, a change in the approach, a change in the concept. Whatever we might say, however correct and useful policies and principles we might enunciate for proper execution, there should be a change in the general outlook. Our concepts are such, we always blame the workers if there is stoppage of work. If there is trouble anywhere, the worker is

[Shri Amarnath Vidyalkar]

held responsible for that. They never think in terms of equality with workers. They are also citizens like others. All are equal, whatever wealth is produced, all have to participate on an equal basis. If we accept the principle of equality, the concept of equality, many of our troubles would be removed.

Some friends have referred to politicalisation of trade unions, politicalisation of workers. I do not subscribe to the view that politics can be altogether eliminated. We cannot eliminate politics here. Politics does affect the workers. Workers also have to think which political party is going to deal fairly with them. Take the instance of Punjab. When there was a particular party in power, it dealt with the cases of government employees in a particular way; they did not accept their demands. But then there was a political change and after the political change, the legitimate demands were accepted. In the recent elections most of the workers voted for the Congress. Why did they vote for the Congress and not for other Parties, specially, the Jan Sangh, the Swatantra Party and other reactionary Parties? Why did they not vote for them? Because, they knew that it is the Congress Party which is a Party of progressive people and that their approach to the workers' problems would be such that workers can expect some gains from the Congress Party and not from other Parties. Therefore, politics cannot altogether be eliminated and the workers at present cannot refrain from taking part in politics, we are a democracy. No one can be kept out of politics. That a wrong view to avoid Politics and I don't subscribe to it.

One more word which will be my last word. My friend, Ms. Joshi, has referred to a third party, i. e. consumers. Jan Sangh has developed this concept that there are workers, there are employers and the third party is consumers. This philosophy has been developed by some industrialists and employers and they say, 'Look to the interests of the consumers.' They forget the workers themselves are the largest section of consumers. The workers don't only produce and the employers do not only get those things produced? The workers are consumers also and the largest number of workers are producers as well as con-

sumers. Therefore, the workers represent the interests of consumers also and when we just seek to reject their plea for their right as consumers and try to forget their interests saying that we have to look to the interests of the consumers also, this is a reactionary concept which has been developed by a few political Parties with a view to supporting vested interests. They want to support the employers indirectly. This concept is a totally wrong concept and should not be accepted.

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : Shri Indrajit Gupta's Resolution and the debate on it...

AN HON. MEMBER : Mr. Gupta is not here.

MR. CHAIRMAN : I am not responsible for that.

SHRI R. K. KHADILKAR : ...is most welcome.

A number of points that are before us, particularly, in relation to industrial relations as they are prevailing in the country, have been brought forward in this debate. When we look at the industrial sector in the country at the present juncture of our industrial development, we must remember, that the industrial relations law as it now is in existence or operation admits, though not completely outmoded, at least a recasting and this recasting must be done as early as possible.

Hon. Member, Mr. Indrajit Gupta, has lost sight of the background and because of that, perhaps, he has not said what was prevailing in the industrial field in Europe in the 19th century and the beginning of the 20th century where the government was looked upon as anti-labour and very naturally, because the government more or less identified itself with the industrialists. This situation, fortunately, in this country is absent, totally absent.

Whatever one might say, if you take an objective view of the development of the trade union movement and labour legislation and other social security measures, it would not be correct to say that what has been

done has been achieved on the sole strength of the trade unions in this country. No doubt, they have provided some impetus. No doubt, they have certainly brought forward issues which the Government had to take into account. But one factor should always be kept in mind. In a Society like ours, in a process of transformation, the industrial relations law, compared with the development we have reached is somewhat, as I said, inadequate to meet situation.

But, the Mover of the Resolution as well as some other hon. Members who participated in the discussion insisted : You follow the old pattern; let the working class and the employers fight themselves, let them have a bargain and come to a decision. May I ask a question on this point ? As a trade union worker, as well as, as one now in charge of these Labour and Employment problems, from my own experience, at least day in and day out, even at odd hours, when hon. Member, Mr. Banerjee is in town, I am disturbed, pressed and asked to intervene. At the present stage of development we must recognise that Government intervention is more helpful to secure some justice. I am not claiming full justice is possible. I am saying, some justice and quick settlement of disputes. Therefore, if we have got this in mind, surely, we will have to work out a solution.

Some hon. Members have urged that there should be one union for one industry. Very good. But, how to bring that about ? On what basis could recognition be conferred on a particular union ?

These are really very relevant issues. And, so they suggest that Government, without consulting the trade union leadership in the country, should not *suo motu*?

We in this country have followed a certain pattern, that is, what is known as tripartite. On one side we consult the central labour organisations. On the other side we consult the employers. The third party is the Government. We debate issues that are before us and reach a certain conclusion or a certain consensus on the basis of which we legislate or we act. If we have to continue to follow this pattern, then, the first thing is, for the trade union leadership

now in this country, to see that they forge unity.

During the last 3 months, as everybody knows, all the three national central trade-union organisations are meeting and discussing how to bring about unity, and on what basis recognised bargaining agent or a representative union should be selected. What should be the role of one who is not having too much support, and what status that union should have while negotiations are going on. Unfortunately, even now, we have not yet reached some sort of agreement which we could place before the Tripartite. There are certain difficulties. I do recognise them. Opinions have been voiced, saying, because of politics there are inter union rivalries and multiplicity of unions in this country. But is it suggested that we can entirely de-politicalise trade union activity in the country ? I am afraid, it would be extremely difficult.

AN HON. MEMBER : Bad also.

SHRI R.K. KHADILKAR : Bad also ; I agree. Certain idea of political background is bound to remain in the trade union activity. I do not for a moment suggest that you should give up your ideological background so far as trade union activity is concerned. Here also I have seen that prejudices and mutual rivalries are there.

For instance, we follow a certain method of verification. There is a demand by two central organisations to give it up and take a ballot. I would like to ask how, when we have got to confer recognition at a national level, it is possible to confer that recognition on the basis of ballot. Nobody has enlightened me on this point. I am very happy that after a good deal of deliberations, those who were all for ballot and were opposed to verification have made a concession and say that normally verification should be there but if at any stage a ballot is called for, we should have ballot.

17-00 hrs.

SHRI INDRAJIT GUPTA : They have not agreed to verification by the present agency.

SHRI R.K. KHADILKAR : As the hon. Member knows very well, the present machinery for verification needs improvement. As regards the improvements which are necessary, as the hon. Member knows, certain suggestions or recommendations have been made by the National Labour Commission. There also, I am sorry to say that when the recommendations were brought before the tripartite meeting, the AITUC exercised a veto at the last minute for political reasons. Here, politics comes in. When I say that they should try to eschew politics, they exercise a veto and hold up all progress. I am very happy that now they have come round. The HMS agreed but on second thoughts withdrew their support. What do they expect from Government in order to recast the entire trade relations or industrial relations machinery with a view to make progress ?

After these consultations which have been going on for about six months or so, some ground has been covered. I am very happy at it. But I do expect that even now the idea that has emerged of having a national trade union platform or centre is a very welcome one. If this is pursued by all the all-India trade union bodies, I think that though politics will remain, yet it will not come in the way of progress. I hope that these deliberations will ultimately achieve that.

Then, there is the question which has been very raised by hon. Members on this side as well as on the opposite side, that conciliation takes an inordinately long time. If a matter is referred to adjudication, it is a time consuming process. I know that this is a fact that it takes years. The other side has the means and they can drag us to the Supreme Court, but the poor worker who has suffered for years together and is trying and struggling to get justice he has to wait sometimes for five or six years and he gets frustrated. This state of affairs needs immediate change. So, some dispute settlement machinery must be evolved with the agreement of the trade unions and the management and with their help Government can take some steps. As hon. Members are aware, the National Commission has made some recommendations here also. Hon. Members may not agree about the nomenclature or the com-

position of the agency, but the fact remains that a suggestion has been made that while deciding the issues pertaining to workers or trade union disputes, whether at the highest judicial level or at the State level or at the Central level, workers' association will be there. Is that not a valuable recommendation ?

SHRI JAGANNATHRAO JOSHI : Not enough.

SHRI R.K. KHADILKAR : It is not enough. But the hon. Member must suggest some alternative. I am not canvassing support for a particular recommendation. What I am saying is that my hon. friends should apply their minds and make modifications so that the desired results could be achieved very quickly.

I am very much concerned about this. We are all concerned. When I say 'we', I mean those who are in the trade union field. In our country, there are a number of trade union workers who are most dedicated. They have served the working class almost the whole of their lifetime; they may not be known, their names also some of you may not be knowing. I know them personally. I respect them because they have created a new consciousness among the working class, and this has achieved a certain social advance in the country.

As I said at the outset, at the present stage of development, after 25 years of freedom, we must keep pace with the changed industrial scene. Industrial relations law must be so devised as to keep pace with the changed industrial scene.

The hon. Member referred to feudalism. If I were to rebut it, I could say in reply : is there no feudalism in the working class, trade union movement ?

SHRI INDRAJIT GUPTA : Is there not feudalism amongst Ministers themselves ? We have not completely emerged out of a feudal society yet.

SHRI R.K. KHADILKAR : I entirely agree ; it takes a long time. The hon. Member has a certain philosophic conviction based on Marxism. But even then, the 19th century British thinking somehow

or other finds its place instinctively in our set-up. Those who have been brought up in the Oxbridge background with the so-called British liberal philosophy have that thinking still lurking. So feudalism in our thinking, whether on this side or on the other, is there. We must try to overcome it. We must try to re-educate ourselves in the light of the changed situation.

I was referring to the changed context in the Indian situation which the trade union leaders must recognise. Many trade union leaders have misinterpreted the call given by the President, later supported by the Prime Minister, regarding a moratorium on strikes and lockouts. What was the intention? Obviously not to take away the right of the working class given to them under the Constitution, the right to strike and right to form association. We do not want that fundamental right to be given up. Therefore, there is multiplicity of unions. Any seven members can get together, register as a union, or even without registration could be recognised by the management. This is the present position.

So in a democratic set up like ours, we cannot overcome certain difficulties. It is easily said that there are certain monopolistic influences and other influences at work. I do recognise they do penetrate.

They have certain influences, open or subtle. But what is the socio-economic complex we have adopted? An expanding public sector and a regulated private sector. This is a broad description of it. We have a democratic parliamentary system. There are certain inherent limitations. Therefore, to expect that we can take steps without consulting various interests would not be in keeping with the course or path we have chosen to follow. Keeping in view these inherent limitations, self-imposed and accepted—and we want to keep up that tradition of a parliamentary democracy and a complex of economic structure as it obtains today—have we not moved faster? When I say, we have moved, I am not unmindful of what needs to be done. Reference was made to the Factories Act. It needs certain changes. Reference was also made to the Industrial Disputes Act. It definitely

needs revision and re-casting. I do admit these. But who has held up progress?

Shri Indrajit Gupta has raised many issues, but at no point has he made a positive suggestion. I am glad he has provoked a debate, but what offer has he made to overcome the difficulties that lie in our way?

SHRI INDRAJIT GUPTA : It is the agreed formula of the three central trade unions, on which you are keeping conspicuously silent.

SHRI R.K. KHADILKAR : Therefore, I would plead with the house and the hon. Members who participated and took a live interest on this occasion to come to our help in the sense of creating a certain amount of understanding and unity so that we could make quick progress and bring about the changes that are very desirable at the present juncture.

SHRI BHOGENDRA JHA (Iamagar) : You sought our help. We came to your help and on the assurances given we worked well. But then 5,000 people have been victimised and mass hunger-strikes are going on. They have been doing their duty, but the Minister is not moving his finger. How can we come to his help if this is the position? Mass hunger strikes are going on. (Interruption)

MR CHAIRMAN : Order, Order. Let the Minister continue.

SHRI R.K. KHADILKAR : I know of the hunger-strike and the consequences of it. I have done something in my own way, but unfortunately I could not bring the solution nearer. I am helpless in that regard. I know my commitment. (Interruption)

SHRI BHOGENDRA JHA : Then, like Shri V.V. Giri, you can resign and become the President of India.

SHRI R.K. KHADILKAR : Certain points were raised, and in the resolution also, the hon. Member wants to have a self-reliant economy, and that has become a national objective. To bring it about, it is not simply by legislation; we will have to create a climate in this country.

[Shri R.K. Khadilkar]

the workers and the management feel that they have vested interests and involvement in the process of production. Do they feel it at the present juncture? We have reached a limited accord regarding certain sensitive areas in the process of production. In modern production, at some stage, if the process stops, the entire production goes down. Take, for instance, steel or the glass industry, and so many other industries. We have reached some limited accord, but is it enough? Therefore, the most welcome suggestion is that they must feel involved from the lowest level to the highest level. It is no use just saying "send a representative on the Board of Directors." That is not enough. He might have some say in the administrative matters if he knows what are those matters, because he may not be well-acquainted with the various administrative problems facing a company or a big complex. But if he gets involved at the shop level, and if there is a certain amount of commitment—you call it as a workers-management joint committee or you call it a production committee at the plant level, it may help, because this productivity movement has not impressed much and it has not made much impact. It has remained at a certain level. It has not touched the bottom at all. At the management level, as the workers have natural aspirations to get involved, the management must also be responsive. Unfortunately, at the present juncture, because of certain concepts and techniques that the managements have evolved in other countries and which the managements here have borrowed, they have become a sort of class or caste and they as not keep pace with the changing conditions. This is the present state of affairs.

Somebody objected when one used that word 'caste' among the managerial class or group of people. Unless they are reoriented and their thinking is attuned to the general aspirations of the working class, I am afraid all these efforts of participation in the management or representation on the Board will not bear any fruit. This background must be kept in mind.

I would certainly, as I said earlier, keep in mind all the suggestions that were put

forward here on this occasion, while we come to the stage of recasting the present machinery for settling the industrial disputes and the industrial relations system in this country. What is our objective? All of us have one objective.

We want very healthy industrial relations in this country, but often there are strikes, and I would say that such a step is not taken with due consideration. Strikes lead later on to frustration if no results or no gains are achieved. In such a situation we have to avoid strikes. That is the intention or the desire of the Prime Minister or the President in giving this call.

This Resolution has provoked a good debate on the floor of the House. I hope it will ultimately provoke at least some responsible trade union leaders in this country to shed certain prejudices and rigid postures in trade union and political activities, so that we can march ahead and, as desired by the Mover of the Resolution, Government will be able to recast the entire system and see where amendments are called for, where a review is necessary and where effective participation of the workers will be available from the bottom shop level to the Board level. If these things happen, I think the purpose of the Mover will be served. After provoking a very good, constructive debate, I hope he would think it wise to withdraw the Resolution.

SHRI S.M. BANERJEE : A question was asked about his announcement that a committee was going to be appointed regarding this bonus formula. What is the truth about it?

SHRI R.K. KHADILKAR : Some reference was made to the bonus issue and the Bombay formula that was evolved to settle particularly textile disputes in Bombay. Most of the employer's have implemented it the public sector also has done it. I have given an assurance that I would set up a committee to review the entire scheme. I can assure the House that within a few days I shall be able to announce it. I shall try to announce it as early as possible because Puja days are coming soon and I must get at least the recommendations regarding the minimum before that. Other recommendations will follow :

SHRI INDRAJIT GUPTA (Alipore) :

I am extremely grateful to the large number of hon. Members from all sides of the House who have shown such keen interest in the discussion of this question. I am afraid the Minister's reply has really disappointed me very much, not only disappointed me but I am sure that trade union leaders outside this House will also feel deeply concerned and a little apprehensive as to the intentions of the Government, because the essence of my Resolution and the reason why I brought it at this particular juncture was that after so many months of hardwork and discussions and a collective positive effort, the three central trade union organisations have come before the Minister with at least a limited accord and agreement, which is not a very easy thing to have achieved in this country.

For example, I do not mind reminding the House that the AITUC, of which I am a representative, were always in the past opposed tooth and nail to verification. We stood only for secret ballots, and what Mr. Dinan Bhattacharya said is not correct, namely that the AITUC also gave up the right to ballot. The INTUC were always opposed tooth and nail to ballot and stood for verification. Yet, these two organisations, through their representatives holding a series of discussion over six months, have come to a compromise agreement among themselves whereby the two things are combined. Those who are opposed to verification have agreed that verifications may be there, but the machinery of verification should be changed. I am not going into details because I have no time, but those who were opposed tooth and nail to ballot have agreed that in particular circumstances where the result of the verification is not decisive, there should be a ballot.

Is this not a constructive thing for which the trade union leaders who have been engaged in this exercise for six months should have a little word of commendation and praise from the minister? Instead of that, he says, "Unfortunately they have not reached any agreement and so Government still cannot do anything!" I am surprised he took a jibe and tried to provoke me by referring to what he called my Oxbridge background, because I spent 3 years in a British University at a time when I had

nothing to do with the trade union movement. Who is saying it to me? The representative of a Government which inherited the Trade Union Act and Industrial Disputes Act from the British Government and practically without changing a semicolon or comma are elinging to it for the last 25 years after independence. He is making fun of me for having a British educational background! It is this idea that used to prevail in the eighteenth and nineteenth century that Government should hold the ring and leave the workers and employers to fight it out, which is supposed to be an old-fashioned British idea. The agreed communique of the INTUC, AITUC and HMS says in one place—I quoted it the other day, but the minister was not present then; I will again quote it today;

"With regard to industrial relations, the meeting felt that the present system is totally inadequate and requires immediate change. The best way to promote healthy industrial relations is to leave all disputes to be resolved through direct bilateral negotiations.

—That means between the employers and workers.

"The parties may agree to refer the dispute to voluntary arbitration, or failing agreement, the workers have the right of direct action including strike."

If this outlook is something which 18th or 19th century Britain fostered and which I am clinging to, all I can say is, Messrs G. Ramanujam, C. M. Stephen, Bishnu Banerjee, Aurobindo Bose, H. D. Mukherjee and R. L. Thakkar, all from the INTUC, apparently also suffer from this 19th century British ideology. They are his colleagues. You better give them a lecture about it instead of lecturing to me.

I am not going to withdraw the resolution. If the Government wishes to defeat it, it can do so. The reasons are very simple. What have I said in this resolution? Firstly, I wanted a clarification about the moratorium on strikes. A better clarification has been given by some members on that side of the House than by the minister. They have made it clear that the only sense

[Shri Indrajit Gupta]

in which this can have any meaning to creating a situation in which strikes become superfluous. How will it happen? By providing something else. What can that something else be? I think it is contained here. I have not got the time to go into this whole detailed machinery which has been suggested by agreement by these three Central TUs, because it runs to two or three pages. This is the positive suggestion made and yet the minister says no positive suggestion has been made. He is not prepared to respect what his own INTUC people have signed. As far as the moratorium on strike goes, if it means in any sense a unilateral ban or curbing of strikes, let me make it very clear. Mr. C. M. Stephen also has said it on the floor of the House: There is no self-respecting trade union in this country, whatever its political colour, may be, which is going to tolerate it.

Secondly, regarding this business of changing the industrial relations law, since the trade union leaders have been at it for six months, I expect him to give an assurance that within the next six months, on the basis of the agreement which has been reached, he will come forward with specific statutory amendments to the law, or with a new Bill, so that the essence of it, namely, recognition of trade unions, which is not provided for in any law in this country for the last 25 years, will be provided for, as also the right of collective bargaining without third party interference. I am surprised that he thinks this is an old-fashioned idea. I am afraid it is not only the employers, or the political parties, or some trade unions which have developed vested interests—though I agree that some of them have—but the government also, unfortunately, has developed vested interest. They do not want to give it up; they want to have the right to interfere in everything, on the basis of the theory that they are a sort of benevolent government a kind of father figure, which wants to look after everybody. This is feudalism to the core and paternalism. Otherwise, what else is it?

Because the government is not prepared to stop interference, so the disputes are not settled and multiplicity of unions continues. Every employer and every trade union knows that if he or it does not

agree with the opposite party there is a Labour Commissioner, there is a conciliation machinery, there is a tribunal, there is compulsory adjudication. It is in the back of their mind that these things are always available. Therefore, there is always a compulsion on either the employer or the union not to come to a mutual agreement across the table. He makes an assessment as to which would be more beneficial to him, not to agree to talks and break the discussion, or offer to go to the tribunal, or strike, or something else. If both the parties know that there is no possibility of any third party interfering, they will sit across the table and go on negotiating until they come to a settlement. If they do not come to a settlement, the threat of strike is always there. This is happening in other countries. Are these countries plunged in anarchy and chaos because this system is there?

The other day I have quoted the extreme example from that very respectable Britain the coalminers' strike which went on for seven weeks of 250,000 coalminers in the depth of the British winter when the whole British public had to suffer without lighting, heating, fuel and transport, and about 3,000 factories had to go to part-time working because power units had closed down. It is an extraordinary thing which seldom happens in Britain. And yet, if you read the British press, you will find that the British public, though conservative, sedate and sober, put up with all this discomfort and suffering because their sympathies were with the coalminers. They thought "it does not matter, the coalminers had a bad deal, if they have to fight for their rights, let them fight, we will support them".

So, the picture which has been presented by Shri Khadiolkar, that unless he is given the power always to interfere and butt in there will be chaos, that is a false picture. What is happening today? Many hon. Members have referred to it. What is happening to our plants, specially in the public sector? We do not like crores of rupees of public money to be thrown down the drain. I have quoted the example of public sector concerns in this city of Delhi where managements are refusing to recognise the union of employees although only one union exists and the excuse of multiplicity of unions is not there. There is the National

Industrial Development Corporation here in Chanakypuri, the NMDC headquarters and the Dolomite Iron Ore project, Mysore. These are public sector projects where only one union exists, and yet the management of the public sector concern says "we will not recognise the union, we will not talk to the employees". What has Shri Khadilkar done about them? Why does he not interfere with them? Why is he helping the grip of the rotten bureaucratic management? He is helping them, encouraging them to follow this anti-labour policy. These cases have been brought to his notice several times but nothing has happened. Therefore, I want an assurance from him, which is not really a new assurance. He has given an assurance to the three Central trade unions that if they come to a mutual agreement among themselves and bring an agreed formula before him, the government will accept that and enact a new legislation on that basis. If he requires more time, say, three months or six months, I am not particularly worried about it. But if he goes on saying that they have not reached an agreement add, therefore, there is nothing on which he can proceed, then I will press my resolution. Let it be voted down. Let the trade union movement and the workers know the attitude of the government, because INTUC, AITUC and IIMS people know very well that their leaders have agreed to it. What is the formula they have put before Mr. Khadilkar? If he tries to back out from that thing, we are not going to be a party to it. Therefore, unless he gives this assurance, I am not going to withdraw my Resolution. Let it be quite clear. I do not mind if it is defeated. Let the Congress party take the responsibility of defeating this Resolution and let them go and face trade unions and workers outside.

I am sorry if I have been a bit agitated. I am surprised at the attitude taken. We are trying to put some positive constructive idea which can bring about a new institutional change in the whole field of industrial relations so that we can also move towards the unification of trade union movement. It is true what my hon. friend over there said that the workers are not strong enough everywhere to fight the employers. Everybody who is in the trade

union movement knows that the weakness of the workers does not lie in their illiteracy or poverty. The weakness of the workers lies in disunity. And their strength lies in unity and nothing else.

This is the experience throughout the world which the workers know. Therefore, side by side with this industrial relations machinery which will encourage emergence of one bargaining agent in every industry with whom the employers have got to sit down and negotiate, side by side with that, these unions are trying to work out a procedure by which the unification can take place. In spite of political differences, in spite of party differences, in the trade union field, there should be the unification of trade union movement. This is the position today after four Five Year Plans. If you want to talk about self-reliance and make the country go forward in this new difficult situation, specially as far as the public sector is concerned, it cannot be done without this.

Sir, I expected a positive response from that side but instead I got what I consider to be absolutely a counsel of despair and frustration, coming from the hon. Minister. I do not want to take more time of the House. Let him explain his position and then I will say what I am going to do.

SHRI R. K. KHADILKAR : May I say a word? Unfortunately, perhaps, the hon. Member, Shri Indrajit Gupta, does not know the position regarding "limited accord". When they said "limited accord", later on, three trade union leaders came to report back to me saying that they have made certain concessions by giving up insistence on ballot. But now as there is no accord, they have withdrawn that. They have written to me. I did not want to disclose it. If there had been some agreement, I would have welcomed it and I would have made an announcement here.

I would assure the hon. Member, as I said in the other house, that after their deliberations and keeping in view what is the general consensus and what is the area of agreement, I would like to proceed with it. Within a few months time we cannot stop here we will have to go ahead and bring forward a legislation on the basis.

did not want to disclose it purposely because I am still hopeful and I am trying to persuade them. There is a discord still persisting. This "limited accord" is word used to cover disagreement. This is the difficulty. So, I would appeal to the hon Member to withdraw it.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR) : It is a very general and vague Resolution.

SHRI INDRAJIT GUPTA : If it is so general, you accept it.

MR CHAIRMAN : There are three amendments in the name of Shri M C Daga. Is he withdrawing them ?

SHRI M C DAGA : Yes.

*Amendment Nos 1 to 3 were by
leave, withdrawn*

MR CHAIRMAN : Now, I take up the main Resolution. Is he withdrawing ?

SHRI INDRAJIT GUPTA : They say that this is a very general Resolution, putting forward general things which are not controversial. Let them accept it.

SHRI RAJ BAHADUR : It is a very vague Resolution. Everything should be in a concrete form. I would beg of him to please withdraw it. Because the ultimate objective is the same. As my colleague explained, we want to be positive.

SHRI INDRAJIT GUPTA : Out of this debate, I wanted only one assurance that a new industrial relations enactment would be brought before Parliament within a reasonable period of time.

SHRI R K KHADILKAR : I have already said that.

What I said yesterday in the other House, I am repeating here.

SHRI INDRAJIT GUPTA : I do not know what happened in the other House.

SHRI R. K. KHADILKAR : On this

basis, we will make every effort to bring forward a legislation to improve the industrial relations. *(Interruptions)*

SHRI INDRAJIT GUPTA : On the basis of the views of the trade unions ?

SHRI R K KHADILKAR : If full accord is not there, I will have to go ahead. I have already said that.

MR CHAIRMAN : Is the hon Member withdrawing his Resolution ? *(Interruptions)*

SHRI R K KHADILKAR : I cannot understand what I can say beyond this at the present stage, when I am still hoping that full accord will be reached. Even if that is not possible, as I have said I will go ahead with the limited accord and bring forward a suitable measure.

SHRI INDRAJIT GUPTA : No ban on strikes.

SHRI R K KHADILKAR : I would like to repeat it. Neither President nor Prime Minister, and none of us desires that the fundamental right to strike—that is the weapon in the hands of working class—should be taken away. The intention is totally different. Why do you mix them ?

MR CHAIRMAN : Is the hon Member withdrawing his Resolution ?

SHRI INDRAJIT GUPTA : Yes, in view of what he says, I am withdrawing.

The Resolution was, by leave, withdrawn

17.37 hrs.

RESOLUTION RE COMMUNAL PARAMILITARY ORGANISATIONS

SHRI INDER JIT MALHOTRA (Jammu) : Mr Chairman, Sir, with your permission, I move the following Resolution :—

"This House calls upon the Government to take immediate steps to ban communal para-military organisations in the country."