

[Shri Siddheshwar Prasad] is a company which has been doing something very important. Secondly, it has been providing employment to roughly 2500 people. Thirdly, if we want that the affairs of the company should be managed properly, there is no other way except to take it over and from a new company. Therefore, these are the objectives of the Bill. Hon. Members have supported this Bill unanimously. I would make it clear that on the one hand Government is going to appoint a tribunal which will go into all such matters which are pending since long. At the same time, Government is also having a Custodian to look into the affairs of the old company because of the controversial matter about the shares. Mr. Haridas Mundhra who was managing the affairs of this company issued certain spurious and duplicate shares. After this is determined, we will see that the genuine shareholders of the company are not punished. The Custodian is being given the necessary powers so that he may be in a position to take care of the claims of the genuine shareholders. There may be small shareholders also. I do not know.

SHRI SOMNATH CHATTERJEE: This amount of Rs. 30 lakhs will be utilised for payment of the liability. What is the amount of liability, we do not know. We do not know whether the bulk of this money will go back to the majority shareholders who have been in control of the company all along.

SHRI SIDDHESHWAR PRASAD: All the suggestions made by hon. members will be taken care of by the Government at the appropriate time. There is an apprehension in the minds of hon. members that there may not be proper job security for the employees. It is the other way round. We have come forward with this Bill because we are very keen about the job security of the employees. Otherwise, we know that in the case of many other companies which were

mismanaged, they were closed and the fate of the workers, we know.

SHRI R. V. BADE: Under clause 7(3), the employee is not authorised to have any compensation and the doors of the courts are also closed to him.

SHRI SIDDHESHWAR PRASAD: I have made it very clear that all these things will be taken into consideration at the appropriate time.

MR. CHAIRMAN: The question is:

"That the Bill to provide for the acquisition and transfer of the undertaking of the Richardson and Cruddas Limited, for the reconstruction of the register of its members and for matters connected therewith or incidental thereto, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN: We will now take up clause by clause consideration. There are no amendments. The question is:

"That clause 2 to 31 stand part of the Bill."

The motion was adopted.

Clauses 2 to 31 were added to the Bill. Clause 1, the Enacting Formula, the Preamble and the Title were added to the Bill.

SHRI SIDDHESHWAR PRASAD: I move:

"That the Bill be passed"

MR. CHAIRMAN: The question is:

"That the Bill be passed".

The motion was adopted.

ALL INDIA SERVICES REGULATIONS (INDEMNITY) 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 the debate on the motion 'that the All-India Services Regulations (Indemnity) Bill, 1972, as passed by Rajya Sabha, be taken into consideration' which was adjourned on the 5th December, 1972, be resumed now."

As hon. Members would recall, there was a debate on this motion and various legal and other points were raised. In deference to the wishes of the hon. Members, the consideration of the Bill was postponed so that in the meanwhile the matter could be examined in greater detail.

As my colleague, Shri Mohsin, had explained that day, the Bill seeks to fill in a legal lacuna. Some doubts were raised that the Bill seeks to change or regularise the old actions of persons and indemnifies those actions of the individuals which are not before the House. What we are doing is not indemnifying or regularising any action that was taken. We are merely regularising the fact that they were not placed before the House. No action which was taken is being regularised and no one is being indemnified as a result of that. It you kindly see clause 2 of the Bill, a part of it reads:

“... against all consequences whatever, if any, incorporated or to be incorporated by them, or the Central Government or any such officer, by reason of any omission in this behalf to lay such regulations before Parliament.”

This is all it seeks to do. Because we did not lay it before Parliament, only this omission has to be regularised.

SHRI SOMNATH CHATTERJEE:
By indemnification.

SHRI RAM NIWAS MIRDHA:
Indemnification takes place when you take a wrong action.

We are not indemnifying any action, wrong or improper or anything that was one by any person but the mere omission of not putting regulations on the Table of the House. Even this omission is not very material because it has been very rightly held by the court that this direction to put them

on the Table of the House is not mandatory. None of these regulations is illegal or does not have the force of law, merely because it was not put on the Table of the House.

17 hrs.

It is not that we are compelled to put them on the Table of the House. But as a matter of abundant caution, we have brought forward this Bill. Even if we do not put them on the Table of the House, they are valid even now.

On the last occasion, when this Bill was being discussed, it was thought that we were indemnifying or excusing all actions taken by persons under these regulations. It is not so. It is just for not laying them on the Table of the House. Nothing more.

SHRI R. V. BADE (Khargone): On that day, the Deputy-Speaker adjourned the debate on the Bill simply because the House does not know what are those regulations.

श्री राम निवास मिर्धा : उसके लिए हमने सारे रेगुलेशंस जो आज फॉर्स में हैं उनको सक्रिफिट कर दिया है माननीय सदस्यों को ताकि वे देखलें कि किस प्रकार के रेगुलेशंस हैं उनका क्या विषय है और उनके बारे में अपना मत बना सकें कि किस प्रकार के रेगुलेशंस हैं जिनको इस विधेयक के अन्तर्गत लाना चाहते हैं। इसलिए यह प्रस्ताव रख दिया जाये।

SHRI S. M. BANERJEE (Kanpur):
Sir, the other day, we raised certain objections. We would like to speak now.

On that day, when the Bill was before the House, we raised certain objections. One is about any regulation that is deemed to have been laid on the Table of the House. Supposing any particular officer has misinterpreted or by mistake or, has deliberately, utilised certain rules after which a person has gone to a court of law and

[Shri S. M. Banerjee] has won, naturally, if that is to be indemnified, that aggrieved person can never sue him in a court of law and he can never get justice.

I give another instance, where a particular decision of the Kerala High Court regarding certain Central Government employees who participated in the strike was in favour of the employees. Then, the Government went in appeal to the Supreme Court. The Supreme Court also in its wisdom upheld the decision of the Kerala High Court. But still after the Supreme Court Judgement, the Government amended the Government Service Temporary Rules respectively from 1965. We really wanted to know whether this was a fact and the hon. Minister said that he was not prepared. Certain officers out of vengeance did not implement them.

MR. CHAIRMAN: You put a question; don't make a speech.

SHRI S. M. BANERJEE: Why?

MR. CHAIRMAN: Because the Members have already spoken on the Bill.

SHRI S. M. BANERJEE: On that day, we never spoke and we raised only objections....

MR. CHAIRMAN: I am not allowing anybody to speak now. I am only allowing Members to put questions.

SHRI S. M. BANERJEE: Sir, on that day, perhaps you were not present in the House...

MR. CHAIRMAN: I was present in the House. The Members have already spoken on the Bill and the Minister wants to reply to it. You only ask a question.

SHRI S. M. BANERJEE: I want to know what is the utility of this Bill. Let him explain.

SHRI SOMNATH CHATTERJEE (Burdwan): Kindly see the title of

the Bill—All India Services Regulations (Indemnity) Bill. The hon. Minister has said today that, for the purpose of giving validity to the regulations that have been framed under the All-India Services Act, 1951, it is not necessary to place the rules before parliament because it is not mandatory. If that is the legal advice Government has got so far as the validity of the rules is concerned, then nobody is concerned whether the rules have been placed before parliament or not. If that is so, who are being indemnified against and for what? The hon. Minister took great pains to say that they were indemnifying only against some omissions, they were trying to cover up the omissions that had been made. But that is not the correct interpretation of this Clause. This Clause is seeking to indemnify, not only as the name suggests but also as the language suggests, the Central Government and all officers responsible for laying the regulations and who have not done so. Therefore, it is not only trying to give regularity or validity to the regulations which, according to the Minister himself, do not require validity because they were already valid, but they are indemnifying the Central Government and all officers responsible for not doing something....

SHRI RAM NIWAS MIRDHA: For not placing them on record.

SHRI SOMNATH CHATTERJEE: By not placing them on record, have the Central Government or their officers incurred any liability? If they have not incurred any liability, what are you indemnifying them against? This is an exercise in futility. If that is not required, why are you having this Bill passed? It is self-contradictory of the Minister to say on the one hand that it is not necessary but at the same time to try to have this bill passed.

SHRI RAM NIWAS MIRDHA: As regards Mr. Banerjee's point, what he mentioned does not concern this Bill at all. The Supreme Court judgement, which he referred to, pertains to a case which does not arise out of the All-India Services Regulations Bill. It has nothing to do with the Bill that is before us...

SHRI S. M. BANERJEE: Rule 5 of the Temporary Services. (Interruption)

SHRI RAM NIWAS MIRDHA: That was not under this Act.

MR. CHAIRMAN: Mr. Daga. Only put a question.

SHRI S. M. BANERJEE: Why, Sir?

MR. CHAIRMAN: Members have already spoken on this. Only the Minister was to reply.

SHRI S. M. BANERJEE: On that day when Mr. Deputy-Speaker accepted the motion moved by Shri Mohsin, the discussions were adjourned.

MR CHAIRMAN Mr Daga

श्री मूलबन्द डाला (पाली) : जो रेगुलेशन या स्लूम आपने बनाए है, जिनको कानून के प्रस्तर्गन मदन की टेबिल पर रखना चाहिए, आप कहते है कि रखने की जरूरत नहीं है। मैं समझत हूँ जो स्लूम बनें या रेगुलेशन बनें है उनपर आपके डिपार्टमेंट, आपके ऑफिसमें नें ऐकः अपान किया है, उनको काम में लिया है और उनके बाद आप चाहते है कि उनको इन्डेन्नीफाई किया जाये तो यह कैसे हो सकता है ?

MR. CHAIRMAN: Does the Minister want to give any reply?

SHRI RAM NIWAS MIRDHA: Regarding the observation of Mr. S. M. Banerjee, I would like to submit that the action that was taken in that case does not arise out of this because these regulations were not made under the All India Services

Act. It is completely a different matter. He may raise it; but that is a different matter and we can reply to him on some other occasion. (Interruption)

MR. CHAIRMAN: The question is:

"That the debate on the motion 'that the All-India Services Regulations (Indemnity) Bill, 1972, as passed by Rajya Sabha, be taken into consideration' which was adjourned on the 5th December, 1972, be resumed now."

The Lok Sabha divided:

Division No. 7]

[17.14 hrs.

AYES

Agrawal, Shri Shrikrishna
Ahirwar, Shri Nathu Ram
Ankineedu, Shri Maganti
Appalanaidu, Shri
Arvind Netam, Shri
Awdhesh Chandra Singh, Shri
Bahuguna, Shri H. N.
Banamali Babu, Shri
Bhagat, Shri B. R.
Bhandare, Shri R. D.
Chakleshwar Singh, Shri
Chandrakar, Shri Chandulal
Chandrika Prasad, Shri
Chaturvedi, Shri Rohan Lal
Chhotey Lal, Shri
Daga, Shri M. C.
Das, Shri Anadi Charan
Dharamgaj Singh, Shri
Dumada, Shri L. K.
Engti, Shri Biren
Ganga Devi, Shrimati
Gill, Shri Mohinder Singh
Godara, Shri Mani Ram
Gokhale, Shri H. R.
Gomango, Shri Giridhar
Gopal, Shri K.
Gotkhinde, Shri Annasaheb

Gowda, Shri Pampan
 Jaffer Sharief, Shri C. K.
 Joshi, Shrimati Subhadra
 Kailas, Dr.
 Kamla Kumari, Kumari
 Kasture, Shri A. S.
 Kavde, Shri B. R.
 Kedar Nath Singh, Shri
 Khadilkar, Shri R. K.
 Kinder Lal, Shri
 Kureel, Shri B. N.
 Lakshmikanthamma, Shrimati T.
 Malaviya, Shri K. D.
 Mandal, Shri Jagdish Narain
 Mandal, Shri Yamuna Prasad
 Mirdha, Shri Nathu Ram
 Mohsin, Shri F. H.
 Murthy, Shri B. S.
 Nimbalkar, Shri
 Oraon, Shri Tuna
 Panigrahi, Shri Chintamani
 Partap Singh, Shri
 Paswan, Shri Ram Bhagat
 Peje, Shri S. L.
 Ram Dhan, Shri
 Ram Sewak, Ch.
 Ram Surat Prasad, Shri
 Ram Swarup, Shri
 Rana, Shri M. B.
 Rao, Shri M. S. Sanjeevi
 Rao, Shri Nageswara
 Rao, Shri P. Ankineedu Prasada
 Rao, Shri Pattabhi Rama
 Rathia, Shri Umed Singh
 Reddy, Shri M. Ram Gopal
 Richhariya, Dr. Govind Das
 Samanta, Shri S. C.
 Sayeed, Shri P. M.
 Sethi, Shri Arjun
 Shankar Dayal Singh, Shri
 Shankaranand, Shri B.
 Sharma, Shri A. P.

Sharma, Shri Nawal Kishore
 Shastri, Shri Sheopujan
 Shenoy, Shri P. R.
 Shivnath Singh, Shri
 Shukla, Shri B. R.
 Siddheshwar Prasad, Shri
 Surendra Pal Singh, Shri
 Suryanarayana, Shri K.
 Thakur, Shri Krishnarao
 Tiwary, Shri D. N.
 Unnikrishnan, Shri K. P.
 Venkatasubbaiah, Shri P.
 Vikal, Shri Ram Chandra
 Yadav, Shri R. P.

NOES

Bade, Shri R. V.
 Banerjee, Shri S. M.
 Bhagirath Bhanwar, Shri
 Chatterjee, Shri Somnath
 Jha, Shri Bhogendra
 Kachwai, Shri Hukam Chand
 Mehta, Shri P. M.
 Parmar, Shri Bhaljibhai
 Shastri, Shri Ramavatar
 MR. CHAIRMAN: The result of
 the division is:
 Ayes-83; Noes-9.

The motion was adopted.

MR. CHAIRMAN: Now, we take
 up the further consideration of the
 following motion moved by Shri F. H.
 Mohsin on 5th December, 1972, namely:
 :

"That the Bill to grant indemnity
 in respect of the failure to lay
 before Parliament certain regula-
 tions made under the All-India Ser-
 vices Act, 1951, and for certain other
 matters connected therewith, as
 passed by Rajya Sabha, be taken
 into consideration."

SHRI S. M. BANERJEE: I would
 like to speak..

MR. CHAIRMAN: You have spoken already. You have spoken last time. I will not allow it. I will not allow a second time.

SHRI S. M. BANERJEE: But this is coming up again..

MR. CHAIRMAN: Those hon. Members who have spoken once will not be given a second chance.

SHRI S. M. BANERJEE: The Minister has also spoken.

MR. CHAIRMAN: That does not apply to the case of the Minister.

SHRI S. M. BANERJEE: The Minister spoke on the last occasion.

MR. CHAIRMAN: Any other Member who has not spoken may speak

SHRI SOMNATH CHATTERJEE: My submission is this, Sir. This Bill is wholly necessary, on the Minister's own statement. He himself said while we were discussing the last motion that this Bill is not intended for the purpose of validation of any regulation. I believe, I have rightly understood him. According to him, without the regulations having been placed before the House, the regulations are valid regulations. Therefore, this is not a validating Bill. Now, Sir, we wanted to have certain clarifications and there was no reply to them. What are the consequences from which now the Central Government and the officers are being shielded or being absolved? Kindly see the language. It says:

"The Central Government and all officers responsible for the laying of any regulation made before the commencement of this Act under or in pursuance of any rule, and each of them, is hereby freed, discharged and indemnified from and against all consequences, whatsoever, if any, incurred or to be incurred by them or the Central Government or any such officer by reason of any omission in this behalf

to lay such regulation before Parliament and every such regulation shall for all purposes be deemed to have been duly laid before Parliament."

So far as the first part is concerned, this is a provision for giving indemnity to those officers who had to take up this job namely, that of laying down all the regulations on the Table of the House. We want to know as to what the obligations are. We want to know as to what the consequences are. We want to know what their liabilities are. And, without knowing what are their liabilities, we are absolving them of something. And what is it against which we are absolving them? After all what are the consequences which will flow from them? Without knowing all these, we are giving them indemnity. If they do not require indemnity, why is it that you want to bring this Act into the statute book. Therefore, the real purpose is only to give something like a blanket charter to whatever has been done. The Central Government and other officers cannot be called into question. There can do whatever they like. For all these years, since 1955 onwards not a single explanation has been given why this has not been laid. Nobody has looked into this matter. Nobody has considered this matter.

If they are relying on the Supreme Court's decision, as the hon. Minister referred to, namely that they are not mandatory provisions and therefore they need not follow them, then why they are giving this indemnity, kindly see the All India Services Act, 1951, under which regulations are supposed to be framed. This is under Sub-section (2) of Section 3 of those Rules. It says that the rules made under this section shall be laid before Parliament within such and such time, in such and such manner. But, that has not been done. Why have they not done? No explanation was given. The only explanation given in the Statement of Objects and Reasons is on the point whether the regulations come within the definition of rules or

[Shri Somnath Chatterjee]

not—there were some doubts expressed. On those very points, they had some doubts. I would like to know as to when those doubts were resolved, and who resolved them. It is as if we are here only to 'ditto' what the Government wants.

Therefore, Sir, I would like to submit that this Bill is wholly an unnecessary Bill according to the Minister's own admission. The House should be taken into confidence at least to this extent of saying as to what are the liabilities which are being incurred by the Central Government and what are the consequences that are following from them. Without knowing that, I think the House should not be asked to pass this measure, which in future may be used for what purpose we do not know.

So far as the last part is concerned, the hon Minister, if I may say so, was not wholly correct in his reading of the Bill. The last part of clause 2 says:

"Every such regulation shall, for all purposes be deemed to have been duly laid before parliament and shall have effect and shall be deemed to have had effect accordingly"

Therefore, we shall be going 17 years back, and these regulations from 1955 onwards would be deemed to have been placed on the Table of the House as and when they were framed. Why does the hon. Minister want this? No explanation is forthcoming from the hon. Minister. If they have nothing to do with the validity, then why do they want to put it on the statute-book that they will be deemed to have been validly laid before Parliament? Therefore, let us not try to surrender ourselves to bureaucracy. Let the hon. Minister

at least point out the real object of this Bill and why this Bill has become necessary. According to the hon. Minister's own statement, I submit that this is a wholly unnecessary Bill and the House should not be a party to this.

SHRI RAM NIWAS MIRDHA: The question has been put why this Bill has been brought forward. I have already said that it was thought at one time that only the rules made under the All India Services Act, 1951 were to be laid. Then, at a certain stage, it was thought that not only the rules but the regulation made under those rules also should be laid. That was the difficulty that was experienced

SHRI R D BHANDARE (Bombay Central): That was because of the Supreme Court judgement which had removed the distinction between rules and regulations

SHRI RAM NIWAS MIRDHA: That was the difficulty

SHRI SOMNATH CHATTERJEE: Somebody has pointed that out. But what is Government's reaction?

SHRI RAM NIWAS MIRDHA: To put everything beyond any shadow of doubt, we have been advised that we should in future make it clear that the regulations are also to be laid on the Table of the House

SHRI S. M. BANERJEE: Who has advised?

SHRI RAM NIWAS MIRDHA: That is the main reason why this Bill has been brought forward here. There are precedents when such Bills had been brought...

SHRI S. M. BANERJEE: Which are those precedents? Let him please tell us.

SHRI SOMNATH CHATTERJEE: We are supporting the good measures, but we cannot support all measures.

SHRI S. M. BANERJEE: Which are the precedents?

MR. CHAIRMAN: Let the hon. Minister reply to his question. Let him not interrupt so often....

SHRI S. M. BANERJEE: You may be tired, Sir, but I am not tired. He said that there were precedents. I want to know what those precedents are.

SHRI RAM NIWAS MIRDHA: There are old precedents of the British law as well as our Indian law....

SHRI S. M. BANERJEE: What were the precedents in our Parliament? I am not concerned with the British law. We are not the British Parliament here.....

SHRI RAM NIWAS MIRDHA: I have explained the purpose of the Bill and I have nothing more to add.

MR. CHAIRMAN: Does it look nice on the part of the hon. Member to speak in this manner? He has put the question, and the hon. Minister is replying....

SHRI S. M. BANERJEE: Then, I rise on a point of order. There is no quorum in the House.

MR. CHAIRMAN: I shall see if there is quorum or not, and if there is no quorum, I shall have the bell rung. The hon. Member has put the question, and the hon. Minister is replying. He should not get up again and again and put obstructions....

SHRI S. M. BANERJEE: The hon. Minister said that there were certain precedents, I asked him what those precedents were. What is the obstruction in this matter?

MR. CHAIRMAN: Why should the hon. Member say that I am feeling tired? If he is feeling tired, he may

not sit beyond 5 p.m. But I am not at this command. Does he want that I should not be here after 5 p.m.?

SHRI S. M. BANERJEE: I never said so. I said that you might be tired....

SHRI DINEN BHATTACHARYA (Serampore): If the Bill is passed under your chairmanship, what will the people say afterwards?

SHRI RAM NIWAS MIRDHA: I have already explained the purpose of the Bill, and I have nothing more to add.

MR. CHAIRMAN: "Let the lobbies be cleared." The question is:

"That the Bill to grant indemnity in respect of the failure to lay before Parliament certain regulations made under the All-India Services Act, 1951, and for certain other matters connected therewith, as passed by Rajya Sabha, be taken into consideration."

The Lok Sabha divided:

Division No. 8 [1728 hours.]

AYES

Agrawal, Shri Shrikrishna
Ahirwar, Shri Nathu Ram
Ambesh, Shri
Ankineedu, Shri Maganti
Appalanaidu, Shri
Bahuguna, Shri H. N.
Banamali Babu, Shri
Bhagat, Shri B. R.
Bhandare, Shri R. D.
Chandrika Prasad, Shri
Chaturvedi, Shri Rohan Lal
Chhotey Lal, Shri
Daga, Shri M. C.
Das, Shri Anadi Charan
Engti, Shri Biren
Ganga Devi, Shrimati

Gangadeb, Shri P.
 Gill, Shri Mohinder Singh
 Gokhale, Shri H. R.
 Gomango, Shri Giridhar.
 Gopal, Shri K.
 Gotkhinde, Shri Annasaheb
 Hari Singh, Shri
 Jamilurrahman, Shri Md.
 Joshi, Shri Popatlal M.
 Joshi, Shrimati Subhadra
 Kailas, Dr.
 Kasture, Shri A. S.
 Kavde, Shri B. R.
 Kelar Nath Singh, Shri
 Khadilkar, Shri R. K.
 Kinder Lal, Shri
 Kureel, Shri B. N.
 Lakshmikanthamma, Shrimati T.
 Malaviya, Shri K. D.
 Mandal, Shri Jagdish Narain
 Mirdha, Shri Nathu Ram
 Mishra, Shri Jagannath
 Mishra, Shri L. N.
 Mohsin, Shri F. H.
 Murthy, Shri B. S.
 Oraon, Shri Tuna
 Pandey, Shri Krishna Chandra
 Paratap Singh, Shri
 Peje, Shri S. L.
 Rai Shrimati Sahodrabai
 Raj Bahadur, Shri
 Ram Prakash, shri
 Ram Swarup, Shri
 Rena, Shri M. B.
 Rao, Shrimati B. Radhabai A.
 Rao, Shri M. S. Sanjeevi
 Rao, Shri P. Ankineedu Prasada
 Rao, Shri Pattabhi Rama

Rathia, Shri Umaj Singh
 Redy, Shri M. Ram Gopal
 Richhariya, Dr. Govind Das
 Samanta, Shri S. C.
 Sathe, Shri Vasant
 Sayeed, Shri P. M.
 Sethi, Shri Arjun
 Shankar Dev, Shri
 Shankaranand, Shri B.
 Sharma, Shri Nawaj Kishore
 Shastri, Shri Sheopujan
 Shivnath Singh, Shri
 Shukla, Shri B. R.
 Siddheswar Prasad, Shri
 Surendra Pal Singh, Shri
 Suryanarayana, Shri K.
 Thakur, Shri Krishnarao
 Tiwary, Shri D. N.
 Yadav, Shri R. P.

NOES

Bade, Shri R. V.
 Banerjee, Shri S. M.
 Chatterjee, Shri Somnath
 Gupta, Shri Indrajit
 Kachwai, Shri Hukam Chand
 Pandeya, Dr. Laxminarain
 Parmar, Shri Bhaljibhai
 Shakya, Shri Maha Deepak Singh
 Vajpayee, Shri Atal Bihari
 Verma, Shri Phool Chand
 MR. CHAIRMAN: The result* of the
 Division is:
 Ayes 73; Noes 10.

The motion was adopted.

MR. CHAIRMAN: There are no amendments to clauses. I shall put all the clauses together to vote.

SHRI S. M. BANERJEE: I would like to speak on clause 2. Where is the rule that I cannot speak on clause 2?

*The following members also recorded their votes:

AYES: Sarvashri Dharamraj Singh and K. Chikkalingaiah;

NOES: Shri Dinen Bhattacharyya

MR. CHAIRMAN: When did I stop him from speaking? Why is he taking up this attitude? If he wants to speak, he may.

SHRI S. M. BANERJEE: We want each clause to be taken up separately.

MR. CHAIRMAN: Let him speak.

AN HON. MEMBER: What about the half hour discussion?

MR. CHAIRMAN: It will be taken up at 5.30 P.M. Shri Banerjee can begin.

SHRI S. M. BANERJEE: I would like to oppose clause 2..

MR. CHAIRMAN: He can continue tomorrow. After 5 P.M. Shri Banerjee should take some rest.

SHRI S. M. BANERJEE: I rise on a point of personal explanation. I have never cast any aspersion on you. You are one of the most respected persons. After so much work, I feel tired. You are older than me.

17.30 hrs.

HALF-AN-HOUR DISCUSSION
REVISION OF PAY-SCALES IN
KHADI GRAMODYOG BHAWAN
NEW DELHI

श्री चण्डिका प्रसाद (बलिया) : सभापति महोदय, प्रश्न संख्या 3293 के संदर्भ में मंत्री महोदय को वास्तविकता से परिचित नहीं कराया गया था जिससे कि उनका जवाब आधा-रहित और तथ्य-रहित है। पहला प्रश्न था कि क्या खादी भवन के कर्मचारियों को 30 और 40 रुपये बेसिक सेलरी मिल रही है? ध्याने कहा कि—नो सर। मेरे पास पन्द्रह आदमियों का नाम है जो कि मैं सभा पटल पर रखने को तैयार हूँ जिनको कि 30 से लेकर 35 और 36 रुपये तक की तनछ्वाह मिलती है। दूसरा प्रश्न था कि खादी कमीशन के ट्रेडिंग विभाग में सेकेंड पे कमीशन की सारी सुविधाएँ

उनको दी गई हैं, लेकिन यह भी तथ्य-रहित है। वहाँ पर डीयरनेस पे एलाउंस उनको नहीं नहीं दिया गया है और सेकेंड पे कमीशन की रिपोर्ट 1963 से लागू है, अब तक यह नहीं दिया गया। खादी कमीशन के प्रन्दर कमीशन का कहना है कि हमारे यहाँ दो तरह के कर्मचारी हैं—एक ट्रेड ऐक्टिविटीज में और एक रेगुलर। ट्रेड ऐक्टिविटीज में वह कर्मचारी हैं जो कि दौड़-धूप करते हैं, बिक्री करते हैं, रंगाई का काम करते हैं, उत्पादन के केन्द्रों में जाते हैं और उनकी मेहनत और उनकी कमाई पर खादी भवन कई लाख का फायदा करता है। तो जो काम करने वाले हैं, जिन के धर्म, जिनकी मेहनत और जिनकी बुद्धि से लाभ होता है उनको कम दिया जा रहा है, उन्हें नुकसान पहुंचाया जा रहा है और जो लोग कुछ काम नहीं करते हैं उनको रेगुलर किया गया है। 1963 से सेकेंड पे कमीशन की रेकमेंडेशन लागू है। हमारा कहना है कि जब कि पे स्केल रेगुलर एम्प्लॉईज का 30 रुपये से 70 रुपये कर दिया गया तो खादी कमीशन द्वारा उनका स्केल जो ट्रेडिंग ऐक्टिविटी में है 30 से बढ़ाकर 70 कर दिया जाना चाहिए और उनको रेगुलर एम्प्लॉयी मानना चाहिए। साथ ही डीयरनेस पे एलाउंस भी उनको मिलना चाहिए।

दूसरी बात यह है कि यहाँ पर आपके खादी भवन में एक ऐडवाइजरी कमेटी बनाई गई है। हमारी सरकार का मंशा है कि वर्कर्स का पार्टिसिपेशन मैनेजमेंट में दिया जाना चाहिए, प्रबन्ध समिति में कर्मचारियों को रखा जाना चाहिए। वहाँ पर एक सलाह आयी था कि ऐडवाइजरी कमेटी में कौन-कौन लोग