

the National Commission on Agriculture, and keep relevant material and data ready so that these could be used by the Commission during the discussions with the States. The group could also make brief recommendations and suggestions for the consideration of the Commission.

(d) The Commission would hold discussions with selected groups of administrators, scientists and economists on matters falling within the purview of the work of the Commission.

Land leased in Vijay Nagar, Delhi

4172. SHRI SITARAM KESARI : Will the Minister of LABOUR AND REHABILITATION be pleased to refer to the reply given to Unstarred Question No. 2663 on the 26th November, 1970 and state :

(a) whether the Department of Rehabilitation have filed an appeal against the Judgement of the Authorised Chief Settlement Commissioner who upheld the lease involving public lane and public park in Block G, Vijay Nagar, Delhi-9 ;

(b) if so, the result of the appeal ; and

(c) if not, the reasons for not filing an appeal ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI D. SANJIVAYYA) : (a) to (c). It has been decided to challenge the decision of the Authorised Chief Settlement Commissioner in review proceedings under Section 33 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954.

Death of East Pak Refugees in Deoli Camp

4173. SHRI S. M. BANERJEE :
SHRI D. N. PATODIA :
SHRISAMAR GUHA :

Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether it is a fact that nearly 150 displaced persons from East Pakistan, including 100 children, who recently arrived and camped in Deoli Camp, died ;

(b) whether it is also a fact that they died because they had no proper clothing during winter ;

(c) whether any enquiry has been made in this regard ; and

(d) if so, the persons responsible for such negligence ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI D. SANJIVAYYA) : (a) No, Sir. Altogether, 73 migrants, including 65 children upto the age of 5 years, had died till 25.11.1970.

(b) No, Sir. They died of diseases carried over by them from East Pakistan to India, viz. measles, dysentery, bronchopneumonia etc. Malnutrition has been a predisposing cause of illness and consequent death.

(c) and (d). Do not arise.

12 04 hrs.

RE: PROCEDURE UNDER RULE 353

MR. SPEAKER : Now, before I take up the Call Attention Notice, Mr. Jyotirmoy Basu, I received your small chit that you wanted to mention some name under Rule 353. Rule 353 is not so simple that you will just say, you want to mention some name. You must give some details of it, as to what is the matter, who is the gentleman and all that, so that the Speaker could judge the matter before hand. Don't abruptly put the Speaker in difficulties.

And when specially the person is an hon. Member of this House, it is still more serious.

Now, we take up the Call Attention Motion.

Mr. Indrajit Gupta.

12.05 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

Reported Closure of the Daily 'Basumati' and Its Allied Publications

SHRI INDRAJIT GUPTA (Alipore)
Mr. Speaker, Sir, I call the attention of the Minister of Labour, Employment and Rehabi-

litation to the following matter of urgent public importance and I request that he may make a statement thereon :

"The reported closure of the daily 'Basumati' and its allied publications resulting in the unemployment of a large number of workers."

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (THRI BISHWANATH ROY) : Sir, according to information made available by the Government of West Bengal, there was a closure of Basumati Group of Papers by the management in Calcutta from November, 16, 1970. The number of workers affected by the closure is reported to be approximately 550. Reasons for the closure as stated by the management were indiscipline, acts of insubordination, show down and refusal to work on the part of the workers. The matter falls in the State sphere; the State authorities are seized of it in conciliation and are continuing their efforts to secure re-opening of the establishment.

SHRI INDRAJIT GUPTA : Sir, I am really surprised to find that the Union Ministry is trying to avoid its responsibility and seek to take shelter behind this technical plea that this is a matter which falls in the State's sphere and the State authorities are dealing with it. Everybody knows that West Bengal is under President's rule and it is this Government which is responsible for whatever happens there.

Besides that, as far as the question about the conciliation proceedings conducted by the State authorities is concerned, I would like to know whether the Minister is ignorant of the fact that three dates for conciliation meetings were fixed by the State Department on the 23rd November, 26th November and 9th December, *i.e.* yesterday and the management has failed to attend even a single one of these meetings. Their representatives have not turned up and I am told that yesterday, *i.e.* on the 9th, when the third of these meetings was called, they did not turn up, but they sent a message saying that, in their opinion, since they have closed down 'Basumati', there is nothing to have a conciliation about and, therefore, they did bother even to come and the hon. Minister comes forward with this

statement saying that the State authorities are going in for conciliation and so, there is nothing more to be done. So, this is a big attempt, if I may say so, just to shirk responsibility. There is no conciliation proceedings. They are abortive. The management is not attending these meetings. Therefore, the Government here cannot avoid its responsibility for intervening directly in the matter now. This is my first point.

Secondly, as I am sure, you know also this 'Basumati' institution is one of, I should say, the national institutions in West Bengal. The first Bengali newspaper which was ever published 50 or 60 years ago was this 'Basumati'. What are the reasons given by the management for closing down this newspaper, which have been dutifully trotted out in this statement, which have been dutifully reproduced here? 'Indiscipline, acts of insubordination, slow down and refusal to work on the part of the workers'. May I ask the Minister whether he knows if these acts of indiscipline, refusal to work, etc. have reached a stage where the management had no alternative but to close down? How is it, firstly, that when this closure notice was put up on the 16th of November. I may point out that the date of the closure notice was 15th the closure notice was dated 15th—but the notice was put up on the 16th—that with immediate effect the closure was effective and then on the 16th morning, the date of the closure, the paper has come out quite normally. It has never ceased publication for a single day and even on the day when the employees were suddenly informed that from today the institution is closed, the issue on that morning came out quite normally.

Sir, the latest available balance-sheet of this daily shows that they made a clean profit of Rs. 14.8 lakhs. So, all this talk of indiscipline, refusal to work, etc. is, I am afraid, nothing but a cover by the gentleman who is really the owner of this concern, a member of this House, I regret to say and a former Minister of the Union Cabinet.

Sir, the real reason for the closure is something else. The real reason is this. He was annoyed with the editorial policy of this paper, which was the prerogative of the editor Mr. Vivekananda Mukherjee, who is probably the most

respected and the most popular of all Editors in Bengal today, writing in Bangaloe.

I have a signed statement here from the Editor in which the Editor has alleged that Mr. Ashok Sen has been consistently trying to interfere with the editorial policy. Only last year, during the Presidential election—this should be of interest to Members on the other side—Mr. Ashok Sen consistently put pressure on Mr. Vivekananda Mukherjee to make him support the cause of Mr. Sanjiva Reddy and not the cause of Mr. V.V. Giri, which Mr. Vivekananda Mukherjee refused to do. And, therefore, last month, suddenly, on the spurious ground of superannuation the Editor was served with a dismissal notice. Some agitation took place; the employees agitated and later on, the Management was forced to reinstate Mr. Mukherjee. This was something which he found difficult to digest. Ever since then he has been trying to get his own band. And now, Sir, what is the situation?

A closure notice dated the 15th is put up on the 16th and with immediate effect, closure is effected. I think, the Minister of Labour at least knows that this absolutely illegal.

Sir, under the existing labour law, if any Management anywhere wants to effect a closure, under that law, it has to give due notice,—not only to the employees, but also to the Government. No such notice was given in this case. This is a totally illegal closure. The salaries of 500 employees for the month of October have not been paid. Their salaries for the month of November have not been paid. Instead of wages, they have been served with a closure notice, which is absolutely illegal. When conciliation is taking place, the Management is refusing to go to conciliation. This is the position, Sir.

I do not want, on this occasion to deal with one aspect, because I leave it to other friends, to dwell in detail on the financial part of this paper, since Mr Sen and his binamdars took over this Management. I do not want to go into it in details here. Those are well-known in Calcutta, Sir. They know how large amounts of black-money have been invested—running into some 15 to 20 lakhs—how there has been racketeering in newsprint, how several lakhs worth of Income-tax have been evaded. A C.B.I. probe has been ordered and that C.B.I.

enquiry is still going on. I do not want to go into that. But that aspect has not been brought out here at all; it is only the employees who are being blamed.

I want to know this specifically from the hon. Minister. Instead of trying to pass on the back to the State authorities—in view of the serious situation,—will they intervene or not, to see that the illegal closure is lifted? Secondly, will they intervene and see that the wages due to these employees, which have been withheld, are paid to them? Thirdly, will they intervene and see that adequate compensations are given to the employees for this illegal closure? Fourthly, will they see that steps are taken to see that the closure is withdrawn and the normal operation of this paper is resumed?

In this connection, I would like to draw the hon. Minister's attention to the fact that the employees have in a General Meeting, passed a Resolution, which has been duly forwarded to the Government, saying that they are prepared to form a Cooperative, if the Government of India could come forward to give them the assurance of assistance. They are prepared to form a Cooperative to take over and run this Paper,—whether it be a cooperative set up or a new trust or something else. Mr. Ashok Sen and his binamdari friends should withdraw from this Basumati Enterprise, and the Government should help the employees to re-start the whole thing, either through a Cooperative or a Trust or something else.

I want to know whether they are prepared to take that responsibility.

SHRI RANDHIR SINGH (Rohtak): This is only one side of the picture. We should have a full discussion on this. We want to hear the other side also. It involves a Member of Parliament. We are interested in upholding the interests of the Member of Parliament. We want to hear him and see what he has to say. This is only one side of the story. I want that this should be got on record.

SHRI INDRAJIT GUPTA: He is defending somebody who wanted him to vote for Shri Sanjiva Reddy. The Congress (R) should be ashamed of this

SHRI RANDHIR SINGH : He is devoted to Congress (R). We know his faithfulness.

SHRI INDRAJIT GUPTA : He is doing this behind his back.

SHRI RANDHIR SINGH : Let there be a discussion on this. This is my most humble submission. One side of the story alone has come here. We want to hear the other side also. What is the harm in hearing the other side.

SHRI S. M. BANERJEE (Kanpur) : This is a factual statement, not a story.

MR. SPEAKER : Let him not become an official interrupter. Let him not do it. Everyday, it is not good. For the calling-attention-notice, there is a special procedure, and the hon. Member has asked the hon. Minister to explain the position. Why should the hon. Member worry about it ?

Some hon. Member's think that his name has been brought in unnecessarily. But he is having his own procedure to follow. Why should other Members worry about it ?

SHRI RANDHIR SINGH : We wanted to hear him also. This is only one side of the story. What is the harm in hearing the other side ?

SHRI J. M. BISWAS (Bankura) : He has heard Shri A. K. Sen outside. We know that...

MR. SPEAKER : Should the Rules of Procedure be thrown to the winds ? What does the hon. Member want ?

SHRI J. M. BISWAS : It is a useless argument.

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (SHRI BHAGWAT JHA AZAD) : This notice was given on 15th November, and it was closed on the 16th November. We had tried to call the parties. It is true that we called them thrice, that is, the management, thrice, on the 2nd and 26th of last month and even yesterday on 9th December. We thought that it should be possible for the manage-

ment to come and put forward their point of view before the West Bengal Government representatives. But they have taken the stand that since it is closure, the Government cannot intervene in the matter. Therefore, they have not come.

SHRI INDRAJIT GUPTA : On a point of order. This information has been given by me to the House. May I know why the hon. Minister did not put it in his statement ? He has only repeated what I have said in my statement today. Why have these facts not been given by the hon. Minister in his statement ? That there were three conciliation meetings and the management had adopted that attitude ? He has come out with these things now because I have revealed them here. What kind of statement is this which conceals all the essential information ?

SHRI BHAGWAT JHA AZAD : The hon. Member is not revealing anything new. This has already been told in reply to questions in the Rajya Sabha.

SHRI INDRAJIT GUPTA : But this is Lok Sabha and not Rajya Sabha.

SHRI BHAGWAT JHA AZAD : So, he is not giving anything new to the House or to the people. Government have said all this in reply to questions in the Rajya Sabha. There is only one thing new, namely yesterday's meeting. That was not told in the Rajya Sabha. So, I am saying it here. I can only be hauled up for not giving information if...*(Interruptions)* When the questions are put, I shall give the reply. *(Interruptions)*

SHRI JYOTIRMOY BASU (Diamond Harbour) : After all, he is dealing with a Congressman's case. *(Interruptions)*

SHRI S. M. BANERJEE : Let him reply. He had raised four points, and the hon. Minister should reply to them.

SHRI BHAGWAT JHA AZAD : I am prepared to reply, but unless I am heard, how can I reply ?

SHRI H. N. MUKERJEE (Calcutta North-East) : He had asked so many very

important questions. What is all this? He should reply.

SHRI BHAGWAT JHA AZAD : I am prepared to reply, and I want to reply. But unless I am heard, how can I reply? (*Interruptions*) I said in reply to questions in the Rajya Sabha that these facts were mentioned there...

अध्यक्ष महोदय : अगर आप लोग शान्त रहें तो मैं आपकी कुछ मदद कर सकता हूँ— शाउट करने से तो कोई मसला हल नहीं होता है। आप देखें कि आनरेबिल मेम्बर ने प्वाइन्ट आफ आर्डर उठाया कि जो उन्होंने अपना बयान दिया है उसी से आपने दोबारा पढ़ दिया है और आपने कहा कि मैं राज्य सभा में कह चुका हूँ। तो जो आपने राज्य सभा में कहा वह यहाँ भी कह देते तो अच्छा था।... (व्यवधान)...

SHRI N K. P. SALVE (Betul) : It arises out of the supplementary questions.

MR. SPEAKER : I do not want to embarrass the hon. Minister. But a point of order has been raised. For future guidance, I would say this. In respect of whatever he says in the Rajya Sabha, he cannot say that he has said it there and, therefore, he has not said it here. Let him kindly mention it in this House also. Let him state here also whatever he had stated in that House. Otherwise, there is bound to be difficulty. Hon. Members are quite justified in asking that whatever has been said there should also be said here.

SHRI BHAGWAT JHA AZAD : I have said the same thing here as I had said in the Rajya Sabha. I was only saying in reply to the question that I have given the information.

Anyway I will say that three conciliation meetings were called when the management did not come on the ground that it was closure. We are trying to make further efforts to call the management and know the points of view.

About the balance sheet, black money, white money etc., I do not know anything about these charges. It should be addressed

to the concerned Ministry; I am not concerned with it.

So far as the rest of the Act is concerned, the ID Act does not say anything about closure but it says in sec. 25FFF that wherever an undertaking is closed down for any reason whatsoever, every workman who has been in continuous service for not less than one year in that undertaking immediately before such closure shall be entitled to notice and compensation in accordance with the provisions of sec. 25F. Sec. 25F says that when there is closure it will be presumed as if he had been retrenched and he will under that section be given either one month's notice or compensation.

SHRI S. M. BANERJEE : What about a co-operative society?

SHRI BHAGWAT JHA AZAD : That is outside the scope. I cannot reply.

SHRI INDRAJIT GUPTA : I wanted to know whether they are prepared to intervene and help a co-operative society of the workers to run the paper. I put a specific question.

MR. SPEAKER : He has materially dealt with his question. But there are some side issues.

SHRI INDRAJIT GUPTA : Not side issues. Let him say: 'We are not prepared to intervene. This is the law. Please go and read it. Please go and read the Rajya Sabha proceedings. I have got nothing more to add to it'. Let him say that—He must reply to my question.

SHRI BHAGWAT JHA AZAD : So far as the workers are concerned, I have replied. So far as the formation of co-operative society is concerned, I have already said that I cannot reply.

SHRIMATI SUCHETA KRIPALANI (Gonda) : The closure of *Basumati* is a matter of concern not only because 500 people are thrown out of job but because this is an old paper as my hon friend, Shri Gupta, told you before, and Bengal would like it to continue. But is it not a fact that this paper or the concern was doing so badly that a Receiver was appointed by the

[Shrimati Sucheta Kripalani]

Calcutta High Court in 1962 and he was instructed to sell it? Somehow or other some people got together and the paper was revived. In 1963, when the paper was revived and an agreement was entered into between the editor, Shri Vivekananda Mukherjee, and the management, it was stipulated therein that the paper would broadly follow a particular kind of policy. Under that, it was decided that they would follow the national interest of the country and would zealously defend it.

It appears that from 1966, the policy of the paper changed under which it reflected, more or less, the policy of the Communists (Marxist). Some of its phraseology resembled that of a Marxist-Naxalite bulletin. Not only this. It went out of its way to attack hon. members, such as leaders of the party and members belonging to the PSP, leaders of the party and members belonging to the SSP and many other people. A particularly virulent and bad attack was made against Shri Samar Guha, about which you are all aware. This matter was raised in this hon. House through a motion of privilege as a result of which the editor apologised on the front page of the paper.

I would like to know whether this would indicate that the paper was running properly. To my knowledge, a section of the staff was doing all this while the rest did not do it. There was conflict between staff and staff: there was conflict between the management and the staff. The financial condition of the paper, as my hon. friend, Shri Gupta, pointed out, was all right.

There was some profit, and the paper was financially going on more or less properly. What I am concerned with now is the steps that are being taken by the Government. My hon. friend has rightly pointed out that there is President's rule in Bengal and it is the responsibility of the Central Government, not of the West Bengal Government. I would like to know what special efforts the Central Government has made to see that the financial dues of these 500 people are paid. They are low-paid people. They have not been paid for over a month. We would like to see that at least their arrears of salary are cleared.

May I also know also what arrangements they would make to see that the paper

is run properly according to the agreement, following a policy of supporting national interests, security of the nation and the defence of the nation, and that it is prevented from making defamatory, scurrilous attacks on honourable citizens of this country?

SHRI BHAGWAT JHA AZAD : So far as the details given by the hon. Member, narrating the story from 1962, are concerned, I cannot at the present moment say anything about their truth or otherwise, but so far as the operative part of the question is concerned, as I have stated, we called two meetings and a third one yesterday, on 9th December, to find out a solution. Naturally, we are concerned with the 550 workers who are working there, who have not been paid wages for October, and who will continue to be unemployed, and we want that they should have their employment. Our effort, therefore, is to talk to the management and bring the parties together and find out if it is possible to get any solution. Once industrial relations are properly established, I think the paper will be run on proper lines. We have not been able to convince the management to talk, because they have taken the stand that it is a closure and therefore the Government cannot intervene.

Though West Bengal is under President's rule, the West Bengal Government has not ceased to exist. They are taking all precautionary measures under the labour laws. For example, we have asked the press workers to file their claim under the Payment of Wages Act for payment of their wages for October. We have advised the working journalists also to file their claim under the Working Journalists Act. They are already taking action. At the same time, we are trying to find out how we can bring about a compromise between the two parties.

श्री हरदयाल देवगुण (पूर्व दिल्ली) :
अध्यक्ष महोदय, बंगाल में जो अराजकता है उसका यह दैनिक समाचार पत्र बसुमति शिकार बना है। यह वहाँ का सबसे पुराना राष्ट्रवादी पत्र था जोकि अन्न बन्द हो गया है। उसके निदेशक हैं कांग्रेस के प्रमुख नेता श्री अशोक

सेन जोकि पहले कानून मन्त्री थे और उन्होंने यह कहा है कि वहां पर अनुशासनहीनता के कारण गैरकानूनियत के कारण और इसी तरह के अन्य कारणों से अखबार बन्द करना पड़ा है। 9 महीने से वहां पर जो राष्ट्रपति राज्य चल रहा है उसके बारे में कांग्रेस के अपने प्रमुख लोगों की क्या राय है यह इस अखबार के बन्द होने से मालूम होती है। इसके इतिहास में, जो बताया गया है, मैं जाना नहीं चाहता लेकिन मैं यह पूछना चाहता हूँ कि क्या यह सच है कि यह समाचारपत्र उसी प्रकार के इन्टर-पार्टी स्ट्रगल्स का केन्द्र बना हुआ था जोकि स्ट्रगल्स आज सारे बंगाल में चल रहे हैं? कम्युनिस्ट पार्टी मार्क्सवादी और कम्युनिस्ट पार्टी दूसरी का भगड़ा है और उनका इंडिकेट से अर्थात् नई कांग्रेस वालों से भगड़ा है और तीनों पार्टियों का आपस का संघर्ष इस अखबार को बन्द करने का कारण बना है। जहां अखबार वाले जो निदेशक हैं अपनी नीति चलाना चाहते हैं वहां अखबार के सम्पादक अपनी अलग नीति चलाना चाहते हैं, मार्क्सवाद की नीति चलाना चाहते हैं। यह अखबार जो राष्ट्रवादी प्रचार के लिए चलाया गया था और सबसे बड़े देशभक्त श्री उपेन्द्र नाथ मुखर्जी ने जिसको चलाया था वही समाचार-पत्र आज चीन, नक्सलवाद और हिंसा का प्रचार कर रहा है। ... (व्यवधान) ... इसके बारे में अखबार के संचालकों और संग्राहकों में आपस में मतभेद है। मैं पूछना चाहता हूँ कि कितनी बार इस नीति के कारण उनमें आपस में मतभेद हुआ और कितनी बार उसके संचालकों का घेराव किया गया और कितनी बार उनका काम काज रुका और इसके बारे में सरकार ने कोई प्रोटेक्शन देने की चेष्टा की या नहीं ?

दूसरी बात मैं यह जानना चाहता हूँ कि अगर अखबार को दुबारा चलाने का फैसला किया गया तो उस अखबार में जो अल्प-संख्या में नक्सलवादी हैं, जो हिंसा का सहारा लेकर

बाकी कार्यकर्त्ताओं को परामृत करने की चेष्टा करते हैं...

SHRI S. M. BANERJEE : It is wrong ... (Interruptions) It is an impartial paper. I am rising on a point of order.

MR. SPEAKER : When Mr Indrajit Gupta was discussing it, he himself raised the issue and said that there was a difference of policy.

SHRI S. M. BANERJEE : That is not my point of order.

MR. SPEAKER : I did not stop him then. Why should I allow it in one case and not allow it in the other case... (Interruption)

SHRI S. M. BANERJEE : Are they all Naxalites ? They are not here to defend themselves ? How can he be allowed to take the name of Vivekanath Mukerjee...

AN HON. MEMBER : Why did you talk about Shri Asok Sen then ?

SHRI J. M. BISWAS : He should not be allowed to speak something against those persons and say something which is not correct.

SHRI H. N. MUKERJEE : Difference between the editor and the proprietor of the paper raises some issues of great public importance and it should certainly be permitted in the House but a reference to an individual who is not even an officer of Government—he could not be defended by the Government—a reference to him in derogatory terms is certainly not permissible. He is referring to a very highly respected editor as a Naxalite.

MR. SPEAKER : I do not allow the name of any individual...

SHRI H. N. MUKERJEE : These people consider that to be a Naxalite is something criminal. They had no business to say that sort of thing. Our people go Naxalites because of these gentlemen.

SHRI KANWAR LAL GUPTA (Delhi Sadar) : We are prepared to face Naxalites ; we cannot be threacened by them ..
(*Interruptions*)

MR. SPEAKER : So many things were said. Even the name of the gentleman who is running it was mentioned ; he happens to be a Member of our House. If one side mentions one name the other mentions the other name. That is why I said even at the beginning. I invited Mr. Basu's attention. He did not give sufficient reasons for mentioning the names of persons...

SHRI H N MUKERJEE : You will forgive my submission. He is a Member of this House and he has been mentioned in answer to questions a number of times.

He is a Member of this House ; he should be present here ; he should have been present here today. He has not got the guts to come and be present here. And we cannot mention him ! Why ?
(*Interruption*)

MR. SPEAKER : Don't get excited so much.

SHRI H. N. MUKERJEE : I am very much concerned about the order and propriety in this House. (*Interruption*)

SEVERAL HON. MEMBERS *rose*—

श्री हरदयाल देवगुण : मैं यह सोचता था कि यह लोग अपने को कम्युनिस्ट कहलाने में अन्निमान समझते हैं। मैंने यही कहा था कि उनमें आपस में मतभेद था क्योंकि बहुत से लोग मार्क्सवाद का प्रचार करते हैं और कुछ नक्सलवाद का प्रचार करते हैं वहाँ पर। मुझे पता नहीं था कि यह लोग नक्सलवाद को गाली समझते हैं या कम्युनिस्ट होना भी गाली समझते हैं। लेकिन अगर यह इस पर आपत्ति करते हैं कि वहाँ आपस में मतभेद था, तो मैं कहना चाहता हूँ कि वहाँ के सम्पादक मंडल के लोग चीन के निमंत्रण पर चीन की यात्रा पर भी गये हैं। क्या यह ठीक है कि वह चीन और नक्सलवाद का प्रचार करते हैं या उनमें मतभेद था... (व्यवधान)...

SHRI JYOTIRMOY BASU : Sir, on a point of order.

MR. SPEAKER : What is your point of order ?

SHRI JYOTIRMOY BASU : The scope of the Call Attention motion is quite clear. It falls within the jurisdiction of the Labour Minister who is here. It concerns the unemployment, created by the closure, of 541 workers. The Labour Minister is here to reply, but if the hon. Member talks about somebody going to China, somebody going to Israel, somebody going to Taipeh, I do not think it is relevant here.

SHRI PILOO MODY (Godhra) : The workers have been exploited for their political purposes. (*Interruption*)

श्री हरदयाल देवगुण : मेरे दो प्रश्न हैं। जो समाचार-पत्र को बन्द करने की नोटिस है उसमें सरकार किसी तरह कानून के द्वारा हस्तक्षेप कर सकती है या नहीं ? दूसरी बात यह कि यदि यह समाचार-पत्र दुबारा शुरू हुआ तो क्या सरकार इस बात का ध्यान रखेगी कि यह न केवल श्री अशोक सेन की नीति पर चलता है बल्कि उसके संस्थापकों ने जिस उद्देश्य के लिए उसको चलाया था उस पर चले तथा इसके लिए बंगाल और देश के राष्ट्रवादियों का ट्रस्ट बना कर उसके हवाले कर दिया जायेगा या नहीं ? मैं यह भी पूछना चाहता हूँ कि दिल्ली का जो "पेट्रिअट" अखबार है जिसके कर्मचारियों ने भी आन्दोलन कर रक्खा है, उसको भी किसी ट्रस्ट के हवाले करने की कोशिश की जायेगी ?

श्री भागवत झा आजाद : इस लम्बे बयान में किस भाग को प्रश्न मान कर उसका जवाब दिया जाये यह समझना मुझे कठिन मालूम होता है, मगर फिर भी मैं यह प्रयास करता हूँ कि उनको कुछ उत्तर दूँ।

एक तो माननीय सदस्य ने हस्तक्षेप करने की बात कही। अगर इस बात को मान भी लिया जाये कि आर० डी० ऐक्ट के अन्दर जो

ब्लोजर है उसमें इसका विधान नहीं है, तो भी मैंने प्रक्रिया 5 (एफ० एफ० एफ०) की बात कही है कि ब्लोजर चाहे जिस कारण से किया गया हो, जितने कर्मचारी हटाये जायेंगे उनको रिट्रैन्ड माना जायेगा। ज्यों ही उनको रिट्रैन्ड माना जायेगा वैसे ही 2⁵ (एफ) के अनुसार यह भी जरूरी है कि उनको रिट्रैन्समेंट का नोटिस दिया जाये या उनको मुआवजा दिया जाये। उस वक्त और रिट्रैन्स होने के बाद भी कम्पेंसेशन का जो तरीका है उसके अनुसार उनको पन्द्रह दिन की ऐबरेज पे फार एबरी कम्प्लेंटिड इन्नर आफ कंटिनुअस सर्विस मिलना चाहिये। सरकार इस ढंग पर हस्तक्षेप कर सकती है क्योंकि अगर उनको मुआवजा नहीं देंगे तो एक महीने का नोटिस देना चाहिए। इसके बारे में पश्चिम बंगाल सरकार कार्रवाई कर रही है। हमने उनको सलाह दी है कि जो प्रेस वर्कर हैं वह कम्पेंसेशन पेमेंट आफ वेजेज ऐक्ट के अन्दर पायें और जो जर्नलिस्ट्स हैं उनके अन्दर हम हस्तक्षेप करेंगे।

जहां तक अखबार की नीति का संबंध है, आप तो जानते ही हैं कि रोज यहां पर हल्ला होता है और अब आप मुझसे कहते हैं कि मैं गारंटी दूं। मैं कोई गारंटी नहीं दे सकता हूं।

जहां तक पैट्रियट का सम्बन्ध है, वह सवाल इस सवाल में से नहीं उठता है।

SHRI JYOTIRMOY BASU : Sir, in the eastern zone comprising Bengal, Orissa, Assam and Bihar, the newspaper readership is one of the lowest. For every thousand population it is only 22 to 25 whereas in the western and southern zones it is about 65. Government cannot be silent watchers; they have a duty here to see whether a paper which was circulating for the last 60 years with a circulation of 60 to 65 thousand copies could be allowed to be closed down so suddenly. You cannot afford to sit down like that. 540 employees have not been paid their October salary. Today with the high cost of living index, thanks to this *samajwadi* Government, the monthly salary does not last a man for even 10 to 15 days. Imagine

a man who got his wages for September and not receiving anything at all after that—how is he and his family supposed to survive? You put yourself in his position.

The key person in this *Basumati* is a former Law Minister and a sitting member of the House. He had promised that the October salary will be paid, but that was not honoured. After reading the closure notice, I maintain that it is illegal, baseless, false, motivated and *ma'a fide*. The notice was given on 15-11-1970 and effect was given on 16-11-1970. Under the Working Journalists Act, you require a minimum period of 3 months' notice. Under the Industrial Disputes Act, 1947, under section 25 FFF read with section 25F, a minimum notice of one month is absolutely essential. Will the Minister give a categorical reply whether he considers this closure to be illegal and, if so, what steps Government have taken in this regard?

The people of Bengal were given the impression that the paper was running at a loss. This is far from the truth. That is why I said, it is motivated. If you read the balance sheet you will find in a very recent year it has made a profit of Rs. 1,48,747. For 1968, it made a substantial profit. Mr. Azad told the Rajya Sabha that members should wait for the outcome of the conciliation. Three times they have defied this Government. How do they dare defy the summons of this Government? If some people do something illegal, if Government summons them to come and sit for conciliation, can they go on defying it? They have done it three times. Government should tell us what steps they propose to take in this regard. Or, are they going to surrender because he is a powerful man and a sitting Congress (R) MP?

It is a fact that from 1968, the provident fund money of the workers has been misappropriated. If so, it is a case of breach of trust and misappropriation of funds. Government can certainly proceed with a criminal case, get him summoned in a court of law and put him behind the bars. You are a party to these things and that is why you cannot put your finger on it. You sermonise here, talk about socialism and shed crocodile tears. Shri Azad is the representative of the Cabinet here, or of the Council of Ministers. Will he tell us how the Government allowed how this gentleman was allowed, to dabble,

[Shri Jyotirmoy Basu]

with the income-tax of *Basumati* to the tune of Rs. 4 lakhs. Then, look at the case of victimisation. One Shri K. Sen Gupta was victimised without any notice. Sir, I assure the Government through you that there is no politics in this. It is a question of a person using all illegal means against the workers, depriving the exchequer by not paying tax, involving himself in all sorts of malpractices, namely, newsprint black-marketing, hoarding and so on. So, I demand... (Interruptions)

MR. SPEAKER : Let me know why you interrupt all the time. The other Members I allowed to speak without interruption. This Member also I am going to allow whatever he says.

SHRI PILOO MODY : **

MR. SPEAKER : I will not allow this—whatever Shri Piloo Mody says. That is without my permission.

SHRI LOBO PRABHU (Udipi) : Expunge it.

MR. SPEAKER : I will expunge all such remarks.

SHRI JYOTIRMOY BASU : Let there be a permanent injunction on Shri Piloo Mody that for the rest of the session nothing of what he says will go on record.

SHRI NATH PAI (Rajapur) : Sir, what is expunged and what remains ?

SHRI PILOO MODY : I want to know why my remark has been expunged. Will you give a reasonable answer ?

MR. SPEAKER : I have decided to expunge all unauthorised interruptions.

SHRI PILOO MODY : I cannot understand how an interruption can be authorised. If you will tell me how an interruption can be authorised, I will get authorisation every time. I would like to take this opportunity of seeking authorisation for the rest of my tenure in the House.

MR. SPEAKER : Shri Piloo Mody, that will help you to compose yourself because you are always thinking of the next interruption. When I try to prevent the present, he is ready for the future. There should be some limit. One day is all right.

SHRI JYOTIRMOY BASU : To resume, I demand immediate payment of wages according to the Payment of Wages Act and also the Working Journalists Act.

This person has disgraced and will disgrace any political party by the action that he has done. I say, take over this institution as the United Front in Bengal has taken over Calcutta Tramways or before that Oriental Gas Works or India Electric Works. If you really want to end these malpractices and wickedness of people in power and in position, take it over, give job security to the workers and see that the paper comes out and pursues a proper and decent journalistic line.

SHRI BHAGWAT JHA AZAD : I think I have one way or the other replied to this question pointedly whether we are sitting over this. As I have repeatedly said, we have called the management, including yesterday. We propose to call him again and see that a rapprochement is arrived at.

I have also said about the payment for October. We have advised the press workers and the working journalists to go under the two Acts for payment.

About the employees' provident fund, unfortunately in the country provident fund has not been paid by many employers against whom we are proceeding. In this case also if this management has not paid, we shall proceed. But this management has paid the employees' provident fund up to August 1970. That means that they are in dues only for September and October for which months the workers have not been paid.

So far as income-tax, taking over and all these things are concerned, I cannot reply. So far as Kalpana Taru and Sen Gupta's cases are concerned, if they are editors they should have six months' notice and if they are other working journalists they should have three months' notice. I am told, he was given 27 days' notice.

**Expunged as ordered by the Chair.

SHRI JYOTIRMOY BASU : My question was whether the Government considers the closure to be an illegal act on the part of the owners.

SHRI BHAGWAT JHA AZAD : I have already replied about the provisions of the Act. I have repeatedly said sections 25FFF and 25F... (Interruption)

SHRI INDRAJIT GUPTA : When neither compensation nor notice is given, is it not illegal ?

SHRI BHAGWAT JHA AZAD : I have already replied to that.

SHRI SAMAR GUHA (Contai) : Why do you not say that it is illegal ?

SHRI BHAGWAT JHA AZAD : Repeatedly I have said in reply to questions... (Interruption)

SHRI JYOTIRMOY BASU : On a point of order You will give us protection. All that I wanted the Minister to say clearly was whether Government considers the closure to be legal or illegal.

MR. SPEAKER : It is not a point of order. He has already mentioned it.

SHRI JYOTIRMOY BASU : You kindly help us to get a reply.

SHRI J. M. BISWAS : He should come out with a categorical reply. The question is very clear.

SHRI BHAGWAT JHA AZAD : Sir, you as a lawyer will know how I can say that. I can say only what is possible under the Act. Whether the lock-out is legal or illegal, I cannot say. All I can say is that under section 25 FFF any worker who is removed is supposed to be retrenched and the moment he is retrenched section 25F applies. Hon Members should appreciate and sympathize with me how I can say whether it is legal or illegal. I am quoting the relevant provisions. I have said that there are other things which are wrong and which should not have been done but I cannot say whether it is legal or illegal.

SHRI JYOTIRMOY BASU : What is the Government's finding on this ?

SHRI SHIVA CHANDRA JHA (Madhubani) rose—

MR. SPEAKER : Shri Shiva Chandra Jha has mentioned something about Ambala Cantt. I have received it just now. I am not sure whether some people being uprooted in Ambala can be raised in the Parliament of India. How can it come up in Parliament?

श्री शिवचन्द्र झा : अध्यक्ष महोदय, एक मिनट में मेरी बात हो जायगी। अम्बाला कैंट से मेरे पास यह तार आया है, वहां कमला नेहरू मार्केट, जी० टी० रोड पर पाकिस्तान से आए हुए रेफ्यूजी शापकीपर्स को जो जगह एलाट हुई थी वहां से वह अप्ररूट किए जा रहे हैं। सब मामला सैटिलमेंट का अभी खतम नहीं हुआ है, उसके पहले ही डिस्ट्रिक्ट एथारिटीज उनको अप्ररूट कर रही हैं, मेरी प्रार्थना है कि जब तक सब मामला साफ न हो जाय तब तक मन्त्री महोदय इस चीज को रूकवा दें इसे पोस्टपोन करवा दें और बाद में इस पर कोई निर्णय लें। मेरा ख्याल है लेबर मिनिस्टर को भी टेलीग्राम आया होगा। मैं चाहता हूँ कि इस समय उनका अप्ररूटेड किया जाना पोस्टपोन कर दिया जाय...

अध्यक्ष महोदय : यह रिहैबिलिटेशन कैंप की बात कर रहे हैं आप ?

श्री शिव चन्द्र झा : यह लेबर ऐन्ड रिहैबिलिटेशन मिनिस्ट्री से संबंधित है।

अध्यक्ष महोदय : हां, यह ठीक है, यह ठीक कह रहे हैं।

SHRI SAMAR GUHA : On a point of submission, Sir. My name has been mentioned by the hon. Member, Shrimati Sucheta Kripalani, several times. Will you allow me one or two minutes as a personal explanation ?

अध्यक्ष महोदय : उसमें कोई बुरी बात तो नहीं हुई आप की।

श्री नाथ पाई : तो भी नाम बार-बार उठाया गया है।

श्री समर गुह : आप दो मिनट मुझको दे दें परसनल एक्सप्लेनेशन के लिए।

अध्यक्ष महोदय : उसकी कापी आपको पहले मुझे देनी पड़ेगी। मधु लिमये साहब ने वह रूल इनवीक करवा दिया है।

श्री समर गुह : आप दो मिनट के लिए मुझे आज्ञा दें। परसनल एक्सप्लेनेशन मेरा यह है...

SHRI NATH PAI : He had no warning that his name would be mentioned.

MR. SPEAKER : You send it in writing ; I will consider it.

SHRI SAMAR GUHA :***

MR. SPEAKER : This is very bad. You went on making a speech on it.

SHRI H. N. MUKERJEE : Are you not directing that what he has said will not form part of the record ?

MR. SPEAKER : I will have to do it.

SHRI J. MOHAMED IMAM (Chitradurga) : Sir, there is a crisis created and inconvenience caused to the public by the total strike of Indian Airlines pilots. It has affected the air services throughout the country. Look at the tickets we have..... (Interruptions) I want the Minister to make a statement on it.

MR. SPEAKER : May I request all of you to sit down ? I am not going to allow anything unless I have prior notice.

SHRI J. M. BISWAS : We have given a Call Attention Notice. Let the Minister make a statement on it.

MR. SPEAKER : I did not allow it. Unless I allow, you cannot suddenly get up like this. You have just mentioned it. If

there was sufficient time available, I could have forwarded it to the Minister for a regular statement to be made later on. You suddenly raise it like this. This is not proper. Papers to be laid.

13.00 hrs.

PAPERS LAID ON THE TABLE

Payment of Wages (Mines) Amendment Rules and Conventions and Recommendations adopted at 53rd Session of I. L. C

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (SHRI BHAGWAT JHA AZAD) : I beg to lay on the Table :—

- (1) A copy of the Payment of Wages (Mines) Amendment Rules, 1970 (Hindi and English versions) published in Notification No. S. O. 3844 in Gazette of India dated the 5th December, 1970, under sub-section (6) of section 26 of the Payment and Wages Act, 1936. [Placed in Library. See No. LT-4528/70.]
- (2) A statement on the action taken or proposed to be taken on the Conventions and Recommendations adopted at the 53rd Session of the International Labour Conference held at Geneva in June, 1969. [Placed in Library. See No. LT-4529/70.]

Indian Maize (Temporary use in Manufacture of Starch) Order

THE DEPUTY MINISTER IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND CO-OPERATION (SHRI JAGANNATH PAHADIA) : On behalf of Shri Annasahib Shinde, I beg to lay on the Table a copy of the Indian Maize (Temporary use in Manufacture of Starch) order, 1970 (Hindi and English versions) published in Notification No. G. S. R. 1929 in Gazette of India dated the 21st November, 1970 under sub-section (6) of section 3 of the Essential Commodity

***Not recorded.