

the Directorate of Military Intelligence; they have then to collate it and interpret it, much too late. The time is long overdue. Let us have a unified intelligence service. Let us have not too much political interference with it because I submit with respect that it is a pre-condition not only to our security, it is a pre-condition to effective diplomacy.

17.30 hrs.

### STRIKES AND LABOUR AGITATIONS\*

**Mr. Deputy-Speaker:** Now, we shall take up the half-an-hour discussion.

Before Shri A. K. Gopalan initiates the debate, I would like to mention that several hon. Members have intimated to me that they want to put questions. So, I would suggest that Shri A. K. Gopalan may confine himself to ten minutes.

**Shri A. K. Gopalan (Kasergod):** I would take about 15 minutes, because this is a very important matter.

**Mr. Deputy-Speaker:** That would mean that we may have to sit a little longer.

**Shri A. K. Gopalan:** That is the rule. I would take about 15 minutes.

I want to raise a discussion now on points arising out of the answers given to S. Q. No. 46 regarding strikes and labour agitations.

The industrial scene in the whole country today is in a state of turmoil. The economic crisis is getting deeper and deeper every day, and it is reflected in closure of factories, retrenchment, lay off and also increasing strikes and other actions on the part of the working class. Also, a new ferocious offensive of wage-freeze and retrenchment has also been launched against the workers, and as a result of all these, labour agitations are taking a virulent form.

Before I deal with that matter, I would like to point out what the state of industry today is, and what the economic situation in the country today is and what the result of that has been in regard to the number of strikes by workers during the last six months in our country. Today, it is said that over 1.25 lakhs coal-mine workers in 460 collieries in the Jharia coal mines had gone on a 24-hour strike this morning to back up their demand for implementation of the coal wage board's recommendations and statutory rationing in the colliery areas. It is also said that they have also decided and given notice to go on an indefinite strike from the 17th July if their demands were not met by then. The workers cannot keep quiet when they find that a portion of their bread is snatched away. The workers cannot keep quiet because they have waited for years; they have gone to the court; they have waited for conciliation; they have gone to the High Court and they have waited; they have waited for the wage board's recommendations. Even after all this, when there is non-implementation of the awards and other awards of tribunals, surely, the workers cannot keep quiet.

The Congress Government is sleeping on a volcano. They do not understand the gheraos which are talked of every day inside this Parliament and outside. That is only a symptom. They do not understand it. Instead of finding fault with it they should try to understand it. The other day, there was a discussion in the AFCC and a resolution was passed, and except two humble souls all the others had supported it.

**Shri Isderjit Gupta (Alipore):** Shri Mishra had given all wrong information.

**Shri A. K. Gopalan:** The Minister of Labour had also said something there, which I shall presently refer

\*Half-an-hour Discussion.

[Shri A. K. Gopalan]

to. I think that he had said that he had spoken not because he had understood it but because he had to say something. I quite appreciate that.

The Minister of State in the Ministry of Labour, Employment and Rehabilitation (Shri L. N. Mishra): That is a party matter.

Shri A. K. Gopalan: I would say that unless we understand the reason for this situation, the reason for these strikes coming up, unless we understand the root cause of it and take some action to remove the causes of these strikes and other agitations that are likely to come up, it is no use finding fault with it.

During the year 1966, according to the report, there were 1 crore man-days lost due to strikes throughout the country. That means that the production was also less to that extent. A strike is not a pleasure as far as a worker is concerned. Strike means suffering; a strike may sometimes make him lose his job also. Strike means more suffering. And yet why does a worker resort to strike and other agitations?

What is the bases of it? Is it because, as it has been said, that they have derived inspiration from somebody and have been induced or intimidated to go on strike for so many days so that the workers who are not able even to live from hand to mouth with the wages they get have to go on strike for 20, 30 and 40 days? They go on strike and undergo sacrifices, because there are certain fundamental rights denied to them and which they want to have.

I will tell you about the strikes and the economic situation in the country today. Wage boards have been appointed for many industries. But they take from one to five years to submit their reports. After that Government take six months or one year either to accept a report or re-

ject it. After the Government accept a report, the employers take so many months or even years to consider whether or not to implement it. Then only after a strike notice is served that some employers implement the award. This is the process: five years for a report, one year and some months for Government to accept it, after that so many months for the employers to decide how not to implement it, and then after a strike notice is served in some cases the employers implement it.

More than 1½ years have passed, but the interim relief recommendations of the Engineering Wage Board have not been implemented by a large number of employers. I am quoting some instances where the awards that had been given after so many years have not been implemented. The Wage Board for heavy chemicals gave an award for interim relief on 1st January, 1967. It was unanimous. However, Government took more than three months to accept it. Three or four months have passed after that. But the employers have refused to implement them. The Labour Ministry is behaving as a silent spectator.

What can the workers do in such circumstances? After a unanimous report, the employers do not accept it and the Labour Ministry also is not taking any action.

The management of Bennett Coleman have refused to implement even the recommendations of a statutory wage board which according to law are automatically binding on the management. The Government do not punish the management for non-implementation. This was the reason which provoked a strike for so many days in Delhi and Bombay.

In Jhansi, U.P., electricity workers have given a notice of strike for July 10 to press for their demand. What is the demand? Implementation

of the Allahabad High Court decision of March 16, 1967 that the workers should be paid DA linked with the consumer price index. It is the award of a court and it has taken them so many months to get it. After spending so much money, they are now waiting. Nothing is being done, by either Government or the employers. So they have given a strike notice. The authorities have refused to implement the decision.

The Defence Ministry is also likely to retrench. Retrenchment has taken place in Poona, Kirkee and other places of, it is said 10,000 hands. Thousands of employees in the railway electrification section were summarily retrenched only last week. We have heard that 2,000 workers in Mahindra and Mahindra lost their jobs a couple of days ago. As far as the foreign oil companies are concerned, they have thrown out 9,000 workers and thousands more are facing the same fate.

As regards the textile and engineering industries, there have been so many questions in this House. I do not want to detail what is happening. As far as the south is concerned, most of the textile mills are closed.

In the handloom industry 80 per cent of the looms are idle because the yarn price is more and there is no work. Closure of mills once a fortnight has been introduced. Lakhs of handlooms have practically no work. Then 14,000 workers in the wagon building industry are also facing retrenchment. The Maharashtra Government is planning to reduce its staff by 10,000. It is said that in U.P. also they are planning retrenchment. In U.P. 40,000 workers failed to get adequate work during the season because there was shortage of sugarcane. So, this is the picture. As I have no time, I do not go into the other questions, though there is a long list.

According to a report, 23,000 engineers and diploma-holders are jobless today. Besides, there is another thing.

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automation. We have discussed it here. The foreign oil companies are there. In Caltex, for about nine months about 400 workers have had no work. They are sitting there, because if they go out automation will be introduced and it will be locked. In Bombay automation has already been introduced. So, in Calcutta for the last 9 months they have been staying inside batch after batch. Pay is given to them, but there is absolutely no work.

Shri Banga (Srikakulam): Otherwise there will be gherao.

Shri A. K. Gopalan: It is astounding that more than 10 lakhs of educated persons are without jobs.

As far as automation is concerned, the position is firstly that there will be no more recruitment. It means replacing man by machine. As far as LIC is concerned, it is said that about 60,000 people will be unemployed. They have ordered ten more computers. That means ten more gheraos. If they are to be installed everywhere, there will be gheraos. People who are thrown out of employment will say that they will not allow it, and so there will be gheraos.

Shri D. N. Patodia (Jalore): You are suggesting gherao.

Shri A. K. Gopalan: I suggest even more than that. It is not the workers or trade unions who are responsible for this. This gherao has been painted to be a monster which will destroy the whole society. Gherao is nothing but peaceful picketing, gherao had been there even before, now also there is gherao, the only difference is that it is an improved version of peaceful picketing, it is focussing attention sharply, and it is quicker and more effective.

After years of waiting the worker gets an award from the High Court or Supreme Court. When that award is not implemented, when he finds he

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cannot live, that after 20 or 25 years of service he is thrown out, that his family is starving, what is he to do? It is a struggle for survival, a struggle between life and death. So, it is the worker who has to decide whether he will fight and die or commit suicide. So, if he is to survive, he has certainly to do gherao so that he may get a job or be able to sacrifice his life.

I want to point out that the Labour Minister of West Bengal has said that since the non-Congress Government came to power in West Bengal there have been over 300 gheraos, 25 of which were connected with layoff and retrenchment, 17 per cent with violation of labour laws and 15 per cent with industrial dispute.

There is not only retrenchment in one industry, there is retrenchment everywhere. If after years after getting an award the worker finds that he is not able to feed his family and children, what will he do? Therefore, the question about these awards and laws is that there must be implementation of the awards immediately. It is the duty of the Government to see to it. If laws stand in the way they must be changed. In the public sector also, a year ago in Durgapur the workers went peacefully to the management and presented a memorandum but the management did not receive it. They phoned to the police and there was a lathi charge and one person died. The management did not even listen; they wanted the workers to be beaten and killed. They do not care for the labour machinery. As for Government, they do not understand what should be done. It is the Government machinery that gives the award. When it is not implemented, it becomes a question of life and death and of survival. I request all those who are talking of gherao to consider this. It is nothing but a form of militant struggle. A worker adopts it because he is thrown out of employment after 25 years; there

is retrenchment. When Government looks into the industry and says there should be no retrenchment, it is done. If he is not given the job, the alternative left to him is to fight and die for his right. It may be the Minister may in his reply say there is physical and mental agony and pain for the employers and others. Is there no physical and mental agony and pain for the worker when he is turned out after 15 years of service. Fifteen years ago he was young but his flesh and blood had been taken by the employer and he is thrown away. Has he no mental pain and agony? What will he do for his wife and children? When he goes to the ration shop with the money he is getting, he does not get even six ounces of rice? Is there no agony and no pain for him?

Mr. Deputy-Speaker: One clarification. Do you want this new weapon to be restricted to industrial disputes or it would be used for other disputes, such as, the language disputes?

Shri A. K. Gopalan: As far as gheraos are concerned, it is not I that give the order in Calcutta. Now in U.P. it is there and it is everywhere. Gherao is something which is coming out of the discontentment of the people, not only working classes but all sections of people. Nobody gives an order for gherao. Unless the Government understands it, I am sure that they will develop into a form whereby they will be more militant and I do not know what will happen to the Government of the time.

Mr. Deputy-Speaker: Those who had written to me will get an opportunity to put a question—not long prefaces. Already Mr. Gopalan has taken about 20 minutes; the Minister will take at least 15 minutes. I want to conclude as early as possible.

श्री जार्ज करवेली (कन्नड़-बोलिया):  
उपरोक्त बहस, आज हुतात्म और कर्णवीर

के बीच में जो धरतौष हुयेगा रहा करता है उसके जो बुनियादी कारण हैं उन में से बातचीत पर यह है :

- (1) यूनिवर्स की मान्यता का प्रश्न,
- (2) बिल्कुल इमानदारी से आपसी मतभेदों को मिटाने के लिए मालिकों की धीर से बातचीत का प्रयास,
- (3) जहाँ बातचीत से कोई मामला हल नहीं होता वहाँ बार्नेटरी प्रारम्भिकता को देने का विचार,
- (4) जो फैसले दिये जाते हैं बातचीत में या प्रवार्ड में उनको ईमानदारी से प्रमल में लाने का काम, धीर
- (5) मजदूरों का हड़ताल करने का बुनियादी अधिकार जिस में न सरकार धीर न पुलिस कोई भी हस्तक्षेप करे ।

मैं जानना चाहता हूँ कि ये जो पांच कारण हैं जिनकी वजह से हड़तालें होती हैं धीर मजदूरों में प्रयोज्य रहा करता है, इनके बारे में कोई भी ठोस नीति केन्द्रीय सरकार अपनाएगी धीर उस नीति को प्रलय प्रलय राज्यों में जहाँ जहाँ कांग्रेसी सरकारें हैं, प्रमल में लाने का काम केन्द्रीय सरकार करेगी ।

इसी सिलसिले में मेरा एक दूसरा प्रश्न है । अभी अभी हमारे मजदूर मंत्री जेनेबा में जाकर इंटरनेशनल लेबर प्रोग्रामाडिजेशन के साक्ष्य अधिवेशन में हिस्सा लेकर आए हैं । कनवेंशन 87 धीर कनवेंशन 98, ये जो जो बुनियादी कनवेंशन हैं, इन में से एक तो यूनिवर्स की मान्यता के बारे में है धीर दूसरा मजदूर मालिकों के बीच में संबंधों धीर बातचीत के बारे में है । हिन्दुस्तान आई० एन० सी० का कार्डर मेम्बर है । इतना होने

पर भी अभी तक इन दोनों कनवेंशन को प्रमल में नहीं लाया गया है । मैं जानना चाहता हूँ कि क्या सरकार इन दोनों कनवेंशन को प्रमल में लाने के बारे में किसी स्पष्ट नीति का एलान करेगी ?

**Shri D. N. Patodia:** Before putting my question, I would just like to make a little comment. Mr. Gopalan, although he spoke for 15 minutes, failed to justify his point, because, although he spoke of all other things and about all other States, he did not say a word about what is happening in West Bengal today. He should remember that out of the gheraos happening in West Bengal, 85 per cent of the gheraos are for such reasons which are not non-political and relating to awards. (Interruption).

**Shri A. K. Gopalan:** I have given a report.

**Mr. Deputy-Speaker:** Let him put his question.

**Shri D. N. Patodia:** Coming to my question, dealing with the labour situation and lawlessness in certain collieries in Burdwan district, the hon. Minister had in reply to a Short Notice Question No. 14, on the 19th June, admitted the murder of Shri B. P. Jha, an SSP leader. Till 19th June, in spite of the murder having been committed about 15 days earlier, the State authorities remained inactive and not even one arrest was made. Hundreds of other incidents have happened all over the State of West Bengal where managerial and technical staff had been wrongfully confined, (Interruption)—I am referring only to gheraos which occur only in West Bengal—in one case, as long as for 154 hours—had been subjected to all sorts of inhuman tortures and humiliations by exposures to sun, denial of food and prevention to attend to the call of nature. People have been assaulted and robbed.

The agitation has been systematically engineered by the Left Communist party in connivance with the State authorities (Interruption) with

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larger political designs. The police have been prevented from interfering and have been rendered completely inactive. The seriousness of the problem lies more in the denial of the right of protection and security to the citizens of West Bengal.

May I, therefore, know, as to what action has so far been taken in the matter of the murder of Shri Jha and whether any arrests have been made so far. May I also know as to how the Government proposes to ensure adequate protection and security to every citizen of West Bengal?

Mr. Deputy-Speaker: I would like to make one observation. Mr. Gopalan has mainly dealt with the labour issue. I would like to state one thing. At the present juncture, in a democratic State, the Governments are living in glass-houses so to say, because it is an open society, and within the legal and democratic framework, they are functioning. By implication, you will have to understand that this is a very delicate position, and so I would request you to avoid that aspect of the matter.

Shri D. N. Patodia: This arises out of West Bengal.

Mr. Deputy-Speaker: Because all are living in glass-houses in a democratic society. (Interruption). As far as possible, avoid the political side of it, so that we will have a quiet discussion.

Shri Baidhir Singh (Rohtak): What about Congress side? We have given our names.

Mr. Deputy-Speaker: You will get your chance.

श्री कंचन लाल गुप्त (दिल्ली सदर) : ऐसा कई बार होता है कि अर्बाई दे दिया जाता है। रिपोर्टिंगेशन प्रोसीक्यूट हो चुकती है। लेकिन उसके बाद भी जो इंडस्ट्रियलिस्ट है वह उस अर्बाई को पूरा नहीं करता है और वह कच बर्तनों को ड्रग

करता जाता है। लेबर को वह हाई कोर्ट और सुप्रीम कोर्ट तक घसीटता है। अब आप देखें कि मजदूर के पास इतना पैसा नहीं होता है, तब तो नहीं होते हैं कि वह इतने बड़े इंडस्ट्रियलिस्ट का मुकाबला कर सके। उसका रास्ता क्या है? गोपालन साहब ने और दूसरे कुछ लोगों ने कहा कि बेराब उसका रास्ता होता है : मैं इंडी मजदूर से पूछना चाहता हूँ कि अभी तक जितने बेराब हुए हैं उनमें से कितने बेराब ऐसे थे जो कि एर्बाई पूरे न होने की वजह से हुए हैं, इंडस्ट्रियलिस्ट उन एर्बाई को पूरा नहीं किया। इस अर्बाई से ड्रग है। साथ ही मैं यही भी जानना चाहता हूँ कि कितने बेराब ऐसे हुए हैं जो एक दम जोष में आ कर, कर दिये गये हैं, किसी को जोष घा गया और बेराब कर दिया। सरकार को मैं चाहता हूँ कि ये सारे स्टेटिसटिकस सदन के सामने रखने चाहियें।

अगर इंडस्ट्रियलिस्ट एर्बाई को पूरा नहीं करते हैं और मजदूरों को ड्रग करते हैं तो उसके लिए भी आपको कोई न कोई मशीनरी बनानी चाहिये। जो मशीनरी आपके पास अब है वह बहुत कास्टली और खर्ची है और मजदूर उतने पैसे तक उठर नहीं सकता है। अगर वह उठरे तो बाकी में मारा जाया। लेकिन इसका समाज जो उन्होंने बताया है कि बेराब है उस के मैं कतई खिलाफ हूँ इसका कारण यह है कि यह अपनी कुर्बानी के लिये नहीं किया जाता है बल्कि दूसरे को कुर्बान करने के लिए किया जाता है। यह सत्याग्रह नहीं है, यह तो डंका मार राज है। कानून को हाथ में लेना इसका समाज नहीं है। सरकार को ही इसका कोई न कोई रास्ता निकालना चाहिये। सरकार समाजवाद की बात कहती है। अगर मजदूरों का हित है तो चाहिये तो आपके कोई न कोई ऐसा रास्ता निकालना पड़ेगा कि एर्बाई होने के बाद खर्ची से खर्ची उतकी इन्फ्लैट किया जाए।

में एक धीर छीटी सी बात जानना चाहता हूँ। टैक्सटाइल के बारे में वेज बोर्ड बना था। उसकी रिपोर्ट पांच साल हो गये हैं अभी तक नहीं आई है। क्या सरकार उसकी इंटरिम रिपोर्ट भ्रार, इसकी व्यवस्था करेगी। मैं जानना चाहता हूँ कि जो डिले इस मामले में हो रही है, उसका क्या कारण है ?

**Shri S. M. Banerjee (Kanpur):** May I know whether it is a fact that gheraos started only because with the formation of non-Congress Government, some of the employers never cooperated with the workers' organisations and started retrenchment, reversion etc. and whether any assessment has been made about this?

**श्री राजबीर सिंह :** मजदूर सही मानों में इनकलाब का हरकत दस्ता है। उसके सब का पैमाना ख़ाम हो चका है। ज्यादा देर तक आप मजदूर को तमन्नी नहीं दे सकते हैं। इससे काम नहीं चलता है। उनको जो मुतासलबात हैं वे पूरे होने चाहियें। अगर वे पूरे नहीं होंगे तो वे देश में ख़ूनी इनकलाब होगा। यह बहुत मनुज्जम तबका है। इस तबके को आप बांध कर नहीं रख सकते हैं। इसकी बात आपको माननी पड़ेगी। मैं सीधा सा सवाल पूछना चाहता हूँ। यह जो गन पाउडर तबका है, इसके जो मुतासलबात हैं धीर जिनको लेकर जहां गैर कांसेसी हकूमतें हैं जैसे वेस्ट बंगाल है, उत्तर प्रदेश है, उड़ीसा है या दूसरी स्टेट्स हैं वहां जो ज्यादा बेटाब होते हैं, वहां की सरकारें मजदूरों के जो मुतासलबात हैं उनको पूरा क्यों नहीं करती हैं धीर केन्द्रीय सरकार उनसे मजदूरों के मुतासलबात पूरा क्यों नहीं करवाती है।

**शिवभूतल्य के धीर इंडस्ट्रियल डिस्प्यूट्स एक्ट के तहत जितने भी मुतनाजा मामले हैं उनको पूरा क्यों नहीं करवाया जाता है।** अगर स्टेट गवर्नमेंट्स इनकी पूरा नहीं करवाती हैं तो मैं जानना चाहता हूँ कि निमिस्ट्रर साहब उन स्टेट्स गवर्नमेंट के खिलाफ क्या रकबाब लेने जा रहे हैं।

18 hrs.

**Shri E. K. Nayanar (Palghat):** Sir, gheraos are taking place not only in West Bengal. There have been gheraos by teachers in U.P. and by students in Bihar. Gheraos are taking place in most of the States. Our Home Minister addressing a meeting of the Eastern Zonal Council in Calcutta instructed the police to take law and order into their own hands and implement the Constitution. There is a report of the West Bengal TUC published in West Bengal where it is said that out of a total number of 7000 factory establishments in West Bengal only 242 were involved in the so-called gheraos till the third week of May and the total number of workers involved in these gheraos did not exceed 25,000 out of a total of 9,10,000 factory workers in the State. They have given one example of a Birla factory. It says that the management of the new Allen Berry Works, a Birla concern, has refused to attend conciliation when called by the State Labour Directorate and it is still continuing the lock-out now for nearly two months after refusing to implement the tribunal and wage board awards. The Birla lobby is attacking the gherao agitation....

**Mr. Deputy-Speaker:** Do not bring in political issues.

**Shri E. K. Nayanar:** Sir, twenty-five years back, when we were organising trade union movement, even organising a unit was considered to be gherao at that time and I was arrested. Now when gherao comes there is opposition from the agents, capitalists, hoarders and blackmarketeers, and the students, teachers and workers are coming united to get their demands. The Minister must take a conciliatory attitude. He should have a new approach to these gheraos. He should not have the old down-trodden approach to the working class. He should have a new approach and he should persuade the factory owners to consider the demands of the workers and satisfy them.

**Shri Indrajit Gupta:** Sir, I am feeling provoked to make a speech like my other colleagues.

**Mr. Deputy-Speaker:** You should follow the example of Mr. Banerjee today and put only a question.

**Shri Indrajit Gupta:** Sir, I will address one or two questions to you and one or two to the hon. Minister.

**Sir,** one correction of fact I want to make in the beginning. My hon. friend, Shri Patodia said that 85 per cent of gheraos in West Bengal had nothing to do with genuine labour disputes.

**Shri D. N. Patodia:** I said they had nothing to do with implementation of awards.

**Shri Indrajit Gupta:** There is no definition in any book of law that gherao must be confined only to non-implementation of awards. It can be retrenchment, lay-off, closure, denial of employment, denial of recognition of rights etc. Nobody has defined anywhere that only in the case of non-implementation of awards there can be gheraos. There are hundreds of labour grievances.

**Mr. Deputy-Speaker:** Shri Gopalan said that it is a sort of picketing.

**Shri Indrajit Gupta:** The hon. Member knows and the hon. Labour Minister must have received it from West Bengal, that there is a whole chart prepared by the Chamber of Commerce, Calcutta—not by us—giving a detailed break-up of all the gheraos, categorising them and classifying them. That is enough to show that 85 per cent or even more are connected precisely with genuine labour disputes. Whether it is gherao, strike or other any other form of agitation, the basic question as far as we are concerned with Shri Hathi is whether the labour dispute machinery—conciliation, arbitration, adjudication tribunals, courts of inquiry etc.—is functioning properly or it is indulging in dilatory processes to which other hon. friends have already referred. I can give you one case. A court of inquiry was appointed in the Calcutta Port. It was supposed

to be over in six months but now 18 months have passed and the court of inquiry has not come to a conclusion. So, if his Ministry wants an easier time, will they please turn their mind to overhauling the machinery? Has he any proposal by which the settlement of disputes will be more expeditious and more convenient to workers so that they would not have to go into litigation for months and years to come, so that the process is speeded up, so that the settlement can take place as soon as a dispute arises?

**Shrimati Lakshmi Kantamma (Khammam):** Sir, may I ask a question?

**Mr. Deputy-Speaker:** The other day Shri Umanath complaint that I was not chivalrous enough to allow her to put a question. So, I want to give an opportunity to her to ask a question.

**Shri Umanath (Pudukkottai):** Sir, on a point of order. On that day, I pleaded for her in the case of a discussion. Here she has not given any notice, as she has to do under the rules, in the case of a half-an-hour discussion. If you start giving a chance without notice then....

**Mr. Deputy-Speaker:** That day he complained that I did not give her an opportunity.

**Shri Umanath:** That was during the discussion. Here, without giving notice, if you allow even one single Member, it will create complications.

**Mr. Deputy-Speaker:** All right. I will strictly follow the procedure. Now the hon. Minister.

**The Minister of Labour and Rehabilitation (Shri Hathi):** Mr. Deputy-Speaker, Sir, we have heard the speech of Shri Gopalan and various questions asked by the various Members. I am perfectly in agreement that the labour policy or the labour situation cannot be viewed in isolation. It is conditioned by the economic situation in the country, with the reduced agricultural production, with the recession in industrial production. Certainly, a worker always feels anxious

about his earnings, his wages, his job. What concerns him most is the rising prices, the security of his job, the timely payment of his wages and the quick redressal of his grievances. I will first deal with the question of Shri Indrajit Gupta, which is the real crux of the whole problem.

We have various procedures laid down. Do these procedures answer the complex problems of the workers? Are the various bi-partite and tri-partite decisions taken at the various Standing Labour Committees of the Indian Labour Conference fulfilled and implemented by the management or employers? Is the implementation machinery working as efficiently as it should? Are the delays capable of being eliminated by some process or the other? Could we do something to see that the wages of the workers are being paid in time? These are the problems which I would like to touch. I would not like to take the question of gheraos so much because, after all, as I said the other day also, when the worker finds inequalities all around, when he sees that he is not being paid, when he sees that he has to wait for years before his grievances are redressed, he becomes desperate. In this sense of frustration he takes to a thing which he would not like to. There comes the need of sober advice from all who are interested in industrial peace. It is there, at this time most, where we have to exert influence on the workers and the employers.

In fact, when I learnt about the disquieting news in West Bengal, I personally went to Calcutta. I had a talk with the workers, with the employers and with the Labour Minister, Shri Subodh Banerjee. I suggested three points. Firstly, co-ercive action on either side, the workers or the employers, should be stopped; secondly employers should not resort to unilateral retrenchment and closure and, thirdly, that all these disputes which do not involve high financial stakes should be referred to volun-

tary arbitration. These were the three points which I gave and the West Bengal Labour Minister agreed with this. He convened a conference of the workers and the employers. It has not, however, been possible for him to find an agreed solution as yet.

**An hon. Member: Who differed?**

Shri Hathi: I rang him this morning again—in fact, I had been in touch with almost all the Labour Ministers of the different States—West Bengal, Bihar, also Kerala, Madras and Punjab—to find out the actual position and he said that he is again going to call a meeting to try to find out a solution.

But really the point is that we have the implementation committees and the Labour Ministers of the States are presiding over these implementation committees. As we know, labour is a concurrent subject. The execution of policies, so far as the State field is concerned, is with the State Governments. If the implementation of the various recommendations of the Wage Boards and other things is properly looked to, many of the difficulties which we experience would be eliminated. With that end in view I have been in touch with all the State Governments and I addressed them letters drawing their attention to three aspects. Firstly, as recommended by the Labour Ministers' Conference in January, 1960, Labour Ministers should preside over the meetings of the State Implementation Committees. This will go a long way in creating the climate for the readier acceptance of the Code. Secondly, the implementation Committee should meet regularly and tackle major problems of implementation and breaches of the Code through the good offices of the representatives of employers and workers on the Committee. Thirdly, each State should have a whole-time Senior Officer entrusted with the work of implementation of labour enactments, Code of Discipline, awards, agreements, etc. I am happy to say

[Shri Hathi]

that the replies that I received are encouraging. In fact, from the West Bengal Government I received a reply only yesterday saying that they are following more or less the same policy as indicated by me.

So far as the Central machinery is concerned, I can say that it has not fared badly during recent years. If one goes through the figures, one would find that in the disputes settled by the Central Industrial Relations Machinery, the percentage compares not unfavourably with previous years. In 1959-60 the total number of disputes handled by this machinery was 4,437 and the number of disputes settled was 2,531, the percentage being 57. In 1966 out of 6,095 disputes handled by them 3,014 were settled, that is, nearly 63 per cent.

Now, it is also said and I know that the settling of disputes takes a long time. But, as I said, it is the implementation machinery which has to be geared up. I have got the figures with me. So far as the Central implementation machinery is concerned, in 1966, out of 1,047 cases settled by formal conciliation, 654 cases were settled in a period below one month, 263 cases or 25 per cent were settled between a period of one to two months, that is, 87 per cent of cases were settled through conciliation in a period of two months. I talk of the Central sphere; I do not talk of the States' sphere because that is not my concern. Even then, as I said, the crux of the question is whether the implementation machinery is to be geared and, if not, what could be done.

Complaints are made about the Wage Board recommendations not being implemented and that there are delays occurring. As we know, the Wage Board is not a statutory body and there is no statutory provision for the implementation of the recommendations of the Wage Board. It is only by persuasion that you can make the employers agree and that is a moral

obligation which they have to fulfil. So far as the Wage Board's recommendations in respect of West Bengal are concerned, I think, 80 per cent of them have been implemented and there are only about 21 cases or so which have not been implemented. There are States which have statutory powers. Take, for example, U.P. But there the implementation is poor. In Delhi, it is nearly 90 per cent. It varies with the efficiency or the otherwise of the Implementation Machinery. But I am thinking as to whether we have a fresh look at the constitution of the Wage Board, whether it should be made statutory or what could be done. I am having this matter examined.

I am also examining the matter of the delays in the Tribunals. It takes a long time. I am examining whether it could be done by adding to the number of Tribunals or by making some change in the registration.

About the payment of wages also, I am seeing whether officers who are inspectors could be given certain powers. But I do not think this is an occasion where I can deal with all these matters at great length. If this discussion had been delayed by a fortnight, I would have been able to explain the proposals which I have in mind and I would have shared my views with the hon. Members. But may assure Mr. Gopalan that so far as this question of implementation is concerned, I am at it. I have been personally attending to this to see that there is no delay.

So far as arbitration is concerned, I want that once the employers agree—firstly, they must be made to agree—to arbitration, then the matter ends, the award is there and the implementation should be binding. About other agreements also, wherever there are bipartite or tripartite agreements, they should be respected. I have written to the employers' organisation as well.

Then, Mr. Gopalan raised three or four pertinent points. He talked about the strike by the employes of the Times of India perhaps. Does he know or does he not know who had taken interest and who had intervened and how was the strike called off?

Shri A. K. Gopalan: You took interest in that; I know that. But it is not a question of taking personal interest.

Shri Hathi: It was not Mr. Hathi as such; it was the Labour Minister as such. Let us not say that the Labour Ministry is sitting idle.

Shri A. K. Gopalan: There is no provision today that if the award is not implemented, you can punish the employer.

Shri Hathi: I am replying to that. I am thinking of taking some steps. Apart from the statutory provision, even with personal influence, whatever could be exerted, I have been doing it.

Shri A. K. Gopalan: It is not a question of your personal influence.

Shri Hathi: Personal influence as a Minister. Mr. Hathi as such has no locus standi.

The other question raised was about the oil companies. We discussed this question with all the Members of Parliament who were interested in it and we had arranged a tripartite meeting. We have appointed a commission of inquiry which will go into the details of this.

Then comes the recognition of union and the code of conduct. (Interruptions). I think, I have dealt with all that I could in the time at my disposal. If there is any question which I have not been able to answer, for instance, murder of Mr. Jha, the question was replied to by

my colleague. (Interruptions). would say that to the militant atmosphere that is going on, we have to put a stop. This murder is only a symptom. I do not know and I would not go into the details, but the militant attitude, as I said, requires a sober advice; it requires a touch, which is not touch of rejection. It is not that we have to reject and say that all their claims are useless and that we are not going to look at them. No. That is not my attitude. My attitude is that everybody who is interested in industrial peace has to see that the legitimate demands of the labour are fulfilled. At the same time, we have to take a very stern view of the militant attitude that is going on. Today it may go in the coal fields and factories, tomorrow it may go to the educational field, the day after it may go to the legislature, on the fourth day it may come to social life and on the fifth day it may come to domestic life. Where will all this lead us? Therefore, I have both the things. I do not simply condemn gheraos and say, 'no, nothing doing'. I say that the needs of the labour must be fulfilled; the social objective has to be achieved. We have to take a sympathetic view of the difficulties of the labour and try to see that they do not feel themselves isolated. Let us not simply talk of social justice and do nothing for the labour. No. That is not the position. On the other hand, if they go astray, we have to cry a halt and say that this is a danger to the democratic way of life.

Mr. Deputy-Speaker: The House stands adjourned till 11 A.M. tomorrow.

12.22 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, June 26, 1967/Asadha 7, 1969 (Saka).