

of India dated the 2nd December, 1968.

(2) The Uttar Pradesh Public Moneys (Recovery of Dues) Amendment Act, 1968 (President's Act No. 34 of 1968) published in Gazette of India dated the 2nd December, [Placed in Library. See. No. LT-2761/68]

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

FORTY-SECOND REPORT

SHRI KHADILKAR (Khed): Sir, I beg to present the Forty-second Report of the Committee on Private Members' Bills and Resolutions.

12.55 hrs.

ESSENTIAL SERVICES MAINTENANCE BILL *Contd.*

श्री मधु लिमये (मुंगेर) : अध्यक्ष महोदय, आपको पता होगा कि जब एसेशियल सर्विसेज मेंटेनेंस बिल पर यहां बहस हो रही थी तो उपाध्यक्ष महोदय ने हम लोगों के द्वारा प्रारोप उठाए जाने पर दो मामले कमेटी और सबोर्डिनेट लेजिस्लेशन के पास भेजे। कमेटी ने इन शब्दों में इस बात को रखा है। उनकी रपट से मैं पढ़ रहा हूँ:

"whether the provisions relating to delegation of powers contained in the Essential Services Maintenance Bill, 1968 are of a normal or exceptional nature and (2) whether the notifications to be issued under the said Bill, when enacted, should be laid on the Table of the House before they come into operation or after..."

इसके बाद मैंने कमेटी से कहा कि मैं बाहर जा रहा हूँ मुझे समय दीजिए लेकिन मुझे कोई

इतिहास नहीं दी गई। मुझे बाद में पता चला कि दूसरे दिन शाम को वह प्रपना अंतिम फैसला करने वाली है तो रात भर मेहनत करके मैंने प्रपना बयान कमेटी के सामने पेश किया। शाम को मैं 5 बजे कमेटी के सामने प्रपनी गवाही देने के लिए उपस्थित हो गया। मैंने जो लिखित बयान दिया था वह तो कमेटी की रपट के साथ जुड़ा हुआ है लेकिन साथ-साथ मैंने जो ज़बानी बातें कहीं थीं उसके बारे में मेरा ख्याल था कि कमेटी सोच-विचार करने के बाद प्रपना निर्णय देगी। जब मैं पेटेंट्स कमेटी के काम के लिए डिप्टी सेक्रेटरी श्री चावला आदि के साथ लखनऊ गया था तो मेरे मन में यह संदेह उत्पन्न हुआ कि शायद मेरी गवाही पर कमेटी विचार ही नहीं करेगी। इसलिए लखनऊ से मैंने प्रपकी सेवा में एक पत्र भेजा और मेरे मन में जो सन्देह था वही हो गया। यहां आने के पश्चात मैंने कमेटी की रपट को देखा और मुझे बड़ा दुख हुआ कि मेरी गवाही पर कमेटी ने बिलकुल गौर नहीं फरमाया।

SHRI NARENDRA SINGH MAHIDA (Anand): It is a reflection on the Committee.

श्री मधु लिमये : इसमें रिफ्लेक्शन की क्या बात है मैं स्वयं इसको साबित करने वाला हूँ। यह सदन कमेटी से बड़ा है और कमेटी जब कोई शर्त काम करती है तो व्यक्तिगत रूप से सदस्यों को उसके बारे में सदन के सामने आकर प्रपनी शिकायत रखने का अधिकार है। वह अपने को सदन से ऊंचा न समझे।

अब मैं कमेटी के निर्णय में तो एक ही अनुच्छेद पढ़ूंगा। उसके बाद आपको पता चलेगा कि मैं क्या निवेदन करना चाहता हूँ। यह चौथे पृष्ठ पर अनुच्छेद 7 है :

"In the light of the previous precedents and the aforesaid judgments of the Supreme Court and the Bombay High Court and after considering all aspects of the matter, the Committee

[श्री मधु लिमये]

are of the opinion that the provisions of part (ix) of clause 2 (1) (a) of the Essential Services Maintenance Bill, 1968 are normal in the sense that they are constitutional and not bad on account of excessive delegation of legislative power as the criteria or standards or policy on the basis of which essential services may be notified have been spelt out and are within the ambit of the legislative policy laid down in clause 2 (1) of the Bill."

प्रब मेरा कहना यह है .

MR. SPEAKER: Please conclude now.

श्री मधु लिमये : इतनी जल्दी यह खत्म नहीं होगा । दो बजे मैं इसे पूरा कर दूंगा । प्रभो तो मैं कोई बात भी नहीं कह पाया हूँ . . .

MR. SPEAKER: I am not going to allow a long speech. I have allowed you five minutes.

The point is, you did want to go to the Committee, the Committee gave you an opportunity to come before the Committee and you did go before the Committee. They heard you, they took your views and then only they made a report.

Apart from that, we are now at the third reading of the Bill. The point of order will not arise. I am going to overrule it.

श्री मधु लिमये : अध्यक्ष महोदय, माफ कीजिएगा, हमें कोई नियम व कानून के अन्दर चलना है । आपने मेरी बात भी नहीं सुनी ।

MR. SPEAKER: It is all right; it is not necessary. I thought you will take 2 or 3 minutes. We are at the third reading of the Bill now. Nothing more can be done.

As agreed to yesterday, I wanted to accommodate the Opposition and I allowed them the whole of yesterday for clauses. Today, from 2 to 3 O' Clock, we will have the third reading of the Bill. It was agreed to. At 2-45 P. M. the Minister will be called to

reply. At 3 O' Clock it will be put to vote. it is an agreed thing. Don't go back on that. Apart from that, I would like to tell you that there is so much of financial business and all that to be transacted, and all these have to be done in the coming two days. I think, the House will sit upto 8, 9 or even 10 O' Clock, if necessary, in the night and complete the business.

13 hrs.

SHRI S. M. BANERJEE (Kanpur): Why not extend the session?

MR. SPEAKER: All this has been considered by the Business Advisory Committee, in my absence also, and they have come to the conclusion that the House should adjourn on the 20th because of the elections and so many other things. It is the Committee that has come to this conclusion. There is no use now. (Interruptions) Mr. Banerjee cannot change the decision of the Committee. I am not prepared to hear any one now. If they do not want to restrict themselves, that is a different matter. I am going to continue the House from 6 P. M. onwards till the work is completed.

Now, Mr. Imam will start....

श्री मधु लिमये : अध्यक्ष महोदय, आपने मेरी बात भी नहीं सुनी है । माफ कीजिए, ऐसा नहीं हो सकता है ।

MR. SPEAKER: I have given you a chance.

श्री मधु लिमये : तो अध्यक्ष महोदय, यह बिल पारा नहीं होगा ।

MR. SPEAKER: Mr. Imam will start after Lunch. Two members from this side and two members from that side will speak. At 2.45 P. M. the Minister will reply.

Now, we adjourn for Lunch.

13.02 hrs.

The Lok Sabha adjourned for Lunch till Fourteen of the Clock.

The Lok Sabha re-assembled after lunch at Five minutes past Fourteen of the Clock.

(MR. DEPUTY-SPEAKER-in the Chair)

ESSENTIAL SERVICES MAINTENANCE
BILL. *Contd.*

श्री मधु लिमये: अध्यक्ष महोदय, आप मेरा निवेदन सुनिए। मैं इस विधेयक में अड़ंगा डालने के लिए यह नहीं कह रहा हूँ। जो चीज पांच दस मिनट में हो सकती है उसको आप मत रोकिए। मैं बिलकुल इस विधेयक में बाधा नहीं उत्पन्न करना चाहता हूँ। आप मेरी बात पांच मिनट सुन लीजिए।

MR. DEPUTY-SPEAKER: Will he kindly listen to me? So far as this particular point which he is raising is concerned, the Speaker has already ruled...

श्री मधु लिमये: मैं बाद में स्पीकर साहब से मिला।

MR. DEPUTY-SPEAKER: That is all right. I am talking of what happened on the floor of the House. If he has met the Speaker later, it is for the Speaker to decide what to do. Now, I have already listened to his plea. If he wants to raise some debate on the Report of the Subordinate Legislation Committee, he has to give notice and get the permission of the Speaker. Normally, it is not debated. Even if he wanted a debate, he should have asked for it at that stage. When we are in the midst of the last stage of the consideration of the Bill, unless we adjourn this debate, we cannot simultaneously discuss the Report of that Committee. The point of order relates to a Committee of the House. Even if he were to demand adjournment of this discussion for consideration of this Report, at this stage it is left to the discretion of the Speaker and I would be constrained to say "no" at this stage. Therefore, there are other ways of raising this issue, not in the midst of this discussion, which he might consider.

श्री मधु लिमये: ठीक है, मेरा निवेदन सुन लीजिए। तभी कोई रास्ता निकल सकता

है। मैं सिर्फ यह निवेदन करना चाहता था कि एक काम आपने कमेटी के ऊपर सौंप दिया। आपने कहा कि यह सामान्य है या असामान्य है—डेलीगेशन आफ पावर्स? तो उन्होंने क्या कहा? यह सामान्य है इस अर्थ में कि यह वैध है। तो मेरी बात ही वह नहीं समझे हैं। असामान्य होते हुए भी वैध और कानूनी हो सकता है और असामान्य का संबंध वैध और गैर-कानूनी से नहीं है। उसका संबंध इस बात से है कि जो नियम जायेंगे वह नियम कार्यान्वित कब होंगे? पहले पार्लियामेंट की स्वीकृति लेने के बाद कार्यान्वित होंगे या पहले कार्यान्वित होंगे और स्वीकृति बाद में दी जायगी, उससे एक्सेपशनल का, असामान्य का सम्बन्ध है। लेकिन अगर आप इस बात की इजाजत देते हैं कि कमेटी की रिपोर्ट पर तीसरा रीडिंग होने के बाद आप आधा घंटा देंगे तो मैं बाधा नहीं डालता हूँ, मैं बैठता हूँ। लेकिन इस बात पर विवाद जरूर होना चाहिए। इतना ही मेरा निवेदन है। इसके बाद करिए। लेकिन उसके बारे में कुछ तो रोशनी डालनी चाहिए।

MR. DEPUTY-SPEAKER: I would have permitted him if he had written either to me or to the Speaker about it. But since it was not done...

श्री मधु लिमये: आप ही को मैंने चिट्ठी लिखी थी। अब मिली नहीं, दफ्तर में आकर पढ़ी है तो मैं क्या करूँ? मैं जानता था कि यह झगड़ होने वाला है, इसलिए मैंने लखनऊ से चिट्ठी लिखी।

MR. DEPUTY-SPEAKER: I did not get it. The Speaker must have received it.

श्री मधु लिमये: ठीक है, मैं इसके लिए भी तैयार हूँ।

MR. DEPUTY-SPEAKER: What you have said is all right. You should get an opportunity to discuss the Report. But it could not be in the midst of this debate

[Mr. Deputy-Speaker]

While using the terminology in that Report, even assuming—I am not passing any judgment—that the terminology was not properly used and it was excessive, even then, it is a unanimous report to which the whole Committee is committed.

श्री मधु लिमये : तो आघा घंटा इसके ऊपर बाद में मौका दीजिए ।

MR. DEPUTY-SPEAKER: Not today. You will have to approach the Speaker.

श्री मधु लिमये : यर्ड रीडिंग के बाद दीजिए ।

MR. DEPUTY-SPEAKER: I would request hon. Members to confine their remarks to 4 to 5 minutes; not more.

SHRI J. MOHAMED IMAM (Chitradurga): This Bill has evoked a great deal of controversy on both sides of the House...

SHRI S. M. BANERJEE: Since the Home Minister is here, I would like to know whether he would be replying to the debate.

THE MINISTER OF HOME AFFAIRS (SHRI Y. B. CHAVAN): Certainly, I am prepared to reply.

SHRI J. MOHAMED IMAM: This marathon Bill has evoked a good deal of controversy on either side of the House. It has caused some concern to the employees of Government but it has also caused a certain amount of consternation to the public. It is true that my party has abstained from voting. That does not mean that we are unsympathetic towards the aspirations of the Government employees. In fact, we appreciate their feelings. We appreciate the hardships to which they are subjected. But I must state that this unhappy situation is the result of the policies which Government have adopted. It must be recognised that there is an ever-increasing gravity of the economic situation to which we are all subject. Inflation has become very much rampant. Prices are soaring high. In these circumstances, not only the Government employees, but the entire public is living a very restricted and

poor life. These difficulties are not confined to the Government employees only. In fact, these difficulties may be taken as national difficulties to which the entire nation is subject.

I do concede that the Government employees have the right to strike just as the employees of any other industrial concern. But the difference between the strike by the employees of a certain concern and that by the employees under Government is always there. If the employees of an industrial concern go on strike, that strike affects only that concern, and only the employer there is affected. If there is any rise in emoluments or any increase in remuneration to the industrial labourer, the employer will have to pay it and it is he who loses or gains. There is an obligation on the part of the employees that when they are paid increased salaries, they are expected to give increased production. But that is not the case with the Government employees.

As has been pointed out by my hon. friend Shri Hanumanthaiya, they are the trustees of the people. It is true that they have got the right to strike. But it is a very valuable and at the same time a dangerous weapon. If it is used indiscriminately and out of time, it will hold the nation to ransom, and it is the people who will suffer and not the Government.

Actually, this strike is aimed not at the Government but at the people whose normal life gets paralysed and disrupted thereby, and to carry it to its logical conclusion, it suspends all normal services for the people. At the same time, it must be understood that what the employees are demanding by way of increased remuneration has to be borne by the people. My hon. friend Shri Lobo Prabhu has pointed out already, that if their demands are conceded, it will mean an additional expenditure of Rs. 500 crores. Where does it come from? It has to come from the common people. So, a strike by the Government employees is nothing but coercion of the people to contribute more to their emoluments in the shape of increased taxes.

An American has divided the community into two classes, those who have to shoulder

the entire cost of living and pay the Government employees, and those who have the exclusive right to enjoy the proceeds of the taxes, and he has pointed out that these two classes are always antagonistic to each other. The gain of one is the loss of the other. The prosperity of one class will mean the abject poverty of the other. That is why he has divided the community into two classes namely the class of taxpayers and the class of tax-consumers.

While the grievances of the Government employees should be redressed by all means, let them think of the common man also. I do not say that the employees' case should not be considered at all. But along with that, Government should change their policy in regard to giving redress and relief to the entire people. Towards this end, they must shape their policy in such a way that they could bring down inflation and they could bring down taxation and reduce their expenditure and see that there is no wastage of manpower. It is only by bringing down inflation that they can avoid such a critical position.

I would also suggest that an alternative machinery must be evolved and the power to strike must be taken away. The machinery must be such that it must be a high-powered commission or board presided over by a Supreme Court judge, and any difference that crops up between the Government and their employees must be referred to that board and to decision of that board must be final and binding on both the parties.

An appeal was made to the Home Minister to be sympathetic to all the employees who are either victimised or proposed to be victimised. I share that appeal. After all this is not the first time that they were misguided by others or they had misguided themselves or some leaders had misguided them. I also join with them and say that Government should review their cases sympathetically and not to go too far to punish them or victimise them. With this in view, they should evolve a machinery which will be such that it will not give any scope for strike, because strike is always a deadly and dangerous weapon.

SHRI RANE (Buldana): I am very grateful to you for giving me this oppor-

tunity at the third reading stage. In my humble opinion, the Bill is a necessity at this juncture and it will reduce the number of strikes and also save the agricultural community from these strikes, because I hold the opinion that almost all strikes have proved to be anti-kisans ultimately.

श्री मधु लिमये : अब हम किसानों की भी हड़ताल कराते हैं—उत्तर प्रदेश में गन्ने का मामला चल रहा है ।

SHRI RANE: As the time at my disposal is short, I would like to make just now the submissions which I wanted to make at the end of my speech. My first submission is that before giving need-based wages or salaries to the Government employees, Government should first pay need-based prices to the farmers. Secondly, they must pay some allowance for the unemployed who are growing in crores. Government should bring forward a comprehensive schemes under which they could give some sort of allowance to the unemployed—educated as well as the uneducated.

My third submission is that Government should also define the categories of services which will be entitled to be governed by the labour laws, because a time may come when Parliamentarians may be classified as labourers.

Then, I would appeal to the labour leaders to revise their intransigent attitudes to strikes because they are insisting too much on the right to strike; whether they have a right to strike or not is a question into which I do not want to go just now. But strikes are increasing like anything, and in my opinion, during the last twenty years, the national loss may amount to Rs. 2000 crores on account of these strikes. I read this morning in the papers that the Hindustan Steel Limited alone suffered a loss of Rs. 40 crores on account of labour troubles in 1967. In 1966 it was Rs. 20 crores and this year it is Rs. 40 crores. Assuming that annually the loss on account of labour troubles is Rs. 100 crores, it comes in all to Rs. 2,000 crores during the last 20 years.

I would therefore appeal to the labour leaders to give up this intransigent attitude

[Shri Rane]

and ask the labourers and government employees not to resort to strikes off and on.

As regards the many epithets and adjectives used against Government in connection with this Bill, I think the blame must be shared by both *i. e.*, the labour leaders and Government. Government is to blame in that they have created a situation. They committed a blunder in 1957 by accepting the principle of a need-based wage without realising the financial implications of it—I do not know whether they consulted the Finance Minister or not. But now they find themselves in this position.

My second ground for blaming Government is that they have adopted a lenient and pampering attitude towards labour and government employees in the last several years. As soon as a demand is made, Government willy-nilly, after a time, concede it.

According to me, the main blame rests on the labour leaders for their excessive insistence on the right to strike. You know that every right has some limitations to it. The foremost one is that it must not be a nuisance to the neighbour of the person who exercises it and the second is that it must not affect public interest. Our constitution-makers had visualised this and they have provided that Government have power to impose by legislation restrictions upon this right under article 20, Sub-clauses 2 to 6 of our Constitution.

As regards the necessity for the strike, I wanted to speak at length, but for want of time, I am not doing so. But I shall dispose of one point, about the need-based wage. I submit that neither a Congress Government or a non-Congress one in 1972 will be able to pay need-based wages for at least two decades *i. e.* 20 years.

SHRI BALRAJ MADHOK (South Delhi):
It is a matter of deep regret that in spite of our best efforts, we have not been able to persuade the Government to reconsider their decision and withdraw this Bill. But it is a matter of some satisfaction that they have at last realised that there is some force in the argument we

have been advancing that they cannot take away the right to strike of government employees without providing an alternative machinery for settlement of disputes and redress of grievances.

It is good that the Ministers of State for Home Affairs announced the other day that a Bill is going to be brought forward which will provide for compulsory arbitration. How one wishes that such a thing had been done before September 19. Then perhaps the question of this strike might not have arisen. After all, that was the main cause or the main point on which the negotiations broke down. Even now, if this had been conceded in the Bill, it would have been much better. It would have been in the fitness of things if this Bill had been withdrawn and a new one brought incorporating that provision. Then perhaps the thing would not have looked so bad and so odious as it seems to be today.

Coming to the wider question of strike and the employees' demands, the employees have not been crying for the moon. What they wanted is a need-based wage. Here is a principle which Government have accepted. They wanted full neutralisation of the rise in the prices. This is again a principle which Government had accepted. If Government could not implement it in present circumstances, surely they could have appealed to the employees' patriotic sense. I still believe that a large majority of the government employees are nationalist; they are patriots and are amenable to patriotic appeal. Only very few of them are in the clutches of anti-national forces which want to create anarchy in this country. But this Government by putting them all together, bundling them all together did no service to itself, no service to the democratic forces of the country, no service to the country and no service to the employees. Therefore, I would again repeat that the Government has mishandled the whole situation.

As to the plea that 'we are not in a position to pay,' as just now my hon. friend, Shri Rane, has said, this Government has been following economic policies which have been leading to such a lot of waste. We are a potentially rich country and had we

husbanded our resources properly, we should have been able to give to our employees not only need-based wage but something more. Because our policies are bad, we cannot pay them. That is no argument. I have to tell my friends on the left on the one side you say that we must give them need based wage but at the same time you support the policies that the Government have been pursuing and which have led to so much waste of public money. Unless these policies are changed, unless you agree with me, unless you join with me and unless you stand with me in demanding from the Government to bring about a change in their economic policies, you have no right to ask that they should give need based wage. Need based wage can be given if the economic policies are changed and things are improved. It is sometimes argued that because there are so many workers who are not getting as much as the Government employees are getting, therefore, we cannot give them more. This is a very wrong argument. The Government should act as a model employer. If something is right, why should you deny it to your own employees. If you cannot act as a model employer then how can you ask the private employer to behave better? You say that those emoluments cannot be given to every one; so we cannot give them to the Government employees. In this House the Ministers are drawing emoluments much more than what MPs are getting. Because all the MPs are not getting those emoluments, so the Ministers also should not get more emoluments? That is no argument. You should try to give other workers also, but that is no reason why your own employees should not get their due.

In the end, I would make one appeal. Whatever is done is done. Let us forget the past. I would remind you of the famous couplet of Rahim.

“क्षमा बड़न को चाहिए, छोटन को उत्पात
कहा हरी को घटी गयो जो भृगु मारी लात ।”

The big people should have the quality of mercy. You are the Government.

पुत्र कुपुत्र हो सकना है, लेकिन माता
कुमाता नहीं हो सकती है ।

You are the employer. You are the master. Now even if the employees under some provocation or out of frustration have done something, my appeal to you is that you now take a merciful attitude, be magnanimous and do not adopt a vindictive attitude towards the employees. It is good that many of the employees have been taken back, but there are still about 10,000 employees who are suffering, out of them some are in jail and prosecution is being launched against them. My appeal to you is: let us open a new chapter, withdraw those prosecutions and take a lenient attitude towards the employees so that in future when you set up a permanent machinery of compulsory arbitration, no occasion for further strikes may arise.

With these words I would again appeal to the Government to withdraw this Bill, but if the Government refuse to withdraw this Bill, then my Party will oppose it.

श्री अमृत नाहाटा (बाइमेर): उपाध्यक्ष महोदय, मैं इस विवाद में नहीं पड़ना चाहता कि यह केन्द्रीय कर्मचारियों का आन्दोलन राजनीतिक प्रेरणा से प्रेरित था या नहीं, क्योंकि मैं मानता हूँ कि निश्चित रूप से हर एक आर्थिक संघर्ष के पीछे राजनीति होती है। और सिर्फ यह कहने से काम नहीं चलेगा, बल्कि मैं निवेदन करूँगा सरकार से कि वह इस प्रकार की कार्यवाही न करे जिससे कि ये सरकारी कर्मचारी हमारी राजनीति से घलग होकर विरोधियों की राजनीति में चले जायें। इसलिए मैं निवेदन करना चाहूँगा कि अगर विरोधी दल अपनी राजनीति खेलते हैं तो हमको राजनीति खेलने से किसने इन्कार किया है, किसने रोका है। मैं मानता हूँ कि इस बिल में जो अधिकार सरकार ने लिए हैं, मैं आशा करता हूँ कि सरकार उन अधिकारों का बहुत सूझबूझ के साथ, बहुत ही सावधानी के साथ इस्तेमाल करेगी क्योंकि इसमें अब भी बहुत सी ऐसी चीजें हैं जो निश्चित नहीं हैं। हर चीज को एसेन्शियल सर्विस कहा जा सकता है, और हर चीज एसेन्शियल है इस देश के लिए। लेकिन मैं चाहूँगा कि जो आन्वयसन

[श्री अमृत नाहाटा]

इस सदन को दिया गया है कि सरकार की तरफ से एक कॉम्प्रीहेंसिव बिल जल्दी लाया जायगा, यदि इस समय लाया जाता तो मेरी निश्चित मान्यता है कि ये सारे के सारे विरोधी दल चुप हो जाते। मेरी यह निश्चित मान्यता है कि हमारे विरोधी दलों ने इस आन्दोलन द्वारा ट्रेड यूनियन्स को नुकसान पहुंचाया है। ईमानदारी से आप आत्म परीक्षण करें। ट्रेड यूनियन्स की सफलता दो चीजों पर निर्भर करती है। पहली चीज यह है कि कौनसी मांग पर आन्दोलन चलता है। और दूसरी चीज है उस मांग पर कितना व्यापक समर्थन आप प्राप्त करते हैं। मेरी निश्चित मान्यता है कि इन दोनों चीजों की ओर आपने ध्यान नहीं दिया. . . (व्यवधान)

मैं ट्रेड यूनियन कार्यकर्ता के नाते बोल रहा हूँ। आपने इस ट्रेड यूनियन आन्दोलन को गलत दिशा की तरफ प्रेरित किया है। . . . (व्यवधान). . . मैं यह भी निवेदन करना चाहता हूँ कि जहां तक राजस्थान का सवाल है, क्या वजह है कि दूसरे राज्यों के मुकाबले अकेले राजस्थान में इतने अधिक लोगों को नौकरी से निकाला गया? मेरी तो यह निश्चित मान्यता है कि जहां-जहां पुलिस ने सक्ती की है, जहां पर ज्यादा अत्याचार हुए हैं वहां पर इस प्रकार की ज्यादा कार्यवाहियां हुई हैं। जोधपुर रेलवे बर्कशाप में हड़ताल बिलकुल नहीं थी, सारे के सारे मजदूर काम पर आए हुए थे। यूनियन का सेक्रेटरी आया हुआ था। लेकिन वहां पर पुलिस पहुंच गई। सेक्रेटरी को मैनेजर ने बुलाया तो उसने कहा कि मैं बाहर जाने के लिए तैयार हूँ लेकिन उन्होंने कहा कि नहीं, अभी छुट्टी होगी एक घंटे बाद, तब जाना। लेकिन पुलिस ने कहा कि हम अन्दर जाकर उसको गिरफ्तार करेंगे और पुलिस बर्कशाप के अन्दर गई और सेक्रेटरी को गिरफ्तार किया और फिर उसके फल-स्वरूप वहां पर हड़ताल हो गई। तो इस तरह से वहां पर पुलिस ने ही हड़ताल कराई। जगह-

जगह इसी प्रकार की हड़तालें हुई हैं. . . (व्यवधान)

इसलिए मैं गृह मंत्री जी से निवेदन करूंगा कि जहां तक राजस्थान का मामला है, वहां पर बहुत बड़े पैमाने पर विक्रिमाइजेशन हुए हैं जबकि वहां पर किसी ने भी धारा 144 नहीं तोड़ी। वहां की राज्य सरकार आज भी तैयार है, राज्य सरकार ने अपील भी की है और कहा है कि अगर केन्द्रीय सरकार का आदेश मिले तो हम सारे केसेज विड्या करने के लिए तैयार हैं। मैं निवेदन करूंगा कि इस कानून की जो अंतिम धारा है जिसके मातहत आर्डिनेंस को कानूनी रूप दिया जा रहा है और उसके मातहत की गई सारी कार्यवाहियों को कानूनी रूप दिया जा रहा है और केन्द्रीय सरकार ने अधिकार ले लिए हैं, उस पर एक बार फिर पुनर्विचार किया जाए तथा जिन कर्मचारियों को सस्पेंड किया गया है या नौकरी से निकाला गया है उनके ऊपर सहानुभूति-पूर्वक विचार करके वापिस काम पर लगाया जाए।

SHRI V. KRISHNAMOORTHY (Cuddalore): Mr. Deputy-Speaker, Sir, on behalf of my group, I oppose this primitive measure which has poured more poison among a section of the community, against the working classes and the Government servants. You would understand that we have been opposing it with certain reservations, but the Government thought that this sort of measure is necessary for protecting their ruling class in the party for ever. There is no question of any revolution or disorder. Only they thought that the Government can be completely ruined if the strike was allowed. That is why they have brought this measure. I cannot be a party to support it.

The Home Minister is now here. His writ does not have full value in some parts of the country, especially in Kerala and some other parts. His currency does not have full value in some parts; it is at a discount. He is

laughing at me, because he knows it. After the changed political complexion of the States, even after this Bill is passed, I hope he would not have opportunity to use this measure and that it will be kept in the Statute-Book as a dead-letter. I want that this law should not at all be used.

I am one of those who, after the promulgation of this ordinance, persuaded the workers not to go on strike. We never instigated anybody to go on strike after the 13th, but the Government, by this measure, only had the opposition of the Central Government employees. What is the position today? They are victimising the workers. I would like to appeal to the hon. Home Minister. At least for the third reading, he has come here. The Prime Minister met all the Opposition Party leaders and she wanted to convey that she is not victimising anybody. Today, the position is about 20,000 employees are facing prosecution; 12,000 employees are suspended, and there are more than 8,000 cases pending. I would like to appeal to the hon. Home Minister to identify the real enemy of the Government. The real enemies are not the workers in the telephone exchanges or railways or other offices. The real enemies are only my friends. Mr. Banerjee, Mr. Joshi and others. If the Home Minister wants, let him take revenge against these leaders, not against the thousands of workers.

Most of the States have already written that the cases should be withdrawn. If this Bill is passed, let them not take revenge against the thousands of employees and their families, against whom cases have been booked. There are cases of innocent employees being victimised. The higher officers have suspended them. In some States like M.P., the arrested people have been reinstated. But in some other States, they have been suspended permanently. Why is this double standard being followed? In Rajasthan, Haryana, Punjab and Delhi, several thousands of employees are suffering. I hope the Home Minister will be kind enough to withdraw all the cases and the promise made by the Prime Minister before the leaders of the opposition earlier will be implemented after this Bill is passed.

This is an excessive measure. It has more poison in its sections and it will attack the workers in future. I request the Home Minister to use it cautiously. I hope there will not be any occasion when this Bill will be used against the Central Government employees. With these words, I pose the Bill.

SHRI K. NARAYANA RAO (Bobbili): Sir, it is but natural that this Bill has been engaging the attention of quite a good number of my hon. friends. I quite understand their feelings. But there is a distinction between Government servants working in public utilities and ordinary industrial workers. If we forget that and evolve a working class including all these people, the result will be the consequences of the strike call which they gave the other day. In industrial disputes, certain areas have been earmarked in which the right to strike has been regulated. I take the word of the hon. Minister that they will evolve a machinery for resolution of the differences. Once that is incorporated, there is not much difference between this Bill and the Industrial Disputes Act, except in the matter of punishment. The Industrial Disputes Act provides for a maximum punishment of 1 month in the case of persons joining the strike and six months in the case of abettors. In this Bill, it is six months and one year respectively. There is no other distinction between the two.

So far as Government servants—pure and simple—are concerned, the Joint Consultative Machinery is still in the process of evolution; it is yet to take concrete shape. The railway employees, the postal employees and other civil servants joined together and gave that strike call. Even under the Industrial Disputes Act, there cannot be a strike like this for need-based minimum wage. There are certain areas where there is a possibility of negotiations and if the negotiations fail, they can go on strike.

If they fail, it can be referred to the Conciliation Board for adjudication. Here again when the proceeding is before the Conciliation Board, they should not go on strike. There also there may be an illegal strike. It is for the first time that this Bill has been introduced here to ban the illegal strike. There is an Industrial Disputes Act for this under which the disputes can be settled.

[Shri K. Narayana Rao]

The second point which I would like to emphasise in this context is this. There is a simple basic thing underlying the conception of our legislation. That is the trade unions must develop their leadership. They should not, in any way influence anyone. They should try to evolve their own code. A higher punishment has been provided for so far as strikes in the industries are concerned. They should evolve their own code. Similarly, so far as Government servants are concerned, a Joint Consultative Machinery must be evolved. But, don't bring the trade union activities between the government servants for God's sake. These have, of course, nothing to do with the government servants. But, if they go on strike, the whole of the administration will be paralysed.

MR. DEPUTY SPEAKER: Mr. Mukerjee.

SHRI H. N. MUKERJEE (Calcutta North East): Mr. Deputy Speaker, Sir, (*Interruptions*).

श्री विभूति मिश्र (मोतीहारी) : इस बिल के ऊपर एक हफ्ता समय लगा है। अब जितना उधर के लोगों ने इसके ऊपर समय लिया है उसका कोई हिस्सा इधर हम लोगों को भी दे दिया जाए।

श्री प० सा० बालूपाल (गंगानगर) : आखिर हम लोग भी जनता से चुनकर यहाँ पर आए हैं और हमारा भी जनता के प्रतिनिधि होने के नाते कुछ उत्तरदायित्व है इसलिए हमें भी इस पर ज़रूर बोलने का मौक़ा दिया जाय। केवल 3 मिनट का समय मुझे दिया जाय वरना हम भी शोर मचाने पर बाध्य होंगे क्योंकि उधर के लोग शोर मचाते हैं तो उनकी समय मिल जाया करता है।

श्री श्रीकारलाल बोहरा (चित्तौड़गढ़) : मुझे भी दो मिनट का समय देने की कृपा की जाय।

SHRI H. N. MUKERJEE: Mr. Deputy Speaker, Sir, we are reaching the end of a sordid chapter and as we have opposed the Bill at every stage, we are opposing this measure lock, stock and barrel. To-day, particularly, is a very sad day not only because Government is pushing through this ob-

noxious measure which stinks in every pore of it but, in the morning, the atmosphere this House was tainted with stink when the Minister of Communications tried to justify a footling little bureaucrat in U. P. who had banned the despatch of a telegram when everybody else in this House thought that the action was objectionable. So many objectionable things are done by Government and this Bill is the embodiment of the kind of thing which goes on. Ostensibly, it is for three years; Mr. Shukla has vouchsafed to the House one of the small mercies when he reduced the period from five to three years. But, we know the way the wind is blowing these days as far as the Government is concerned. There is no doubt about it that the Bill is pushing through a whole approach to labour problems. It is an attempt to secure a ban sooner or later, a ban on collective bargaining, a ban on collective action by organised workers and obstruction in the path of collective bargaining. And this is happening in spite of the sophistries with which our friend Shri Narayana Rao was pleased to treat this House just now.

I have had to say in this House earlier how a most deleterious practice is taking shape, namely, 'once an Ordinance, always a statute'; it becomes a permanent feature of the Constitution. This is an utter reversal of parliamentary policies. We know how this Government acts when it is armed with arbitrary weapons, like what it did in time of emergency with the DIR and the Preventive Detention Act. It pursues policies which a very conservative minded jurist like Shri Setalvad was constrained to characterise some time ago as a "constitutional dictatorship."

I had also occasion to point out another speciality of this Bill where retrospective immunity is given to certain actions of Government in regard to repression of the workers. I was astonished because we have in this House on the anvil of our business the Liability in Torts Bill as far as the Government is concerned and there we are discussing this whole question of retrospective immunity, how far it can be given and all that. It appears from the Constitution that except in times of martial law retrospective immunity cannot be given. But that kind of

thing is injected into the Bill by the back door.

I would like also to point out how international norms are being violated by the passing of this kind of legislation. Our laws regarding strikes are already rigid and inhibitive enough. This country, however, is a party to certain international conventions. ILO Conventions 87 and 98 relate to freedom of association and collective bargaining rights and it has been pointed out earlier in the debate that those rights have been violated.

I remember that a case happened in regard to Japan when on a complaint from the trade unions the ILO had to send a mission to investigate such infringements and the Government of Japan had to rectify such violations of the Convention. It may be that in our case also something of that sort would take place.

In the name of essential services the entire trade union movement is being . . . (*Interruption*)

MR. DEPUTY-SPEAKER: The hon. Member should try to conclude now.

SHRI H. N. MUKERJEE: Kindly let me have a few more minutes because we are opposing this measure much more stridently than the others and we have to suffer.

MR. DEPUTY-SPEAKER: I am constrained to say that the Speaker has observed that 2.45 is the deadline. It is very difficult.

SHRI S. M. BANERJEE (Kanpur): You can extend it by half an hour.

SHRI H. N. MUKERJEE: Already the Government has been told that our trade union movement cannot agree to anything like a statutory ban on strikes, even with assurances about the statutory imposition of compulsory arbitration or adjudication. Arbitration voluntarily accepted is quite another thing. The right to strike, to withhold one's labour, is fundamental to collective bargaining and Government should remember that notice has been given to it that whatever the circumstances that right will never be taken away. We know the

steps that Government are ready and willing to take in order to suppress the working people. The vile incidents at Indraprastha Bhavan will be remembered to the shame of our people for many long years to come but that is not the way to achieve class peace in this country.

I would like to remind our friends on the Treasury Benches, particularly Shri Chavan who certainly should know something about the history of our freedom movement, that in the year 1920 when at Calcutta at the special session of the Congress the non-cooperation resolution was passed the President was Lajpat Rai and Lalaji went from Calcutta to Bombay to preside over the inaugural session of the All India Trade Union Congress. He should remember that over the sessions of the Trade Union Congress there have presided Chittaranjan Das, Motilal Nehru, Jawaharlal Nehru and Subhas Chandra Bose. All these things are matters of history. But this is the way in which Government brings forward legislation.

What are we heading towards? The Weimar Constitution was supposed to be the freest in the world as far as the conditions in those days were concerned, but the Weimar Constitution went the way of all flesh when reaction took over in Germany.

MR. DEPUTY-SPEAKER: The hon. Member should conclude now.

SHRI H. N. MUKERJEE: I am concluding.

Our working people have given notice already, and my job is to repeat that notice, that they will fight their battle against the Government if it pursues policies which are clearly indicated in the present measure. I remember distinctly what Pandit Jawaharlal Nehru used to say quoting a French saying.

Cet animal est tre's mechant; quand on l'attaque, il se defend.

"This animal is very wicked; when it is attacked, it defends itself."

The working class movement is being attacked by the Government and, naturally, the working class will defend itself. The

[Shri H. N. Mukerjee]

Government should see the hand-writing on the wall. The Government should remember that if it is going to have a new fascistic order of society, it is pursuing a goal which will never succeed. The conditions have changed and the working class movement can never be defeated. Hitlerism has fallen like Lucifer, never to rise again. In this country also, anything in the shape of new fascistic practices will never be tolerated by our people. That is why this country gives notice that this measure is symptomatic of a disease of which Government should cure itself if it is going to survive. I oppose this measure with all the strength at my command.

SOME HON. MEMBERS *rose--*

MR. DEPUTY-SPEAKER: Now, the Speaker has already announced that the Minister will be called at 2.45 P.M. I do recognise that those who participated and fought at every stage of the Bill should be given some time at least. So, what I would suggest is that you confine your remarks to 2 or 3 minutes each. (*Interruptions*)

THE MINISTER OF PARLIAMEN-
TARY AFFAIRS AND COMMUNICA-
TIONS (DR. RAM SUBHAG SINGH):
Everyday, you are changing the ruling of the Speaker. We should stick to the time-limit fixed.

MR. DEPUTY-SPEAKER: It will not be proper if we apply guillotine at this stage. I am not going to apply guillotine at this stage.

DR. RAM SUBHAG SINGH: What is wrong in that? Then, we shall have to move a closure motion (*Interruptions*).

MR. DEPUTY-SPEAKER: I don't mind. I will not shut out debate at this stage.

SHRI S. M. BANERJEE: Let him move a closure motion. We shall see.

श्री रणधीर सिंह (रोहतक) : इधर से किसी मेम्बर को क्यों न बुलाया जाये ? या होम मिनिस्टर साहब बोलें श्रीर या हम में

से किसी को बुलाया जाये । सिर्फ उधर के मेम्बरों को ही क्यों बुलाया जाये ?

MR. DEPUTY-SPEAKER: You cannot have it both ways. You want to have a closure motion and, at the same time, you want to speak on the Bill.

DR. RAM SUBHAG SINGH: You observe the time-limit fixed.

MR. DEPUTY-SPEAKER: Is it proper, at this stage, to apply guillotine?

DR. RAM SUBHAG SINGH: You observe the time-limit. Yesterday also, the Speaker announced the time schedule. You ought to have followed it.

MR. DEPUTY-SPEAKER: So far as I am concerned, I am not going to apply guillotine at this moment. (*Interruptions*)

SHRI S. M. BANERJEE: You adjourn the House *sine die*.

MR. DEPUTY-SPEAKER: Would it be proper to shut out the debate at this stage? (*Interruptions*)

SHRI RANDHIR SINGH: You call the Home Minister. या हम में से किसी को बुलाया जाए । क्या वही लोग मजदूरों के ठेकेदार हैं? हम भी तो मजदूरों के हमदर्द हैं ।

श्री शिव नारायण (बस्ती) : उपाध्यक्ष महोदय, यह वन-वे ट्रेफिक नहीं होना चाहिए। आपको इधर से भी मेम्बरों को बुलाना चाहिए।

THE MINISTER OF STATE IN THE
MINISTRY OF HOME AFFAIRS (SHRI
VIDYA CHARAN SHUKLA): You were pleased to observe that those people who fought against the Bill, at every stage, should be given chance. Do you mean to say that those who supported the Bill should not be given any chance? I want clarification on that.

MR. DEPUTY-SPEAKER: Dr. Ram Subhag Singh also suggested to try to be, as far as possible, within the time-limit. . .

DR. RAM SUBHAG SINGH: I suggested four days back. You yourself said that 7 hours will be enough. You are going against your own suggestion.

MR. DEPUTY-SPEAKER: What can I do? At the final stage, I would like to call some Members from this side and some Members from that side. At this stage, I cannot apply guillotine. I can apply the guillotine at some other time and not now. Would it be proper to do it now? Would it be consistent with the atmosphere that we are having just now? (*Interruptions*)

SHRI NARENDRA SINGH MAHIDA: (Anand): On a point of order.

श्री रणधीर सिंह: अगर आप उधर से मेम्बरों को बुलाते हैं, तो इधर से भी बुलाइये। यह नहीं हो सकता है कि आप एक ही तरफ से मेम्बरों को बुलाते चले जायें। हम नहीं बोलते हैं; आप होम मिनिस्टर को बुलाइए।

SHRI VIDYA CHARAN SHUKLA: When the hon. Speaker announced the time-limit in this House, he had before him all these considerations, the atmosphere, the requirement and the time already taken. Having considered all those things, the hon. Speaker said on the floor of the House that he would not allow more than one hour; he said that he would call the Minister concerned at 2.45 P.M. He has said this. I think, it is rather unfair to say now that the atmosphere does not permit. The Speaker has already observed this.

MR. DEPUTY-SPEAKER: Yesterday the Speaker observed that we should finish this by quarter to 4 or 4 P.M. But after his observation, he sat for two hours, we sat for four hours. When we provide opportunities for debate, according to the procedure, reasonable opportunities should be provided. I am not exceeding that time-limit. Keeping that in view I am appealing to the hon. members not to exceed two minutes. . .

SHRI CHENGALRAYA NAIDU (Chittoor): I am rising on a point of order.

SHRI BAL RAJ MADHOK: Ten minutes have been lost on this; by now, some members could have spoken.

SHRI CHENGALRAYA NAIDU: Now you have allowed further discussion. When you allowed further discussion, you said that you would allow only that side which is opposing the Bill. How can you say that they are going to oppose and we are going to support the Bill? I am going to oppose the Bill.

MR. DEPUTY-SPEAKER: You have not followed. I will call a few members from this side also. Some of you will be called. Please resume your seat. I want to save the time.

SHRI CHENGALRAYA NAIDU: We may also oppose the Bill.

श्री रणधीर सिंह: यह क्या तरीका है कि जो इस बिल को प्रोपोज करेंगे, सिर्फ़ उन्हीं को बुलाया जाएगा और जो इसको सपोर्ट करेंगे, उन्हें नहीं बुलाया जाएगा!

MR. DEPUTY-SPEAKER: Will Mr. Randhir Singh please co-operate? Let us resume the debate and conclude it. Mr. Joshi.

SHRI NARENDRA SINGH MAHIDA: You have not heard my point of order. Under rule 362, I move a motion for closure. . .

SHRI KRISHNA KUMAR CHATTERJI: (Howrah): I move a formal closure motion.

SHRI NARENDRA SINGH MAHIDA: Rule 362 says:

"At any time after a motion has been made, any member may move: 'That the question be now put', and, unless it appears to the Speaker that the motion is an abuse of these rules. . ."

SHRI MADHU LIMAYE (मुंबई): It is an abuse. इससे ज्यादा एब्ज्यूज क्या हो सकता है? यह बिल्कुल एब्ज्यूज है। यह नियमों की अवहेलना है।

SHRI NARENDRA SINGH MAHIDA: ". . . or an infringement of the right of reasonable debate, the Speaker shall then put the motion: 'That the question be now put'."

[Shri Narendra Singh Mahida]

I move:

"That the question be now put."

MR. DEPUTY-SPEAKER: Are you supporting it?

DR. RAM SUBHAG SINGH: It is not our intention to abuse it. As you know, this has been going on for the last seven days. We do consider, and everybody feels, that there has been enough debate. Therefore, I support it.

MR. DEPUTY-SPEAKER: Now, the question is. . .

SHRI S. M. BANERJEE: On a point of order.

MR. DEPUTY-SPEAKER: What is the point of order?

SHRI NARENDRA SINGH MAHIDA: You dispose of my motion first.

MR. DEPUTY-SPEAKER: Please resume your seat. I know how to conduct the proceedings. You cannot dictate to me like this. There is a point of order on your Motion. Please resume your seat. Here is a point of order. Dr. Ram subhag Singh has supported the Motion and I am going to put it to the vote of the House.

15 hrs.

SHRI S. M. BANERJEE: My point of order is this, Sir. . . (*Interruption*)

MR. DEPUTY-SPEAKER: Let us dispose it of in half a minute.

SHRI S. M. BANERJEE: My point of order is this, Sir.

This motion has been moved under Rule 362 (1).

MR. DEPUTY-SPEAKER: I have followed it.

SHRI S. M. BANERJEE: I invite your attention to this point, Sir. Yesterday the hon. Speaker, when he was in the Chair. . . (*Interruption*)

MR. DEPUTY-SPEAKER: No, no. You may come to the rule. I am going to put it to the vote now. I don't want to refer to what happened yesterday. Now the motion is before the House. If you want to speak anything about this, you may speak.

SHRI S. M. BANERJEE: That guillotine cannot be applied at the third reading stage. That is one point. In 1928 what happened was this. You may kindly find it out, Sir. Then, Shri Vithalabhai Patel gave a ruling after the Opposition walked out, that the House was not properly constituted. You have your right. You are guiding the deliberations of this House, you are guiding the proceedings of this House. You have the right, Sir, under Rule 389 which says:

"All matters not specifically provided for in these rules and all questions relating to the detailed working of these rules shall be regulated in such manner as the Speaker may, from time to time, direct."

You have directed, Sir, that some more time should be given, My last appeal to you is this. . . (*Interruption*)

DR. MAITRAYEE BASU (Darjeeling): I belong to the independent group. I want to speak. I have not been given opportunity so far.

SHRI S. M. BANERJEE: I only want to request you, Sir, that you should be governed by the residuary rules. You have got the residuary power under rule 389. Kindly adjourn the House *sine die* and be done with it. You will become another Bijoy Banerjee.

श्री जार्ज फरनेमडीज (बम्बई दक्षिण) : अध्यक्ष महोदय, मैं व्यवस्था के प्रश्न पर खड़ा हूँ।

श्री जयु खिन्ने: आधा मिनट मैं लूंगा। अध्यक्ष महोदय, तीसरी रीडिंग पर अब तक मेरी तरफ के मेम्बर नहीं बोले हैं और कई और दलों के मेम्बर नहीं बोले हैं। जब तक उनका भाषण नहीं होता है इस तरह का क्लोजर मोशन विचारार्थ लेना यह सदन के

नियमों की हत्या है और उसमें जो प्राविजो है उसके अन्दर आप इसको खत्म कर सकते हैं। हमारे दल का भादमी नहीं बोला है, वाम-पंथी कम्युनिस्ट दल का नहीं बोला है, प्रजा सोशलिस्ट दल का नहीं बोला है। यह लोग बोल लेंगे उसके बाद आप मोशन ले सकेंगे।

MR. DEPUTY-SPEAKER: No new point.

श्री जार्ज फरनेनडीज: मेरा प्वाइंट आफ ऑर्डर यह है कि 362 में यह मोशन नहीं आ सकता है। आप 363 पढ़िए। 363 बिल के ऊपर जो डिबेट चलती है उसके ऊपर है। 363 में बिल के ऊपर डिबेट के संबंध में एक अपना अलग ही नियम है तो 362 का नियम उस पर आ ही नहीं सकता है। इसलिए इनका प्रस्ताव नहीं आ सकता है। विशेष नियम इसके लिए है। आप 363 पढ़िए।

MR. DEPUTY-SPEAKER: I have followed it. Don't read it. Under Rule 363, another motion can come.

श्री जार्ज फरनेनडीज: तो आप हटा दीजिए उनके प्रस्ताव को।

SHRI VIDYA CHARAN SHUKLA: May I draw attention to rule 291 which very clearly says that at the appointed hour. . . (Interruptions). The Chair has permitted me to speak.

SHRI MADHU LIMAYE: No, he should sit down.

श्री जार्ज फरनेनडीज: मैं अभी तक बोल रहा हूँ।

SHRI VIDYA CHARAN SHUKLA: I do not mind.

SHRI SHEO NARAIN: What is this, Sir? You are not controlling the House. Is this the way? यह क्या हो रहा है?

श्री जार्ज फरनेनडीज: अध्यक्ष महोदय, आपने मेरे व्यवस्था के प्रश्न पर कोई बात नहीं फरमायी।

MR. DEPUTY-SPEAKER: Will hon. Members resume their seats?

SHRI NAMBIAR (Tiruchirappalli): Why do they want a closure motion now?

MR. DEPUTY-SPEAKER: As I have already observed, I felt reasonable opportunity should be provided for some more speakers. But as the Speaker had declared, at 2.45 P.M. the Minister was to be called. Even then, I said I could use my discretion to extend it by half an hour. But it appears that even if I were to give only two minutes to each member, I have to call about six more from the Opposition side—because some—like Shri Abdul Ghani Dar—were assured at the earlier stage that opportunity would be given at this stage—and three or four from the Government side. It will take 45 minutes minimum. It will not be easy.

SHRI S. M. BANERJEE: I withdraw my name; I will not speak.

श्री जार्ज फरनेनडीज: मैं भी नहीं बोलूंगा। एस० एम० जोशीजी बोलेंगे।

MR. DEPUTY-SPEAKER: But in between, a Motion has come from this side. Whether it is in order is a different matter.

SHRI V. KRISHNAMOORTHY: Let the Minister withdraw the motion. We will pass this Bill. Why is he in a hurry at the last stage?

MR. DEPUTY-SPEAKER: I must give them time. If he withdraws, we can proceed with this. We will try to conclude it early. I will exercise my discretion but only on one condition that only two minutes will be allowed to each speaker, accommodating a few from both sides, because we have extended the time several times.

Shri S. M. Joshi.

श्री एस० एम० जोशी (पूना): एक बात हमारी सुन लीजिए। मेरा नाम यहाँ लिया गया और मेरे पर आरोप लगाया गया तो गुनहगार को आप चांस ही नहीं देंगे अपनी बात कहने का?

MR. DEPUTY-SPEAKER: No more debate on procedure.

श्री जार्ज करनेनडीज़ : उनके मोशन को रूल आउट करिए ।

MR. DEPUTY-SPEAKER: I will exercise my discretion to this extent that two minutes will be allowed to each speaker. Let us conclude the debate. I have appealed to the hon. Minister. He has agreed to the giving of further time

AN HON. MEMBER: What about his Motion?

MR. DEPUTY-SPEAKER: He has withdrawn it.

SHRI S. KANDAPPAN (Mettur): He has not sought the permission of the House to withdraw it!

श्री एस० एम० जोशी : उपाध्यक्ष महोदय, मैं तो पहले वाचन के वक्त बोला नहीं था। उसके बाद एक ही छोटे से अमेंडमेंट पर बोला। फिर भी मेरा नाम बार-बार यहां दोहराया गया। हमारे लायक मित्र शांति लाल शाह ने भी कहा कि यह एस० एम० जोशी अच्छा आदमी है लेकिन बुरी संगत में है और उन्होंने भी कहा। तो जब कोई गुनहगार होता है तो कोर्ट का मामूली नियम है कि गुनहगार की बात भी सुनी जाय।

SHRI SHANTILAL SHAH (Bombay North West): I said he was a good man. I never accused him of anything.

श्री एस० एम० जोशी : देखिए, मैंने बताया कि पहले वाचन पर हम लोगों ने विरोध किया, दूसरे वाचन में विरोध किया और तीसरे वाचन में भी पहले जितना किया था उससे भी ज्यादा सख्त विरोध करने के लिए मैं खड़ा हुआ हूँ। मैं इसलिए विरोध करता हूँ कि यह विधेयक जो अब कानून बनने जा रहा है, वह न लोकतंत्र के हित में है और न देश के हित में है। जिन लोगों ने तमाम ज़िन्दगी मजदूर आन्दोलनों में लगाई है, उन लोगों को

मालूम है कि पिछले कुछ महीनों से हमारी हुकूमत जो नीति मजदूरों के बारे में चला रही है, वह न देश के हित में है और न मजदूर आन्दोलनों के हित में है। मैं यह भी बतलाना चाहता हूँ कि पहले इण्डस्ट्रीयल डिस्प्यूट्स एक्ट में एसेन्शियल सर्विसिज़ के लिए कोई रास्ता रखा था।

MR. DEPUTY-SPEAKER: It is very difficult for me; I have already given enough latitude. At this hour, no arguments should be put forward, but the hon. Member should only say a few words and conclude.

श्री एस० एम० जोशी : उपाध्यक्ष महोदय, इस तरह से कैसे चलेगा।

मैं ज़िम्मेदारी लेता हूँ कि हमने मजदूरों को कहा कि एक दिन की हड़ताल करो और मुझे उसके लिए जरा भी खेद नहीं है, क्योंकि मैं समझता हूँ कि हुकूमत ने जो काम किया—अपने आश्वासन को तोड़ा—उस आश्वासन के तोड़ने के बाद अब यह कानून यहां पर ला रहे हैं। हम कहते थे कि विक्टिमाइज़ न करो, लेकिन ये कहते हैं कि यह विक्टिमाइज़ेशन नहीं है। यह कानून बन ही इसलिए रहा है कि ये हमारे मजदूरों को कोर्ट में ले जाना चाहते हैं, उनको फ़ीजदारी कानून के अन्दर सजा देना चाहते हैं, उनको लाचार बनाने का प्रयत्न चल रहा है, मैं इसे कतई कुबूल नहीं कर सकता।

MR. DEPUTY-SPEAKER: I have extended by half an hour and I could give only two minutes to each Member. It is very difficult for me otherwise. Now, the hon. Member has got to conclude.

श्री एस० एम० जोशी : उपाध्यक्ष महोदय, मेरा इस बिल के साथ सख्त विरोध है। अगर हाउस इस बिल को पास करेगा तो मैं कहता हूँ कि हमारा स्ट्राइक का जो अधिकार है, जो मजदूर आन्दोलन के लिए आवश्यक है, उसको लेकर इस कानून के चक्ते हुए भी हर वक्त स्ट्राइक होने वाली है।

श्री विभूति मिश्र : उपाध्यक्ष जी, मैं इस बिल का समर्थन करता हूँ। लेकिन मैं सरकार से कहना चाहता हूँ कि इस बिल के उपयोग की जो तलवार आपके हाथ में दी गई है उसका पूरे संयम के साथ इस्तेमाल करें, किसी मजदूर के साथ नहीं करेंगे, लेकिन जो पार्टियाँ मजदूरों को उकसाने का काम करेंगी, उनके साथ इस तलवार का इस्तेमाल होना चाहिए। मैं आपसे यह भी कहना चाहता हूँ कि जो एम्प्लाइज हैं, उनको उसी तरह से मानें, जैसे आप अपने बेटे को मानते हैं, भाइयों को मानते हैं, अपने बच्चों को मानते हैं। इनके हक के लिए जैसा आप अपने बेटे के साथ व्यवहार करते हैं, वैसा व्यवहार आप उनके साथ करें, लेकिन अगर ये लोग उनको भड़कावें तो इनके साथ सख्ती से व्यवहार करें।

SHRI K. RAMANI (Coimbatore): I oppose this fascist black law *in toto*. This Bill should not be passed but it should be withdrawn. Yesterday, while the hon. Minister of State in the Ministry of Home Affairs was speaking, he said that this Bill valued the right of the employees to strike and it did not take away the right to strike and it did not prohibit strike amongst Government servants. This is completely wrong. Under the Bill there is a clear provision in clause 2 (1) (a) (ix) which covers all matters with respect to which Parliament has power to make laws and strikes in which in the opinion of Government would be prejudicial to the life of the community. Under this provision, on almost all the industries Government have power to make laws. The steel industry; the coal industry, the iron ore industry, copper mines, zinc, manganese, coal, gold, dolomite, pyrites, etc. come under Mines Act. then, petroleum and oil refineries, chemical industries, fertilisers, civil aviation, ports and docks, road transport, textile, sugar, hotel industry, plantation, all defence industries, banking, life insurance, ship-building, tobacco, bidies and cigars, food articles, heavy engineering, heavy electricals, Government servants, Ministerial staff, administrative and clerical staff, all these come under the power of the Central Government. Then, I ask the hon. Minister what on earth has been left out. The kisan leaders were

shouting here the other day about the kisans, and I may tell you that the kisans are also coming into this field. I may tell you that in UP 20 lakhs of kisans are on strike, refusing to give sugarcane to the sugar industry. Two months sugar production has already been lost. Suppose Government tomorrow assumes power under this law and declares that, that is an essential service because sugar is very necessary for the daily consumption of the community, then they can say that the kisans also cannot strike. These kisans may be arrested and sent to jail for six months and also be asked to pay a fine.

This law is a completely fascist law. I do not know why this Government is bringing forward this Bill.

AN HON. MEMBER: Because it is a fascist Government.

SHRI K. RAMANI: The exploiting classes, the ruling classes, the capitalist classes, the landlord classes are represented by this Government, and, therefore, this Government wants to bring forward a Bill of this nature to suppress the people ultimately to save these classes.

More than 20,000 Government employees are being thrown out. If Government want to assume power under this Bill and send these 20,000 Central Government employees who have already been victimised to jail, then I submit that these employees will become the grave-diggers of this Government, and this Government will be overthrown by them, and the people of this country.

SHRI CHENGALRAYA NAIDU (Chittoor): I am very sorry that while bringing forward this Bill, Government have left out some important clauses. They should have included some clauses to punish the anti-social and anti-national elements who instigate the people to go on strikes and to break the laws. If those clauses also had been included I would have whole heartedly supported this Bill. But I am very sorry that the Home Minister has excluded them.

SHRI GEORGE FERNANDES: It is an anti-social and antinational law.

SHRI CHENGALRAYA NAIDU: It is the duty of every citizen to respect the law. But there are some persons who go and instigate the people to break laws. There are some hon. Members who are law-makers and yet who have gone out and advised the people to break the law. They should have been punished. Those people should have been charge-sheeted and they should have been put behind the bars. But Government have failed to do that. I am very sorry that Government have not brought them to book. At least now, I want Government to come forward with a Bill to put behind the bars those anti-social and anti-national elements who are against the country's development and who are only interested in ruining the country. The anti-national people, who have got extra-territorial loyalties must be punished and sent out of the country.

SHRI SAMAR GUHA (Contai): I am constrained to observe that this is a Bill which one should not call merely as a black Bill but a dictatorial Bill in a democratic set-up run by a Government which professes to practise socialist democracy. They have talked much about the maintenance of order and discipline in the Government administration. Every Government employee wants a patriotic participation in the administration and in the running of the Government. But the proper condition for that has to be created.

I would like to draw your attention to the fact that in the present system, there is one set of lavatories for the class II, III and IV employees and another set for the gazetted officers; there is one set of recreational halls for the gazetted officers and another for the other categories; similarly, there is one restaurant for the gazetted officers and another for the lower categories. There is no question of a need-based minimum wage here, but it is just a question of a certain equity. Government talk of socialism, but even this elementary equity is not there in the present Government administration.

Today, we find in the papers that Government are going to bring forward some new Bill at the next session. If that be so, could they not gracefully withdraw this Bill? During these coming three or four months, the heavens would not have fallen. Even that a amendment which they had promised

would not have come but for the 22 hours that we have spent on this Bill and the seven hours that we had spent on the points of order *etc.* You may call it filibustering, but I would submit that is a part of our struggle to defend the democratic rights of every workers in the Government of India or in the private sector. I would again request the Home Minister: let him gracefully withdraw it because a very learned judge of the Supreme Court, J. C. Shah, has made these observations:

"The whole of the judicial system will break down. . . ."

One of the major causes, he said, was the:

"ill-drafted, ill-conceived and sometimes slovenly-drafted acts, rules, regulations, orders, directions and circulars which are poured out in a continuous and ever-increasing stream from the legislative branch."

MR. DEPUTY-SPEAKER: You have exhausted your time.

SHRI SMAR GUHA: Then he says:

"Often there was little appreciation of the true proportion of a problem and the remedy was thought out in a hurry and carried out in the enthusiasm of a momentary stimulus.

I would request that in the momentary stimulus of the die-hard attitude you should not pass this Bill. I hope after a second thought you will repeal this Bill after consulting others.

श्री रणधीर सिंह (रोहतक): डिप्टी स्पीकर साहब एक बिल्ली बीमार कबूतर के पास तीमारदारी के लिए गई और कहने लगी कि भाई मुझे बड़ा प्यार तेरे से है, मैं क्या तेरी सेवा कर सकती हूँ। कबूतर बोला मेहरबानी करके मुझ को मेरे रहम पर छोड़ दें, आप तशरीफ़ ले जायें। यह जो बिल्ली है और वह मजदूर जो कबूतर है अगर उनको उनके रहम पर छोड़ दें तो उनका कोई नुकसान नहीं है। लेकिन हमारी तरफ़ मिसाल है कि "रांड तो रंडापा काट दे लेकिन रंडवे नहीं काटने देंगे।"

वे शरमा गए, मुझे रहम आता है इन पर। बात यह है कि इनका हलवा मांडा ही उधर चलता है। अगर वह होटल बन्द हो जाय तो इनको खाना कहां से मिले। मैं कहता हूँ कि आप क्यों परेशान हैं। इनकी दूकान का भट्टा बैठ जाय अगर ये काम छोड़ दें। मैं सरकार से कहूंगा कि ये जो एम्पलाइज हैं वे भी मानते हैं कि दिल से भला करने वाले ये विरोधी नहीं हैं। भला सरकार ही करेगी। उनके जो जज्बात हैं गृह मंत्रीजी उनको भूलेंगे नहीं। यह ठीक है कि 19 सितम्बर को जो गड़बड़ हुई उसका इलाज इन्होंने ठीक तलाश किया। हमें देश प्यारा है, कौम प्यारी है। यह इनकी जो दुकानदारी है यह प्यारी नहीं है। (ध्यवधान) . . . मैं खत्म कर रहा हूँ। अगर 19 सितम्बर का वक्त आए, मैं गृह मंत्रीजी से कहूंगा कि तभी इस कानून का इस्तेमाल करें। वरना जो एम्पलाइज की तकलीफें हैं, जो महंगाई की वजह से दिक्कतें हैं उनके साथ हमदर्दी करें। हमदर्दी करते रहे हैं और उम्मीद है कि आगे भी करेंगे और इन लोगों के रहम पर नहीं छोड़ेंगे।

श्री अम्बुल गर्ना डार (गुड़ागांव) : जनाब डिप्टी स्पीकर साहब,

“आखें जो कुछ देखनी हैं,
लब पे आ सकता नहीं,
महवे हेरत हूँ कि दुनिया
क्या से क्या हो जाएगी।”

एक मिनट तो मैं इन भाइयों से, जिनका मैं अदना वालन्टीयर था, और हूँ, कहता हूँ कि गांधीजी को भूल मत जाओ। प्यार से जीतो। अपने आफिसर्स में, मुलाजिमों में बगावत का बीज न बोओ।

इन भाइयों से कहना है कि मुल्क में 80 फ्रीसदी किसान हैं जिनमें से आए वे हैं जिनकी 50 रु० महीना भी आमदनी नहीं है। इसलिए जब ये एक घर बना कर बैठें तो अपोजीशन वाले और हुकूमत वाले एक राउन्ड टेबल पर बैठें, अपने घर की पूंजी देख लें कि उसको किस तरह से अमीर और गरीब में बांटा जा सकता है। उस पर कोई प्यार से बिल लायें।

डिप्टी स्पीकर साहब, मैं हाथ जोड़कर कहता हूँ कि तशदुद से, जुल्म से हुकूमत नहीं चलती। वरना न रावण रहा, न नाकिश रहा, न चंगेज रहा और न मुगल रहे तो आप कैसे रहेंगे।

[شری عبدالغنی دار (گڑگاؤں) :

جناب نپتی سپیکر صاحب -

آنکھیں جو کچھ دیکھتی ہیں

لب پے آسکتا نہیں

سحورے حیرت ہوں کہ دنیاں

کیا سے کیا ہو جا ئیگی

ایک سنت تو میں ان بھائیوں سے

جلکے میں ادبہ والتتیر تھا اور ہوں۔

کہتا ہوں کہ گاندھی جی کو بھول

ست جاؤ۔ پیار سے جیتو۔ اپنے آفسرز

میں سلازمن سین بغاوت کا بیج نہ

بوؤ۔ ان بھائیوں سے کہنا ہے کہ

سلک میں ۸۰ فی صدی کسان ہیں

جنہیں ادھے وے ہیں جنکی ۵۰

روپیہ سپینہ بھی آسہ فی نہیں ہے۔

اسلئے جب یہ ایک گھر بنا کر بیٹھتے

تو اپوزیشن والے اور حکومت والے

ایک راؤنڈ ٹیبل پر بیٹھیں۔ اپنے

گھر کی پونجی دیکھیں کہ اسکو

کس طرح سے آسیر اور غریب میں

بانٹا جا سکتا ہے۔ اسپر کوئی پیار

سے بل لائیے۔

نپتی سپیکر صاحب۔ میں ہاتھ

جوڑ کر کہتا ہوں کہ تشدد سے ظلم

سے حکومت نہیں چلتی ورنہ نہ

راون رہا نہ ناکش رہا نہ چنگیز

رہانہ سفل رہے تو آپ کیسے وہیلنگے]

DR. MAITREYEE BASU (Darjeeling):

Mr. Deputy-Speaker, Sir, I am anxious to speak on this Bill in my capacity as an Independent trade unionist. While I appreciate the anxiety of the present Government to keep to their position and to keep discipline among their employees, I do not understand how they hope to do this through this Bill.

[Dr. Maitreyee Basu]

This Bill is not going to give them that position. There are many Congress Members who think that they love the Congress and therefore they want the Congress Government, but I can say here that though I am an Independent Member, I do want the Congress Government to stay. I do not want them to go. But I want them to behave in a way which will keep up their prestige and not decrease it day by day. The way they are going on now will decrease their prestige among the workers and amongst the employees they are employing.

I was specially anxious to speak about the port and dock workers who never went on strike, I mean, who never declared a strike along with other Central Government employees. They did not do anything on the 19th September but they have been included in this Bill. This is most unjust. That is the height of injustice which you have done to them.

MR. DEPUTY-SPEAKER: Please conclude.

DR. MAITREYEE BASU: Yes, Sir. I do not want to be selfish. I would like to call this measure as a *Raghab-Boal* measure. Since the Minister of Home Affairs does not like the word 'draconian'—he is allergic to it—I do not use that word. *Raghab-Boal* means a fish which consumes all other fish. This Bill should be changed. There may be a measure to keep discipline among the Central Government employees; there can be no difference of opinion on it. But this Bill should be changed so as to make it more acceptable to the country.

श्री स० मो० बनर्जी (कानपुर):
उपाध्यक्ष महोदय, मैं यही कहना चाहूंगा कि जो मजदूरों का आन्दोलन सारे देश में उठा हुआ है वह खत्म होने वाला नहीं है। मैं सिर्फ फ्रेज अहमद फ्रेज की एक शेर कहना चाहूंगा:

“अब टूट गिरेगी जंजीरें,
अब जिन्दानों की खैर नहीं,
जो दरिया झूम के उठे हैं,
तिनों से न टाले जायेंगे।”

MR. DEPUTY-SPEAKER: Shri Shukla.

SOME HON. MEMBERS *rose*—

SHRI N. SREEKANTAN NAIR: (Quilon): We had a promise from them that the Minister of Home Affairs will reply and not the Minister of State. We had that promise in the House.

MR. DEPUTY-SPEAKER: It is not proper. I cannot dictate. He has piloted the Bill very ably. I have requested him to reply. If after his speech the Home Minister himself wants to say something he is free to say it. (*Interruption*) Do not make it an issue, Mr. Nair.

SHRI N. SREEKANTAN NAIR: Mr. Chavan is the mastermind behind it. He should reply.

SHRI V. KRISHNAMOORTHY: I request the Home Minister, through you, to reply.

MR. DEPUTY-SPEAKER: I have called Mr. Shukla to reply. The Home Minister is here. If he so desires, at the concluding stage, he can add a few words.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA): Sir, most of the hon. Members who spoke at the third reading stage have repeated the same old arguments and so there is very little for me to say about it. I want to say that our basic approach to this problem is of sympathy. We want to deal with the problems of the employees with sympathy. But we do not want the problems of the Government employees and others to be made the subject-matter of party politics. This is one thing which we do not desire.

I normally agree with what Shri Nahata says, but here, when he made the plea that the Government employees should be allowed complete freedom to indulge in politics, I am sorry to say that this is not a thing to which we can agree. I can say that the Government employees can have full right to have their own political opinion.

They can study politics and have political opinion.

SHRI AMRIT NAHATA (Barmer): I asked what prevents us from winning over the Central Government employees.

SHRI VIDYA CHARAN SHUKLA: We do not wish that the Government employees should be made pawns in party politics. It would be very unfair to the Government employees and to the people of India if public servants were to be made pawns in party politics, as some interested groups in this country have tried to do. This is what we wish to prevent. As I said, our approach is very sympathetic. We want to approach this problem, whether individual or collective, with sympathy. We are not at all vindictive nor do we wish to be vindictive in future.

Many hon. members, including Prof. Mukerjee, mentioned that this measure should have been in combination with the other measure which we have announced. We wish that could be possible, but because of circumstances, it was not possible. This Bill has been brought forward to replace the ordinance, which has to be issued much against our will. It was not a pleasure for us to have that ordinance issued. It had to be issued to meet a certain emergency and certain conditions, which we tried our best to avoid. We bent as much as possible and as much as is necessary at that time to avoid this contingency. But it was unfortunate for the country that this kind of situation arose in which we had to issue the ordinance. If this kind of contingency came about, the entire blame should be put on these gentlemen. . . (*Interruptions*).

I want to assure the House again that we want to bring forward the other comprehensive Bill which will have positive measures for settlement of the problems that face the Government employees. Only yesterday we accepted an opposition amendment moved by Mr. Shinkre reducing the age of this Bill from 5 to 3 years. This proves our *bona fides* that we do not wish to keep this Bill on the statute-book any longer than necessary. As soon as the other Bill comes, we will incorporate in it both the kinds of provisions positive and negative—and then this Bill will not be necessary. With that in view, we accepted Mr. Shinkre's amendment.

I want to emphasise again that our policy towards the Government employees is not one of vindictiveness or punishing people or to prevent their legitimate rights. We

only want that nobody should be allowed to exploit them for party ends or for political purposes. We have been attending to individual cases of hardship, but if hon. members bring to our notice any individual case where a wrong decision has been taken, we are prepared to look into it. There is no question of our closing our eyes. I would only request that hon. members should rise above politics and try to co-operate with the Government, so that we can handle the real problems and real urges of the Government employees and solve them in a proper manner, so that it will satisfy them and satisfy the people of the country also.

MR. DEPUTY-SPEAKER: The question is:

"That the Bill, as amended, be passed." Those in favour of it may say 'Aye'.

SEVERAL HON. MEMBERS: 'Aye'.

MR. DEPUTY-SPEAKER: Those against it may say 'No'.

SOME HON. MEMBERS: No.

MR. DEPUTY-SPEAKER: I think the 'Ayes' have it.

SOME HON. MEMBERS: No, the 'Noes' have it.

SHRI SURENDRANATH DWIVEDY (Kendrapara): Mr. Deputy Speaker, Sir, before you ask for voting we are expecting that the Government should withdraw this Bill since there are voluminous opinions in the country against this Bill. (*Interruption*)

MR. DEPUTY-SPEAKER: Let him finish this. It is not fair. He is a leader of a party. And let him say what he wanted to say in one sentence. (*Interruption*)

SHRI SURENDRANATH DWIVEDY: Since they want to rush through this Bill, we do not want to be a party to the passage of this Bill and as a protest, we are walking out of this House.

Shri Surendranath Dwivedy and some other Members then left the House.

MR. DEPUTY-SPEAKER: I shall put the question again. The question is:

"That the Bill, as amended, be passed." Those in favour will kindly say 'Aye'.

SEVERAL HON. MEMBERS: Aye.

MR. DEPUTY-SPEAKER: Those against will kindly say 'No'.

SOME HON. MEMBERS: No.

MR. DEPUTY-SPEAKER: I think, the 'Ayes' have it; the 'Ayes' have it. The motion is carried.

Now, we will go to the next time. Shri Gadilingana Gowd.

SHRI BAL RAJ MADHOK: Sir, what about the division?

MR. DEPUTY-SPEAKER: I put the question and it was carried. Nobody challenged it.

SHRI S. K. TAPURIAH (Pali): I challenged it.

SHRI JAGANNATH RAO JOSHI (Bhopal): We challenged it.

MR. DEPUTY-SPEAKER: All right. If you challenged it, for your satisfaction I am putting it again to the vote of the House.

The question is:

"That the Bill, as amended, be passed."

The Lok Sabha divided:

Division No. 35]

AYES

Achal Singh, Shri
Ankineedu, Shri
Arumugam, Shri R. S.
Bajaj, Shri Kamalnayan
Barua, Shri Bedabrata
Barua, Shri R.
Barupal, Shri P. L.
Basumatari, Shri
Bhagat, Shri B. R.
Bhagavati, Shri
Bhandare, Shri R. D.
Bhanu Prakash Singh, Shri
Bhargava, Shri B. N.
Bhattacharyya, Shri C. K.
Birua, Shri Kolai
Bohra, Shri Onkarlal
Buta Singh, Shri
Chanda, Shri Anil K.
Chanda, Shrimati Jhotsna
Chatterji, Shri Krishna Kumar
Chaturvedi, Shri R. L.
Chaudhary, Shri Nitiraj Singh
Chavan, Shri D. R.
Chavan, Shri Y. B.
Chaudhary, Shri Valmiki
Damani, Shri S. R.
Das, Shri N. T.
Dasappa, Shri Tulsidas
Deoghare, Shri N. R.
Desai, Shri Morarji
Deshmukh, Shri Shivajirao S.
Dhillon, Shri G. S.
Dinesh Singh, Shri

Dwivedi, Shri Nageshwar
Ganpat Sahai, Shri
Gautam, Shri C. D.
Ghosh, Shri Bimalkanti
Ghosh, Shri Parimal
Govind Das, Dr.
Gupta, Shri Lakhan Lal
Hari Krishna, Shri
Hazarika, Shri J. N.
Himatsingka, Shri
Jadhav, Shri V. N.
Kahandole, Shri Z. M.
Kasture, Shri A. S.
Kinder Lal Shri
Kotoki, Shri Liladhar
Krishnan, Shri G. Y.
Kureel, Shri B. N.
Kushwah, Shri Y. S.
Laskar, Shri N. R.
Laxmi Bai, Shrimati
Maharaj Singh, Shri
Mahadi, Shri Narendra Singh
Mandal, Dr. P.
Mandal, Shri Yamuna Prasad
Marandi, Shri
Master, Shri Bholanath
Masuriya Din, Shri
Mehta, Shri Asoka
Mehta, Shri P. M.
Menon, Shri Govinda
Mishra, Shri Bibhuti
Mishra Shri G. S.
Mrityunjay Prasad, Shri

Murthy, Shri B. S.
 Nahata, Shri Amrit
 Naidu, Shri Chengalaya
 Nayar, Dr. Sushila
 Oraon, Shri Kartik
 Pahadia, Shri Jagannath
 Palchoudhuri, Shrimati Ila
 Pandey, Shri K. N.
 Pandey, Shri Vishwa Nath
 Panigrahi, Shri Chintamani
 Paokai Haokip, Shri
 Parmar, Shri Bhaljibhai
 Partap Singh, Shri
 Patel, Shri N. N.
 Patil, Shri S. B.
 Patil, Shri S. D.
 Poonacha, Shri C. M.
 Prasad, Shri Y. A.
 Qureshi, Shri Mohd. Shaffi
 Radhabai, Shrimati B.
 Raj Deo Singh, Shri
 Raju, Shri D. B.
 Ram Dhani Das, Shri
 Ram Subhag Singh, Dr.
 Ram Swarup, Shri
 Rana, Shri M. B.
 Randhir Singh, Shri
 Rane, Shri
 Rao, Shri K. Narayana
 Rao, Shri Thirumala
 Raut, Shri Bhola
 Reddy, Shri M. N.
 Reddy, Shri P. Antony
 Reddy, Shrimati Sudha V.
 Roy, Shri Bishwanath

Roy, Shrimati Uma
 Saha, Dr. S. K.
 Saigal, Shri A. S.
 Saleem, Shri M. Yunus
 Sanji Rupji, Shri
 Sapre, Shrimati Tara
 Sayeed, Shri P. M.
 Sen, Shri Dwaipayan
 Sen, Shri P. G.
 Shah, Shri Shantilal
 Shambhu Nath, Shri
 Shankaranand, Shri B.
 Sharma, Shri Naval Kishore
 Shastri, Shri Biswanarayan
 Sheo Narain, Shri
 Shinkre, Shri
 Shiv Chandika Prasad, Shri
 Shukla, Shri Vidya Charan
 Siddayya, Shri
 Singh, Shri D. N.
 Sinha, Shri Mudrika
 Snatak, Shri Nar Deo
 Solanki, Shri S. M.
 Supakar, Shri Sradhakar
 Surendra Pal Singh, Shri
 Swaran Singh, Shri
 Tiwary, Shri D. N.
 Uikey, Shri M. G.
 Ulaka, Shri Ramachandra
 Verma, Shri Balgovind
 Verma, Shri Prem Chand
 Virbhadra Singh, Shri
 Vyas, Shri Ramesh Chandra
 Yadav, Shri Chandra Jeet.

NOES

Berwa, Shri Onkar Lal
 Brij Bhushan Lal, Shri
 Chauhan, Shri Bharat Singh
 Devgun, Shri Hardayal
 Joshi, Shri Jagannath Rao
 Kikar Singh, Shri
 Kothari, Shri S. S.
 Madhok, Shri Bal Raj
 Mulla, Shri A. N.
 Saboo, Shri Shri Gopal

Sharda Nand, Shri
 Sharma, Shri Beni Shanker
 Suraj Bhan, Shri
 Vidyarthi, Shri R. S.

MR. DEPUTY-SPEAKER: The result* of the division is:

Ayes: 135; Noes: 14.

The motion was adopted.

* The following Members also recorded their votes:—

AYES: Sarvashri Baswant, Parthasarathi, Raj Deo Singh, J. N. Pramanik, T. A. Patil and R. D. Reddy.

NOES: Shri Sheopujan Shastri.