

Shri D. C. Sharma: Yes, Sir. I want to draw your attention to the proceedings of this House yesterday. I want to refer to page 1096 of the proceedings. I want to draw your attention to the fact that yesterday, after the statement had been made by the Prime Minister, there were questions and cross-questions. Then there was one hon. Member who made the remarks:

“अब उनको कमजोरी की वजह से”
Then he said that the *sadan* is supreme. I do not object to it. But further on he said: “प्रधान मंत्री नौकर है।” I want the word *naukar* to be expunged from the proceedings, because. . . . (Interruptions).

श्री प्रिय गुप्त (कटिहार) : प्रधान मंत्री
बुद कह दें कि वह नौकर नहीं हैं ।

Mr. Deputy-Speaker: Order, order. Let there be silence.

Shri D. C. Sharma: The connotation of the words "public servant" is quite different from the word *naukar*. You cannot have *naukar* as the translation of the words "public servant".

Shri Raghunath Singh (Varanasi): It should be Rajya Sewak and not *naukar*.

Shri D. C. Sharma: You might call him Rajya Sewak but *naukar* is not the right thing, and the word *naukar* is quite different. I would refer to rule 380 of the Rules of Procedure under which you have said that certain words would be expunged.

Shri Surendranath Dwivedy (Kendrapara): Sir, I rise to a point of order.

Mr. Deputy-Speaker: Order, order. He is already stating his point of order.

Shri Surendranath Dwivedy: I think he has no right to raise that point now.

Mr. Deputy-Speaker: You leave that to me to decide.

Shri Surendranath Dwivedy: He is raising a discussion on the proceedings of yesterday.

Mr. Deputy-Speaker: You leave that to me to decide.

Shri Kapur Singh (Ludhiana):
May I make a short observation?

Mr. Deputy-Speaker: Not now.

Shri D. C. Sharma: Rule 380 of the Rules of Procedure says that if the Speaker is of opinion that words have been used.....

Mr. Deputy-Speaker: What is the point of order? The hon. Member should state his point of order and not make a speech.

Shri D. C. Sharma: I want to draw your attention to the proceedings of this House yesterday.

Mr. Deputy-Speaker: If you want to draw my attention to the proceedings of this House yesterday or expunge anything, you have to give me previous notice before you can say anything on that matter. It is not a point of order and I disallow it.

12.07 hrs.

CALLING ATTENTION TO MATTER
OF URGENT PUBLIC IMPORTANCE

STRIKE BY THE WORKERS OF BOMBAY MUNICIPALITY AND ELECTRIC SUPPLY AND TRANSPORT UNDERTAKINGS

Shri S. M. Banerjee (Kanpur): Sir, I call the attention of the Minister of Home Affairs to the following matter of urgent public importance and I request that he may make a statement thereon:—

The strike by the workers of Bombay Municipality and Electric Supply and Transport undertakings and steps taken by the Central Government to issue directions to the State Government under Article 353 of the Constitution.

Mr. Deputy-Speaker: Does the Home Minister want to say anything?

डा० राममनोहर लोहिया (फर्रुखाबाद):

उपाध्यक्ष महोदय, मैं आपसे एक विनती करना चाहता हूँ।

उपाध्यक्ष महोदय : अभी माननीय सदस्य बैठ जायें और होम मिनिस्टर साहब का स्टेटमेंट सुनें।

The Minister of Home Affairs (Shri Lal Bahadur Shastri): Mr. Deputy-Speaker, Sir, it is a matter of deep regret that such a situation should have developed in Bombay. This is a matter which generally concerns the Government of.....

श्री रामेश्वरानन्द (करनाल) : शास्त्री जी को अच्छी हिन्दी आती है। वह हिन्दी में बोलें।

Shri Lal Bahadur Shastri: This is a matter which generally concerns the Government of Maharashtra and they are dealing with it. As the situation is changing from time to time.....

Shri Nath Pai (Rajapur): It is worsening, you mean?

Shri Lal Bahadur Shastri:..... I do not want to go into any details.

A majority of the municipal workers of Bombay struck work on the mid-night of August 11. Their main demand is for a 25 per cent increase in dearness allowance. The demand for increase in dearness allowance was earlier pressed by the municipal workers in July, 1962. The strike was then withdrawn at the intervention of the then Chief Minister, and an increase of Rs. 10/- in dearness allowance was sanctioned to all workers. This is the fourth strike in six years. Earlier settlements have imposed a burden of Rs. 2 crores on the Corporation. If the present demand is met in full it may mean approximately Rs. 2 crores more. As the strike was affecting services vital to the people, the State Government

decided to declare services under the municipal corporation, including the BEST, as essential under the Defence of India Rules. The information we have received till yesterday indicates that about 600 persons have been taken into custody. I have contacted the Chief Minister more than once. As far as I can see, the Maharashtra Government are prepared to meet the representatives of the strikers and discuss their demands. But the Chief Minister said that the attitude of the leaders was not quite helpful. The strike is causing a good deal of trouble and inconvenience to the public and the sooner it comes to an end the better it would be. May I, however, take this opportunity to appeal to the workers in Bombay to withdraw the strike and pursue the path of discussions and negotiations? It would be best to leave the matter in the hands of the Corporation and the State Government who can be trusted to handle and tackle the problem satisfactorily.

Mr. Deputy-Speaker: There are about 13 persons who have signed it. I will allow one question for each party.

श्री रामेश्वरानन्द : मंत्री महोदय ने इंगलिश में बोल दिया अब वह हिन्दी अनुवाद भी सुना दें क्योंकि हम भी उसको सुनना चाहते हैं।

Mr. Deputy-Speaker: Shri Indrajit Gupta.

Shri S. M. Banerjee: Sir, I should be given the opportunity first because I have raised it.

Mr. Deputy-Speaker: All right. Shri Banerjee. I will give opportunities to all hon. Members who have given notice.

श्री रामेश्वरानन्द: हिन्दी में भी समझा दीजिये, ताकि हमारी समझ में भी कुछ आ जाये।

Mr. Deputy-Speaker: Order, order. He might resume his seat.

श्री रामेश्वरानन्द : हम भी समझना चाहते हैं। हमको हिन्दी में समझा दिया जाए। वह प्रयाग में पढ़े हुए हैं।

श्री रामसेवक यादव (बाराबंकी) : अच्छा हो यदि गृह मंत्री जी इसको स्वामी जी को भी समझा दें।

Mr. Deputy-Speaker: Shri Rameshwaranand wants a reply in Hindi.

श्री लाल बहादुर शास्त्री : संक्षेप में मैं हिन्दी में भी बताये देता हूँ।

बड़े दुःख का विषय है कि बम्बई में ऐसी स्थिति उत्पन्न हो गई है। यह विषय महाराष्ट्र गवर्नमेंट से सम्बन्ध रखता है। चूंकि स्थिति समय समय पर बदलती जा रही है इसलिए मैं ज्यादा व्योरे में नहीं जा सकता हूँ। ११ अगस्त की रात को म्यूनिसिपल वर्क्स जो काम करने वाले थे वे बड़ी संख्या में, बहुतम में, उन्होंने काम करना बन्द कर दिया। ठीक एक बरस पहले भी महंगाई भत्ते में, बढ़ोतरी करने की मांग की गई थी। उस समय के मुख्य मंत्री ने बातचीत करके फैसला करवा दिया और दस रुपये महंगाई भत्ता बढ़ा दिया गया...

श्री प्रिय गुप्त : उस वक्त मुख्य मंत्री कौन थे ?

श्री लाल बहादुर शास्त्री : आपको जानना चाहिये।

इस तरह की हड़ताल करीब करीब साल-ब-साल होती आ रही है सिवाय एक या दो साल से। पिछले छः बरस के अन्दर चार हड़तालें इस तरह की हो चुकी हैं। जब पिछली बार दस रुपये महंगाई भत्ता बढ़ाया गया तो उससे कारपोरेशन पर दो करोड़ रुपये का खर्च बढ़ा था। इस समय जो स्थिति पैदा हो गई है उसको देखते हुए

महाराष्ट्र सरकार ने इन तमाम सेवाओं को एसेंशियल सर्विसिस घोषित कर दिया है। अभी तक जो हमें खबरें मिली हैं, उनसे पता चलता है कि लगभग छः सौ आदमी पकड़े गए हैं।

मैंने महाराष्ट्र गवर्नमेंट के चीफ मिनिस्टर से एक से अधिक बार बातचीत की है और उनकी बात से मुझे यह पता चला है कि वह स्ट्राइकर्स के प्रतिनिधियों से बातचीत करके उनकी बातों को समझने के लिए तैयार हैं। लेकिन उन्होंने कहा कि अभी तक उन्हें बहुत उसमें मदद नहीं मिली है।

मेरा निवेदन इसलिए यह था कि स्ट्राइक को बन्द करना चाहिए और कार्यकर्ताओं को मैंने यह अपील दी थी कि उन्हें बातचीत का रास्ता अखत्यार करना चाहिये। यह मामला प्रदेश सरकार के हाथ में सुरक्षित है और मुझे विश्वास है महाराष्ट्र गवर्नमेंट सुन्दरता से हल करेगी।

Shri S. M. Banerjee: I would like to know from the hon. Minister whether some instructions have been issued now to release all those trade union leaders and workers arrested in connection with the strike under the Defence of India Rules, specially rule 30, which, according to the Attorney-General is unconstitutional. Have instructions been issued to release them to create a favourable atmosphere to have an amicable settlement?

Shri C. K. Bhattacharyya (Rai-ganj): Has Swamiji followed what Shri Banerjee has stated? Does he not want that also in Hindi?

Shri S. M. Banerjee: Sir, it is a very serious matter. Let the reply be given.

Mr. Deputy-Speaker: I would request the hon. Member not to create further trouble with Swamiji.

श्री रामेश्वरानन्द : माननीय सदस्यों से मैं प्रार्थना नहीं कर सकता हूँ। मंत्री महोदय तो हमारे और आपके सामने हैं, उनपर दोनों का पूरा अधिकार है। मेरी प्रार्थना उन्होंने मान ली। आप बीच में क्यों अड़ते हैं ?

Shri Lal Bahadur Shastri: In so far as the constitutionality of the Defence of India Rules is concerned, as the House is aware, this matter is under the consideration of the Supreme Court. In fact, they have reserved the judgment.

Shri S. M. Banerjee: Not on rule 30.

Shri Lal Bahadur Shastri: We will await the judgment or verdict of the Supreme Court. In so far as instructions to the Maharashtra Government are concerned, I may inform the hon. Members that we had issued no such instructions.

Shri S. M. Banerjee: Will you issue just now?

Mr. Deputy-Speaker: Shri Indrajit Gupta.

Shri Nath Pai: I had given notice of a question about this three days back.

Shri Indrajit Gupta (Calcutta South West): Is the hon. Minister aware that on the 5th of this month in the presence of his colleague, the Union Labour Minister it was agreed at a meeting in Delhi at which the Bombay State Labour Minister was present that a tripartite conference will be called in Bombay to discuss specifically the pending demands of the municipal workers as well as the question of verifying the Bombay cost of living index and that subsequently the Bombay Government has not permitted these matters to be discussed at a tripartite conference thereby worsening the situation and precipitating the strike?

Importance

The Minister of Planning and Labour and Employment (Shri Nanda): There was a conference held here. A standing committee was appointed in pursuance of a decision of the Indian Labour Conference. The idea was that the Industrial Truce Resolution should be implemented fully. The decision taken there which was satisfactory for all concerned was that in relation to the question of rising prices that on all establishments with 300 or more employees fair price shops and co-operative stores will be set up. That was accepted and is being done. Progress is being made in that direction. Also, there was this conclusion that a meeting may be held on a tripartite basis in Bombay also. It had nothing to do with the municipal workers' demand. This was in relation generally to the implementation of the Industrial Truce Resolution. The question of the cost of living index.....

Shri S. M. Banerjee: Dearness allowance is linked up with the cost of living.

Shri Nanda: The question of a 25 per cent increase was not discussed further because it was linked up with this arrangement of fair price shops. The question of dearness allowance being linked up with the cost of living arose and the answer was that this subject will be studied in relation to the various industries as to where there is a linking-up now and where there is not and then the matter will be brought up. As regards the question of cost of living index in Bombay, the Maharashtra Minister of Labour said that in a few days he will be ready with material for discussion. I learn that some kind of a tripartite meeting was called in Bombay recently.

Mr. Deputy-Speaker: Shri Bade. I find, Shri Nath Pai is not a signatory to it.

Shri Nath Pai: Three days back the hon. Speaker asked me to table a short notice question.

Mr. Deputy-Speaker: I will allow him an opportunity then. Shri Bade.

श्री बड़े (खारगोन) : बम्बई के वर्कर्स ने यह कहा है कि कारपोरेशन फायदे में जा रहा है और लिविंग इंडेक्स बढ़ गया है, क्या यह सही है ? इस आधार पर क्या उन्होंने कहा है कि पगार बढ़ाई जाए ? केन्द्र ने लीडर्ज को छोड़कर जो उनसे डिसकशन किया होता, उस से क्या यह अच्छा न होता कि उन को उस ने कांटैक्ट किया होता और जेल से छोड़ा होता ?

श्री लाल बहादुर शास्त्री : जहां तक कारपोरेशन में फायदे की बात है, उस का तो मुझे ठीक पता नहीं है। लेकिन आज जब कि चीफ मिनिस्टर से बात हो रही थी तो उन्होंने कहा कि हम प्राइस इंडेक्स बगैरह की जांच कर रहे हैं और उस के बारे में आवश्यक जानकारी मिल कर के ही कुछ न कुछ फैसला कर सकते हैं, निर्णय ले सकते हैं। प्राइस इंडेक्स की पक्के तौर से जानकारी लिए बगैर उस में क्या बढ़ोतरी हुई है, इस को जाने बगैर डी० ए० को कैसे बढ़ाया जा सकता है। इस का घटना या इस का बढ़ना उसी पर निर्भर करता है। इसलिए मुझे यह उचित लगा कि उस की जानकारी कर लें तब और कोई बात हो सकती है।

श्री बड़े : लीडर्ज को छोड़ कर उन से डिसकशन किया जाए, यह कहां तक ठीक है ?

Shri Nath Pai: May I please draw the attention of the hon. Home Minister to article 353 of the Constitution? He said towards the close of his reply to the 'calling-attention' notice that he has not issued any instructions. The relevant article reads:

"notwithstanding anything in this Constitution, the executive power of the Union shall extend to the giving of directions to any State as to the manner in which the executive power thereof is to be exercised;"

In view of this power and in view of the seriousness of the strike in, what is called, the industrial capital of the country, will the hon. Home Minister consider even at this late stage the desirability of getting into contact with the Maharashtra Government and advising them (a) not to make the strike a trial of strength between them and the Union; (b) to unconditionally release the strike leaders; (c) not to go on using more repressive measures and take a posture of provocation and (d) to try to find out an honourable way in consonance with the legitimate demands of the workers? This has been the essence of all that we have been submitting. He stated that he has not issued any instructions. I show him the constitutional authority under which he can do so.

Shri Lal Bahadur Shastri: My statement is quite clear. My feeling is that the Bombay Government is trying to handle the situation as best as they can. The question of issuing any kind of direction or advice, to my mind, does not arise. Secondly, as the Chief Minister himself has said that he or his other colleagues are prepared to meet their representatives, I feel they should avail of that opportunity and I would appeal to Mr. Nath Pai and his other colleagues, as well as the Members of the Communist Party to persuade the strikers to withdraw the strike and not cause unnecessary inconvenience to the people. It is a serious matter. I am exceedingly sorry that the hon. Member should not realise the seriousness of the situation. It is a strike . . .

Shri Hari Vishnu Kamath (Hosangabad): You don't realise it.

Shri Lal Bahadur Shastri: We fully realise it. If you stop the working of the water works, electricity, road cleaning, what does it mean? You are playing with the lives of thousands and millions of people and, therefore, the State Government has

sometimes to take a firm action. Still they do not rule out the possibility of any further talks.

Shri A. P. Jain (Tumkur): On a point of order. Mr. Nath Pai referred to article 353 of the Constitution. I am sorry to say that he referred to it in a manner which misled the House. The article says:

"While a Proclamation of Emergency is in operation, then—

(a) notwithstanding anything in this Constitution, the executive power of the Union shall extend to the giving of directions to any State as to the manner in which the executive power thereof is to be exercised;"

Article 352 deals with the proclamation of emergency. Now, no emergency has been declared . . . (Interruptions).

Mr. Deputy-Speaker: Order, order.

Some Hon. Members: There is an emergency.

Shri A. P. Jain: I am sorry.

Shri Nath Pai: Mr. Shastri made an appeal to us that it is a serious matter. Is this the degree of seriousness when the ex-Food Minister does not know that there is an emergency?

Shri Hari Vishnu Kamath: On a point of Order. My hon. friend Mr. Jain said that Mr. Nath Pai had misled the House. He should withdraw his remark.

Mr. Deputy-Speaker: The hon. Member is entitled to have his own views.

Shri A. P. Jain: I am sorry. It escaped my attention . . .

Shri Nath Pai: Attention? It is a very live emergency.

Shri A. P. Jain: I was thinking of only this particular matter. I am sorry for the expression that I used.

4 11) LSD—5.

श्री रामसेवक यादव : यह जो बम्बई में मजदूरों की हड़ताल चल रही है उस सिलसिले में जो ६०० आदमी गिरफ्तार हुए हैं उन में से कुछ डिफेंस आफ इंडिया क्लब के अंतर्गत भी हुए हैं। इस भारत रक्षा कानून के इस्तेमाल का नतीजा यह हुआ कि बम्बई म्युनिसिपल मजदूर यूनियन से जो ५० हजार २० रोजाना मिलते थे भारत रक्षा कानून के कारण वह बन्द हो गये। इसी प्रकार से भारत की और जगहों में भी बन्द होने की आशा है। मैं गृह मंत्री महोदय से जानना चाहता हूँ कि जो भारत रक्षा कानून चीन के खिलाफ इस्तेमाल होना चाहिये था उस का इस्तेमाल अपने देशवासियों के खिलाफ न करके क्या वे उसे वापस लेंगे? और जो उन्होंने २ करोड़ २० के खर्च की बात कही उस के बजाय केवल १ करोड़ २० में महंगाई भत्ता दिया जा सकता है, तो क्या कोई हल या सहूल तरीका निकाल कर वे उस मामले को खत्म करायेंगे?

एक माननीय सदस्य : उन के खिलाफ भारत रक्षा कानून की कौन सी धारा इस्तेमाल की जा रही है?

श्री लाल बहादुर शास्त्री : जहां तक ५०,००० २० के बन्द हो जाने की बात है, वह मैं समझता हूँ कि बहुत दिन तक बन्द नहीं रहेगा क्योंकि मेरा अनुमान है कि यह हड़ताल बहुत दिनों तक चलने वाली नहीं है। इसलिये अगर दोनों तरफ से कुछ बात तय हो जायेगी तो भारत रक्षा कोष के जो ५०,००० २० मिलना बन्द है वह मिलने लगेगा।

श्री रामसेवक यादव : मेरे प्रश्न का जबाब नहीं मिला कि इस भारत रक्षा कानून के अंतर्गत कितने लोग गिरफ्तार किये गये हैं।

Mr. Deputy-Speaker: Papers to be laid on the Table. (Interruptions)

Shri Priya Gupta: On a point of order. (Interruptions)

श्री रामसेवक यादव : पहले उपाध्यक्ष महोदय मेरे प्रश्न का पूरा उत्तर गृह मंत्री महोदय से दिला दें। मैंने प्रश्न पूछा था कि जो ६०० आदमी गिरफ्तार किये गये हैं उन में से भारत रक्षा कानून के अन्तर्गत कितने लोग हैं और साधारण कानून के अन्तर्गत कितने लोग हैं।

Shri Priya Gupta: Since the strikers, who have recently joined, also belong to the electricity establishment and since in terms of the Indian Electricity Act it devolves upon the Centre to look after the proper supply of electricity to the consumers, the Centre can intervene. I do not agree with Mr. Shastri that it devolves upon the provincial Government. (*Interruption*).

Mr. Deputy-Speaker: There is no point of order.

Papers to be laid on the Table. (*Interruptions*).

Shri Hem Barua (Gauhati): I tabled an adjournment motion on this particular thing this morning. I was told by your secretariat that my name has been clubbed with Mr. Banerjee and others. I thought that you will allow me an opportunity to put a question at least.

Mr. Deputy-Speaker: I told the House that I would allow one Member from each Party to put a question. I allowed Mr. Nath Pai to put a question. I cannot allow one question to each and every Member. There are 13 names given. At this rate this thing will go on for another half an hour or more.

Shri Hem Barua: There has been a convention that one question is allowed to each Member. (*Interruption*).

Shri Surendranath Dwivedy (Kendrapara): It is not a party question. Every Member has a right to give a Calling Attention motion. In this House we have followed the procedure and everyone is permitted to put a question, whatever the number of Members may be. If it is not a precedent, then that is a different thing.

Every Member has got a right to put a question. He must be given an opportunity to put a question. So far as the party is concerned, I do not think it is the ruling of the Chair. . .

Mr. Deputy-Speaker: If I allow it to your party, then I must allow it to other parties also.

Shri Surendranath Dwivedy: It must be clarified.

श्री प्रिय गुप्त : इस में पार्टी का सवाल कहां आता है ?

Shri Hem Barua: Is it the departure from the convention laid by the Speaker? If you say: one man from one party, then would you allow one man from the Congress Party to put a question? (*Interruptions*).

Mr. Deputy-Speaker: Earlier I told the House that I would allow one Member from each party to put a question. At that time nobody took exception to that. Accordingly, I did that. We have already spent 20 minutes.

Shrimati Renu Chakravartty (Barackpore): I hope it is not a precedent. (*Interruptions*).

Mr. Deputy-Speaker: It is not a precedent.

डा० राम मनोहर लोहिया : उपाध्यक्ष महोदय, गृह मंत्री महोदय ने २ करोड़ ६० का खर्च बतलाया है लेकिन वास्तव में केवल १ करोड़ ६० का खर्च होगा अगर मजदूरों की मांग मानी जाय। जीवन स्तर के संकेत के बारे में मंत्रालय सरकार ने स्वयं माना है कि वह गलत रहे हैं और उन्हें सुधारा जाना चाहिये। हालांकि गृह मंत्री महोदय ने कुछ थोड़ा सा संकेत दिया है कि मामला शायद ठीक हो जाय। मैं उनसे निवेदन करूंगा कि भले ही वे यों खुल कर न कहें लेकिन अन्दर अन्दर वे कुछ ऐसे काम करें जिस से हमें उन्हें धन्यवाद देने का पूरा मौका मिले।