

[Shri D. C. Sharma]

missions abroad. Some of them have also criticised the formation of the delegations which we have sent to the United Nations; and one Member has gone so far as to say that some of the Members of the delegations have not been educated.

Shri Indrajit Gupta: "Educated" means educated in that field.

Shri D. C. Sharma: It has also been said that our propaganda has not been all that is claimed to be and that it requires improvement.

I think before I proceed with the other problems that have been posed in this debate I would like to say something about the foreign missions, about our delegations and also about our foreign publicity abroad. I do not think I have visited as many countries as some of my friends have visited. But I have also been to some of the countries of the world, and I can say without fear of contradiction that our foreign missions abroad, within the financial limits at their disposal, are giving an excellent account of themselves. And the heads of our missions and the personnel of our missions in almost all the great countries of the world are such as command not only the respect of their own countrymen but also the confidence of the people amongst whom they work. I believe our foreign policy would have been a very very tame affair if our foreign missions had not given a very good account of themselves. After all, the enunciation of the foreign policy rests with Delhi; but the implementation of that policy rests with those missions, and I believe that implementation is as important as enunciation. Taking that in view, I would say that our foreign missions abroad have served their country very well, they have been doing a very good job, and as we gain more experience, as we have more wealth and more

money I think our foreign missions will also gain in strength and other things.

Now, Sir, so far as the delegations to the United Nations are concerned, I am surprised to hear something uncharitable said about them. It is because I have found the heads of so many States coming to Delhi and giving high words of praise to the diplomatic activities indulged in by our foreign delegations to the U.N. Only during the last session the President of Argentina came to our country, and it was in the Central Hall of this very Parliament that he said that he was simply amazed to see the diplomatic functioning of our delegations at the U.N., that the kind of functioning is such as would do credit to any country which has been independent for a number of years and which has had experience of foreign affairs for a long time.

Shri Hari Vishnu Kamath: My friend should lead a delegation to the U.N. next time.

Mr. Deputy-Speaker: The hon. Member may continue his speech on Monday. Now we will proceed to the half-an-hour discussion.

18 hrs.

HOOGLHY PILOTS' STRIKE*

Shri Indrajit Gupta (Calcutta—South West): Mr. Deputy-Speaker, this crisis which is gripping the Calcutta port is still continuing and I have raised this discussion in the hope that it may assist in bringing about an early solution and settlement. A statement was laid in response to a Calling Attention Notice the other day, on the 3rd of May. I wish just to make a few points regarding that statement on the lines of which, I find, subsequent statements have been issued by the Chairman of the Calcutta Port

*Half-an-Hour Discussion.

Commissioners and also have appeared in the press. Because, it is my contention that these statements are hampering a settlement due to the fact that the real issues are being clouded and confused unnecessarily. The matter is simple in my opinion and could be settled.

The old Bengal Pilot service, as is well known, was for many many years under the Government of India and the State Government. It was not under the Calcutta Port Commissioners. Never have we heard that because it was not under the Calcutta Port Commissioners, the work of the pilots in navigating ships on the Hooghly was ever prejudiced in any way. That has worked for years together. In 1948, this service was transferred from the Government to the Calcutta Port Commissioners. The crux of the point at the moment is, what was the basis on which these pilots agreed to go over from government service to the Calcutta Port Commissioners. It was only when they were satisfied on certain points that they agreed. Otherwise, there was no power which could compel them. That is embodied in what has been referred to from the beginning of this controversy as this assurance. You can call it what you like. That is the assurance was given to them in 1948 by the then Chairman of Port Commissioners. I know the existence of that assurance was first of all very doggedly denied, that no such thing had been given, no such record existed, nothing was there in the files of the Port Commissioners and no such assurance could ever have been given. Then, they came to the second position, that even if it had been given, it could not be binding for all time to come, etc. etc. Now, the position has changed somewhat, I am having to go fast. Otherwise, I would have cited quite a lot of facts. Now it is accepted because the pilots ultimately produced the document. The present Chairman, I do not blame him very much because he is a new incumbent to this post, I do not know who is

advising him—I do actually know—I am afraid he is just having to trot out history of which he has no first-hand knowledge, himself. He cannot have any because he has just taken over. This document has been produced. Nobody now has the courage to say that it is a forgery or a wrong document or something. We must remember we are dealing with Pilot officers who are in the range of emoluments running into Rs. 2000. They are not just ordinary people. As regards their skill and high technical proficiency required of them, everybody knows what the position is. The present President or Chairman of their association is a gentleman who has worked for 29 years in the port as a pilot. He is one of the most highly skilled and experienced of those men. Are these the sort of officers who just for the sake of an imaginary whim would resort to steps like that?

Now, an assurance was given. If the Minister likes, I am prepared to show him a photostat copy.

The Minister of Transport and Communications (Shri Jagjivan Ram):
I have got a copy.

Shri Indrajit Gupta: There it has been clearly stated that the terms which had been suggested by the pilots as the condition for their transfer included the following—I am compelled to read this; otherwise the issue will never be clarified—

“Alterations in their terms and conditions of service, when once settled, shall not be made so as to adversely affect the then existing incumbents. Any general or all-round reductions in pay, emoluments, allowances, privileges etc. affecting all services under the Port Commissioners shall be so effected as to bear on all services proportionately so as to leave the relative position of the pilot services *vis-a-vis* the other services the same as it was before such reductions”.

[Shri Indrajit Gupta]

Similarly, as regards increases—it has been said in the same paragraph—these should be so effected as to leave the relative position of the pilot services unaffected. That is to say—this is what I understand this to mean in plain language—that the differentials which exist between their pay and emoluments when they were transferred to the Port Commissioners vis-a-vis the officers of the other marine services, would be maintained.

Shri Jagjivan Ram: Will the hon. Member kindly read the heading of the minute which he has got?

Shri Indrajit Gupta: This is a memorandum which was submitted by them.

Shri Jagjivan Ram: I am referring to the heading of the photostat copy.

Shri Indrajit Gupta: I have not got the heading.

Shri Jagjivan Ram: That is very important.

Shri Indrajit Gupta: 'Very important' means that a story is being put out that this is not a correct document.

The Chairman of the Port Commissioners, in the meeting with the representatives of the Hooghly Pilot Service Association on the 7th April was asked by the Port Pilotage Officer:

"Does the Chairman believe that 40 well-placed officers would resort to sending forged or suspicious documents".....

this is from the minutes. The Chairman says:

"Yes, I have told the PPO, and I would repeat, that I could never believe a body of officials like that would resort to submitting forged documents".

He then patiently examined the documents and said that he would study them in greater detail etc.

My point is this. What I have quoted had been itemised as '4K' in their memorandum. When the minute was signed by the Chairman, it was stated:

"Item 4K—this was accepted in principle".

I would like to know this. If it was not accepted, what was there forcing these people to come over to the Calcutta Port Commissioners? They came on the basis of this assurance only. Now there is a story being put out in the press to influence the public, as though suddenly after so many years they have taken it into their head to start some agitation about something. But the facts of the matter are that within three years of this assurance being given, in 1951, it was violated straight off by the Calcutta Port Commissioners who revised the pay scales of all the other marine services; set up a committee to do that, excluded the pilots alone from that, did not even consult them. Even at that stage itself the pilots would have been morally justified in resigning, in 1951, because the assurance given in 1948 had been violated within three years. But they did not do anything of the kind. They did not take such a step at that time. In fact, from 1951 to 1962, they have been properly, through proper channel, putting up their grievances on these points and representing the matter. It is not something which has developed overnight—suddenly.

The position now is this. Though in their memorandum they said that pay, emoluments, allowances, privileges etc. all should be maintained, what is the position of the pilots today? This is important to note since this dispute began recently. They have even gone so far as to say that they are prepared to interpret this

thing as referring only to basic pay, because they say, 'We are prepared to accept that officers of other marine services doing different types of work may have different types of emoluments by way of allowances, special allowances and things like that. We do not want all that to be dragged in. But at least as respects the basic salaries, that assurance which was given that the differentials would be maintained, should be maintained'.

I am very keen on this point because it should not be put out in the press and publicly that they are behaving in a very unreasonable manner. But the Chairman has issued a statement in Calcutta yesterday, printed in today's *Statesman*, in which he has used language with which we are very familiar, which we saw at the time of the Central Government employees' strike too, though, I think, on second thoughts, every one realises this policy does not necessarily pay:

"We do not propose to open the door for negotiations which has been shut by the pilots themselves."

I am here to suggest that it has not been shut by them. The door is open, and they are prepared, and they have said it through their association that if there is any reason because of which the Government or the Port Commissioners find it impossible or impracticable or difficult to adhere to the assurance given, whatever the reason may be, that they are prepared, without asking for one *naya paisa* increase in their existing emoluments, to return to work, provided they are allowed to go back to Government service. They do not want to work under the Calcutta Port Commissioners for the simple reason that their experience during these ten years has taught them that the Calcutta Port Commissioners—to put it I would not say mildly—have been playing ducks and drakes with them. They want to go back, and they do

not want a single *naya paisa* extra. What is the difficulty?

In spite of the publicity that ships are moving and so on, I think we know that nothing much will happen like that. Some ships may move but some ships will also run aground if inexperienced people are employed, and you cannot train these pilots overnight to navigate on the Hooghly. I would submit that in order to suppress their demands, a certain very risky step is also being taken. If one of these ships runs aground in the wrong place, I do not know, some very serious consequences will follow for the port. So, whether you are going to proceed on that line or whether you are going to say that the door to negotiation is open is, I believe, the responsibility of the Port authorities and the Government, because the only point I find which the Minister of Shipping said in his statement the other day on this demand of the pilots that they are prepared to go back to the Government without a single pie increase was that it could not be done because they had been transferred to the Calcutta Port Commissioners by an Act, and they would have to bring in a new Act. If you have to bring in a new Act, do it, what is the difficulty? Let it take six months but would you be prepared to do that if the pilots say that if you give an assurance that legislation would be introduced even if it takes six months to do it, they would go back to work within twelve hours and work normally? I do not understand what the attitude is that this deadlock should continue, because here an amazing statement has been made—it seems I am amusing the Ministers very much. The Chairman is saying that according to his interpretation of the pilots' last communication to him, they now laid most emphasis on pay increase and did not mention anything about the pilot service being reverted to the Union Government. I say it with full sense of responsibility that this is a gross distortion of the pilots' stand.

[Shri Indrajit Gupta]

If you want to test their *bona fides*, why do you not agree to their reversion? Then they will be exposed before the public. They will go back tomorrow, I am telling you, without a single pie increase provided you give them the assurance that they will be taken back in Government service and not kept under the Calcutta Port Commissioners, however long a time you take to bring the legislation.

But what happened instead? First, the Lokur Committee is trotted out it made it quite clear that it was not within its terms of reference at all to go into that question whether an assurance had been given or not. The Guha Roy Committee, the report of which is here with me, took the evidence of the Port Commissioners who said that they knew nothing about the assurance. So, Guha Roy has said that he could not say anything when the Chairman himself said that he knew nothing about the assurance. Then he says at the end that even if it be said that Shri N. M. Ayyar did give the assurance, the assurance on which they base their claim, such an assurance is far from being legally binding on the Commissioners and the Pilot Service Association can hardly base its claim on it. I want to know who is responsible for this? Why were they not told at that time that it would not be legally binding? If they had been told, they would not have agreed.

Therefore I submit that the position is now becoming so critical that I do not think the strike, if you call it a strike, can be broken by these means that are being employed. In fact, further damage will be done to this port if all sorts of inexperienced people are brought along, or some of these people are forced to go in for this thing.

An excuse is being trotted out that the Assistant Harbour Masters are also saying that they must be given an increase, and therefore there would

be terrible repercussion on the marine services if this demand is conceded. But in that case, why not separate the Pilots from the other Marine Services in terms of the assurance? What was offered to them by the special sub-committee?

I will talk about senior pilots. They get Rs. 1400/- . . .

Mr. Deputy-Speaker: The hon. Member must conclude because 4 other Members have given notice.

Shri Indrajit Gupta: They were getting Rs. 1400 basic salary plus an average of Rs. 600 as night allowance; that is, Rs. 2000/-. Now they have been offered Rs. 1400 plus Rs. 450 only as consolidated salary; that is Rs. 1850 which is what the Assistant Harbour Masters are being given as an increase. Let them have an increase, we do not mind. But then this parity is a violation of the assurance to the Pilots.

If you do not like the assurance then state it clearly. Give them also freedom to go away. They want to continue to work. Therefore, I will only say that this crisis is too serious to be dealt with only by securing debating points over each other. We want something to be done within a day or two so that the matter can be settled.

Shri Hari Vishnu Kamath (Hoshangabad): I will ask only one question. I want to know the latest position with regard to the strike, particularly in regard to the following matters: The nature of talks which have been held so far between the Government, on the one hand, and other organisation on the other. With whom were the talks held and on what particular aspects of the matter? Further, inasmuch according to press reports, the Hooghly Pilots' Association has categorically stated that the junior Minister, Shri Raj Bahadur, made a statement in Parliament without even

considering the communications sent by them to the Government of India. I would like to know which demands and grievances of the Pilots, Government considers impossible of consideration or approval.

Shri S. C. Samanta (Tamluk): The statement that was laid on the Table of the House on 30th April last says that their main grievance is that their emoluments and avenues of promotion are not on a par with those of their counterparts in the cadre of Assistant Harbour Masters. Now, I hear that their grievance is otherwise. They want their services to be transferred to the Centre.

Mr. Deputy-Speaker: You ought to put a question.

Shri S. C. Samanta: May I know what is the difficulty in transferring their services to the Central Government and why their services were transferred to the Port Commissioners?

Shri B. K. Das (Contai): I want to know whether at any time the assurance about which we are talking was brought before the Government and whether, before this, Government took any decision on that matter or whether the sub-committee appointed under the chairmanship of the Vice-Chairman of the Port Commissioners also took into consideration this assurance and what was the decision of the Government or the Vice-Chairman's committee?

Shrimati Renu Chakravartty (Barrackpore): As has been stated in the statement itself, is it a fact that the Pilots claimed—and the fact seems to be borne out by the reports in the Press—that their position *vis-a-vis* the other marine services in the port has radically deteriorated since 1948 and that it is contrary to a specific assurance given by Mr. Ayyar. They go on to say that the new Chairman has turned it down. If that is so, why has he not accepted this small demand of the pilots?

539 (A) LSD—7.

Dr. Melkote (Hyderabad): I want to put one question.

Mr. Deputy-Speaker: He must have given notice.

The Minister of Shipping in the Ministry of Transport and Communications (**Shri Raj Bahadur**): **Mr. Deputy-Speaker**, Sir, my friend, **Shri Indrajit Gupta** has stated that this is a very simple matter and can very easily be solved. He said the implementation of the assurance is simple. Perhaps, he means to imply that the transfer back of these pilots to the Central Government service is also not difficult. An Act can be passed by this House and this could be done. I wish all these things were as simple as he imagines them to be. But, they are not.

He has based his main argument on the assurance alleged to have been given by the then Chairman **Shri N. M. Ayyar**. My worthy senior colleague very rightly and aptly wanted to know that is the heading or the title given to that assurance? I may read out the title of the minutes that were sent along with a letter which was supposed to contain this assurance:

"Minutes of the informal discussions of the representatives of the Indian Members of the Bengal Pilot Service, held on the 23rd January, 1948."

The minutes were supposed to have been forwarded under a letter dated the 27th January, 1948. I shall be brief.

Shri Indrajit Gupta: Is it signed at the bottom by **Shri Ayyar** or not?

Shri Raj Bahadur: He seems to be under the impression that we are doubting the *bona fides* and hold that it is a forged document. We have never said so. That is not the basis of the cases of the Port Commissioners. In fact what they have said has been

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fully examined by Justice Guha Roy and I shall quote one or two sentences from his report on page 62 and following pages—

"It is further the contention of the Port Commissioners that even on the assumption that such an assurance was given by the Chairman to the Association, it could not bind the Commissioners, because under Sections 32 and 34 of the Calcutta Port Act all questions relating to the service of Class I Officers of the Port, i.e. Officers of the Port, i.e. Officers on scales of pay the maximum of which is Rs. 1,000 or above could only be decided by the Commissioners in a meeting subject to the approval of the Central Government.

So, the Chairman himself was not competent. (*Interruptions.*)

Shri Indrajit Gupta: Why did they not inform the Pilots that the Commissioners do not approve?

Shri Raj Bahadur: I will give a little background. The document itself says that these are merely minutes of an informal discussion. Shri Guha Roy also refers to this fact. So, it is obvious that what the Chairman was doing was merely to negotiate the terms and conditions of the service with the representatives of the pilots. After this informal meeting of January 23rd the minutes of which were passed on to the pilots, the real formal meeting was held under the chairmanship of the then Secretary to the Transport Ministry Shri Sukthankar at that time on the 15th and 16th March. At that meeting the following were present: Shri Sukthankar, Shri N. M. Ayyar and other top-ranking officers of the Port and 12 pilot officers including the present port pilot officer Shri B. S. Pavry and Mr. B. K. Rozdon, an office bearer of the Hooghly Pilots' Association. All the terms and conditions on which they were being taken over

were explained to them and the previous discussions were also presumably taken into account. All these 12 pilots accepted the terms and conditions given by the Government for the transfer and signified their consent. Mr. Pavry signed that particular document on behalf of the pilots. The document was given to them on the 15th and since they wanted time to study they were given one day and they returned to the meeting on the 16th March. The officers present on the 16th stated that "the terms were acceptable to them and that they would be willing to work under the Commissioner on these terms. They raised certain minor points and Shri Sukthankar promised to have them examined." That is how Mr. Pavry writes:

"I agree that the above is a correct record of the conclusions reached at the meeting . . ."

So much is being made of that assurance of Shri N. M. Ayyar. What was that assurance? All those minutes sent by him were simply the result of informal discussions or exploratory discussions and negotiations between the pilots and the Port authorities.

Shri Indrajit Gupta: What were the final terms?

Shri Raj Bahadur: They give the details of the allowances and emoluments and other things in the minutes of the meeting of March 15th and 16th.

Shri Indrajit Gupta: Nothing about the differentials?

Shri Raj Bahadur: Nothing: There is no question. If there was anything given by way of an assurance in that informal meeting, Shri Ayyar on the one hand as the author of the assurance and the others namely, The pilots on the other hand who were the recipients of the assurance would have most certainly raised it at the formal meeting on March 15th and 16th.

What is the position today? Out of the lot that have now resigned—we regret very much that they have resigned—how many are the people who belong to the pre-1948 period? Hardly two or three. All the rest have been recruited by the Port Commissioners on new terms. So, how do they stand? It is said it is very simple. Shri Gupta asked why not give them the differential in emoluments demanded by them. The question is, Differential on what basis? All the points have been examined in detail and I do not want to repeat all that has been stated in the past; because that will mean taking much time of the House which I do not want to.

But the fact of the matter is this. If you want to compare the difficulties, the arduousness and the delicate nature of the work which is carried out by the pilots or by the Assistant Harbour Masters, it will be very difficult to say which is less difficult and which is more difficult. The only thing is, the Assistant Harbour Masters have got to take the vessel in a portion of the channel where there is congestion, where there are a large number of ships waiting. On the other hand, the pilots have got to work for longer periods, but the channel through which they go—I mentioned all this in the statement—is much less congested and there are fewer ships there. Their work is spread over a larger number of hours. In case of the Asstt. Harbour Masters it requires all the concentrated energy, attention, skill and efficiency to take the ship from Garden Reach to the dock and back from the dock to the Garden Reach. In the case of the pilots it takes a much longer period of work. So, it is difficult to say that this work is superior or that work is superior.

The whole work is like that of a machine. There are so many parts and components. Each part is important. To compare one with the

other and say this is more important than the other and so on is odious. If one fails the other fails. I would not therefore, like to go into this question of comparisons, because comparisons will be odious. The question of differential will arise only if you say that the pilots' work is much more arduous or that this is much more difficult and delicate than the other. But that is not so.

I would ask my hon. friends one question. Will they advise—the Assistant Harbour Masters are equally zealous of their position, and are equally zealous of their rights and about their interests, and they also say that they have been very badly treated because in a way they are now being put on a par with these pilots—that we should let down these Asstt. Harbour Masters or should allow the feelings of the Assistant Harbour Masters to be ignored? Therefore, let the matter be not considered on that level. Shri Guha Roy has completely examined the whole question.

They raised the objection first of all, in 1954-55, immediately to satisfy them, Mr. Lokur was appointed to enquire. That did not satisfy them. We then appointed Shri Guha Roy. All this happened. I do not think I need go further into the question of the assurance. But I should like to go into the other point that has been made.

Shri Nath Pai (Rajapur): Come to the means of settling it.

Shri Raj Bahadur: That is what I am coming to. Shri Indrajit Gupta has read out something from the *Statesman* and said that the Chairman, Port Commissioners' has told them that the door for negotiation has been shut. What has been the background? I think I should simultaneously answer the question put by Shri Hari Vishnu Kamath who asked, "Who has talked to them and what

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has been the talk?" To begin with, they came to me and said that they would either like to be transferred to the Central Government or granted a differential or they would work without taking any emolument, any salary or any pay. That was their first stand. Then, it was difficult, almost impossible, to grant them the differential as such in the light of the report of enquiries, the findings by the enquiry committee and in the light of the feelings and claims and counter-claims of the other services. We accordingly told them so. Then they said, "Do not press the question of increase in emoluments and said, "transfer us back to the Central Government." This was the second stand of theirs. Then my senior colleague issued an appeal to them telling them that this is too serious a matter. "This has not only upset the operations in the Port of Calcutta but this has seriously affected the economy of the country. Please come back to work." But what was the reply? The reply is that they are prepared to go back to work if an assurance is given that the assurance of 1946 is implemented. It is the same old question of assurance. What does it mean? That assurance has got two parts: either the differential or taking back to the Central Government service. One does not know where one stands, by constantly reviewing the stand taken by the pilots. So, the first thing is, let us not stand on prestige. Let us not stand on any false notion, standing this way or that way. Let us realise the difficulty that it is impossible to consider the question of differentials in these circumstances.

You said, "Why not come forward with a Bill here and have another Act?" But that is also not possible, because in Bombay the pilots are in the Marine Services. In Madras they are so and all over the world, they are so. What is the justification for these pilots to be excluded from the Port Commissioner's Marine Services?

(Interruptions). These are facts of history. Can they be repeated and brought back like that? Akbar cannot come back to live again. He is dead long since. Much water has flowed down the Hooghly since 1948. We have got to take note of the need of the port and the efficient organisation of the port.

A step was taken by the predecessor of this House—the Constituent Assembly (Legislative)—in 1948. I do not know what has happened to justify that that step should now be revised and annulled. With what argument shall we come forward here to the House and say, "Please revise your decision and take a new stand; allow these pilots to be transferred back"? We have not got any argument.

Apart from these two fundamental questions, if there is anything which we can do to satisfy the sentiments, the feelings or the prestige of the pilots, we are prepared to do that. The door is not shut. The door is shut because these two impossible questions are taken up. If we take the question of differentials and if we please them, we displease the whole lot of the other Marine Services. The door is shut because we cannot consider these two things. Independent of these two things, we are prepared to consider any other thing.

I think I have incidentally replied to the questions put by Shri Samanta and Shri Das.

Mr. Deputy-Speaker: The discussion is over.

Shri Indrajit Gupta: May I put a question?

The Deputy-Speaker: The rules do not permit.

Shri Nath Pai: The rules are subject to your interpretation.

Shri Indrajit Gupta: The hon. Minister read out about that Sukthan-
kar meeting. The date was March,
1948. In that meeting were the pilots
told that the assurance to which
unofficially the Chairman had agreed
at the previous informal meeting no
longer holds?

Shri Raj Bahadur: May I put a
counter-question? Will it not be
presumed that all that the pilots had
to say about their case must have
been said at that meeting? How can

you presume otherwise? The pilots,
who are so zealous of their interests,
must have definitely said, "Your
Chairman has informally agreed to do
this or that" . . .

Mr. Deputy-Speaker: The discus-
sion is over. The House stands
adjourned till 11 A.M. on Monday.

18.33 hrs.

*The Lok Sabha then adjourned till
Eleven of the Clock on Monday, May
14, 1962, Vaisakha 24, 1884 (Saka).*