

SHRI A.A. RAHIM: This is only the question of sea travel. Regarding air travel, wherever it has been reduced by sea, it has been increased by air.

SHRI JAMILUR RAHMAN: Four years back, the number of Indian pilgrims for Haj were about 26,000. We see that yearly the number of Haj pilgrims has reduced and we further see that the population of India has increased. On the one side, the population has increased and, on the other side, the number of Haj pilgrims has decreased. During pre-Ramzan days, Haj pilgrims were not being allowed to visit Saudi Arabia. Certainly, they should get a chance now. Is there any thinking in the Ministry or has the Hon. Minister thought that after Ramzan the number of ships and flights should be increased to the tune of accommodating 27,000 Haj pilgrims which was the usual quota of Indian pilgrims?

SHRI A.A. RAHIM: In 1978, the total number of Haj pilgrims was 17,485 and in 1982, it was 21,000. It is only on the increase so, not on the decrease. That is a wrong impression.

श्री हीरा लाल आर० परमार: हमारा देश एक असाम्प्रदायिक देश है और सरकार धर्म के मामलों में हस्तक्षेप नहीं करना चाहती। इस स्थिति में हज जाने वाले लोगों के बारे में लाटरी डालने और प्रतिबन्ध लगाने का क्या कारण है?

SHRI A.A. RAHIM: Quite a good number of applications are there. This is the only way of selecting persons. It is difficult to select otherwise. That is why we are using this system.

सेवा से हटाए गए रेलवे कर्मचारियों की बहाली

* 270. †श्री शिव शरण वर्मा :
श्री जयपाल सिंह कश्यप :

क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या वर्ष 1981 की रेलवे कर्मचारी हड़ताल में भाग लेने के कारण रेलवे रनिंग-स्टाफ के लगभग 591 कर्मचारियों को सेवा से हटा दिया गया था और क्या उनकी बहाली के लिए सरकार को कोई अभ्यावेदन दिया गया है;

(ख) यदि हां, तो रनिंग-स्टाफ के उक्त कर्मचारियों को कब तक बहाल कर दिया जाएगा; और

(ग) यदि ऐसा करने में कोई कठिनाई है, तो उसका ब्यौरा क्या है ?

MINISTER OF RAILWAYS (SHRI A.B.A. GHANI KHAN CHOUDHURY):
(a) to (c) A statement is laid on the table of the Sabha.

STATEMENT

(a) In the context of an illegal en-masse absenteeism resorted to by members of the Loco Running Staff Association during early 1981, action was taken to remove/dismiss/terminate from service 591 employees for their specific acts of omission and commission after following the procedure laid down in the rules. Some representations have been received for their reinstatement.

(b) and (c) A number of employees against whom action was taken had filed cases in various Courts of Law and the final outcome of these cases is at present pending decision in the Supreme Court. Suitable action to review these cases will be taken as and when the verdict of the Supreme Court is available.

श्री शिव शरण वर्मा: रेल कर्मचारियों की हड़ताल करने के कारण 591 लोको कर्मचारियों की सेवाएं समाप्त कर दी गई थीं। जहां तक हड़ताल करने का प्रश्न है, अधिकार और कर्तव्य की दिशा में लोकतांत्रिक प्रणाली के अंतर्गत हर व्यक्ति को हड़ताल करने का अधिकार है। मैं जानना चाहता हूँ कि क्या इन लोगों की बहाली के संबंध में सरकार को कुछ अभ्यावेदन प्राप्त हुए हैं या नहीं। क्या सरकार इस संबंध में उदार नीति अख्तियार करते हुए उन लोगों की बहाली का आदेश देगी; यदि हां, तो उन्हें कब तक बहाल कर दिया जाएगा? अगर सरकार उन्हें बहाल नहीं करना चाहती है, तो उसके क्या कारण हैं ?

SHRI A.B.A. GHANI KHAN CHAUDHURI: It was an illegal strike and the Railway administration removed, dismissed and terminated 591 employees from the service under the normal rules which guide the service conditions of the railway employees, including discipline and appeal rules; and 783 employees were retired prematurely.

The Administration has the authority to review the case of any employee after 30 years or on attaining a particular age. It is on this review by the appropriate authority, that premature retirements were normally effected.

Out of 591 employees terminated, services of 7 have been settled and one employee has been taken back to duty after consideration of his appeal.

Out of 783 employees prematurely retired, 646 have been taken back to duty as a result of the decisions of the courts. They have gone to many courts and according to the decisions of the courts, they have been taken back to duty. The Administration has finally settled the cases of 74 employees, leaving a balance only of 63 employees whose cases are being dealt with as per the rules, in normal course. Now we are considering the cases of only 63 employees.

A number of employees went to various courts. The Supreme Court gave an interim judgment on 3-5-1982 which asked the Railway Administration to pay the petitioners the last drawn salary from 1-1-1982. A fundamental question is involved in this case relating to the interpretation of Rule 14(2) of the Railway Service Discipline & Appeal Rules. After the verdict of the Supreme Court is known, necessary action will be taken. At the present moment, we have decided to act as per the judgment of Supreme Court.

SHRI A.K. ROY: The loco running staff have got certain long-pending genuine grievances over which they went on strike. The right to strike is one of the sacred rights which workers have achieved and to declare a strike illegal is the authority of the Tribunal, not of the management. Management cannot declare any strike legal or illegal.

In reply to the question, the Hon. Minister has referred to the jurisdiction of High Court and Supreme Court. I would like to ask one simple question. Why don't you associate your Central Labour Department in dealing with these cases? It is always the rule in all other industries because the subject of industrial relations falls within the jurisdiction of the Union Labour Department. But always I have seen that whenever any such action of retrenchment or dismissal comes and when the cases are referred to the Union Labour Department, the management fights and obstructs the proceedings stating that they have got provision of bipartite negotiation which is nothing but a negotiation between the management and the recognised union. But what would happen to those workers who are not members of the recognised union? That is why, I would like to ask you whether in dealing with these cases of retrenched employees, you associate the Union Labour Department in settling the disputes and accept the Chief Labour Commissioner (Central) as the arbitrator to settle the issue or not.

SHRI A.B.A. GHANI KHAN CHAUDHURI: Opinions on this subject vary. According to us, this was an illegal strike. This matter is sub-judice. It is pending in the Supreme Court and as I have clearly stated, we shall act as per the judgment of the Supreme Court. We have not gone to the Supreme Court. The employees had gone to the Supreme Court. (Interruptions) To make party to this body or that body is not in our jurisdiction. It is for the Supreme Court to decide, and I assure the House that we shall act as per the judgment of the Supreme Court.

PROF. RUP CHAND PAL: The application of 14(2) was rejected by most of the High Courts, the High Court of Kerala, the High Court of Jodhpur, the High Court of Patna and the High Court of Allahabad. Ultimately the Government had gone to the Supreme Court. What is happening is sheer wastage of government money because these high-skilled workers have to be paid equivalent to their wages plus legal expenses for all these three years. In view of this, may I know from the hon. Minister, as it had happened in earlier cases, whether Government will take a rational view of the thing,

stop wastage of government money and settle this immediately in view of the judgments given by the High Courts ?

SHRI A.B.A. GHANI KHAN CHAUDHURI : The Supreme Court has already given an interim judgment. A number of employees went to various courts. The Supreme Court has given an interim judgment on 3-5-1982 which asked the Railway administration to pay the petitioner the last-drawn salary. This, we are obeying, and the rest of it also, whatever may be the judgment, we will obey.

विश्व विद्यालयों में छात्र असन्तोष

* 271. †श्री मनोराम बागड़ी :
श्री राजनाथ सोनकर शास्त्री :

क्या शिक्षा और संस्कृति मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का ध्यान 8 जुलाई, 1983 के 'नवभारत टाइम्स' में 'विश्वविद्यालयों में छात्र असन्तोष की गहराती समस्याएँ' शीर्षक से प्रकाशित समाचार की ओर दिलाया गया है; और

(ख) यदि हां, तो देश के विभिन्न विश्व-विद्यालयों में बढ़ते हुए असन्तोष, अव्यवस्था और अन्य गहन समस्याओं के समाधान के लिये सरकार द्वारा क्या कदम उठाए गए हैं ?

THE DEPUTY MINISTER IN THE MINISTRIES OF EDUCATION AND CULTURE AND SOCIAL WELFARE (SHRI P.K. THUNGON) : (a) Yes, Sir.

(b) Out of the 120 Universities in the country at present only 7 are functioning under Central Acts. The University Grants Commission has appointed a Committee to look into the functioning of these 7 Universities. This Committee will among others examine the reasons for periodic disturbances in the Central Universities and recommend remedial measures. The work of this Committee is now in the final stages.

As far as the remaining 113 State Universities are concerned the Central Government has been suggesting to all State Governments that they should set up appropriate machinery to consider the problems of students, teachers and non-teaching employees and take timely action to solve them so that the functioning of academic institutions is not disrupted.

श्री मनोराम बागड़ी : अध्यक्ष जी, आप रात-दिन अखबारों में पढ़ते हो, शिक्षा जो है वह देश का निर्माण और देश के वक्त के चलन का नाम है। आज विश्वविद्यालयों में विद्यार्थियों की दशा क्या है—इस को आप समझ लें। इस के लिए इनका जो जवाब आया है वह न के बराबर है... (व्यवधान)... जब तक ये चुप नहीं रहेंगे, मैं बोलूंगा नहीं।... (व्यवधान)...

शिक्षा के अन्दर बुनियादी दोष हैं—बंधा दाखला, महंगी शिक्षा, अंग्रेजी माध्यम, पढ़ने के बाद बेकारी, उपकुलपति के पद पर गुलाम-जहनियत के नौकरशाहों की नियुक्ति।...

अध्यक्ष महोदय : आप सवाल पूछिये।

श्री मनोराम बागड़ी : इन को बता कर ही सवाल पूछूंगा। इन का जवाब कुछ भी नहीं है। बंधा दाखला—इतने लड़के-लड़कियां दाखिल होंगे, अंग्रेजी माध्यम...

अध्यक्ष महोदय : आप रिपीट क्यों कर रहे हैं।

श्री मनोराम बागड़ी : इसलिये कि रिपीट करने के बाद भी इन को समझ में नहीं आता है। मंत्री जी को अच्छी हिन्दी आती है, लेकिन इन्होंने जवाब अंग्रेजी में दिया, फिर भी मैंने ऐतराज नहीं किया, अगर शीला कौल होती तो ऐतराज करता।

अध्यक्ष महोदय : उन्होंने कान में आला लगा रखा है।