

SHRI SOMNATH CHATTERJEE : Legislative power is not subject to the rule of resjudication. You are absolutely right.

DR. SUBRAMANIAM SWAMY : Do not evade.

श्री नवल किशोर शर्मा : यह सारे-का-सारा काम न करने के बजाय आप ने यह रास्ता क्यों एडाप्ट किया। इसका जवाब मुझे मिलना चाहिये। उसके बाद मैं दूसरा प्रश्न पूछूंगा।

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI B. SHANKARANAND) : We are not taking shelter under the pendency of the case in the Supreme Court. We will always do whatever we are required to do for the protection of the health of the country. We have never said that the door is closed. Let us not presume things.

श्री नवल किशोर शर्मा : अध्यक्ष महोदय मैं आपकी प्रोटेक्शन चाहता हूँ।

अध्यक्ष महोदय : इसीलिए तीसरे सवाल के पूछने के लिए कहा है।

श्री नवल किशोर शर्मा : मैं निवेदन कर रहा हूँ। मैं अपने सवाल का स्पेसिफिक जवाब चाहता हूँ। मान लीजिए कि आज जवाब देने की स्थिति में नहीं हैं, तो इस क्वेश्चन को पोस्ट-पोन कर दीजिए। यह एक बहुत इम्पोर्टेंट क्वेश्चन है क्योंकि जनता की जो लूट हो रही है, उसको रोकने का सवाल है। मैं यह निवेदन करना चाहता हूँ कि मंत्री महोदय यह कह कर के अपनी जिम्मेदारी से बरी नहीं हो सकते। नहीं देखा है और कानूनी मुद्दे की वजह से कोई परेशानी है, तो देख लें और ला मिनिस्ट्री से इसको एग्जामिन करवा लें और उस समय तक के लिए इस क्वेश्चन को पोस्टपोन कर दें।

The full reply should come. I am not satisfied. I seek your protection. (*Interruptions*)

SHRI B. SHANKARANAND : I can only answer the question but cannot make a Member understand it.

SHRI NAWAL KISHORE SHARMA : I am glad to learn that the Minister understands much better than I do, and he can educate me. I am thankful for the remarks which he has made about me.

MR. SPEAKER. Mr. Bhole.

SHRI NAWAL KISHORE SHARMA : I have not yet put my second question. I seek your protection. (*Interruptions*)

MR. SPEAKER : I am asking a judge to make it amply clear. Mr. Bhole.

SHAI R.R. BHOLE : I want to ask a specific question. Is the Government ready and willing to amend the Trade and Merchandise Act and withdraw the appeal before the Supreme Court ?

SHRI B. SHANKARANAND : We will not withdraw the appeal from the Supreme Court. But the other step, Government will consider.

D.T.C. Strike Of 23 March, 1983

*793. **SHRI RAMJIBHAI MAVANI :**

SHRI NARAYAN CHOUBBY :

Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) Whether authorities and Government declared the DTC strike of 23 March, 1983 illegal ;

(b) if so, the reasons therefore ;

(c) how many employees and drivers participated in the said strike ;

(d) action taken against the employees, officials and drivers who participated in said strike ;

(e) details of loss of life and property of DTC, employees, Government and Public during the strike ; and

(f) what steps the Government have taken so that such strikes do not take place in future ?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI Z.R. ANSARI) : (a) and (b) As per Section 22 (d) of the Industrial Disputes Act, strike in DTC on 23-3-83 was illegal.

(c) About 13000 employees including drivers participated in the said strike.

(d) No decision has been taken so far.

(e) One Conductor of Vasant Vihar Depot died of bullet injuries. The DTC suffer a loss of Rs. 5.47 lakhs in respect of property and Rs. 12,300 in respect of immovable property. No instance of loss to any private property has come to notice.

(f) The Industrial Disputes Act provides for a conciliation mechanism. A High-Level Committee has also been set up to go into the pending demands of employees. The Committee also has been asked to suggest ways and means for improving industrial relations in the Organisation.

श्री रामजी भाई मावणि : अध्यक्ष महोदय, इतनी बड़ी यह स्ट्राइक हुई है और यह जो हाई लेवल कमेटी बनाई गई है, यह कब बनाई गई है और इसके बारे में डिस्कशन और डाइ-लोग जो कर्मचारियों के साथ हुआ है, वह क्या है, यह मैं मंत्री जी से पूछना चाहता हूँ ?

श्री जियाउर्रहमान अंसारी : अध्यक्ष जी, यह कमेटी 7 अप्रैल, 1973 को नामिनेट की गई थी ।

श्री मनीराम बागड़ी : उस समय कौन इस महकमे के मंत्री थे ?

श्री जियाउर्रहमान अंसारी : आई एम सौरी 7 अप्रैल, 1983 को यह हाई लेवल कमेटी एपाइन्ट की गई थी और इस कमेटी में जो मुल्तेलिफ डिमान्ड्स डी० टी० सी० के एम्प-लाईज की हैं, उनकी सारी डिमान्ड्स एग्जा-मिन करेगी, उसको हियर करेगी और उसके बाद वह हमको रिपोर्ट देगी ।

श्री रामजी भाई मावणि : जिन कर्मचारियों ने इसमें हिस्सा लिया और बहुत बड़ा डेमेज किया, उनके खिलाफ क्या एक्शन लिया ? अगर नहीं लिया तो अब तक क्यों नहीं लिया ?

श्री जियाउर्रहमान अंसारी : अध्यक्ष जी, इसमें दो सवाल हैं । एक सवाल यह है कि जो ला एण्ड आर्डर की सिचुएशन क्रियेट हुई है,

उसके मामले में दिल्ली एडमिनिस्ट्रेशन एक्शन लेगा । मेरी इत्तिला है कि वे प्रोसीड करेंगे; लेफ्टीनेंट गवर्नर ने आलरेडी मेजिस्ट्रियल इन्क्वायरी इंस्टीच्यूट की है । एक कर्मचारी मारा गया है, उसके लिए भी मेजिस्ट्रियल इन्क्वायरी इंस्टीच्यूट की है और कानून खुद इस सब के बारे में काम करेगा ।

SHRI NARAYAN CHOUBEY : 13,000 employees were on strike and there was serious disruption of the public transport service in Delhi and it came to a standstill. Despite all the claims of the Government that the strike did not mature, the strike did mature. As he has stated, the strike was declared illegal. I am sure the people who went on strike must have given notice and also their charter of demands. I would like to know :

(a) what are the main demands for which the strike took place.

(b) The strike you declared illegal-why ? And I hear that no action was taken. I do not ask for punishment for those people who were on strike. I do not demand that, rather I demand that the strikers' demands should be met.

I would like to ask you one question. You will remember in 1981 there was a strike by the locomen on the Indian Railways and the Government then came with a heavy hand and thousands of people were retrenched and still they are suffering. I am happy this time the Government has not come with a heavy hand. Is it because the leader of the strikers is one, Mr Lalit Makkan who has been newly inducted into the Congress Party just before the Delhi Municipal Elections ? To which Party this Mr. Makkan belongs.

SHRI Z.R. ANSARI : As a matter of fact this is not relevant at all—to which party the leader of any strike belongs (*Interruptions*) We are concerned only with the legal aspect of the strike and as I have already said, the strike was illegal because the DTC is a public utility service and according to the Industrial Disputes Act, in case of a public utility service, when all the doors are closed for conciliation and after the conciliation is over, after 7 days

they can go on strike. But they opted to go on strike before that period when the last conciliation meeting was held on 19th.

PROF SATYASADHAN CHAKRABORTY : He says, Sir, that all the doors are closed. He should say open.

MR. SPEAKER : That is why I am keeping the Professor right here.

SHRI Z.R. ANSARI : I am thankful to the Professor for correcting me.

MR. SPEAKER : That is what a professor should do.

SHRI Z.R. ANSARI : So, Sir, on 19th the conciliation failed and after 19th they can go on strike, only after the expiry of 7 days' period. But they opted to go on strike before the expiry of that period. Therefore, the strike was illegal and it was declared illegal.

SHRI NARAYAN CHOUBEY : What were the demands ? I asked that... (*Interruptions*)

SHRI Z.R. ANSARI : Sir, if the hon. Member wants me to read all these, it will take time. There are 20 demands ; which I can place on the table of the House.

SHRI INDRAJIT GUPTA : Sir, from the intensity of the strike action, it is quite clear that the employees obviously felt they had some genuine grievances and demands. I am not going into that just now. But, I would like to know whether it has been brought to the attention of the Government that the Delhi Administration was an interested party in the sense that they were anxious that this strike should succeed so that the unions other than the union led by this gentleman, he says, it is not relevant as to which party he belongs but I think it is very relevant—should be discredited. The Delhi Administration was interested in seeing that the strike succeeded so that the older established unions, some of which are recognised union, should be discredited and they should not remain as popular among the workers as they were previously.

THE MINISTER OF SHIPPING AND TRANSPORT (SHRI X. VIJAYA BHASKARA REDDY) : Sir, this is not correct. We were constantly in touch with the Delhi

Administration and we made all efforts to see that the passengers are not inconvenienced. But, still, it has happened. It is not correct to accuse the Delhi Administration like that. This has happened. We know that there are a number of grievances and demands made by the unions.

While these are in the process of being dealt with by the Ministry by negotiations and discussions with various Unions, this has happened. That is the reason why we have appointed a highpowered Committee go into the grievances of all the Unions—not only of this union—and, once the report comes, we will take appropriate action to see that these grievances are removed.

बांगला देश द्वारा प्रकाशित मानचित्र

*794. श्री बापूसाहिब पइलेकर } : क्या
श्री के० मालन्ना }

विदेश मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का ध्यान बांगला देश द्वारा प्रकाशित मानचित्रों की ओर दिलाया गया है जिसमें जम्मू तथा कश्मीर और सिक्किम को भारत से अलग क्षेत्रों के रूप में दर्शाया गया है ;

(ख) यदि हां, तो उसके प्रति सरकार की क्या प्रतिक्रिया है ; और

(ग) इस संबन्ध में सरकार ने क्या कार्यवाही की है ?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI A.A. RAHIM) : (a) Yes Sir.

(b) and (c) : The map in question in the scale 1 : 1 million has been printed by the Bangladesh Government under the direction of the Surveyor General of Bangladesh in 1982. In the inset captioned "Bangladesh and surrounding countries" 'Kashmir' is separated from India by a dotted line (as distinct from the line used for international boundary) and Sikkim separated from the rest of India in the same way as other independent countries.

As soon as the Government of India's attention was drawn to the map, the matter was taken up with the Bangladesh Government. The Bangladesh High Commissioner