

alone can be taken. I admit a Calling Attention Notice *prima facie* and send it on to the Minister concerned. In this case he has stated that there is no factual basis to this allegation. Under those circumstances, what is the use of raising it again and again in this House when I have sent him a reply?

**Shri Mahanty:** In all humility, Sir, may I just explain to clear up the misunderstanding? The question is, when reports appear in the national papers it is the Ministries who have to contradict them if they are wrong. They are not doing it.

**Mr. Speaker:** Again and again hon. Ministers have said that if they go on looking into every paper and go on contradicting the reports that appear there they may not be able to do any other business. Of course, hon. Members have a right to ascertain whether they are right or wrong. Here there is no basis at all for Government to explain. Government need not explain the position here. The best forum is, when the House is sitting, if they have got any doubts they will explain. Hon. Members are vigilant; there is no doubt at all. If somebody imagines something and writes, it is not their business either in this House or outside to go on explaining the matter. Now, let us proceed to the next business.

12.08 hrs.

**\*DEMANDS FOR GRANTS—contd.**

**MINISTRY OF LABOUR AND EMPLOYMENT**

**Mr. Speaker:** The House will now take up discussion and voting on Demands Nos. 66 to 68 and 126 relating to the Ministry of Labour and Employment for which 5 hours have been allotted.

204 cut motions have been tabled to these Demands.

Hon. Members desirous of moving cut motions may hand over at the Table within 15 minutes the numbers of the selected cut motions.

Hon. Members are already aware of the timelimit for speeches.

**DEMAND No. 66—MINISTRY OF LABOUR AND EMPLOYMENT**

**Mr. Speaker:** Motion moved:

"That a sum not exceeding Rs. 18,89,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1961, in respect of 'Ministry of Labour and Employment'."

**DEMAND No. 67—CHIEF INSPECTORS OF MINES**

**Mr. Speaker:** Motion moved:

"That a sum not exceeding Rs. 22,93,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1961, in respect of 'Chief Inspector of Mines'."

**DEMAND No. 68—MISCELLANEOUS DEPARTMENTS AND OTHER EXPENDITURE UNDER THE MINISTRY OF LABOUR AND EMPLOYMENT**

**Mr. Speaker:** Motion moved:

"That a sum not exceeding Rs. 10,39,58,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1961, in respect of 'Miscellaneous Departments and Other Expenditure under the Ministry of Labour and Employment'."

\*Moved with the recommendation of the President.

**DEMAND NO. 126—CAPITAL OUTLAY OF  
THE MINISTRY OF LABOUR AND EMPLOY-  
MENT**

**Mr. Speaker:** Motion moved:

"That a sum not exceeding Rs. 2,05,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1961, in respect of 'Capital Outlay of the Ministry of Labour and Employment'."

**Shri Braj Raj Singh:** Sir, shall we continue with this discussion for the whole day?

**Mr. Speaker:** I am trying to extend the time. Hon. Members must be prepared to sit on Saturdays and Sundays also.

**Shri Braj Raj Singh (Firozabad):** We are prepared to do anything.

**Mr. Speaker:** Very well. We are sitting till six o'clock. How is the hon. Minister inclined?

**The Minister of Labour and Employment and Planning (Shri Nanda):** Sir, I would like to accommodate the hon. Members.

**Mr. Speaker:** How long would he like to take?

**Shri Nanda:** It depends upon the course of discussion.

**Mr. Speaker:** We will sit till 6-00, carry on this debate and finish it today.

**Shri S. L. Saksena (Maharajganj):** He can reply tomorrow.

**Mr. Speaker:** He never said so. He said he is prepared to carry on the debate till 6.00.

**Shri Nanda:** It will depend on the course of the debate, Sir.

**Mr. Speaker:** All right. He may initiate the discussion.

**Shri Nanda:** Sir, I wish to initiate the discussion by making a brief reference to some important matters concerning the labour situation and labour policy. I have thought of bringing up these matters because some aspects of labour policy have been called into question. Very recently the Federation of Chambers of Industry and Commerce and some other important forums also have dealt with labour matters. In this case, some prominent representatives of business and industry chose to speak about the policy of the Labour Ministry, and it appears that some of the features of this policy were not to their liking. I have, therefore, to make a few things clear at the outset in this context.

The Labour Ministry has no policy of its own. It is the policy of the Government of India. It has not been conceived for the special benefit of the workers. Of course, it is in relation to employer-employee relationship, but apart from the question of well-being of the working class, the labour policy has to take into consideration the larger interests of the entire community, the question of successful implementation of our plans and the realisation of the objectives of the economic and social policy of the nation.

A distinctive fact about our labour policy is that it is the outcome of deliberations of all the parties concerned. It is based on general agreement and built up over a period of time with the support and the consensus of opinion of all those concerned. This policy has been evolving in response to the needs and conditions of the time. It is, therefore, not a rigid policy and whatever modifications have been made, they have occurred as a result of agreement and almost unanimous consent of all the parties. Therefore, I would not be wrong in making the claim

that it is a precious asset. A policy which is not simply emanating from Government, but a national policy, acceptable to all, is an asset which should not be dissipated thoughtlessly.

I have had to say this because I am sensing some dangers to the maintenance and growth of this valuable tradition. There is an outcry heard in many places that the industrial workers are being pampered, that undue burdens are being placed on industry because of things being done for them and costs are rising. On the other hand, the workers too are showing signs of impatience. They are telling me that certain obligations towards them are not being performed properly and they are not having a fair deal. In other quarters, there are questions about employer-employee relations and sometimes it is made to appear in certain cases as if the employers and the employees get together to exploit the community.

Therefore, I am going to take up this very important issue of wages and prices. Wages have recently figured in discussions and there is a natural anxiety in this country now about prices. It is in national interest that prices should not be allowed to rise. Any rise in prices particularly at this stage is going to make difficult the progress of the nation. If possible, prices should be brought down. There is no disagreement regarding that and so far as the workers are concerned, it is their obligation and duty to co-operate in the process to the utmost extent possible.

But the question arises, is it a fact that the workers' wages have had any serious or significant influence on the prices and is a factor of that kind a substantial factor? There is another question about cases where wage increases have taken place to such a magnitude that they appear to be having an excessive share of the national income of the country, to the detriment of the legitimate interests of the other consumers. This is a complex and difficult problem. I

am not prepared to make any dogmatic assertion, but on the basis of such studies as I have been able to make of these questions, I feel that it is very unfair to blame the workers for the inflationary pressures and for the upward trend in prices. It is not at all good to create a feeling among the workers that they are being held to be responsible for raising prices and they are benefitting at the expense of the community.

The fact is—and it is a very important fact—that the workers always lose when prices rise. Some people gain, but not the workers. They, at any rate in this country, have been losing invariably whenever prices have risen. Statistics show that. Between 1939 and 1947, the standard of living of the workers had declined by 25 per cent. By 1951, they just recovered lost ground. By 1955, the real wages had increased by 13 per cent. But since 1956, when again prices started rising, their gains have been to an extent wiped out.

The reason is, it is a very well-known fact that wages lag behind prices. It is a known phenomenon. There will be negotiations, conciliation, adjudication, etc. and therefore, the time lag is widened. There is a considerable prolongation of that lag. It may be said that we have cost of living adjustment and D.A. paid. But they are not being paid to all. Maybe a majority of the workers do not have the benefit of the automatic adjustment, the sliding-scale, in relation to cost of living. For such of them to whom the benefit is available, what is the position? 100 per cent. neutralisation is rare. It is in a very small number of cases that there is 100 per cent. neutralisation. In some cases—the textile industry, for example—even when there is 100 per cent. neutralisation, it is only related to the basic wage, which is much less than the average wage. So, even if it is 100 per cent. neutralisation, the workers' wages in any industry will not have caught up with the rise in the cost of living.

[Shri Nanda]

The workers can justifiably ask, why there is such a thing as objection to 100 per cent. neutralisation of the cost of living when prices are rising. There is some justification for that in certain conditions. For example, in times of war, when production is going down or for some other reasons, everybody has to share in the sacrifice. But production is not going down; industrial and agricultural production has risen. Then at any rate, we cannot apply this doctrine of sacrifice to the present situation, especially when the per capita availability has not gone down but has somewhat increased. It is this background, these conditions, on which we are judging this question.

It may also be taken into consideration that, after all, when we are thinking of the price level in this country in the conditions of this country what can be the potential influence of wages. The incomes of the workers are a relatively small proportion of the total income in the country. Since industrial production is a small proportion of the total production in the conditions of the country, its effect cannot be very much at all. So, by the very nature of things, that cannot push the prices.

Then there is another thing. When we look at the statistic about prices, the indices, we find that the prices of manufactured goods have been relatively stable and during the last few years when the prices of manufactured goods have risen, they have not been accompanied by any rise in wages. That is to say, wages have not been responsible in any measure for the increases that have occurred recently.

If the workers are told by those people in the rural areas, the agricultural workers, people who are badly off, if they confront the industrial workers, that is reasonable and very good and the workers will be answerable to them if they have made any illegitimate gains, if they have exploited any scarcity. But there are others who have themselves gained

out of this rise in prices. I have got the figures but I need not take up too much time of the House for figures as they are known to all. The index of variable dividend industrial securities, with the base of 1952-53 at 100, has gone up to 122.5 in 1958 and 142.4 in 1959. This is the context in which we have to study this question whether the wage earners and their wages have to a considerable extent been responsible for the rise in prices, and the second question which we have to answer is, irrespective of that, have the workers been making excessive claims, have they been given excessive increases in wages. That question remains. The excessive capacity of an industry is important and the question is whether they have been treated in an unreasonably generous manner.

I have now to point out to hon. Members, who of course know it already, that in this country the workers and the employers are not left to themselves to fight it out in the field by a trial of strength. Workers have placed themselves at the disposal of authority. There is a law which compels them to appear before a tribunal, whose judges are appointed by us. That machinery has been set up to which the aggrieved party can have recourse. That impartial authority decides wage claims on judicial principles. The only guidance that has been furnished to them is through a framework of reference and principles provided in the shape of tripartite conclusions and recommendations. The most important of these is the report of the Fair Wage Committee. There are reports or recommendations of the Labour Panels, the Indian Labour Conference and the Standing Labour Committee. This system has yielded very satisfactory results.

These reports of the Fair Wage Committee and others, and also the recommendations embodied in the Plans, have all laid great stress on productivity. It is wrongly assumed that productivity has not risen and

only workers' wages have risen. Now, productivity is not a very simple concept and it is easy to have various interpretations. But there are some broad yardsticks and when they are applied to such statistics as are available to us it is found that there has been an increase in real earnings of 30 per cent. during the period of ten years between 1947 and 1957 and against that there is an increase in production per person, adjusted for price fluctuations, of 45 per cent. So, we should not ignore this also.

This idea of linking wages with productivity is a very good thing and it is already obtaining over a wide field and the workers have not resisted the introduction of the incentive system of payment. Considering the figures that are now given, it is obvious that the gains of increased productivity have been shared, which is a very legitimate thing to do. Because, productivity is not entirely of the workers' making, it is not their contribution alone, for investments have to be made and other things should go into it, the interests of the consumers have to be considered as also the development of industries, the economy of the country for further capital formation and so on. But that productivity has somewhat outstripped the ratio of increase in real wages seems to be a fact.

There is the other way of looking at it. Ultimately, it is not the money paid, the absolute quantity of wages, but it is the labour costs which have greater significance for industry. And all that data that we have point out that labour costs show that the cost per unit has not increased out of proportion to other costs. It might have slightly declined over a period of years. These are the general broad facts about wages and their relationship with other factors, national income etc.

I was very much amused to find some comparisons made between our wages and the wages in other countries and the per capita income here and that obtaining in other countries.

I wish they do not indulge in these things, because these are not valid comparisons. I would be very happy if those standards that were applied to per capita income and wage relationships were applied to other incomes and the gains made by others, their remuneration and rewards. Then the working class would not at all fight shy of that, that is my own belief.

Therefore, I now come to the two questions which have arisen now. One is that there should be a wage freeze and the other is that wages should be linked with productivity. If all that I have said before has any weight or meaning, I need not now say that any talk of any kind of wage freeze is devoid of meaning. How will it be enforced is another question. So, let this cry be set at rest. In the first place, there is no justification at all and no ground has been revealed for considering this. If somebody suggests that, I would ask him "What is the justification? Who would freeze it and how?" Government have only fixed the minimum wages under the Minimum Wages Act.

Then Government may not do that. I may say that there has been no undue rise so far as minimum wages fixed under that Act are concerned. Then all that Government can do is not to refer to adjudication, tribunals, wage boards etc. the question of wages or wage demands. But then would it create a better situation? Can we afford the unrest that will arise out of it? Can we afford to stop the increase in the wages of the workers and all that? Of course, it is not that there is going to be a ban on wage freeze or any other sort of ban on all the activities of the working class.

So the conclusion that I draw is that it is good for the workers to have price stability. They should help in it to the utmost extent. But they are helpless. Price stability has to precede and all that has to be done about

(Shri Nanda).

it is that they should assist, help and collaborate to the fullest extent.

I may in this context again make one appeal. When we are discussing questions about labour, wages and other things, let us not forget that we can get out of the working class much more still. That much more will depend upon their goodwill and co-operation. We should try to see that we secure that and not jeopardise that. About productivity this is an important thing.

The question of linking up wages with productivity is a very healthy approach. As far as I am concerned I am all for it. We have to provide for it in our various statements, plans and otherwise. Of course, there has to be a proper examination of the wages in relation to existing conditions before that link is established and any anomalies or deficiencies that may be there have to be removed.

If there is price stability, the other question does not arise, that is, the question of compensation for cost of living increase. The working class has to appreciate this that they cannot have any substantial gains either having got whatever they can out of the profits in relation to the existing situation. After all, if normal profits are secured and if the higher profits to which I have drawn attention are all distributed to the workers, that is not going to make any substantial increase in their wages. A few rupees more in the hands of the workers is not going to raise or bring him up or move him on to the living wage. It is not that those profits should not be kept down. They should be kept down and the excess, if any, should be utilised in the interest of development etc. But that is not the source on which the worker can rely for any advance and his well-being.

So the conclusion is that the workers have to understand that they must make the fullest use of their energy and skill for the purpose of increasing production and productivity. There are the other questions of management, equipment and all that. They are all there. But the workers have a very heavy stake in productivity.

I may point out that there was a time when the workers were obstructing in progress on this front. But for some years past that stage has passed.

**Shri C. D. Pande (Naini Tal):** They were under the influence of the political parties.

**Shri Braj Raj Singh:** Now they are under the influence of the ruling party.

**Shri C. D. Pande:** They are healthier now.

**Shri Nanda:** If the workers are left to themselves and if all parties cease to take interest in them, everybody will be the better off for that. That was at one stage. Later on, I believe the workers' response has been satisfactory. Their attitude is not at all something which we can object to. They have accepted the basis of rationalisation. A tripartite recommendation accepted that rationalisation with certain safeguards. That is common ground. It has to be implemented. It is being implemented also. Wherever there is any difficulty, it is the responsibility of the organisations of the workers to prevent that and to ensure full implementation. Rationalisation has been accepted.

But on the other side what I find is this. There appears to be a vast scope for improvement in the efficiency of the management itself and in the earlier days just as labour was obstructing, the management was also obstructing. There were recommendations made for increase in productivity and the employers would

not look at that. Even now, recently when I offered to introduce with their help a code of efficiency and welfare, they were very reluctant. They were not at all enthusiastic about it. Even now, I believe, there are many things which have to be done by them in order that there should be effective utilisation of all our resources. They have not done all about it.

This matter was discussed recently in the Standing Labour Committee and it had engrossed the interests of all the parties. On behalf of the Government I gave this assurance that we are not going to leave these things to the parties only. We have got a dominant interest in productivity. Therefore Government is going to arrange to call from abroad, from whichever country that can furnish us with them, teams who can come and study the situation in each industry and devise measures for the purpose of increasing productivity in these industries.

I have spoken about employers, but since I do not see the employers very adequately represented here, I have to talk to the workers' representatives.

**Shri Narayanankutty Menon** (Mukandapuram): They do not want to hear you at all. They are never in the habit of listening to you.

**Shrimati Parvathi Krishnan** (Coimbatore): Shri Pande is there.

**Shri Nanda:** I have to advise my hon. friends that in spite of all this it is up to them to see that while pressing their claims they exercise restraint, not for the sake of making more profits by some people but there are other considerations. They should understand that in this country, in spite of the fact that we are not so well off, there has been an effort to give more wages to the workers. If it has been set at nought by the rise in prices, it is an unfortunate condition which is hurting and affecting many other people. The middle class and the lower middle class are suffer-

ing heavily because of that. They are asking for social security. Something has been done in the shape of Employees' State Insurance and provident fund. More demands are being made. I think an earnest effort is being made to do something. But in making demands on the country in its present condition they should not lose sight of the fact that against the number of persons who are employed in organised industry there is such a vast number of people who are not employed or who are underemployed. They cannot transfer their income to them directly, but they can help them. They can help them only through assisting in capital formation and development so that more employment opportunities are created.

I will remind hon. Members on that side of one suggestion which I made at some time. When the workers ask for more wages, the demand is resisted on two grounds. One is the fear of rise in prices and secondly too much income placed in the hands of the workers may come in the way of accumulation of want capital for development. Now, workers having got whatever is legitimately due to them, why can this position not be taken, pressed and accepted that workers will participate in capital formation? Having got in cash what is due to them, and the question is not of getting money, this is a direction which possibly I would still request them to consider because this is without prejudice to their other claims.

I have to refer to one very important matter and that is about wage boards. I am referring to a responsibility of the employers. They have to carry it out. They have to give a lead to the working class regarding scrupulous adherence to undertakings and their responsibility for implementing the obligations that have arisen and which have been accepted. This is an outstanding obligation. It is well known that this wage board idea is a long-standing thing. It was mentioned in the Fair Wage Committee's Report. It was

[Shri Nanda]

agreed to by all the parties and embodied in the Plan that there shall be wage boards, as it was recognised as a better method than the other methods. Some time back, it was accepted in the Standing Labour Committee that the unanimous recommendations of the wage boards would be carried out. When there was some talk about legislation, the employers said: why legislation, unanimous reports will be carried out. Now, it is in the face of this situation, these circumstances, that we have to consider the delay that is occurring in the implementation. What is the alternative? It is well understood that the wage board is a much higher form of machinery for settling all these things. It has a judicial element, the judge; it has representatives of the employers and of the workers; besides that, it has an independent person and an economist. There could not be a more rational set up, a set-up which will guarantee the observance of regard for all interests possible. If such a thing breaks down, and if such a board's recommendations are not carried out, I cannot visualise the next step. If the unanimous recommendations of a board with employers, workers, independent persons, an economist and a Judge is not carried out, what have we left in our hands? They will say: have a law, of course. Possibly that will be done, but that takes away all the grace out of it. The future of the wage boards becomes jeopardised, and then only the tribunals and all the delays and obnoxious features persist. I hope this will not happen. I am only considering the theoretical implications of a contingency. I hope this will not arise, because it is not a question of a few rupees, but of a whole system that is at stake, and it is too valuable for anybody to deal with lightly here.

There is the question of the need-based minimum wage. I have to make a reference to that also because Members would be interested in that. I do not think that the Indian Labour

Conference has overstepped its limits, or has done something which was not appropriate. The Fair Wage Committee's Report had thought of a certain standard, a certain minimum wage. Somebody had to give it concrete content, and the Indian Labour Conference tried to do so. It may be that it may have, in a hurry, erred in some direction, but nobody can take exception to the concept of a minimum wage. The Pay Commission also had before it the recommendations of the Indian Labour Conference and has dealt with them. It has deferred.

**Shri Narayanankutty Menon:** But repudiated by the Finance Minister.

**Shri Nanda:** I do not agree there has been any repudiation. What the Finance Ministry said was it had not been ratified and it stood as the recommendation of the Indian Labour Conference. These are facts. We do not have ratification of other recommendations of the Indian Labour Conference.

**Shri Tangamani (Madurai):** A new type of repudiation.

**Shri Nanda:** It is not.

The Pay Commission took notice of that, went into the matter in detail. Later, we have examined it again in the Standing Labour Committee.

**Shri Prabhatkar (Hooghly):** You are a party to that decision.

**Shri Nanda:** Am I withdrawing from it? I am saying this, that I am not for rigidity from this side or that side. The question is we have to obtain certain results. There must be a proper standard laid down in respect of minimum wages, a reasonable standard, not any high unrealistic standard; and even if it is not possible to realise it in a certain place in certain conditions, that does not cease to be the minimum. If the minimum has been conceived in terms of physical efficiency, of physical needs,



so much food required, so much of this or that required, then it is a question of fact, not a question of opinion. If we cannot pay, we will say we cannot do it, but there it is; we may be able to give it tomorrow or the day after, but it gains priority, and this is the sense in which it has to be taken. But if there is a scientific doubt raised about,—that is my point when I mentioned—rigidity—we should not be rigid and adopt avidly without looking into it the nutritional content given by a certain scientist. If the technical aspects are examined and we find that it may be somewhat different, we should not be afraid of that examination, and this is what the Standing Labour Committee decided.

**Shri D. C. Sharma:** (Gurdaspur): The hon. Minister should look at the Speaker when he is speaking. He is looking at the others.

**Shri Nanda:** Why is he worried about it? At least I am not looking at him.

These are scientific, technical matters, and they have to be looked into in a proper way, and the Standing Labour Committee has agreed to that. Therefore, there is no question arising about it at this stage.

Now, I have taken a fairly long time, and I would rather listen to what the others have to say, and I hope what I have said will possibly reduce the attack from the other side.

**Mr. Speaker:** I have looked into the time that has been taken for the various Demands. We have been trying to be liberal, to accommodate Members who are interested as far as possible. I am always trying to note how the interest increases, and that is why we have been sitting longer sometimes. May I suggest to hon. Members to keep to the schedule, that wherever we extend the time allotted for any Demand, we make up that time by sitting longer during that day?

Today we proposed to sit till 6 O' Clock, finish these Demands by 5 O' Clock, and start the other Demand and devote one hour for that. Now, we will go on with this Demand till 6 O' Clock. Hon. Members must be prepared to sit from 6 to 7 O' clock for the other Demand.

**Shri Tangamani:** There is a half-hour discussion.

**Mr. Speaker:** I myself suggested that as far as possible we shall have half-hour discussions on burning topics that come up, but during these Demands for Grants you must give me some latitude to take them up or not, because after 7 O' Clock nobody will be in the House. I shall try to accommodate as early as possible; after the Demands are over, we shall have half-hour discussions almost every day, I have no objection, but till then I must have an amount of discretion.

We shall sit till 7 O' Clock today and finish the Labour Demands by 6 O' Clock, and devote one hour which we would have otherwise lost to the other Demand.

The Half-hour discussion will be postponed and accommodated as early as possible.

**Shri S. A. Dange** (Bombay City—Central): The Labour Minister said that his speech might help to reduce the attack on the Labour Ministry's Demands. That is partially true. He has in a way cleared the ground for doing something more concrete than merely attacking him on certain basic principles. As I have already said in my previous speeches on the Labour Ministry's Budget, personally it is very difficult to quarrel with the Labour Minister as such, but, as he himself has said, his policy is not a special labour policy; it is a national policy since it stems from a Government which functions, so to say, as a national Government, not in the sense that it is an all-party Government,

[Shri S. A. Dange]

but a Government functioning in the name of the whole country, that is of all classes. Therefore, his labour policy is a policy which benefits all classes.

At the same time, I appreciate this difficulties, because even when the Government proposes to do things for the people as a whole and in general for their welfare, while laying down policies various Ministries start representing different interests, and ultimately what comes out is a bundle of policies in favour of the employers and the landlords and policies which sometimes favour the peasants and the workers. And then when you start discussing, the contrast stands out though ultimately as members with the same policy and of the same Government they do justify each other and stand by each other. Therefore, the statement of the Labour Minister that he is not making anything special for labour may be true. At the same time, I know he has his difficulties. From some of the reports that we get of the tripartites which we attend and so on, and what has happened in this House in the recent period, I understand his difficulties of pushing forward some of the labour policies he has in mind in a Cabinet where the power of Finance is the most dominant power. Therefore, in spite of the fact that it is the policy of the nation, it is dominated by the power of capital as I call it and, therefore, conflicts they come in the open, sometimes do arise in this House—sometimes they do not—and so we have to take a standpoint on the basis of representing directly working class interests when we speak of the national interests as such. Because it is my position that national interests conceived in abstract do not exist. The national interests are a totality certainly of all classes. But then the dominant classes which form the nation are the middle-class, the peasantry and the working class which

produce what is the real national income. Now, when you come to calculations of national income, I beg to submit that the theory of calculations of national income followed by the Government of India and certain of the capitalist countries is a wrong theory. They take into calculation all the services. Now, if a Secretary of the Government or a Minister or a clerk or somebody is getting Rs. 1000 as a salary, then what is his contribution to the national income because his labour cannot be calculated in terms of concrete positive values? Therefore, in socialism national income is always calculated in terms of positive concrete utility values and the services and such other things are generally omitted.

So, national income in the concept of socialism is always that income contributed by the working class, the peasantry and the middle-class in helping to transform things in a good things. Therefore, this is my concept of a nation though here the capitalists do exist, the landlords do exist and I think we should realise that their contribution to the national income is only by way of consumption, not production and to that extent they are certainly a part of the nation because they go on consuming more and more. And demanding more and more the share of the income but the real national income comes from the working classes. Therefore, we should not be quite at all in discussing the labour policy as a national policy in the sense that it must benefit the working class, the peasantry and the salaried employees.

Having cleared that ground with regard to nation and the working class and our concept about it, I am glad to find in the statement of the Labour Minister an admission at least this year or since the last two years that wages have not made for price rises. That is exactly what I have been fighting for in this House for the last three or four years, that the

wage price spiral theory is a wrong theory and on the basis of that theory we were all along being denied of wage increases.

**Shri Nanda:** We cannot settle this question between us. This is my view, that is your view and there may be other views also about it.

**Shri S. A. Dange:** Now, the ground is cleared that at least with regard to these price rises he does not accept my theory—he may not. But at least the fact exists and it is underlined too that the price rises that have taken place are not due to wage increases. That is number one. Secondly, wages have lagged behind prices and thirdly—that is my conclusion—that we are thoroughly justified in putting up a stiff fight for wage increases and that no nation, no party, no sector can blame the working class fighting for rise in wages, by trotting out a theory that “If we increase wages, then the prices will go up.” Thanks to the Labour Minister, at least for the year 1959, admitting it in fact, if not in theory.

**Shri Nanda:** I have other considerations also—capital formation, employment and all those things.

So, Sir, I am happy in this respect that something of our agitation has won at least in the year 1960 and has received recognition from the Labour Minister. That I do not think, is a recognition from the Government. I am afraid, tomorrow another Minister might get up and say that his theory and his statement is all wrong. But that is what they will decide among themselves. I have nothing to do with that. But I am glad that at least the Labour Minister who has to retain something of his trade unionism inside the Cabinet dominated by finance is able to state these facts before this House and, therefore, all my congratulations for him and all my aid to him in solving the problems peacefully, if necessary in the way he proposes, for getting a wage rise. But

will he succeed? That is the whole point.

Now, I come to the next point. The economic situation is very good, production has increased, food production has increased and naturally the fate of the working class should have become better. The story is that profits have increased, production has increased productivity has increased, but the prices have gone up, the monopoly power of capital has gone up but the share of the working class in the generated wealth has fallen. This is the result. If under such conditions, the workers feel irritated and go into action, then what is the remedy? What is the remedy to solve the situation? Price increases are not in the hands of the Labour Ministry. Prices have gone up and, therefore, the real wages have fallen. To this Finance Minister will say, “Well, the Pay Commission says that all that wage increase demanded on the basis of the minimum as defined by the Tripartite Convention called by the Labour Minister is unscientific.” What is unscientific?

Now the Pay Commission has come to a funny conclusion that all Indians are short statured and, therefore, the calories that they require must be short calories. How do they come to that conclusion and from what pseudo-scientific enquiry do they come to that conclusion? I do not know. The Punjabis have different heights from the Marathis and even among Marathis they have different heights. Many Tamillians have different heights. How is the short stature made suddenly a fundamental ground by a group of scientists and economists led by Dr. Mehta, the Finance Minister of Bombay and how suddenly are all these calories cut because we are short statured? Now, all the short statured gentlemen might proclaim a revolt against this finding. I do not know. We might form a union of short statured persons and fight for higher calories and all the

[Shri S. A. Dange]

tall statured persons might fight for still higher calories, I do not know what will happen. By the science of determining nutrition and calculating wages on the basis of calories in this country, the whole concept of minimum wage is blown up by a Pay Commission which went into such considerations presided over by a judge. Now, a judge may not be expected to understand calories and production and wages. That I can understand. He is not concerned with it because he is revolving round in conceptions of legal rigmarole. The calories are forgotten—except in lunch hours—even by judges. But what about others, economists and all those?

So, under such conditions when a Pay Commission attacks the very concept of minimum wage as defined by the tripartite body what is the remedy for the working class? Therefore, the workers are coming to the conclusion that within the Government of India there is no uniform labour policy. The Labour Ministry, the employers and the workers agreed to a tripartite convention on minimum wages and a tripartite convention on rationalisation. The minimum wage convention is exploded and the employers come and tell us, "Accept the convention on rationalisation." No, Sir. If the employers, the Pay Commission and the Government of India have repudiated the minimum wage convention of the tripartite body by the exclusive statements made here, then the working class is going to repudiate the convention on rationalisation also. This is my statement on behalf of my party and my organisation. You want us to take greater workloads but you will refuse our calory requirements our minimum wage convention and will come and tell us, "No. Even if Rs. 125 is your calculation for the minimum wage, we are not going to give you that; we are going to give you only 85." What are the Government servants and all those services going to

do in such a case? The workers in the Railways, Defence, and even the clerks and others in the Secretariat are always told, "for the nation, increase your work, rationalise and raise productivity". When they came to ask for the minimum wage convention, they were told, "you are short-statured, you have lost it." In that case, they are also bound to say that short stature is bound to have a short hand and it does not reach the machine, it is not long enough. That means the machine stops. That means they take a decision to strike.

13 hrs.

Therefore, it is a great decision, a serious decision. For the first time in the country, all the government services, the Defence Federation, Railways, Central Government employees, P.&T., all these have come to one definite conclusion, "we will negotiate with you till May; alter all your conceptions about calories, Dr. Aykroyd and all that, and the Pay Commission; negotiate and settle; if you do not, we will act in June". Will the Labour Ministry, or if not—not the Labour Ministry, I am sorry—will the Government of India, which once intervened in the House in order to stop a strike in the P.&T., have the face to say that these workers need not act now? Because, after two years the Pay Commission comes round, and the basis of minimum wages is blown up, and even the price calculation in the Pay Commission's report which they have given on the basis of 2,600 calories is a wrong chart. They have evaluated it at Rs. 85. Actually it comes to Rs. 95.

So, Sir, if such is the settlement machinery which denounces the principle of tripartite conventions in the actual translation of these conventions into practice, what is the working class to do in order to help in a peaceful settlement of disputes and help in the growth of economy and in the fulfilment of the Plan and the initiation of the Third Five Year Plan?

So here, the fate of the wages, as already elaborated by the figures even of the Labour Minister, shows that in this country neither the Government as a whole—I am not discussing the Labour Ministry—neither the Government as a whole, as an employer and as a government, not the employers, the big Federation of Chambers of Commerce organisations are prepared to acknowledge, even now, at the end of the Second Five Year Plan and after twelve years of swaraj, that they must share equitably the national income with the working classes.

Then comes the theory of how much is the national income of a person in India, and what is his contribution. There has been an employer who seems to be progressive—and in some respects he is—who always trots out, “the national per capita income is Rs. 212. my worker’s average wage during the year is Rs. 6,000”. He goes on dishing out such facts. And the Pay Commission, of all things, has come to the conclusion that as the national income is low, the wages should not go high. Wonderful ideal!

As regards the per capita national income, if you relate the wages of the worker to the per capita income of the nation, you must ask how much the worker himself contributes in the generation of the national income and relate it to the per capita abstract generation of income. I have no time to go into all these statistics. In the evidence I gave before the Textile Wage Board, I told them that the gross value, ex-factory value produced by a worker employed in the textile industry in the year 1952 comes to Rs. 6,351 per year and his income per year is about Rs. 1,400 or so. So he contributes five to six times to the generation of that value. Even if you take only his wage, he re-creates his own wage and contributes 150 per cent more to the national income. And yet he is told, “national income is low, therefore you remain low”. Therefore this is the theory in capitalist economics. But unfortunately, every

citizen in India, let alone every Minister in the Cabinet, is not expected to know all the intricacies of economic theory. Therefore, these people are sometimes misled by such comparison as between per capita national income and the wages of a worker. The wages of a worker must be considered in relation to what he produces as a gross product and the net product in the economy, as judged in his own trade. That is the fate of the wages, and that is the fate of the machinery to settle disputes.

The Labour Minister has said that to settle disputes, the higher form of wage board has now been invented and we are now appointing wage boards—though in some industries wage boards have already been denied. But I say that the highest form of settlement of disputes is not wage boards. The best and the highest form for settlement of wage disputes is negotiation between the trade union of the workers and the employers’ side.

**Shri Nanda:** That is true.

**Shri S. A. Dange:** This is the standard, acknowledged, highest form—and a trade union which represents the interests of the workers, not one imposed by the Labour Ministry or the Finance Ministry or somebody. And to find out which union represents the interests of the workers, the best form in all democracies is always a ballot. Therefore, the only solution for solving disputes, for settlement of disputes in this country is not merely wage tripartite organisations, but the basic thing must be the trade union recognised, and the trade union negotiating with the employer, the employer negotiating with the trade union, and coming to a settlement.

But this is just the thing that is being mismanaged. And therefore we have got the situation in which workers run to tribunals, wage boards and tripartite organisations. I would suggest for the consideration of the Labour Minister that next to this ar-

[Shri S. A. Dange]

rangement, the basic arrangement of worker-employer relation between the union and the employers, the next best thing is not wage board. The next best is the tripartite arrangement. And he knows it, Sir. An industrial tripartite body, in a given industry, trying to meet and arrive at a settlement, is the next best. Because that has been tried a year ago, and found to work very well. In the coal industry he tried it. It worked very well. In the tea industry he tried it, on the bonus issue. It worked very well. In banking he tried it; he failed. The bankers in the private sector were not prepared to go into a tripartite arrangement, and so also the bankers in the State sector—that means the Finance Ministry and the Manager of the State Bank. We know what he did. The moment he was presented with a four crore bill he said, "this is too much, I do not negotiate". This is a wonderful principle! You could have said, "Put it down to one crore, I will start talking to you"! And all this from the Government of India, which talks of national policy. The State Bank employees were forced to go into a strike, for no reason. Because when Government were discussing "commission or tribunal", "tribunal or commission", "tripartite body or commission", one year went by. The workers were impatient. They struck work. Then they said, "now we won't talk with you, because you are on strike". You were not talking, you were not coming to a conclusion, you were prevaricating, you were dilating and irritating the workers; and when the workers presented a bill you refused to look at it; and when they go on strike you say "you have gone on strike, now I won't negotiate".

Is that a policy? It is a confusion of policy. It is not even a confusion of policy: it is a deliberate attack on the working classes and a negation of policy. We, from the trade unions, are trying to work with the Labour Ministry, to sit in a tripartite body

and to come to certain conclusions. All tripartite bodies are more and more being blown up. Effective bargaining between trade unions and employers does not take place. So, we come to tripartite bodies. That also is being blown up. When we go to wage boards, wage boards are sometimes not appointed.

In the appointment of wage boards there is a long rigmarole of arguments. Some elements in the Labour Ministry devote their whole attention as to how to avoid a AITUC nominee on a wage board. The delay is caused in appointing wage boards because somehow they must avoid a representative of the AITUC. When verification of membership gives us the right to be appointed, then they say "it is an old verification; we must find out whether you stand there or not". The only way, therefore, to prove to them that we exist is to force every time a strike. The jute industry had it, in which fortunately all united and struck one day in order to get a wage increase and a wage board. There is neither a wage increase nor a wage board. It was in December; this is April. They are still calculating the union membership, so that the AITUC membership may be somehow lowered and the INTUC membership put up, so that they can put an INTUC man on the Board.

The same thing is happening in tea. The industrial tripartite body appointed a wage board. It was almost coming. Somewhere something happened: I do not know what. Now that is again being examined whether it should be constituted according to the previous tripartite agreement. Why? Because they knew we were entitled to a seat on that.

So even in tripartite arrangement, the policy followed is a discriminatory policy. Even when we want a settlement of disputes by peaceful means and by negotiations in these departments, and wage boards are appointed, this is the position.

Then the time it takes three years for a textile wage board. In England, where the working class is supposed to be democratic, not led by the Communist Party at all, but by most reasonable people—and of all things, you know well English reasonableness; they conferred swaraj on India without her even asking for it, tremendous reasonableness—what is the position? In England, they went on discussing the Gillebaud report on railways for nine months. One day, the workers' union came and said, 'Tomorrow, you give us five per cent increase in wages; otherwise, we shall go on strike'—most undemocratic, according to the tenets of our Finance Minister or the tenets of the other Cabinet Ministers or perhaps of even the Labour Minister. Right at midnight, they said they would start the strike, and immediately an agreement was signed, and all the employers in England denounced Government of yielding to the pressure of trade unions in signing an agreement for a wage increase of 5 per cent to the railway employees, when a report was being made by a wage board.

We are told about the virtues of not going on strike, and many a time, pointed out the examples of America, England and France and so on. What is to be done? Rationalisation is being resisted in England, America and all the capitalist countries by strikes. The famous steel strike in America has shown that the American working classes were against rationalisation and against curtailing their time for smoke, for birli, for tea and so on. Such strikes are taking place. But here we try to avoid them by wage boards. For the textile wage board, they took two or three years. They took two years for a pay commission. Six months have gone after the jute strike, still, there is no result about the appointment of a wage board. As regards tea plantations, another tripartite discussed the necessity of a wage board. I think about a year has passed already, but with no result.

With such conditions, how much reasonableness should we show and avoid strikes? I should like the hon. Minister to please tell us. At the beginning of one Five Year Plan, we put up a demand and get a wage board at the end of that Plan and the concession at the end of the next Five Year Plan. Is that the concept that you enunciate a policy at the beginning of the Second Plan, and nothing comes about till the fourth year of the Plan, and then you begin to discuss the policy of the Third Five Year Plan, and ask us all what the labour policy in it should be? Is this the way in which things are going to function? If that is going to be the case, the result will be is that the workers will get impatient and they certainly will go into action.

I do not want to discuss all the industrial things, for, that will be done by my other colleagues, but my submission is that if this has got to be avoided, the Labour Ministry and the Government of India must act definitely, with regard to direct recognition and compulsory recognition of trade unions by law. If your policy is that you will not have compulsory recognition, then, in that case you will always be in trouble, either from one union or another.

Unless the employers are disciplined there cannot be peace in industry in India, and there cannot be peaceful production. For the most indisciplined class is not the working class but the most undisciplined class is the employing class. Therefore, the code of discipline was imposed. We accepted it voluntarily. What is the result? Nowhere under the code of discipline, normally, recognition to a union is given. The code of discipline is being violated in the most essential part, that is, in respect of the employers' duty to the working class, and the code of discipline is forced on us on the most unessential part, saying, do not go on strike, do not go on go-slow, do not demonstrate, do not raise demands, do not raise violent demands, and

[Shri S. A. Dange]

even if you raise, do not shout and so on.

In one case, in a textile mill, provident fund money was misappropriated by the employer. The social insurance money was misappropriated. Wages were misappropriated. Two months' wages were not paid. The workers went and demonstrated. The INTUC was against the particular demonstration. And 40 workers were suspended. A man went on hunger-strike, namely the president of the union, Swami Kumaranand in Beawar for eleven days. Nothing happened for sometime. Then the Chief Minister said, I shall look into it and have an enquiry, and then, a State Government took over the mill. Mills which are mismanaged, which have been closing down because of this and other factors should have been taken over by Government long ago. This was the decision of the Naini Tal Conference. Two years have passed since in the Naini Tal Conference, they promised that they would amend the company law in order to facilitate the taking over of mills quickly. There is no trace of the company law amendment, and no trace of general take over, excepting that four or five mills have been taken over; I do give credit to the Labour Ministry for trying to persuade the Ministers in some of the States who resisted taking over, and advising them to take over, so that something happened in these cases. One Mill in Madras was taken over, and two or three in Bombay were taken over. The other day, after the hunger-strike, that Edward Mill in Rajasthan has been taken over. But that is only by the way. Good things come in as benevolent interventions by the Labour Minister. Good things do not follow as a matter of policy. What should happen is that good things should happen as a matter of the logic of a policy, and bad things should be the exceptions. But the trouble is that bad becomes the policy; and the good comes as an intervention by this Minister or that Minister or the Labour Minister and so on.

The company law should have been amended. People who are running away with lakhs of rupees from the provident fund are not being prosecuted. And they tell us that there is no corruption and they want proof. I hear the Prime Minister and other Ministers saying, you charge us with corruption, bring the proof. And they charged Shri C. D. Deshmukh of talking in the air. Why should Shri C. D. Deshmukh talk in the air. Here is the proof in one industry, provided by Shri R. L. Mehta, a Joint Secretary to the Government of India who writes very nice reports, so far as framing of them is concerned; though I may have some quarrel with some parts of his report, I must say that he does his work conscientiously and does write good reports. Here, he has given....

**Mr. Speaker:** Is the hon. Member referring to the conduct of any officer of Government? Is he referring to corruption on the part of any officer of Government?

**Shri S. A. Dange:** Naturally, corruption would come in respect of some individual, but I am not referring to any individual.

**Mr. Speaker:** I have no objection, but if the hon. Member wants to refer to any important matter of corruption, which ought to be taken notice of by the House, then the rules have laid down that previous notice ought to be given to the Minister, so that he may be ready with the facts.

**Shri S. A. Dange:** I am not going to refer to any individual. I am referring to corruption which is said to exist, and for which a proof was demanded. I am just referring to one proof in a particular case. Here is the report of the Dock Labour Board, on which there was a half-an-hour discussion also, and the essential parts of it were very blatantly denied by the Deputy Minister, I think, when he was replying on behalf of Government at that time.

Here, money has been misappropriated.



**Mr. Speaker:** How much?

**Shri S. A. Dange:** It was about Rs. 50 lakhs. The amount is not given in the report, but it is about Rs. 50 lakhs. It is transferred from one beneficiary to another beneficiary, actually from the workers to the stevedores or employers.

In the report, he says:

"The Dock Labour Board has been balancing its budget by raising overdrafts since 1957. The amount overdrawn stood at Rs. 4,49,106 on July 11, 1959. This is mainly because of the 'extra-curricular activities' undertaken by the Board.... While borrowing for revenue expenditure is wrong, borrowing against securities, some of them purchased with provident fund accumulations of workers and office staff is a crime."

This is a crime, and Shri Mehta has not put in the word 'crime' just for literary flourish. It is literally a crime. He further says:

"So is mortgaging of securities bought with the money earmarked for capital expenditure."

There are many other irregularities which he has found out where money meant for the workers has been misused for purposes which were not at all meant to be served by those particular sums. I am just giving an illustration.

Therefore, coming to policy, it is leading to some bad results. For example, the Bhilai strike could have been avoided. It was a very simple thing. But the Hindustan Steels would say if the Labour Ministry intervened, 'We are the employing Ministry'. In the public sector, when some Ministries are employing Ministries, what is the relation between the Labour Ministry and these employing Ministries? This is a policy question which the Government of India have avoid-

ed. Each employing Ministry refuses the intervention of the Labour Ministry, and refuses to accept any principles or any tripartite decisions being imported into their relations with their workers. This is a funny idea, that just because Government is an employing Ministry, it refuses to abide by any laws or any conventions or any norms. This Bhilai strike could have been avoided. The closure of the textile mills could have been avoided. There are so many of these things. I do not want to detail everyone of the peculiar disputes from which we are suffering.

For example, right in Delhi, there is a very good Vice-Chancellor of the Delhi University, making good speeches on economics, though sometimes, muddled—I am sorry to say that, because I have worked with him on some committees, but he expresses some progressive views many a time. He just refuses to allow the employees who are about four hundred or so any right to have any procession even on a public street, let alone in the university. He saw them carrying torch processions, and he fined each of them five rupees. He said, 'You must not be a member of a union'. It was wonderful. The Vice-Chancellor, in addition to the troubles he has to face from students, has to face trouble from employees. Fortunately, there is not much of trouble from students here. But you have it in Lucknow and Banaras about which there was a question here this morning. Along with the students the trouble is also there from employees. As regards students, in some area, there may be indiscipline, but all the strikes by students are perfectly justified, when we look into those cases. May be they may not do certain things like breaking the door etc. That is a different matter. But students, after all, are students; they cannot behave like 60-year old leaders in the Government.

**Shri Nanda:** Now old is the hon. Member?

**The Parliamentary Secretary to the Minister of Labour and Employment and Planning (Shri L. N. Mishra):** He is also 60.

**Shri S. A. Dange:** Right under the Government of India here in Delhi, this has happened. They should have intervened. But they say that the University is a teaching institution and these employees cannot be considered workers. Therefore, no law applies to them. This is all wrong.

In hospitals, employees dealing with patients, including doctors, are given the right of trade unionism. Some of their disputes are even adjudged by the Supreme Court. But here is the Vice-Chancellor sitting right where the Supreme Court sits, being ignorant of the fact that the University employees should have the right of trade unionism. What can you do? The Labour Minister cannot directly intervene. He will even ask some people who ask questions, 'why do you intervene?'.

So are these things necessary? Some of these disputes could easily have been settled. There is the bank dispute, the Delhi dispute, the textile dispute. There is the question of tripartite meetings and discussions. All these show that the Labour Ministry has not got a grip over the situation. May be—perhaps—it itself does not want to have. I do not know. Or may be that the other Ministries will not agree. I do not want to pry into their quarrels or agreements. That is their business.

**Shrimati Renuka Ray (Malda):** May I ask if the right to strike in the public sector is allowed in the U.S.S.R.?

**Shri S. A. Dange:** Yes, it is allowed.

**Shri T. B. Vittal Rao (Khammam):** It is a fundamental right. They do not strike. That is a different thing.

**An Hon. Member:** If they do, they will be hanged.

**Shri S. A. Dange:** There is a difference between the right to strike and some persons going on strike. My amiable friend is worried that she never hears of strikes in the Soviet Union. But that does not mean that the right does not exist. That is a different thing. The right exists. But unfortunately, there are not the Labour Ministry and Finance Ministry there quarrelling over the short stature of the Russians and determining their calories. Therefore, there is no strike there. What can you do? There all the calories are universally agreed in terms of fixed norms, and wages are fixed. There in the name of no Five Year Plan does the workers' standard of living go down.

**Shrimati Renuka Ray:** Whether it theoretically exists or not, will the right be allowed to be exercised?

**Shri S. A. Dange:** Therefore, in all these spheres, I would request the Labour Ministry to be particularly attentive. There is the sphere of iron and steel, there is sphere of coal, there is the sphere of plantations and so on. As regards coal, he has paid attention, but I think still the arbitration awards are not translated into practice fully. It takes a long time to get the award translated into practice. Even the D.A. question was resolved only recently and that dispute avoided.

Then there is the Report of the Wage Board for the textile industry. If this is not going to be accepted and translated quickly into practice, there is likely to be some unrest in that sphere.

Similarly, there is the question of the demands of the government employees. If the vicious principles of the Pay Commission are not set aside and the demands made by the employees, which are quite reasonable and which were put forth here—I need not go into details; there are other hon. friends who will do so if necessary—not accepted and translated into practice, then there is no other go for the Confederation and the new

Council of Action led by Shri Dalvi, with Shri Peter Alvares of the AIRF as Secretary, to go into action. It will be taken up for action, if the demands are not accepted.

**Shri Rajendra Singh (Chapra):** It will be.

**Shri S. A. Dango:** If they settle it, why should it be?

**Shri Rajendra Singh:** Does the hon. Member feel that they can settle it?

**Shri S. A. Dango:** If my hon. friend is hope-less, I cannot help it.

We are now on the eve of a new phase of development. The Government of India are thinking of a new labour policy in the Third Five Year Plan. They are consulting trade unions, and trade unions are expected to reply to them. What should be the real content of the labour policy in the Third Five Year Plan? Apart from the points which the hon. Minister has made, I would like to ask him to pay attention to some crucial points when formulating the labour policy in the Third Five Year Plan. The first thing is that no Plan policy will succeed unless there is a drastic revision upwards of wages and dearness allowances. The workers of this country are getting more and more irritated. It was a happy circumstance that the number of days lost in strike in the last year was less than that in the previous year. But this condition is not likely to continue. There is a strong pressure against the rising prices for a rise in wages and dearness allowance. Therefore, it must be a fundamental plank of the labour policy of the Third Five Year Plan, as also of the remaining year of this Plan, that wages will be revised upwards with dearness allowance linked with the cost of living index everywhere in all the organised industries and that the rise in prices shall be fully neutralised; otherwise, there is going to be more and more unrest.

Then the Delhi tripartite formula in respect of organised industries must be accepted unequivocally and unconditionally in regard to minimum wages. Then control of prices and supplies of essentials at controlled prices must be assured. Then there has to be social security. I do not want to refer to all that in detail as my time is up. But the question of applying medical facilities to the families of workers is still there. That too should be resolved.

There should be compulsory recognition of trade unions and a ballot to determine their representative character in the industry. Lastly, there should be no governmental interference in the functioning of trade unions. Something of this was tried to be done at the Madras tripartite conference. Fortunately, it was dropped. I am thankful to the Ministry for dropping it. All the trade union organisations agree that there should not be the interference that was attempted by giving new powers to the Registrars, other officials and so on.

**If these points are followed and greater attention is given to individual disputes with workers, not only in the States but at the Centre, specially in the strategic spheres of production where the Labour Ministry can profitably intervene, we shall have smoother production, the fall in real wages can be halted and greater incentive to production can be given. Mere talk of productivity will not help.**

Therefore, our approach is that if the Delhi tripartite convention on a minimum is not restored, then the Delhi convention on rationalisation will not be observed. It will be opposed. Secondly, as regards the code of discipline, if the code does not give recognition to the employees, their unions—I am not speaking of mine or anybody's; I am speaking of trade union recognition—the unions will not assume any obligation under the code. The code is a mutual obli-

[Shri S. A. Dange]

gation between the employers and the employees, apart from the general principle of peaceful settlement of disputes, which is a different matter. The obligation of the unions follows from the obligation of the employers. It is a mutual obligation. This should be noted, and I hope the Labour Minister will call a comprehensive tripartite conference to discuss this whole question and once for all determine concrete principles and norms of practice over the whole industrial sphere so that better production and better real wage comes up for the benefit of the national economy as a whole.

**Dr. Melkote (Raichur):** At the outset, I would like to congratulate the Ministry on the excellent work that they have turned out during last year and on submitting the Report which is an innovation altogether. The Report is full of information; they have gone ahead of the times as compared to reports of the other Ministries. The Minister is energetic and sincere and he has tried to take the House into his confidence by placing before us in his introductory remarks what exactly is the situation. But, in spite of these things and in spite of the fact that strikes have not been so much last year and the lost man-days have been very few, we have got to voice the feeling of concern that is expressed by the employees all over the country. The employment potential that was expected to improve during the Second Five Year Plan has not materialised to the extent that was expected; and with increasing birth-rate and employment potential not reaching the target, the situation is taking a very serious turn with the increase in the price index of commodities.

We have been voicing in this House—all sections together—that the wages have got to be stabilised somewhere and if they are fixed according to cost structure, the wage structure should also conform to the fair

wages that ought to be given to every worker. This has not taken place and the pay packet of the worker is very much thinner than it has ever been all these years.

13.31 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

The Fair Wage Tribunal said that the dearness allowance ought to compensate completely for the rise in the index of the cost of living. But that has not materialised in any case. In many instances, the dearness allowance has far outstripped the basic wage itself; and, in spite of it, the merger of the basic wage and the dearness allowance has not taken place everywhere....

**Mr. Deputy-Speaker:** The learned doctor might move a little forward. The reporters complain that he is not being heard quite clearly.

**Dr. Melkote:** I am speaking quite loud, Sir.

**Mr. Deputy-Speaker:** That he may do.

**Dr. Melkote:** I was saying that the merger of the dearness allowance with the basic wage to compensate for the increase in cost of living per point has not taken place though this was long overdue.

Apart from this factor the other distressing factor is the attitude of the AITUC itself. We have had occasion last year to mention how they have been working in this country and how their loyalty is extra-territorial. The recent trends in the country have proved our contention and the election; in Kerala have decisively proved that the people are not behind them. In the face of this to say that the Code of Discipline is a code of the bourgeois and unless both of them agree to implement it, it would not be possible to accept or work it satisfactorily is not correct. Though

the contention is correct, by and large, the AITUC sees to it that the Code is not implemented. If, therefore, the Code has to be worked, it is by a sincere application of the code and its acceptance by all the parties concerned.

**Shri Rajendra Singh:** I think everything rests with your Minister.

**Dr. Melkote:** We have been making every attempt and it is for the Minister and the Labour Department to see to it. If possible, such of those parties that do not accept this should be removed from the national parties which are represented in these Labour Conferences. Otherwise, it would be very difficult for the other parties to work. This is one aspect of the question.

But, at this juncture I have to mention the attitude of the public sector and the attitude of the private sector in the industrial relations with the workers. The private sector is getting jealous of the rapid progress that the public sector has been making and they want to have a hand in the basic industries. And the Estimates Committee has also accepted it though it has not been debated upon in this House—that equity shares should be thrown open to the public so that vested interests may purchase these shares and begin to control even the public sector. This is a matter which has to be deeply considered and pondered over by this House. But, what is demanded by the private sector is much more than this. They say that the private sector has been barred, by the innumerable taxes, from using the profits that flow from the industries to develop their own industries. On the other side, they are saying that they are prepared to participate in the equity shares and participate in the public managements.

There have been innumerable ways by which the private sector can take up consumer industries and plough back their profits. But they are having a jealous eye with regard to the public sector and they are casting aspersions. This is a very serious

matter and the employees are much concerned with the propaganda that is going on all over the country. That is one aspect of the question. The other aspect is the attitude of the Government itself.

The Minister has tried to say that the tripartite labour conferences come to agreed decisions and though representatives of Government participate they are not binding on Government.

**Shri Rajendra Singh:** Government presides.

**Dr. Melkote:** It is not understood exactly what importance is given by Government to these decisions and what are the decisions that Government would accept. It was felt that the decisions of this conference would be binding on all the three parties, because the full complement of all the Ministries were present and were participating in the debate. While the employers in the private sector and the employees cannot go back on the decisions, if Government went back it is extremely difficult for the others to accept any modification. Then, it would tantamount to murdering the decisions of the Tribunal—the Labour Conference.

Then, what about the statement of the Finance Minister with regard to the Pay Commission? I hope the Labour Minister would induce the Finance Minister to make a statement which would quiet us and would give satisfaction to the different parties participating in the tripartite conference.

It would be pertinent to remark at this juncture that whilst we are able to fight out issues with the employers in the private sector to a large extent through the united strength of labour, the public sector, oftentimes, does not seem to care even for the labour laws that have been passed. They try to defy the labour laws prevalent in the country either by ignoring them or by by-passing them altogether. This

[Dr. Melkote]

happens in every sector. There is, for instance, the Health department. There is a medical institution here. The union is registered for the past ten years; that is the only union that is existent there and it has a 90 or even hundred per cent. membership. It has been fighting for the past eight or ten years to get some of the awards of the Gadgil committee given out in 1948. After about ten years of continuous struggle, the Government is trying to suppress it altogether. The institution is a private institution for which the Government gives a cent per cent. grant. It is not like a labour union. The labour union is not recognised. It puts up a demand and says: 'these are the demands'. A strike notice is given. It has been declared as one of the essential services. Though it is more than two or three months, a reference of that case to an industrial tribunal does not take place. Why should this thing happen in the public sector? A person says he goes on strike; notice is also given to the Government to say that it would not harm the public interests. They have told the Government, particularly, that from the date on which they go on strike, if the new patients are admitted, they would not be responsible but till the last old patient gets discharged, they will see to it that he is completely attended to and discharged. What more care can a union take in this direction? In spite of it, a reference is not made. There are innumerable nursing homes in Delhi. Here I should like to mention Dr. Sen's hospital where the workers are harassed. They have given a strike notice because a reference is not made to the industrial tribunal. Who is responsible? It is more than six months that the case was referred to and nothing takes place.

Similarly, there is the recent bank strike. We are extremely sorry that there should be such delays in coming to decisions. Whether the bankmen are right or wrong, it is a matter between the employer and the em-

ployee. The decision that was recently taken could have been taken much earlier. Government could have been firm in arriving at the correct decision and implementing them. What prevented them from taking a decision to refer this to a tribunal? Government should not always think that it can adjudicate. It is itself a party oftentimes. These public undertakings are parties by themselves and when the workers and the employers of the public undertakings do not see eye to eye, it should be referred to the industrial tribunal; that is the only solution and the sooner it is done, the better. It is that way the prestige of the public sector could be enhanced.

The appointment of the wage boards had already taken place in the textile, sugar and cement industries. We have gained a certain amount of experience. There has been a demand for a wage board for the plantation and jute industries. Why delay the appointment of these wage boards? The demand is from the employees. The pay structures is not sufficient today. With the experience that we have gained, if we set up these wage boards in the public sectors, it would enhance the prestige of the Government and would give satisfaction to everybody concerned. It is said with regard to the textile wage board that the amount that has been recommended would go up to about Rs. 17-18 crores. The textile industry is not in a position to pay all that. This is all, to my mind, sheer propaganda. At best, it may cost about Rs. 5-6 crores of money. Today, with the progress which has been made in the rationalisation and with production going up, this industry is capable of paying this amount. The decisions of these boards often take more than two years to get announced. So, whilst these boards ought to be set up, they should be small and compact bodies. Decisions should come out within a period of three to six months. If they

are implemented quickly, the unnecessary agony the employees are undergoing today can be avoided. I only hope that wage boards for the plantation and for the jute industries would be set up and that it would be a small compact body. They should be asked to submit their report at the earliest possible time, but certainly not later than six months.

Similarly, there is the case of the Defence Department. Many of these workers are working in the factories. There are some people like cooks and water carriers. There are workers in the Defence, Health and the Public Works Departments. There are the *malis* and *malans* and there are other workers in other departments too. It is now April. So far, the warm clothing that they should have received in the month of December has not been given to the. *Malis* and *malans* are not considered suitable persons to be given uniforms of this type as if their bodies do not bear the brunt of the cold. These are the small decisions which the Government should take with an understanding of the nature of the work that these people do and it would go a long way

It is easier for an employee to fight against the private sector. But it has become extra-ordinarily difficult for the worker to fight these issues with the Government itself. I feel that the Government should attend to these aspects and give satisfaction to the workers.

The scheme of the ESI—Employees State Insurance—is making good headway and the report of the auditors is an excellent one. In certain industries where it has not been fully implemented, the rate of collection is  $\frac{1}{2}$  per cent. whereas in some cases it is about  $1\frac{1}{2}$  per cent. Unless the rate is raised considerably, the quantum of money that is necessary to implement the different aspects of the programme, construction and capital expenditure, would not be sufficient. I hope that more coverage could take place in the years to come.

There is the co-operative sector and the Prime Minister is very anxious that we should enlarge it. If it has not succeeded, it is because the implementing authorities do not give sufficient scope for the workers and make them feel enthused. It is one of the important sectors in socialist economy. Since my time is very short, without making further reference to it, I would say that everything to help the workers to set up co-operative societies of every type should be done. It is not merely the grains and the agricultural sector. These co-operative societies would benefit the employees in every sector of industry and they should be set up.

Workers' education is another point of great importance. A number of people are trained and some of them are absolutely raw people who have received training. They have had no training in the industry at all. These people are trained at different centres. Instead of that, if every industry is asked to set up a training and education centre, such of those workers who are trained there, should try to re-educate the other workers in the field. This would go a long way. Even otherwise, those workers who had already worked in the industries, who are actually employed in the different industries—only those people should be absorbed by the Government for employment and sent to the different centres for training the other employees. Maybe, sometimes the educational standard may not be very high. Even so, the worker can deliver us the goods much better than a raw man who understands only the theory and he cannot help the workers very much.

Sir, I would like to say one or two points more, but my time is up. Usually I have not taken much time, I am not taking any more time.

Thank you.

श्री रामकृष्ण गुप्त (महेन्द्रगढ़) : जनाब डिप्टी स्पीकर साहब, दस साल की जो मिनिस्ट्री आफ लेबर ऐंड एम्प्लायमेंट की सालाना

[श्री राम कृष्ण गुप्त]

रिपोर्ट है, उस को देखने में पता चलता है कि सन् १९५६-६० में देश की लेबर सिचुएशन पिछले साल से काफी भ्रष्ट थी। रिपोर्ट के पेज १२ पर कहा गया है :

"The labour situation in the country was on the whole satisfactory during 1959 and showed marked improvement when compared to the previous year.

The number of man-days lost due to strikes and lock-outs from January to December 1959 was 56 lakhs against 78 lakhs for the same period in 1958."

मेरे कहने का मतलब यह है कि जहाँ तक इस बात का ताल्लुक है, यह ठीक है लेकिन हमें यह भी देखना है कि जहाँ तक मजदूरों की जेनरल हालत का सवाल है उस में कितना सुधार हुआ, उन का स्टैन्डर्ड ग्राफ लिविंग कितना ऊंचा हुआ, और ग्रामदनी और घन में जो अन्तर था उसे को कितना कम किया गया है। इस सवाल को जब हम सामने रखते हैं तो इस चीज को देखते हुए तीन चीजें हाउस के सामने रखना चाहता हूँ, और मुझे पूरी उम्मीद है कि उन पर विचार होगा। सब से पहले मैं इम्प्लेमेंटेशन के सवाल को लेता हूँ क्योंकि मैं इस को बहुत ग्रहण समझता हूँ। मेरा यह खयाल है कि जो हमारी मौजूदा लेबर पालिसी है, जो ऐक्ट्स हैं, जो प्रवाइंस हैं, अगर वे पूरी तरह इम्प्लेमेंट किये जायें तो मजदूरों की हालत बहुत भ्रष्टी हो सकती है। इस लिये आज हमारे सामने सब से बड़ा सवाल इम्प्लेमेंटेशन का है। सब से पहले मैं लेबर पालिसी को लेता हूँ। आज हमें यह देखना है कि जो हमारी लेबर पालिसी थी वह क्या थी और वह किस हद तक पूरी हुई है। सन् १९४७ में हिन्दुस्तान आजाद होने के बाद एक कांफरेंस बुलाई गई। उस कांफरेंस में मजदूरों के, बिजनेसमैन के और सरकार के नुमाइन्दे शामिल हुए। इस कांफरेंस का अकसर यह था कि मजदूरों के लिये एक

पालिसी तय की जाये और मजदूरों की हालत को सुधारे के लिये एक प्रोग्राम बनाया जाये। इस कांफरेंस में एक रेजोल्यूशन यूनिनिमसली पास किया गया जिस का नाम था "इंडस्ट्रियल ट्रूस रेजोल्यूशन"। उस के बाद जो फर्स्ट

इव इधर प्लैन बनाई गई, उस में भी यही पालिसी तय की गई है और यह फैसला किया गया कि मजदूरों की जो बंजेज हैं उन को बढ़ाने की कोशिश की जाये, उन के स्टैन्डर्ड ग्राफ लिविंग को ऊंचा करने की कोशिश की जाये। उस वकत यह भी तय हुआ था कि इस पालिसी को इम्प्लेमेंट करने के लिये, प्रवाइंस वगैरह को पूरा करने के लिये अगर किसी कारखाने का कंट्रोल गवर्नमेंट को अपने हाथ में लेना पड़े तो उस का भी लिया जाये और इस मकसद के लिये कानून में भी तब्दीली की जाये। आज मैं यह पूछना चाहता हूँ कि अब तक जिन कारखानों के अन्दर बदइन्त-जामियां हुईं, जहाँ मजदूरों के अगड़े हुए, प्रवाइंस को इम्प्लेमेंट करने का जहाँ सवाल आया, उन में से कितने कारखानों का इन्तजाम सरकार ने अपने हाथ में लिया है। आज हमारे सामने सब से बड़ी बहुमियत का सवाल यह है। मुझे पूरा विश्वास है कि जो प्रवाइंस दिये जाते हैं अगर उन पर पूरा अमल हो और कारखानों के मालकों की तरफ से नेकनियती से उन को पूरा करने की कोशिश की जाये तो हमारे काफी से ज्यादा लेबर मसले हल हो सकते हैं।

सेकेन्ड फाइव इधर प्लैन का जहाँ तक ताल्लुक है, उस में जो लेबर पालिसी थी वह भी तकरीबन वही थी जो फर्स्ट फाइव इधर प्लैन में थी। उस में भी सब से पहला सवाल यही उठा कि जो हमारा प्रोग्राम था उस को सेकेन्ड फाइव इधर प्लैन पीरियड में कैसे इम्प्लीमेंट किया जाये। जो दो बार नई बातें थीं, उन में से सब से ग्रहण बात यह थी कि मजदूरों को कारखानों के इन्तजाम में कुछ हिस्सा दिया जाये। इस मकसद में, इस स्वाहिण में अब



तक कितनी कामयाबी हुई है इस के लिये इस रिपोर्ट में जो हवाला दिया गया है उस का जिक्र कर देना काफी है। हिन्दुस्तान के भन्दर ५० कारखानों के मालिकों ने यह इकरार किया था, खुद यह आफर पेश किया था कि हम इस पालिसी को अपने कारखानों में इम्प्लिमेंट करेंगे और मजदूरों को कारखानों के इन्तजाम में हिस्सा देंगे। इस रिपोर्ट में यह भी जिक्र किया गया है कि इन ५० में से सिर्फ २३ के मालिकों ने इस वादे को पूरा किया है। मैं यह बात इस लिये कह रहा हूँ कि आज जगह जगह यह सवाल उठाया जाता है कि मजदूरों में इन्डिसिप्लिन बढ़ती है। जो झगड़े होते हैं उन में सब से ज्यादा कुसूरवार कौन है? मेरा यह पक्का विश्वास है कि अगर हिन्दुस्तान के भन्दर एक ऐसा इम्पार्शल ट्राइब्यूनल मुकर्र किया जाय जो मजदूरों और मालिकों के झगड़ों की तहकीकात करे, तो वह इस नतीजे पर पहुंचेगी कि झगड़ों का सब से बड़ा कारण यह है कि जो फैसले होते हैं मालिक उन को पूरा नहीं करते। इस के लिये मैं ने यह एक मिसाल पेश की है। और भी बहुत सी मिसालें पेश की जा सकती हैं।

हम ने यह भी तय किया था कि कंट्रैक्ट लेबर को धीरे धीरे खत्म किया जायेगा। लेकिन अगर उम को देखा जाय तो वह बदस्तूर उसी तरीके से काम है। हमें इस तरफ भी ध्यान देना है। आज हिन्दुस्तान के भन्दर बहुत से ऐसे कारखाने मौजूद हैं, खास तौर पर जब मौजूदा नया कानून बनाया जा रहा है तब मालिकों ने दूसरे तरीके से मजदूरों को कम तन्खाह देने के लिये कंट्रैक्ट लेबर को ज्यादा एम्प्लाय करना शुरू कर दिया है। जहां तक स्टोन एंडस्ट्री का सवाल है, नीमेंट इंडस्ट्री का सवाल है, उन में तो यह बहुत ज्यादा देखा जाता है। मेरे हल्के में एक सीमेंट का कारखाना है, अगर उम के फैक्ट्स में डी फायर्स इक्ट्रेट किये जायें तो घाप

को यह जान कर हैरानी होगी कि जितना काम कंट्रैक्ट वर्कर्स के जरिये से लिया जाता है, ठेकेदारों के जरिये लिया जाता है, उतना रेगुलर वर्कर्स के जरिये नहीं लिया जाता। हमें इस तरफ भी पूरा ध्यान देना है ताकि कंट्रैक्ट लेबर का प्रभावनिश किया जा सके।

तीसरी बात जो इंडस्ट्रियल वर्कर्स के लिये हाउसेज वॉररह बनाये जाने से उस के मुताल्लिक भी बताना चाहता हूँ। घाप को ताज्जुब होगा कि इस के भन्दर भी यह प्रोग्राम इम्प्लिमेंट नहीं हुआ। घाप किसी भी लिहाज से किसी चीज को ले लें, सब से बड़े सवाल हमारे सामने इम्प्लीमेंटेशन का घाता है। फर्स्ट फाइव इधर प्लैन में लेबर हाउसिंग स्कीम्स के लिये जो प्राबिजन किया गया था वह ४८.३७३ करोड़ का था। उस में जो खर्च हुआ है उस से घाप घन्दाजा लगा सकते हैं इस सिलसिले में कितना कम काम हुआ है। कुल रकम में से सिर्फ ३४.७५८ करोड़ ८० खर्च हुआ। इसी तरकीके से सेकेण्ड फाइव इधर प्लैन के भन्दर भी जो रुपया द दिया गया वो वह बहुत कम खर्च हुआ। सेकेण्ड फाइव इधर प्लैन में १०० करोड़ ८० इस काम के लिये दिया गया था। उस में से सिर्फ ६४ करोड़ ८० के करीब खर्च हुआ। इस से ज्यादा हैरानी की बात और क्या हो सकती है कि जब हमारी सरकार हाउसिंग प्राब्लेम्स के लिये मदद या प्लान देती है, सक्सिडी देती है, तो भी वो उम को यूटिलाइज करने के लिये तैयार नहीं है। इस में घाप घन्दाजा लगा सकते हैं कि वह मजदूरों का कितना ज्यादा फायदा चाहते हैं। इन में ज्यादा दुःख की बात क्या हो सकती है?

जहां तक प्रवाइडेंस का सवाल है, उस के बारे में जो यह मामला रिपोर्ट है उस के पेज ४७ पर काफी जिक्र किया गया है कि प्रवाइडेंस को इम्प्लिमेंट करने के बारे में जो शिफायने प्रानी थी उन को नय करने के

[श्री रामकृष्ण गुप्त]

लिम्बे एक प्रोग्राम बनाया गया। और एक कमेटी बनाई गई, जिस का जिक्र इस रिपोर्ट में किया गया है। इस में कहा गया है :

"The number of complaints received and settled both in regard to the Codes and non-implementation of labour laws, awards etc., is no doubt important. But what is more significant is that as soon as an awareness is created amongst employers and workers that there is an agency to judge their action, to investigate into complaints against them and if found guilty, to bring them before the bar of public opinion, there is bound to be improvement in industrial relations in the country."

इसी उमूल को देखते हुए जो प्रोग्राम बनाया गया उस से गवर्नमेंट ने यह पूरी कोशिश की कि यह झगड़े कम हों। इस किस्म का हाउस में एक सवाल भी आया था और उसका जवाब देते हुए माननीय मंत्री ने खुद यह कहा था कि

14 hrs.

यह जो सेंट्रल इवेलुएशन एन्ड इम्प्लीमेंटेशन डिवीजन मुकर्रर किया गया था उसके पास पिछले साल टोटल नम्बर आफ केसेज जो कि रिसीय हुए थे वे ५६५ थे। उस के पास ५६५ केसेज आये थे। उन में से काफी से ज्यादा बाकी हैं जिन का कि अभी इनवेस्टिगेशन हो रहा है। इस में यह जो कदम उठाया गया है और झगड़ों को खत्म करने का तरीका निकाला गया है यह बहुत श्रद्धा है और मैं इस कदम की सराहना करता हूँ लेकिन हमें यह देखना चाहिये कि हम इसमें भी अभी पूरी तरह कामयाब नहीं हुए हैं।

जहां तक स्टेट्स का ताल्लुक है हालांकि हमारा यह प्रोग्राम था और हमारी यह वासिती थी कि स्टेट्स में भी इस किस्म के

डिवीजन मुकर्रर किये जायेंगे क्योंकि बाज झगड़े ऐसे होते हैं जो कि स्टेट्स से ताल्लुक रखते हैं। इसलिये मैं माननीय मंत्री से अपील करूंगा कि जिन स्टेट्स में इस किस्म के डिवीजन मुकर्रर नहीं किये गये हैं, वहां जरूर मुकर्रर किये जायें। हर एक स्टेट में इस किस्म के डिवीजन मुकर्रर किये जाने चाहिये ताकि यह झगड़े कम हों और शिकायतों का जल्दी फैसला हो क्योंकि उसका असर काम पर पड़ता है देश के प्रोडक्शन पर पड़ता है।

आखिर में जो हमारी शिकायतें आती हैं। ट्रिब्यूनल मुकर्रर किये जाते हैं और उन की जो अपीलें होती हैं उनके बारे में भी थोड़ा सा कहना चाहता हूँ। जब से हम ने लेबर एपेलेट ट्रिब्यूनल एबालिश किया है आप खुद अन्दाजा लगा सकते हैं कि हाई कोर्ट्स और सुप्रीम कोर्ट में मजदूरों के मुकद्दमें कितने ज्यादा हो गये हैं। इन के अन्दर भी अगर आप यह मालूम करने की कोशिश करें कि हाई कोर्ट्स के अन्दर यह अपीलें कौन करते हैं मजदूर करते हैं कि मिल मालिक करते हैं तो आप इस नतीजे पर पहुंचेंगे कि एवार्ड से सम्बन्धित हाई कोर्ट्स व सुप्रीम कोर्ट में जो अपीलें होती हैं वे ज्यादातर एम्पलायर्स की तरफ से होती हैं। इस से भी आप मजदूरों की नेकनीयती का अन्दाजा लगा सकते हैं। यह एक बड़ा अहम मामला है और उस की तरफ ध्यान देने की बहुत ज्यादा जरूरत है . . . . .

उपाध्यक्ष महोदय : सिर्फ नेकनीयती ही है या बेबसी भी है ?

श्री राम कृष्णगुप्त : जी हां कुछ बेबसी भी है। पिछले साल जो फोर्टीन्य ला कमिशन की रिपोर्ट निकली थी उस में भी इस बात का जिक्र किया गया था और यह कहा गया था कि सुप्रीम कोर्ट के अन्दर जो अपीलें आती हैं उन में ज्यादातर ऐसी

हैं जो कि लेबर मॅटरज् से ताल्लुक रखती हैं और इस रिपोर्ट में यह कहा गया है :—

"As will appear from the table at the end of the chapter, the number of applications for special leave in labour matters has been progressively on the increase."

इसके बारे में मैं सिर्फ़ एक ही तजवीज हाउस के सामने रखना चाहता हूँ। यह ठीक है कि इस के अन्दर काफी बेबसी भी है लेकिन मेरी यह धरोल है कि हाईकोर्ट्स में और सुप्रीम कोर्ट में एक स्पेशल लेबर बेंचें मुहर्रर की जाय। ऐसा जब मैं कहता हू तो मेरी मंशा किसी जज या जूडि-शिएरी को क्रिटिसाइज करने को नहीं है लेकिन यह तजुर्ब की बात है कि उन को लेबर लाज का बहुत कम तजुर्बा होता है और इसके कारण उन केसेज के डिस्पोजल में काफी टाइम लग जाता है। मुझे पूरा विश्वास है कि अगर हाईकोर्ट्स और सुप्रीम कोर्ट के अन्दर इस किस्म की स्पेशल लेबर बेंचेज मुकर्रर की जायेंगी तो फेसले जल्दी खाने लग जायेंगे और ठीक भी तय होंगे। इसलिये मुझे पूरा विश्वास है कि माननीय मंत्री इन बात पर पूरा विचार करेंगे और मेरी इम तजवीज को मंजूर करेंगे

उपाध्यक्ष महोदय : माननीय सद-य एतराज चार्ज कहने लग गये हैं। ऐसी चीजें न कहिये जो कि एतराज के काबिल हों।

श्री रामकृष्ण गुप्त : जी ऐसी तो दममें कोई बात नहीं है। हमारे जो दो प्लान्स बे फ़र्स्ट फ़ाइव इयर प्लान और सेकंड फ़ाइव इयर प्लान और उनमें जो हमारी लेबर पालिसी थी वह पूरी तरह एम्प्लीमेंट होनी चाहिये क्योंकि उस के अमल में आने से ही बर्ड फ़ाइव इयर प्लान कामयाब हो सकता है। कोई भी प्लान हो उस की

कामयाबी के लिये खास कर डेमोक्रेटिक सिट ग्रुप के अन्दर सबसे ज्यादा जरूरत इस बात की है कि मजदूरों के अन्दर एक इंस्पिरेशन और जोश पैदा हो और वह तब तक पैदा नहीं हो सकता जब तक कि जो हमारी पिछनी पालिसी है, पुरानी पालिसी और प्रोग्राम है वह पूरी तरह से अमल में नहीं लाया जाय और मुझे पूरी आशा है कि हमारा जो प्रोग्राम है, पालिसी है उसको एम्प्लीमेंट करने की पूरी कोशिश की जायेगी। ऐसा होने से ही हमारा बर्ड फ़ाइव इयर प्लान कामयाब होगा। मुझे आशा है कि इसका पूरा खयाल रक्खा जायेगा क्योंकि देश के हर एक प्लान की कामयाबी के लिये मजदूरों के सहयोग की और कोऑपरेशन् की सब से ज्यादा जरूरत है। मुझे पूरा विश्वास है कि अगर इस बात का सही तौर पर हम ग्रहसास कर लें और उनके अजराज को प्लान की कामयाबी के लिये काम में लाने में कामयाब हो सकें, तो हर एक प्लान कामयाब हो सकता है।

Shri Aurobindo Ghosal (Uluberia): Sir, after the report of the second Pay Commission was out, I have been thinking whether the hon. Minister has changed his attitude and approach to the basic policy of wage. But after his opening speech today, I understand that he still maintains it. Anyhow, he could not speak in regard to the Pay Commission due to the better influence of his colleague, holding the Finance portfolio.

This is shocking not only to the trade-unionists, but to the working class at large. This is not due to the fact that the workers have not received any benefit from this Pay Commission, but because of the way in which a responsible Commission appointed by the Government of India wanted to try to demolish the whole edifice of the wage structure that was being built up for the last 10 years on the basis of several scientific principles, even accepted by the highest judiciary like the Supreme Court.

[Shri Aurobindo Ghosal]

In the wage evolution, we find that the payment of fair wage to labour was one of the cardinal recommendations of the Industrial Truce Resolution which was accepted by the Government in the statement on Industrial Policy of 1948. Thereafter, the Fair Wage Committee also submitted their recommendations and after that, the Constitution also guaranteed a living wage and conditions of work ensuring a decent standard of life. Thereafter, the first Pay Commission enunciated the principle of wage. They said:

"As a matter of social policy, the lowest rate of remuneration should not be lower than a living wage and that the highest salary should also as a matter of social policy be kept down as far as possible, consistent with essential requirements of recruitment and efficiency."

This principle was the guiding factor for determining wages in various industrial establishments for the last ten years.

The XV Tripartite Labour Conference held in July, 1957, having reviewed the economic development in the country and increase in productivity and national income during the first Plan period, agreed to revise the wage-freeze policy and fixed the norms for need-based minimum wages that should be accepted as a guide for all wage-fixing activities, whether it be wage committees, tribunals, adjudicators, etc. This, though it fell short of the principle of living wage, was accepted by all as a step forward towards the policies enunciated by the First Pay Commission. The recommendations of the Second Pay Commission have nullified all the aforesaid principles of living wage, including that of the national policy of a need-based minimum wage, and discarded its relation to productivity, national income, social and ethical considerations or State as a model employer. The Commission have based their

recommendations mainly on the outmoded and irrational principles of Islington Commission, and that too in a twisted way. The demand of the need-based minimum wage of Rs. 125 on the basis of norms fixed by the 15th Indian Labour Conference has been discarded by the Commission by reducing the daily caloric requirements on the analogy that an average Japanese male can manage with 2,200 calories, instead of 3,000 calories as recommended by Dr. Aykroid, and by calculating the cost of two principal meals a day at 56 nP. only, which is a fictitious amount.

Naturally, it will have a bad repercussion on the private sector in two ways. Firstly, there is likelihood of the retrogression from the present wage structure, that is to say, the tendency of staggering back the wage will be seen. Secondly, the tendency will grow to treat the decisions of such tripartite conferences in a light-hearted manner. That has been already hinted at by Shri Tata the other day. He has been glad to see that the Government have realised their mistake regarding the principle of progressive increase of wage and has expressed his appreciation for the loss of binding force of the decisions of such tripartite conferences.

Now I would like to ask some questions to the hon. Minister for straight replies. What will be the fate of the decisions of the labour conferences, if those decisions are not binding on any party? Secondly, what will now be your need-based wage? Thirdly, what will be the fate of Dr. Aykroid's calory formula? What is the basis of correct price structure of commodities? If the Government now wants to go back on their promises their action will amount to betrayal to the working classes.

Secondly, regarding wage differentials, so far as I understand it, in a socialistic pattern of society the attempt will be always to narrow

down the differences between the highest drawn and the lowest drawn salaries. Even in countries which do not profess socialism or socialistic pattern the difference is much less. In England the difference is only 15 times, in U.S.A. 5 times, in Canada 6 times, Australia 13.6 times, in Japan 4.7 times whereas in India it is as much as 50 times. This is not the climate of a country which is on the way to socialism. Of course, the word "socialism" has been so much vulgarised by interpreting it according to one's own advantage that nobody now attaches any importance to it. Only the other day in a meeting the Prime Minister stated that we are on the way to socialism. Shri Birla, who was also present, went further to say that socialism has already been achieved and that they are the trustees of the workers. That shows the importance they attach to the word "socialism".

Then, coming to dearness allowance, it is very difficult to say what is dearness allowance and at what point it is normal and when dearness begins. During the last 12 years there has been a continuous upward rising of the prices of commodities.

Though the Government have tried to fix up the year line to call it the basic year, still it has been ineffective due to continued upward tendency of prices. So, the principle of dearness allowance, which should have been made flexible has been almost on freezing point, specially in the case of the lowest category of workers. I would like the hon. Minister to consider this point.

Thirdly, I want to refer to the policy regarding settlement of disputes. You advocate bipartite discussion and settlement. But the first pre-condition of bipartite discussion is the recognition of the proper union. There is no mandatory provision for recognition of unions and the Naini Tal decision is only a good wish. Then again, when recognition is given, in most

cases it is the stooge union of the authorities, which has no representative character. This is the position in both the private and public sectors. In Calcutta dock the strongest union is not recognized and, naturally, all sorts of troubles are cropping up in this public utility service. For the last three years this issue is hanging fire. I will give another example e.g., the case of Hindustan Machine Tools. I should say that their recognition has been taken away illegally. Both the unions which I mention want plebiscite or are agreeable to any sort of physical verification as to the support of the workers to the union by means of secret ballot. But Government do not accept it.

In the beginning of all industrial disputes it is necessary that the bipartite machinery should move. But it does not move and the incidents like those of Bhilai occur. It is strange that the simple and legitimate demands of the Bhilai workers remained unheard for more than a year, because no bipartite or tripartite machinery has moved. In Bhilai the main demands were very simple. They were: firstly, provision of safety measures as 160 workers have been injured since 1957 for want of safety measures; secondly, demand for wage increase from Rs. 41.88 mP to Rs. 48 per month; and thirdly, gradual absorption of the workers of the construction side. After the workers were compelled to take violent action, they were blamed.

Another method of settlement is arbitration. Workers nowadays prefer voluntary arbitration to tribunals as they want to avoid delay and useless expenses. If the Government support this principle, why did they not send the dispute of the State Bank employees to arbitration, which was one of their main demands. Secondly, when the disputes go to the Tribunal and their awards go against the employer, the disputes are invariably dragged on to the Supreme Court. If the award is in favour of the employers, very few unions have got the fin-

[Shri Aurobindo Ghosal]

ancial capacity to go in appeal to the Supreme Court by paying Rs. 2,500 as security and other court expenses. Neither has any arrangement been made to exempt the unions from the payment of the security deposit if they want to go on appeal to the Supreme Court, nor the provision for supplying lawyers to unions free of cost has been made.

Now even the tribunal's or court's decisions or awards are not implemented. This is another headache. The agreements and awards are very rarely implemented by the employers. That has been admitted in the opening speech of the hon. Labour Minister also. Even the Evaluation Committees have not been able to improve this matter. So, Government should evolve a definite and strong measure for implementation of all bipartite and tripartite agreements and awards.

Coming to the Industrial Disputes Act, I would like to point out three apparent defects. Firstly, regarding the definition of the term "industrial dispute", following the decision of the Supreme Court, nowadays many disputes are being rejected as individual disputes because the dispute is not taken by any union, though of course the character of the dispute is industrial. In any country where the majority of the workers are still unorganised and when the workers of the small establishments cannot form unions for fear of victimisation, this sort of interpretation of "industrial dispute" would hit the workers hard.

Secondly, the provision of section 33A has been almost ineffective. What happens when the big industries are involved in omnibus tribunals? It takes about two years for disposal and during this period the employers file thousands of applications under section 33, asking for permission from the Tribunal to dismiss their employees on different pleas. These applications are never taken up by the tribunal during the pendency of the main dispute. Workers are not entitled to file appli-

cations under section 33A as applications under section 33 are pending. After the award is given, the tribunal is ousted of jurisdiction to adjudicate upon these applications and so these applications are sent back to the employers, who then dismiss the workers concerned *en masse*. Even then no application can be filed under section 33A, as the main dispute is over. This is another lacuna in the Industrial Disputes Act.

Thirdly, during the pendency of a tribunal the employers suspend their workers pending enquiry without filing applications under section 33 of the Industrial Disputes Act.

They keep the suspension pending for one year or even more till the Tribunal is over. After the Tribunal is over they hold an enquiry, which is a mock enquiry of course, and dismiss the workers thus restraining them from filing applications under section 33A of the Industrial Disputes Act. This is another lacuna in the Industrial Disputes Act which should be remedied.

Next regarding the Code of Discipline—this has already been mentioned by the previous speaker, Shri Dange—I may say that specially in the case of small employers where there is no union the Code of Discipline has become a farce. The State Governments do not very much bother about it and they consider it as a good maxim to be used for ceremonial purposes. The State Governments should be asked to see that the Code of Discipline is observed. They should be asked to take up cases of violation *suo motu*, that is, even if there is no reference either by the employer or by the workers.

Workers' participation in management, I know, is still in an experimental stage. It was introduced in some of the units of the public sector and the experiment was working quite satisfactorily in some of the units, like the Hindustan Machine

Tools. But it was all on a sudden sabotaged by the management. A spurious union propped up and demanded their representative character. But the management without going in for verification stopped the convening of the meeting of the joint council. The union asked the Government to verify the representative character which has not been done though more than two years are going to pass. Why did you stop the functioning of the council till the verification was over? Not only that, after this two of the executive committee members of the union and the secretary have been dismissed. Is it the reward for effective participation or the ideal example of the observance of the Code of Discipline set up for emulation by the private sector?

Absorption of construction workers is a grave problem now. The workers of the construction side of the steel and other projects who become skilled and semi-skilled during the period of their work should be centralised in a pool instead of throwing them into unemployment and should be redistributed to different projects for better utilisation of the skilled personnel.

Though the private sector is asking the Government to halt the expansion of the public sector, still I submit that more employment potential should be created in the public sector as employment in the public sector of our country is still very low even in comparison with the capitalist countries. According to the study undertaken by the National Employment Service of the Ministry of Labour and Employment, employment in our public sector works out to 4 per cent. of the total working population of India whereas the corresponding percentage was 24.3 in U.K. and 12 in U.S.A. in 1950. Moreover, in the public sector the increase in employment is only 44.7 per cent. of the Plan target in the first three years of the Second Five Year Plan. It is absolutely necessary to reach the target for the partial solution of the unemployment problem which is very acute at present in our country.

No amount of disciplinary schemes will be able to check the growth of indiscipline and other vices in the younger generation of our country if we fail to give them employment and work and create zest and interest in their life for diverting their energy in the direction of some works of national development.

Lastly, I shall submit something regarding the Dock Labour Board. The Calcutta Dock Workers' Regulation of Employment Scheme, which has already been mentioned by Shri Dange, was formulated in order to regulate the work of the dock labourers of Calcutta which is in operation since 1956. Many complaints were made to the Labour Ministry regarding the working of the Dock Labour Board. These were mentioned even during the discussion on the last Budget, but the hon. Deputy Minister, who has got a wonderful mental equilibrium of having satisfaction even in the most unsatisfactory circumstances, said in his ever-complacent attitude that everything was all right in Calcutta Dock Labour Board. But he set up a one-man enquiry in 1959 which falsified his satisfaction. The committee submitted its report in October, 1959, where it was very painful to find that everything is rotten in the imaginary peaceful domain of the hon. Deputy Labour Minister. The report reveals a horrible state of affairs, the salient points of which are as follows.

Firstly, with regard to re-imburement, under the scheme the stevedores have got to pay levy to the Board's fund but the Board has paid back this money to the stevedores in spite of any such provision in the scheme in the name of re-imburement. Secondly, the Board took the statutory obligation of the stevedores on their own shoulders by paying the claims on account of workmen's compensation on behalf of the stevedores. Thirdly, the Board took the responsibility of paying *ad interim* increase in dearness allowance at the rate of Rs. 5 from July, 1957 though this being a part of wages should have been paid by the steve-

[Shri Aurobindo Ghosal]

dores. The Mehta Committee has recommended the realisation of Rs. 55 lakhs from the stevedores which has been paid by the Board on behalf of the stevedores on above accounts. What steps have been taken to realise it? Provident fund money which is a trust money has also been spent by the Board. The Mehta Committee has called it a crime and I want to know what steps have been taken to prosecute the persons concerned. Lastly, regarding the removal of slips the Mehta Committee has said that the pasting of new slips have increased wage disputes instead of reducing them and they have recommended to scrap it. But it is still being illegally insisted upon by the Board and on the refusal of the workers, quite rightly, to paste these slips, they are refused attendance. I want to know why it has not been discontinued.

In conclusion, I would like to submit one thing for the consideration of the hon. Labour Minister. This is about the role of the Government in the trade union sphere. It has often been said by the Government that their position is of neutrality, but does the Government follow it sincerely? The hon. Deputy Minister is often found to criticise the leftist parties and their trade union organisations virulently from the I.N.T.U.C. platform. What is this sort of neutrality? Naturally, the employers are bound to take a clue from this and favour the I.N.T.U.C. in order to please him. So I would request the hon. Minister to consider my suggestion that those who hold the portfolio of labour, specially our hon. Deputy Labour Minister, should be restrained from uttering these rubbish things from the I.N.T.U.C. platform. If he is so much fond of his organisation, it is better for him to go out of the Ministry and join the platform of the worker instead of playing the role of Dr. Jekyll and Mr. Hyde.

**Mr. Deputy-Speaker:** Hon. Members may now move their cut motions relating to the Demands under the

Ministry of Labour and Employment subject to their being otherwise admissible.

A list indicating the numbers of the selected cut motions will be put on the Notice Board for the information of members.

*Failure to ratify the unanimous recommendation to the Fifteenth Labour Conference regarding minimum wage.*

**Shri S. M. Banerjee:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced to Re. 1." (1475)

*Failure to check the growing unemployment in the country*

**Shri S. M. Banerjee:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced to Re. 1." (1476)

*Delay in giving effect to the recommendations of 'Actuarial Committee' regarding upward revision of compensation under the Workmen's compensation Act.*

**Shri T. B. Vittal Rao:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (690)

*Low wages obtaining for workers in the iron ore mines*

**Shri T. B. Vittal Rao:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (691)



*Need for undertaking legislation for National Apprentice Training Scheme.*

**Shri T. B. Vittal Rao:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (692)

*Delay in the disposal of complaints made to Central Implementation and Evaluation Division*

**Shri T. B. Vittal Rao:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (693)

*Need for extension of 'Code of Discipline' to Public Sector Industries*

**Shri T. B. Vittal Rao:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (780)

*Failure to protect the real earnings of industrial workers*

**Shri T. B. Vittal Rao:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1008)

*Implementation of scheme of participation of Labour in Management in all the units in public sector.*

**Shri S. M. Banerjee:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1464)

*Need for adoption of Code of Discipline in public sector*

**Shri S. M. Banerjee:** I beg to move:

"That the demand under the head 'Ministry of Labour and

Employment' be reduced by Rs. 100." (1465)

*Growth of parallel Trade Unions in the country*

**Shri S. M. Banerjee:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1466)

*Functioning of the Employment Exchanges*

**Shri S. M. Banerjee:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1467)

*Failure to raise the contribution of Provident Fund from 6½ per cent. to 8-1/3 per cent.*

**Shri S. M. Banerjee:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1468)

*Recommendations of the Textile Wage Board*

**Shri S. M. Banerjee:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1469)

*Recommendations of the Cement Wage Board*

**Shri S. M. Banerjee:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1470)

*Working of the E.S.I Scheme*

**Shri S. M. Banerjee:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1471)

*Need for appointment of Wage Boards for metal engineering, chemical, jute and leather industries*

**Shri S. M. Banerjee:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1472)

*Delay in the submission of the Report of Sugar Wage Board*

**Shri S. M. Banerjee:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1473)

*Need to bring forward legislation regarding compulsory recognition of Trade Unions*

**Shri S. M. Banerjee:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1474)

*Failure to enact legislation for fixing hours of work of the Road Transport Workers*

**Shri Tangamani:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1507)

*Failure to enforce decisions of the XVII Indian Labour Conference regarding Arbitration*

**Shri Tangamani:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1508)

*Progress of Teacher Administrators' training in Calcutta*

**Shri Tangamani:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1509)

*Need for posting Teacher Administrators trained in Bombay to the various States.*

**Shri Tangamani:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1510)

*Failure to devise machinery for settling labour disputes expeditiously*

**Shri Tangamani:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1511)

*Need to review the working of the Code of Discipline*

**Shrimati Parvathi Krishnan:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1543)

*Need to review the working of schemes of workers' participation in Management*

**Shrimati Parvathi Krishnan:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1544)

*Working of Employment Exchanges*

**Shrimati Parvathi Krishnan:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1545)

*Need for more safety measures for workers in Coal Mines*

**Shrimati Parvathi Krishnan:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1546)

*Principle and norms of wage fixation adopted at the 15th Labour Conference*

**Shrimati Parvathi Krishnan:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1547)

*Need for legislation to enforce compulsory recognition of trade unions*

**Shrimati Parvathi Krishnan:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1548)

*Need to provide free and compulsory education to children of industrial workers upto Higher Secondary Stage*

**Shrimati Parvathi Krishnan:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1549)

*Need to remove disparities in pay structure and service conditions of industrial workers in Private and Public Sectors*

**Shrimati Parvathi Krishnan:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1550)

*Need for effective measures to recover employers' contributions to Provident Fund Schemes*

**Shrimati Parvathi Krishnan:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1551)

*Need for effective measures to ensure regular contribution by employers to the Employees' State Insurance Scheme*

**Shrimati Parvathi Krishnan:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1552)

*Measures for expeditious implementation of the scheme for hospitalisation under the Employees' State Insurance Scheme*

**Shrimati Parvathi Krishnan:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1553)

*Need for steps to implement policies laid down in the 15th, 16th and 17th Labour Conference*

**Shri Prabhat Kar:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1554)

*Delay in payment of compensation to workers due to illness or injury by the Employees' State Insurance Corporation*

**Shrimati Parvathi Krishnan:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1555)

*Failure to observe provisions of the Minimum Wages Act by factory owners in Industrial Estate, Okhla*

**Shrimati Parvathi Krishnan:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1556)

*Attitude of the officers of Employees' State Insurance Corporation towards workes*

**Shrimati Parvathi Krishnan:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1557)

*Delay in providing more beds for workers under Employees' State Insurance Scheme at T. B. Sanatorium, Perundurai*

**Shrimati Parvathi Krishnan:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1558)

*Need for increase in the number of beds in Headquarters' Hospital, Coimbatore, under the Employees' State Insurance Scheme*

**Shrimati Parvathi Krishnan:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1559)

*Need to extend benefits of Employees' State Insurance Scheme to families of workers*

**Shrimati Parvathi Krishnan:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1560)

*Delay in setting up of a Wage Board for the Plantation Industry*

**Shrimati Parvathi Krishnan:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1561)

*Delay in appointment of a Wage Board for the Jute Industry*

**Shrimati Parvathi Krishnan:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1562)

*Need to ensure the early implementation of the recommendations of the Wage Board for the Textile Industry*

**Shrimati Parvathi Krishnan:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1563)

*Failure to grant 15 days' leave to the workers of the Industrial Estate, Okhla*

**Shrimati Parvathi Krishnan:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1564)

*Need for payment of leave wages for 15 days' to workers of Industrial Estate, Okhla*

**Shrimati Parvathi Krishnan:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1565)

*Need to review the working of the Code of Discipline*

**Shri Assar:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1604)

*Working of employment exchanges*

**Shri Assar:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1605)

*Need for more safety measures for workers in silica and iron ore mines*

**Shri Assar:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1606)

*Failure to provide compulsory and free education to children of industrial workers*

**Shri Assar:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1607)

*Failure to take proper steps to recover employers contribution to provident fund*

**Shri Assar:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1608)

*Need to extend benefits of Employees' State Insurance Scheme to work-provident fund*

**Shri Assar:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1609)

*Need to ensure the early implementation of the recommendations of the Wage Board for the Textile Industry*

**Shri Assar:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1610)

*Failure to settle bonus dispute in the Banking Industry*

**Shri Prabhat Kar:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1622)

*Failure to enforce code of discipline on the Bankers*

**Shri Prabhat Kar:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1623)

*Failure to implement the decisions of the 16th Indian Labour Conference in the Banking Industry*

**Shri Prabhat Kar:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1624)

*Failure to settle the Bank Disputes as per agreement of the 17th Indian Labour Conference*

**Shri Prabhat Kar:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1625)

*Failure to take effective measures to enforce provisions of the awards in Banks*

**Shri Prabhat Kar:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1626)

*Failure to take action against the management of National and Grindlays Banks for violation of the provision of the award*

**Shri Prabhat Kar:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1627)

*Failure to implement 'need based theory' accepted in the 15th Indian Labour Conference for wage fixation*

**Shri Prabhat Kar:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1628)

*Government's refusal to accept agreements of Indian Labour Conferences.*

**Shri Prabhat Kar:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1629)

*Need for improvement in Employees' State Insurance Scheme*

**Shri Prabhat Kar:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1630)

*Failure to provide hospital facilities under the Employees' State Insurance Scheme*

**Shri Prabhat Kar:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1631)

*Need to provide a separate hospital in West Bengal under the Employees' State Insurance Scheme*

**Shri Prabhat Kar:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1632)

*Failure to recover employers contribution regularly under the Employees' State Insurance Scheme*

**Shri Prabhat Kar:** I beg to move:

"That the demand under the head 'Ministry of Labour and

Employment' be reduced by Rs. 100." (1633)

*Failure to ensure expeditious settlement of industrial disputes*

**Shri Prabhat Kar:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1646)

*Failure to enforce bi-partite agreements in labour disputes*

**Shri Prabhat Kar:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1647)

*Need to persuade employers to provide housing facilities for workers*

**Shri Prabhat Kar:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1648)

*Need for taking steps to prevent litigation in industrial disputes*

**Shri Prabhat Kar:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1649)

*Provision for payment of adequate compensation to labour for disability due to accidents*

**Shri Prabhat Kar:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1650)

*Need for effective machinery for expeditious settlement of labour dispute*

**Shri Prabhat Kar:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1651)

*Need for proper functioning of the Employment Exchange at Rourkela*

**Shri P. G. Deb:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1652)

*Failure to recognise the Dock Mazdoor Union*

**Shri S. L. Saksena:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1751)

*Failure to mark attendance of Dock workers in Calcutta Port.*

**Shri S. L. Saksena:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1752)

*Failure to implement the recommendations of the Mehta Committee of Inquiry*

**Shri S. L. Saksena:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1753)

*Failure to give every labourer the right to take his industrial dispute to the Labour Court*

**Shri S. L. Saksena:** I beg to move:

"That the demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1754)

*Failure to give adequate bonus to workers in sugar industry*

**Shri S. L. Saksena:** I beg to move:

"That the Demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100." (1755)

*Failure to bring forward legislation regarding conditions of service of transport workers*

**Shri S. L. Saksena:** I beg to move:

"That the demand under the head 'Ministry of Labour and

Employment' be reduced by Rs. 100." (1756)

*Increase in the number of accidents in mines*

**Shri T. B. Vittal Rao:** I beg to move.

"That the demand under the head 'Chief Inspector of Mines' be reduced by Rs. 100." (781)

*Delay in implementing the decisions of the Safety in Mines Conference*

**Shri T. B. Vittal Rao:** I beg to move.

"That the demand under the head 'Chief Inspector of Mines' be reduced by Rs. 100." (782)

*Delay in the conduct of survey of the incidence of pneumococosis in coal mines*

**Shri T. B. Vittal Rao:** I beg to move.

"That the demand under the head 'Chief Inspector of Mines' be reduced by Rs. 100." (783)

*Delay in the promulgation of Metalliferous Mines Regulations under Mines Act, 1952*

**Shri T. B. Vittal Rao:** I beg to move.

"That the demand under the head 'Chief Inspector of Mines' be reduced by Rs. 100." (988)

*Slow progress in the construction of quarters for the coal miners*

**Shri T. B. Vittal Rao:** I beg to move.

"That the demand under the head 'Miscellaneous Departments and other expenditure under the Ministry of Labour and Employment' be reduced by Rs. 100." (694)

*Delay in enhancing the rate of contribution to Provident Fund Schemes from 6½ to 8-1½ per cent*

**Shri T. B. Vittal Rao:** I beg to move.

"That the demand under the head 'Miscellaneous Departments and other expenditure under the

Ministry of Labour and Employment' be reduced by Rs. 100." (695)

*Need to raise the employers' contribution to the provident fund under the Employees State Insurance Corporation Act to the statutory maximum limit*

**Shri T. B. Vittal Rao:** I beg to move:

"That the demand under the head 'Miscellaneous Departments and other expenditure under the Ministry of Labour and Employment' be reduced by Rs. 100." (696)

*Failure to provide alternate employment to the workers of iron ore mines, Naomundi rendered unemployed as a result of mechanisation of the mines*

**Shri T. B. Vittal Rao:** I beg to move.

"That the demand under the head 'Miscellaneous Departments and other expenditure under the Ministry of Labour and Employment' be reduced by Rs. 100." (697)

*Need to constitute a Special Reserve Fund for the benefit of retiring workers, where the employers have failed to remit the contribution Under the Employees Provident Fund Scheme*

**Shri T. B. Vittal Rao:** I beg to move.

"That the demand under the head 'Miscellaneous Departments and other expenditure under the Ministry of Labour and Employment' be reduced by Rs. 100." (698)

*Failure to reduce unemployment in the country*

**Shri B. C. Majhi:** I beg to move:

"That the demand under the head 'Miscellaneous Departments and other expenditure under the Ministry of Labour and Employment' be reduced by Rs. 100." (1872)

*Need for laying more emphasis on vocational training*

**Shri B. C. Majhi:** I beg to move

"That the demand under the head 'Miscellaneous Departments and other expenditure under the Ministry of Labour and Employment' be reduced by Rs. 100." (1573)

*Failure to implement the Housing Schemes for coal mine workers*

**Shri B. C. Majhi:** I beg to move:

"That the demand under the head 'Miscellaneous Departments and other expenditure under the Ministry of Labour and Employment' be reduced by Rs. 100." (1574)

*Need for more amenities for the workers of Iron ore mines*

**Shri B. C. Majhi:** I beg to move:

"That the demand under the head 'Miscellaneous Departments and other expenditure under the Ministry of Labour and Employment' be reduced by Rs. 100." (1575)

*Need for safety measures in Rourkela and Bhilai Steel plants*

**Shri Assar:** I beg to move:

"That the demand under the head 'Miscellaneous Departments and other expenditure under the Ministry of Labour and Employment' be reduced by Rs. 100." (1611)

*Failure to run closed factories and mills through Workers' Co-operative Societies*

**Shri Assar:** I beg to move:

"That the demand under the head 'Miscellaneous Departments and other expenditure under the Ministry of Labour and Employment' be reduced by Rs. 100." (1612)



*Failure to implement awards of the Tribunals*

**Shri Assar:** I beg to move:

"That the demand under the head 'Miscellaneous Departments and other expenditure under the Ministry of Labour and Employment' be reduced by Rs. 100." (1613)

*Failure to fix minimum wages for domestic servants*

**Shri Assar:** I beg to move:

"That the demand under the head 'Miscellaneous Departments and other expenditure under the Ministry of Labour and Employment' be reduced by Rs. 100." (1614)

*Failure to encourage cooperative movement in the working class*

**Shri Assar:** I beg to move:

"That the demand under the head 'Miscellaneous Departments and other expenditure under the Ministry of Labour and Employment' be reduced by Rs. 100." (1615)

*Need for simplifying the laws of registration of Unions*

**Shri Assar:** I beg to move:

"That the demand under the head 'Miscellaneous Departments and other expenditure under the Ministry of Labour and Employment' be reduced by Rs. 100." (1616)

*Failure to open more employment exchanges to meet the public demand*

**Shri Assar:** I beg to move:

"That the demand under the head 'Miscellaneous Departments and other expenditure under the Ministry of Labour and Employment' be reduced by Rs. 100." (1617)

*Failure to solve the problem of Unemployment*

**Shri Assar:** I beg to move:

"That the demand under the head 'Miscellaneous Departments and other expenditure under the Ministry of Labour and Employment' be reduced by Rs. 100." (1618)

*Need for expansion of the scheme of workers' participation in management*

**Shri Assar:** I beg to move:

"That the demand under the head 'Miscellaneous Departments and other expenditure under the Ministry of Labour and Employment' be reduced by Rs. 100." (1619)

*Failure to open more hospitals under the Employees' State Insurance Scheme*

**Shri Assar:** I beg to move:

"That the demand under the head 'Miscellaneous Departments and other expenditure under the Ministry of Labour and Employment' be reduced by Rs. 100." (1620)

*Need to implement the decisions of the Labour Conference*

**Shri Assar:** I beg to move:

"That the demand under the head 'Miscellaneous Departments and other expenditure under the Ministry of Labour and Employment' be reduced by Rs. 100." (1621)

*Working of the offices of the Regional Labour Commissioners*

**Shri Prabhat Kar:** I beg to move:

"That the demand under the head 'Miscellaneous Departments and other expenditure under the Ministry of Labour and Employment' be reduced by Rs. 100." (1634)

*Working of the Conciliation Office  
Calcutta***Shri Prabhat Kar:** I beg to move:

"That the demand under the head 'Miscellaneous Departments and other Expenditure under the Ministry of Labour and Employment' be reduced by Rs. 100." (1635)

*Working of the office of the Chief  
Labour Commissioner***Shri Prabhat Kar:** I beg to move:

"That the demand under the head 'Miscellaneous Departments and other Expenditure under the Ministry of Labour and Employment' be reduced by Rs. 100." (1636)

*Delay in dealing with disputes in the  
Offices of the Regional Labour Com-  
missioners in various States***Shri Prabhat Kar:** I beg to move:

"That the demand under the head 'Miscellaneous Departments and other Expenditure under the Ministry of Labour and Employment' be reduced by Rs. 100." (1637)

*Delay in dealing with disputes by the  
Conciliation Officer in various  
States***Shri Prabhat Kar:** I beg to move:

"That the demand under the head 'Miscellaneous Departments and other Expenditure under the Ministry of Labour and Employment' be reduced by Rs. 100." (1638)

*Delay in dealing with disputes in the  
Office of the Chief Labour Commis-  
sioner***Shri Prabhat Kar:** I beg to move:

"That the demand under the head 'Miscellaneous Departments and other Expenditure under the Ministry of Labour and Employment' be reduced by Rs. 100." (1639)

*Need for regularising working condi-  
tions of workers employed by con-  
tractors***Shri Prabhat Kar:** I beg to move:

"That the demand under the head 'Miscellaneous Departments and other Expenditure under the Ministry of Labour and Employment' be reduced by Rs. 100." (1640)

*Failure to implement the scheme of  
workers' participation in the  
management in various industries***Shri Prabhat Kar:** I beg to move:

"That the demand under the head 'Miscellaneous Departments and other Expenditure under the Ministry of Labour and Employment' be reduced by Rs. 100." (1641)

*Need for legislation for compulsory  
recognition of trade unions***Shri Prabhat Kar:** I beg to move:

"That the demand under the head 'Miscellaneous Departments and other Expenditure under the Ministry of Labour and Employment' be reduced by Rs. 100." (1642)

*Need to reduce unemployment among  
non-matriculats in the country***Shri P. G. Deb:** I beg to move:

"That the demand under the head 'Miscellaneous Departments and other Expenditure under the Ministry of Labour and Employment' be reduced by Rs. 100." (1643)

*Non-fulfilment of schemes envisaged  
under the Second Five Year Plan***Shri Prabhat Kar:** I beg to move:

"That the demand under the head 'Miscellaneous Departments and other Expenditure under the Ministry of Labour and Employment' be reduced by Rs. 100." (1644)

*Need for reorientation of the labour policy in the Third Five Year Plan*

**Shri Prabhat Kar:** I beg to move:

"That the demand under the head 'Miscellaneous Departments and other Expenditure under the Ministry of Labour and Employment' be reduced by Rs. 100." (1645)

*Failure to solve unemployment problem in the country*

**Shri P. G. Deb:** I beg to move:

"That the demand under the head 'Miscellaneous Departments and other Expenditure under the Ministry of Labour and Employment' be reduced by Rs. 100." (1653)

*Need to provide employment to re-trenched workers of Hirakud Dam and Rourkela Steel Plant*

**Shri P. G. Deb:** I beg to move:

"That the demand under the head 'Miscellaneous Departments and other Expenditure under the Ministry of Labour and Employment' be reduced by Rs. 100." (1654)

**Mr. Deputy-Speaker:** These cut motions are now before the House.

**Shri Naushir Bharucha (East Khandesh):** Mr. Deputy-Speaker, Sir, in the report on labour and employment last year the hon. Labour Minister made a very significant statement. He said that the number of man-days lost on account of closures in one industry, that is, the textile industry, in a single year have been more than all the man-days lost on account of strikes and lock-outs in that year. It therefore appears that the biggest single factor in creating unemployment is closure of the various industrial concerns. Analysing the causes of closure the hon. Minister went on to point out that some of them were due to internal economic conditions, such as,

the purchasing power of the people being reduced, secondly, due to conditions in international market where competitive conditions prevailed and, finally, he said that it was due to mismanagement. But he forgot to mention one very important thing to which I have been inviting the attention of this House for quite a long time, namely, defective legislation that exists today.

If we examine the Industries (Development and Regulation) Act, section 15, it will be found that the Central Government has got the power, under sections 15 and 16, to take over certain undertakings if they find that as a result of either mismanagement or on account of any other thing there is a likelihood of fall in production. But nowhere in this Act do we find that the Government has got the power to take over an industrial concern if as a result of closure there is a likelihood of unemployment. I submit that the biggest single factor in creating unemployment today is that concerns close down in far larger numbers and the Government finds itself utterly helpless because the Industries (Development and Regulation) Act, 1951 is defective.

It has been my experience, particularly in my constituency I have found that the same pattern is followed in the matter of closures of mills which are supposed to be mismanaged but which are really dishonestly managed. What happens is that fearing heavy maturing of liabilities bogus mortgage deeds are prepared by concerns, misappropriation of workers' provident fund takes place and then when the mortgagee takes over possession nothing can be done either on behalf of the workers or in the matter of taking over the mills. I have found that thing repeating in the case of the Bharat Vanaspati at Pachora, Genda Lal Mills at Jalgaon and Chaganhal Mills at Chalisgaon. Particularly in the case of Chalisgaon where one shift was closed, one of the reasons given was "want of cotton," and that mill is situated in the heart of

[Shri Naushir Bharucha]

the cotton district. Can we imagine this, that mills are permitted to be closed for alleged want of cotton in the heart of a cotton district? Yet, we find the Government can do nothing about it.

Sometime back—nearly 18 months or perhaps two years back—the Somani Committee was appointed to go into the reasons for these closures. What happened to that report the House does not know, and we still do not know whether the Government have taken any action on the report, or whether the Committee made any disclosures as to why the mills had been closed.

My submission is that the law is inadequate to prevent the closures, and therefore, my first suggestion is that sections 15 and 16 require to be amended in such a way that if, as a result of closure, unemployment follows, Government will step in and take over the industrial concern. Government has got a horror of taking over industrial concerns notwithstanding the power they have acquired under the Industries (Development and Regulation) Act.

There is another aspect of industrial disputes to which I desire to invite the attention of the House. As the House is aware, the Central Government is concerned only in a certain number of industries, but the management of industrial relations is left largely to the States. In Bombay we have got the Bombay Industrial Relations Act. I had occasion to appear in the Supreme Court in a case on behalf of the workers of the Chalisgaon Mills where the management had terminated the services of nearly 180 people without following the provisions of the Bombay Industrial Relations Act. The question was whether the mills were required to give the notice of change required under section 42, read with Schedule II, Item 1. of the Bombay Industrial Relations Act, or they could just give

notice and discharge the employees under the Standing Order. Unfortunately in that case, the Supreme Court, on the basis of the law as it stood, held the view that they could discharge the workers under the Standing Order without giving any reasons whatsoever, and the learned Advocate for the employers went to the extent of saying that the employers had the right to say that if they did not like the face of a particular employee, that was sufficient ground to terminate his services. So, unfortunately, the law as it is and as interpreted by the Supreme Court is that the services of the employee can be terminated under the Standing Orders. If the services of nearly 180 employees can be terminated, the services of thousands of workers can be similarly terminated. Then what remains of industrial relations?

So, I submit our Central Act requires to be altered, and where substantial unemployment is going to be caused, there should be a general rule that a particular procedure should be followed, namely that of conciliation and so on. Otherwise, I submit, the fate of the employee is left severely to the mercy of the employer.

The Minister in his report refers to the provisions of the Provident Fund Act 1952 being extended to various concerns which employ 20 or more workers. What is the use of extending the provisions of this Act when the Act as it stands is not being properly implemented? In my own constituency, the provident fund of employees accumulated for 16 years was clean swallowed by the employer. I went and made a complaint to the Labour Minister and the Chief Minister of Bombay, and asked why those people were not being prosecuted. Still I find nobody is being prosecuted. The provident fund of the employees of 16 years is swallowed, and this Government looks on helplessly. Under the Provident Fund Act there is a definite provision that the employer must send his contribution month after month to

the Commissioner of Provident Fund. For months and years it is not done, and this Government is sleeping and not taking action. How can then we believe that this Government is acting in the interests of the employees?

The employee is helpless. Strictly from the legal point of view, I doubt whether, if the employee files a criminal case against the employer in his individual capacity for criminal breach of trust in respect of the provident fund money under section 406, such a complaint can stand in view of the social provisions which have been made for punishing the employer under the Provident Fund Act. Probably the law would be that where a special penal provision is made, the general law will not be applicable.

Therefore, virtually what has happened is that the employee is deprived of his remedy under the Penal Code, and nothing is being done to protect his interests under the Provident Fund Act. I want to know from the Government why this is happening. I say there is nothing but a silent conspiracy between the Government and the employer, maybe partially dictated in their subconscious mind by the fear that if the industrialists were prosecuted, their political contributions would not be forthcoming. I want to know why these criminals are allowed to go free. What is the use of extending the provisions of this Act to more undertakings, when it only results in bringing within the net of the Provident Fund Act more victims for slaughter? I say leave them to their own remedies. Having regard to the fact that nothing is being done in this matter, I say either this Government must lay down a policy that it is open to the trade unions to file prosecutions against such employers, or make some suitable amendment in the Act.

There are two more points. The first is with regard to the revival of the Labour Appellate Tribunal to relieve pressure on High Courts and

the Supreme Court. I think the Labour Appellate Tribunal was given a very short trial. These tribunals came into existence I believe on 20th May, 1950 and just after eight or nine years they have been removed. I think it was a big mistake. I would like the hon. Minister to consider their revival, because it is humanly impossible for workers' unions—most of them are as paupers as anyone else—to take up the matter to the High Court and the Supreme Court. I think the machinery of the Labour Appellate Tribunal had been working satisfactorily. It is true that it meant protraction of labour litigation, but that it is because when a lawyer appears before the tribunal, the tribunal does not ring the bell at the end of 15 minutes and ask him to sit down. He can go on for hours together, and therefore some delay does occur, but it is much better that there should be justice after some delay than that there should be no justice at all, and therefore I would seriously appeal to the hon. Minister to consider the question of reviving the Labour Appellate Tribunals.

I believe that in the matter of the closure of concerns, a drastic change in the policy of the Government is necessary. It is an irony of fate that at the end of the Second Plan there will be far more unemployed persons than there were at the beginning. No doubt it is due to the fact that our population is increasing fast. That may be another aspect, but I feel that the Government should take stern action to prevent the closure of undertaking which is resorted to by employers as a means of curbing labour opposition and compelling them to accept lower wages.

These are the matters to which the Government should pay attention. The hon. Minister referred to prices and wages chasing each other. That is a matter of common experience, but today what is happening is that even within the framework of the existing law, implementation is not satisfactory. Unless the Government changes its

[Shri Naushir Bharucha]

attitude, I am afraid there is no hope that labour will get a fair deal, and the discontent which we witness to-day will continue for a long time.

श्री रमणसिंह भाई बर्मा (नीमाड) :

श्रीमान्, एक बरस के बाद लेबर मिनिस्ट्री के बलेंसशीट पर हमें अपने विचार रखने का अवसर प्राप्त हुआ है। लेबर मिनिस्टर साहब ने जो अपना प्रस्तावी भाषण दिया और उसके बाद जो कम्युनिस्ट पार्टी के लीडर श्री डांवे जी ने अपना भाषण दिया, उन दोनों को सुन कर मुझे बड़ा आनन्द हुआ। अगर विरोधी पार्टी की तरफ से पार्लियामेंट में सही बात कही जाए तो आनन्द क्यों न हो। डांवे साहब ने कहा कि ट्राइबुनल की भी आवश्यकता नहीं है, वेज बोर्ड की भी आवश्यकता नहीं है, स्ट्राइक की भी आवश्यकता नहीं है, आवश्यकता इस बात की है कि उद्योगपति और मजदूर बैठ कर आपस में बर्बा करें और मतलों को सुलझावें। इससे अच्छा रास्ता कोई दूसरा हो ही नहीं सकता। यही रास्ता गांधी जी ने सन् १९१७ में बतलाया था जब कि मैं और श्री डांवे मजदूर आन्दोलन में आए भी नहीं थे। इस रास्ते के ऊपर ग्रहमदाबाद में एक मजदूर संघ की स्थापना करके उसे चलाया और वह इतना फला फूला कि वह एक उदाहरण बन गया है। मैं अपनी बात कर रहा हूँ कि मैं अपने प्रदेश में जो ट्रेड यूनियन चला रहा हूँ, उसके सम्बन्ध में मैं कोर्ट नहीं जाता, वेज बोर्ड की तरफ नहीं देखता, और गवर्नमेंट की तरफ नहीं देखता। मजदूरों के मंगठन की तरफ से मालिक के साथ बैठ कर सारे मामलों को हल करता हूँ। आज जिन बातों का डांवे जी ने टम हाउस में जिक्र किया है वह पहले अपने को उनका जानी दुश्मन समझते थे। आज वह उन बातों का समर्थन कर रहे हैं। मैं समझता हूँ कि धर्म विवाद की यह बड़ी सफलता है। जब हम पिछले साल धर्म विवाद का बलेंसशीट बेटे है तो पाते हैं कि इस साल के अन्दर

काफी तरक्की हुई है, उत्पादन की दृष्टि में, डिसिप्लिन की दृष्टि में और प्रथम पंच-वर्षीय योजना और दूसरी पंचवर्षीय योजना में जो धर्म नीति रखी गई उसकी दृष्टि में। जहाँ जहाँ उद्योग के मैनजमेंट में मजदूरों का हिस्सा रखा गया वहाँ वहाँ बड़ा सुन्दर परिणाम आया है। बल्कि जो गवर्नमेंट ने ठहराया है उस से भी कुछ लॉग आगे गये हैं। एक कारखान में मैं प्रधान मंत्री जी को ले जा कर दिखाया कि इसका कितना अच्छा नतीजा आया है। उन्होंने यह ठहराया है कि किसी मजदूर पर फाइन नहीं होगा, कोई मजदूर सस्पेंड नहीं होगा, कोई मजदूर डिसमिस नहीं होगा, कोई मजदूर डिस्चार्ज नहीं हो सकता। गवर्नमेंट की धर्म नीति में इतनी बात नहीं थी। मजदूरों और मालिकों ने बैठकर यह ठहराया और इसका नतीजा यह निकला है कि मजदूरों का बेलन भी बढ़ा है और उत्पादन भी बढ़ा है। मैं निवेदन करना चाहता हूँ कि जो समझोता दोनों आपस में बैठ कर करते हैं उसका बहुत अच्छा परिणाम आता है। वर्कर्स के अधिकारों के बारे में मैं बाद में कहूँगा। लेकिन इस से पहले मैं एक बात कह देना चाहता हूँ।

डांवे जी ने एक बात यह कही कि मजदूर प्रतिनिधि और मैनजमेंट बैठकर हर मसैल को सुलझावें और उसके लिये जरूरत इस बात की है कि जो मजदूर यूनियन हैं उनको मान्यता दी जाये, उनको प्रतिनिधित्व दिया जाये। दर असल इसके बिना काम नहीं चल सकता। अब सवाल यह होता है कि एक यूनियन के अन्दर कितने यूनियन हों। आज तो यह देखने में आता है कि जिसकी मर्जी आती है वही यूनियन कायम कर के लीडर बन जाता है क्योंकि यहाँ लीडर बनने के लिये कोई लाइसेंस नहीं है। और चीजों के लिये तो लाइसेंस की जरूरत होती है, लेकिन लीडर बनने के लिये कोई लाइसेंस की जरूरत नहीं होती, जो ज्यादा

से ज्यादा गालियां दे सकता है वही लीडर बन जाता है। इसलिये सवाल यह पैदा होता है कि मान्यता किसको मिलनी चाहिये, प्रतिनिधित्व किसको मिलना चाहिये। इस रिपोर्ट के परिशिष्ट ३ के अनुबन्ध में संघों को मान्यता देने के नियम दिये गये हैं और १६वीं इंडियन लेबर कानफरेंस में, जो कि नेनीताल में हुई थी, उसमें भी इन नियमों को मान्य किया गया था। उस कानफरेंस में सभी सेन्ट्रल प्रार्गेनाइजेशन्स के प्रतिनिधि थे, एम्पलायर्स के प्रतिनिधि थे, और गवर्नमेंट के प्रतिनिधि भी मौजूद थे। और उसमें एक राय से यह तै हुआ कि यूनियन को मान्यता देने का क्या प्रोमीज्योर होना चाहिये। इस रिपोर्ट के परिशिष्ट ३ के अनुबन्ध में कालम ३ में यह दिया गया है :

“अगर किसी क्षेत्र विशेष में किसी उद्योग में काम करने वाले मजदूरों में से २५ प्रतिशत किसी एक संघ के सदस्य हों, तो वह संघ इलाके में उस उद्योग विशेष के प्रतिनिधि संघ के रूप में मान्यता पाने का दावा कर सकता है।”

बहुत अच्छा है। कम से कम उस संघ के २५ प्रतिशत मजदूर सदस्य होने चाहियें तभी वह प्रतिनिधि भेज सकता है।

इसी तरह से प्राप देखें कि धारा ५ में दिया गया है :

“अगर किसी उद्योग या प्रतिष्ठान में कई संघ हों तो जिसकी सदस्य संख्या सब से अधिक हो उसे मान्यता मिलनी चाहिये।”

बहुत सही रास्ता है।

उसके बाद धारा ६ में दिया गया है :

“किसी क्षेत्र में उद्योग विशेष के प्रतिनिधि संघ को उसके सारे प्रतिष्ठानों के मजदूरों का प्रति-

निधित्व करने का हक होना चाहिये।”

बहुत सुन्दर। यह बहुत अच्छा तरीका ठहरा दिया गया है। यह आई० एल० प्रो० के कनवेंशन के अनुसार है और इंडियन लेबर कानफरेंस में इसको हम सब ने स्वीकार किया था।

अन्त में प्राप देखें कि कालम ८ में यह ठहराया है :

“सिर्फ उन्हीं संघों को मान्यता मिल सकेगी जिन्होंने अनुशासन संहिता का पालन किया हो।”

और मद्रास लेबर कानफरेंस में जिसमें सेन्ट्रल गवर्नमेंट के भी प्रतिनिधि थे, यह ठहराया गया कि स्टेट गवर्नमेंट इसके निये कानून बनाये। लेकिन जिस समय स्टेट गवर्नमेंट ने इस प्रकार का कानून बनाया उस समय हमारे डांगे जी के साथी ट्रेड यूनियन कांग्रेस के जनरल सेक्रेटरी ने एक पुस्तिका निकाली। उसमें कहा गया कि वह कानून उचित नहीं है। प्राप अपने इंडियन लेबर कानफरेंस के निर्णयों को देखिये, अपने कोड प्राफ डिस्पिन को देखिये, कोड प्राफ राइबेलरी इन ट्रेड यूनियन्स को देखिये, यह उसके कहां तक अनुकूल है। मैं इसको पढ़ कर सुनाऊं तो बहुत समय लगेगा, मुझे प्रापका डर लगता है और प्रापने भी ज्यादा प्रापकी घंटी का डर लगता है, इसलिये मैं ज्यादा नहं पढ़ूंगा, लेकिन मैं एक मजदूर हूँ, इसलिये जो अपनी चीज है, जो इस सदन की चीज है, जो लेबर पार्लिमी इस सदन ने प्रथम पंच वर्षीय योजना में रखी और द्वितीय पंचवर्षीय योजना में रखी और उसी पार्लिमी के अनुसार इंडियन लेबर कानफरेंस ने निर्णय लिया जिसमें विरोधी पार्टी के नेता श्री डांगे जी शरीक थे, एम्पलायर शरीक थे, मैं शरीक था, उसके बारे में केवल कुछ कहना चाहता हूँ। प्राप डांगे साहब ने यही बकान्त की है कि प्रतिनिधित्व मिलना चाहिये, मान्यता मिलनी चाहिये। यह बेज

[श्री रामसिंह भाई वर्मा]

बोर्ड और ट्राइबुनल आदि किसी काम के नहीं हैं। लेकिन जब मध्य प्रदेश सरकार ने इंडस्ट्रियल रिलेशन्स बिल पेश किया तो आपको अच्छी तरह से मानूँ है कि मैं गिरफ्तार हुआ और जेल भेजा गया और दूसरी पार्टीज का गवर्नमेंट ने इजाजत दी। जब वह जेल लाया गया तो मैं १५००० मजदूरों को ले कर गया था तो मुझे गिरफ्तार किया गया। इसका मुझे कोई दुःख नहीं है। मैं तो चाहता हूँ कि ऐसे मामलों में, मजदूरों के मामलों में और गवर्नमेंट का सपोर्ट करने के लिये जो कुछ मैं कर सकूँ करूँ। लेकिन मुझे दुःख केवल इस का है कि गवर्नमेंट यह नहीं समझती कि उसका दोस्त कौन है और दुश्मन कौन है। पहचानने का फर्क है। मेरे काम में फर्क नहीं है। लेकिन आपकी विरोधी यूनियन के जनरल सेक्रेटरी ने अपनी पुस्तिका में कहा है कि एक ही यूनियन का मान्यता नहीं दी जानी चाहिये। इंडियन लेबर कानफरेंस ने यह निर्णय लिया था कि एक केन्द्र में एक ही यूनियन को मान्यता मिलनी चाहिये, अनेक का नहीं, लेकिन विरोधी पार्टी उस निर्णय का विरोध करती है और इस पुस्तिका में कहा गया है :

“इस नये विधेयक का मूलभूत सिद्धान्त है कि एक ही ट्रेड यूनियन को प्रतिनिधि यूनियन बना कर सिर्फ उसे ही मान्यता मिले। ऐसी प्रतिनिधि यूनियन के लिए यह जरूरी होगा कि कुल मजदूरों की संख्या के २५ प्रतिशत मजदूर उसके सदस्य हों। इस प्रकार २५ प्रतिशत का प्रतिनिधित्व करने वाली यह यूनियन बाकी ७५ प्रतिशत मजदूरों पर प्रतिनिधि यूनियन बना कर जबर्न थोपी जाएगी।”

इंडियन लेबर कानफरेंस में यह ठहराया गया था जिसमें डांगे साहब भी थे कि जिस

यूनियन में २५ प्रतिशत मजदूर होंगे या जिसकी सदस्य संख्या सबसे ज्यादा होगी उसको प्रतिनिधि यूनियन घोषित किया जाएगा। लेकिन उनके जनरल सेक्रेटरी ट्रेड यूनियन कांग्रेस इसका इस पुस्तिका द्वारा विरोध कर रहे हैं। मध्य प्रदेश सरकार ने अपने बिल में वही रखा था जो निर्णय कि इंडियन लेबर कानफरेंस ने लिया था। लेकिन इस पुस्तिका में कहा गया कि यह ठीक नहीं और या इसके साथ यह कहा गया कि यह इंटक का जनवाद है। गवर्नमेंट कानून बनाती है कि मजदूरों में जो इन्टर-यूनियन राइवैलरी है, उस को समाप्त किया जाये। इंडियन लेबर कांग्रेस का यह फैसला है कि मजदूरों की अज्ञानता का दुरुप-योग न किया जाये। लेकिन हम देखते हैं कि मजदूरों को गुमराह किया जाता है कि मध्य प्रदेश की जा सरकार है, वह आई० एन० टी० यू० सी० का है और मेटर में जा कांग्रेस सरकार है, वह भी आई० एन० टी० यू० सी० का है। इन तरह से मजदूरों की अज्ञानता का नाजायज फायदा उठाया जाता है। वह आगे कहते हैं :—

“इस प्रकार से भारतीय संविधान की धारा १९ में जो संगठन का अधिकार सुरक्षित रखा गया है, उसका यह इन्टकी तानाशाही कानून मजक उड़ता है।”

इस सम्बन्ध में मैं यह निवेदन करना चाहता हूँ कि हमारा श्रम विभाग इंडियन लेबर कानफरेंस में सारे फैसले करता है, लेकिन उन फैसलों के पालन में क्यों ध्यानस्य होता है, यह विचार की बात है। मैं समझता हूँ कि जो संगठन कांड आफ डिसिप्लिन और इंडियन लेबर कानफरेंस के निर्णय का पालन करता है, वही उस का फायदा उठाने का हकदार होना चाहिये, दूसरा नहीं।

सवाल यह है कि वह किस पर लागू होना चाहिये। इस पुस्तिका में उन्होंने



जो इसी कानून के बारे में कहा है, वह मैं पढ़ कर सुनाना चाहता हूँ।

“इस का सही उत्तर यह है कि ब्रिड साहब यह भ्रष्टी तरह जानते हैं कि जनवाद और सभी ट्रेड यूनियनों को बराबर हक देने वाले कानून के रहने से मालिकपरस्त इष्टक की पंचर गाड़ी दूसरी यूनियनों से होड़ नहीं कर सकती है भांग वह बुरी तरह पिट जावेगी। वे जानते हैं कि इष्टक तभी जिन्दा रह सकती है जब सरकार और मालिक की मदद से उसे ही मजदूरों के प्रतिनिधित्व की ठेकेदारी दी जावे और इस प्रकार मजदूरों को मजबूर किया जावे कि वे उसे मानें।”

हम सब मिल कर एक नीति ठहराते हैं और उस नीति के अनुसार कानून बनते हैं, लेकिन इस बारे में प्रचार किस तरह का होता है? अभी हमारे मित्र कह रहे थे कि आई० एन० टी० यू० सी० और दूसरी ट्रेड यूनियनों में पक्षपात नहीं होना चाहिये। लेकिन मैं यह निवेदन करना चाहता हूँ कि जो पार्लिसी इस पार्लियामेंट ने स्वीकृत की है, उस के बारे में ये लोग यहां कैसी बात करते हैं और बाहर कैसी बात करते हैं। अगर हम इस सारी पुस्तिका का पढ़ जायें, तो हम को पता चलेगा कि यहां ये प्रतिनिधित्व और मान्यता की मांग करते हैं और बाहर जा कर ये किस तरह का प्रचार करते हैं। उसका क्या कारण है? उस का कारण यह है कि दरअसल इन के पीछे कोई नहीं है, इन की मेम्बरशिप कागजी होती है। इस विषय में देखा यह जाता है कि इन के पीछे मजदूरों का ताकत कितनी है, मजदूरों का संगठन क्या है, चन्दा क्या है और उस चन्दे का उपयोग क्या होता है। इन सब बातों के आधार पर प्रतिनिधित्व और मान्यता का निर्णय किया जाता है।

श्री डांगे ने एक पत्र १७ अप्रैल, १९५६ को मुझे भेजा था—और मुझे ही नहीं, हिन्दुस्तान की सारी यूनियनों को भेजा था, जिस में उन्होंने लिखा कि बम्बई टैक्सटाइल में हमारे लगभग एक लाख मेम्बर हो गए हैं और नब्बे हजार रुपए उन का चन्दा हमारे पास आया है। इसका मतलब यह है कि टैक्सटाइल वर्कज मालिकों का सामना करना चाहिये हैं उनमें जायति आई है और वे संगठित होना चाहते हैं। इसलिए हमारी मैनेजिंग कमेटी ने यह ठहराया है कि जल्दी से जल्दी हिन्दुस्तान भर के मजदूरों का एक सम्मेलन बम्बई में किया जावे और मालिकों का सामना करने की शक्ति उनमें पैदा की जावे। इसलिए प्राप डेलीगेटों के नाम भेज दें और अपनी स्वीकृत भेजने का कष्ट करें। वह कांफरेंस मई में होगी।

उसके बाद २६ जून, १९५६ में उनका दूसरा पत्र आया। उस में उन्होंने लिखा कि पहले हमने जो तारीखें ठहराई थीं, उनको हम भूलतबी करते हैं। अब हमने १७ जुलाई से लेकर १९ जुलाई तक वे तिथियां ठहराई हैं और वह सम्मेलन बम्बई में होगा। प्राप डेलीगेटों के नाम और यूनियन की रिपोर्ट भेज दीजिए।

फिर तीसरा पत्र ६ जुलाई, १९५६ को आया। वह भारतीयनल पत्र मेरे पास है, जिस पर उन के दस्तखत हैं। मैं कोई कापी उतार कर नहीं लाया हूँ। उसमें उन्होंने लिखा कि जो तारीखें हमने पहले रखी थीं, उनको भी बदल कर अब २१ जुलाई और २२ जुलाई कर दिया गया है। प्राप डेलीगेट्स के नाम और यूनियन की रिपोर्ट भेज दें।

उसके बाद १३ जुलाई को उनका चौथा पत्र आया, जिसमें उन्होंने लिखा कि बड़े दुख के साथ कहना पड़ता है कि इनके पत्र और रिमाइंडर भेजने के बाद भी किसी भी यूनियन ने अपनी कोई रिपोर्ट नहीं भेजी

[श्री रामसिंह भाई वर्मा]

है। इसलिए इस सम्मेलन को अनिश्चित समय तक के लिए मुलतवी कर दिया गया है।

जो लोग इतने बड़े-बड़े दावे करते हैं कि हिन्दुस्तान में हमारी यूनियन की संख्या अधिक है, उनकी वास्तविक स्थिति का इन पत्रों से पता चल जाता है। श्री डांगे ने भी इस बारे में कहा, लेकिन उन्हीं के दस्तखत से मेरे पास पत्र आता है, जिसमें वह कहते हैं कि इतने पत्र भेजने के बावजूद श्री रिमाइंडर भेजने के बावजूद अभी तक किसी भी यूनियन ने अपने डेलीगेट्स के नाम नहीं भेजे और अपनी रिपोर्ट नहीं भेजी है, इसलिए अगली सूचना तक इस सम्मेलन को समाप्त किया जाता है, यानी मुलतवी किया जाता है।

प्रश्न यह है कि ये बातें क्यों की जाती हैं। हाउस में ये क्या बात करते हैं और बाहर क्या बात करते हैं, लेकिन इनके पीछे कुछ नहीं है। अभी थोड़े दिन पहले उन्होंने कलकत्ता में एक स्टेटमेंट दिया था, जिसमें उन्होंने कहा कि हिन्दुस्तान में हमारी मेम्बरशिप मंदाह लाख है और आई० एल० ओ० में जो डेलीगेट्स भेजे गए हैं, वे गवर्नमेंट आफ इंडिया ने गलत भेजे हैं, क्योंकि ए० आई० टी० यू० सी० को उसमें प्रतिनिधित्व नहीं दिया गया है। मैं यह निवेदन करना चाहता हूँ कि यह बात कई बार तय हो गई है। सरकार की ओर से हर वर्ष यह वैरिफाई किया जाता है कि कौन-सी यूनियन की कितनी मेम्बरशिप है। तमाम यूनियनों अपने अपने मेम्बरों की संख्या भेजती हैं और सरकार की ओर से उनकी चैकिंग कराई जाती है। चैकिंग से यह पता चला कि उनकी मेम्बरशिप आई० एल० टी० यू० सी० की मेम्बरशिप से आधी थी और उसके आधार पर आई० एल० ओ० में प्रतिनिधि भेजे गए। इस सम्बन्ध में जब उन्होंने जेनेवा में भावजेकेशन उठाया, तो वहाँ भी यही निर्णय हुआ कि आई०

एल० टी० यू० सी० की मेम्बरशिप ज्यादा है। इसके बावजूद यह नाटक प्रतिवर्ष होता है और वह इस लिए होता है कि बाहर के मजदूरों की भ्रष्टानता से फायदा उठाया जाये और उन को बताया जाये कि देखो, हमारी मेम्बरशिप ज्यादा है, लेकिन कांग्रेस की गवर्नमेंट है और श्रम मंत्री, श्री नंदा हैं, इस लिये वे हमारे साथ अन्याय करते हैं और और यहाँ आई० एल० टी० यू० सी० के प्रतिनिधि भेजते हैं। मैं यह निवेदन करना चाहता हूँ कि वहाँ की बात को छोड़ दीजिए, केरल में उन की गवर्नमेंट थी और १९५७-५८ में वहाँ उन्होंने अपनी मेम्बरशिप २,३२,६६० बताई। लेकिन वैरिफिकेशन से मालूम हुआ कि उन की मेम्बरशिप ७६,४५३ थी। वहाँ तो कोई मेरी गवर्नमेंट नहीं थी, कांग्रेस की गवर्नमेंट नहीं थी, द्रविड़ साहब नहीं थे, शान्तिलाल शाह नहीं थे और विद्यालंकार नहीं थे। श्रीमन्, आप इस बात को देखें कि जिस प्रदेश में उन की गवर्नमेंट थी, वहाँ पर उन्होंने जो दावा किया, वह गलत साबित हुआ।

जहाँ तक १९५८-५९ का सम्बन्ध है, उन्होंने अपनी मेम्बरशिप १०,८२,५७२ दी है और आई० एल० टी० यू० सी० ने १५ लाख दी है। लेकिन अब तक इस सम्बन्ध में कोई वैरिफिकेशन नहीं हुआ है। तो फिर वह कैसे कहते हैं कि हमारी मेम्बरशिप ज्यादा है। इस के बावजूद वह गवर्नमेंट पर पक्षपात का आरोप लगाते हैं और कहते हैं कि गवर्नमेंट इण्टक की ज्यादा हमदर्द है, वह उन की ज्यादा सुनती है और हमारी नहीं सुनती है।

हमारी यूनियन ने और कम्यनिस्टों और दूसरों की यूनियनों ने जो दरखास्तें भेजीं कि इन मामलों को ट्राइब्यूनल को या एडजुडिकेशन के लिये रेफर किया जाये, उन के कुछ धांकाड़े मैं आप के सामने पेश करना चाहता हूँ। इण्टक की ओर से २,२४५.

एटक की धोर से १,७००, हिन्द मजदूर सभा की धोर से १,०६७ और यूनाइटेड ट्रेड यूनियन की धोर से २६४ मामले भेजे गये। लेकिन गवर्नमेंट ने जो मामले रेफर किये, उन की परसटेज इस प्रकार है: इनटक: ४६.६ परसेंट, एटक : ६०.५ परसेंट, हिन्द मजदूर सभा: ६३.२ परसेंट और यूनाइटेड ट्रेड यूनियन: ७३.६ परसेंट।

**Shri Tangamani:** What is the INTUC claim for membership, and what is the verified membership? It is fifty per cent.

श्री राम सिंह भाई बर्मा : जब माननीय सदस्य का वक्त प्रायगा, तो वह जो चाहें कहें।

जो फिगरज मैं ने दिये हैं, उन से प्रकट होता है कि जितनी छोटी यूनियन है, उन के मामले ज्यादा रेफर किए गए और जिन यूनियन्ज की मेम्बरशिप ज्यादा है, उन की परसेंटेज कम है।

मैं यह निवेदन करना चाहता हूँ कि सवाल यह नहीं है, सवाल यह है कि इस प्रकार का प्रचार ठीक नहीं है। जब हम धोर वे मजदूरों का संगठन करना चाहते हैं, उन के लिये कुछ करना चाहते हैं, तो उस पर हम को विचार करना चाहिये, सोचना चाहिये। मान्यता के बारे में लिखा है कि जो कोड ग्राफ डिसिप्लिन का पालन करेगा, उसी को मान्यता मिलेगी। ग्राज चार दिन की बात है कि देवास में मेरे एक वर्कर का मर्डर कर दिया गया और इसलिये उसका मर्डर किया गया कि मेरी यूनियन के लोग जो हैं वे कोड ग्राफ डिसिप्लिन का पालन करना चाहते थे और जो कम्युनिस्ट वर्कर थे वे पालन नहीं करना चाहते थे। वे लोग काम को बन्द करवाना चाहते थे जबकि मेरे वर्कर कहते थे कि काम बन्द नहीं होना चाहिये। इसका नतीजा यह हुआ कि कम्युनिस्ट वर्करों ने, १५-२० आदमियों ने जा कर मेरे वर्कर पर हमला किया और उसको मार दिया।

इस तरह से ये लोग कोड ग्राफ डिसिप्लिन का पालन करते हैं। जब कोई कहता है कि काम बन्द नहीं होना चाहिये, धोर जो शिकायत है उसकी मीनेजमेंट के पास शिकायत करो, यूनियन से करवाओ, तो उसको भ्रगर मार दिया जाता है तो कैसा यह कोड ग्राफ डिसिप्लिन का पालन है, इसको ग्राप समझ सकते हैं।

15 hrs.

इस तरह की बातें यहीं पर होती नहीं देखी गई हैं। मिलाई के भन्दर क्या कुछ हुआ है? वहां मेरी यूनियन १२ महीने से केस मीनेजमेंट के सामने रखती आ रही है, बारह महीने से शान्ति से काम करती आ रही है। वहां पर मेरी यूनियन की मेम्बरशिप से अधिक है। लेकिन मैं हड़ताल के विरुद्ध हूँ, मैं नहीं चाहता हूँ कि हड़ताल हो। यह बात नहीं है कि मैं हड़ताल करवा नहीं सकता हूँ या मुझ में शक्ति नहीं है, लेकिन मैं चाहता हूँ कि डंग से काम हो, एक तरीके से काम हो मजदूरों को नुकसान न पहुंचे। चार पैसे मजदूरों के लो कर भ्रगर तीन पैसे उनको दिलाये जायें तो कोई फायदा नहीं होता है। चार पैसे का नुकसान करवा कर भ्रगर १६ पैसे भी दिलवाये जायें, तो भी मैं इसको प्रच्छा नहीं समझता हूँ क्योंकि उसमें भी १/१ हिस्सा नुकसान उठाना पड़ता है। तो जो मैं कह रहा था, उसकी धोर मीनेजमेंट ने ध्यान नहीं दिया, मिनिस्टर साहब ने ध्यान नहीं दिया है। हम जो कि प्रसनी उनके नुमाइंदा थे, उनकी बात पर तो ध्यान नहीं दिया गया लेकिन उनमें से एक आदमी, जिसका इसमें कुछ भी नहीं था। भ्रनखन करने बैठा धोर जब ऐसा हुआ तो उसके बाद धार्दं ० जो० पी० वहां पहुंच गये, डिविजनल कमिश्नर साहब पहुंच गए। वहां पर वो जीपें जला दी गई, इंजीनियर साहब को मारा गया और जब यह सब चीज हो गई तो धार्दं ० जो० पी० ने कह दिया कि वेनन बड़ा दोषीर

[श्री रामसिंह भाई वर्मा]

मिनिमम वेज ४८ से बढ़ा कर ७२ कर दी गई। जिन लोगों ने जीपें जलाई, मारा पीटा उनके दबाव में घा कर तो घ्राप सब कुछ कर देते हैं लेकिन जो शान्ति से काम करना चाहते हैं और जब वे किसी चीज की मांग करते हैं तो उनकी बात ही सुनी नहीं जाती है। यह जो एम्प्लॉयग मिनिस्ट्री है उसका हाल है। जो पब्लिक सैक्टर के लोग हैं, जो कि इन चीजों से डील कर रहे हैं, वे पुराने ढंग से नहीं काम कर रहे हैं, पुराने जमाने के वे लोग हैं, और उनके एटीट्यूड में कोई परिवर्तन नहीं आया है। उनको प्राज मुनाफे से या लास से कुछ लेना देना नहीं है। उनको वेतन मिल रहे हैं, ग्रेड मिला हुआ है, और घ्राप से घ्राप उनकी तरक्की होती जाती है, उनको नफे नुकसान से क्या मतलब। प्राइवेट सैक्टर तो यह है नहीं जो देखे कि कितना प्रोडक्शन होता है, कितना प्राफिट होता है। यहां पर पब्लिक सैक्टर में कोई भी देखने वाला नहीं है, भगवान ही इसका मालिक है। अगर इन प्रॉडक्टोंकज का डिफिसिट बजट हुआ तो ये जानते हैं कि टैक्सेशन अधिक हो जायेगा और इनको कोई घाटा होने वाला नहीं है। इस वास्ते मैं कहना चाहता हूँ कि यह जो सारी नीति है, इसको घ्रापको बदलना होगा।

मैं समझता हूँ, उपाध्यक्ष महोदय, कि इस मिनिस्ट्री की डिमांड्स पर मेरा बोलने का अधिकार है क्योंकि मैं एक ऐसा मजदूर हूँ जोकि डायरेक्टली मजदूरों में रह कर काम करता हूँ और पालिटिक्स में कभी नहीं पड़ता हूँ। जो मजदूरों के हित की बात है वही मैं कहता हूँ। प्राज देश के सामने एक और बहुत बड़ा सवाल है। गवर्नमेंट प्राफ इंडिया ने अपने फाइव यीर प्लान में वेज बोर्ड बनाने का वादा किया था। उस वायदे के मुताबिक ही मार्च, १९५७ में टैक्सटाइल वेज बोर्ड की स्थापना हुई थी। उस वेज बोर्ड की सिफारिशें गवर्नमेंट ने बड़ी मुश्किल से कांपते कांपते

मंजूर की थी। लेकिन उसके बावजूद भी कुछ नतीजा नहीं निकला है। मजदूरों के सामने कुछ भी नहीं है। अभी भी कुछ मिनिस्टर लोग इधर उधर भाषण देते फिरते हैं कि मजदूरों और मालिकों को घ्रापस में निपट लेना चाहिये। निपटने का सवाल ही पैदा नहीं होता है। वेज बोर्ड की सिफारिशें मंजूर करने के बाद निपटने का क्या सवाल है। निपटने का मतलब तो यह है कि दो पार्टियां बट कर एक दूसरे के सामने घ्रा कर खड़ी हो जायें और ताकत अजमाई करें। यहां पर ताकत का सवाल नहीं है। वेज बोर्ड का फैसला पंच फैसला था और गवर्नमेंट ने अपने उस पर आर्डर पास किये थे। वेज बोर्ड के बाट प्रदालत में जाने का सवाल ही नहीं है। प्रदालत अब वहां नहीं है। एपीमेंट से यह सब चीज हुई है। एपीमेंट से जो वेतन बढ़े हैं, उसको एडजस्ट करने का सवाल ही नहीं। वह गलत चीज है। जब घ्रापने १५वीं इंडियन लेबर कान्फ्रेंस में तय कर दिया कि राशनलाइजेशन हो, राशनलाइजेशन के सिद्धान्त को तय कर दिया और कह दिया कि इस इस घ्राघार पर हो और कह दिया कि जितना वर्क लोड बढ़ेगा, जितने मजदूर कम होंगे, उस सब से जो बचत होगी, वह मजदूरों, उद्योग और कम्युनिटी में डिवाइड होगी तो अब एडजस्टमेंट का क्या सवाल है। जब हमने एक चीज समझीता कर के तय कर ली है, हमने प्राप्त कर ली है, उसके बाद कहा जाये कि इस हाथ दे, उस हाथ ले, तो इसका कुछ मतलब नहीं है। एडजस्टमेंट का कोई सवाल नहीं उठना चाहिये।

उपाध्यक्ष महोदय, मैं घ्राशा करता हूँ कि टैक्सटाइल वेज बोर्ड के बारे में घ्राप मुझे बोलने का थोड़ा समय देंगे क्योंकि हमी के बारे में मेरा सब से अधिक सम्बन्ध रहता है। जो हमारी फीडरेशन है, उसका मैं वाइस-प्रेसीडेंट हूँ। उसके बारे में अगर मैं कुछ

नहीं बोला तो लोग कहेंगे कि तुम ने हमारी बात नहीं की है।

**उपाध्यक्ष महोदय :** इसको आपने आखिर में कहने के लिये क्यों रख छोड़ा है इसको सब से पहले कहना चाहिये था।

**श्री राम सिंह भाई वर्मा :** सब से पीछे इस वास्ते रखा है कि कहीं भूल न जाऊँ और इसके बाद कहने के लिये अभी और भी बहुत सी बातें मैंने रखी हुई हैं।

मैं चाहता हूँ कि गवर्नमेंट इस बात को स्वीकार करे कि वेज बोर्ड की जो सिफारिशें हैं और राशनलाइजेशन के आधार पर, एग्जीड सेटलमेंट के आधार पर जितनी भी रकम मजदूरों को मिलनी हो मिले, उसको पूरवस्त करने का सवाल ही नहीं है। टैक्सटाइल वेज बोर्ड के बारे में, मुझे भ्रमसोस है कि मालिक लोग कहते हैं कि २० करोड़, भार पड़ जाएगा, कोई कहता है १६ करोड़ का प्रतिरिक्त भार पड़ेगा कोई कहता है कि १४ करोड़ का भार पड़ेगा। उपाध्यक्ष महोदय, ये सब बातें गलत हैं। असल बात यह है कि आज टैक्सटाइल इंडस्ट्री के अन्दर ७ लाख ६७ हजार १५० मजदूर काम करते हैं। इन मजदूरों द्वारा जो उत्पादन हुआ है, उसको देखा जाय तो पता चलेगा कि पिछले दिनों वह अधिक से अधिक धाया है। ५ लाख ३१ करोड़ ७५ लाख १६ हजार गज कपड़ा उन्होंने तैयार किया है। अब जो वेज बोर्ड की सिफारिशें हैं, उसमें उसने मजदूरों को कैटेगरी में डिवाइड किया है। पहली कैटेगरी में जो मजदूर आते हैं, जिनको कि आठ रुपये दिये गये हैं, उनकी संख्या ४ लाख ६७ हजार है और उस हिसाब से कुल खर्च ४ करोड़ ४८ लाख ३२ हजार आता है। दूसरी कैटेगरी में जो लोग आते हैं, जिनको कि छः रुपये मिले हैं, उन पर २ करोड़ १६ लाख रुपये खर्च आता है। इस प्रकार ये कुल मिला कर मालिकों को ६ करोड़ ६४ लाख

३२ हजार रुपये मौजूदा वेतनों के हिसाब से देन पड़ते हैं। कुल मिला कर टैक्सटाइल इंडस्ट्री को जो रकम मजदूरों को देनी पड़ती है, जिस में प्राविडेंड फंड आता है, स्टेट इनश्योरेंस आती है, डी० ए० आता है, वह लगभग ६२ करोड़ होती है। अगर इस ६२ करोड़ में ८ करोड़ रुपये जुड़ गये और इस तरह से नौ करोड़ हो गये तो कितना डिफरेंस पड़ता है। आज नौ करोड़ से अधिक रकम तो टैक्सटाइल इंडस्ट्री से गवर्नमेंट ग्रान्ट इंडिया टैक्सों के रूप में ले जाती है, सेल्स टैक्स तथा दूसरे टैक्सों के रूप में ले जाती है। इमकं मुकाबले में सारी कास्ट ग्रान्ट लेबर जो है, वह ही करोड़ की नहीं होती है। जब इतना ही रुपया मजदूरों को दिये जाने की मांग की जाती है, जो उनको मिल रहा है, उसमें आठ करोड़ की वृद्धि की मांग की जाती है, और उसको स्वीकार नहीं किया जाता है, तो इससे ज्यादा दुःख की बात और क्या हो सकती है।

हम कमजोर आदमी हैं। हम कमजोर इसलिये नहीं कहते हैं कि हम डरते हैं, बल्कि इसलिये कहते हैं कि हम देश को नुकसान पहुंचाना नहीं चाहते हैं, इंडस्ट्री को नुकसान पहुंचाना नहीं चाहते हैं, चाहते हैं कि इंडस्ट्री तरक्की करे, चाहते हैं कि प्रोडक्शन बढ़े, इसलिये अपने को कमजोर कहते हैं। लेकिन इसका यह मतलब नहीं है कि हमारे माथ इसाक न हो। हम चाहते हैं कि न्याय हो। मैं न आपके सामने खर्च की रकम रख दी है, अब मैं आपके सामने प्रोडक्शन की फिगर रखना चाहता हूँ। मैं आपको बनलाना चाहता हूँ कि हमारे मजदूरों ने कितना प्रोडक्शन को बढ़ाया है। टैक्सटाइल इंडस्ट्री में लगभग ४० प्रतिशत प्रोडक्टिविटी बढ़ी है। उसके मुताबिक प्राफिट भी बढ़ा है। ये सारी की सारी चीज मैंने टैक्सटाइल वेज बोर्ड के सामने एक पुस्तिका की शकल में रख दी थी। १९४८ के अन्दर जो प्रोडक्शन हुआ वह ५५६३ गज हुआ। मैं यह मार्च की फिगर

### [श्री रामसिंह भाई वर्मा]

दे रहा हूँ। इसके मुकाबले में १९५७ में, मार्च में वह बढ़ कर ९४०४ गज हो गया यानी ७०.६ या ७१ परसेंट वह बढ़ा। इतना उत्पादन बढ़ाने के बाद भी क्या मैं यह कहने का अधिकारी नहीं है कि मुझ खाने को मिले, मेरी जो दूसरी न्यायोचित मांगें हैं, वे पूरी होनी चाहियें और क्या मैं इस चीज को हाउस के सामने रखने का अधिकारी नहीं हूँ? मैं निवेदन करना चाहता हूँ कि आप घंटी न बजायें और मुझे थोड़ा समय और . . . . .

**उपाध्यक्ष महोदय :** पेंम्बर साहब को खत्म करना चाहिये। आपने उत्पादन ७१ परसेंट बढ़ाया है और मैं ने आपको भी परसेंट से ज्यादा वक्त दे दिया है।

**श्री रामसिंह भाई वर्मा :** हम जितने कपड़े का उत्पादन करते हैं, उसके यार्डज को न और घाट करौड़ रुपये का पाइयों और नये पैसों में हिसाब लगायें तो पता चलेगा कि वह १.२५ नया पैसा आता है। एक एक गज के ऊपर इतना पैसा आया। आज जो मिल मालिकों को दावा है कि मजदूरों की बेज्जेज बढ़ रही है, यह बिल्कुल गलत बात है। मैं यह निवेदन कर देना चाहता हूँ कि बाजार के भाव कपड़े के बढ़े हैं, लेकिन इंडस्ट्री के घन्वर जो बेज्जेज हैं वह कम हुई हैं। इस चीज को निवेदन करने के लिये अगर हम कास्ट को देखने जाते हैं तो . . . . .

**उपाध्यक्ष महोदय :** अब काफी समय हो चुका है। इस चीज को देखने का वक्त नहीं है। श्री मूलचन्द दुबे।

**Shri Mulchand Dube (Farrukhabad):** From the report that has been circulated, it appears that the overall agricultural production has risen by about 31 per cent compared with the year 1949-50. It also appears that industrial production has increased by 50 per cent as compared with the years 1950 and 1951. In spite of this increase in production, prices have also kept pace with it.

The prices have also risen in the same proportion. This may be due to deficit financing or to some other causes to which the Minister will probably refer in his reply. But it does appear that we are in some kind of a vicious circle in this matter. It may be that we have reached the limit of deficit financing and it is no longer possible to control this spiralling of prices. Or it may be that production has not increased to the extent deficit financing has been resorted to. Be that as it may—that is a point for the consideration of the hon. Minister—I entirely agree with my hon. friend who preceded me that labour has to be kept satisfied, because if labour is not given a living wage, if labour is not satisfied, the result will be that production will not increase.

There is another matter which troubles me. That is the question of unemployment. It appears that the volume of unemployment at the end of the First Five Year Plan was about 5 lakhs, at the end of the Second Plan it is 10 lakhs and at the end of the Third Plan it is expected to be 15 lakhs or thereabouts, so that unemployment is also rising as our plans are developing. It appears to me, therefore, that there is something wrong in the planning that we are resorting to. We have not given that attention to our resources which we should have. In ordinary planning, the first thing that a person or a country does when planning is to make a survey of resources and requirements and adjust the requirements according to the resources.

What are our resources? Apart from monetary or financial resources, there is the resource of manpower, the human material. The 40 crores of people we have do not seem to have been taken into account in the plans that we have prepared. They are in fact taken into account as a liability rather than as an asset. That liability is mounting as our plans are expanding. In the First Plan, we had a

certain figure of unemployed. In the Second Plan, it is doubled; in the Third, it is expected to be doubled again. I think this increase is not the total increase, because the figures are based on any comprehensive statistical data but on the entries in the live registers of the Employment Exchanges. It goes without saying that all the persons who seek employment are not registered with the Employment Exchange. The result is that the total figure at the end of the Third Plan may be much more than 15 lakhs; it may be 20 lakhs or 30 lakhs. So something has to be done. Some plan has to be devised by which we will be able to employ our manpower to the extent possible.

The Report circulated to us shows that some lakhs of man-days have been lost. Suppose there are 15 lakhs of men who are idle. It means 151 lakh man days are lost every day for 365 days, not only for 365 days but for years and years. Just imagine the extent of national loss which the country is suffering because there is some defect in the Plan. The Plan has to be revised and reconsidered in the light of this factor.

In regard to unemployment, we have also to take into account the nature of the persons who are unemployed. There are unskilled labourers, skilled labourers and the educated unemployed. So far as unskilled labourers are concerned, it is difficult for them to get jobs. In the case of skilled labourers, they are able to get jobs, and even if they do not, they can just shift for themselves and work at home or do something else. But what about the educated unemployed? This is confined to those who have passed the matriculation or high school examination. My submission is that these people have to be employed somehow or other. But there is a difficulty in employing these people. During the British days it was only English education that was taken into consideration in recruiting men for government service. Government service acquired a great deal of prestige. Now

every educated man wants to get into government service. The result is that whatever education we give to the boys, whether we make them engineers, technicians or agriculturists, whatever kind of education is given, at the end of it, the boys want government service. This tendency to seek government service and do nothing else has to be checked somehow or other. The only thing that we should do, in my opinion, is to change the entire pattern of our education so that at least this tendency of looking for government jobs and nothing else is checked somehow or other.

I find that there is a decision of Government to the effect that even after 1965 English shall continue to be an associate language. The result of this will be that there will be different classes of people. English education itself is creating a class among the people of this country. So, so long as this English education is there, this problem of unemployment is not going to be solved.

We must also do something to change the system of our planning. We somehow or other seem to think that the manner in which other countries in the west, the U.S.A., U.K. and other European countries, have progressed is the only way of progress. Conditions there are entirely different from what they are here. There they have a shortage of manpower. Here there is surplus manpower. Therefore, this surplus of manpower that we have has to be utilised somehow or other. I am not against big machines. I am not against big power plants. But they must be co-ordinated with the human material that we have. This human material must not be allowed to go to waste. Work must be found for the entire population of the country so that the entire national loss that we are now suffering may somehow or other be curtailed or checked. For that, my submission is that the plans that we are making have to be revised in such a way that the human material that we have as surplus must be utilised to the full.

श्री काशीनाथ पांडे (हाता) : उपाध्यक्ष महोदय, इसके पहले कि मैं इस मन्त्रालय के सम्बन्ध में या उसकी कार्यवाहियों के सम्बन्ध में कुछ कहूँ, थोड़ी सी बात जो माननीय सदस्य डांगे ने कही थी, उस सम्बन्ध में कह देना चाहता हूँ। उन्होंने अपनी स्पीच में लेबर पालिसी के सम्बन्ध में खास तौर से जिक्र किया। हमारा खयाल है कि वे भी यह समझते होंगे कि चूंकि हिन्दुस्तान में डिक्टेटोरशिप आफ़ बी प्रोलेटेरियट नहीं है इसलिये एक प्रजातन्त्रात्मक देश की लेबर पालिसी में और एक अधिनायकवाद वाले देश की लेबर पालिसी में बड़ा फर्क होता है। यहां पर लेबर सारे नेशन या सारे राष्ट्र का एक हिस्सा है और उस को ध्यान में रखते हुए हमारे देश की लेबर पालिसी ऐसी है कि जिससे देश का भी विकास हो और साथ ही साथ हमारे श्रमिक लोगों का भी जीवन स्तर उन्नत हो। राष्ट्र को आगे बढ़ाने की सिर्फ़ एक नीति होती है और वह है उद्योग धंधों का विस्तार क्योंकि उद्योग धंधों को बढ़ा कर ही देश में उत्पादन की वृद्धि हो सकेगी। मेरे खयाल से हमारे देश की और खास तौर से जो लेबर विभाग की पालिसी रही है उससे प्रोडक्शन आगे बढ़ा है और इसके साथ ही मैं यह भी कह सकता हूँ कि इस पालिसी की वजह से हमारे यहां उद्योगों में शान्ति भी रही है क्योंकि अगर आप पिछले सालों के आंकड़ों को देखें तो आप पायेंगे कि हाल के वर्षों में उनके पिछले सालों के मुकाबले में मैन डेज लोस्ट की संख्या बहुत कम है और उद्योग धंधों में प्रगति होने के साथ साथ उत्पादन ज्यादा होने लगा है। ऐसा इसलिये हुआ है कि माननीय श्रम मन्त्री ने तमाम पार्टियों को इकट्ठा कर के उन में आपस में बातचीत कराई और तमाम चीजों को हल कराने की कोशिश की। मैं आप से यह कहना चाहता हूँ कि बावजूद इसके कि कम्युनिस्ट पार्टी की या डांगे साहब की नीति या उनके विचार दूसरे हैं, हिन्दुस्तान का मजदूर आज इस बात को अच्छी तरह समझने

लग गया है कि कम्युनिस्ट पार्टी के लेबर के सम्बन्ध में जो विचार हैं उससे उसको कोई लाभ नहीं है। मैं कहना चाहता हूँ कि खुद डांगे साहब ने एक जगह पर एक बड़ा एक्सपेरिमेंट किया और कम्युनिस्ट पार्टी ने भी एक सेंटर में काफी रूपया खर्च करके देखा लेकिन जब मजदूरों ने साथ नहीं दिया तो उस सेंटर को नाकामयाब होकर छोड़ दिया गया।

आखिर में हार मान कर डांगे साहब साहब और उनकी पार्टी को यह समझना पड़ा कि किस नीति से वे चल रहे हैं वह नहीं चल सकती। लेकिन मैं आप से कहना चाहता हूँ कि आज लेबर पालिसी के लिये सबसे बड़ा चैलेंज अगर देश में है तो वह है स्वतन्त्र पार्टी क्योंकि वह पार्टी देश की प्रोग्रेस के खिलाफ़ मालूम पड़ रही है खास कर उसकी नीति श्रमिक वर्ग के खिलाफ़ है जिनके लिये हम लड़ रहे हैं। माननीय श्रम मन्त्री ने बावजूद इस बात के कि टैक्सटाइल मिलों में कठिनाई थी लेकिन जो एक सर्व सम्मति से फैसला हुआ था उसको उन्होंने माना लेकिन आज उसको एम्पलीमेंट करने में दिक्कत पैदा की जा रही है। मुझे आश्चर्य होता है कि जहां पर यूनेनीमस डिसेजिन हो, जहां पर सर्व-सम्मति से फैसले किये जायं, गवर्नमेंट भी उसको मंजूर कर ले, मिल मालिकों के प्रतिनिधि जो उस बोर्ड में थे उन्होंने मंजूर किया लेकिन मिल मालिक सच्चे दिल से उन फैसलों को अमल में नहीं ला रहे हैं। लेबर मिनिस्टर साहब ने छोड़ दिया है कि अपने आप वह एम्पलीमेंट हो जायगा। मैं कहना चाहता हूँ कि अगर आप इस त्रिदलीय सम्मेलन की सफलता चाहते हैं अगर आप देश में औद्योगिक शान्ति चाहते हैं और यह चाहते हैं कि आपस की बातचीत व सलाह मशविरों से उद्योगों में शान्ति रखी जाय तो यहां पर उन सब चीजों को कार्यान्वित करने में आप को सक्त पड़ना पड़ेगा वरना लोगों क



इस त्रिदलीय सम्मेलन से विश्वास उठ जायेगा और वे उसमें भाग नहीं लेंगे। और उसके बाद से फिर वही पुराना मीथड जो कि पहले चला करता था कि ताकत को धाजमाइश होती थी और जो पार्टी मजबूत होती थी वह काम-बाब होती थी, वही पुराना तरीका चलने लगेगा। मैं इस सम्बन्ध में यह कहना चाहता हूँ कि भ्रगर लेबर मिनिस्टर साहिब ने जो कुछ भी फँसला हुआ या उसमें कुछ कमी या बेसी तो दूसरी बात थी लेकिन उन्होंने ऐसी बात नहीं की बल्कि फँसले को उसी तरह मान लिया। एक चीज मैं जरूर इसके बावजूद भी कहना चाहता हूँ। यदि फँसले को लागू करने में दिक्कत हो यह एक आश्चर्य की बात है। उन बड़े बड़े वेज बोर्डों और पे कमीशन के सम्बन्ध में मेरी समझ में एक बात नहीं आती कि आखिर यह वेज बोर्ड और पे कमीशन के बनने की बात उठी क्यों। उठी इसलिये कि देश की नेशनल इनकम बढ़ी थी और चीजों के भाव ऊँचे उठे थे साथ ही मजदूरों को जो पैसा मिलता था उसमें वह चीजें जो कि पहिले उसे हासल हो जाया करती थी अब नहीं मिल पाती थीं। पैसे की क्रय शक्ति घट जाने से उतनी हद तक उसकी मजदूरी में कमी पड़ गयी थी उसी पैसे को बढ़ाने के लिये उसने मांग रखी और उस पर यह पे कमीशन या वेज बोर्ड बैठाये गये। मेरी समझ में नहीं आया कि इण्डियन लेबर कान्फ़ेस ने जो नोर्मस फिक्म किया गया था उसका क्या स्थाल किया गया। नोर्मस के फिक्म करने का आधार यह था कि देश में केवल मजदूरों के लिये धी कंजम्शन यूनिट मानी जाय। बहुत से मजदूरों के, ८ और १०, १० बच्चे हैं लेकिन कम्प्रोमाइज यह हुआ कि केवल तीन आदमियों का एक परिवार ले लिया जाये और उसके आधार पर उनकी तनखाहें मुकरर हों लेकिन उन तीन आदमियों के परिवार के आधार पर जो तनखाह मुकरर हो रही है वह कॅपेसिटी टु पे के आधार पर कम करते जाते हैं या नहीं तो मैं वेस रहा हूँ कि जब कोई

उस बारे में फँसला होता है तो उसे एम्पलीमेंट करना मुश्किल होता है। एक सिद्धान्त की बात तो यह थी कि आपने फिफ्तीय लेबर कान्फ़ेस में जो यह तय किया था कि धी कंजम्शन यूनिट हो, उसके ऊपर तनखाह हो जाती है जितना कि आप पे कर सकते हैं, जितनी आपकी पेइंग कॅपेसिटी है उतना मजदूर को मिल जाता तो ठीक हो जाता। धाज मजदूर भी यह चाहता है कि देश भ्रगर विकास कर रहा है तो उसका भी उसमें हिस्सा हो। इसलिये मेरा सुझाव यह था कि भ्रगर उसको नेशन की तरफ से सैक्रिफाइस का सटिफिकेट बाकी पैसे के लिये दे दिया जाता तो उस बेचारे को यह तो संतोष होता कि कम से कम हिन्दुस्तान को ऊंचा उठाने में उसका भी हाथ है। लेकिन इसलिये कि पेइंग कॅपेसिटी नहीं है अतः सिद्धान्त के पालन में जरा सी भी ढिलाई की गई तो इस सिद्धान्त का पालन कभी नहीं हो सकता।

दूसरी बात मझे पे कमीशन के सम्बन्ध में यह कहनी है कि पे कमीशन बैठाने का मतलब यह था कि जो एमिनीटीज और फैसे-लिटीज पहले लोगों को मिला करती थीं तथा पैसे की क्रयशक्ति जिस हद तक कम पड़ गयी थी तो कमीशन के जरिये उस कमी को किसी हद तक पूरा किया जायेगा ताकि हमारे वर्कर्स को मिलने वाली सुविधाओं में कोई कमी न हो। इस पे कमीशन के बैठाने की मांग का यह इरादा कतई नहीं था कि मजदूरों की यह मांग हो कि जो सुविधाएँ उन्हें अभी मिल रही हैं उनमें भी कमी कर दी जाये लेकिन मुझे खेद के साथ कहना पड़ता है कि कुछ ऐसी ही बात हुई है। यह तो मैं नहीं कहता कि उन सुविधाओं आदि को कम करवाने में हमारे लेबर मिनिस्टर का कोई हाथ था। सबाल यह है कि उसके लिये कोई भी जिम्मेदार हो लेकिन लेबर मिनिस्टर आपने को उसकी जिम्मेदारी से बरी नहीं कर सकते और मेरा कहना तो यह है कि लेबर मिनिस्टर साहब के सामने जो सिद्धान्त सर्वानम्मत से तय

[श्री काशीनाथ पांडे]

हुआ था उस पर उन्हें भ्रमल कराने के लिये कोशिश करनी चाहिये और अगर आज वे उस पर भ्रमल नहीं भी करा पा रहे हैं तो कम से कम हम उस सिद्धान्त से विचलित तो न हों।

अब मैं अपने कुछ अन्य प्वायण्ट्स पर आता हूँ। मुझे यह कहना है कि लेबर मिनिस्ट्री के द्वारा जो काम किये गये उनमें सबसे रिमोर्केबल और स्वागत योग्य चीज यह हुई है कि उन्होंने एम्पलाइज स्टेट इंश्योरेंस कारपोरेशन के द्वारा मिलने वाली मेडिकल बेनीफिट या मेडिकल फैसेलिटीज मजदूरों के फैमिली यूनिट्स पर बढ़ा दी हैं। इस बढ़ाव से १.८५ लाख फैमिली यूनिट्स को मेम्बर्स नहीं बल्कि फैमिली यूनिट्स को लाभ होता है और हमारा क्याल है कि धीरे धीरे जिस तरीके से यह स्कीम कार्यान्वित की जा रही है गांवों के तमाम लोगों को भी इसके अन्दर शामिल कर लिया जायेगा और शहरों के पास या ऐसे गांव वाले जो कि शहर में आकर बसे हुए हैं उन्हें दवा वारू की सुविधा हो जायगी।

एक चीज जो मुझे अमरिका से कहनी है वह है वर्कर्स एजुकेशन के सम्बन्ध में। मैंने यह देखा कि अमरीका जैसे देश में जहां वर्कर्स काँशस हैं श्रमिक वर्ग वहां पर खास खास तौर से काँशस है वहां वर्कर्स एजुकेशन पर काफी जोर दिया जा रहा है। अमरीका के पास इतना पैसा है कि वे वर्कर्स एजुकेशन के निमित्त यूनिवर्सिटी में एक खास विंग खोल देते हैं। वहां की यूनियनें काफी प्रागोनाइज्ड हैं और मजदूर में भी वहां पर काफी काँशसनेस है फिर भी वहां वर्कर्स को एजुकेट किया जा रहा है। क्योंकि प्रजातंत्र की नींव ही हिल जाती है अगर लोगों के अन्दर चेतना या जागरित न हो और अगर लोग वैसे ही रूप मंडूक के समान बने

हुए पड़े रहें। जब मजदूर अचेत हों तो कोई भी धादमी भ्रनगैल बात कह कर उनके विश्वास को हिला सकता है लेकिन जिस वक्त उनके अन्दर चेतना आ जायेगी मेरा क्याल है कि किसी बात का उन पर असर नहीं होगा। हमारे यहां वर्कर्स एजुकेशन का काम गवर्नमेंट आफ इण्डिया और लेबर मिनिस्ट्री इस बात को कर रही है। मैं यह कहना चाहता हूँ और मैं समझता भी हूँ कि माननीय श्रम मंत्री को लेबर का मुझ से ज्यादा अनुभव है। मैं इसको स्वीकार करता हूँ कि वे हम से ज्यादा अनुभव रखते हैं उनकी योग्यता हम से ज्यादा लेकिन मैं एक बात जरूर कहना चाहता हूँ कि कोई भी सरकारी विंग अगर वर्कर्स के अन्दर चेतना पैदा करने की कोशिश करेगा तो वह सफल नहीं हो सकता। वर्कर्स एजुकेशन का जो बोर्ड है उस की गवर्निंग बौडी का मैं धाई० एन० टी० यू० सी० की तरफ से मेम्बर हूँ.....

एक माननीय सदस्य: यह धाई० एन० टी० यू० सी० तो सरकारी विंग हो गया है।

श्री काशीनाथ पांडे : जैसे कि आप हैं क्योंकि सरकार के विधान के अनुसार ही आप इस हाउस में प्राये हुये हैं।

मैं कहना चाहता हूँ कि माननीय श्रम मंत्री को यूनियनों पर भरोसा करना चाहिये और यूनियंस की सहायता करनी चाहिये ताकि स्वयं वर्कर्स को एजुकेट करें। जो टीचर्स एडमिनिस्ट्रेशन काम के लिये जाते हैं वे ऐसे लोग होते हैं जो कि एक तरह से मरप्लस है ट्रेड यूनियन फील्ड में। कोई धादमी जो ट्रेड यूनियनों के लिये एसेंशियल हों उन्हें ट्रेड यूनियन ट्रेनिंग के लिये नहीं भेजा करते उन्हें चार महीने की ट्रेनिंग की कोई आवश्यकता नहीं होती। इसलिये सरप्लस लोग जो ट्रेनिंग के लिये प्रायेंगे और वहां से ट्रेड होकर जायेंगे

तां उनकी बातों का मजदूरों पर कितना भ्रमर पड़ेगा मैं नहीं समझता ।

इसलिये मैं तां यह कहना चाहता हूँ कि इस बात पर उनको पुनः विचार करना चाहिये कि इस देश के अन्दर वर्कर्स की एजुकेशन का मामला कितना जरूरी है । आई० एल० ओ० ने भी इस पर जोर दिया है, मेरा मुझाव है कि आप सेंट्रल प्रारगेनाइजेशन को कानफिडेंस में लें, उनको बुलाकर उनकी राय लें कि किस तरह से वर्कर्स को एजुकेट किया जा सकता है और किस तरह से वे तैयार होंगे आपसे कोआपरेट करने के लिये मेरा ख्याल है कि यही तरीका इसके लिये ठीक होगा ।

एक मर्तबा मैंने यहां आध घंटे की बहस उठायी थी उन मजदूरों के संबंध में जो एम्पलायर्स को अपना प्रावीडेंट फंड का कांटी-ब्यूशन तो दे चुके हैं, लेकिन एम्पलायर्स ने उसे सरकार के पास जमा नहीं किया है । वह रुपया सरकार के पास जमा नहीं है और अगर इस बीच में कोई मजदूर मर गया या काम से अलग हो गया, तो उसको कोई बेंनीफिट नहीं मिलेगा, लेकिन उनका कांटी-ब्यूशन बराबर कटता जा रहा है इस तरह से तीन करोड़ रुपया मजदूरों का एम्पलायर्स के यहां बाकी है । मैं जानना चाहता हूँ कि इसमें उन मजदूरों का क्या कुसूर है । उनका प्रावीडेंट फंड का कांटीब्यूशन उनकी तनखाह से काट लिया जाता है और उसका कोई बेंनीफिट उनको नहीं मिलता क्योंकि वह रुपया सरकार के पास जमा नहीं होता । जो बोर्ड आफ ट्रस्टीज है उसमें भी यह सवाल उठा और लोगों ने ऐतराज किया । उनका एतराज यह था कि अगर सरकार उन मजदूरों का दूसरे फंड में महायता पहुंचाये भी तो वह पैसा जो मिल मालिक के यहां बाकी है उसको सरकार रियलाइज नहीं कर सकेगी । लेकिन मुझे विश्वास है कि लेबर मिनिस्ट्री अपनी कारवाई में डिलाई नहीं करेगी । और वह इसके लिये पूरी तरह से कोशिश कर रही है ।

मैं तो कहूंगा कि वही प्राज लेबरर्स के इन्स्ट्रुट्स को सेफगाइंड कर सकती है, दूसरा कोई यह काम नहीं कर सकता । मजदूरों का जो पैसा जमा होता है उसके बारे में एम्पलायर्स के खिलाफ कार्रवाई करने के लिये मजदूर यूनियन्स के पास पैसा नहीं है । सरकार ही इस काम को कर सकती है, और अगर सरकार इस विषय में थोड़े से अप्रोजीशन की वजह से चुप हो जाती है, तो मैं कहूंगा कि यह वर्कर्स के साथ अन्याय होगा । इसलिये जो कुछ भी चीजें सामने आयी हैं उनको लेकर धागे बढ़ना चाहिये ।

मैं प्रावीडेंट फंड ऐक्ट के बारे में यह कहना चाहता हूँ कि अभी भी एम्पलायर उसे तरह तरह इंटरप्रेट करते हैं । जो कोल माइन्स प्रावीडेंट फंड के अनुसार वर्कर्स में डोमेस्टिक सर्वेंट तथा माली भी शामिल हैं । लेकिन इंडस्ट्री में जो डोमेस्टिक सर्वेंट फैंक्टरी से तनखाह पाते हैं वह वर्कर नहीं माने जाते । मैं कहना चाहता हूँ कि फैंक्टरी ऐक्ट में कुछ परिवर्तन करना चाहिये ताकि जो भी फैंक्टरी से तनखाह पाता है उसको प्रावीडेंट फंड का फायदा मिल सके । अभी यह होता है कि कुछ लोगों को फैंक्टरी से तनखाह मिलती है लेकिन वह फैंक्टरी ऐक्ट के अन्दर नहीं आते जिससे उनको फैंक्टरी ऐक्ट के मातहत जो फायदा मिल सकता है वह नहीं मिल पाता, और न उनको फैंक्टरी ऐक्ट के मुताबिक छुट्टियां ही मिल पाती हैं । और न काम के घंटे ही उनके नियत हैं । इसलिये मैं कहना चाहता हूँ कि जिम तरह से आपने इंडस्ट्रियल डिसप्यूट्स ऐक्ट में वर्कर को डिफाइन कर दिया है कि जो ५०० रुपया तक तनखाह पाता है, चाहे वह कोई भी काम क्यों न करता हो उमका वर्कमैन समझा जायगा और उमका पूरा फायदा पहुंचेगा, इसी तरह से फैंक्टरी ऐक्ट में भी हमको ऐसा संशोधन कर देना चाहिये ताकि नमाम वर्कर्स को फैंक्टरी ऐक्ट के मुताबिक छुट्टियां प्रावि मिल सकें । साथ ही उनके काम के घंटे भी

### [श्री वाशीनाथ पांडे]

ले हो जायें। अभी कहा जाता है कि वाचमैन बरकर की डेफीनीशन से कवर नहीं होता या जो कलक बाहर काम करता है वह उसमें नहीं आता। इसलिये हम उनको छुट्टियां नहीं दिलवा सकते जिससे उनको परेशानी होती है। इसलिये मैं चाहूंगा कि फैंकटरी ऐक्ट में जरूरी संशोधन कर दिया जाये ताकि इन लोगों को भी फायदा पहुंच सके जिनको इस वक्त नहीं पहुंच रहा है।

दूसरी बात में आपसे यह कहना चाहता हूं कि जो सुप्रीम कोर्ट ने फैसला दिया है उसको आप देखें। उसे देखने से आपको मालूम होगा कि स्ट्राइक तो अब नामुमकिन हो गया है। आप पब्लिक सेक्टर को लीजिये। पब्लिक सेक्टर में आपकी पालिसी के अनुसार मसलों को आपसी बातचीत करके निपटाया जाये ऐसी कोई खास मशीनरी नहीं है। अगर किसी बंकर को मिल के फंसले से सन्तोष न हो तो वह अपना डिस्प्यूट किसी कोर्ट में नहीं ले जा सकता। जब उनके प्रीवियस को दूर करने का उनके सामने कोई रास्ता नहीं होगा तो उनमें असन्तोष होगा और उसका परिणाम भिलाई में देखने को मिला। उन्होंने भिलाई में स्ट्राइक क्यों किया, इसकी उनको जरूरत क्यों पड़ी। इसका कारण यह था कि उनके सामने दूसरा रास्ता नहीं था। कोई कोर्ट नहीं है जिसके सामने वह अपना डिस्प्यूट रेफर कर सकें। जब उनके सामने कोई रास्ता नहीं रहा तो उन्होंने स्ट्राइक किया।

दूसरी बात में यह कहना चाहता हूं कि जो एवार्ड दिये जाते हैं उनको एम्प्लीमेंट भी कमी कमी नहीं किया जाता। उनके खिलाफ हाईकोर्ट में एम्प्लायर जाते हैं और वहां से भी यदि उनके मुआफिक फैसला नहीं हुआ तो वे सुप्रीम कोर्ट को चले जाते हैं और इस तरह वे न्याय मिलने में देर होती है और सालों लग जाने हैं। पांच पांच साल तक मामला लटका रहता है। सुप्रीम कोर्ट के पास अपना बहुत काम

होता है और वह अपनी सुविधा के अनुसार उम मामले को निपटाती है। वह सुप्रीम बाडी है। हम उससे यह तो कह नहीं सकते कि इस मामले को जल्द निपटा दिया जाये। ऐसी हालत में मजदूर को बड़ी तकलीफ होती है। आप एवार्ड को इम्प्लीमेंट कर नहीं सकते और डिसे को रोक नहीं सकते। ऐसी हालत में अगर मजदूर को यदि मुनासिब सहायता नहीं दी जायेगी तो स्ट्राइक नहीं होगा तो क्या होगा। मैं चाहता हूं कि इस सुप्रीम कोर्ट के फैसले के बाद आपको यह डिफाइन कर देना चाहिये कि कौन सा स्ट्राइक लीगल है और कौन सा इल्लीगल है। यह चीज अभी तक वेग है। इसलिये अगर आप इल्लीगल स्ट्राइक को रोकना चाहते हैं तो उसको डिफाइन कर दीजिये।

मैं श्री डांगे साहब से इस बात में सहमत हूं कि तीसरी पंचवर्षीय योजना में आप मजदूर के बारे में भी कोई फैसला जरूर कर दें। मैं यह नहीं कहता कि मजदूरों को पैसा मिल जाये तब वह काम की बात करें, लेकिन यदि आप चाहते हैं कि मजदूर प्लान को सफलता में कोआपरेट करें और प्रोडक्शन भी बढ़े, तो मजदूर भी अपनी तनखाह के बारे में उचित आश्वासन चाहता है। सिकंड फाइव ईयर प्लान उसने देख लिया उसके लिये विशेष कोई बात नहीं हुई। बेजबोर्ड का फैसला टेक्सटाइल इंडस्ट्री में इम्प्लीमेंट नहीं हो रहा है। दूसरे अभी प्रायेंगे और उनको भी आप एक्सेप्ट कर लेंगे यह मुझे आशा है। लेकिन मजदूर तो इस पर विश्वास करता है कि उसे कितना पैसा उसके हाथ पर मिला। तो मैं आपसे कहना चाहता हूं कि जब तक ऐसी पालिसी नहीं बनायेंगे बर्ड फाइव ईयर प्लान में किसी वस्तु के सेल की कीमत में मजदूर का क्या भाग होगा यह मासना हल नहीं होगा। मजदूर यह जानना चाहता है कि तीसरी प्लान में हमें इतना मिल सकेगा।

**Shri S. M. Banerjee (Kanpur):** Sir, I thank the hon. Minister for giving us a good review of the work done by the Labour Ministry. My hon. friend, Shri Dange, mentioned certain basic points during the course of his speech. He also mentioned that the Central Government employees organisations, the Railwaymen's Federation, the Defence Employees Federation and the Confederation and the P. & T. employees and the other organisations have ultimately come to the conclusion that in order to get certain demands fulfilled they had to resort to direct action. I must make it clear to the hon. Minister, who commands the confidence of all the working classes, whether in the public or the private sector that this decision was taken after a thorough and deep consideration of all the recommendations of the Central Pay Commission. During the discussion on the report of the Pay Commission, I said that the Finance Minister and the Finance Ministry had really discouraged the working classes of the country by saying that the recommendation of the 15th labour conference were not binding on the Government and that they were not ratified. I would only read the passage given in the Commission's report for the information of this House and of the hon. Minister. I am sure he has read it very carefully. The reply that was given by the Finance Ministry is as under:

"...The Government desire me to make it clear that the recommendations of the Labour Conference should not be regarded as decisions of Government and have not been formally ratified by the Central Government. They should be regarded as what they are, namely, the recommendations of the Indian Labour Conference which is tripartite in character. Government have, at no time, committed themselves to taking executive action to enforce the recommendations."

Sir, as I said in the past, if these recommendations are not accepted, then

what is going to be the pay of the workers whether in the public or in the private sector? The Pay Commission has not taken a note of it, because this letter was received from the Finance Ministry. I say, Sir, with all respect to the Pay Commission, to those eminent economists and Supreme Court Judges, they did not dare to take any action after reading this letter.

On the day the Textile Wage Board report was submitted I was surprised to see that the members of the Textile Wage Board accepted this and their recommendations they have said clearly—page 20, para. 93:—

"We have accordingly framed our unanimous decisions so as to ensure that (a) the principles of a need-based formula as enunciated by the Resolution of the 15th Labour Conference are kept in view....."

If I may be permitted to use the expression, if it is parliamentary, I should say that these recommendations of the Wage Board for the Cotton Textile Industry and the recommendations of the Wage Board for Cement Industry are not less than a slap on the face of the Pay Commission. So what business we have or the Government have to tell the private owners to accept these recommendations if they cannot possibly accept the decisions of the 15th Labour Conference in their own case?

Sir, there is another point which agitates my mind, and I am rather confused about it. I would ask, as an immature trade unionist, one particular question to the hon. Minister, whom I consider to be one of the mature trade unionists of the country. Now, in this recommendation of the Pay Commission, Dr. Akroind has been substituted by Dr. Patwardhan, 47 ounces have been substituted by 32 ounces. The price of these 32 ounces of commodities has been calculated at 56 naye paise. I put a question to the hon. Finance Minister and wanted a reply, but that reply is

[Shri S. M. Banerjee]

somewhere missing. I do not know how in Delhi 15 ounces of cereals, 3 ounces pulses, 6 ounces of vegetables, 4 ounces milk, 1½ ounces of gur and sugar, 1½ ounces of vegetable oil and 1½ ounces of groundnut could be purchased at 56 naye paise. It passes my imagination. It is said that on the basis of the prevalent prices in the market in 1958 it was calculated that 32 ounces of these commodities could be purchased for 56 naye paise. I am in Delhi, Sir, with the blessings of the people of Kanpur, ever since 1957. I could never purchase these 32 ounces for 56 naye paise. I do not know how any man can possibly purchase all these 32 ounces at 56 naye paise.

Therefore, Sir, the very foundation on which the recommendation of the Pay Commission has been based is wrong. I would ask the hon. Minister to kindly consider if 56 naye paise can give 32 ounces of these commodities. If it cannot, I think that the recommendations of the Pay Commission require revision and this particular recommendation about minimum wage requires reconsideration.

I know when a strike decision has been taken it will be said that the nation is in difficulty, and why should the Central Government employees on whose shoulders depend the success of the Third Five Year Plan, the Second Five Year Plan and the security of the country take such a decision. I must assure this House and the hon. Minister that if the country is in danger the Central Government employees will never go on strike. The Central Government employees may not get a minimum wage, but I am sure that they do not lack in minimum patriotism. That is there, and they may not take that decision.

But today, Sir, these two million employees under the banner of a united organisation, the joint council of action, have decided to go on strike. Even today during the Question Hour a question was asked by me and also other hon. friends—Shri Anthony Pillai and others—on the

Pay Commission's report. A straight question was put to the hon. Finance Minister. Since many complicated questions are to be discussed, the question of relativity, the question of wage differential etc., we asked whether the trade union organisation of the employees, whether the Central Government Employees' Federation or union will be taken into confidence and these matters will be discussed with them at the time of implementation or before implementation. This straight question, Sir, was answered, of course, in a straight way, and the non-violent reply which came from the hon. Minister was: "No, there is no necessity, because the organisations had their own say at the time of giving evidence before the Pay Commission." Sir, I can realise and I can appreciate this particular thing. No Central Government employees' organisation should be given another chance if the recommendations, if the memoranda or the scales of pay recommended by these organisations had been accepted by the Central Pay Commission. They have not accepted them. Now, the report has not accepted the decisions of the 15th Labour Conference which, naturally, the Central Government employees have a right to discuss afresh before it is implemented. If this meagre demand is not accepted, I hope the Central Government employees may decide for a strike, they might consider whether a strike should come about or not. Such declarations, such blunt statements from the Finance Minister will compel the Central Government employees to go on strike. This is not a helpful attitude. If anybody refuses even to talk on this issue, I do not know what is left before the Central Government employees to decide.

My other point is about the Textile Wage Board. I am not discussing the report as such, but even that much, the unanimous recommendation of this Textile Wage Board is not going to be accepted by the millowners. I am concerned about Kanpur and U.P. The millowners association, the representatives of the employers' organisation

have met the hon. Minister and expressed their difficulty about the implementation of the recommendations of the Wage Board. They have said that a sum of Rs. 38 lakhs will be required. Sir, I know the Kanpur millowners better than anybody else here. They do not want to pay income-tax. They have not paid income-tax, wealth tax and gift tax to the tune of Rs. 4.8 crores. They have not paid sales tax to the tune of Rs. 21 lakhs. They have not paid railway freight charges for the siding to the tune of some lakhs of rupees. They have not paid water charges to the corporation to the tune of Rs. 4 lakhs or Rs. 5 lakhs. They have not paid electricity charges to the electricity company of Kanpur, which is of course a nationalised concern, to the tune of Rs. 17 lakhs to Rs. 18 lakhs. They can pay only at the time of election to some people. They can only present a purse of Rs. 1 lakh to the Swatantra Party, but they are unable to pay Rs. 38 lakhs. Sir, I am only submitting before the hon. Minister one thing. Today the Kanpur millowners are not in the grip of any crisis. They were helped probably by the Centre. The Central Government helped them and the State Government also helped them. They are making profits today. If they come forward with the argument that they are unable to pay anything, they are facing a crisis, it should not be taken any note of.

My next point is about the appointment of a national tribunal for the bank employees. After this assurance from the hon. Minister while he was making a statement on an adjournment motion where he said that the State Bank employees will not be victimised—I am sure he never means to victimise them—what happens? The State Bank strike was withdrawn. The employees wanted that their period of absence during the strike period should be covered by leave with pay. Even this much is refused. I feel that this meagre request of the State Bank employees should be conceded. After all, they have withdrawn the strike. The history of trade

union movement in the public sector clearly shows that the period of absence during strike period is always covered by leave with pay if due.

Now, coming back to the national tribunal, I do not know whether the hon. Minister pleaded for this national tribunal for the bank employees. The strike by 70,000 bank employees on the 27th of last month clearly is an ample manifestation of anger against the imposition of the national tribunal. I really do not understand why a commission was denied to them. I request the hon. Minister to throw some light on this. I feel that this acceptance of a national tribunal for bank employees is a virtual defeat of the hon. Minister in the hands of the bank-owners. That is my feeling; I may be wrong.

Coming to the wage boards, the recommendations of the wage boards for textile and cement industries should be implemented immediately. For plantations, metal industry, leather, chemical and transport industries, wage boards should also be appointed. In regard to jute, some decision is being taken about the representative character of various trade union organisations. My friend, Shri Ramsingh Bhai Varma, who is a seasoned trade unionist, mentioned about the figures. I do not hold the brief for the AITUC, but I want to know from the hon. Minister or his Deputy the verified figure in 1958 and whether it is not a fact that in 6 or 7 States, the verified figures of the AITUC are more than the INTUC. He has always evaded this question. If the figures of AITUC were more in 1958 in the jute industry, I would like that AITUC should be given representation in the jute wage board.

About dock workers, something has been said by Shri Dange. Shri Mehta submitted a report and after reading the reply of the Deputy Minister, we find that most of the recommendations have not been implemented. I want to know what specific recommendations have been implemented. He mentioned about 46 recommendations.

[Shri S. M. Banerjee]

The other day I read a notice in the Statesman issued by the Deputy Chairman of the Dock Board. He said that only for the painters and others it has been accepted and not for all the categories.

**Shri Rajendra Singh:** That too partially. I want to know whether Shri Mehta went into the details of it and whether it is a fact that the Regional Labour Commissioner was appointed there as administrative officer. My information is that this Regional Labour Commissioner, Shri Talib, went there as administrative officer. Later on he went to Pakistan and he has not come back so far. I want a clear reply. He wanted leave to go to Pakistan. He has swindled Government money there; I do not know how much. My information is Rs. 200 or Rs. 100 from each worker was taken at the time of registration. This Regional Commissioner has gone to Pakistan after swindling Government money. I would like to know who granted him leave knowing that he is going to Pakistan. I want to know if he has come back, if not, whether he has resigned and whether his resignation has been accepted by Government or not. This is a slur on the Labour Ministry that such a responsible officer should go to Pakistan. He has huge property in Dacca and other places and he has never come back.

About unemployment a lot has been said. During the question hour, a very important question was asked, whether during the third Five Year Plan, the unemployment will be more. We have been pleading in this House for unemployment dole. When we spend so much money on other things, why should we feel shaky about granting unemployment dole? After all, the third Plan should not result in more unemployment. I am happy to know that every effort is being made in the case of the Bhakra and Hirakud workers and other workers. I hope something will be done.

About the recognition of unions, it is most unfortunate that with all the sincere and earnest efforts of the hon. Minister some parallel organisations have been formed. I know in defence, there was only one organisation. But some people who could not be elected immediately formed another parallel federation and called us all, including Shri S. M. Joshi, as anti-national. They said, "because this federation is in the hands of anti-nationals, that is why, we have formed a National Federation". When we put a question in Parliament whether the Deputy Minister was a party to it and whether he addressed those workers, he jumped up and said, "Yes; the patriotic workers have formed this federation".

Sir, this division and disruption coming from the Treasury Benches, specially from the Deputy Minister, is wrong. I would request the hon. Deputy Minister not to indulge in such activities. Otherwise, this will completely disturb their movement. Let him not become an emblem of disruption and disunity.

**Shri Keshava (Bangalore City):** Sir, I would like to express at the outset my sense of appreciation of the get-up of the report. It seems to be an improvement over last and perhaps I may not be wrong if I say it is an improvement over the reports of other Ministries also.

**Shri Rajendra Singh:** What about the contents?

**Shri Keshava:** I am coming to the contents. But the main difficulty, I feel, is that the Labour Ministry is not absolutely effective. Perhaps the hon. Minister was pleased to make a reference to this while initiating the debate, but I am very anxious that we must evolve somehow a method in which we should make the Ministry absolutely effective. Otherwise, all these difficulties will certainly be there.



I am of the opinion that somehow, that active spirit is lacking in the mind of the workers, that urge for activity, for building up the nation. That seems to be wanting in every quarter. Speed is the thing that is most needed today and every attention must be paid to see that rapid decisions are taken and implemented rapidly. There does not seem to be any effort in that direction. Delays are very common in the administration. It has become so proverbial that some of the westerners have been thinking that in India morrow means not the next day, but sometime in the future. They should not give room for any such considerations. I am very anxious that the spirit of quick action must certainly be resorted to. After all, administration does not mean anything other than an unending adventure of serving our country. In this adventure, all the various sectors will have to co-operate and harmonised the work. The efficiency of the officers does not lie in their individual capacity, but they must have the faculty of getting things done by others. That is the thing which appears to be wanting. Something must be done in this direction as well.

At the outset, I would like to refute with all the vehemence at my command one thing. The previous speaker was contending that we have brought about a division in the ranks of labour. I feel we should be very grateful to the Chinese people that they have invaded our borders. Good and bad things are always mixed together. One good feature of the situation is that we have been able to know a section of the people and the colours they are made up of. The time has come in our country today when we are in a corner in the road where the workers can no longer neglect the matter and they have got to take a decision whether they should go the democratic way or the other way. This is not a matter which is causing a division or disruption.

**Shri Rajendra Singh:** Division came even before the Chinese aggression.

152(Ai) LS—7.

**Mr. Deputy-Speaker:** If an hon. Member makes too many interruptions that time will be debited to him when he speaks.

**Shri Keshava:** This has brought about a situation in which they have to take a decision; it is very vital. Otherwise, the cancer would have been very seriously working into the heart of our country.

16 hrs.

I was mentioning in my previous speeches also, about the welfare officers. There must be a regular cadre of welfare officers. But now I learn that even in spite of the report of the expert, Mr. Richardson, even though very well-trained welfare officers have been coming out in good numbers in our country the Labour Department is not able to put them in their proper places. It looks as though every concern is anxious to put up its own men, trained men of its own choice with the result that this set of officers are lying idle. This factor has to be tackled in the proper way and something has got to be done to get necessary justice done to the training that has been given to these people.

When I am on the welfare question I would like to refer to one case. It was discovered recently, a few days ago, that there is the instance of one Lal Singh, who is a gate-keeper attached to the Ordnance Depot in Delhi Cantonment. That gate-keeper has been a conscientious worker and he has been unwilling to join any association of any colour. Unfortunately, he has now been made to work without salary for a full period of seven years. For seven long years he had been working without salary. He has done unstinted hard work. The hardest, honest work has been done by him and every officer is praising.....

**Mr. Deputy-Speaker:** If he has worked for seven years without pay, perhaps he does not need it.

**Shri Keshava:** He is undergoing terrible hardship and he is having only one meal a day. He has preferred petitions and appeals through the proper channel to the authorities concerned. Still no relief has come to that unfortunate worker. It is absolutely ultra-constitutional. In fact, it was a very surprising thing for me when it was brought to my notice. That immediately demonstrates the helplessness that we are labouring under. So, I would like to suggest that something should be done in that matter as well.

Then, for holding union meetings even outside the work site permission is not given. When a trade union meeting is being held and when a trade union leader is addressing a meeting, he is served with notice why disciplinary action should not be taken against him. This is the state of affairs prevailing in that sphere. It is the fundamental right of a trade union leader to address the workers. On the one side we talk of educating the workers. On the other side, the officers try to punish those workers who address meetings. That is a matter which has to be looked into and, if possible, something may be done.

Then, we have built thousands and thousands of houses all over Delhi for refugees and others. I hope I may be pardoned if I say that it is absolutely unbecoming of us that we are not able to give any relief whatsoever to any extent to the workers in respect of their shelter. This is a thing which we could have done. We talk so much of co-operation. When the industrial workers have formed themselves into the house-building societies, duly registered, when they apply for loans something is wrong somewhere and nothing is done. They are even going to the length of saying that they would themselves offer labour and build their own houses. What a nice idea would it be. If only we give them some encouragement they will build their own houses. I learn that 37,000 acres of land were

acquired by Government and we have not been able to give them a few acres for purposes of construction of houses. We talk of co-operation in a very efficient manner but we are not able to implement this kind of thing.

I would suggest, if I may be permitted to do so, that the Labour Ministry must have an engineering section, if possible. If they could themselves afford to give some sanction within the framework of the other set-up, in the interests of the workers, it would be a good thing. Even in the States, though the Ministry sanctions money for the construction of houses by the House Boards for workers every year, that money lapses and it is not put to use at all. That is not a good situation and that has to be taken into consideration.

Coming to the public sector, Government being the largest employer, public sector must be regarded as an opportunity for the Government to demonstrate that it is an ideal employer. But, on the other hand, we are having quite the contrary experience and we have not been able to implement even the very legislative measures that we enact in respect of the public sector. That is a very unsatisfactory state of affair, and that is a matter which we should certainly guard against.

Then I would like to submit that employment exchange is not the only type of organisation for employment of labour. It should look to the arrangement for recruitment of labour in the Gorakhpur area. It looks as though it is a manpower corporation just meant for recruiting some unskilled labour. Of course, there is an element of compulsion and want of facility for them to move about and all those things there. If those obnoxious elements are removed, there are some very good elements also there. While I was in Gorakhpur I found that every day Rs. 1 lakh was being contributed to the village economy. Workers used to come from the

coal mines and go back after work. There was compulsory saving of their wages and each labourer, I saw with my own eyes, accumulated about Rs. 800 to 1,000, and in one case Rs. 2,000 even, and their contribution to the village economy was about Rs. 1 lakh. That is a very salutary feature that has got to be maintained somehow. I would even suggest that it could be introduced in other parts, wherever there is such heavy labour.

**Shri Nanda:** There is a report on that also.

**Shri Keshava:** I would like Government to take action on this report, not to wipe out the organisation altogether but to maintain all the salutary features of the organisation.

Some of my hon. friends here suggested that there should be a Special Bench for disposal of labour matters in the Supreme Court. I think, automatically whenever labour matters go before the Court, they are more often than not considered by the same Judges. It is always a sort of Special Bench. Now if a Special Bench is regularly constituted for this purpose that might lead to delay in the disposal of cases. I do not think we need stress that point any further.

In Bangalore I find that cooks, sweepers and others attached to the concerns are not being authorised to form themselves into a union. This is something which I am unable to understand. I feel that something has got to be done and we should remove that difficulty for them.

I saw from the Report that two posts of Regional Labour Commissioners with headquarters at Dhanbad and New Delhi were created for helping the implementation of labour laws and for verification of membership of trade union organisations respectively. I do not see why one such headquarter and one such regional centre should not be opened in the south, somewhere near Bangalore. That is a matter which has to be

taken into consideration. The proposed insurance scheme regional hospital in the city of Bangalore is a long overdue affair. Many industries are located in the city of Bangalore and there are thousands and thousands of workers employed there. So, it is a very dire need and that has got to be attended to immediately.

So far as the workers' education is concerned, much has been said about it. But if I can make a suggestion I would like to suggest that the trade unions themselves may be given a sort of grant-in-aid by the Government, if possible, so that they would be under our control and subject to the supervision of the Government and its directions. They would be in a position to start schools and try to educate the workers to the best extent possible. Instead of thinking of giving cash emoluments to the workers I would like to suggest that all efforts must be made for safeguarding against the rise in prices by providing stores for selling grain and other essential materials to the workers at very reasonable prices, even at subsidised prices.

**Shri Rajendra Singh:** Mr. Deputy-Speaker, Sir, I do concede that the hon. Minister of Labour and Employment is a man full of noble and good intentions.... (*Interruption*). I think it will please you. But, I am afraid, he possibly does not have the nerve to implement and bring into practice what he desires. Just a few minutes ago, my hon. friend, Shri Banerjee, said, that the wage boards constituted for cement and textile industries in their wisdom considered to pay nearly Rs. 100 as the minimum salary to the workers concerned. But the Second Pay Commission to which the hon. Prime Minister, the hon. Finance Minister and several other hon. Ministers have paid profuse compliments, considered that Rs. 80 would be sufficient for the Class IV grade workers. How ridiculous it is to find that the wage board recommends approximately Rs. 100 for the cement workers but the Pay Commission does not find it

[Shri Rajendra Singh]

possible, practicable and justifiable to recommend a similar amount of salary for the railway workers. Do you think that the Railways as a commercial institution and as an industry which is responsible for keeping the most difficult and vital part of our life going on could not be expected, or in their case it could not be called desirable, to give to the railway workers at least something which we can give to cement and textiles workers? This simply proves that the Second Pay Commission could not, or rather it did not, discharge its responsibility with any sense of fairness or with any sense of justice.

Therefore I urge upon you once again that the issue of the Second Pay Commission is not yet a dead horse. It is still alive. I would expect the hon. Labour Minister to prevail upon his colleagues that the Third Five Year Plan, however stupendous it might be and whatever big a size it may have, cannot infuse a sense of urgency and a sense of cheerful co-operation in the mind of our workers and in the mind of our countrymen to say that we are building our country and are receiving our due, so let us put in the last drop that we have in the development of our country. Therefore once again I urge upon the hon. Minister of Labour that he should try to instil and inject a fresh thinking in the minds of his own colleagues at least when the time is such that we shall soon be launching on the Third Five Year Plan.

Then I come to the question of the Code of Discipline. Again I can tell you that the intention and the motive behind the Code of Discipline cannot be challenged. It is not me alone, my party and the HMS but every right thinking person in this country who has good wishes for this Code of Discipline. But wherever you go you find the question is that the Code of Discipline could not work and the prospect that lies ahead is not cheerful. Even my hon. friend, Dr. Melkote and my hon. friend, Shri Pandey, who

comes from the neighbouring province of UP and who, I concede, has much larger experience of labour problems than I have, feels that and has made no secret of it. Why is it so? How could it be that the hon. Minister decided about it, there is a unanimous decision and there is no dissenting voice, when it comes to the implementing of the decision, the hon. Minister who presided is without ceremony let down by his own colleagues? What a disgraceful situation it is? With all respect to the hon. Labour Minister, who happens to be my senior in almost all respect, I may say that if I would have been in that position certainly I would have kicked off that responsibility and that ministry . . . (Interruption). Why do you not listen to me? It is so obvious. In parliamentary democracy for every decision that a Minister takes there is community of responsibility. It has been made clear not only in this House but everywhere. When a Minister presides over a conference, a decision is taken and he does not record his dissent there, then it is supposed to be a decision of the entire Cabinet. If the Cabinet does not approve of it subsequently, it is rather imperative on that Minister to resign, go back to the people and say, "Well, I took a decision, it was not approved of by my colleagues and so I come out." What happened in the case of Shri Giri? I want water.

**Mr. Deputy-Speaker:** I will provide him with that, surely, but he has 20 minutes in all.

**Shri Rajendra Singh:** Excuse me. I am speaking on behalf of my party. I must get at least 30 minutes. That was told to me by the hon. Speaker.

**Mr. Deputy-Speaker:** If there are ten parties and if I were to give to each of them half an hour, that would mean five hours. But there are only four hours that are to be distributed.

**Shri Rajendra Singh:** Let me respectfully submit—I am not challeng-

ing you; you know how highly I respect the Chair.....

**Mr. Deputy-Speaker:** He may continue with his speech instead of fighting over it.

**Shri Rajendra Singh:** Let us be clear about this. The leader of the Communist Party got one hour. Could I not be given half an hour? There is no other speaker from my party.

**Shri Naushir Bharucha:** Let him take water and cool down a bit.

**Shri Rajendra Singh:** I may assure Shri Bharucha that I am always a cool-headed man. So, this is an extraordinary constitutional point.

The major issue in the code of discipline is this, that the Government officers or the Government shall take no partisan view when it comes to inter-union matters of activities. As far as my own experience goes—and I do not think anyone will contradict me either inside the House or outside—the officers, the Minister and especially, if I may submit with due respect, my friend the Deputy Minister, can never.....

**Shri M. R. Krishna (Karimnagar—Reserved—Sch. Castes):** Why so much respect?

**Shri Rajendra Singh:** Mr. Sharma, I thought you were an old man, but you have not grown up. Chronologically he may be old, but he has still to grow up mentally.

**Shri D. C. Sharma:** I would like to know to which Sharma he refers. I did not interrupt.

**Ch. Ranbir Singh (Rohtak):** He refers to Shri M. R. Krishna.

**Shri Rajendra Singh:** Punjab was not in my mind.

For a healthy democracy, trade unionism has to develop in this country. All of us want it. Naturally, Government may have its own labour union if it likes. I do not go to the

extent of saying that the INTUC is the stooge of the Government. It may or it may not be, that does not interest me any longer, but it is clear that the INTUC does get certain favours which are not legally due to it.

My hon friend said that the patriotic workers of the defence establishments have come out with a separate organisation because enlightenment has dawned on them because of the Chinese aggression. This is rather, I think, a very silly observation. If it is unparliamentary, I would take it back.

**Shri Nanda:** What was the word used?

**Shri Rajendra Singh:** I am waiting for your decision.

**Mr. Deputy-Speaker:** What was the word used. That is not clear to me also.

**Shri Rajendra Singh:** I said "silly observation".

**Mr. Deputy-Speaker:** In what connection was it? Whose observation?

**Shri Rajendra Singh:** It was said by some of the speakers that the Chinese aggression had brought about a new enlightenment among the workers, and that is why they have come out from the old organisations and formed new unions, and they have been termed as patriotic. This surprises me because this is twisting the matter. It is not true. Rather, this took place several months before the Chinese aggression. So, I said it was a silly observation.

**Mr. Deputy-Speaker:** In this connection his word may not be taken so seriously.

**Ch. Ranbir Singh:** Otherwise also, it would not be taken very seriously.

**Shri Rajendra Singh:** So, once again I plead with the hon. Minister and everybody concerned with the

[Shri Rajendra Singh]

labour movement for equal treatment. I do not hold any brief for the Communists and much less for Communism. You know my hostility to Communism. But if it is a fact that the AITUC is not a patriotic organisation it is an organisation which is not motivated by the interests of the country, it is the responsibility of the Government of the day to do away with it. Why do you allow it and then go to the people and say that it has extra-territorial loyalty? It is just not honest. If something is bad, it must be eliminated. You cannot continue with it and go on decrying it. You may not agree with their philosophy, methods and tactics, but whenever there is a genuine and *bona fide* grievance of the workers, you have to take note of it even if it comes through the AITUC.

Every one of us in this Parliament including yourself is here because the majority of the people in the constituency voted for us, and every Member is allowed to continue for five years unless he is found disqualified otherwise. Can we not bring about this democratic set-up even in industry? In the railways and everywhere you go, there are divisions among the workers into INTUC, HMS, AITUC etc. What is this? You can have a plebiscite, a referendum. If you can have an election throughout the length and breadth of the country and on that basis have a Government entrusted with the responsibility of running the entire country and controlling the destinies of the people, what is the harm in having a system by which the workers, by a majority, elect their representatives and allow them to continue for three or five years? After that to determine the fresh situation, you can have another election. In this process you can also do away with the central organisations. I do not mind if the HMS goes to pieces, I do not care for the INTUC or the AITUC. That will give a sense of fulfilment, a sense of satisfaction, of confidence to the workers that their representatives are in the union. Why should any

central organisation be looking for support from the Government or other organisations? We can very well tell the workers that they have to contribute a certain part of their wages for the union.

**Shri K. N. Pandey:** May I know whether this type of plebiscite has ever taken place anywhere in the world?

**Shri Rajendra Singh:** Does it mean what has not happened elsewhere should not happen in this country? I am making a submission which deserves consideration. It should not be just thrown away in the waste paper basket because it has not happened elsewhere. My hon. friend was in America, England and several other countries. Do I therefore understand that something which has not taken place in England or America or Russia should not happen here? After all, we have our own genius. This is really ridiculous.

**Shri K. N. Pandey:** Should there be any difference between the members and non-members?

**Mr. Deputy-Speaker:** Now, the hon. Member can just concede that something is happening which has not happened anywhere else!

**Shri Rajendra Singh:** Let me give a typical example of how this Government functions always with the primitive instincts of partisanship.

On the 9th May, 1959 the Labour Ministry set up a committee to review the working of the Calcutta Dock Workers' (Regulation of Employment) Scheme, 1956. This Committee was called upon to investigate all sorts of irregularities. This one man Committee went into the details and its findings were that there were many things which were unconstitutional, illegal and undesirable. I am not developing this point because I do not have much time at my disposal. But I said the same thing last year on this occasion and the hon. Deputy

Minister said that there was nothing wrong in the Calcutta dock labour area. But a few months after a Committee was set up and the findings of that Committee were a complete repudiation of the stand taken by the Deputy Minister in this House.

**The Deputy Minister of Labour (Shri Abid Ali):** Not correct.

**Shri Rajendra Singh:** It is hundred per cent. correct.

**Mr. Deputy-Speaker:** I have requested hon. Members to keep patience now.

**Shri Rajendra Singh:** Now, I come to the next point. Certain collections are made for the welfare and the amenities of the workers but they are being utilised by stevedores. A good amount was collected and it should have been spent on the welfare and amenities of the workers as required by the rules of that Board. These stevedores are not *sadhus* and *yogis* who would just renounce the world.

**Mr. Deputy-Speaker:** Are they fools?

**Shri Rajendra Singh:** They are extremely wise. That is what I say. When the money was there meant for the benefit of the workers then this money should have been used for the workers. But instead of that there was a mutual distribution of the booty. Sir, it was the duty of the Labour Ministry to see that the funds were distributed in a manner as required by the rules. I pointed it out last year also. But the hon. Deputy Minister came out with a repudiation. He does not understand anything other than opposing and repudiating what the Opposition says even if the position is correct. How can I help? It is really an absurd situation.

Now, the finding of the Committee is that the money to the tune of Rs. 60 lakhs which should have been spent on the workers has been given to stevedores. The Mehta Committee have specifically said that this money

should be realised from stevedores. But again, as I told you, not only the Labour Minister but even the Labour Ministry does not have the nerve to take back money from stevedores and distribute it to workers. I say, still time has not been lost and the hon. Minister can apply his mind and see to it that the workers get what is their due share.

**Mr. Deputy-Speaker:** Now, the hon. Member should skip over some pages.

**Shri Rajendra Singh:** Sir, there are so many disturbances when I speak.

Now, I come to another point. This year the Finance Minister has levied certain taxes and excises on raw films. I am not opposed to taxes. Very much to the risk of my own career even, I go to my people and say that they must pay the taxes. I may tell you that I am never opposed to taxation, even if more taxes are levied, but I am always opposed to waste. At the same time, we must also see to it that a model pattern is set for taxation, so that only those taxes will be levied which will promote the interests of the community and not taxes which will halt the progress of the community or which will have a very bad effect on the employment position.

I would like to refer to the tax on the raw film industry in this connection. I have very seldom gone to a cinema, I do not go, I am not at all enamoured of it, but I have received information to the effect that because of this duty, this additional taxation on raw films, 4000 workers in Bombay have been thrown overboard, and they are today unemployed. For, for every additional print of the cinema, 125 per cent. more money has to be paid, and the direct result is the deterioration in the employment situation.

So, I would urge the Minister to look into this matter. I do not say that there should not be taxation, but I would say that I have looked into the point, for I wanted to know whether the distributor had to pay or the

[Shri Rajendra Singh]

exhibitor had to pay or the other capitalist section had to pay, and I found that in fact, it would come down ultimately on the workers. Therefore, I would say that the Labour Minister who himself comes from the State of Bombay should look into it and see that the employment position does not further deteriorate.

**Mr. Deputy-Speaker:** Now, the hon. Member should conclude.

**Shri Rajendra Singh:** I shall finish in two minutes, though I, first of all, thought.....

**Mr. Deputy-Speaker:** There ought not to be any argument on that. He might just have his say and finish.

**Shri Rajendra Singh:** I never argue with you. You know how much respect I have for you. I feel that you are so kind to me. You are always so kind to me. I shall finish in one minute.

My last point is about the hotel industry. A few days before, I called on a friend of mine who was in the the Jan Path Hotel. Before that, I had never been to that hotel. When I had been there, the bearers came and told me....

**An Hon. Member:** Which hotel?

**Shri Rajendra Singh:** Jan Path Hotel. It is..... (Interruptions).

**Mr. Deputy-Speaker:** Let there be no interruptions.

**Shri Rajendra Singh:** Congressmen are incorrigible.

**Ch. Ranbir Singh:** What about the hon. Member himself?

**Shri Rajendra Singh:** I was one day a Congressman. So, the tradition lingers.

**Mr. Deputy-Speaker:** That one minute is now over. He ought to conclude now.

**Shri Rajendra Singh:** I am just concluding.

The bearer came and told me that he was getting Rs. 72 per month. Jan Path Hotel is a State-managed hotel. And it is a luxurious hotel, where only people who have a big purse, and who have position go and stay; it is not meant for ordinary people.

I wanted to know what our State industry was paying to our workers. I was told that the bearers were not given any tips, though in Europe and elsewhere, wherever you go, in all such hotels in such places, tips are given. If tips are not given in India, I do not mind it, but surely I want to say that the conditions prevailing in other big hotels like Claridge Hotel and others should be applied also to our State-managed hotel.

**Mr. Deputy-Speaker:** Now, the hon. Member Shri Rajendra Singh must conclude. Shri S. L. Saksena.

**Shri Rajendra Singh:** He is my neighbour. He would not mind if I had taken two minutes more.

**Shri S. L. Saksena:** I must thank the hon. Minister for his introductory remarks, and I join my hon. friend Shri S. A. Dange in congratulating the hon. Minister for the fact that he has admitted that the rise in prices is not due to anything given to the workers by way of wages.

I do not want to cover the points which Shri S. A. Dange has covered. I want, first of all, to discuss some statements about the docks, which the Deputy hon. Minister for Labour had referred to the other day, and in respect of which today also he has said that what he had said was correct.

Sir, the docks are a national industry, and on them depends our future development. I, therefore, think that if there is anything wrong with them, it must be set right as a matter of top priority.

The story of this Dock Labour Board, Calcutta, is as follows: On



April 6, 1959, during my speech on the last Budget, I said:

"Lastly, Sir, I would like to refer to the Calcutta Docks. I have been the President of the Calcutta Dock Mazdoor Union. I want to tell you that a key industry like the Docks is not being properly looked into".

The Deputy Minister in his reply said:

"What I was submitting is that there is no trouble anywhere. Even in Calcutta, there is no trouble. The workers are not suffering".

This was his statement on the 6th April, 1959.

Just one month and three days after, on the 9th May, the Government of India appointed a Special Committee of Inquiry to inquire into the situation in the Calcutta Docks. In their notification, they said:

"The Government of India have appointed a one-member Committee to review the working of the Calcutta Dock Workers (Regulation of Employment) Scheme. Shri R. L. Mehta, Joint Secretary, Ministry of Labour and Employment, constitutes the Committee.

"In particular, the Committee will examine various complaints that have been received from different quarters about the administration of the scheme. It will recommend measures to deal with those complaints, where necessary.

"The Committee has been asked to conduct the inquiry expeditiously and submit its report to Government as early as possible.

"The Calcutta Dock Workers (Regulation of Employment) Scheme, which came into force in 1956, seeks to ensure, as far as

possible regularity of employment for dock workers, specially casual labour, i.e., pool workers. Under the scheme, pool workers are guaranteed minimum wages for 21 days in a month. They are also entitled to attendance allowance at the rate of Rs. 1-8 per day on days on which they came for work but are not provided work".

The Committee reported on the 20th October, 1959. Government accepted the Report on the 12th December, 1959. The Report was published in the Press. I would like to quote a small editorial in the *Statesman* of Calcutta:

"The Mehta Committee's report on Calcutta Dock Labour Board is a shocking indictment of mismanagement, incompetence and worse in the country's biggest port. If the picture presented corresponds closely to reality, it is difficult to believe that the Board's primary purpose is to keep the port going by sweetening labour relations; the wonder is that it has not; instead, it has brought work to a standstill. The payment of wages, we are told, has been delayed, muddled and exploited; leave rules have been misused; welfare work has been hardly started and a hospital that cost nearly Rs. 7 lakhs (have the builders been paid?) is still without patients; the financial irregularities alleged involve, among other monies, the proceeds of provident funds; budget deficit and overdrafts have not curbed infructuous expenditure and waste; a highly paid efficiency expert's recommendations have been pigeonholed and annual reports and accounts have been forgotten.

"If only some of these allegations are true, they would still suggest a monumental mess. Yet it has taken years to discover it. How long will it take to put

[Shri S. L. Saxena]

things right? Is there even an intention to do so?"

This was on the 23rd December 1959, immediately after the publication of the Report.

Then this matter was discussed in a half-hour discussion on 17th March 1960 on a motion by Shri Braj Raj Singh. I quote from the *Synopsis of Debates*:

"The Deputy Minister of Labour (Shri Abid Ali) replying said: The criticism made in the House might lead one to the conclusion that a Rs. 55 lakh fund belonging to the workers had been embezzled. Such a conclusion would be totally erroneous as not a single pie had been embezzled.

"The payments to the stevedores were made from the levy realised from the shippers, which was adjusted according to the expenses of the Board".

I think the first statement is not correct. As regards the second, the Expert Inquiry Committee has said that borrowing against securities purchased with provident fund accumulations and mortgaging of securities bought with money earmarked for capital expenditure is a crime. The question is not that the securities have been reduced, but the question is why and how they were at all mortgaged.

Then the Minister said that the Board would continue until a new one was constituted. The Board is already out of date. Its life expired about six months ago on 6th October, 1959. We should have already reconstituted the Board. It was for three years which had expired last year. Then, fourthly, he said:

"Most of the recommendations of the Mehta Committee had been accepted and action to implement them had been taken by the Government."

I wanted to say a few words to let the hon. Minister realise that what he had said, was, probably, incorrect. He has said that 'the payment to the stevedores were made from the levy realised from the shippers, which was adjusted according to the expenses of the Board.'

I have read the whole Act and the schedule. There is no provision in them for realising a levy from the shippers. The relevant section says that this Board shall have the power of—

"levying and recovering from registered employers, contributions in respect of the expenses of the scheme;"

Instead of that they make a levy from the shippers. Also whatever income comes to the Board cannot be spent on the stevedores. Clause (2) of this section says:

"The income and property of the Board from whatever source derived shall be applied solely towards the objects of the Scheme including health, safety, training and welfare measures for dock workers . . ."

When this is the statutory provisions scheme, on what authority did the Dock Labour Board spend the money in reimbursing the stevedores for so many things? The Report says:

"The decision of the Board to reimburse the stevedores the expenditure incurred by them on leave, provident fund contributions and other benefits in respect of monthly workers goes against the grain of the Scheme and is one of the causes of financial difficulties in which the Board finds itself today. This reimbursement should stop forthwith."

"The rate of levy has fluctuated far too suddenly and sharply in the past."

"The practice of making provisional payments to workers should stop at once."

The employers should pay the wages but how extraordinary it is that wages are being paid from the money collected by the Board which is specially to be set apart for the welfare of the workers. If this not embezzlement what else is embezzlement? All the money that has been realised by this Board should be spent for the welfare of the workers. But here the finding of the Committee is that this money has been used to reimburse the stevedores for expenditure incurred on leave, provident fund contributions and other benefits which should have been borne by the Stevedores. This, they say, was a wrong decision of the Board. The Inquiry Committee again says:

"The wrong decision of the Board to take over the statutory responsibility of employers for payment of compensation to workers for injuries sustained in the course of employment has cost it over 4½ lakhs during the last three years."

This expenditure should have been met by the employers and the Dock Labour Board is reimbursing the stevedores is wrong. Then the report says:

"Interim dearness allowance of Rs. 5 p.m. paid to workers in pursuance of the interim recommendation of the Second Pay Commission is part of wages. Under the Scheme wages are payable by employers. It was wrong of the Board to agree to pay this amount to workers even temporarily. The Board is still paying it at a cost of Rs. 50,000 per month. The Board must forthwith transfer this responsibility to employers, to whom it belongs."

In three years about Rs. 16 lakhs have been paid to the stevedores for

the payment of dearness allowance. If this is not embezzlement, what else is embezzlement? The Mehta Committee Report further recommend:

"The Board has not yet created the Dock Workers Welfare Fund as required by the Scheme. This Fund has to be built up with contributions from employers. Instead in deference to the wishes of the employers that the contributions should come from the levy, which they can recover from the shipping companies, the Board has agreed to set apart about Rs. 7½ lakhs from the levy for welfare work."

What is the effect of all these embezzlements of money belonging to the Dock Labour Board? The effect is that there have been overdrafts. The Report says:

"The Dock Labour Board has been balancing its Budget by raising overdrafts since 1957. The amount overdrawn stood at Rs. 4,49,106 on July 11, 1959. This is mainly because extracurricular activities undertaken by the Board, do not leave it enough money to discharge its statutory responsibilities like payment of wages to its own employees."

"While borrowing for revenue expenditure is wrong, borrowing against securities some of them purchased with provident fund accumulations of workers and office staff is a crime. So is mortgaging of securities bought with money ear-marked for capital expenditure. The Calcutta Board has indulged in all these irregularities."

The result of the working of the Calcutta Dock Labour Board has been this. Why? Till June, 1956, the Board was under the administration of an officer of the Government of India. It worked admirably well. In fact the Dock Workers (Regulation

[Shri S. L. Saxena]

of Employment) Act was passed in 1948 and I was one of the members of the Select Committee. The scheme came in 1951. In 1953 this Dock Labour Board was formed and till 1956, it was the Government officer who was responsible and he did wonderfully well. When he left this board, there were Rs. 27 lakhs in the fund. As soon as he went, it went under the administration of the employees and this is what has happened. This is an example of what the private sector will do if people from that sector take charge of such things. As a result of the transactions by these people, that amount has been reduced considerably. It is not proper for the Minister to say that the amount was spent on the stevedores. Every pie realised from the levy should be spent on the workers.

Now, para 51 of the report says that the accounts of the Board should be audited by the Comptroller and Auditor-General. So, this recommendation should be implemented and those who were responsible for the misuse of this money should be punished.

I will now pass on to the other things. I am sorry I have no time. This House was promised that a Bill would be brought forward by the Government for the transport workers when a Bill was brought forward by Shri Vittal Rao and some other friends. I am sorry that it has not yet come. We are anxious that it should be brought before the House as early as possible.

My hon. friend, the hon. Minister, told us something about productivity. He was referring to the complaint of the Federation of the Indian Chambers of Commerce and Industry. I want to give an illustration from the sugar industry of how productivity has increased. In 1950, the production of sugar in the country was about ten lakhs tons. This year, it

is estimated it would be over 23 lakh tons. But the number of workers has gone down compared to 1950, when it was 1½ lakhs. It has come down to about a lakh and a quarter. That is due to the efficiency of the workers. The work-load has increased by about 130 per cent. But their actual wages have increased hardly by five per cent. The Supreme Court has recently given a judgment affecting these workers. I would tell the House that the Supreme Court is a body of Judges who are guided by principles of abstract law. They do not consider how things move. The workers want the allowance to be given to them; as they have work only for four months, they are not given the allowance. They are forced to starve and the result will be chaos in the industry. Unless they are given some allowance, what will they do? They will starve. They have not been paid the bonus also.

About the railway workers and also the workers of the P. and T. Department and other Government servants, my comrade, Shri Dange, has said that if the Government did not revise the report of the Pay Commission, it would amount to destroying the fundamentals on which it is based. There will be trouble. I hope Government will see light. I am also sorry that the bank employees' dispute was not settled and the strike was allowed to take place.

Finally, Sir, about the mining labour, I have to say this. If the CRO and Gorakhpur Labour is abolished, our targets about mining and coal production and iron mining will all go awry. The CRO therefore must not be abolished.

**Mr. Deputy-Speaker:** Shri Palaniyandy.

**Shri Anthony Pillai (Madras North):** Sir, in the morning when I asked the hon. Speaker whether I would be given an opportunity to speak on these Demands he gave me an assurance that I would be called.

Now you tell me that I would not get a chance. You have been allowing other hon. Members to speak for a much longer time than the stipulated period.

**Mr. Deputy-Speaker:** Order, order. I have heard him. Now I have called another hon. Member.

**Shri Palaniyandy (Perambalur):** Mr. Deputy-Speaker, Sir, at the outset I would like to congratulate the Labour Minister for his approach as well as his intentions to have industrial peace in our country effectively. But, Sir, I would also like to bring to the notice of the hon. Minister the major items which were constituted in the Labour Industrial Truce as well as in the First and Second Five Year Plans, but have not been implemented fully.

Luckily, Sir, we are having both Labour and Planning with our Minister. If you take the labour problem everything comes under the Labour Ministry and also under the Planning Commission. Agricultural labour also come under this Ministry and are covered by the Minimum Wages Act. Therefore, Sir, the Labour Ministry has to play a greater part in the developing economy of our country.

We have seen that the policies enunciated by the Planning Commission in their two reports about labour have not been implemented fully. The Ministers had the intention to implement them, but I do not know where the fault lies. The policy that has been accepted by the Planning Commission in the Plan should be implemented properly.

Sir, so many things have been suggested such as settling industrial disputes with a minimum expenditure of time and money, the implementation of awards and decisions of the tribunal under special legislation and the permanent wage boards of tripartite nature in the State and at the Centre

to deal comprehensively with all the aspects of the question of wages. They have not been implemented.

Even during the Second Five Year Plan, so far we have not had any appreciable improvement. For instance, in the settlement of disputes by voluntary arbitration we are not still having any voluntary arbitration machinery either in the State or in the Centre. Moreover, I can say specifically that the Industrial Development and Regulation Act was never utilised to take over the control of the administration, where the employers failed to implement the awards and decisions of the tribunals. Lastly, the labour participation in management reminds one of the theory which has not been seriously considered by the Government so far.

I would like to impress upon the Labour Minister and the Government to have a contented labour force by, not merely making promises, but by implementing as far as possible the wage policy mentioned in the Plan, and to create a psychological satisfaction among the workers by the quick redressal of grievances by providing such fair final settlements of industrial disputes avoiding all legal technicalities and litigation in the form of appeals.

Sir, here I would like to say that with the abolition of the Labour Appellate Tribunal, it was thought that delay in the settlement of disputes through adjudication would be cut down. But, contrary to expectations, there has been enormous delay in the settlement of disputes through adjudication because the employers have started increasingly to resort to either writ petitions in High Courts or appeal by special leave to the Supreme Court where matters are pending for a number of years.

Here I want to say, Sir, that the Government should see that at least a Special Bench of the Supreme

[Shri Palaniyandy]

Court be made to deal with the labour cases. It should go all over the country and try cases. It is very difficult for the workers to go over to Delhi to fight their cases in the Supreme Court. I know personally of a case in Dalmia Cement Company in my constituency in the Madras State where I am the President of the Union and where an agreement was not implemented by the management and for which the Government referred the matter to adjudication. The adjudicator gave an award favourable to the workers. Even the High Court has also given a decision in favour of the workers. Then they have gone to the full bench of the High Court. Sir, I hope that they will go even to the Supreme Court. So, the workers have to face so many difficulties before getting an agreement. So, I would suggest that there should be a full bench in the Supreme Court for the workers; and I think the Law Commission also has given that idea.

17 hrs.

Coming to industrial relations, we are having the usual process of settling industrial disputes by mutual negotiations, conciliation and adjudication. Wherever mutual negotiations fail, there is conciliation. The conciliation proceedings under the statute have become more or less a formal affair. The reason why the conciliation proceedings are not always effective is the comparatively low stature of the office. So, I would like to suggest that measures should be taken to redesign the machinery so as to have a speedy settlement even in the unit levels.

Coming to the code of discipline, early in July, 1957, the Indian Labour Conference evolved an agreed code of discipline in industry. Even though the parties agreed to bind themselves to voluntary arbitration and implementation of awards, still the employers have not come forward

to honour the specific obligations under the code. The employers delay the implementation of the award by going from court to court. In our consultative committee, we have discussed it and it was pointed out that some employers are not adhering to the code of discipline, and it was told even employees sometimes do not adhere to it. But the Government also sometimes does not adhere to the code of discipline. In the public sector, in so many cases the code has not been implemented.

Not only the Government, but the officials also do not adhere to it. For instance, the Regional Commissioner in Madras State is a funny man. He is not in a position to interfere in a matter where there was a dispute. Simply he has written to the Union that he is not willing to interfere. I do not know under what rule or statute he says that. So, we are having funny officials also not adhering to the code of discipline. I would like that Government should take all possible measures to insist on the code of discipline.

In regard to the implementation of the awards or the decision of the tribunal, the second Plan observed:

"While the responsibility for the implementation of awards should be mainly on the employer, an appropriate tribunal should be constituted for enforcing compliance. It should be possible for the parties to have direct approach to the tribunal. The tribunal should also be empowered to interpret the scope and meanings of the directives contained in the awards."

But we are not having anything. There are so many awards which are not implemented by the management.

Under the statute, Government can take over the administration if the award is not implemented. I do not

know how many such units Government have taken over till now. That has also to be seen.

About fair wage policy, the second Plan has accepted the workers' right to a fair wage, irrespective of public or private sector. We have constituted three wage boards for the cement, textile and sugar industries. In regard to cement and textiles, the boards have given their reports and Government also have given their recommendations. But still the employers have not implemented those recommendations. The other day, when I put a question, the Deputy Minister said that, "when the time comes, we will convene a meeting of the employers to implement those recommendations." This is the opportune time for the Government to convene a meeting of the employers to implement the recommendations of the wage boards. The reports have come only after three or four years. If even now it is not possible for us to implement the award, it means great injustice and great difficulty for the workers. If the Government has not taken a decision workers have to go on fighting their case. I would like to suggest that public sector should also take cognizance of the spirit of the Plan. If you compare the scales of pay of the employees of the State Government and the Central Government servants, you will find a wide disparity. The Central Pay Commission, which was appointed to fix the wages of the Central Government employees, has not given any light for solving this important problem. There should not be any difference between the pay scales of the Central as well as State employees. I hope our Labour Minister would take it up strongly and I hope he will manage to bring up the scales of the workers in the States also on par with those of the Central Government employees. The argument about the incapacity of the State Government cannot be a valid reason, because it is the same tax-payer, who pays to both the Central and State

Governments. The finance available for both the Central and State Governments should undergo a readjustment so that justice may be done to the workers and employees under the State Governments. In the meanwhile, the Government should consider the giving of necessary relief to all State Government employees which are given to the Central Government employees in accordance with the recommendations of the Central Pay Commission.

Coming to the State Insurance Scheme, this scheme is applicable only to the workers coming under the Factories Act. There is a special difficulty in the case of the cement industry. Workers working in the mines also are near the factories of the cement industry. But it is not applicable to the mine workers, who are working in the cement industry. I would suggest to the Government to give thought to extending the insurance scheme to the mining workers who are working in the cement industry.

Coming to housing, we have not done anything in the matter of housing for workers in the urban areas who are now living in the slums. So, I would suggest that Government should take very strong steps to have more houses for the workers of the industries.

Mr. Deputy-Speaker: Now I must call the hon. Minister. But there is one thing that I wanted to refer to. Shri Anthony Pillai has stated that the Speaker had promised in the morning that he would be given time to speak. I could not ascertain it from the hon. Speaker, though I do believe what Shri Anthony Pillai has stated. I do not see any reason why I should disbelieve him. But the words of the Chair should be taken with certain caution. Because, there are certain occasions when hon. Members come and ask for time and then cursorily the Chair says "Yes". But the difficulty arises subsequently

[Mr. Deputy-Speaker]

and every day I find, particularly myself, that I had to disappoint some of the hon. Members. The only relief is that the number of disappointed persons is so large that I escape with impunity perhaps, and nobody takes me to task on that score. Because, a very large number of hon. Members are disappointed. If really the hon. Speaker promised him, I would not mind giving him an opportunity. For example, I promised to give time to Shri Jena when he approached me, but I have not been able to keep that promise. I still feel that if the hon. Speaker had given that promise, I should keep that promise. So, if he could be satisfied with ten minutes, he might have it.

**Shri Anthony Pillai:** I did write to the Speaker and he agreed to give me time.

**Mr. Deputy-Speaker:** That is always subject to certain circumstances that might arise subsequently. No hon. Member can say that a promise was made to him.

**Shri Anthony Pillai:** I thank you for the opportunity given to me and I will try to confine my speech to the time that you have allotted to me.

There is a public entertainer outside this House who sees the world through dark glasses. He sees every Congressman as dyed in the wool Communist, deceptively going about donned in Gandhian clothes. But, unfortunately, the reverse is true of the Labour Minister for he sees the world through rose tinted spectacles and even when things go wrong he is, what I call, an incorrigible optimist.

According to the Report that has been submitted by the Labour Minister, he seems to think that industrial relations are improving, that things are better than they were ever before. And he takes great pride and pleasure in the fact that the Code of Dis-

cipline is working well, as is evidenced by the number of man days lost as a result of industrial disputes. It is a very simple logic, a very deceptive logic, it is the usual argument of *post hoc ergo propter hoc*.

But when I try to assess the validity of this claim I am reminded, of the character in one of Moliere's plays who was surprised with pleasure that he had been speaking prose all his life. The same thing also applies to this Code. Long before this Code was thought of, it was in existence wherever industrial relations had been good. What is necessary and pertinent to examine is whether this Code has made any significant change in bad industrial relations and not in good industrial relations. What we would like to know is in how many cases employers who in the past refused to recognise unions have begun to recognise them after the Code came into existence. The second criterion that should be applied is, in how many cases have employers been agreeable to submit disputes to arbitration.

On these two criteria, I am afraid, the Code has been a failure. To the best of my personal knowledge I do not know of a single employer who has agreed to submit a dispute to arbitration after the Code was unanimously accepted, nor do I know of any single employer who has agreed to recognise a union which he has refused to recognise before the Code. But apart from this, the main question is not whether a single or a small employer here, or there, or a minor trade unionist here or there abided by the Code or not. The question is whether the big employers, the so-called representative employers, abide by the Code or not.

I would like to cite the case of the President of the Federation of Indian Chambers of Commerce. He is, I would presume, a very important



employer representing a very important organisation. But he has deliberately and systematically violated every code and convention in every possible way that he can possibly think of. I brought it to the notice of the Ministry of Labour that he does not abide by the Code of Rationalisation and on the introduction of new technological processes he reduces wages or threatens with retrenchment. And what do I get? The Ministry of Labour behaves like the Postal Department and sends me a communication saying that the employer threatens to retrench. That is all. If that is the purpose of the Code and if that is the purpose of the implementation machinery, namely, to act as a sort of a postman communicating views, then, I am afraid, this Code is not working satisfactorily.

Labour generally protested that this employer was undermining the independence of the judiciary by employing a member of the industrial tribunal on his retirement. As a sort of a mark of appreciation of the protest, he has employed a second member of the industrial tribunal on his retirement! Labour has brought to the notice of the implementation machinery as to how he violates law after law. On the other hand it is not a question of it being the INTUC or the HMS or the AITUC union. Even when Shri G. Ramanujam, the President of the INTUC, was the president of the union the Government of Madras did not take any steps to refer such subjects to a tribunal for adjudication. Even now the same situation prevails, despite the guiding principles for the reference of disputes to tribunals agreed to in the 17th Indian Labour Conference.

So when important employers, like Shri Birla in the Orient Press dispute, and State Governments treat the Code with scant respect, then I am afraid this Code, whatever figures the Ministry may give with regard

to the man-days lost, is not working satisfactorily.

I would, on the other hand, give great credit to the hon. Minister himself who, despite the fact that this Code has not been working satisfactorily, has been able to hold down labour discontent. But it is not because of the Code. I can say after some experience of his methods that purely with his soothing syrup he has been able to hold down labour discontent. Nothing else, only soothing syrup. He is a man with immense amount of personal charm and men who come breathing fire and threatening to stage walk-outs stay and collaborate.

**Shri Braj Raj Singh:** What about his deputy?

**Shri Anthony Pillai:** It is not the question of the Code. It is a question of his personal relationship with representatives of industry and of the central organisations of labour. But however much he may employ this soothing syrup, however much he may exercise the magnetic personality of his, he must remember that he cannot hold down indefinitely industrial discontent arising out of falling standards of living. We must also consider that this temporary reduction in man-days lost has taken place at a time when there has been a steep fall in real wages all round. That is why I give him personal credit because nowhere else in the world has there been a reduction in the man-day lost when standards of living have been falling down. But you can say to the credit of the hon. Minister that he has been able to achieve this miracle.

A lot has been talked about the failure of the Pay Commission to abide by the decision on wages of the Fifteenth Indian Labour Conference, on the theoretical or legalistic assumption that it was not a decision of Government, but I would like to refer to a decision of Government

[Shri Anthony Pillai]

itself. After all, I presume that this Government is bound by the Second Plan, and what does the Second Plan say? It says in clear and categorical terms that the wage policy that will have to be pursued during the Second Plan should be a rising level of real wages. Surely that is a decision of Government. Leave alone the decision of the Fifteenth Indian Labour Conference as a pious resolution, but here the Second Plan says very clearly and categorically that there shall be a rising level of real wages. I would like to know when this Government accepted the Second Pay Commission's Report, whether it considered that the Second Pay Commission's Report is in line with that major recommendation in the Labour Chapter of the Second Plan.

I have worked out some figures with regard to the extent real wages have fallen as a result of the Pay Commission's Report. The cost of living index for 1951-52 was 370 on the basis of the indices relied upon by the First Pay Commission, while for the same year the Reserve Bank consumer index was 104. The latest available Reserve Bank consumer index, for November, 1959, is 126 and according to that, the cost of living index would be 448 on the basis of the indices relied upon by the First Pay Commission. That would mean that the real wages of the Class III servant compared to the wage scales recommended by the First Pay Commission and implemented in 1947 shows a reduction of 20 per cent. Surely you may quarrel about the decision of the Fifteenth Indian Labour Conference as a pious resolution, as an aim to be achieved in the future, but with regard to rising real wages in the immediate present there can be no dispute.

Again, there is a lot of discussion about the norms of nutrition adopted relied on by the Second Pay Commission. The Government of India have also accepted the Cement Wage

Board's Report. But do they realise that the wages proposed by it are based on entirely different recommendations made by the same Shri Patwardhan not for an optimum diet but for what he calls an improved diet? Are we to take it that his latest book on nutrition is considered correct and what he stated before the Second Pay Commission wrong. Shri Patwardhan, to the best of my knowledge, has been saying various things at various times. He has appeared before the tribunal for plantations in South India, and there gave evidence on behalf of the planters saying that the wages already paid by the plantation owners provided adequate nutrition. Before the U.P. Labour Enquiry Committee he gave an entirely different version. In his latest book he gives a third version, and he gives a fourth version before the Pay Commission. I very seriously object to the method of obtaining allegedly vital expert evidence followed by the Pay Commission without the other side being given an opportunity to rebut it, or to cross-examine him. The Pay Commission themselves say they are not experts in this matter, and they seem to rely entirely on calories, as if man lives by calories alone. He lives by proteins, vitamins, minerals and so many other things. According to Shri Patwardhan himself, this particular diet that he has recommended to the Pay Commission containing six ounces of vegetables and only four ounces of milk, certainly will not provide the necessary minerals, proteins, vitamins etc. This morning the Minister was saying he was ready to have a new evaluation of nutritional norms on a scientific basis. I would like to ask the Minister very clearly and categorically whether, if the new body that is to be appointed to go into the scientific standards of adequate nutrition comes to the conclusion that Shri Jivaraj Mehta and Shri Patwardhan have been talking through their hats, as a member of the Government would he be ready to

agree to revise the pay scales fixed for Government employees on the basis of false standards.

**Mr. Deputy-Speaker:** Let us hear him then. The hon. Minister.

**Shri Nanda:** Mr. Deputy-Speaker, Sir, the discussion ranged over a wide ground embracing persons, principles and matters, big and small, affecting the labour and labour administration. With the limited time that I have I can only deal with some major issues. I may not be able to give satisfaction to every Member on the score of many things—important certainly—but it would not be possible for me. Now, the time having been curtailed already, I would like to find some other ways of conveying the information to them that they would like to have.

This morning I dealt mainly with the question of wages and relationship of wages, prices and other connected matters. This question of wages was again taken up in the speeches of the hon. Members and many of them referred to it at length, gave expressions to their own views, raised fresh issues and questioned some of the things that were being done. I would, therefore, take a little time now to pursue this line of thought and try to deal with those points and give such answers as I can at the moment.

It is very obvious from what even the hon. Member who spoke, Shri Anthony Pillai said that it is a complicated question. It involves complex technical and economic matters and, therefore, these controversies cannot be set at rest in the course of a discussion like this in this House. It is very important that the whole process of fixation of wages which touches vital interests, such as industry, workers and the community, should be placed on a sound footing. I gave some assessment in the morning of various aspects of this question and

Here the whole economy is involved. There are very intricate problems. Therefore, I was thinking whether these high issues could not be dealt with, examined and brought near some understanding, closer understanding than can be given in these either desultory discussions or even in the brief meetings that we have in the Indian Labour Conference and the Standing Labour Committee.

I have in mind at the moment a near decision that had been taken in the last meeting of the Standing Labour Committee. The question of bonus was discussed at length. The payment of bonus comes at the end of every year. If it is earned but cannot be obtained, it always creates a trail of bitterness and an amount of suspense and uncertainty in advance. Therefore, it is a general feeling that we should do something to put it on a more secure basis and that more certainty may be imparted to this particular matter which exercises the minds of both parties. The conclusion reached was that we may have a bonus commission, a commission which will go into this question, try to evolve some norms so that what one expects in a particular industry and under particular conditions could be anticipated and there may not be any great deal of bickerings about it or conflicts developing.

There was a further thing also brought up at that time, that is, the question as to the form in which the bonus should be paid to the workers, and whether in view of the conditions of the country and its needs and the requirements of investment, some part could not be received not in cash but in some other form, such as deferred payment. It was decided that this also should be taken up by this body.

I was thinking whether we could not expand the functions of such a high-powered committee, whatever may be the composition—I have not given thought to it—and see whe-

[Shri Nanda]

a bearing on price, wage fixation, the question of prices, productivity, cost of living and such other issues also could not be placed in such impartial hands, of course, helped by all the necessary technical investigations and studies, so that we may have some reliable guidance in these matters.

**Shri Anthony Pillai:** But the question is this. Is the hon. Minister ready to restore the real wage? Unless he restores the real wage that has fallen since 1947, all these proposals are of no avail.

**Shri Nanda:** It is not for me to say, yes or no, because, as I have explained, and as the hon. Member knows, Government do not decide these things themselves. They create a machinery. First of all, it should be a proper, adequate and suitable machinery. Secondly, through these tripartite deliberations, it produces some guidance. That guidance is made available to the tribunals and the courts, and that is being considered. This is the way in which, as I made it very clear in the morning, the workers are perfectly entitled to make their claims; and that atmosphere which is being created, antagonistic to these claims, I have personally tried to see, should not come in the way; it should be dispersed.

Again, it is a question not of a general wage level; within this general framework, generally, the principles which are to guide each industry has to be seen in relation to its capacity to pay and various other factors. That is a matter for individual decisions.

I think that the rehabilitation or the restoration of the standards of the workers, whatever we may do to get a little more increase and a little more, is not going to happen if this upward trend of prices is not curbed, as I have explained already, and that is where Government and everybody

have to apply their mind to see that some effective way is found in regard to that. The moment that is done, all these other things are bound to follow.

Again, I might make one thing very clear. I am not thinking of this kind of set-up or an inquiry and contemplating any dilatory position arising for the workers' present claims or any claims that they have. This should not affect those claims. So, let there be no misunderstanding that till all that is done, nothing else is to move. That is not the position. I am saying this because otherwise there may be a misunderstanding on that.

The question of wage boards has been discussed by many Members, especially with regard to the implementation of the recommendations. These were the first sets of reports that we received. Naturally, a new situation was being faced, and we tried to find means of expeditious action on that, and we had talks with representatives of the employers who have to implement; we did that in the case of textiles. The resolution of the Government is there, and its intention is that the recommendations should take effect from the date visualised by the board itself.

Now, some time is passing. I hope that the employers concerned will see their way to give effect to these recommendations. If there is much delay, I will have to consider it. But I do not want to dilate on that aspect, because I hope that they are people at least with enlightened self-interest. It is in their interest also to see that these decisions are carried out. I would not like to say what may be the consequences of their not carrying these things out. I may not be able to do anything immediately. But then there is the question of legislation on the one side and the question of action on the part of workers on the other which they can

be free to take. I cannot help it; that is very clear.

A question was asked about new Wage Boards. We were asked why we were holding it up. We are not holding it up. Everything takes a little time. I will remind hon. Members of one thing. When they ask me about delays here, I know what happens when I deal with it. I have to write and write again. I do things in their interest. I write about ten times and then they reply or they do not reply. Then I personally ask them; I go to them and ask them to do it. This is even in small matters. Here are big complicated questions where large industries are concerned.

Jute and plantation were mentioned particularly. It is not at all correct to say that we have been trying to manipulate. Of course, there is no question of manipulation so far as we are concerned—or delaying things in order that someone may benefit and someone else may suffer. This is not so at all. Jute was mentioned. In the Industrial Committee on Jute, we met someone. It was not the INTUC representative; it was the Hind Mazdoor Sabha representative. It was asked; why should there not be verification? Meanwhile, the situation had also changed. So far as the AITUC, the quarter from which it emanated is concerned, it has not affected them either way. They were there first; they are there again now. If, as I hope, the Jute Board comes up, anybody else is free to raise any questions.

Regarding plantations, the question arises whether it is not going to be a very unwieldy body. I have answered that I am bound by the unanimous decision of the Industrial Committee on Plantations. If any change has to be made in view of this consideration, let it again be referred to that Committee and let them come to a fresh decision. So there is nothing which is not quite above board in all these things.

17.34 hrs.

[MR. SPEAKER in the Chair]

Now I come to the question of the status of the conclusions of the Indian Labour Conference. I may first declare that I attach the highest importance to this machinery. It is, therefore, my constant anxiety and effort to see that the conclusions—unanimous conclusions—of this body have all the prestige and authority it is possible to give them. Otherwise, what is left? Government have to do everything themselves by law and enforce everything against the will of the parties. I would rather that we do not have this legislation and this government intervention.

Shri S. A. Dange spoke about what the best form of industrial relations machinery is. I agree with him. I do not pit this Wage Board against collective bargaining. The latter is the best. These are all extensions of that, including the Wage Board. I mean collective bargaining in the sense that the parties are present. They have got some mediators sitting here. So it very nearly approaches in essence collective bargaining. I prefer that. What Government are doing is just assisting in the process of collective bargaining. The parties are brought together and Government help them to come to agreement. Very good agreements emerge from this process.

Then Shri Rajendra Singh, and some others also, said, 'It is an ILC decision. If something happens to it, what should the Minister do or should not do?' If that is the view we are going to take of what transpires at these meetings, then we will be effectively retarding its progress.

We come with open minds; we meet and we discuss with a view to agree and to promote agreements. Government has from the initial stages declared its own part and role in these matters. It is to bring the parties together. Supposing in a

[Shri Nanda]

Housing Conference the Minister of Housing is present and the conference decides that a thousand crores of rupees should be given for housing and the Minister says, 'All right', and if the Government does not give the thousand crores of rupees, then, does the Minister become discredited and, therefore, loses his *locus standi*? I think this is very absurd. Sir, I do not want to use that word. But I would say it is not proper. It is not a proper approach to and outlook on this matter. He said, we should have authority.....

**Mr. Speaker:** And *vice versa*, I think. (*Interruptions*).

**Shri Nanda:** Therefore, these decisions of the I.L.C. were conclusions. We had discussions. This is a very important matter and that is why I am explaining. We took up this thing at the Standing Labour Committee again and we gave sober thought to the matter and arrived at proper conclusions. If the decisions were to have that amount of force that Government is also to be bound, then, Government must first be fully associated with it. We sat there in a conference and in two hours we came to certain conclusions. We said it should cover everything and it must have authority. There, I agree also. Then, we said, what is the way out. The way out is the way that has been approved. We talk without inhibitions and come to certain understandings. If all the parties say, it is all right, they will become recommendations. Then they have that morally binding effect. Otherwise, there may be a reservation at the moment. They may refer back to the principles. Then, when they come back and say, 'we have accepted them', they will be fully binding. I think we have found a good way out.

I think I have covered that part of it, the Minister's responsibility and the responsibility of the Government. It is not a question of a commitment in that sense. In the morning also I said

how much weight I attach to the recommendation. But that recommendation was not binding in the rigid sense even as it was conceived. It has been said that if there are conditions then it cannot be done. It means that there may be a number of cases where it cannot be done.

Secondly, as to the issues raised, the content of it, the calories and proteins and all those things, they will have to be examined afresh. What will be done afterwards, will, certainly, be in the light of those conclusions. Things will be taken further.

In the same context Shri Banerjee and some others, I think, spoke about the strike of the government employees and all that. I hope that this line will not be pursued because ours is a democratic country, of course, there are no strikes somewhere else; but here they are free to strike. In some cases they are not free to strike also because they have got another kind of rules and regulations and certain principles apply to their conduct. The Pay Commission is very nearly in the nature of a tribunal. If there is anything to be done, it must be done properly and peaceful action should be pursued. In these times, we are making efforts and putting ourselves in such strain for the purpose of development and people are groaning under the strain. The strain is there because in the next stage they will be better off. Today, they have to suffer. Similarly, for other reasons also we have to see to it that such things do not happen in this country.

About industrial relations, things were said. That is a question of the trade union recognition. That is an important matter and I will deal with it. Shri Dange and others took up that question and had something to say about it—Government intervention in trade unions. I think the hon. Member himself had said something.

Something arose in the Madras Conference—some kind of proposed legislation where Government wanted to empower its own officers to take certain decisions which could either be done by agreement or by court. I took that line and persuaded those Governments to drop that legislation and those provisions. But the INTUC, etc. are there. I would like such an instance, even a single instance, to be brought to my notice during the period with which at least I am personally familiar because then I can answer with confidence about these matters. I am fully confident that nothing of this sort takes place.

The hon. Member there said about the Defence Federation and some union being set up by the INTUC. It is also free to go into the field just as the others are free and have been doing. Personally, I am in favour of eliminating rivalries. I am in favour of a strong, united labour movement in the country in order that it may help the worker and serve the country better. These rivalries are coming in the way of improving their status and hindering the progress and efficiency of industry. But it is not in the hands of the Government. It is for the parties and it is not a question that I could deal with here.

**Shri S. M. Banerjee:** My objection was that the hon. Deputy Minister should not lend his support to one or the other. Let him remain neutral.

**Shri Nanda:** If the hon. Speaker could have given him some time, he would have effectively dealt with those matters as to what he said exactly. He went also to a union of the AITUC and addressed it. What is to be done about these matters?

**Shri S. M. Banerjee:** The confusion is created in the country that the defence unions are affiliated to the INTUC. 157 unions are affiliated to the Defence Federation and no union is affiliated to the INTUC.

**The Deputy Minister of Labour (Shri Abd Ali):** That is a wrong statement.

**Shri S. M. Banerjee:** I am absolutely correct.....(Interruptions.)

**Mr. Speaker:** Who is to decide? Both of them have made a statement.

**Shri Nanda:** Shri Dange has said that there should be legislation about the recognition of the trade unions. Previously, the attitude of the parties had been that they should not go in for legislation but do this by understanding. I can tell the hon. Member that if it is legislation, it will not have one-tenth of the substance of the recognition. It may be that we have taken some time over it. In the code of discipline recognition is based on certain criteria. It takes this entirely out of the hands of the employer and he has no discretion about this matter of recognition. We may say anything about optimism, rosy picture and all that, but consider, when institutions are being changed, when outlooks are being transformed, in how many months it is done. Consider, also, in this period, to how many people the matter has to be explained. The matter has to be explained to the States also. The implementation machinery has to be set up. The officers concerned for the job have to be appointed. One after the other the States have to set up the implementation machinery. Therefore, it is too early really to think of something of a radical character. It may be that in some good units there were good relations, but recognition will be given on a certain basis irrespective of what the organisation is.

In actual effect, it is not only a question of implementation of this, it is a question of implementation of many other things. I have a lot of material here, but the time at my disposal is very limited, to show how in the matter of awards the implementation has been very successfully pursued. In a very large number of cases, in a large majority of cases, non-implementation has been rectified.

In the case of recognition of trade unions, may be the difficulties are

[Shri Nanda]

more. Many of the cases belong to States and in some cases recognition has been secured. There is at least one case, AITUC, and also other cases are being pursued. In some probably there may be no justification. Therefore, we stand by it. If it is proved that in certain places recognition to HMS or AITUC is called for, it is our business to go and persistently try for it. Then, if these things are not adhered to the problem becomes a bigger problem. It will not then be a problem of one union, but a question will arise whether the Code of Discipline can stand or not. In the next meeting of the Standing Labour Committee this is one of the things to be considered. This is something which is apart from the legal sanctions which are there today. The Code of Discipline does not displace any of the existing sanctions. It is something additional to that. That additional may not be enough and some more sanction may have to be added. What is to be done if an employer fails to abide by his contract, by his obligation, by the promise that has been given by his representative? The same applies in the case of employees also. It is not as if the monopoly of non-observance or violation is only of the employers. I have here a whole list of cases where almost impartially all the central organisations of labour have violated the Code—the INTUC, the AITUC and the HMS. What should be done to them? We still continue our efforts. We write and ask them. In some cases they have taken action, they have disaffiliated the offending units—at least the INTUC has disaffiliated two units.

This Code of Discipline, I might say, is a product of tripartite deliberation. It cannot be said that it has changed everything immediately. But I feel that the results have not been disappointing at all. I judge by the information that I receive from the people who are in the field, from the State Directorates of Labour. I judge from their assessment. The employers

and workers may meet. The breaches are to be quoted from both sides. Efforts are then made to see that amends are made. I think this thing will have to proceed on those lines so that later on we are able to take to higher levels. The strains are there. I am saying this after reading the resolutions and speeches made by hon. Members. Even here they remind me that this will happen and that will happen. I am in the same boat with you, in the sense that I would see to it that these things are done. If they are not done, if the Code of Discipline fails, if the Code of Conduct fails, then it means that I personally will have nothing to look to them. Then, I will have to be sitting here passing orders for tribunals and the tribunals will cause delays, the cases will go to the Supreme Court and so on. I do not think that is the outlook which at any rate I can contemplate with any equanimity, nor can the workers nor the employers. They have got to take this. There is no other way. The only way is to persist in this direction, because any other way is going to be worse. That is clear. I do not want to take more time about this particular matter.

The question of ballot was brought in about trade unions. We here have worked out a method of election, in the interest of trade unionism and of the workers themselves. It is better that trade unions are formed and the trade union members get the franchise for this purpose and not the non-members. Our trade unionism is very weak in this country. What are the resources they have? What are their activities? I want to strengthen the trade unions to an extent which will help the country and help the workers. We should try to improve things from other directions, because this is not the proper way at all.

Workers' participation was mentioned by an hon. Member. I am confident that in the employer-employee relation, code of discipline and all



these things, the workers' participation scheme has a special bearing on it. They are intended to carry industrial relations to a higher stage. Some way has to be found consistent with our democratic traditions and Constitution. The only way for that is that the worker's status should rise. He should be a co-partner in the industrial system. That is the only peaceful, democratic way of taking things to a higher level. In that context, workers' participation has great significance. I personally had great apprehensions and doubts about it. But when we had a seminar sometime back, I was agreeably surprised that in 20 out of 23 units, the workers' representatives, the employer's representatives and the State Government's representatives declared emphatically that their experiment had succeeded and was giving results conducive to peace, efficiency, higher productivity and all those things. We then thought of moving further and seeing that there is a rapid extension of this as early as possible. So, there is no ground for any kind of feeling of disappointment about this.

Workers' education programme also is part of this. I would like it to be accelerated very much. This is the line on which we are thinking. We have been developing co-operatives in the mining area. I have been thinking that the workers' education programme should prepare the workers for a very highly developed co-operative movement, not only in that industry, but in other industries also. These are the various directions. The only way that is open to us is that we have to improve the position and the status of the worker.

I was asked about the State Bank, commission, tribunal and all that. It is a matter before the tribunal. It is not for me at all to deal with any aspect of it—merits or otherwise. But lest some misunderstanding ought to remain, I may say I had not given any kind of undertaking that there will be a commission or a tribunal so far as the State Bank is concerned. When

I asked the State Bank people to come and attend our meeting, they said "No, we will have our settlement with the State Bank itself. We do not want to come to you." They wanted to settle it themselves and, therefore, they did not agree to our having discussions. Only at the last moment, when things started taking another turn, they struck work. Now I do not want to make any comparison about the course of events or say something about their merits. What was the course open to them? Was there any other course open to them? Some people say they should not have been given adjudication because the strike was going on. I think that is a narrow view of such things. After all the workers have to be provided with some machinery, some way of settling things. We thought we should provide that machinery.

Then, this question of employment has figured very much.

**Shri Prabhat Kar:** About the withdrawal of strike by the State Bank employees, an assurance was given that there would be no victimisation. Now their salaries have been deducted for that day. What have you got to say about it?

**Shri Nanda:** After all, there are employers in the public sector just as in the private sector, and employers in the public sector are not angels. Some of them have to be educated also. I have to take them through that process of education. In this case, the victimisation issue was a general issue. I could immediately say "No victimisation" because, after all, they have given notice and they have gone on strike which is not illegal. It is my personal view and I am not entering into the legal technicalities. So, I said "No victimisation", so far as other things are concerned.

When there is a strike, I have personally stood against any idea of payment for work not done. But here they were asking for it to be set off against some earned leave. That is a matter which is between the workers

[Shri Nanda]

and the management, and they are adjusting it, I think, against overtime or some advance was asked for. I made a recommendation that advance should be given and I believe they have agreed to do that.

Before I go to the matter of employment, I want to refer to provident fund and dock labour board. It is a wrong information that there is so much of wastage in the provident fund. I have got the figures, but in view of the shortage of time I do not want to go into them. Only a very small fraction is being kept back, kept as arrears or not being realised. There are prosecutions and recoveries are progressing. Now, I agree that even that small percentage means that some workers are going to be deprived of their provident fund, which is a very very bad thing. We have been thinking of creating a reserve. We have suggested that, if the members of that body are agreeable to it. Who comes in the way? I do not come in the way. Let the others give a little fraction of their interest and make a kind of insurance for the others, which is a proper way of dealing with it. We are not going to be lax in this matter. We are going to take more stringent action. I am trying to persuade and prevail upon the State Governments, because they have to do it. Things are improving there also.

**Shri K. N. Pandey:** Some amendments were drafted for that but they have not, as yet, seen the light of day. A promise was made that a permanent contribution should be made from the payment of overtime allowance. That has also not been recognized.

**Shri Nanda:** We have got in hand, not one but half a dozen devices at least, which are at various stages. For example, change in the transport law. We think the Bill has been prepared and it would be possible....

**Shri T. B. Vittal Rao:** Kindly introduce it.

**Shri Nanda:** We are ready with it. We are trying.

Then, a very wrong impression was sought to be created as if there was some defalcation or some embezzlement or something in the Dock Labour Board. It is not a case of corruption.

Why did we have to hear the name of that good gentleman, Shri C. D. Deshmukh in this connection? The gentleman who reported used strong terms. But nobody has taken away the money. It was irregularly used. Immediately there was some kind of a difficulty. They used it for other purposes. The money had not gone anywhere. This has been regularised and the thing has been dealt with.

18 hrs.

**Shri S. L. Saksena:** Workers' money went to the stevedores.

**Shri Nanda:** I will provide you with full details of that. The question was of some officer having embezzled the funds. That has not happened. Secondly the question was of some gentleman having gone away to Pakistan. If somebody can go to Pakistan or somewhere else and if he does not choose to come back—I have not got the facts with me—I do not see what to do about that.

I would have liked to say something about employment, but I do not want to trespass the limits that have been set for this discussion. We will have other occasions to deal with the other matters. I thank the hon. Members.

**Mr. Speaker:** Shri Abid Ali wanted to say a word of personal explanation.

**Shri Abid Ali:** Some hon. Members were very much angry with me because I have said somewhere that defence workers who had formed their own national organisation are patriots. Of course, I never meant

that those who have not joined the organisation are not patriots. That I never meant. But, of course, I told the workers that there were many traitors going in the country and they should keep themselves away from them.... (Interruption).

**Mr. Speaker:** There may be traitors. Need I put any cut motion to the vote of the House?

**Shri Prabhat Kar:** Yes, my cut motions Nos. 1628, 1629 and 1642.

**Shri S. M. Banerjee:** My cut motions Nos. 1475 and 1476 too.

**Shri S. L. Saksena:** I want my cut motions Nos. 1751 to 1756 also to be put to the vote.

**Mr. Speaker:** I will put cut motion No. 1475 to the vote of the House first.

The question is:

"That the demand under the head 'Ministry of Labour and Employment' be reduced to Re. 1 (Failure to ratify the unanimous recommendation of the Fifteenth Labour Conference regarding minimum wage)". (1475)

*The motion was negatived.*

**Mr. Speaker:** The question is:

"That the demand under the Head 'Ministry of Labour and Employment' be reduced to Re. 1 (Failure to check the growing unemployment in the country)". (1476).

*The motion was negatived.*

**Shri S. L. Saksena:** I have also moved some cut motions, Nos. 1751 to 1756.

**Mr. Speaker:** The question is:

"That the Demand under the head 'Ministry of Labour and Em-

ployment' be reduced by Rs. 100". (Failure to implement 'need based theory' accepted in the 15th Indian Labour Conference for wage fixation.) (1628)

"That the Demand under the head 'Ministry of Labour and Employment' be reduced by Rs. 100 (Government's refusal to accept agreements of Indian Labour Conferences)." (1629)

*The motions were negatived.*

**The Speaker:** The question is:

"That the Demand under the head 'Miscellaneous Departments and Other Expenditure under the Ministry of Labour and Employment' be reduced by Rs. 100. (Need for legislation for compulsory recognition of trade unions)." (1642)

*The motion was negatived.*

**Mr. Speaker:** Now I put cut motions 1751 to 1756 to the vote of the House.

*The cut motions were put and negatived.*

**Mr. Speaker:** Now I put all the other cut motions to the vote of the House.

*All the other cut motions were also put and negatived.*

**Mr. Speaker:** The question is:

"That the respective sums not exceeding the amounts shown in the fourth column of the order paper, be granted to the President, to complete the sums necessary to defray the charges that will come in course of payment during the year ending the 31st day of March, 1961, in respect of heads of demands entered in the second column thereof against Demands Nos. 66, 67, 68 and 126 relating to the Ministry of Labour and Employment."

*The motion was adopted.*