

[Dr. B. Gopala Reddi]

Under Section 25FF of the Act, when the ownership and management of an undertaking is transferred, every workman with a continuous service of not less than one year in that undertaking shall be entitled to notice and compensation as if he is retrenched, unless the conditions of service under the management are not less favourable than under the old and the new management agrees, in the event of future retrenchment, to pay compensation on the basis of the total service including service rendered prior to the transfer.

For the transfer of workers along with works, an essential condition is that the terms of employment under the new management should be at least as favourable as those under the old. In the present instance, this condition is not fulfilled. There is no scheme of pension at present in the N.D.M.C. while it exists in the C.P.W.D. When the above condition is fulfilled, the workers actually employed in the undertaking that is transferred to the new management can be transferred along with the work.

The demand of the Union already referred to is that the junior-most men in the Directorate of Horticulture should be transferred, although they may not be the men actually engaged in the works to be transferred to the N.D.M.C. There is no provision for such a procedure in the Industrial Disputes Act.

It has therefore become unavoidable to retrench the surplus junior-most workers in accordance with section 25 G of the Act after giving them notice and retrenchment compensation as provided in the Act. As stated earlier, they will all be absorbed by the New Delhi Municipal Committee.

The procedure that is proposed to be followed is fully in conformity with the provisions of the Industrial Disputes Act.

Shrimati Renu Chakravartty: Prior to this there have been other people too who had been sent to work under the NDMC and their past services etc. had been counted. They had been treated as having been transferred. If nothing stood in the way of their transfer, there is absolutely no reason why the services of these people also, though temporary, who have served for so many years may not also be treated as transferred from one establishment to an autonomous body.

Dr. B. Gopala Reddi: Some road works were transferred to the NDMC some time ago. It was as a purely temporary measure. The workers were all transferred there with a right to come back to the department and when they come back the juniormost man has to be retrenched. It is with that understanding that those people were transferred as a temporary measure. But here they are surplus for this department and are all being re-employed by the NDMC. They are being served with retrenchment notice with a right to compensation but they will all be protected there. Their salaries will be protected and they will be re-employed by the NDMC.

12.19 hrs.

PAPERS LAID ON THE TABLE
RUBBER (SECOND AMENDMENT) RULES,
1961

The Minister of Commerce (Shri Kanungo): Sir, I beg to lay on the Table a copy of the Rubber (Second Amendment) Rules, 1961 published in Notification No. G.S.R. 29 dated the 6th January, 1962, under sub-section (3) of section 25 of the Rubber Act, 1947. [Placed in Library, See No. LT-3608/62].

ANNUAL REPORT OF THE HINDUSTAN
ANTIBIOTICS LIMITED AND REVIEW
BY THE GOVERNMENT

Shri Kanungo: Sir, with your permission, on behalf of my colleague, Shri Manubhai Shah, I beg to lay on

the Table a copy each of the following papers:—

(i) Annual Report of the Hindustan Antibiotics Limited for the year 1960-61, along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon, under sub-section (1) of section 619A of the Companies Act, 1956.

(ii) Review by the Government of the working of the above Company.

[Placed in Library, See No. LT-3609/62].

STATEMENT OF CASES IN WHICH THE
LOWEST TENDERS HAVE NOT BEEN
ACCEPTED

Dr. B. Gopala Reddi: Sir, I beg to lay on the Table a statement showing cases in which the lowest tenders have not been accepted by the India Store Department, London and India Supply Mission, Washington, during the half-year ending the 31st December, 1961. [See Appendix II, Annexure No. 25].

NOTIFICATIONS UNDER THE EMPLOYEES
PROVIDENT FUNDS ACT

The Deputy Minister of Labour (Shri Abid Ali): I beg to lay on the Table a copy of Notification No. G.S.R. 346 dated the 17th March, 1962 extending the Employees' Provident Funds Act, 1952 to certain trading and commercial establishments. [Placed in Library, See No. LT-3611/62].

REVISED ESTIMATES FOR 1961-62 AND
BUDGET ESTIMATES FOR 1962-63 OF THE
EMPLOYEES' STATE INSURANCE
CORPORATION

The Deputy Minister of Planning and Labour and Employment (Shri L. N. Mishra): I beg to lay on the Table the papers mentioned in item 7 of the Order Paper.

Mr. Speaker: After all, this consists of three lines. Why should he not read? I have allowed him the indul-

gence only when there are a number of items. He ought to read.

Shri L. N. Mishra: Shall I read it?

Mr. Speaker: Yes.

Shri L. N. Mishra: I beg to lay on the Table a copy of the Revised Estimates for the year 1961-62. . .

Mr. Speaker: Slowly, please.

Shri L. N. Mishra: . . . and Budget Estimates for the year 1962-63 of the Employees' State Insurance Corporation, under section 36 of the Employees' State Insurance Act, 1948. [Placed in Library, See No. LT-3612/62].

Mr. Speaker: Normally, when it consists only of a few lines and there are not many items, I would advise hon. Ministers to read it out. In exceptional cases, when it consists of a number of items, it may be said as mentioned in the Order Paper.

12.20½ hrs.

ESTIMATES COMMITTEE

HUNDRED AND SIXTY-THIRD, HUNDRED
AND SIXTY-FOURTH AND HUNDRED AND
FIFTY-FIRST REPORTS

Shri Dassappa (Bangalore): I beg to present the following Reports:—

- (i) Hundred and sixty-third Report on the Ministry of Commerce and Industry—Office of the Textile Commissioner (Part II)—Handloom and Powerloom Industries.
- (ii) Hundred and sixty-fourth Report on the Ministry of Commerce and Industry—Office of the Textile Commissioner (Part III)—Woollen Industry.
- (iii) Hundred and fifty-first Report on the action taken by Government on the recommendations contained in the Seven-