

is continuing and I have not yet lost hope that we will not get something more.

**SHRI MOHANRAJ KALINGARAYAR:** For quite some time we have been hearing about Government going forward with exploring oil in the Cauvery delta in Tamil Nadu. May I know what are the salient features of it? We have not heard anything about it after the press reports some-time back.

**SHRI K. D. MALAVIYA:** Sometimes we have to spend decades and decades in order to find out precisely whether we will get gas or oil. In Cauvery, we have been searching for 10 years, as a result of which we have collected valuable information which appear to show that perhaps there are projections of hydro-carbon strata outside in the sea. We are trying to find out how best to carry on our programme in this area.

**SHRI RAJA KULKARNI:** There are a number of oil technicians and scientists employed by the foreign companies outside India, especially in South-East Asian and Middle East countries. Has the Government made any approach to those Indian Oil Scientists and offered any terms for bringing them to our own country for exploration and other activities?

**SHRI K. D. MALAVIYA:** Yes, Sir; we are trying to get them.

**SHRI VEKARIA:** There were some news items in Gujarat newspapers that there were some signs of oil reserves near the Porbandar sea shore. I would like to know whether any investigation has been made about this and if so, what was the result.

**SHRI K. D. MALAVIYA:** Yes, Sir. The search for hydro-carbons is going on near Porbandar and Kutch area also.

### Consideration of Left-Out Demands of Railway Employees

\*205. **PROF. MADHU DANDAVATE:** Will the Minister of RAILWAYS be pleased to state:

(a) the stage at which the consideration of the demands of the railway workers which had resulted in the nation-wide strike stands;

(b) the salient features of the demands accepted; and

(c) whether Government propose to start fresh negotiations for the consideration of the left-out demands?

**THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI):** (a) to (c). A statement is laid on the Table of the Sabha.

#### STATEMENT

During the negotiations held with the labour representatives in April, 1974, the following items were agreed to:—

(1) Implementation of Mishroy's Award in toto.

(2) Cadre Review and upgradation of Class III and Class IV staff.

(3) Job Evaluation within the framework of the Pay Commission's recommendations.

(4) Removal of Anomalies arising as a result of implementation of report of Third Pay Commission.

(5) Certain policies with regard to employment of casual labour.

(6) Opening of fair-price shops in railway colonies housing more than 300 families.

On the two other points the Government could not agree and these are

'payment of bonus to railway servants' and 'parity of wages with workers in certain other Central Government undertakings. Therefore, the question of having any fresh negotiations on these issues do not arise.

2 In regard to agreed items, the present position is as follows:—

(1) *Miabhoj's Award.*

This is under implementation.

(2) Cadre review and upgradation of Class III and Class IV staff.

A comprehensive scheme has been prepared and this is being given the necessary finishing touches.

(3) A preliminary study report by the consultants from the Administrative Staff College, Hyderabad, is under consideration.

(4) A committee has been appointed to go into the anomalies resulting from the implementation of the report of the Third Pay Commission, and this committee has already had some sittings.

(5) Necessary instructions have been issued to the Railways for the implementation of these policies.

(6) Another 84 fair price shops have been opened on the various Railways

**PROF. MODHU DANDAVATE:** I wanted to know what has happened about those demands which have been left over. It would have been better if the Minister were to give us the charter of demands and mention which of those have not been considered. With your permission, to facilitate a proper answer, I will mention those demands contained in the charter and would specifically like to know which of them have not been considered as yet:

1. (a) All Railwaymen be treated as industrial workers with full trade union rights including the right to negotiate.

(b) The working hours of Railwaymen shall not exceed 8 hours per day.

(c) There shall be job evaluation of all railwaymen through a scientific system to be followed by their reclassification-regradation with the need-based minimum wage as the wage for the lowest paid worker.

(d) Pending the completion of job evaluation and reclassification, immediate parity in wages with those of workers in the Central Undertakings viz. HMT, BHEL, HSL, HAL, etc.

2. Dearness allowance linked to the cost of living index with full neutralisation for every rise of 4 points in a six month period.

3. Bonus at the rate of one month's wages for the year 1971 and 1972-73.

4. Decasualisation of all casual railwaymen and their confirmation in service with all benefit given to them with retrospective effect.

5. Adequate and subsidised food-grains and other essential commodities through departmentally run shops.

6. All victimisation cases should be withdrawn."

Sir, with your permission, I have read out the six demands. I would concretely like to know in the beginning, in my first supplementary, which parts of these demands have already been conceded and what is going to happen to the rest of the demands. What is going to be the *modus operandi* for discussing these demands?

**SHRI MOHD SHAFI QURESHI:** I am glad that the hon. Member has read out all the demands which clear-

ly reveal that there was an amalgam of demands, reasonable and unreasonable. It is very clear that the charter of demands presented by the AIRF contained both reasonable and unreasonable demands. The reasonable demands have been conceded by the Government. Regarding the unreasonable demands, neither has the stand of the AIRF changed nor the policy of the Government.

**PROF. MADHU DANAVATE:** Before I ask the second question, let him state which are the reasonable demands which are accepted and which are the unreasonable demands which have not been accepted. Kindly tell us the demands which have been accepted and which have been rejected.

**SHRI MOHD. SHAFI QURESHI:** We have not accepted the demand that there should be an outright pay increase of 75 per cent in the emoluments of the railway employees and that they should be treated on par with the employees of the public sector projects. Secondly, they have demanded bonus at the rate of one month's salary for the years 1971-72 and 1972-73, which has not been accepted by the Government. If we had accepted all the demands made by the AIRF, it would have cost the railways Rs. 450 crores. We have accepted the implementation of the Mahbub Award, which pertains to working hours in the railways, which will cost us Rs. 35 crores. The de-casualisation of the casual labour, which has been accepted by the railways, will cost us Rs. 5 crores. The demand for job evaluation has been accepted. I had made an offer at that time to the labour leaders that they should get involved in the job evaluation but this was not accepted. Despite that, we have accepted job evaluation which will cost us another Rs. 15 crores. Then, there were certain anomalies after the implementation of the Third Pay Commission

Report. We have appointed an Anomalies Committee to look into it and remove those anomalies, which would cost us Rs. 12.5 crores. Cadre review from class 4 and Class 3 has been accepted, which would mean another Rs. 12.5 crores. Then, we have accepted the demand of the railwaymen that we should open fair price shops wherever the population of railway employees is more than 300. 84 such shops have already been opened and I am sure within the next few months many more shops would be opened in all the areas where the railway employees live.

**PROF. MADHU DANAVATE:** Sometime ago in this very house the late Railway Minister, Shri L. N. Mishra, had already announced that they would be prepared for discussions with the accredited representatives of the All India Railwaymen's Federation and that there will be some discussion through the machinery provided, namely, the permanent negotiating machinery and the JCM. In his connection, I would like to know concretely whether it is not a fact that even the functioning of the permanent negotiating machinery is becoming difficult, because those railway employees who were expected to participate in the discussion of the permanent negotiating machinery, they have been victimised through a general circular that has been issued? These representatives are not allowed to sit in the PNM though the AIRF has actually already formulated an agenda and submitted it for discussion?

**MR SPEAKER:** It is a leading question.

**SHRI MOHD. SHAFI QURESHI:** We were, and are, still not averse to negotiations and dialogue with the recognised representatives of the trade unions of railways. The forums of the JCM and PNM are open to them to discuss any matters they like.

**PROF. MADHU DANDEVATE:** He has not replied the question. Those who are victimised are not allowed to participate.

**SHRI MOHD SHAFI QURESHI.** Full facilities will be given to trade union leaders to come and have negotiations with us. But it is a fact that there are certain people who are involved in violence and sabotage cases .. (Interruptions)

**PROF MADHU DANDEVATE.** I can produce the list of employees against whom there are no charges of violence and sabotage and they are not allowed to participate

**श्री डी० एन० तिवारी :** इस सदन में यह प्रश्न बारम्बार और हर सेशन में कई बार दोहराया जाता है और सरकार भी कोई निश्चित जवाब न दे कर ऐसी एक झलक दे देती है जिस की वजह से यह प्रश्न फिर किता जाता है । मेरा कहना है कि सरकार सब बातों को समझ कर जो बातें मन्जूर करने लायक नहीं है उन के बारे में क्यों नहीं कह देती कि हम इस पर निगोशियेट नहीं करेंगे ।

**श्री मुहम्मद शफी कुरेशी :** कह दिया है हम ने ।

**श्री डी० एन० तिवारी :** नहीं कहा । और जो बात सरकार समझती है कि जायज है, मानना है, निगोशियेशन्स करना है उन्हीं को भीमित कर के क्यों नहीं कह दिया जाता है कि इतनी बातों पर निगोशियेशन करेंगे । अभी सवाल पूछा जाता है कि बहुत से डिस्-मिस्ड ऐम्प्लोईज नहीं लिये गये । आप कहते हैं कि नहीं साहब के लिये हैं, तो दोनों में कौन सी बात सच है ? इस को क्यों नहीं फ़ाइनली तय कर देते हैं ?

**श्री मुहम्मद शफी कुरेशी :** मैंने यह बात बिनाकुल साफ़ कर दी है कि जो मत लबाते

वकस के थे उन में जो रीजनेबिल थे उन को मान लिया गया । और जो बातें नहीं मानने की हैं उन को नहीं माना है । उस में सरकार की पोलिसी में कोई तबदीली नहीं आयी, और उन पर निगोशियेशन्स नहीं होंगे । लेकिन अगर कोई और मतलब है जो वर्कर्स की बेहतरी के लिये हो तो हमारे दरवाजे खुले हैं ।

जहा तक अपोजीशन के लोग यह कहते रहते है कि विक्टिमाइज किया है, आखिर कम मे कम एक हथियार तो इन के पास रहता है जो हमारे खिलाफ इस्तेमाल कर सकते है । लेकिन बहुत से लोग मुतमईन है कि एक भी रेलवे ऐम्प्ल.ई विक्टिमाइज नहीं हुआ है । हा, जो शकश बायलेस, स बोटेज मे पकडे गये है उन क साथ कोई रियायत नहीं वरती जायगी ।

**SHRI SAMAR MUKHERJEE** Sir, you know, there was a nation-wise railway strike and all railwaymen are agitated. Before that strike, there were negotiations. I was one of the participants in those negotiations. The demands read out by Prof. Dandavate were the demands on which negotiations started. Those demands were placed by the Action Committee of the NCCRS. The All India Railwaymen's Federation is component of that body.

One of the demands was that railwaymen be considered as industrial workers. Is it not a fact that the Miabhoj Tribunal has also accepted the demand in principle? Is it also not a fact that the ILO had long before adopted a resolution asking all the Governments to accept railwaymen as industrial workers? Is it a fact that the implementation of the Miabhoj Tribunal was not one of the demands because the Miabhoj Tribunal was set up by the Railway Administration and, long before that, they submitted

the award. It is the Railway Administration which was delaying the implementation. Now, they say here that they are going to implement the Mishbhoj Tribunal award. This is not one of the demands for the negotiations.

I want to know whether the Government continued negotiations with the Action Committee of the N.C.C.R.S. Here, the reply is that the following demands were agreed upon. Who agreed on those demands? The Minister has replied that they have not agreed to some of the demands. Who agreed on other demands? I was present in those negotiations. They say, one of the demands was, job evaluation within the framework of the Third Pay Commission's recommendations. This was not the demand. The demand was job evaluation on a scientific basis, and we rejected totally these recommendations of the Government. These recommendations were placed by the Government but were not agreed upon by the other leaders. That is why I want clarification whether the Government is prepared to concede the demands by negotiations or they are prepared for further confrontation

SHRI MOHD. SHAFI QURESHI: I think there is a little confusion in the hon Member's mind because he said that the Miabhoy Tribunal had recommended that the railway workers should be recognised as industrial workers and then in the same breath he said that the Miabhoy Tribunal's award was not before the Committee because we never discussed the Miabhoy award....

SHRI SAMAR MUKHERJEE: That is not one of the demands. The Miabhoy award was given long before. (Interruptions).

SHRI MOHD. SHAFI QURESHI: The ILO or any award-giving authority has a right to make certain

recommendations, but it is ultimately for the Government to see whether they will accept the recommendations or reject them.

So far as the demands put forward by the two Federations are concerned, I would like to make it clear that we have not recognised the National Coordination Committee for Railwaymen's Struggle and we are not prepared to recognise that at all. (Interruptions). Therefore, whatever demands have been accepted, we are not going to have any negotiation on those demands which have been rejected by the Government.

SHRI N. K. P. SALVE: May I know from the Railway Minister whether the railway strike brought to the fore two types of trade unionism in the country, a responsible trade unionism and an irresponsible trade unionism—one set of trade union which keeps the needs of the country above self and the other set which tries to sabotage the vital interests of the country at a time when the country is in great economic peril—and if that be so, I want to know from the hon. Minister whether or not there is a complaint today from the loyal trade union officials and workers that they are being ignored, their rights are being ignored and they are being treated on par with those who run down the country, and if it is so, my question is whether it is in consonance with the proper management philosophy since the Railways are one of the largest employers.

SHRI MOHD. SHAFI QURESHI: We have always helped the trade union leaders to develop a certain sense of responsibility and a sense of participation in the working of the Railways. It is true that certain trade union leaders who have nothing to do whatsoever with the railway employees because they are outsiders—have misled a section of the em-

ployees and brought the whole country to ransom. But I must admire, and have a word of praise for, those railway employees who did not participate in the strike and who kept the wheels of the railway running. There are no contradictions, there are no two opinions, on this issue that those workers who served loyally will be rewarded and those who misguided will be punished.

**SHRI S. M. BANERJEE:** My question arises from the most important demand on the charter, regarding victimisation. I heard with rapt attention the speech of the hon. Minister, Shri Kamalapati Tripathi when he assured the House that he would take the labour into confidence for the better working of the Railways. I would like to know whether he is aware that even today, when we are raising this question, out of about 16,700 permanent and temporary employees, about 2,900 are still without job—dismissed or removed from service. And in regard to the casual labour, out of 21,600, about 12,470 have been re-employed leaving only about 10,000. The number of cases involving violence, etc., according to their own statement given on 18th February, 1975, is only 55. The break-up of the cases is: Central Railway—nil, Northern Railway—26, North-Eastern Railway—nil, etc. Sir, this is their own statement. They themselves say that all except 55 have been taken back to duty. Out of the 1,111 railway employees who were convicted, they say that on a scrutiny of the charges for which they were convicted, all except 55 have been taken back. There are cases involving 1083 employees pending in the courts. I would urge upon the hon. Minister, Mr. Qureshi and also Shri Tripathi that all the employees including these 55, permanent, temporary or casual should be taken back.

**SHRI MOHD. SHAFI QURESHI:** It has been said time and again in this House that all cases of railway employees will be considered sympathetically as has been announced by the Minister while presenting the Railway Budget....

**SHRI S. M. BANERJEE:** This is your own statement.

**SHRI MOHD. SHAFI QURESHI:** All those people who were arrested during the strike except those involved in violence, sabotage intimidation, etc., have been taken back and the break in service of the employees has been condoned.

**AN HON. MEMBER:** Not break in service.

**SHRI MOHD. SHAFI QURESHI:** But I must inform the House that out of these cases, persons who are involved in violence or sabotage or intimidation—in all about 1500 or 2000 people—will have to suffer the consequences.

**SHRI S. M. BANERJEE:** It is only 55. All those who have not been involved in violence have not been taken back.

**MR. SPEAKER:** The Railway Budget is coming and you will have ample opportunity.

श्री हुकम चन्द कछवाय : अध्यक्ष जी, मुझे एक सवाल पूछना है ।

अध्यक्ष महोदय : ग्रामी रेलवे का बजट आ रहा है, उस पर आप बोलिये ।

**SHRI S. M. BANERJEE:** According to their own statement, there have been only 55 such cases. I would like to know what will happen to these 55 employees? Will the hon. Cabinet Minister or his colleague—I have respect for both—consider and see that these people who are starving on the streets are taken back on duty. At least as a tribute to the memory of our late Mishraji you should take them back to duty.

**रेल संघी श्री कमलापति त्रिपाठी :** माननीय सदस्य को मैं यह विश्वास दिलाता चाहता हूँ कि सारे कॅसेज के ऊपर बहुत सोच-विचार के साथ विचार किया जा रहा है। जिन लोगों का वायलेस, सेबोटेज या इन्टी-मिडेशन में चालान हुआ है या पकड़े गये हैं, उन को छोड़ कर बाकी जितने कॅसेज हैं, उन पर हम सहानुभूतिपूर्वक विचार करेंगे, लेकिन वायलेस, सेबोटेज या इन्टीमिडेशन के कॅसेज कभी नहीं छोड़ेंगे और उन को सजा मिलनी चाहिए, वह मिलेगी।

**श्री नरसिंह नारायण पांडे :** रेलवे के अन्दर बहुत दिनों से यह कड़ा जा रहा है कि एक ट्रेड यूनियन होनी चाहिए और उस के लिए पहल करने की बात मंच रहे है। तो इनके बड़े उद्योग में शान्ति स्थापित हो और लोगों के अन्दर इन्डस्ट्रियल ग्लेजन्स की भावना अच्छी बने, इस के लिए क्या रेलवे मिनिस्टर कोई कदम उठा रहे हैं। आज रेलवे में 700 कंटेगिरीज हैं और 700 यूनियन बनी हुई है, तो फंडरेशन के लोगो को बैठा कर रेलवे में शान्ति का वातावरण स्थापित करने के लिए क्या मंत्री महोदय कुछ पहल करने की बात सोच रहे हैं ?

**श्री कमलापति त्रिपाठी :** शान्ति का वातावरण पैदा करने के लिए ही यह सब कुछ किया जा रहा है। उन के कॅसेज को सिमपेथेटिकनी कंसिडर कर रहे है सिवाय सेबोटेज और वायलेस के कॅसेज का छोड़ कर और जहा तक होगा, कॅसेज को बहुत सहानुभूति के साथ देखेंगे और बाकी जो मुसाब माननीय सदस्य देगे उन पर विचार करेंगे और आपसे बातचीत करने के बाद विचार करेंगे।

**श्री हुकम चन्द कश्यप :** अध्यक्ष जी, मैं माननीय मंत्री जी से जानना चाहता हूँ

कि जिन बत्तों को माननीय मंत्री जी ने स्वीकार किया है, उन को अमल में कब लाएंगे। आप ने कुछ बातों को स्वीकार कर लिया है ना, उनको अमल में लाने में कितना समय लगेगा ?

दूसरी बात यह है कि क्या यह बात सही है कि हडताल के दिनों में क्लास 1 और क्लास 2 के अफसरों ने जो हडताल को फेल करने का प्रयास किया और मजदूरों के ऊपर अत्याचार किये, उन को पदाव्रति की गई और वेतन-वृद्धि की गई है। ऐसे हजारों लोगो को अपग्रेड किया गया है। यदि इस का उत्तर हा में है, ना उस पर कितना खर्चा हुआ है, यह मैं जानना चाहता हूँ ?

**श्री मुहम्मद शफी कुरेशी :** जा माँगे इन की थी, उन में से एक यह था कि 14 घंटे से घटा कर 10 घंटे कर दिया जाए। उस का इम्प्लीमेंटेशन शुरू हो गया है और नवाम एकमप्रेम और माल गाडियाँ को ड्राइवर अब 10 घंटे हो चलाने है। पेंसन्जर गाडिया भी तकरीबन 80 परसेन्ट कवर हो चुकी है और कुछ बड़े-बड़े संकानो में माल-गाडिया 10 घंटे के अन्दर ही चलनी है और जो टाइम शीड्यूल बनाया गया है, उस में समय 14 घंटे में घटा कर 10 घंटे कर दिया है और उस शीड्यूल के मुताबिक ही काम हा रहा है और हम उम्मीद है कि 1976 तक यह काम पूरा हो जाएगा।

जहा तक मियाभाई के एवार्ड का तालुक है, उस को इम्प्लीमेंट किया जा रहा है और केजुशाल सेबर के लिए जो सिफारिशें उन्होंने की हैं, उन के लिए एक एनामली कमेटी मुकरर की है और वह अपना काम कर रही है। कंडर का रिब्यू हा रहा है। यह सही बात है कि बडं पै-कमीशन की सिफारिशों के अनुसार कुछ वेतन बढे हैं। अब नये ग्रेडेशन पर कितना खर्चा हुआ है उसके फर्गसंस इस बक्त मेरे पास नहीं है लेकिन क्लास 3 और क्लास 4 में भी अपग्रेडेशन की हाथ में लिया गया है।