

उद्योग में एक ही यूनियन यदि होगी तो उद्योगों में शांति होगी। हम इस फार्मूले से कार्य करने को तैयार हैं। जिस प्रकार से पालियामेंट में भी सभी पार्टियों के लोग हैं, इसी प्रकार हर एक उद्योग में जितने विचारों के लोग हैं उन को वहां अधिकार मिले प्रतिनिधित्व का, उसके आधार पर यह परिषद् पुनर्गठित की गई तो मैं ऐसा मान कर चलता हूँ कि काफी अच्छे ढंग से सारी व्यवस्था हो जाएगी। तो यह प्रथा भाप लागू करने जा रहे हैं क्या ?

SHRI R. K. KHADILKAR : What the hon. Member has suggested is under active consideration of the Government and we would very much like industries to have one representative union so that the present anarchic or chaotic condition can be removed.

श्री मूलबन्ध ढागा : क्या माननीय मंत्री जी बताएंगे कि जो प्रबन्धक बदलते हुए जमाने के साथ बदलना नहीं चाहते हैं उनके खिलाफ कोई कदम आपने उठाया है ? वह मजदूरों के साथ बैठना पसंद नहीं करते हैं। आपने कहा कि उनकी कुछ आदतें ऐसी हैं तो क्या उनकी आदतों में कुछ परिवर्तन हुआ या नहीं ?

SHRI R. K. KHADILKAR : So far as the Management Councils are concerned, I would not like to blame the management. Of course, there are some managements which are not very co-operative, but, by and large it is not correct to say that all managements are like that.

SHRI DINEN BHATTACHARYYA : In the course of his statement, Mr. Khadilkar, the Labour Minister has stated that there are already some statutory committees like the Works Committee and the Canteen Committee and the workers have no confidence in these committees and as such, the Government is not in a position to state now whether the Joint Management Council will serve any purpose or not. So, may I know what concrete steps the Government want to take at least to see that the decisions taken by the Works Committee are binding on both the workers and the management ?

SHRI R. K. KHADILKAR : The hon. Member is fully aware that because of the multiplicity of the unions, quite often the management takes advantage of the position and nothing is implemented. But, I know quite a number of cases where these proposals were implemented. There are some where these are not implemented. But, as I said we are going to have a comprehensive legislation on this subject.

SHRI INDRAJIT GUPTA : The hon. Minister must be aware that during the last session of Parliament, the Public Undertakings Committee has submitted a report on Personnel Policies. I would like to know from him whether his Ministry has made a study of the specific recommendation in the PUC report to the effect that in all public sector undertakings there should be set up joint committees on an elective basis and whether his Ministry has brought this to the notice of the other employing Ministries of the Government of India and if so, what is their reaction thereto ?

SHRI R. K. KHADILKAR : I have seen this recommendation and we are considering how to implement it.

SHRI PILOO MODY : How long will you consider it ?

EPF Arrears with Companies in West Bengal

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*162. **SHRI AJIT KUMAR SAHA ;**
SHRI JAGDISH BHATTACHARYYA :

Will the Minister of LABOUR AND REHABILITATION be pleased to state the names of the companies and the amount of Employees Provident Fund dues of workers lying with them in arrears in West Bengal ?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR AND REHABILITATION (SHRI BALGOVIND VERMA) : The Provident Fund Authorities have reported that information regarding the Provident Fund dues payable by each company is not readily available. However, a statement showing the names of and amounts due from un-exempted establishments in default of payment of provident fund

dues of rupees one lakh and above as on the 31st March, 1972 as furnished by the Provident Fund Authorities is laid on the Table of the Sabha. [Placed in Library. See No. LT—3340/72]

SHRI AJIT KUMAR SAHA : I want to know from the hon. Minister what steps the Government propose to take to realise the arrears of provident fund of the workers.

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : As I have already stated, we have found that the provision of punishment is not sufficiently deterrent. So, as I have said on the last occasion, we are bringing forward legislation where compulsory imprisonment will be provided.

SHRI AJIT KUMAR SAHA : The West Bengal Chief Minister had once said that the owners of the companies failing to pay P.F. money of the workers would be arrested under MISA, I want to know if there has been any arrest for this purpose. Are there any cases like this ?

SHRI R. K. KHADILKAR : The Chief Minister's statement is based on a proposal and the proposal is something which is under consideration, because they want to have this element of 'compulsion' to be introduced. It is under consideration, as I have already stated.

SHRI JAGADISH BHATTACHARYYA : Here I find in this statement that the Anand Bazar Patrika, leading daily paper of West Bengal, have in arrears Rs. 13 32 lakhs towards the payment of provident fund. It is not a dead concern, it is fully alive and in view of this I would like to know from the Government whether they would stop supply of newsprint quota and giving advertisement in this paper till the Provident Fund money is deposited.

SHRI R. K. KHADILKAR : In all, 73 are in arrears ; there is one case of a newspaper. What he says is a suggestion for action. I cannot say anything just now.....

SHRI JAGADISH BHATTACHARYYA : What is your thinking ?

MR. SPEAKER : He has taken it as a good suggestion.

SHRI DINEN BHATTACHARYYA : Rs. 13 32 lakhs arrears is there. It is a very important matter. In the case of collieries Government proposed some action. Why is no action taken in this case ? Why cannot they stop advertisement to this paper ?

SHRI R. S. PANDEY : I just want to know what is the quantum of money which lies in arrears with the different factories and managements. A certain Bill has been passed giving certain power and authorities to the Government to enforce the arrears. May I know what action was taken by the Government to realise the arrears ?

SHRI R. K. KHADILKAR : The total is Rs. 20 65 lakhs as on 31-3-72. The hon. Member is not correct. This House has not passed any legislation. It is only under consideration of the Government. It would be introduced as early as possible.

SHRI DINESH CHANDRA GOSWAMI : The Hon'ble Minister has said that the Government is in contemplation of passing a legislation, making imprisonment compulsory. How can this legislation be effective for past offences ? May I know why no action has been taken against the defaulters under the present provisions of law.

SHRI R. K. KHADILKAR : I have time and again stated that certain action was taken even under the IPC. If you ask, on how many occasions, what were the reasons and all that.....

MR. SPEAKER : He asked about retrospective punishment, whether retrospective effect will be given.

SHRI R. K. KHADILKAR : After this legislation before the House is passed we can do ; but it is difficult to make a provision like this. But we can consider it.

SHRI S. M. BANERJEE : The hon. Minister has just stated that Government are going to bring forward legislation. At present, any defaulter or defaulting unit or concern is fined only Rs. 500 or even Rs. 100 in certain cases and thus they go on merrily and they

pay the fine. I would like to know whether this legislation is likely to be brought forward during this session to realise the provident fund arrears which are mounting to the tune of Rs. 24 crores, and whether before the legislation is introduced, any penal or other measures will be taken, as for example, under the MISA in West Bengal and under the DIR throughout the country to bring them to book, because they are swindling money and they are not paying anything and they are depriving the workers of their dues ?

SHRI R K KHADILKAR : Every effort will be made to at least introduce this Bill during the current session. Beyond that, I cannot say.

SHRI S M. BANERJEE : The question that I have asked is what other measures are going to be taken before the introduction of the legislation

SHRI R K KHADILKAR : The provident fund commissioners are making every effort to realise the arrears. I can give the number of prosecutions launched, for instance

SHRI S M BANERJEE : They are just fined Rs. 500 or so.

SHRI R K KHADILKAR . . . Beyond that, I cannot do anything under the law as it stands

SHRI S. M BANERJEE : Can he recall any instance where any man has been sent to prison for one month or even the day ?

मजदूर संघों के पंजीकरण तथा मान्यता
के लिए समान विधान

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*164. डा० लक्ष्मीनारायण पांडेय :
श्री लालजी झाई :

क्या धन और पुनर्वास मंत्री यह बताने की
कृपा करेंगे कि :

(क) क्या मजदूर संघों के पंजीकरण तथा
उनकी मान्यता के लिए और औद्योगिक विवादों
के सम्बन्ध, देश भर के लिए समान विधान बनाने
का विचार है; और

(ख) यदि हाँ, तो तत्सम्बन्धी मुख्य बातें
क्या हैं और इस बारे में मान्यता प्राप्त तथा गैर
मान्यता-प्राप्त मजदूर संघों की प्रतिक्रिया
क्या है ?

**THE DEPUTY MINISTER IN THE
MINISTRY OF LABOUR AND REHABILITATION (SHRI BALGOVIND VERMA) :**
(a) and (b). It is intended to enact a comprehensive industrial relations law, to cover all these aspects, in the light of the views expressed by all concerned at the tripartite or elsewhere. The details of the proposals are being worked out

डा० लक्ष्मीनारायण पांडेय : अध्यक्ष महोदय,
मजदूर संघों की मान्यता का प्रश्न बड़ा विवादा-
स्पद और पेचीदा है। प्रायः सभी मजदूर संघों
का ऐसा विचार है कि गुप्त मतदान प्रणाली के
द्वारा उनकी मान्यता तय की जाए, लेकिन सरकार
अभी भी उस बारे में कुछ तय नहीं कर पा रही
है। सरकार का उत्तर है—“The details
of the proposals are being worked out.”
अभी तो सरकार तय भी नहीं कर पा रही है।
मैं जानना चाहता हूँ कि क्या सरकार इसके लिए
कोई समय सीमा निर्धारित कर के बनला सकती
है, 2-4 या 6 महीने में कब तक वे अपना
काम्प्रीहेन्सिव इन्वेंटमेंट ला सकेंगे ?

**THE MINISTER OF LABOUR AND
REHABILITATION (SHRI R. K. KHADIL-
KAR) :** In the reply we have stated that
we are already considering the legislation
itself. But before its introduction, as the
hon. Member knows, we had to consult the
State Labour Minister after the tripartite.
That consultation is taking place, and once
that is over and all the hurdles are removed
the Bill will be brought forward.

डा० लक्ष्मीनारायण पांडेय : मंत्री महोदय
ने अपने उत्तर में यह भी बतलाया है कि जो
काम्प्रीहेन्सिव इण्डस्ट्रियल रिलेशन्स का ला बह
लाने वाले हैं उस पर विचार किया गया है या
विचार किया जाएगा, जो उनके सामने आया है
और उनमें सभी मुद्दों पर विचार होगा। लेकिन
मैं जानना चाहता हूँ कि लेकर कमीशन में समझ