

of Tamil Nadu and particularly Tanjavur District, Sir, is the hon. Minister aware that we have spared sufficient water and we have given whatever quantity is due to Tamil Nadu under the 1924 Agreement which itself of course is not an agreement which is rational and just.

SHRI SURJIT SINGH BARNALA: The views expressed by the two Hon-ble Members show how serious the dispute is. We are trying to do our best.

अध्यक्ष महोदय : कावेरी तो मद्रास के पास है ।

श्री हुकम चन्द कछवाय : कावेरी जल-विवाद पिछले अनेक वर्षों से उलझा हुआ है । लिखित वक्तव्य में मंत्री महोदय ने कहा है कि कमेटी बना दी गई है । क्या कमेटी को हिदायत दी गई है कि वह इतने दिनों में अपनी रिपोर्ट दे दे ? कब तक कमेटी अपनी रिपोर्ट दे देगी ?

श्री सुरजीत सिंह बरनाला : कमेटी में बात हो गई है और वह जुलाई के अन्त तक रिपोर्ट दे देगी ।

SHORT NOTICE QUESTION

Lock-out in N.C.A.E.R.

S.N.Q. 1. DR. SUBRAMANIAM SWAMY: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) whether the National Council of Applied Economic Research has declared a lock-out; and

(b) if so, the reasons for which the lock-out has been declared and the demands that the employees have made?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) Yes, The

Council's Office at Delhi has suspended work with effect from 30th May, 1977.

(b) The reasons for suspension of work, according to the notice put up by the management, are "the prolonged agitational methods resulting in gheraos of the officers of the Council and complete disruption of the normal working of the institution." The Employees' union has on the other hand alleged that "the management has clamped the lock-out to intimidate and browbeat the workers who have been demanding reinstatement of four workers dismissed wrongfully during the emergency and withdrawal of anti-labour acts committed by the management during the emergency."

Besides the basic demand of the Employees' Union for reinstatement of these four employees, demands for the lifting of lock-out and payment of salaries for the month of May, 1977 have been added after the office of N.C.A.E.R. suspended work on the 30th of May, 1977.

The management had terminated the services of four employees, in terms of their orders of appointment, after an enquiry. These employees who were interviewers were, according to the management, not found present in the villages in which, according to their schedule, they should have been working. A dispute regarding these four employees was raised before the Labour Department of Delhi Administration in December, 1975; it was taken up in conciliation by the Conciliation Officer during January and February, 1976. But conciliation ended in failure. The Delhi Administration, however, did not consider the dispute fit for reference to adjudication under the Industrial Disputes Act as, according to them, the services of these employees appeared to have been terminated in accordance with the terms of appointment. The employees thereafter, filed a writ petition before the Delhi High Court in the year 1976 itself. This matter is thus *sub judice*.

DR. SUBRAMANIAM SWAMY: I would like to tell the Minister that there seems to be misgiving amongst at least some of the employees that the Labour Minister himself seems to be against a settlement. I have seen some circular being circulated in this area. I would like to know from the Labour Minister what is his personal view or the ministerial view on the subject.

SHRI RAVINDRA VARMA: As far as the Labour Minister is concerned, he is always for the promotion of a settlement, so that such situations are not created; and if created, do not deteriorate. There is no truth at all in the statement that the Labour Minister is interested in the lock-out continuing. I may inform the House that after the so-called lock-out was declared, the employees' union approached the Labour Commissioner of the Delhi Administration for intervention. The Assistant Labour Commissioner, Delhi wrote to them on the 1st of June itself, i.e. the day after the so-called lock-out was declared, requesting both the parties to come for personal discussions on the 3rd of June. The parties attended the proposed discussions on the 3rd of June, in which the management was represented by the Registrar of the Council, while the union was represented by the general secretary. The discussions were held before the Assistant Labour Commissioner; and certain proposals and certain suggestions have been made by the Assistant Labour Commissioner to the parties; and both the parties have asked for time to consider these recommendations. One more thing I would say, in answer to the hon. Member.

One of the questions that has now arisen is about the pay for the month of May. The Conciliation Officer of the Delhi Administration has already taken up the matter with the management of the Council on the 15th of June and taken the initiative to see that the pay for the month of May is given to the workers. Therefore,

there is absolutely no truth whatever in the statement, or the allegation, or suspicion, or insinuation that the Labour Minister is against the settlement of this dispute.

DR. SUBRAMANIAM SWAMY: In view of the helpful attitude of the Minister, and also in view of the fact that the National Council of Applied Economic Research is basically a research organisation, or at least the output of it is research output, may I know whether the demand of the officers that they should also be involved and be a party to the dispute, is a feasible proposition and whether the Ministry of Labour would recommend to the management that the officers should also be included in these negotiations?

SHRI RAVINDRA VARMA: It is true that it is a research association, as the distinguished Member, who is also a distinguished Professor, is aware, and research institutions have to maintain certain standards in their functioning. In fact, one of the complaints arose because some of the people engaged in field research were not found in their places, and this led to the dispute, which is a long-standing dispute. As far as the present question is concerned, this happens to be dealt with by the employees' union, and the employees' union is one of the parties with whom the Assistant Labour Commissioner is having talks.

SHRI K. A. RAJAN: In the first instance, if I heard the Minister correctly, he has made a remark on the lock-out as "so-called lock-out". I would like to know whether it is a lock-out or not I have some apprehensions because of this statement of the Minister. Secondly, I would like to know whether after exhausting all the regular procedures like negotiations, conciliation, adjudication, going to the court and all these things, there would be bi-partite negotiations in the larger interests or the solution of the industrial dispute.

SHRI RAVINDRA VARMA: On the first question, it is quite true that he heard me correctly, when I did use the term "so-called lock-out", because this is a matter on which there is a dispute. The institution itself has taken the view that it is not an industrial establishment covered by the Industrial Disputes Act, nor is it covered by the Delhi Shops and Establishments Act. Actually, this is one of the questions raised in the writ petition that is before the Delhi High Court. Since this is a matter which is *sub judice* and since the management has taken one view and since that is one of the questions which is being considered by the Delhi High Court. I thought it desirable to call it "so-called lock-out". Secondly, as far as the question of bi-partite negotiations is concerned, we are always in favour of negotiations. We do not want to be an intervening or meddling party. But it is precisely when bi-partite negotiations fail that the Labour Commissioner intervenes and then the methods that he has referred to come into operation. In this case, the Labour Commissioner failed in the past, and his report was there. On the basis of his report, the Delhi Administration took the view that the action taken by the management was right, and, therefore, it was not a fit case for adjudication. Against that judgment or decision of the Delhi Administration that it is not a fit case for adjudication, the petitioners have gone to the High Court and, therefore, I said that the matter is *sub judice*.

SHRI K. RAMAMURTHY: Since the hon. Labour Minister has stated that this matter is *sub judice* only with regard to four workers who have already been sent out of employment, may I know whether the lock-out is going to be lifted and whether the Labour Minister himself justifies the lock-out?

SHRI RAVINDRA VARMA: The Labour Minister does not function on his own. I have made no statement about the lock-out, whether it is justifi-

fied or not justified. When there is a lock-out and a complaint is made by either of the parties, in this case the employees' union, to the appropriate machinery, then the conciliation machinery comes into motion. It is coming into motion. The Assistant Labour Commissioner called the two parties and talked to them, and he has made some suggestions for a solution. The parties have said that they want time to consider the suggestions. We hope a solution will be found.

श्री हुकम चन्द कछवाय : मैं मंत्री महोदय से यह जानना चाहता हूँ कि यह जो तालाबन्दी हुई है, इस से कितने लोग प्रभावित हुए हैं ?

क्या मंत्री महोदय ने अपना व्यक्तिगत प्रभाव डालकर या सरकार द्वारा विशेष रुचि ले कर इस के बारे में कुछ किया है जिस से यह तालाबन्दी जल्दी समाप्त हो ?

मंत्री महोदय ने कहा है कि इसकी इन्क्वायरी हुई है । क्या इस इन्क्वायरी में उन मजदूरों को अपनी बात कहने का मौका दिया गया है ? यदि हाँ, तो ऐसे कितने व्यक्ति साक्ष्य के लिये सामने आये ?

SHRI RAVINDRA VARMA: On the first question, I would say that the Council, according to our information, employs 198 persons, including 59 officers. On the second question, the enquiry was conducted in 1975. It was initiated by the Supervisor and then continued by the Project Leader. The employees concerned were asked to explain their absence from duty which they did in writing. Their explanation was considered and found unsatisfactory, and they were found guilty of dereliction of duty. Consequently, the Director of the Council terminated their services some time in December, 1975 in terms of their appointment letter after giving them one month's notice.

श्री हुकम चन्द कछवाय : क्या सरकार भाव डालकर तालाबन्दी समाप्त करन जा रही ?

SHRI RAVINDRA VARMA: I have already said that we are always willing to try to find a solution to every dispute.

SHRI SAUGATA ROY: In terms of the number of workers, it is a comparatively small labour dispute and so the management disputes that it is a labour dispute at all. In view of the fact that a memorandum has been circulated among Members of Parliament by the employees talking of some sort of hush-hush deal between the Labour Minister and the management, I would like to ask the hon. Minister whether his personal intervention is called for at this stage so that he might himself act as a conciliation officer to bring about a reconciliation between the employees and the management on this issue.

SHRI RAVINDRA VARMA: I have already said that there is nothing hush-hush about it. If there was any such thing, I would not have given such an elaborate answer. There are nothing but insinuations in the handbill with a fallacious caption. There is nothing more to it than that. As far as my intervention is concerned, this is a very strange method that somebody publishes a handbill with a fallacious caption as I said, and then, because there is such a handbill, I am asked to bypass the machinery and act directly. I cannot bypass the machinery when the machinery is seized of it.

श्री श्रीम प्रकाश त्यागी : जहां तक मेरी जानकारी है, जो इन्कवायरी हुई है वह एक विशेष अवस्था में, आपातकालीन स्थिति में हुई है और जो कुछ जांच परिणाम आया है वह संदेहात्मक है। मैं मंत्री महोदय से यह जानना चाहता हूँ कि क्या वह अपने प्रभाव का प्रयोग करके उनकी दोबारा नियुक्ति कराकर फिर

दोबारा जांच करायेंगे और इस जांच में जो लोग दोषी पाये गये तब उन्हें हटाया जायेगा यदि ऐसा नहीं होता है तो इस प्रकार का एक्शन सन्देहात्मक रहेगा।

SHRI RAVINDRA VARMA: The enquiry was conducted in December, 1975. The Delhi Administration took the view that the enquiry was conducted in a proper manner and the conclusion arrived at was justified. Precisely against this decision of the Delhi Administration four employees have filed a petition in the High Court. It is a matter which is lying in the High Court. That is why I have said it is *sub judice*. I want to assure that the suggestions which the hon. Member has made will be borne in mind.

SHRI O. V. ALAGESAN: Who is the present Chairman of the institution?

SHRI RAVINDRA VARMA: Shri Asoka Mehta.

SHRI DINEN BHATTACHARYA: Even at this stage will the Labour Minister consider it possible and necessary also to intervene in such a way that both the parties come to a decision and the lock-out may be lifted at the earliest?

SHRI RAVINDRA VARMA: I want the lock-out to be lifted as early as possible and I have already said so. But when the Labour Commissioner is dealing with the matter, if I make a statement that I will intervene, will it help a solution?

WRITTEN ANSWERS TO QUESTIONS

Winding up of National Seeds Corporation

*101. SHRI F. H. MOHSIN: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state

(a) whether Government propose to wind up the National Seeds Corporation and establish State Seeds Corporations in the joint sector;