

LOK SABHA DEBATES

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*Thursday, December 8, 1977/Agrahayan
17, 1899 (Saka)*

*The Lok Sabha met at Eleven of the Clock
[MR. SPEAKER in the Chair].*

ORAL ANSWERS TO QUESTIONS

MR. SPEAKER : Q. No. 326 to 330
—Not here. Q. No. 331, Shri Chitta Basu.
You are permanently here.

SHRI CHITTA BASU : Yes, I am No. 1 to-day.

State-wise strikes during March to November, 1977

*331. **SHRI CHITTA BASU :**

SHRI KANWAR LAL GUPTA :

Will the Minister of PARLIAMEN-
TARY AFFAIRS AND LABOUR
be pleased to lay a statement showing :

(a) the number of strikes in each State
during March to November, 1977 ; and

(b) how many strikes have been dec-
lared illegal ?

**THE MINISTER OF PARLIAMEN-
TARY AFFAIRS AND LABOUR (SHRI
RAVINDRA VARMA) :** (a) A state-
ment is placed on the Table of the Sabha.

(b) The State Governments and Union
Territories have been requested to furnish
the required information. The information
is awaited and will be laid on the Table
of the Sabha in due course.

Statement

The available information in regard to
Part (a) of the question for the period March
to Sept. 77 is given below :—

State/Union Territory	Number of Strikes(P)
Andhra Pradesh	60
Assam	4
Bihar	167
Gujarat	79
Haryana	15
Himachal Pradesh	3
Jammu & Kashmir	3
Karnataka	45
Kerala	94
Madhya Pradesh	110
Maharashtra	175
Manipur	—
Orissa	19
Punjab	27
Rajasthan	50
Tamil Nadu	122
Tripura	1
Uttar Pradesh	104
West Bengal	152
A, & N. Islands	4
Chandigarh	2
Delhi	15
Goa	22
Pondicherry	15
Meghalaya	—
Lakshdweep	1
Sikkim	—
D.N. Haveli	1
Nagaland	—
Mizoram	—
Arunachal Pradesh	—
TOTAL	1,230

(P) Provisional and based on the basis
of returns received in the Labour Bureau,
Simla till 18th November, 1977. Returns
for October and November have not
yet been received.

SHRI CHITTA BASU : Sir, the reply contains a long list of strikes in different parts of the country totalling to about 1,290.

May I know from the hon. Minister whether he considers that all is not quiet in the industrial front to-day? Would he kindly let the House know the particular reasons for the start of the industrial unrest in the country to-day and also the mandays lost and the loss of production due to these strikes all over the country?

SHRI RAVINDRA VARMA : Sir, the hon'ble Member is a very well informed Member and he should know from the statistics that the position this year, compared to the position in the similar period before the Emergency, is not so bad as to cause anxiety. It is true that it is not encouraging. We do not want any case of industrial unrest. We want the causes of industrial unrest to be dealt with in time so that production may not get hampered. From that point of view the situation needs to be improved and we are not satisfied with the situation as it exists. As regards the question of mandays lost, during 1977 the mandays lost in the State sphere accounted for about 80 per cent of the total mandays lost whereas corresponding figures for 1976 are about 91 per cent of the total mandays lost.

On the point regarding loss of production on this I would need a separate notice.

SHRI CHITTA BASU : Sir, in reply to part (b) of my question the Minister has been pleased to say that the information is being collected. Sir, the notice had been sent earlier.

I do not know how the Government of India or particularly the Labour Ministry have so far not been able to obtain the information sought. This is for your information. Sir, may I know whether it is not a fact that several strikes have been declared illegal in U.P., Madhya Pradesh and Haryana? If so, will the Minister inform the House the reasons for declaring those strikes as illegal by the concerned State Governments? Further whether it is not contrary to the principle or policy announced by the Central Labour Ministry?

SHRI RAVINDRA VARMA : Sir, the hon'ble Member's impatience for infor-

mation is quite understandable; but the Government has to collect information from sources which in this case, include the State Governments and the Union Territories. After the receipt of the notice we try to collect the information; but when the information does not come to us, we can either indulge in guess work or be honest and tell the House that the information has not reached and we will lay it on the Table of the House as and when it is received. As regards the question of strikes being declared illegal by two or three State Governments, namely, U.P., M.P. and Haryana, his question seeks an answer from me on each one of these instances. It is not possible to deal with each case. But I shall certainly collect the information and lay it on the table of the House.

श्री कंबर लाल गुप्ता : जब से मंत्री महोदय ने बोनस देने की घोषणा की है, तब से बाई एण्ड लार्ज लेबर के लोग काफी खुश हैं। लेकिन यह सही है कि हरियाणा, यू० पी० और दिल्ली के आस-पास की इंडस्ट्रियल बेल्ट में काफी हड़तालें भी हुई हैं, और सबसे दुखद बात यह है कि वायलेंस हुई है, प्रापर्टी का लूट भी हुआ है और जानें भी गई हैं। इस का कारण यह है कि कुछ लेबर आर्गनाइजेशन ऐसी हैं, जो यह नहीं चाहती कि जनता पार्टी ठीक तरह से काम करे और कुछ इंडस्ट्रियलिस्ट्स भी ऐसे हैं, जो चाहते हैं कि जनता पार्टी फेल हो, प्राइवशन गिरे और इकानोमी शैंटर हो जाये। मैं यह जानना चाहता हूँ कि क्या इस कांस्पिरेसी को तोड़ने के लिए मंत्री महोदय लेबर आर्गनाइजेशन, इंडस्ट्रीज और सब कनसर्नड अधिकाारियों की मीटिंग बुलायेंगे, जिस में यह तय किया जाये कि कम से कम दो साल तक कोई हड़ताल न हो, और क्या वह कोई ऐसी मशीनरी बनायेंगे, ताकि अगर मजदूरों का कोई मामला आता है, तो वह उस मशीनरी के जरिये से साल्व हो जाये, जिस से प्राइवशन भी बड़े और देश आगे बढ़े।

SHRI RAVINDRA VARMA : The hon. Member has pointed out certain factors, which he considers as contributory factors for the industrial unrest that

one sees in the country. There is absolutely no doubt that there are mixed motives in all kinds of industrial action—in many cases of industrial action, to correct myself—either on the part of workers or on the part of the management, and it might well be that there are some groups which are interested in disrupting the industrial peace and making it difficult for the economy to advance. These are opinions. But as far as the other question he asked about the Government's attitude to convening a meeting of the parties concerned to discuss ways and means of ensuring industrial peace and finding a machinery which would ensure industrial peace, is concerned, I would like to say that the second part of the question is perhaps as important if not more important than the first part of the question. And it is because we believe that this is important that we are at the moment engaged in a comprehensive revision of the Industrial Relations law so that the machinery that exists for settlement of disputes, like conciliation, adjudication, arbitration, etc. may be streamlined to ensure quick settlement of disputes, so that there may be less cause for industrial unrest. About the first part, I would like to say that the suggestion to have an Industrial truce for a specific period has been raised by me in the meetings of the Tripartite Committee as well as the Tripartite Conference and we are at the moment attempting to find a basis which would be acceptable to all parties concerned for a period of industrial truce of the kind.

Dr. SUBRAMANIAM SWAMY: The House, I am sure, is very happy to hear that the machinery is being streamlined and that the Industrial Relations Bill will soon come forward. I want to draw the attention of the Minister, through you, Sir, to the fact that a number of strikes have taken place in places where the Industrial Relations and Labour Laws have not been made applicable. For example in University Campuses which are not strictly educational institutions like the Indian Institute of Technology, Delhi which produces like a factory and sells outside. Of course, during the Emergency, they have even sold materials for water supply to the Municipal Corporation and to Maruti Limited. But I would like to ask whether the Labour Ministry is considering the question of extending the labour laws and Industrial Disputes Act to educational institutions of this type, so that the non-teaching staff can be provided a machinery for settlement of disputes.

SHRI RAVINDRA VARMA: The crux of the question that the hon. Member has raised is about job security as well as the means and machinery for settlement of

disputes in all undertakings where there is an employer-employee relationship. It is quite right that the Industrial Disputes Act, as it exists, today, does not cover every such contingency and every such undertaking. While undertaking a review of existing laws and preparing to introduce before this House a comprehensive legislation on this subject, we are certainly giving consideration to this question also with a view to ensuring that all those who are employed have the benefit of job security and some machinery and means for settlement of disputes.

SHRI R.V. SWAMINATHAN: In view of the fact that the hon. Minister has conceded that there is a deplorable condition of industrial unrest in the country, May I know whether he is aware of the fact that industrial unrest in Tamil Nadu is worst and also some of the industries like TVS Group, which are producing ancillaries for automobile industry are crippled, as a result of which the entire automobile industry in India itself is crippled? They are forced to import components wasting valuable foreign exchange. May I know whether the minister is taking any steps in this regard?

SHRI RAVINDRA VARMA: I quite understand the hon. member's pride for the State he comes from. I am sorry if I would be offending him by saying that Tamilnadu is not the worst and it cannot claim the pride of place. Maharashtra is responsible for 14%, Bihar 13%, West Bengal 12% and Tamilnadu is lagging behind with 9%. However, about the TVS group, the hon. member is right that it passed through a very difficult and critical phase, but at the moment the strike and lock-out he referred to have ended, and production has started again. The Central Government is constantly watching the situation, and taking such action as the Central Government can do in the State sphere.

श्री जगदीश प्रसाद माथुर : क्या यह सही है कि आपात कालीन स्थिति के बाद मजदूर संगठन, जो कि पहले दब गए थे उन्होंने अपनी स्थिति को मजबूत करने के लिए छोटे छोटे कारणों को लेकर स्ट्राइक्स को उभाड़ा है ?

क्या सरकार इस सम्बन्ध में विचार कर रही है कि एक फैक्टरी में एक ट्रेड यूनियन हो ? इस प्रकार की व्यवस्था के लिए पहले से विचार था और सरकार

इस प्रकार का कानून बनाने के भी संकेत मिले थे। क्या सरकार इस बारे में विचार कर रही है कि इस प्रकार की व्यवस्था की जाये जिससे कि मालिकों, मजदूरों और सरकार को सम्बन्धित प्रश्नों को हल करने में मदद मिल सके ?

SHRI RAVINDRA VARMA : It is a fact that some trade unions which either could not function properly or were not allowed to function properly during the emergency have become active after the emergency was lifted. In fact, one of the reasons for the number of strikes that have been taking place is inter-union rivalry. Therefore, the second part of the question of the hon. member is very relevant, as to what the government proposes to do about the difficulties caused as a result of inter-union rivalry. It must be said here that on the one hand all of us are devoted to the idea of freedom of association and on the other, there is the difficulty that arises in identifying a single bargaining agent. The attempt of the government is to study this question with the help of the committee that was appointed after the tripartite labour conference and to introduce such measures in the law as are necessary to ensure the identification of the bargaining agent.

SHRI K. A. RAJAN : May I know if it is a fact that most of the strikes that have taken place have been due to the non-implementation of the statutes and violation of agreements? Secondly, there are statutory provisions in the Industrial Disputes Act for declaring strikes as illegal. If I say that, certain strikes are being declared as illegal over and beyond those provisions, would the minister agree and clarify that position?

SHRI RAVINDRA VARMA : If any action is taken by anyone to call a strike illegal outside the statutory provisions that exist for identifying a strike as illegal, that identification itself becomes illegal. About the other question regarding non-implementation of awards and agreements, it is a fact that there have been some cases where agreements have not been implemented, but I do not think the hon. Member is correct in drawing the conclusion that that is the main reason.

श्री रामानन्द तिवारी : क्या यह सत्य नहीं है कि मिल-मालिकों का अन्याय मजदूरों के प्रति दैन-प्रति-दिन बढ़ता जा

रहा है और उन के साथ जो हमारे उच्चतम अधिकारी हैं, मिल कर, जान-बूझ कर उन की हड़तालों को भ्रष्ट घोषित करने का प्रयास कर रहे हैं? यदि सरकार इस बात को मानती है कि हड़ताल और बारगनिंग करना मजदूरों का जन्म-सिद्ध अधिकार है, तब फिर दो-तीन वर्षों के लिए प्रतिबन्ध लगाने की क्या आवश्यकता है ?

SHRI RAVINDRA VARMA : Sir, the Government certainly believes in the Fundamental Rights of all citizens including workers and the right of workers to take such action as is necessary to ensure the redressal of their grievances through collective bargaining as well as strikes, but, in certain industries, for certain reasons, there have been suggestions that the right to strike should be exercised with the utmost circumspection in the interest of the whole of society. Apart from that, no restrictions of the kind that the hon. Member referred to have been imposed by the Government.

श्री युवराज : अध्यक्ष महोदय, जो स्टेटमेंट दिया गया है, उस में बिहार के अन्दर हड़तालों की संख्या 167 बताई गई है। मैं सरकार से जानना चाहता हूँ कि इन 167 हड़तालों के अतिरिक्त ताला-बन्दी कितने कारखानों में हुई है। श्रम सम्बन्धी अधिनियमों तथा औद्योगिक अधिनियमों के चलते ए भी मजदूरों की मांगें पूरी नहीं हो पाती हैं, उन को इन्साफ शीघ्र नहीं मिल पाता है, इस सिलसिले में सरकार ने क्या फैसला लिया है एवं कानून में जो व्यवधान है, उस को दूर करने के लिए क्या सरकार कोई फ्रेश-लेजिस्लेशन करना चाहती है ?

SHRI RAVINDRA VARMA : Sir, I have stated many times in this House that it is because we believe that the existing legislation is inadequate that we want to introduce a comprehensive Bill to amend the law as it exists.