

alongwith the extent of magnitude of AIDS there, as at present we are busy with the opening up of centres. After that we will be able to identify and indicate the names of the areas which have the incidence of this disease.

[English]

SHRI RANJIT SINGH GAEKWAD: Sir, every other day there is a news item about AIDS appearing in one or the other newspaper or magazine. As per the information I have collected, AIDS spreads through homosexual activities. Now, homosexuality is banned in the country and it is a criminal offence. I would like to know from the Minister what steps the Government wants to take on voluntary disclosure of patients who are suffering from this ailment.

SHRI RAM NIWAS MIRDHA: Sir, the observation of the hon. Member is that homosexuals are one of the high risk groups. It holds good more in foreign countries than in India. We have other high risk groups which are of much more higher risk than homosexuals. We are conscious of the problem that the hon. Member has mentioned. We are also trying to formulate a legislation on this aspect where the suggestion of the hon. Member will be kept in view.

SHRI SURESH KURUP: Sir, I would like to know whether it has come to the notice of the Government that two medicines by name, Vinobulin and Darglob manufactured by Bharat Systems & Vaccines Ltd. contained AIDS virus. If so, what steps the Government has taken to prevent the marketing of these two medicines all over India. Also I want to know whether the Government have conducted any inquiry regarding how this major defect appeared in the manufacturing process and if so, the details thereof.

SHRI RAM NIWAS MIRDHA: The hon. Member mentioned about the cases which

were detected and about some medicines having some serious problems. In the All India Institute of Medical Sciences one such medicine was tested and it was found that it was positive in some respects. Immediate steps were taken to withdraw the medicine and to stop production of that medicine. The Drug Controller of Maharashtra was immediately contacted and he went into action very expeditiously. He issued the necessary orders under the law because he is competent to do so. We had a meeting under the auspices of our Ministry in Bombay where all the manufacturers of drugs including the two manufacturers about whom the hon. Member just mentioned, were present. We have laid down a very elaborate procedure as to how from now onwards the blood products which go into the manufacture of these medicines, should be screened, what should be the procedure followed for certifying the correct process. Here also most of these medicines are made from blood and these factories are registered blood banks also. So it comes to the same problem which I mentioned earlier that the blood banks which are the source of these things have to be very well regularised. We are taking steps to do so not only in the factories which are manufacturing these medicines but all over the country.

SHRI SHANTARAM NAIK: The Government has adopted a very good policy that those foreign nationals who are the victims of AIDS are deported at the earliest. But are there cases where foreign nationals who are the victims of AIDS became untraceable before their deportation?

SHRI RAM NIWAS MIRDHA: I would like to have notice for that.

Transfer of staff of State Bank of Indore, Delhi Branches

- *5. SHRI THAMPAN THOMAS†:
SHRI C. JANGA REDDY:

Will the Minister of LABOUR be pleased to state:

(a) the number of employees in the Branches of the State Bank of Indore in the Union Territory of Delhi who filed their cases against the Management in the Office of the Assistant Labour Commissioner in connection with their transfer orders;

(b) whether the orders issued by the Assistant Labour Commissioner have been complied with;

(c) if not, the reasons therefor; and

(d) the action taken against the management for non-compliance of orders?

THE MINISTER OF LABOUR (SHRI BINDESHWARI DUBEY): (a) An industrial dispute was raised in respect of one employee by the State Bank of Indore Employees Union against transfer of a workman from the Chandni Chowk Branch of that Bank to its Branch at Rahogarh, Madhya Pradesh.

(b) The communications sent by the Conciliation Officer to the Bank were a notice for participation in the conciliation proceedings and the management was advised that during the pendency of the dispute in conciliation, status-quo may be maintained.

(c) and (d). Conciliation proceedings were taken up and a settlement was arrived at between the management and the employees' union which raised the dispute. According to the settlement, the workman was to report for duty at Rahogarh Branch of the Bank in the first instance. Since this has not been done by the workman, the question of taking action against the management for non-compliance of the terms of settlement does not arise.

SHRI THAMPAN THOMAS: How the

management is capable to victimise an employee by using the weapon of transfer? Is the Government prepared to issue a directive to all the public sector undertakings including banks to formulate the transfer policy? It may kindly be noted that an employee who brought out certain important facts of fraud by officials, was transferred from one place to another. You are well aware that when a person is punished, notice has to be served and an inquiry is conducted. But in transfer it is not done. It is more cruel. Therefore, I would like to know whether guidelines will be formulated for this purpose in the matter of transfer and whether Government will instruct all the public sector undertakings including banks.

SHRI BINDESHWARI DUBEY: In fact, transfer for administrative reasons is not a punishment. Transfer order, under the Code of Discipline is taken an unfair labour practice only when it is resorted to by way of punishment for the labour union activities. For that, there is a provision in the Act. In this instant case, there was a transfer. The Conciliation Officer advised for maintaining the *status quo* during the pendency of the conciliation proceedings. But, in fact, the dispute which was raised stated that the management of the State Bank of Indore was contemplating transfers. Then the advice was to maintain *status quo*. The Bank had, in fact, transferred the employees concerned a day earlier. The Bank management took the stand that..... (*Interruptions*).

SHRI THAMPAN THOMAS: No, no.

SHRI BINDESHWARI DUBEY: It is a fact... (*Interruptions*). Sir, let them hear me first. In fact, the dispute was raised on 4th June 1985. The Conciliation Officer immediately issued orders and initiated the conciliation proceedings. In the notice for the conciliation proceedings itself, the Conciliation Officer advised for maintaining *status quo*. But the Bank took the stand that the transfer

order was not contemplated but was, in fact, issued a day earlier on the plea that the transfer order should mean that the transfer stands. Then there was a remedial measure which the union probably did not take, and that is that had the union made a complaint in writing to the appropriate authority that the transfer was resorted to by way of punishment for trade union activities of the employees, there is a provision that such transfer is taken as an unfair labour practice. For that, there is a remedial measure and there are penal provisions also against the employers. But the complaint was not filed. The union preferred the continuance of the conciliation proceedings. The union consented for the continuance of the conciliation proceedings. They could have pressed for the failure if they were not satisfied. Ultimately the conciliation proceedings ended in a settlement.

SHRI THAMPAN THOMAS: Sir, I am sorry that the hon. Minister has not given me the correct answer for the direct question which I have put to him that is there a policy of the Government to see that the public sector undertakings, including banks, formulate a policy in the matter of transfer. That he has not answered. My second supplementary is that in the instant case it has been brought out that the *status quo* could not be maintained in spite of orders given by the Assistant Labour Commissioner. To my knowledge, it is only in Maharashtra where the Unfair Labour Practices Act is there which says that interim orders can be passed. In the labour matters, even the courts have no authority to pass orders for maintaining the *status quo*. Sir, he is the Labour Minister, he is a labour leader. So, I would like to know whether the Government will think of formulating a law making provision for maintaining *status quo* in such cases.

SHRI BINDESHWARI DUBEY: Sir, it is a request for consideration and we will certainly think over it.

[Translation]

SHRI C. JANGA REDDY: Mr. Speaker, Sir, in this case the labour Commissioner had issued orders for maintaining status quo on the 4th and the transfer letter was issued a day earlier which was despatched on the 7th. I have got a photostat copy of that letter with me. It is quite evident from it that to maintain status quo and to defend guilty people transfer orders were issued only a day earlier and they were despatched later on the 7th. In order to save their skin, the management filed a case against those who had lodged a complaint in this regard. I am sending them a photostat copy of the dispatch letter.

MR. SPEAKER: You may send it on your own.

SHRI BINDESHWARI DUBEY: The hon. Member is stating that there may be such possibility. I have already mentioned that the Board had taken a decision to issue transfer orders on the 3rd. Now the 'status-quo' would mean that his transfer order stands. I am just mentioning what the Bank had contended but there may be even that possibility as the hon. Member has stated. In such circumstances, the Union should have lodged a complaint against the maintenance of status-quo on the ground that provisions of unfair Labour Practices act have been violated but they did not do that. The Authority cannot take any decision without taking its cognizance. They should understand the provisions of this Act. Instead it so happened that the conciliation proceedings with the union remained continued alongwith a persistent request for a settlement. Ultimately when there was a settlement, another peculiar situation arose when the aggrieved person gave in writing that he had never authorised the union to make a statement or to go in for an agreement on behalf of the employees. Thus the entire case took a different turn and the settlement lost the very

meaning of it. Thus the case had fallen.

SHRI C. JANGA REDDY: Mr. Speaker, Sir, here I would like to know from the hon. Minister....

MR. SPEAKER: You have asked your question you could ask only one question.

SHRI RAJ KUMAR RAI: Whether the hon. Minister is aware that this case of the transfer of an employee had come to the notice of the Government several days ago through Lok Sabha and Rajya Sabha. When the conciliation officer directed for maintaining status-quo, the transfer orders which were issued a day earlier, were presented to him. When it was mentioned in the House that the person who had merely furnished correct information which had resulted in the detection of corruption cases involving black money worth crores of rupees, was sacked and all those persons against whom the charges of corruption had been levelled, were promoted by the Government. You have expressed your feelings several times in the House. The hon. Finance Minister had stated in his reply to the question of Dr. Bapu Kaldate in Rajya Sabha that he was in agreement with him on his views and further information in this regard will be collected. And when all that information was furnished by the concerned individual, he was thrown out of his job. If it is fact, whether the hon. Labour Minister will consider to reinstate the person concerned.

MR. SPEAKER: Don't refer to the Rajya Sabha.

SHRI RAJ KUMAR RAI: I am not quoting the Rajya Sabha. I am just expressing my views. Now the hon. Labour Minister is seized of the entire position. I do not deny this possibility that the transfer order was issued a day earlier.

MR. SPEAKER: You may ask the

question.

SHRI RAJ KUMAR RAI: Sir, the question involves the dismissal of a poor employee. He was thrown out of his job just for the supply of information or for extending a technical advice. Keeping in view all these circumstances, whether you will be pleased to reinstate Shri C.L. Verma.

SHRI BINDESHWARI DUBEY: Mr. Speaker, Sir, it is not a fact that according to the settlement, a person named C.L. Verma had been dismissed. The settlement which was reached at with the union, provided that Shri C.L. Verma....

SHRI RAJ KUMAR RAI: I want to inform you that he has been dismissed. Sir, he will take at least 2 minutes for the introduction itself.

MR. SPEAKER: Please, sit down. First you listen to the answer. This question will be discussed later on whether his services were terminated.

SHRI BINDESHWARI DUBEY: I have listened to your information but now you should also listen to me. Mr. Speaker, Sir, it was provided in the settlement with the union that first Shri C.L. Verma will join the Branch at Rahogarh (M.P.) to which he was transferred, and after a period of six months he will again be allowed to join the branch of Mathura. So far as the intervening period is concerned, he will have to apply for leave and his leave will be sanctioned if he has leave to his credit in his account. That was the provision in the settlement. But Shri C.L. Verma gave it in writing that he had never authorised the union to raise the matter and consequently he refused to accept the terms of the settlement concluded with the union. Therefore, it should not be taken that his service had been discontinued under the terms of the settlement. I have already mentioned about his period of absence that

when he refused to accept the terms of the settlement and he has been absent for a period of two years, therefore, there is a possibility of the discontinuance of his services.

SHRI RAJ KUMAR RAI: Will the Government consider to reinstate him?

SHRI BINDESHWARI DUBEY: If a dispute is raised, it will be given due consideration if it is worth consideration.

SHRI RAJ KUMAR RAI: Whether the Government intends to reinstate him?

SHRI BINDESHWARI DUBEY: An individual cannot raise a dispute on his own in case of his transfer unless the question of victimization is involved in it as it is prohibited under the provisions of the Act. Though, the union can raise his matter definitely. The union raised his point and continued its fight for two years but that very union was also dis-owned by him... (Interruptions)

MR. SPEAKER: Question Hour is over.

WRITTEN ANSWERS TO QUESTIONS

[English]

Development of National Parks and Sanctuaries

*6. **SHRI JAGANNATH PATNAIK:** Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) the amount provided for the development of national parks and sanctuaries during 1988;

(b) whether any guidelines have been issued by the Directorate of Wildlife Preser-

vation to assist the State Governments in the management of national parks and sanctuaries; and

(c) the efforts made by Government to enlarge the network of wildlife protected areas?

THE MINISTER OF ENVIRONMENT AND FORESTS (SHRI Z.R. ANSARI): (a) The amount provided by the Central Government for the development of national parks and sanctuaries in 1988 is Rs. 590.69 and Rs. 566.66 lakhs respectively.

(b) Yes, Sir.

(c) The efforts made by Government to enlarge the network of Wildlife protected areas include steps to implement the report entitled "PLANNING A WILDLIFE PROTECTED AREA NETWORK IN INDIA" prepared by the Wildlife Institute of India at the behest of Government of India. This report, which has been recommended to the State Governments for implementation, envisages the establishment of 148 national parks and 503 wildlife sanctuaries covering an area of over 1.5 lakh sq. kms. Increased financial support is being made available to States for the extension of existing wildlife protected areas and for the establishment of new ones.

Per Capita cloth consumption

*7. **DR. DATTA SAMANT:** Will the Minister of TEXTILES be pleased to state:

(a) the per capita cloth consumption in the country during each of the last three years;

(b) whether the production of cloth in textile mills has come down whereas the production in powerlooms has gone up; and

(c) if so, the reasons therefor?