

**श्री यशवन्त सिन्हा :** ठीक हैं।

**डा. (श्रीमती) उर्मिला चिमनभाई पटेल :** नोटो के साईज के बारे में और सरदार वल्लभाई पटेल के चित्र वाले एक और पांच रुपए के सिक्कों के बारे में भी बता दीजिए।

**श्री यशवन्त सिन्हा :** ये जितनी बातें हैं, जैसे एक ही तरह के नोटों की बात हैं, 500 रुपए का नोट एक तरह का हैं, 100 रुपए का नोट एक तरह का हैं, ये सुझाव और भी आए हैं। मैं यह कहना चाहता हूँ कि ये सारे सुझाव सरकार के ध्यान में हैं आने वाले दिनों में हम प्रयास करेंगे कि इस प्रकार की दिक्कतें दूर हों।

उपसभाध्यक्ष महोदय, इन शब्दों के साथ मैं यह निवेदन करूंगा कि इन सब बातों को सुनने के बाद यह सदन सर्वसम्मति से यह तय करे कि इस विधेयक को लोक सभा को वापस भेजा जाए।

THE VICE-CHAIRMAN (SHRI SANATAN BISII: Now I will put the motion to vote.

The question is:

"That the Bill further to amend the High Denomination Bank Notes (Demonetisation) Act, 1978, as passed by the Lok Sabha, be taken into consideration."

*The motion was adopted.*

THE VICE-CHAIRMAN (SHRI SANATAN BISII): We shall now take up clause-by-clause consideration of the Bill.

*Clause 2 was added to the Bill.*

*Clause 1, the Enacting Formula and the Title were added to the Bill.*

SHRI YASHWANT SINHA: Sir, I beg to move:

"That the Bill be returned."

*The question was put and the motion was adopted.*

#### STATEMENT BY MINISTER

##### Postal Extra Departmental Agents

THE MINISTER OF COMMUNICATIONS (SHRI JAGMOHAN): Sir, Postal

service in the rural areas is provided through the Extra Departmental System which comprises 1,27,162 ED Post Offices. The ED Agents which number 3,09,825 are employed for a period of 2 to 5 hours and are remunerated broadly on prorata basis with reference to the workload and the pay scales of corresponding categories of whole-time departmental employees. Their terms and conditions of service is governed by separate rules, namely, P&T EDA (Conduct & Service) Rules, 1964 framed in this behalf by the Director General. Posts.

Keeping in view the growth of postal services and the agency functions as well as increasing cost of living and other factors, the Government have in the past set up 3 committees for Extra Departmental Agents for reviewing the benefits for the ED Agents including the rate of allowances and as a consequence a variety of benefits have flowed over the years to the ED Agents. These committees were set up in the context of Central Pay Commissions which were appointed by the Central Government for reviewing scales of pay and other conditions of service for regular Central Government employees.

A one-man Committee headed by Justice Charanjeet Talwar was set up by the Government on 31.3.95 to examine the wage structure and conditions of service of the ED Agents. Justice Talwar Committee submitted its report on 30th April, 1997 making wide-ranging recommendations which in effect place the ED Agents on equal footing with regular employees of the Central Government. The recommendations of this Committee were duly processed and Postal Staff Federations were also consulted. In November 1997 the Government decided that pending detailed consideration of the Committee's recommendations, the basic monthly allowance of different categories of ED Agents may be raised by a factor of 3.25 with effect from 1.1.96. This was, however, not acceptable to the Postal Staff Federations which insisted on implementation of the Justice Talwar Committee recommendations, particularly in regard to grant of first two scales of pay, pension, leave and gratuity for ED Agents in the first instance.

Early implementation of positive recommendations of Justice Talwar Committee for ED Agents also figured in the Charter of Demands on which two of the Postal Federations went on strike during July 1998. Hon'ble Members of both the Houses have also expressed their concern for early implementation of the recommendations of Justice Talwar Committee.

The Government has fully and carefully considered the recommendations of Justice Talwar Committee for Postal ED Agents and the various demands raised in this regard by Postal Federations and has now decided to extend the following benefits to the ED Agents:

(i) The ED Agents will be paid arrears of allowance for the period 1st January 1996 to 28th February 1998 by increasing their fixed basic monthly allowance by a factor of 3.25.

(ii) Different categories of ED Agents will be placed with effect from 1st March, 1998 in two Time Related Continuity Allowance (TRCA) depending on the hours of their employment corresponding to the first two scales of pay recommended by Justice Talwar Committee. Only in respect of ED Sub Postmaster there will be only one Time Related Continuity Allowance.

(iii) ED Agents will now be allowed paid leave at the rate of 10 days for every half-year without any provision of carry forward or encashment and with effect from the half year beginning from 1st July, 1998.

(iv) The ex-gratia gratuity available to ED Agents at present will be raised from the present Rs. 6,000/- to Rs. 18,000/-.

(v) The amount of Office Maintenance Allowance as allowed to ED Agents will be raised from the existing Rs. 25/- to Rs. 50/- per month.

As a measure of post-employment benefit to ED Agents, Government have decided to provide lump sum severance amount of Rs. 30,000/- on retirement of an ED Agent at the age of 65 years or in the event of death

after completing a minimum of 20 years of continuous service. In case of an ED Agent who has completed only 15 to 20 years of continuous service, the severance amount shall be Rs. 20,000/- on retirement or death. Payment of severance amount of Rs. 20,000/- will also be available for such ED Agents who are absorbed against regular departmental posts after 15 years of continuous service as ED Agents.

Necessary orders in this regard are being issued immediately.

The payment of arrears to ED Agents for the revised basic monthly allowance from 1.1.96 to 28.2.98 is estimated to cost an additional Rs. 157.74 crores to the Government, while the additional annual expenditure on the other substantial benefits now being extended to ED Agents is estimated to be of the order of Rs. 301.35 crores.

Despite severe constraint of resources, the Government have gone a long way to improve the conditions of service of Extra Departmental Agents. In this connection, it may be noted that the existing annual wage bill of the Extra Departmental Agents at present is about Rs. 230 crores. To this Wage Bill, another Rs. 301.2 crores would now be added annually, thereby raising the total Wage Bill to Rs. 531.2 crores.

The Government is keen to ensure high morale among its Agents and bring about new dedication and dynamism in the working of the Department. Government hopes that Extra Departmental Agents would put their best foot forward in attaining a very high level of efficiency and productivity.

SHRI NILOTPAL BASU (West Bengal): Sir, I am a little bit confused with this statement. Because normally the Government comes with this kind of a statement, or, the management of the Department comes with this kind of a statement, before the trade unions. We are not discussing this issue on a trade union platform. I would like to draw the attention of the Minister to the fact that certain very important elements in the genesis of the whole problem have been missed out.

The first thing is that a one-man committee headed by Justice Charanjeet Talwar was set up by the Government on 31.3.95 to examine

the wage structure and conditions of the ED agents. The statement that is there in the beginning of paragraph 3 was not a unilateral action of the Government. It also came in the background of a specific struggle by all sections of the postal employees and their federations. That point has to be understood. The issue here is not how much increase in allowances the Government is giving. The basic issue, which was posed before Justice Talwar Committee was, what the status of the ED employees will be. Sir, the E.D. system dates back to the colonial era. The British administration at that point of time, as a colonial practice, had started this. If you kindly see the developments in the postal and communications sector from 1966 to these days, you will find there has been a three-fold increase in the postal traffic. There has been a three-fold increase in the number of post offices in the country. But, actual number of postment has increased by a very, very small number—from 44,000 to around 50,000. So, the major workload of running the postal services in the country is actually borne by the E.D. agents. The issue before the Talwar Committee was whether they should be accepted as Government and postal employees. The postal employees of this country, who are connected with our social milieu, after the Justice Talwar Committee made very, very concrete recommendations, were looking more towards their status than to the specific increase in their salaries and allowances. Sir, you will recall in an atmosphere of heated debate, the then Communications Minister of this very Government gave an assurance to the entire House. She had read out a statement jointly signed by the Management of the Postal Department as well as the postal federations, who had participated in the strike. The employees had shown their extreme goodwill. Without any pre-condition they had withdrawn their strike. The assurance was very categorical that the status of the E.D. employees will be settled once and for all. But, Mr. Minister, I am sorry to say that your Statement falls far short of the assurance given to the Parliament.

Sir, I have with me copies of the strike notice that has been served on the Department. You are making a statement on this issue. You are saying that there has been a consultation,

but you do not say that because of the people, who had negotiated with the postal employees' federations, because of their obstinacy and because of the role that they have played the total agreement had broken off, and the federations have given you a due strike notice, which is to take place on 21st and 22nd of this month. The whole issue of the postal strike has not been mentioned in the Statement. I do not know why. You have come before the Parliament. We are not trade union leaders. Here you are informing us what hikes you are proposing. Sir, this is a unilateral decision of the Government and it falls far short of the commitment the Government made to their federations and the solemn promise that you made before Parliament. As a result of that you have a strike notice at your hand. And you don't make a mention of it.

Therefore, Sir, I have only one question to ask. I would like to know whether the Government is going to be serious. The issue is not of increase in their salaries and allowances. The issue is whether the Government will come out clean on this; whether they are going to accept the main recommendation of Justice Talwar Committee i.e. granting them the status of the Government employees or the postal employees, and averting the nationwide strike, which is going to hit the country on 21st and 22nd of December.

Mr. Vice Chairman, Sir, this is the only question I have. If the hon. Minister can come out clean, he can do so. Otherwise the Government will be held responsible for the kind of situation that is building up in this very important sphere of the nation.'

SHRI JOHN F. FERNANDES (Goa): Sir, the agreement that the Government had signed last year with the trade unions had ten points of demand. The hon. Minister has come before this House and stated that only five points are being accepted. May I know from the hon. Minister out of those ten points which are the five points that have been accepted?

Secondly, Sir, this system of employing E.D. staff is not a proper system. As has been mentioned by my colleague, this is a colonial system. I don't think the conduct and service rules that you have framed are under the Act

of the Parliament. The Government has sought to frame these rules and regulations by an Executive Order under Article 73 of the Constitution. When Parliament is there, I think it is appropriate that the Government comes out with some Act of Parliament.

Sir, the contract labour has been banned in this country; more so by the Government. There are judgments after judgments of the courts in this regard. The Bombay High Court, the Kerala High Court, the Gujarat High Court, and even the Supreme Court of India gave their judgments on such cases. The Government, through back-door is resorting to contract labour and is not coming before Parliament. So, I would like to know whether the Government will have a full-fledged legislation framing rules under the statute and do away with the practice of framing rules under Executive Orders.

This year in July, when the employees had gone on strike, the then Minister had threatened to bring in Army. We know that you have the private courier service in the country. The Government has also off and on mentioned about privatising the postal sector. I would like to know whether the courier service will be legalised through an Act of Parliament, and the social obligation put on them also. In case the postal department goes on strike, they have to fulfil the social obligation.

SHRI E. BALANANDAN (Kerala): Sir, the statement of the Hon. Minister, as has been pointed out, has missed the main issue, on which the postal employees have been crying for justice for years together. Sir, you know the wages are related to the standard of work. In this department the burden of running the postal department efficiently is on the Extra Departmental staff. Sir, they were agitating for a fair wage, just as the other workers in the Department have been getting. On this very question there have been a number of discussions. The workers resorted to strike also. The Supreme Court, after applying its judicial mind, said that these workers should be considered as permanent employees of the Department. The Talwar Committee also reiterated this point.

Then the strike went on for some days. Sir, you know the strike was called off and the

Prime Minister, Shri Atal Bihari Vajpayee, said in Parliament that this question raised by the postal employees will be settled. Their cases will be reviewed and they will be given permanency. The former Communications Minister, Shrimati Sushma Swaraj is a good friend of mine. I went to her and talked to her one day. I did not discuss the matter in detail. I told her, "Madam, you discuss with the workers. I want to remind you only one thing. The Supreme Court has given a direction to consider them as postal employees. The matter has been discussed at several levels. The Talwar Committee has decided one thing. That is the status of employees. You decide about it. I have no dispute with you." This is what I had told her. I don't want to say something in her absence. But I must confess before you that she has generally agreed with me. Therefore, the question is: How do you answer this question? I know that you are giving them some wages, etc. What we want is only one simple thing. They should be considered as regular postal employees, as the Government employees, and give them all the facilities which are being given to the Government employees. For example, ten days leave for six months. There is gratuity, etc., for the Government employees. There are general rules for the Government employees. Once you decide to make these employees permanent, then, they should be extended all the facilities which the other permanent employees enjoy.

Now, you are talking about lumpsum payment to the 1,30,000 employees. You divide this amount among all these employees. You quantify the amount, it will be Rs. 300 crores or Rs. 400 crores. Our mind can be muddled. But the poor worker will get Rs. 20 or Rs. 50 extra.

Mr. Vice-Chairman, Sir, I request the hon. Communications Minister to assure this House that the status of the employees will be taken into consideration by the Government immediately. I would also request the Communications Minister to implement the assurance given by the Prime Minister of India.

As a trade union leader, I had dealt with hundreds of private employees in my life. Sometimes we don't insist on a written agreement. I take the word of the employers.

All of them are sincere. They said, "We are doing it." The former Communications Minister, Shrimati Sushma Swaraj said, "We are doing it." Even the Prime Minister said, "Yes, we are doing it." On the basis of this assurance, I told our workers, "The Communications Minister and the Prime Minister came to the Parliament and said that they will be doing it," so, you withdraw your strike. That is what I have said. Now I am being penalised for advising the workers to believe in the assurances given by the Ministers. It was a solemn assurance given in this House and in the other House. That is not being implemented. Therefore, I want the Communications Minister to assure this House once again that the assurance given by his predecessor as well as the Prime Minister will be implemented without delay. This is my request.

SHRI VAYALAR RAVI (Kerala): Mr. Vice-Chairman, Sir, this problem has already been explained by my friends and I do not want to repeat what they have said. If you look at the statement, you will find that there are 1,27,162 post offices under the Extra Departmental System. This is a large number. It is more than the regular post offices. The number of workers in these post offices is more than 3 lakhs. In fact, it is almost equivalent to the postal employees. On this matter an agitation is going on for more than 30 to 35 years. They have been making this demand. The Government makes a piecemeal approach to the issue, not regularising their services. Maybe due to financial constraints. There are only two or three compelling issues on which I seek clarifications from the Minister. As Mr. Balanandan said, the strike was called off; and again the workers have served a strike notice. It needs a permanent solution. If you calculate your total wage bill it may come to Rs. 1,000 or Rs. 1,100 per month. I do not know. But it will not go beyond that. If you look at the judgement delivered by the Supreme Court, they have also said, "Consider them as regular employees." So, it is a matter to be considered in detail rather than keeping them as agents. You call them "agent". You are deliberately using the word "agents". Deliberately, you are not giving them the Government facilities, even holidays. But I can boast before you, their

responsibility is more than that of a regular postal employee. And their working hour is not two or five hours. I think you are wrongly briefed. Sir, I will take just one more minute. When I was an MLA, in my constituency, there was an island. The ED postman there has to go to Cherthalai town—it is 245 kilometres away—crossing three kilometres by ferry and then going by bus, and then carry the bag to the island from the town. He is responsible for keeping the money orders also. Even if one rupee is lost or if he does not remit it in the mainland, he will be suspended. So, the responsibility of an ED agent or ED employee is, according to me, more than that of the regular employee. His working hours are more; his labour is more. He has to go even by cycle. Sir, it is a very difficult job, particularly in forest areas. There was a film in Malayalam where an ED agent was killed by an elephant. Mr. Jagmohanji, why don't you see the film? We will ask them to show it to you. It depicts the plight of an ED man who was killed by an elephant in the forest area.

In this background, I want only one clarification. What is your idea? Do you want to keep them as "agent"? Or do you want to absorb them in the regular service? What are you going to do with these 1,27,000 ED post-offices? You must have some idea. I am not asking you to upgrade all of them in one day. But, you must have some plan. You must have some programme as to how to deal with these cases. Otherwise, it will remain a perpetual problem with the Government and the Department. I also request you to consider it in all respects, with the Commission's report as well as the Supreme Court judgement. On that basis, will you take a decision as early as possible?

Thank you.

SHRIMATI URMILABEN CHIMAN-BHAI PATEL (Gujarat): Sir, I have a point of information. Just a small point.

THE VICE-CHAIRMAN (SHRI SAN-ATAN BISI): No, Madam, Please take your seat. Your name will come. Now, Mr. Virumbi.

SHRI S. VIDUTHALAI VIRUMBI (Tamil Nadu): Mr. Vice-Chairman, Sir, when the strike

was announced—if my memory is correct—during the month of July, three days before the strike, I did give a warning to the Government that it was going to be announced. Then, a solemn assurance was given in this august House that they will be departmentalised. How has the Government forgotten that particular area totally and conveniently? It is very surprising.

Sir, firstly, the nomenclature of this post should be changed to some other thing. Some two decades ago, even actors and actresses were called 'extras'. Now-a-days, they are not allowed to be called that. Whatever may be the role in the film, they do not want to be called 'extras'. But here, still the word 'extra' is continuing. My main point is, why has the Government refused to accept more than three lakh employees as Government employees, postal employees? Why have you refused to departmentalise them? Once you departmentalise them, most of this problem will be automatically over. Policy decision will be taken over not by the Government, but by the Pay Commission. Therefore, that problem will be automatically over. That is my first point. My main accusation is that you have failed to departmentalise the workers.

Secondly, if the ED people are not coming for duty with prior information, they are not considered as 'on leave'. They are 'put off from the duty'. Why are they not considered as on leave? If they are on leave? It means they are permanent employees. If they are 'put off from the duty', that means they are not permanent employees. That is why the Department is still using the words 'put off from the duty' and not 'on leave'. They put them off duty because they are not considering them as human beings.

Thirdly, they give a severance amount of Rs. 30,000/- after 20 years of service. Suppose a postal employee joins duty at the age of 25 and dies at the age of 45. He will get Rs. 30,000/-. In case he serves 20 years more and dies at the age of 65, he will get the same Rs. 30,000/-. That means they have not been paid any remuneration by the Department for the service rendered by them between the age of 45 years and 65 years. At the time of the

last general strike, the postal employees were informed that the period of absence from duty would be adjusted. When I had raised this question, I was informed that the period was adjusted against leave of the postal staff. Subsequently, when I had gone to my district and inquired about this case from the concerned officials, I was informed that no such instructions have been received by the post offices. I would like to know as to why the officers at Delhi have not sent any information to the officers concerned to adjust the leave of those employees. At the same time, the ED Agents also had gone on strike. Their strike period has also not been adjusted. That is why I am raising this issue.

As far as the severance amount is concerned without politicising the issue, I would like to inform the House that in Tamil Nadu, if a permanent employee dies during service, a sum of Rs. one lakh is given to him. I request the hon. Minister to evolve some such arrangement. You can consult the State Governments also. I am not saying that you consult the State Government of Tamil Nadu alone. You can consult the State Government of Kerala, you can consult the State Government of Himachal Pradesh, you can consult other State Governments also and find out as to how they are making arrangements for the benefit of the workers. On that basis, you can evolve some arrangement and that can be adopted. But you have not done it. The statement which has been made by the hon. Minister is incomplete, incomprehensible and is not acceptable to us. I would like to know whether this particular arrangement was accepted by the leaders of the postal unions. If so, whether they have signed the agreement to this effect. If at all the postal unions have accepted the agreement, I would like those unions to be identified. What have you done about departmentalisation? The severance amount is not enough. A change should be effected in the nomenclature. The strike period should be adjusted without affecting the remuneration. I am not satisfied with the statement of the Minister. I would like to know from him whether he is going to departmentalise the employees. If he fails to do so, there is no point in making a statement.

**श्री संघ प्रिय गौतम (उत्तर प्रदेश) :** उपसभाध्यक्ष, जी, गैर विभागीय डाक कर्मचारियों के वेतन भत्तों और सुविधाओं से संबंधित मंत्री जी के वक्तव्य का मैं स्वागत करता हूँ ....(व्यवधान).... सुन लीजिए। आपके ऊपर बात आ रही है। हैव पेशंस।

मैं सरकार को बधाई देता हूँ कि कर्मचारियों की बात देर से मानी, आधी-अधूरी मानी पर मानी तो सही। नौ नगद तेरह उधार। तेरह उधार मिलने से नौ नगद मिलना अच्छा होता है। इसलिए कुछ तो इनको मिल। अब मैं सैद्धांतिक रूप से अपने सम्मानित सांसदों से सहमत हूँ लेकिन जिस समय से डाक कर्मचारी हड़ताल कर रहे थे उसी समय सांसदों का वेतन भत्ता संबंधी विधेयक भी यहां पर आया था। मैंने इसी सदन में यह कहा था कि सांसदों का वेतन भत्ता बढ़ाने से पहले अल्प वेतन भोगी कर्मचारियों के वेतन भत्तों को बढ़ाओं। उस समय ये कोई नहीं बोले थे। तो ये ख्याली आंसू, घड़ियाली आंसू बहाने से कोई फायदा नहीं है। अगर हमें वास्तव में इनसे मोहब्बत है तो पहले उनका भत्ता बढ़वाना चाहिए था ... (व्यवधान) मैं सबका कह रहा हूँ ....

**मौलाना अबैदुल्ला आजमी (बिहार) :** आप अपना भत्ता वापस कर लें उसके विरोध में। आपके भत्ते का क्या हुआ। आप अपना भत्ता वापस लेते हैं यह बात उस वक्त कहते ... (व्यवधान) तब आपने अपना भत्ता वापस ले लिया होता।

مولانا عبیداللہ خان اعظمی: آپ اپنا بھتہ واپس کر لیں اسکے ورودھ میں آپکے بھتے کا کیا ہوا آپ اپنا عبتہ واپس لیتے ہیں یہ بات اس وقت کہتے .... "مداخلت" ... تب آپ نے اپنا بھتہ واپس لے لیا ہوتا۔

**श्री संघ प्रिय गौतम :** सुन लीजिए मेरा भत्ता जितना भी है और आगे होगा वह सब इन कर्मचारियों को दे दिया जाए मैं घोषणा कर रहा हूँ। लेकिन आप दोहरी बातें करते हैं। इसलिए मैं कहना चाहता हूँ कि यह प्रक्रिया आज खत्म नहीं हुई है। ये कमीशन फिर आएंगे .... (व्यवधान) अबर रही जहाँ तक बात....

**श्री जीवन राय (पश्चिम बंगाल) :** यह रुपए का सवाल नहीं है। यह स्टेटस का सवाल है ... (व्यवधान) दो पैसे का सवाल नहीं है स्टेटस का सवाल है।

**उपसभाध्यक्ष (श्री सनातन बिसि) :** गौतम जी बोलिए, क्लैरीफिकेशन पूछिए।

**श्री संघ प्रिय गौतम :** क्लैरीफिकेशन पूछ रहा हूँ। पिछली सरकारों के समय से अब तक लगभग 400 आशवासन विचाराधीन हैं।

आशवासन कार्यान्वित नहीं हुए और अनेकों उच्च न्यायालयों और सर्वोच्च न्यायालय के निर्णय कार्यान्वित नहीं हुए। इसलिए अकेले इस सरकार पर यह आरोप लगाना भी मिथ्या है। मैं मंत्री जी से केवल यह पूछना चाहता हूँ कि एक पहचान इन डाकियों की वर्दी से होती थी, लेकिन अब कोई डाकिया वर्दी पहन कर नहीं आता है और यह पहचान नहीं होती कि यह पोस्टमैन है, डाकिया है या कौन है। हमारे यहां संसद् में यह अधिकारी भी वर्दी पहनते हैं। अनेकों लोगों की वर्दियां हैं और उनसे उनकी पहचान होती है। इसलिए क्या अलग भत्ता देकर या इसी भत्ते में शामिल कर, कर्मचारियों की वर्दी का कोई इंतजाम या प्रबन्ध किया जाएगा ?

SHRI R. MARGABANDU (Tamil Nadu): Sir, it is stated that an ED Agent is working for a period of two to five hours a day. If he has to work for two to five hours, he cannot go for any other work. So, he will have to completely depend upon this work. That is why his status will have to be confirmed, as directed by the Supreme Court.

It is also stated: "Such ED Agents are absorbed against regular departmental posts after 15 years of continuous service as ED Agents." That period has to be reduced. Even if a workman works for 180 days, he is conferred with a lot of benefits. Those benefits are not given to them. This period of 15 years will have to be reduced to at least 5 years.

The Vice-Chairman, (Shri John F. Fernandes) in the Chair

Sir it is further stated: "The ED Agents would put their best foot forward in attaining a very high level of efficiency and

productivity." What are the rules you are framing? Or, what is the project you are having to enable them to discharge their duties efficiently and productively? That is not mentioned there.

While considering the wages and other things for the employees, we should not lose sight of the consumer.

We welcome the increase of Rs. 531.2 crores in the total Wage Bill for workers. The interests of the consumer will also have to be taken into consideration. The Government should give us an assurance that the prices of post-cards and other things will not be raised hereafter. Under the pretext of having raised the total Wage Bill let there not be an increase in the prices of post-cards and other things. If that is assured, then it is welcome. Sir, I want to point out one thing. It is stated that the ED Agents must attain a very high level of efficiency and productivity. It means, previously, they have not been doing their duty properly. If it conveys that meaning, then these words should not have been there.

SH

RI RAMACHANDRA KHUNTIA (Orissa): Mr. Vice-Chairman, Sir, one thing I could not understand: what prompted this Government to give a *suo motu* statement about the postal Extra Departmental Agents' problem? Sir, you know that last time when there was a strike, many hon. Members demanded a statement from the Government, and it is with much difficulty that the then Minister and also the Prime Minister, after getting a direction from the Chair, made a statement after one day, and that too with much problem. But, this time, they have given a *suo motu* statement in advance. As per the statement given by the then Minister, in July, to resolve the issue, an agreement was signed. But it seems that no agreement could be signed.

till today, with the Federations and Postal Department. In his statement also he has described that they have consulted with the Postal Federations. But nowhere has it been mentioned that they had entered into an agreement with these Federations. So, it seems that, when the Trade Unions or the Federations have given a strike notice, in order to create an anti-workers' atmosphere throughout the country and a public opinion against the interests of the workers, the hon. Minister has made a *suo motu* statement which will be discussed in the House and which will come in the media and, ultimately, when there is a strike, the workers will not get the support of the public. Is it the intention of the Minister?

The second point is this. In para 3 of his statement he has stated that a committee was set up to examine the wage structure and conditions of service of the ED agents. What I want to say is this. When they are examining the wage structure, who gets the wage? It is the employees, the workers, who get the wage, not the ED agents. An ED agent is just like a contractor. Why do you call them agents and give them less wages? Government call them as agents for the interests of the Government, to pay them less wages, to give them less benefits and to get the same work from them as Government are getting from the regular postal workers. So, Government are paying them less wages. I would like to know from the hon. Minister whether it is going to implement the Justice Talwar Committee recommendations, as they are doing the same work under the same Government. By naming them as agents, the Government is giving them less wages, which is not as per the Conventions of the ILO, which is not as per the laws of this country. As per the decision of the Supreme Court, all workers, who are doing the same work, should get equal wages. Here the Government is not giving them equal wages or equal benefits. So, I want to know from the hon. Minister whether the Government will consider making all the ED agents as regular workers and will extend to them the same facilities which the regular workers are getting.



The third point which I want to know from the hon. Minister is this. He has made a statement here. He has not made a mention anywhere in the statement that there is a strike notice given by the trade unions or various federations. So, I want to know from the Minister whether the Government will consider calling all the trade unions and federations in the Postal Department, in the Communications Department, and discuss the issues, before they go in for a strike and create a situation in the whole of the country. I would like to know whether the Government is willing to call the unions, have discussions and have a tripartite settlement. This would also prevent a strike and avoid a serious situation in the whole of the country

**मौलाना ओबैदुल्ला खान आजमी :** वाईस-चैयरमेन साहब, हमारे साथियों ने जिस चिंता को व्यक्त किया है, मैं उससे अपने आपको सम्बद्ध करते हुए मंत्री जी से सिर्फ एक सवाल करना चाहता हूँ कि एक्स्ट्रा डिपार्टमेंटल एजेंट कहकर जिन लोगों को परमानेंट नहीं किया जा रहा है, परमानेंट न करने में हुकूमत की मजबूरी क्या है और क्या हुकूमतों के यह वायदे नहीं होते कि वह आवास को रोटी-रोजी से जोड़ने में किसी भी तरह की कोई कमी बाकी नहीं रखेंगे ? वह लोग जो 14-15 साल तक काम करते हैं, उन्हें आज भी एजेंट कहना और उनको उन के जायज मुकाम तक न पहुँचाना क्या यह हुकूमत के अच्छे होने की अलामत है ?

मैं यह भी पूछना चाहता हूँ कि क्या ट्रेड यूनियन के साथ कोई एग्रीमेंट कर के यह बयान आया है और अगर ट्रेड यूनियन के साथ कोई एग्रीमेंट नहीं हुआ है तो क्या सिर्फ मजदूरों को धोखा देने के लिए सरकार इस हाउस का इस्तेमाल कर रही है इसलिए कि यूनियन 21-22 दिसंबर को स्ट्राइक का जो नोटिस दिया है, यह साफ-साफ बता रहा है कि अभी तक सरकार ने उन लोगों को विश्वास में नहीं लिया है । तो क्या 21-22 दिसंबर से पहले-पहले उन लोगों को विश्वास में लेकर सरकार उन की मांगों को पूरा करना चाहेगी ? अगर उन की वह मांगों को पूरी नहीं होती है तो क्या सरकार यह आश्वासन देगी कि उन की मांगों को आगे पूरा करने के लिए और उन को परमानेंट सर्विस देने के लिए अपनी वचनबद्धता का एलान करती है ।

†मौलانا عبیداللہ خان اعظمی "ہمارا":  
وائس چیئر مین صاحب۔ ہمارے ساتھیوں  
نے جس فکر مندی کا اظہار کیا ہے میں اس  
سے اپنے آپکو وابستہ کرتے ہوئے منتری جی  
سے صرف ایک سوال کرنا چاہتا ہوں کہ  
"ایکسٹرا ڈیپارٹمنٹل ایجینٹ" کہہ کر جن  
لوگوں کو پرمینٹ نہیں کیا جا رہا  
ہے۔ پرمینٹ نہ کرنے میں حکومت کی  
مجبوری کیا ہے اور حکومتوں کے یہ  
وعدے نہیں ہوتے کہ وہ عوام کو روزی روٹی  
سے جوڑنے میں کسی بھی طرح کی کوئی کمی  
باقی نہیں رکھیں گے۔ وہ لوگ جو چودہ  
پندرہ سال تک کام کرتے ہیں انہیں آج بھی  
ایجنٹ کہتا اور انکو انکے جائز مقام تک نہیں  
پہنچانا کیا یہ حکومت کے اچھے ہونے کی  
علامت ہے۔

میں یہ بھی پوچھنا چاہتا ہوں کہ کیا  
ٹریڈیونین کے ساتھ کوئی ایگریمنٹ کر کے یہ  
بیان آیا ہے اور اگر ٹریڈیونین کے ساتھ کوئی  
ایگریمنٹ نہیں ہوا ہے تو کیا صرف  
مزدوروں کو دھوکا دینے کے لئے سرکار اس  
ہاؤس کا استعمال کر رہی ہے۔ اسلئے کیونین  
۱۸۔۲۲ دسمبر کو سٹرائک کا جوتھس دیا  
ہے یہ صاف صاف بتا رہا ہے کہ ابھی تک  
سرکار نے ان لوگوں کو وشواس میں نہیں لیا  
ہے۔ تو کیا ۲۱۔۲۲ دسمبر سے پہلے ان  
لوگوں

کو وشواس میں لیکر سرکار انکی مانگوں کو پورا کرنا چاہیے گی۔ اگر انکی وہ مانگیں پوری نہیں ہوتی ہیں تو سرکار یہ آشواسن دے گی کہ انکی مانگوں کو آگے پورا کرنے کیلئے اور انکو پرمانٹ سروس دینے کے لئے اپنی وچن بدتاکا اعلان کرتے ہیں۔ "ختم شد"

SHRI JIBON ROY: Mr. Vice-Chairman, Sir, I am not making any argument. I understand that no argument can move the mind of the hon. Minister. I can move the mind of Shri Jagmohan. But I cannot move the mind of the hon. Minister. I can understand that. I would like to know from the hon. Minister whether this statement is a product of a bipartite or a tripartite agreement. I am not going into the contents of the statement. I would like to know whether it is a product of any bipartite or tripartite agreement. If not, how does this House come into the picture? What was the concern of the House? There were some problems and disputes. The House wanted, let the Government, the trade unions and the representatives of the labour discuss these things and come to some settlement. I would like to know whether this statement is a product of that settlement. If not, I must say that this Government is trying to use this august House to isolate the workers from the rest of the people. They want to create an impression that all things have been settled and they are going on strike on 20th and 21st for nothing. Sir, I am a labour leader. I have led a number of strikes in my life. I have seen the character of different Governments. Mr. Minister, please don't do it. At the end of the 20th century, don't try to befool the people and the workers. (Interruptions). When I stand up, I stand up for the labour. I feel dignified when I stand for the labour. Being a labourer, I represent the labour. I believe in the dignity of the labour. I don't want any commission for labour as you suggest in your statement begging for two paise

or three paise. Labour never begs. You are categorising the postal employees as contractor or agent. You are trying to pay something to the agent. Labour only wants its status. Money is not the main demand. The main demand is the status of labour and that status should be given to labour. If the Government fails to give that status, they will face the music. Your Government is bereft of all your good virtues. Your party is left with nothing. Your economic platform has gone. Your pro-labour stance has gone. Now you are becoming naked and naked. Your policies are becoming naked. (Interruptions). They went on a strike in the month of July. You had given an assurance in this august House that you would solve all their problems. You kept quiet all these months. Now that they have given a call for a strike, you have come here with a statement to befool them, to isolate them from the rest of the people. I can assure you that you will not be able to isolate the workers. You can beat them up. You can kill them. You can dismiss them. But you will not be able to isolate them. I can assure you that.

**श्री जलालुद्दीन अंसारी (बिहार) :**

उपसभाध्यक्ष महोदय, माननीय मंत्री जी ने ई. डी. एजेंट्स के बारे में जो बयान दिया है, उस में उन्होंने कुछ एलाउंस, एक्सग्रेसिया, ग्रेच्युटी, पेंशन से संबंधित जो उनकी मांगें थी, उसमें उन्होंने बढ़ोतरी जरूर की है। उनकी 10 मांगें थीं चैप्टर आफ डिमांड्स में, उनमें एक बड़ा हिस्सा तो उनकी आर्थिक मांग के बारे में था, तो मैं जानना चाहता हूँ कि उस संबंध में आप कुछ आगे बढ़े हैं? अभी मालूम नहीं कि उनकी जो स्टाफ फेडरेशन हैं, उनसे आपकी कोई बातचीत हुई है और उनकी सहमति के बाद आपने यह बढ़ोतरी की है, इसकी जानकारी आप सदन को और हम लोगों को दें? अगर उसमें कुछ बढ़ोतरी हुई है तो वह अच्छी बात है, लेकिन उनकी मुख्य मांग है कि उनको पोस्टल एम्पलाइज़ आप मानते हैं कि नहीं अर्थात् आप उनको डाक विभाग के सरकारी कर्मचारी बनाते हैं या नहीं? उनको तो आप एजेंट रखे हुए हैं और एजेंट सर्वेन्ट हो नहीं सकता है, गवर्नमेंट सर्वेन्ट वह जो एजेंटी का काम करता है और एजेंट के रूप में आप उनको सुविधाएं देते हैं। तो उनकी जो मुख्य मांगें हैं, जिनके बारे में हमारे मित्रों ने जिक्र किया कि सुप्रीम कोर्ट ने भी कहा है कि इनको आपको गवर्नमेंट सर्वेन्ट मानना चाहिए। जस्टिस तलवार कमीशन, जो वन मैन कमीशन था, उनकी रिकमेंडेशन में भी इस बात पर जोर

दिया गया है कि पुराने औपनिवेशिक जमाने से जो बातें औ जो स्थिति उनकी हैं, वे इस आजाद भारत के 51वें साल में अगर उसी हालत में रहे तो उनके साथ न्याय नहीं होगा। उनके साथ न्याय होना चाहिए। वे नीचे के लोग हैं, जाड़े में, गर्मी में, बरसात में काम करते हैं। कितने कष्ट से वे गांवों में मीलों-मील पैदल चलकर सेवा करते हैं, लेकिन उनकी कठिनाईयों की ओर आप ध्यान नहीं देते हैं और उनको गवर्नमेंट सर्वेन्ट के रूप में नहीं मानते हैं। तो उनकी मुख्य मांग यह है कि पिछले दिनों इसी वर्ष जुलाई महीने में वे स्ट्राइक पर भी गए थे। तब यहां पर कहा गया कि लेफ्ट पार्टीज़ की यूनियन हैं पोस्टल डिपार्टमेंट में, वे लोग ये सब कराते हैं। सवाल लेफ्ट-राइट का नहीं है, सवाल यह है कि उनकी जो जेन्युअन डिमांड्स हैं जिन पर सुप्रीम कोर्ट ने और जो आपने की रिकामेंडेशन हैं, उनको आप सिम्पेथिकली कंसीडर कीजिए और उनको आप गवर्नमेंट सर्वेन्ट का स्टेट्स दीजिए, यही हमारा कहना है। अगर आप यह स्टेट्स उनको नहीं देंगे तो फिर वे नोटिस सर्व कर चुके हैं 21 दिसम्बर का। तो हम चाहेंगे कि वह हड़ताल न हो, उनकी मांगों को आप मान लें, उनको विश्वास में लेकर आप उनको इस पोस्टल स्ट्राइक में न जाने दें। यह देश के लिए, गवर्नमेंट के लिए और आम जनता के हक में होगा। उनकी जो प्रमुख मांग हैं, गवर्नमेंट एम्प्लाइज़ होने की, उसको आप अवश्य कंसीडर करें। यही मेरी आपसे मांग है। धन्यवाद।

**श्री गांधी आज़ाद (उत्तर प्रदेश) :** महोदय, मैं केवल दो बिन्दुओं पर आपके माध्यम से मंत्री जी का ध्यान आकर्षित करना चाहता हूँ। इस स्टेटमेंट में बिन्दु नम्बर 8 पर कहा गया है:-

“अतिरिक्त विभागीय एजेंटों को 1.1.96 से 28.2.98 तक की अवधि के लिए संशोधित मूल मासिक भत्ते की बकाया राशि का भुगतान करने से सरकार पर 157.74 करोड़ रुपए का अतिरिक्त वित्तीय बोझ पड़ने का अनुमान है जबकि अतिरिक्त विभागीय एजेंटों को अब मुहैया कराई जा रही अन्य अनेक सुविधाओं पर प्रतिवर्ष 301.35 करोड़ रुपए का अतिरिक्त व्यय होने का अनुमान है।”

9वें बिन्दु पर है कि :-

“इस समय अतिरिक्त विभागीय एजेंटों का मौजूदा वार्षिक वेतन बिल लगभग 230 करोड़ रुपए है। इस वेतन बिल में .....

मेरी समझ में यह 301.35 होना चाहिए, हमारी समझ से यह मिस-प्रिंट है जो 301.2 करोड़ रुपए लिखा है।

अब 301.2 करोड़ रुपए की राशि प्रतिवर्ष और जोड़ी जाएगी व इस प्रकार वेतन बिल की कुल राशि बढ़कर 531.2 करोड़ रुपए हो जाएगी।

तो मैं मंत्री जीसे यह पूछना चाहता हूँ कि सुविधा देने के उपरांत तो यह व्यय भार निकाला कि इतना व्यय पड़ेगा, लेकिन न्यायमूर्ति तलवार समिति ने 30 अप्रैल, 1997 को जो अपनी रिपोर्ट पेश की है इसमें भी व्यापक सिफारिश की गई है जिनके लागू होने से अतिरिक्त विभागीय एजेंट केन्द्रीय सरकार के नियमित कर्मचारी के समान हो जाएंगे। अगर इनको नियमित केन्द्रीय कर्मचारी के समान कर दिया जाए, तब कितना व्यय भार आपके ऊपर पड़ेगा, इसका कोई आकलन नहीं किया गया है। मैं मंत्री जी से कहना चाहता हूँ कि अगर इस व्यय भार से थोड़ा ही ज्यादा है, तो उनको केन्द्रीय कर्मचारियों को दर्जा दे देना उचित होगा।

उपसभाध्यक्ष महोदय, सुविधाओं का जो चौथा कालम है उसके अनुसार अतिरिक्त विभागीय एजेंटों को इस समय 6,000 रुपए की राशि अनुग्रह उपदान के बतौर मिलती है और इसे बढ़ाकर 18,000 रुपए कर दिया गया है लेकिन यह जिक्र नहीं किया गया है कि यह मासिक है, छमाही है या वार्षिक है। यह किस डेट से मिलना है, कितनी दिनों के लिए मिलना है, आप बता दीजिए।

इसके अतिरिक्त जो पांचवां कालम है उसके अनुसार अतिरिक्त विभागीय एजेंटों को स्वीकार्य कार्यालय रखरखाव भत्ते की मौजूदा राशि 25 रुपये से बढ़ाकर 50 रुपये कर दी गई है। मैं समझता हूँ कि यह इस महंगाई के युग में निहायम ही कम है। अगर कोई 10 x 10 का कमरा अगर आप गांव में भी लेते हैं तो मैं समझता हूँ कि इस रेट का नहीं मिलेगा। इसलिए मैं सुझाव देता हूँ कि इसको और बढ़ाना चाहिए। वैसे तो हमारा पुरजोर सुझाव है कि उन एजेंटों को, जिनको आप एजेंट कहते हैं, उनको केन्द्रीय कर्मचारी मानकर सभी सुविधाएं प्रदान की जाएं, यह हमारी मांग है। धन्यवाद।

**SHRI H.K. JAVARE GOWDA:** (Karnataka) Sir, in July we had seen the strike in our country and the entire country was paralysed and the people were put to a great trouble. Now, the Government has come out with a statement that in consideration and in giving weightage to Justice Talwar Committee they have given package benefits to ED workers. I put it this way: their main demand is, 'please recognise us as postal service employees. It means to say, 'recognise me as the wife of the department.' Why are you still

considering it as an extra-marital status? Consider it as a marital status. That has not been considered by the Government. I am not going to say that it is with the present Government. This problem is continuing in this country for the last 30 or 35 years. Even repeated demands by the Department before the successive Governments have not been considered. But after due persuasion and demand, Justice Talwar was appointed to see and look into their demands for their relief. Now the Government has come forward with five clauses and the draft is so carefully drafted that they have stated that Government is fully and carefully considering the recommendations of Justice Talwar Committee.

The Government has fully and carefully considered the recommendations of Justice Talwar Committee for Postal ED Agents and the various demands raised in this regard by Postal Federations and has now decided to extend

Government is not accepting *in-toto* the recommendations of Justice Talwar Committee. They should have given the entire benefit. What is the constraint for the Government? If really the Government is not in a position to give effect to this, then they should have offered the reasons because the postal expenditure is like that. For that reason we are not in a position to give them those benefits. I sincerely appeal to the Government to please give them the status of Government employees. We also find one more strange thing there. They have stated that the ED employees can work up to the age of 65 years. I have drawn an inference that the Supreme Court judges are entitled to work up to the age of 65 years and not others. The ED employees have also been given 65 years. That is why I sincerely appeal to the Minister to please recognise them as postal employees, whether they are eligible or not eligible as being on a par with other employees of the Central Government; it is left to the Government on the basis of departmental criteria.

**डा. (श्रीमती) उर्मिलाबेन पटेल :** सर, मैं सिर्फ थोड़ी जानकारी ही चाहती थी लेकिन उस समय मौका नहीं मिला। मैं क्लेरिफिकेशन भी पूछना चाहती हूँ और एक-दो प्वाइंट भी रखना चाहती हूँ।

सर, जुलाई माह में पोस्टल एजेंट की हड़ताल हुई थी। सर, पर 6 महीने के बाद सुओ-मोटो स्टेटमेंट क्यों आ रहा है, यह मैं जानना चाहती हूँ? क्या इसके पीछे यह कारण है कि 21 या 22 दिसम्बर, को जो स्ट्राइक को एलान किया गया है इसमें सरकार कोई स्टैंड ले सके, ऐसे कोई हेतु-पूर्वक यह लाया गया है या कोई और हेतु है, मंत्री जी यह बताएं तो ठीक रहेगा। दूसरे, यहां जो प्रोविजन दिए गए हैं—लीव एनकैशमेंट का प्रावधान, ग्रेजुएटी का प्रावधान पर्याप्त है या नहीं, यह तो दूसरा सवाल है लेकिन यह सब प्रावधान जो हम दे रहे हैं तो क्या हम उनको परमानेंट एम्प्लोई का स्टेटस दे रहे हैं, गवर्नमेंट एम्प्लोई का स्टेटस दे रहे हैं या नहीं? अगर काम के घंटे कम हों, दो-तीन घंटे का हो तो पार्ट टाइम का दे सकते हैं और तीन घंटे से ज्यादा का हो तो फुल टाइम कर दे सकते हैं। तो क्या हम उनको गवर्नमेंट एम्प्लोई की तरह एक्सेप्ट करते हैं या नहीं करते हैं, यह भी जानना जरूरी है? एक और बात मैं स्पष्ट करना चाहती हूँ कि उनसे जो काम ले रहे हैं, जो 4-5 घंटे तक का काम होता है तो वह दूसरे काम करने के काबिल नहीं रहता, इसके ऊपर हो उनका पूरा टाइम खत्म हो जाता है, वह दूसरा जॉब नहीं कर सकता। अगर यह स्थिति है तो हमें इसके बारे में सोचना चाहिए कि अगर उनको पूरा रिम्यूनरेशन नहीं रहेगा तो वह अपने आपको मेन्टेन कैसे करेंगे और इतना कम देकर हम उनका एक्सप्लायेशन तो नहीं कर रहे हैं? सरकार एक्सप्लायेशन नहीं करेगी इतनी तो सदन अपेक्षा भी रखता है। यह भी बात है कि इक्विवल वर्क के लिए इक्विवल वेजेज देना चाहिए। अन्य कर्मचारियों को इसी काम के लिए जो वेजेज दे रहे हैं और उसी प्रकार का काम आप एजेंट कह कर उनसे ले रहे हैं तो क्या यह एक्सप्लायेशन नहीं है कि इम उनसे काम लें रहे हैं और वेतने कम दे रहे हैं। सर, एक और भी बात है कि यहां जो ग्रेजुएटी बताई गई है कि जिसकी जॉब 20 साल तक कंटीन्यूअस रहेगी तो उसको 20 हजार तक दे दिया जाएगा। 15 से 20 साल वाले को जिसका 20 साल पूरा होता है उसको 30 हजार की ग्रेजुएटी दी जाएगी। तो दिन लोगों ने 65 साल तक काम किया है या करेंगे वह 30-35 साल की जॉब रखेंगे, शायद 40 साल तक काम करेंगे। तो उन लोगों को भी इतनी ही 30 हजार की ग्रेजुएटी मिलेगी। तो उनके बाकी के जो 15-20 साल हैं उनका ग्रेजुएटी में कोई कंसीड्रेशन भी नहीं रहेगा। सर, ऐसे बहुत से सवाल हैं। उनके सर्विस रूल्स या लीव का कोई प्रावधान का भी स्पष्टीकरण इसमें नहीं आता है। मैं तो इतना कहना चाहूंगी कि अगर मैं उसको गवर्नमेंट एम्प्लोई के तौर पर पार्ट टाइम या फुल टाइम जितनी काम की गुंजायश हो इसी तरह से अगर स्वीकार करेंगे तो एजेंट को एम्प्लोई का

गौरव प्रदान करेंगे। हम जिससे काम लेते हैं उनको गौरव की अपेक्षा होती है और यह गौरव अगर हम उनको देंगे तो काम की क्वालिटी में स्टैंडराइजेशन भी होगा और अच्छा काम भी होगा। तो मैं यह कहना चाहती हूँ कि क्या जस्टिस तलवार कमेटी की जो रिपोर्ट है इसके नाम पर यहां सुओ-मोटो स्टेटमेंट आया है? लेकिन क्या उसकी पूरी रिपोर्ट पर हम अमल कर रहे हैं? मैं यह कहना चाहती हूँ कि अगर प्रोस्टल स्ट्राइल जिसका 21 और 22 तारीख को करने का ऐलान किया गया है, उसके लिए हम यह सब लाना चाहते हैं और फिर से वही सिचुएशन सरकार खड़ी करना चाहती है तो अलग बात है लेकिन अगर हम ठीक तरह से इनकी मांगों को पूरा करने के बारे में तय करेंगे तो शायद इस स्ट्राइक को हम अवायड कर पाएंगे। मैं आशा करती हूँ कि मंत्री जी इसके बारे में सोचकर निर्णय करेंगे।

**श्रीमती सरोज दुबे (बिहार) :** उपसभाध्यक्ष महोदय, अतिरिक्त विभागीय डाक एजेंटों के संबंध में संचार मंत्री जी ने जो विवरण सदन में पेश किया है, इसने एक बार फिर से ऐक्स्ट्रा डिपार्टमेंटल कर्मचारियों को निराशा और अपमान के गर्त में डाल दिया है और 21 और 22 दिसम्बर को जो घोषित हड़ताल होने वाली है, उसमें घी डालने का काम किया है क्योंकि एक लम्बे संघर्ष को आज विराम देने का जो असफल प्रयास किया है, यह उन कर्मचारियों को मान्य नहीं होगा जो इसके बारे में बराबर संघर्ष कर रहे हैं। मैं आपके माध्यम से कहना चाहती हूँ कि जिस समय हम अपने प्रियजन के शुभ समाचार या किसी आवश्यक समाचार के इंतजार में अपने कमरे में, अपने बिस्तर पर करवट बदल रहे होते हैं या बेचैनी से टहल रहे होते हैं, उस समय कभी चिलचिलाती धूप में, कभी ठंडी हवाओं के बीच में, कभी मूसलाधार पानी के बीच में यह ऐक्स्ट्रा डिपार्टमेंटल कर्मचारी आपके प्रियजन का शुभ समाचार या कोई भी आवश्यक समाचार के इंतजार में अपने कमरे में, अपने बिस्तर पर करवट बदल रहे होते हैं या बेचैनी से टहल रहे होते हैं, उस समय कभी चिलचिलाती धूप में, कभी ठंडी हवाओं के बीच में, कभी मूसलाधार पानी के बीच में यह ऐक्स्ट्रा डिपार्टमेंट कर्मचारी आपके प्रियजन का शुभ समाचार या कोई भी आवश्यक समाचार आपके बीच में लेकर आता है और एक फरिश्ते की तरह, ऐ देवदूत की तरह आपको मानसिक संतुष्टि देने का समाचार लेकर आता है। ऐसे कर्मचारियों के बारे में सोचने की आपने कभी कोई गलती नहीं की। आज जब हर व्यक्ति परेशान है, महंगाई के कारण परेशान है, तमाम दूसरी समस्याओं के कारण परेशान है, हर लोगों की तनखाहें बढ़ायी जा रही हैं, हर लोगों को भत्ते बढ़ाए जा रहे हैं, हर लोगों की नया स्टेटस दिया जा रहा है, ऐसे समय में जो फरिश्ते की तरह हमारे मन को संतुष्ट करने का समाचार लाते हैं, वह विषम परिस्थितियों में यह काम करते हैं, इस पर कभी गंभीरतापूर्वक नहीं विचार किया गया। इनको कभी साइकिल नहीं मिलती है, कभी आन-जाने का रास्ता ठीक नहीं मिलता है, बीहड़ जंगलों को पार करके ये लोगों का संदेश पहुंचाते हैं। आजादी

के पाचस साल के बाद भी ऐसे संदेशवाहकों की उपेक्षा करके आपने अच्छा नहीं किया है। इसलिए मैं आपके द्वारा दी गई जरा सी सुविधा का विरोध करती हूँ और आपसे अनुरोध करती हूँ कि इन कर्मचारियों को-यह जो ऐक्स्ट्रा डिपार्टमेंटल कर्मचारी हैं, इनका बहुत लम्बा संघर्ष है, उनकी मांगें जायज हैं, इनके ऊपर आप फिर से विचार करने का काम करें ताकि यह लोग भी समाज में सम्मान पा सकें, एक स्टेटस पा सकें। सर, देशभर में 1,27,162 डाकघर हैं, वह इसमें निरन्तर काम कर रहे हैं। आप कहने के लिए कहते हैं कि चार-पांच घंटे के लिए कार्यरत हैं लेकिन छोटी जगहों में इन पर दिन भर बहुत जिम्मेदारी रहती है। जो डाकघर के बगल से निकलता है, वह पूछ लेता है कि हमारा कुछ पत्र या मनीआर्डर तो नहीं है। दिन भर इनको इन्क्वायरी आफिस की तरह से काम करना पड़ता है। यह दस से पांच हैं काम करना पड़ता है। जब कि आपने इनके रख-रखाव के लिए 25 से बढ़ाकर 50 रुपये कर दिये हैं। मेरा कहना है कि बड़ी विषय परिस्थितियों में यह ऐक्स्ट्रा डिपार्टमेंटल कर्मचारी काम करता है। इन्होंने जो संघर्ष किया था, इन्होंने जो लड़ाई की थी, वह इसलिए नहीं की थी कि आप उन्हें कुछ धनराशि देकर इनकी जुबान बंद कर दें। वह अपने स्टेटस के लिए इस लड़ाई को लड़ रहे थे। सरकारी कर्मचारी होने के लिए इस लड़ाई को लड़ रहे थे। जैसा अभी उर्मिला चिमनभाई पटेल जी ने कहा कि एक जैसे काम के लिए, इक्वेल वर्क के लिए इक्वेल तनखाह भी देनी चाहिए। काम वह दिन भर करते हैं और महत्वपूर्ण काम करते हैं। क्योंकि शहरों में जो काम होता है, उसमें सुविधाएं रहती हैं, सड़कें होती हैं, अच्छे साधन होते हैं लेकिन गांव में यह जो ई. डी. कर्मचारी हैं, इन कर्मचारियों को विषम परिस्थितियों में काम करना पड़ता है। इनके पास कोई सुविधा नहीं रहती है। बरसात में भी यह भीगता हुआ चला जाता है, इनको कोई रेनकोट नहीं देता, इनको कोई साइकिल नहीं देता, कोई अच्छा छाता नहीं देता और न ही कोई जाड़ों में पहनने के लिए इनको परिस्थितियों में काम करते हैं और आपने इनके बारे में एक तरफा फैसला कर दिया है। जस्टिस तलवार आयोग की रिपोर्ट है कि इनको स्टेटस दिया जाना चाहिए। उन्होंने सभी 10 मांगों को स्वीकृत किया है। सुप्रीम कोर्ट के भी निर्देश हैं। आप सुप्रीम कोर्ट का निर्देश नहीं मानेंगे, आप जस्टिस तलवार आयोग की सिफारिशों को नहीं मानेंगे। आपने अपनी तरफ से फैसला कर दिया कि हम इनको यह यह दे रहे हैं। एक लॉली पाप जैसी चीज पकड़ा दी। ये

ई0 डी0 कर्मचारी हैं, ये सालो से संघर्ष कर रहे हैं। यह देश आजादी की पचासवीं साल गिरह मना रहा था। ...**(समय की घंटी)**... ऐसे समय में इनको आप स्टेटस अवश्य दे दें। मेरा आपसे अनुरोध है कि इनके काम करने की दशा सुधारने के लिए, इनके रख-रखाव के लिए आपने जो पैसा दिया है उनको चार गुना बढ़ दे। ई. डी. कर्मचारी के रूप में महिलाएं भी काम करती हैं उनको भी आपको एक स्टेटस देना पड़ेगा। ग्रामीण क्षेत्रों में जो लोग काम करते हैं उनको विशेष सुविधाएं देनी चाहिए। आप अगर इस पर फिर से विचार करें और अगर सरकार की कुछ विशेषताएं हैं तो इनकी यूनियन्स हैं उनके साथ बात करें तो एक बीच का रास्ता निकल सकेगा। मैं फिर से बताना चाहती हूं कि आप इनको पैसा और सुविधा देकर के बहलाने की कोशिश न करें। इनको सरकारी कर्मचारी का दर्जा चाहिए, इनको सरकारी सुविधाएं चाहिए, इनको छुट्टियां चाहिए, इनको ग्रेजुटी चाहिए जिससे कि ये भी अपने को सम्मानपूर्वक सरकारी कर्मचारी कह सकें। इसलिए मेरा आपसे यह कहना है कि यह विवरण एकदम बहलाने वाली चीज है और इससे कोई भी कर्मचारी भी बहलाने वाला नहीं है। आप इस पर फिर से विचार करें और इन कर्मचारियों के साथ अन्याय न करें। ये लोग जितनी मेहनत करते हैं उसी हिसाब से इनको पैसा भी मिलना चाहिए। आप इनको सरकारी कर्मचारी का दर्जा दें और सुप्रीम कोर्ट के निर्देश का पालन करें, उन निर्देशों का सम्मान करें। ...**(समय की घंटी)**... उनकी जो 21 दिसम्बर और 22 दिसम्बर को हड़ताल होने वाली है वह नह हो इसके बारे में आप कदम उठाये। धन्यवाद।

SHRI JAGMOHAN: Sir, I am very grateful to the hon. Members who have participated in this debate and have shown interest in this matter which we all see is of a far-reaching importance. I think what we need to point out is that this Government is very sympathetic to all its employees. Kindly see when the Pay Commission was appointed and when its recommendations were made. Kindly see when the Talwar Committee was Constituted and kindly note the date when the decision should have been taken and who they were who constituted the Government at that time. They were the people on the other side who are now asking as to why we did not take a decision at that time. They were postponing it; they were evading the issue. Now at least this Government has shown courage by taking a decision and has shown great magnanimity. In

spite of constraints of resources, this Government has given Rs. 501 crores as annual budget to the Extra-Departmental Agents, whereas previously this amount was Rs.230 crores. We are giving Rs. 301 crores more, which is more than double. Now, the issue is, and this is what we should see, that this Government is very sympathetic and they understand. But, we have to balance the various considerations. Now, I can tell you, Sir, that I have been in office only for the last two days and during these two days I personally went to one or two Offices and Sub-Offices in some of the areas to see on my own on the spot how these Extra-Departmental Agents function. I was told that it is for the first time since 1897 that any senior dignitary much less than the Cabinet Minister had visited ....**(Interruptions)**.... Let me speak. Sir, the other point which has been made is why we do not give Government employee status to them; and this issue is based on the ruling of the Supreme Court which has been cited here. But, this is not correct. The factual position is that Justice Talwar had referred to one of the Supreme Court rulings saying that this system is not such in which the employees should be considered as Government employees. But, the Constitution Bench has clearly overruled it and said, "This two-Judge Bench ignored the previous judgement of the Supreme Court. The correct legal position is, when you say that we should follow the ruling of the Supreme Court, we are following the judgement of the Supreme Court. The third point is as to why we do like this and why we do not give the status of Government employees. This arrangement is made keeping in view the special circumstances under which the villages are located in this country. The remote areas have to be served. The population and the volume of work has to be taken into account. The volume of work they are doing does not justify a regular Government employee. If you want us to give a regular Government employee, there should be a full regular load of work. If you increase the number of employees, the areas to be served by that gentleman would be too much. He will not be able to cope with this. So, the arrangement is flexible. I have seen an office where a gentleman has a sub-post office in his own house. He uses only one room. When we

say we have doubled the maintenance allowance, it is when he is using his own house. He stays in that house. This, in fact, is, one of the conditions of the service. Their duties and responsibilities are entirely different from those duties and responsibilities which a regular Government employee should have. For example, here the retirement age is more. A person can continue up to 65 year of age. They can do any other work which they like. If the volume of work is more, they may work for two-and-a-half hours and if the volume of work is less on a particular day, they will work only for one hour. So the issue is, flexibility. This arrangement has been there for the last 130 years and it has survived and now there are more number of villages.

The fourth point which I would like to clear is, the hon. Members themselves have been saying that we want larger areas to be served. There are a number of villages where there is no sub-post office and they have to be grouped. But, our endeavour is to cover a 3 km. radius. There are hilly areas and far more remote areas. Every sub-post office is virtually getting a subsidy of 66.2 percent from the Government and in hilly areas the subsidy is 85 per cent. Kindly understand the other issues that are involved. We are not lacking in sympathy but the constraint of resources and the implications are also to be looked into. So, all the arrangements which we have made, all the decisions that we have taken, we have taken on the balance of consultation and with great sympathy to the poor and to the striving people. We are all for it and that is why we have taken a decision like that. It is not to waylay the so-called strike notice or anything of that sort. It was, as you said yourself, many hon. Members have said, when the strike took place, the hon. Prime Minister, and the hon. Minister at that time, assured that we will consider all those things. There was no assurance that they will be given the status of a Government employee. The assurance was only, "We will consider their demands sympathetically." In consequence of that assurance, the matter has been examined and this decision has now been taken and I am announcing this decision. There is nothing like doing some diversionary tactics or some other tactics.

SHRI NILOTPAL BASU: It is a unilateral decision, Mr. Minister.

SHRI JAGMOHAN: Therefore, what I am saying is, we have taken this decision in the best interest of the country, in the best interest of labour and in the best interest of the ED employees ....(interruptions)...

SHRI JIBON ROY: There is an agreement between the Union Government and the employees ...(interruptions)...

श्री संघ प्रिय गौतम : आपने क्या इनका ठेका ले रखा है ? ... (व्यवधान)...

THE VICE-CHAIRMAN (SHRI JOHN F. FERNANDES): Mr. Jibon Roy, let the Minister complete his reply ...(interruptions)...

श्री नीलोत्पल बसु : क्यों एग्रिमेंट नहीं हुआ ? ... (व्यवधान)...

THE VICE-CHAIRMAN (SHRI JOHN F. FERNANDES) Mr. Jibon Roy, let the Minister reply first ...(interruptions)... If you have any queries, still we have time for them. But do not disturb him in between ...(interruptions)...

श्री नीलोत्पल बसु : दया दिखाई जा रही है । ... (व्यवधान)... टुकड़ा डाला जा रहा है । ... (व्यवधान)...

SHRI S. VIDUTHALAI VIRUMBI: Sir, most of the points have not been covered. We seek your protection.

THE VICE-CHAIRMAN (SHRI JOHN F. FERNANDES): He is still replying.

SHRI JAGMOHAN: The other point is, we are considering as to how to improve the services and how to extend the services. We are also considering Panchayat Sanchar Seva Scheme. In some areas, it has already been introduced. The basic idea is to serve as many villages as possible, taking into account the conditions of service mere and the way we have to serve. The choice is, whether you restrict the area of you increase the area. Would you not like more areas to be served? Just imagine the most liberal treatment that the Government has given. When Justice Talwar Committee has recommended certain allowances and certain pay scales, we are virtually giving them we are calling it continuity allowance because they are not the Government servants. The continuity allowance is nothing but scales of

pay. Whatever seven scales are there, we have seven corresponding continuity scales there. Instead of pension, we call it severance allowance. So, we have taken a decision, keeping in view the recommendations of the Justice Talwar Committee. Only the technical aspect has to be looked into, the legal aspect has to be looked into. So, I think, these are the broad issues which we have to keep in mind. I do not know if there are some other issues, like uniform and so on. Since, they are aged people, allowances and other things have been given. Therefore, we should, in fact, appreciate that the Government has gone a very long way. In paragraph 9, it was mentioned that since the Government has now extended these benefits, the Government also hopes that our employees would put their best foot forward. That is the way the morale has to be raised. That is the way the efficiency has to be attained. That is the way higher productivity has to be attained. That is a very laudable objective. We are not saying that they are not efficient. We are not saying that they are not dedicated. My point is that the level of efficiency, the level of productivity has to be increased. There is always scope for improvement. So, there is nothing wrong in it. There is no tactic in it. It is too clear, fair and a just statement. Thank you.

THE VICE-CHAIRMAN (SHRI JOHN F. FERNANDES): Do you want to say something?

SHRI E. BALANANDAN: Please try to explain the position which I could understand. You should understand and appreciate our position too. There was an assurance given by the Prime Minister of India that Talwar Committee's report will be implemented. The Government has its own difficulties. But, since you are now the Minister, may I put a question to you? Do these employees, who have been working for 25 to 30 years, not deserve to be the permanent employees of the country? On this question the Supreme Court has also said that it should be a permanent staff. Of course, another constitutional argument can be made by your department. I had asked Sushmaji not to go by their advice, otherwise she will be put into trouble. I also tell you the same. But, the point is whether you would give me an

assurance that the question of permanency will be considered by the Government immediately and something will be done in this regard.

THE VICE-CHAIRMAN (SHRI JOHN F. FERNANDES): Mr. Virumbi, do you still want to say something?

SHRI S. VIDUTHALAI VIRUMBI: Sir, leaving other items, I have two very important issues. First is regarding the departmentalisation of the ED employees, that is, the ED employees should be departmentalised. That is the question which we had raised. The second issue, which I raised during my speech, was, whether this argument has been accepted by the labour union leaders. If that has been accepted, what is the name of that labour union? Then, there are some other small items also, but I do not want to raise them now. I will write a letter to the hon. Minister regarding them.

SHRI NILOTPAL BASU: Sir, I have one small question. *(Interruptions)*

THE VICE-CHAIRMAN (SHRI JOHN F. FERNANDES): No, you have not raised any clarification. Now, do not raise that again because the Minister has replied. *(Interruptions)*

SHRI NILOTPAL BASU: Sir, I sympathise with the Minister because within such a short time he has to face this kind of a situation. Actually, I wanted to give him some information. We have a Contract Labour Act in this country. Rules are very well laid there that if there is a permanent nature of work, the employees should be made permanent. Even in a private organisation also they make them permanent. These are a large number of employees who have been doing a permanent nature of work. You are violating the spirit of an existing law in the country. It will have serious implications in the employment situation, in general. Did your departmental officers raise that?

THE VICE-CHAIRMAN (SHRI JOHN F. FERNANDES): That point has already been raised. Mr. Jibon Roy, do you want to say something? It should not be new point.

SHRI JIBON ROY: No, sir, it is not a new point. Any dispute is processed through



collective bargaining. And as a result of any collective bargaining—may be, zero, may be, hundred—I am not concerned whether it is zero or hundred, I would like to know whether this Statement is the product of any collective bargaining or any agreement between the union and the Government.

THE VICE-CHAIRMAN (SHRI JOHN F. FERNANDES): Mr. Khuntia. (*Interruptions*). Mr. Gautamji, please.

SHRI RAMACHANDRA KHUNTIA: I would like to know from the Minister whether the Government has discussed this matter with the National Federation working in the Communication Department, before giving a Statement here. I would like to know whether the discussion has failed. And if the discussion has failed, then has the Government brought this Statement apprehending a strike? I would like to know from the hon. Minister, through you, whether the Government would like to discuss with all National Federations and come with a Statement before any strike or any problem comes up.

SHRI JAGMOHAN: I have already made it clear the this decision which I have announced today is a consequence of the assurance which the Prime Minister and my predecessor gave in the office that this problem

will be looked into and we will take a decision. I has nothing to do with any negotiation with anyone.

The other point which I have also explained is that this departmentalisation is not possible because of the nature of work and because of the duties and responsibilities involved. This system is there because of the special nature of the problem that we have in serving remote village areas where the volume is of a special nature. The nature of work also varies from time to time. There are conduct rules for this. There is a Conduct Rule which has subsisted and which has stood the test of law or whatever anybody accepts. Whether they are contractual labour, or, whether they are agents, whatever it is, the Supreme Court has given the final constitutional judgement. This is the law of the land. So, we are following the law of the land. This is what the main point is, and I have already cleared this point.

THE VICE-CHAIRMAN (SHRI JOHN F. FERNANDES): I think the hon. Minister has made his point clear. Now, the House stands adjourned till 11 o'clock tomorrow.

The House then adjourned at thirty two minutes past six of the clock till eleven of the clock on Friday, the 18th December, 1998.