

### **Implementation of the award of Industrial Tribunal, Hyderabad**

3957. SHRI E. BALANANDAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that the Andhra Pradesh High Court, while disposing of the Writ Petition No. 2870/75 on the 26th, September, 1977, had ordered that relating to retrenchment of 32 men and women mazdoor employed under the PWI/BZA should be referred as Industrial Dispute and had ordered their reinstatement; whether it is also a fact that Government had referred the said dispute in Industrial Tribunal Hyderabad for payment of back wages;

(c) whether the said Tribunal had award on the 20th November, 1981 for payment of half back wages to these workers;

(d) whether the Railways had gone on appeal against the said Award in the Andhra Pradesh High Court; if so, what was the decision of the Court thereon; and

(e) whether the Court had set aside the appeal of Government; if so, whether the Railways have implemented the Tribunal's Award; if not, what are the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF RAILWAYS (SHRI MADHAVRAO SCINDIA): (a) The Hon'ble High Court of Andhra Pradesh disposed of the petition referred to with the observation to move the issue through the Industrial Tribunal.

(b) The Ministry of Labour had made a reference to the Industrial Tribunal (Central), Hyderabad, to decide whether the workmen concerned were entitled to any wages for the period 10th May, 1975 to 9th August, 1978 and, if so, to what extent.

(c) The Industrial Tribunal (Central) Hyderabad gave its award on 20-11-1981 to the effect that the 24 petitioners were entitled for half back wages for the period of retrenchment.

(d) and (e) The Railway Administration filed a writ petition in the High Court of Andhra Pradesh, challenging the aforesaid award of the Industrial Tribunal (Central), Hyderabad. The petitioners also filed a writ petition disputing the stand of the Railway Administration. The Hon'ble High Court disposed of both the writ petitions, holding that they did not find any illegality in the exercise of discretion by the Industrial Tribunal in awarding the half back wages. Payment of 50 per cent of back wages amounting to approximately Rs. 1.38 lakhs to 24 mazdoor men and women was arranged by the Railway Administration on 1st June, 1998. However, one person has since expired and hence payment in his case could not be made.

### **Demand of All India Seamen's Welfare Association, Kasargod**

3958. SHRI E. BALANANDAN: Will the Minister of SURFACE TRANSPORT be pleased to state:

(a) whether his Ministry has received a copy of the memorandum dated 14th July, 1988, from All India Seamen's Welfare Association, Kasargod, Kerala addressed to the Prime Minister;

(b) if so, what are the demands and grievances of the said Association; and

(c) what is Government's reaction thereto and what steps are proposed to be taken by Government to settle the demands?

THE MINISTER OF STATE OF THE MINISTRY OF SURFACE TRANSPORT (SHRI RAJESH PILOT): (a) Yes, Sir.

(b) The Association has raised certain demands which relate to employment, wages, service conditions, retirement benefits and other benefits such as medical assistance to the family and dependants of the seamen.

(c) There is no proposal to replace the existing system of employment of seamen as it has been accepted by the recognised unions as well as the shipowners.