

On 6-5-1981, the labour situation deteriorated further. The workmen of HAL and Railcoach Division of BEML did not report for duty. The buses which had gone to pick up workmen, returned empty. Some of the buses of HAL and ITI were

[Shri Vijay N. Patil]

taken over by unruly workmen into the city and used for collecting volunteers and stones etc., with the intention of disturbing peace in various parts of the city. Heavy picketing also took place at the factory gates of HAL and BEML. Breach of peace was reported in various parts of the town. It is reported that Shamiana at the function to be presided over by the Chief Minister of Karnataka was burnt down by the agitated workmen. They also burnt down 10 to 12 vehicles belonging to Public Sector Undertakings and the State Government.

The Managements of HAL, BEML, BEL, and ITI, taking into consideration the gross acts of violence, intimidation and other conditions indicated above and apprehending bodily harm and damage to company property decided to lock out their production units w.e.f. the midnight of 6th/7th May, 1981.

SHRI BHUPESH GUPTA : Sir, this issue of the Bangalore based public sector workers and the industrial dispute which has been more or less imposed upon them has been discussed and debated in the House several times. We are here, at the moment, concerned with the latest development and the situation that is developing out of it as a result of the arrogance and callousness of this Government. The latest development is that the hunger strike by the leaders of the joint action front of the Bangalore based public sector workers which was launched on the 29th of last month in New Delhi is in progress now at the Boat Club and also at Hyderabad and in Kerala where they have a unit of this concern, some unit is there in Kamlasheri. These are the places in which the hunger strike is on. The condition of the hunger strikers, three of them at the Boat Club, is deteriorating. One of the hunger-strikers is, of course, well-known.

I need not name all of them. They are well-known here, the leaders of the joint action front.

What is the hunger strike for ? It is not on a charter of demands over which there might or might not be a dispute, or on something which is highly controversial, if that should be controversial at all. Hunger strikers are demanding that in consonance with the assurance given earlier when the strike was withdrawn, the leaders of the Front, this Joint Action Front, should be invited to the negotiating table to start negotiations. They have not attached any other condition as far as this hunger strike is concerned, except a very reasonable request that they be invited to negotiations for settling the dispute.

The background of this request again is quite interesting and enlightening and I would like the House to take note of it, and I would like our friend, Mr. Stephen, not to bring in any vehemence and fierceness in his reply to counter what I am saying. I am in no mood to speak in fierce or vehement language.

Sir, the strike was withdrawn on March 12 after 77 days as has been pointed out, and 125 thousand workers were on strike and if you take all the workers involved, it would be more. Sir, on March 9, there was a meeting in Bangalore called by the Chief Minister of Karnataka State, Mr. Gundu Rao, and Mr. Gundu Rao invited to this meeting leaders of all the political parties, including the Congress-I to which Mr. Gundu Rao belongs and Mr. Stephen belongs, plus the MLAs and the MLCs from Bangalore, and he assured them at that meeting—I have verified it this morning again in view of my speech that I am making—that negotiations would take place with the workers and he asked those present in the meeting—all the

Opposition leaders were present; Congress I leaders were present also—to persuade the workers to withdraw the strike. Sir, those who attended that meeting, were not satisfied. Then he called a meeting the next day, that is, on the 10th of March and at that meeting, all those who had attended the meeting on the 9th were present, that is to say, leaders of all the political parties represented in the Karnataka State Assembly, including the ruling party, plus the trade union leaders, leaders of the Joint Action Front. And at that meeting, the Joint Action Front people pointed out that they were not satisfied with what was said the day before and that the assurance should be categorical. Mr. Gundu Rao gave the categorical assurance at that meeting that there will be negotiations for a settlement of the dispute. That is what he said. These are the facts and they cannot be denied because I have verified it from the latest statement of Mr. Gundu Rao. This is what he did. Now, in response to that, of course, the strike was withdrawn. Now, what happened after that? For two months—the strike was withdrawn on the 12th March and till 28th April—the workers and leaders were waiting to be invited for starting the negotiations. Nothing was done.

Meanwhile, they were subjected to harassment and so on and all other kinds of treatment. As a result of that, in order not to disturb the peaceful atmosphere which is required for talks to be resumed, the workers decided to ask some of their leaders to go on hunger strike and they are on hunger strike now. Even then, even when we, Members from the Opposition, not just one party, when all of us together have requested the Government that the leaders of the workers should be called for talks, with contempt, our request has been rejected. In the other House, the

the same thing has been done. The Central trade unions, the AITUC, CITU, INTUC and HNSM, all of them have demanded, but this has been rejected. Sir, you have seen. We have been pleading it, all of us. If only for the sake of elementary courtesy and respect for an institution called Parliament, Government should have invited, but this was not done. What happened?

In the early hours of 6th, workers in Bangalore were arrested and they were whisked away to hospital, whisked away to prison. Naturally, this angered the workers. Who would not be angry ? We also felt angry. We walked out of the House, Demonstrations took place. Provocation was there by the Government. Then, some incidents took place. Now these incidents are sought to be used as an alibi for justifying the callousness, the criminal negligence and the contempt and disdain for Parliament. Sir, what has Mr. Gundu Rao said ? I have here with me a cutting from 'The Hindu' which carries the news from Bangalore, datelined May 6th and this is what has been stated here :

“Mr. Rao said he had taken every step to impress upon the Government of India the urgency of the matter and he was also looking forward to a sympathetic response from it. He would leave no stone unturned in that direction.”

Now Sir, this is the language of the Chief Minister of Karnataka, not of Mr. P. Ramamurti, nor of Mr. Dhabe certainly not of Bhupesh Gupta or anybody else from this side of the House. Sir, it has been stated further :

“The Chief Minister in this reply to the letter written by the Congress (U) President, Mr. Devraj Urs...

Mr. Urs is a Member of the State Assembly. . . .

[Shri Bhupesh Gupta]

... Mr. S.R. Bommai (Janata) Mr. A.K. Subbiah (BJP) and Mr. B.V. Kakkilaya (CPI) MLAs, said your impression that, have come in the way of settling the demands is absolutely unfounded and uncharitable."

He went on to say :

"Mr. Gundu Rao said no doubt two months had elapsed since the understanding was reached that the strike should be called off. But then it was for the Government of India to consider...

Note the words 'Government of India':—

...the matter and the State Government had absolutely no control over it excepting to urge that the matter be attended to expeditiously. Parliament was in Session and the Central Ministers were busy. Having in view the situation he personally felt that that the JAF leaders need not have gone on fast."

This is what Mr. Gundu Rao has said. (Time-bell) Sir, Mr. Fernandes was given one hour there.

MR. DEPUTY CHAIRMAN : You have said more than what he has said in one hour.

SHRI BHUPESH GUPTA : Sir, you are always nice to me.

MR. DEPUTY CHAIRMAN : Please co-operate.

SHRI P. RAMAMURTI : There is no other Business today.

SHRI BHUPESH GUPTA : Now Sir, I mention what Mr. Gundu Rao has said, because, Mr. Gundu Rao shares the views which I am expressing here. I am a critic of Mr. Gundu Rao. Everybody knows it. But when he says

these things, I take him at this word and it is clear.

I do not know why Mr. Stephen has taken such stiff attitude I cannot understand that I have talked to Mr. Stephen time and again in my own humble way. But we are small people. Mr. Stephen when he was in the Opposition understood me better; I also understood him better. But the moment he has been translated to the Treasury Benches a metamorphosis has come in him; we have become incomprehensible to each other.

SHRI P. RAMAMURTI (Tamil Nndu): You understood him wrongly then also.

THE MINISTER OF COMMUNICATIONS (SHRI C. M. STEPHEN) : Mr. Ramamurti knows me better.

SHRI BHUPESH GUPTA : I am a simple man, though I am not quite a simpleton. Here the hon. Minister is saying, he has strutted out the fact that production was not there while all the trouble was there. We have found out that compared to the production in April last year the production now—In April this year—is higher in the ITI unit which is under him. It is not as if the production has gone down. In fact I have it from the workers leaders that after the strike was withdrawn the leaders and the unions issued hand-bills calling upon the workers to bring the production back to the normal level. The trade union leaders went back to the factories held propaganda meetings appealing to the workers to keep the production going and bring it back to normalcy. Many other steps were taken. It is most uncharitable, it is almost a adding insult to injury when it is sought to be made out in order to justify the indefensible case of the Government that the production has

suffered. I will not say very much on it; this is not true.

Incidents have taken place. Who is responsible for the violent turn which the situation has taken in the city? Find out whoever is responsible otherwise. I am not going to say who set fire to the buses. I do not know; I am not in a position to say. But the responsibility for what has happened in Bangalore and the incidents that have taken place lies with the Government an authority for prolonging this agony in this manner when the issue is simple: of honouring their pledge and resuming the negotiations. Sir, why should it not be done? Here I will just say that Birlas' *Hindustan Times* is not a paper very favourably disposed to the workers. But Birlas' *Hindustan Times* writes in its editorial today:

"By arresting the leaders of the joint action front (JAF) of the unions the State Government unnecessarily provoked the workers."

This is what this paper writes. The patriot has written; other papers have commented; in fact most of the papers have adversely commented against the Government.

Sir, before I sit down I would again appeal to the Government I am told a delegation of the central trade unions—AITUC, CITU, HMS INTUC (Dara Group)—met the Labour Minister Mr. Tiwari at Shram Shakti Bhavan on May 6th requesting him to bring this issue to the negotiating table. Where has the Lady Minister gone?

SHRI C.M. STEPHEN : She is sitting there listening to you.

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR (SHRIMATI RAM DULARI SINHA) : I am here.

SHRI BHUPESH GUPTA : I am very sorry. Generally I do not lose sight of the ladies.

Mr. Tiwari said the appropriate Government is the State Government. Mr. Gundu Rao points out the appropriate Government is the Central Government. This hide-and-seek game this Jekyll-and-Hyde game has started. It is the Central Government which is responsible because all the units of the public sector belonging to the Central Government, one directly under stephen i.e. ITI.

Therefore, Sir, I suggest before I end, first of all, honour your pledge. Invite them. Listen to us all the time you say the Opposition is non-cooperative and Opposition is not helpful. Here the Opposition makes a request. If you contemptuously reject this request, it is morally repugnant, it is something that contradicts democratic standards. It not only shows the mentality against the working class. It shows the mentality against the ways of democracy which we should follow and preserve. It is an undermining of the credibility of parliamentary institutions. If we be unfair to the extent you be unfair from the Government side to the Opposition in this manner, between us, then we shall be demaging the institution and plumping for the destruction of the institutions. In this case we stand fully justified on moral grounds, on political grounds—as we are dealing with it here—and on the ground of normal trade union relations. Sir, normal trade union relations cannot be observed and maintained in this manner and industrial peace cannot be maintained and the public sector cannot be advanced—which we want to prosper—if you act in the manner in which you are acting today.

MR. DEPUTY CHAIRMAN : Please conclude.

SHRI BHUPESH GUPTA :
 I demand therefore in the name of all of us and the working people of this country not only of the Bangalore-based workers—that the request of the hunger-striking leaders be complied with and acceded to and they be invited by the Government—the concerned authorities—to the negotiating table. Their request—fair and reasonable and *bona fide*—that negotiations should be resumed should be conceded.

MR. DEPUTY CHAIRMAN :
 Please conclude.

SHRI BHUPESH GUPTA :
 Once that is done the situation will begin to improve. I have no doubt about it. I hope the spirit in which I have spoken and made the appeal to the Government and the concerned authorities will be appreciated. Of course, I made sharp criticism. They are attacking the workers. Certainly life is harsh outside. I hope they will be invited for talks and negotiations will be resumed and the lock-out lifted. They locked out the workers, and this is how they create crises in industry. They arrested workers, locked out the workers and I have just pointed out to you that the army has been called. Shame ! The army has been called. Our army is being sought to be involved in it. Shoot-at-sight order has been given. If industrial relations are to be maintained in the country by ordering shoot at sight, then this is the style of the Fascists, not of a democracy. Shoot at sight orders

were being given in Germany in the days of Hitler, and also by Mussolini and others when industrial disputes came. Here we see that in Bangalore the Government has ordered shoot at sight. The blood of workers will not drown their cause. You may have gunpowder enough in your arsenal, shoot the workers right and left, arrest them and put them in prison, but their just demands, their just cause cannot be suppressed or silenced so long as manhood of this country is alive and active.

Sir, with these words I again urge upon you and through you, the Government, that instead of trying to indulge in petti foggery, maligning and attacks on the workers and fresh provocation in any other form, as honourable men the Government should invite them here and now let them declare it—to the negotiating table to start the negotiations. The lock-out should undoubtedly be ended, those arrested released and repression and repressive measures and vendetta should be revoked. This is all that I say.

3 p.m.

SHRI C.M. STEPHEN : Mr. Deputy Chairman, Sir, my respected friend Mr. Bhupesh Gupta pleaded that I should be rather modest and not fierce in my reply. I think I am a mellowed person now compared to what I was and generally....

SHRI P. RAMAMURTI : I think you are the same person.

SHRI C. M. STEPHEN : Yes, I am the same person.

SHRI P. RAMAMURTI : You agree with me.

SHRI C. M. STEPHEN : A very impassioned plea has been made by him. I must assure him that his plea was very moving ; the manner in

which he had put it, the phrases he used and the voice with which it came out, it was a moving plea. But the facts of the case have to be spelt out, which on one occasion was done earlier. On the 26th of December, long back, the strike started. A very fundamental question is involved in this, on which no compromise is possible. Industrial structure is built up in our country on the basis of negotiations, tripartite agreements, conciliation agreements. And if industrialisation has got to continue on an even keel, the agreements signed, particularly the conciliation agreements, have to be respected. An agreement was signed with these units and the period of the agreement was to end in June, 1981. After that agreement was signed, it so happened that in January, 1980 another agreement was signed with BHEL which gave them some higher basic wage, or minimum wage, as I should call it. It should be clear to anybody that the minimum wage in 1977 or 1978 will not be the same as the minimum wage in 1980. The minimum wage in 1980, depending upon the cost of living, will naturally be higher than the minimum wage of the previous years. Now the moment the BHEL agreement was signed, the demand was that the minimum wage agreed to under the BHEL agreement must be grafted into the existing agreement and the terms and conditions of the agreement with respect to DA and the wages must be changed. So the fundamental question here is, merely because some other agreement is signed somewhere else whether the existing agreement can be altered and whether the workers have got the right to demand that this must be done. If this happens, there are two consequences. One is that there is no stability with regard to the agreement which is signed. If the second consequence of signing an agreement agreeing upon a higher wage is that immediately by chain reaction that must be given to other units, the intention of the managers will be to keep down the wages in

the other units; even in the units which are performing well, enhancement cannot be given for the simple reason that a corollary demand will come up and all the existing agreements may be upset and the wages may be pulled down. This is a very fundamental question. Do not treat this matter lightly. It will have very serious repercussions. So we made it clear that it is absolutely not possible. It was for the purpose of maintaining industrial peace and industrial relations, for safeguarding the rights of the workers and the trade unions that the Government took this stand.

Now we are dealing with the public sector. After all, it does not belong to me, it does not belong to Mr. Bhupesh Gupta, it does not belong to anybody else, it belongs to the whole country. The Government is holding the public sector in the position of a trust. It is not for us either under political pressure or under any circumstances, either for political advantage or for fear of political disadvantage, to scramble away the assets or to deal with the assets of the public sector. It has to be kept as a sacred trust. That should be the attitude.

SHRI KALYAN ROY (West Bengal) : And that is what you are doing in the Coal India.

MR. DEPUTY CHAIRMAN : Don't bring in the Coal India.

SHRI C. M. STEPHEN : And the consequences we are facing. Therefore, immediately before the 26th when the strike was to begin, on the 25th, the management called the working class leader and told them: Although this is our position, if some other formula is possible, we are available for negotiations. Please do not declare the strike. Given 15 days, time. Let us have negotiations. Let us see whether there is a way out.

But they did not listen. On the 26th they declared strike calling out and one a quarter lakhs of workers in crucial public sector industries throughout the country, defence, communications, electronics and so many others, when the management told, that they were available for talk when the Labour Minister of Karnataka told them that the Government had informed them that negotiations were possible. They were asked to hold it back for 15 days and then alone to go on strike. They did not listen to call off the strike, and *fail accompli* was there. Immediately after that I wanted to tell the workers what the position was. Therefore, I went to Bangalore. I called a Press conference. I said, "I am not speaking as the Communications Minister. I am speaking on behalf of the Government of India. I want to make absolutely clear that there are certain possibilities". I said, "Nothing will be done which will alter the agreement which is now existing. But the present agreement can be extended by one-and-a-half years years upto 1982 December. We will extend that agreement up to that date. If we extend that agreement, then, we will in *quid pro quo* for that give a solid amount, and we will give rise in the wages, that has been offered." I told that the wages indicated to you will move up marginally, the total sum that has been deferred will move up substantially if that is extended to that period." The Labour Minister offered to them Rs. 600 additional amount, and Rs. 25 per month increase in consideration for the extension of the agreement up to December 31, 1982. Subsequently this amount was again raised to Rs. 700 limit, and Rs. 25 per month. You can calculate. It brings them from January 1981 up to December 1982, for the two-year period, Rs. 1300 for every worker, beginning from the Sweeper to the highest man. The highest man does not get anything more. But even the Sweeper gets Rs. 1,300. If you divide it by 18 months, you will find on

increase of Rs. 72 per month. That was offered to them, and an appeal was made that the strike may be called off and that they may come back to work. Negotiations took place. It is not as if you do not know the mind of the parties. The negotiations took place. I was asked that the negotiations should take place here. I was away in the north-eastern area, Shillong or so. The Labour Minister put a call and asked me to come. I came. I was brought. We held the conference, not of JF but of all the representative units involved in this. A large number of trade union representatives came. There the position was spelt out. They said "We are asking for increase on the basis of a clause in the agreement that we have signed." I said, "We are different in interpretation. It is a question of interpretation."

SHRI KALYAN ROY: What are the clauses?

SHRI C. M. STEPHEN: There are different clauses in different agreement.

SHRI KALYAN ROY: What is this clause?

SHRI C. M. STEPHEN: If in any public sector the wages are increased, then, the wages with respect to them will be reconsidered, something like that.

The Appellate Tribunal is there. I am just putting the case. We have got our own view about the interpretation of that. The *bona fide* of the interpretation can be proved by the position we took. We said, "This is our position". They said, "This is our position. "All right There is no meeting point. Let a third party decide. We shall send it for adjudication," we said. They said no. We said "We will send it to an arbitrator." They said no. We said, "We will send it to a board of arbitration. Never has a Government ever agreed, never has a management ever agreed, to this, a board of arbitration where you can send your representa-

tives and we will send our representatives and a High Court Judge will preside over that board of arbitration. They will interpret this clause, and if they say that your interpretation is correct, I do not want a single naya paisa concession, and the total amount will be paid. If they say that the interpretation is not borne out, not a single naya paisa will be paid. Let us send it to a board of arbitration. You can come back to work, and when you come to work we will pay Rs. 700 recoverable advances so that the agony that was suffered during the strike period could be taken care of. We said, let a board of arbitration decide. Could there be a better proof of the bonafides of the Government than offering the question of interpretation of a clause to a board of arbitration consisting of the representatives of the trade unions themselves and the representatives of the management and presided over by a High Court Judge. They said, "No." Therefore, we were absolutely convinced that our interpretation was correct. Otherwise they would have jumped at it. Everything else was done. They did not want to go to a third party for interpretation. They said, "This is our view. You implement that." It is not possible to handle that sort of a thing. Repression was mentioned. What was our conduct? On the 26th December, they started the strike. On January 6th or 7th wages had to be paid. They were on strike. We could have said, "They are on strike. We cannot pay wages." We said, "No. You have worked for it. You are entitled to the wages." We asked for police help to make arrangements. We disbursed the wages when the workers were on strike. Then again it went on. We did not declare a lock-out. We did not arrest anybody. We did not declare the strike illegal. We did not suspend anybody. We took no action against anybody. Every convenience was given. And that went on. And then finally they wanted an appeal from here. I know that an appeal would be interpreted in the way Mr. Gundu Rao's appeal is now being interpreted.

We said, nothing doing. We did not believe in fish-market bargaining. We told them, "This is the maximum we can go to." And the limit is not a small limit, as you understand, Sir. Seventy-two rupees per month for that period is not a small offer. It is that offer that we made. But we said that it must be understood as to what we were meaning. Then the strike was carried on. Finally they withdrew the strike. There is no question of a feeling of triumph on our part. There is no question of repression of anybody on our part. During that period, quite a number of casual workers, temporary workers, who did not turn up for work, were discharged. The moment they came back to work, everything was removed. All workers were taken back, even temporary workers, casual workers, whoever they were, whom naturally we could have avoided taking back. The whole lot of them were taken back, and work was allowed to be started. We offered Rs. 600 to everyone of them. In some units they collected Rs. 550 and in some other units, they collected Rs. 600. Now, Mr. Gundu Rao came here. The Prime Minister was in Bangalore when the memorandum was given. I was also there. They said, we have been given Rs. 660. We want something more. We want Rs. 1,000." Finally Mr. Gundu Rao came here. He had a talk and the announced another Rs. 200 of recoverable advance. After they came back, we gave Rs. 800 in some units, and in some units Rs. 750 was offered, and they collected this amount. But what was our experience in this period? The Production figures are before me. I am extremely sorry to say Mr. Bhupesh Gupta said about the figures, that is his information that the monthly average of production in ITI in 1978-79 was Rs. 583 lakhs. in 1979-80 it was Rs. 608 lakhs but in April this year, it was Rs. 228 lakhs. I can spell out the figures in every one of them. In HAL, the target fixed was Rs. 470 lakhs. We got only Rs. 140 lakhs. In BEML, the target was Rs. 380 lakhs. We got only

Rs. 175 lakhs. Thirty per cent is the production that we are getting. There was a strike without the liability for us to pay wages. The strike was withdrawn. But in fact the strike was taken into the factory with the liability for us to pay wages for that period. It was not a case of the strike ending. It was a case of the strike being transported into the factory and production being scuttled. This is the situation that we were facing. Nevertheless, we did not take any action at all. But the situation was mounting up. The public sector is run not merely for profit. That is the least purpose. The public sector is run for getting products for the crucial areas of our national life. I have lost five months, production for no fault of mine, for no reason of mine. All I said, was, up to December 31 there is an agreement ; let us stand by that agreement. And after that we wanted to negotiate, otherwise, take this money. I did not cause any provocation. The management did not cause any provocation. They asked that that agreement be amended and a new amount may be given under the agreement during that period. If I do that, I will be doing disservice to the working people and to the industrial relations machinery of this country. Now, finally what happened ? They went on a hunger strike. Mr. Gundu Rao's name was mentioned. I do not want to go into the details. I saw that that appeal was issued. The appeal was to withdraw the strike, restoration of normalcy, and they will try for negotiations, and all that. But I am not coming to the second part of it. Has normalcy been restored ? Is 30 per cent production normalcy ? Deliberately production was cut down. It is true that the trade union leaders assured me that they sent out hand bills. And if it does not click, what does it mean. ?.....

SHRI BHUPESH GUPTA :
 I may tell you Mr. M. S. Krishnan and others met you two weeks ago

in your residence and they told you that they would do everything possible to bring the production to the normal level and raise the production, and even that issue could be discussed at the negotiations.

SHRI C. M. STEPHEN : It is the case in trade union field. Trade union leaders will be required by the workers if it is for bargaining. If it is for enforcement of discipline and for bringing up the production, trade union leaders do not come into the picture. I believed when Mr. M.S. Krishnan and others told me that they have sent out hand bills, that they are appealing to the workers ; an all that. Of course, I am not concerned with what the trade union leaders are doing. I am concerned with what is happening in the factory. In the factory production is not forthcoming. We have got our telecommunication system functioning in different areas... (*interruptions*). That telecommunication system in different areas will have to function. Earlier production was forthcoming, now new production is not forthcoming. Now production was cut down to one-third. Under what provocation ? I gave Rs. 700, Rs. 800 ; and yet, production was cut down. What was the provocation ? No man was suspended. No maltreatment was given to anybody. They came back to work. They would punch the card, sit down or go slow and cut down the production. This is the situation. (*interruption*). Let me complete ; I did not interrupt anybody. When the is going on, the hunger strike was declared. The hunger strike continued. Of course, the workers can be agitated about it. But what are they doing ? Every morning they come, punch

the card, and the whole lot of them walk out of the factory. Next day again they come, punch and walk out. Everyday they come and punch, they put the attendance and then the whole lot of them walk out and they don't come back till the next day. On the Sixth we sent our factory buses. HAL has got 114 buses, ITI 81 buses, BEL 81 buses. A whole fleet of buses were sent out to fetch the workers. What happened? The buses were hijacked. The buses were taken control of. The buses were taken round to take in anti-social elements through-out. Stones were collected... (*interruption*). And with that vandalism was started. A large number of buses were burnt. Vehicles were burnt. Violence was let loose. Wherefrom? From the company buses. Company buses were hijacked and made use of. Well, it is for you, it is for the House, to consider whether under a situation like this, when there is go-slow, deliberate cutting down of production, with demonstrations taking place, buses being hijacked, violence being let loose, any management can with a sense of security, run those units and carry on production. Out of fear for their life, out of anxiety to protect the property, the managements in the area decided to declare a lockout. Look at the whole picture. I will leave it to the House to consider whether the decision of the managements was right or was not right. Whether it was not inescapable is a question I am putting across to the House to consider.

Regarding dialogue, whoever said about dialogue, that we will not meet? If they are recognised trade unions they can meet. Have we ever said, we will not meet? This is a new talk with them. No body said we will not meet. But if tomorrow the JAF says it will come, I must say a definite, emphatic, 'no', because JAF is not a concept under the Industrial Disputes Act. . . .

AN HON. MEMBER : What is JAF ?

SHRI C. M. STEPHEN : Joint Action Front. Each company has got its own recognised union.

The management of the company will be prepared to meet its Union. I do not want the management of one company to meet the President of the Union of another company. The HMT units are working in full swing. They are giving more than the normal production. Even the Kalamas-seri unit is working very well. The watch factory is working. I am getting excellent production from the HMT units. And for this production they will get an agreement appropriate to the contribution they are making. There is no doubt about it. The HMT Union leader is on the JAF. We will meet the recognised Unions. The ITI management will talk to their recognised Union. The doors for talks are open. Nobody has closed the doors for negotiation. On the floor of this sacred House I say that negotiations can be had. But I must give a warning that this offer for negotiation should not be taken—as Mr. Gundu Rao has said—as an implication of a resolution to resolve the complication through negotiations for additional pay. This sort of thing need not be injected into this offer for negotiation. We are prepared to meet the recognised Unions. The terms are there. The question involved is fundamental. There cannot be an addition of even a single naya paise for the period ending 30th June, 1981. It is a sacred and accepted agreement. It will be treated as a sacred agreement. It will not be tempered with. If it is taken forward to 1982, we have made the offer for whatever it is worth. This is the maximum. We have lost production for five months—our intention to negotiate must not be taken as an invitation of advance over what has already been offered. It should not be taken that way. Negotiations are only to resolve

[Shri C. M. Stephen]
the lock-out and how negotiations can be had. The management will certainly be happy to meet the concerned Unions....

SHRI BHUPESH GUPTA: I was not going into all those. I only request you to start talks. I did not say of this term or that term. That can be discussed.

SHRI C. M. STEPHEN: Out of extreme deference to my very valued and senior colleague I do accept the suggestion. And I do hereby make an announcement that each management of each unit will invite the respective trade Union leaders as to how to resolve this dispute. At the same time I wish to make it clear, in my anxiety not to be called a cheat, one thing. Otherwise they may say that they have called off the strike on the condition of negotiations but I have cheated them. That argument should not be advanced against me. Therefore, I want to make it clear that our decision to invite them does not mean any better offer, even by implication, on the table for them to consider. We will direct the management to invite the recognised Union for talks on the above terms.

MR. DEPUTY CHAIRMAN:
Mrs. Alva.

SHRI BHUPESH GUPTA: only one point....

MR. DEPUTY CHAIRMAN:
Leave something for her.

SHRI BHUPESH GUPTA: That it is a coordinated body of the Union.

MR. DEPUTY CHAIRMAN :
The point is quite clear. Mrs. Alva.

SHRIMATI MARGARET ALVA
(Karnataka): Coming as I do from Bangalore.....

MR. DEPUTY CHAIRMAN:
Please do not repeat what has already been said.

SHRIMATI MARGARET ALVA: The problem is the same and I cannot find a new problem to talk about.

SHRI C. M. STEPHEN: Do not create new problems.

MR. DEPUTY CHAIRMAN:
Do not raise points to which he has already replied.

SHRIMATI MARGARET ALVA:
I am not going to take so much time. I will come to the point straight away.

Mr. Deputy Chairman, Mr. Stephen's reply is like his reply to the telephone complaint, namely: Take it or leave it. It does not work, give it back to us. Similarly, here, if the workers go on hunger strike and die, he is not bothered. This really is not the answer to the present problem.

I am not going into the history. You know it much better than I do. The point is that this assurance was given jointly to the leaders of the opposition by Mr. Gundu Rao. I have got his letter of the 6th May where he has admitted to the leaders of opposition that he was a party to the appeal which was issued. I will just quote one line from his letter dated 6th May where he has agreed that 'I was a party to the agreement'.

Now, after this is done, to day, Mr. Guundu Rao says, "Well, it is not in my hands. It is in the hands of the Central Government." Sir, when we talked about it here, Mr. Tiwari told us the other day : "What can I do ? The problem is essentially local and it must be negotiated at the local level." Now, where do these people go? Some of them are on hunger-strike in Bangalore and some of them are in Delhi so that they will attract the attention of both Delhi and Bangalore. And, Sir, in Bangalore during the last few days, we have seen that the striking leaders have been arrested and they have been shifted out and

Women have also joined the hunger-strike in Bangalore in large numbers. They have come out for the first time. Now, my question is this: It is not a question of prestige. It is a question of finding a solution to the problem and the fact the Mr. Stephen has been given the responsibility in this regard means that it was expected that he would find an answer to the problem having been a well-known trade union leader. Now, you say that they are not to get anything but let them just call off the strike, join the work and increase production. It is not really an answer to what they say. Today, they are not asking you for any particular terms. Today, the appeal is there and they have agreed to come to the table.

MR. DEPUTY CHAIRMAN:
He has already invited them and this has been done.

SHRIMATI MARGARET ALVA:
I know that. But he has also made it very clear that he would deal with the situation. The idea is to divide them.

MR. DEPUTY CHAIRMAN:
No, no.

SHRI SHRIDHAR WASUDEO
DHABE (Maharashtra): Yes, Sir.
What she says is correct.

SHRIMATI MARGARET ALVA:
I am now putting a specific question and let him answer. You have said that you have come to terms with the HMT because they have produced more. O. K. You have said, you will not talk to some body else, but would talk only to the union leaders. But here is the united front of all the public sector undertakings' Unions and these union leaders have come together. They have worked together and they have carried of the movement together. Today, you say, "You divide yourself and come to us for talks and we will talk to you according to how it suits us." What else is it but an attempt to break up the unity of the

working class people which has been built up with a great deal of effort. The moment you divide them, there will be trade union rivalries and this union will say something and that union will say something else and they will start quarrelling with each other and that is the whole idea behind this move. I, therefore, ask the Minister one thing: Sir, the other day I recall, a question was tabled here, on the 5th May 1981, by Mr. Dinesh Goswami and Mr. Dhabe which was a specific question and the question was whether it is a fact that the strike was withdrawn in response to an appeal made by the Chief Minister of Karnataka with all the leaders and the answer in writing is that the Government is not aware of any specific appeal that has been made by the Chief Minister of Karnataka and other leaders to the striking workers of the Bangalore-based industries.

SHRI KALYAN ROY: Who replied to it?

SHRIMATI MARGARET ALVA:
In Parliament.

SHRI KALYAN ROY : That is right. Who gave that reply?

SHRIMATI MARGARET ALVA:
The Minister of Finance.

MR. DEPUTY CHAIRMAN
I think, the Minister of Finance

SHRIMATI MARGARET ALVA:
But I have got a letter from Bangalore. Mr. Deputy Chairman, Sir, a letter from our Chief Minister, wherein he has admitted on the 6th May that he did make a joint appeal with the leaders. (*Interruptions*).

MR. DEPUTY CHAIRMAN: All these things are matters of the past. (*Interruptions*). You should put specific questions. You should not waste the time of the House. It is just wasting the time of the House;

SHRI SADASHIV BAGAITKAR (Maharashtra): No, Sir. This is not wasting the time of the House. *(Interruptions)*

SHRIMATI MARGARET ALVA: I am not wasting the time of the House. I am trying to put specific questions. *(Interruptions)*

MR. DEPUTY CHAIRMAN: You are wasting the time of the House.

SHRI SHRIDHAR WASUDEO DHABE: No, Sir. This is a very important question. She is only trying to raise an important point. *(Interruptions)*

MR. DEPUTY CHAIRMAN: It is only wasting the time of the House.

SHRIMATI MARGARET ALVA: No, Sir. I am putting my question. Kindly allow me to put my question. *(Interruptions)*.

SHRI K. K. MADHAVAN (Kerala): Sir, it is a very important matter. *(Interruptions)*

SHRI NARASIMHA PRASAD NANDA (Orissa): Sir, this is a very important matter and she should be allowed to ask her questions. *(Interruptions)*

MR. DEPUTY CHAIRMAN: I do not know how this is going to help. This is only wasting the time of the House. The Minister has come forward with a new proposal. You react to that proposal instead of telling what happened in the past. *(Interruptions)*

SHRI KALYAN ROY: Are you convinced so much that the Minister's statement is sincere? I think you have been taken in by the statement of the Minister. Are you so much convinced about it? You hear her also. *(Interruptions)*

MR. DEPUTY CHAIRMAN: It is not going to help us. We are only going to waste the time of the House.

SHRIMATI MARGARET ALVA: If you say that the statement of the Minister is there and there is nothing else to be said, then I need not have been given this opportunity and there is no point in my speaking on this. *(Interruptions)*

MR. DEPUTY CHAIRMAN: What is the point in mentioning things which are not relevant now?

SHRIMATI MARGARET ALVA: Do you think that the moment the Minister lays a statement, the debate is closed? *(Interruptions)*

MR. DEPUTY CHAIRMAN: You restrict yourself only to the relevant issue. *(Interruptions)*

SHRIMATI MARGARET ALVA: He has referred to the appeal in the statement and I have to say something on that. *(Interruptions)*

SHRI BHUPESH GUPTA: Sir, let her speak. *(Interruptions)*

MR. DEPUTY CHAIRMAN: Let the Minister reply now.

SHRI KALYAN ROY: Sir, why don't you find a solution? We are prepared to accept whatever solution you offer.

MR. DEPUTY CHAIRMAN: You are not interested in any solution. I know it very well. You are not interested. *(Interruptions)*

SHRIMATI MARGARET ALVA: You kindly allow me to make my point.

MR. DEPUTY CHAIRMAN: This is only wasting the time of the House. I am not ready for that.

SHRI KALYAN ROY: You find a solution.

MR. DEPUTY CHAIRMAN :
You are not interested in any solution.
This is only wasting the time of the House.

SHRIMATI MARGARET ALVA:
I am only putting one specific question
and I want the Minister to reply to that.

MR. DEPUTY CHAIRMAN :
You are raising only irrelevant points.
You raise only the relevant points.

SHRI BHUPESH GUPTA : Sir,
she wants to make the position clear
by mentioning certain facts. I have
not got that letter in my possession
which she has. But I have got the
facts. So, let her say what she wants
to say.

MR. DEPUTY CHAIRMAN :
No, no. The Minister has made the
statement and there is no point in
repeating the old things.

SHRI BIPINPAL DAS (Assam) :
On a point of order, Sir. This kind
of dialogue does not help. I would
request you to allow the lady Member
to finish.

MR. DEPUTY CHAIRMAN :
My request to the hon. Member is not
to go into all this past history.

SHRI BHUPESH GUPTA : I am
on a point of order. It would be
unfair to the debate. A question of
fact has been raised as to what was
the letter or the interpretation of it.
An hon. Member of the House has
in her possession the letter which is
very relevant to the dispute. You
should allow her to read it.

MR. DEPUTY CHAIRMAN :
She can read the whole letter. You
are not interested in a solution.

SHRIMATI MARGARET ALVA:
This is not an old letter. This letter
of Mr. Gundu Rao is of 6th May.
This is about the present problem in
which he has addressed the leaders of
the opposition for cooperation. He
says very clearly that "the decision to
appeal to the JAF to call off the strike
so as to create a favourable atmosphere

was taken collectively by the opposi-
tion leaders and myself." Now he is
your man. Therefore, the question
of incurring the wrath of the wor-
kers cannot arise. He says that he is
a party to the appeal. "I am a part
and parcel of the effort to find a solu-
tion", he says very clearly. He is a
party to the appeal and he wants a
solution to be found. I am, therefore,
asking the hon. Minister whether he
feels that he can leave this matter for
negotiations to the Chief Minister to
join hands with all the groups in
order to find a solution.

The Labour Minister has said
that this is a local matter. Now, we
who are living in Bangalore have to
face the immediate problem. There
is trouble everyday. There is law
and order problem. About one and a
half lakh workers and their families
are literally on the streets. We in
Bangalore will have to pay the price.
It is not Mr. Stephen and others
sitting in Delhi who will have to
pay the price.

MR. DEPUTY CHAIRMAN :
The whole country will pay the price.
Why should you alone pay the price ?

SHRIMATI MARGARET ALVA:
The law and order is worsening and
it is a problem we are faced
with. Therefore, I would ask :
Would you please allow the Chief
Minister to take into confidence all
the leaders of the groups involved
in order to find a local solution ?
I may tell you that this is what they
are prepared for. This is what we
must do. What are they asking for ?
They are just asking to fix a date so
that they may sit on the negotiating
table. You announce a date. Don't
allow these people to go on like this
indefinitely. They may be able to
find a solution. I would like to know
whether you are prepared to fix a
date. Just fix a date and allow
Mr. Gundu Rao to act as negotiator
and find a solution.

SHRI C.M. STEPHEN : The
misunderstanding of my statement

[Shri C. M. Stephen]

has already started. I was absolutely clear that the respective managements will be prepared to talk to the recognised unions in the respective areas. That has been taken as meaning that I make an announcement that a date can be fixed and that the negotiations can be started and all that. We will immediately write to the respective managements that they may call the workers' representatives and talk to them. I again say that exactly can be done and let there be no illusion about it.

She put a specific question about the Chief Minister and all that. Well I am not in that. Their opposition leaders in the Karnataka Assembly and the ruling party made an appeal. Whatever might have taken place might have taken place. As far as we are concerned, the Government of India position was explained earlier in this House. It was explained very clearly in the press. We have gone to the farthest extent possible and that is the position we are at. As far as the Central jurisdiction and the State jurisdiction is concerned under the Industrial Disputes Act it is the State Government.

If they want to call a conference, they can call a conference. As far as we are concerned, there is no question of all the units coming in again around the negotiating table for a conference because we do not accept the principle of uniform rise to all the units and uniform reduction of the wages. That principle is not acceptable. According to the capacity of the different units (*Interruptions*) It is no use shouting out. Shouting out does not change the attitude of the policy of the Government. I am spelling out the policy of the Government. There is no question of this sort of negotiation. Normal negotiation can be had. If the bilateral is enough, the bilateral can be had. If the bilateral is enough, the bilateral can be had.

If the tripartite is necessary, the State Government machine can start it, calling the people and talking to them. Nobody can stand in the way. And Mr. Ramamurti said does this cover up all the States? I would just put to him. Would you agree the State Government refer to adjudication a case pending over the Kalamasseri in Kerala? They will not agree. Unless it is a national one, they will not agree. They will preserve it as State jurisdiction. Therefore, when that comes to the State Government otherwise it is a Central jurisdiction. Let us not have this sort of hot and cold affair. Our position is absolutely clear. We have made the offer. Again, I am saying that as far as the existing agreements are concerned we will not touch. As far as further concessions are concerned if the existing agreement is extended by one and a half years *quid pro quo* for that we are offering Rs. 70 per month for all the people. This was what we offered when the production was high. The production has gone down. We are entitled to say that it will be reduced. We do not say that. What offer is there, that offer remains. If a negotiation is necessary a negotiation may be necessary. The lock-out is there. How to lift the lock out is a matter of negotiation. The management will be instructed to call the respective unions for talks on that with a rider that this invitation should not be taken as meaning that the offer is going to be enlarged in its scope.

SHRI SADASHIV BAGALKAR : Mr. Deputy Chairman, Sir, I hope you will have the patience to give us some time because lives are involved if not already lost.

Sir, one issue that was at the root of it was whether the Karnataka Chief Minister along with other Opposition leaders has given certain assurances or not. I believe, that is now beyond dispute.

SHRI C. M. STEPHEN : I don't agree either way.

SHRI SADASHIV BAGAIT-
KAR : Well Sir, if you still maintain

SHRI C.M. STEPHEN : I don't agree. I do not say either yes or no to that question. That is their affair.

SHRI SADASHIV BAGAIT-
KAR : Mr. Deputy Chairman Sir, I am surprised that when my colleague, the hon. lady Member just now read out the very letter of the Chief Minister, he still maintains, 'I don't say either way'. If that is the attitude, how is it going to solve the issue. If you still feel like that I read from the 'Chronicle of Bangalore' a statement issued by the Opposition leaders in the Assembly. "Attacking the Chief Minister trying to sidetrack the issue, they held that the State Government cannot escape the responsibility; the opposition parties and they were a party to the calling off of their 77-day old strike and they have a moral obligation to ensure that an amicable settlement was arrived at." Sir, I am reading this from the 'Bangalore Chronicle' of 6th May.

So, Sir, the question is very much there. the assurances were given jointly by the Chief Minister and the leaders of the Opposition to the workers. That was the understanding and they withdrew their strike. If you maintain that, that is beside the point. You are entitled to have your view. But that is beside the point. But the commitment of the Karnataka Chief Minister is very much there. This is relevant because Sir, we were surprised that when we met the Labour Minister all the time he was harping on the term 'appropriate Government.' And the appropriate Government, in the parlance will be the State Government. So, if the appropriate Government is to deal with the matter the appropriate Government has made certain commitments. And if the Chief Minister now says that and you say "whether it is there or not I am not

concerned', that will not be a proper attitude. This is my first submission, Sir.

Secondly, Sir, I again quote from the Birla's Hindustan Times. In the editorial it says : "Collective bargaining is a sharp weapon which cannot be blunted by inaction on the part of the Government or the management". They have very categorically stated that for some months the workers in Bangalore have been resisting the loss to the nation, all that is there. The loss from damage to public property and other things are mentioned. But the basic fact is that if you believe in industrial relations and collective bargaining, and you, as a trade union leader, must believe in it, you are a leader in your own right, you were instrumental in getting certain clauses included in the agreements, including the clause on parity, you insisted on that clause that is there, that was way back in 1974. You should come to settlement with them. But, now, only because it is inconvenient that you want to disown it, that is another matter. But the fact is that you had insisted on the parity clause in the last agreement when you were in the opposition. That is the situation. So, if you now want to run away, or if you want to take an attitude that well, I was in the opposition then, that is different, that I am now in the Government, that is different you can as well do it, but you will not be able to carry conviction with us. So, the fact remains, whatever the Government's attitude towards this basic question be, unless you want to destroy the whole industrial relations concept, unless you want to undermine the whole collective bargaining system in the country totally, which seems to be the decision taken unfortunately by the Communications Minister, the agony of the Bangalore workers unfortunately will increase. I must say that one of the reasons is your very adamant attitude towards the whole thing. It is surprising that in the whole episode the Labour Ministry had no role, because you are the

[Shri Sadashiv Bagaitkar]

employing Ministry and so you were dealing. I do not think this is going to contribute to Industrial peace concept of the concept of proper industrial relations in this country. Therefore, my submission is that these workers who are on hunger strike, leave them alone. They are not only being attested but they are also being prosecuted for attempting to commit suicide. Is there any sanity left in the Government? Public workers, trade, unionists are going on strike with a publicly declared cause and they are being arrested and prosecuted, because they are trying to commit suicide. That is what has enraged the workers in Bangalore. I do not know who are the advisers of the Chief Minister, Shri Gurdu Rao. But this is not the way of dealing with trade union leaders and such like issues. If you are serious about collective bargaining I would appeal to you, you have just now said that the leaders will be called individually, managements will be called, do it. This was not there till yesterday evening. The management have made it absolutely clear, we have no instruction from Delhi to have any negotiations, and unless we get instructions we will not be able to do anything. Let me ask which representative of the Labour Minister has intervened in this. At least you allow the individual managements so that they will hold talk, with their respective unions. Even that was not being done three days back. That is the situation. So, if you now allow individual managements to speak with individual unions, that is different. But let me say that if the Government is trying to divide the ranks of the workers and if it is your concept that by asking individual unions for talks, because of trade union rivalries in them, you will be able to take advantage of that, that will be a serious error on your part. Please do not indulge in that. You have tried it before and the workers have resisted it. You had gone to the extent of appealing to the caste

affiliations of the workers to break their solidarity. This has been the most shameful thing done. But the workers were vigilant. They did not yield and they continued there fight. Therefore, Sir, my question is if what you have declared just now, if it is not going to set one union against another union, and break the solidarity of the workers, and if it is in good faith, then you have to prove your *bona fides*. Will you assure the House that a case which the police in Karnataka have lodged against the workers on hunger strike will be withdrawn? Not only that, Sir. Yesterday when I went to see the friends who are on a hunger strike at the Boat Club, the Government Medical Officer had come. There was police all round. I am afraid they are already preparing to lift them to Willingdon Hospital on the plea that they need urgently to be hospitalised. The medical report and everything was ready. Please do not do that. If they are on hunger strike, let them continue with it, if they want. Nobody has forced it on them. They are voluntarily doing it. And, if you have arrested trade union leaders in Bangalore thinking of prosecuting them, please advise your Chief Minister there not to indulge in it. These are all monkey like things, which no sensible Government will do.

No, sensible Government would do it while dealing with the strike of 77 thousand workers. This is never done. This one thing has caused the whole uproar in Bangalore. Therefore, I would only say that now the lockout is there and the Minister says that they are prepared to negotiate with individual unions. Will you assure, in order to establish your *bona fides*, that you will withdraw the cases against the workers and ask the Government of Karnataka not to launch prosecutions and see that confidence is restored? Sir, there is total loss of confidence. Because of the attitude of the government, there is no confidence left in the workers towards the management in several

of these public sector units. So, please see that prosecutions are not launched. This is number one. Secondly, please immediately withdraw the lockout. Don't play with it; don't make lockout an issue for collective bargaining. This is a warning to you. You cannot do it. Please advise the management not to indulge in lockouts, withdraw the prosecutions and seriously invite them for negotiations. Sir, we are not discussing the merits of their demands. You have unnecessarily wasted your time in explaining it, because the whole issue of the hunger strike is that they should be called for negotiations. That is what they want. Now what they negotiate, or what you say, or what they say, is all for you and for them to see. The simple fact is that your failure to invite them for negotiations, has caused all this uproar. Therefore, please invite them for negotiations, lift the lockout and see that prosecutions are not carried on. If you can assure these things, then I believe there can be some hope for meaningful relations and a dialogue as far as this Bangalore strike is concerned.

SHRI C. M. STEPHEN: I am thankful to the hon. friend for all the advices, all the appeals and for all the very timely warning—which of course I take in all good spirit.

We are not speaking on the floor of Karnataka Legislative Assembly, nor do I hold a brief for the Karnataka Government or the Karnataka Chief Minister or the Karnataka Home Minister. Therefore, it is not with me to give an assurance as to how the law and order situation there will be tackled. It is their affair; I just cannot give an assurance either way.

Regarding Mr. Gundu Rao, whose statement I heard—a part of it was read out by Mrs. Margaret Alva—as I understood it, everybody says that Mr. Gundu Rao said that he will

arrange for resumption of negotiations, and so on. But no friend told me, nobody disputed the statement that one part of that appeal was to withdraw the strike to restore normalcy. Now, the normalcy has not been restored; production is only 30 per cent. I am extremely aggrieved about it and all our friends on the other side do not feel sorry about it that the nation is suffering; production is not coming up. And there has been no condemnation of that attitude here. Whereas, as far as the Government's part is concerned, the condemnation is profuse. There is no sense of agony shown for the manner in which buses were hijacked. About 180 buses were hijacked which were sent to pick up workers, and these buses were taken away. . . . (Interruptions). Those buses were for the workers; we sent them in all good faith to take them to the factories but they were hijacked. As representatives of the people, I had thought that some feeling of condemnation would be forthcoming to say that they were extremely sorry that this thing took place. But nothing has been said. And they claim to speak on behalf of the workers. To what extent they can speak, I do not know. But there has been no reaction to it.

As far as Mr. Gundu Rao's assurance is concerned, he did not say he will give them more money. He said that negotiations can be resumed. Now that commitment stand for restoration of normalcy. . .

SHRI BHUPESH GUPTA: I have given my reaction. I have said, deliberately, these incidents have been provoked in order to provide an alibi for the Government's calls stand.

SHRI C. M. STEPHEN: That is all right. These phrases can be passed on to the leaders, opposition leaders, in the Karnataka Assembly, and these can be made use of against Mr. Gundu Rao. There is no purpose in making use of it here.

Now, Sir, I have said that for the purpose of negotiations, doors are open and we will even send out invitations. If this is the purpose, it is allright. But they say—read what they have said in their Resolution—‘purposeful negotiations’ Purposeful means what? purpose—ful means, it should really be purposeful. But I cannot go to the extent of making it purposeful, in the manner they expect it to be.

SHRI BHUPESH GUPTA: We have not used the words.

SHRI C. M. STEPHEN: Not you. You read their Resolution.

SHRI BHUPESH GUPTA: I have got this statement. This has been signed and issued by the Joint Action Front leaders. There is no such word ‘purposeful’.

SHRI C. M. STEPHEN: I saw it in the papers.

SHRI BHUPESH GUPTA: Negotiations are not held for luxury. Negotiations are held with a view to achieving some purpose.

SHRI C. M. STEPHEN: Sir, I do not want to be caught in the manner the Karnataka Chief Minister's name is being used. Hence, I am putting a rider. Negotiations, yes. Invitation for talks, yes. Purposeful not a definite yes. Whatever can be given has been given has been offered. The minor things, the peripheries of it, the frills of it, can be considered. Negotiation is possible that way.

SHRI BHUPESH GUPTA: This is semantics.

SHRI C. M. STEPHEN: I do not know. It may serve our purpose. If it serves the purpose of resolving the present stalemate, that itself is a good purpose. But it need not necessarily be that 700 will

become 800 and 25 will become 30. If that is the intention, the ‘purposeful negotiations’ will not go to that extent.

SHRI BHUPESH GUPTA: Why are you bringing in these things?

SHRI C. M. STEPHEN: We will make our offer. Tomorrow, invitations will go.

[THE VICE-CHAIRMAN, (SHRI DINESH GOSWAMI) IN THE CHAIR]

श्री प्रकाश जेहरोत्रा (उत्तर प्रदेश) :
आदरणीय उपसभाध्यक्ष जी, कल के
अखबार में निकला है कि करोड़ों
रुपये का नुकसान वायलेंस से हुआ है
बंगलौर में।

SHRI C. M. STEPHEN: They are not bothered about that.

श्री प्रकाश जेहरोत्रा : हो-हों की आदत
हो गयी है इन लोगों को। इसी से पता
लगता है कि इन लोगों का एटोड्यूड
क्या है। (व्यवधान) सुनिए। असलियत
सुनने में आप को तकलीफ क्यों होती
है? असलियत जो है वह बुरी लगती
है। देश भर के सब अखबारों में यह
समाचार निकला है कि लार्जस्केल वायलेंस
आरसन बंगलौर में हुआ है। जैसा माननीय
मंत्री जी ने बताया 200 से ऊपर बसें
हाइजेक कर के ले जायी गयी हैं। वहां
एक पंडाल बना था, जिस में एक फंक्शन
होने वाला था, उसे जला दिया गया,
सिनेमा हाउसेस जला दिए गये, शाप्स लूट
ली गयी। बजाय उस को कन्डेम करने के
आज जार्ज फर्नान्डीज के भाई वहां पर
बैठे हैं फास्ट पर। उन्होंने उस वायलेंस को
प्रेज किया और कहा कि इसको करना
चाहिए। एक तो यह एटोड्यूड है। मैं
इन से पूछना चाहता हू कि कम्युनिस्ट
कन्द्रीय के अन्दर स्ट्राइक होगी तो उस
को यह सपोर्ट करेंगे। आज पोलैंड में

स्ट्राइक हुई, वह किस तरीके से डील की गयी। देश के हित में क्या है इस को सोचने की आवश्यकता है। आज अपोजीशन का रोल क्या हो गया है।

They are only fanning the flames. They are playing to the gallery.

ये लोग देश में के आस की स्थिति लाना चाहते हैं। मान्यवर, 77 दिन स्ट्राइक चल चुकी पहले, 150 करोड़ रुपये का लास हो चुका है।

एक माननीय सदस्य : 200 करोड़ रुपये।

श्री प्रकाश जुरोवा : 200 करोड़ आप कह रहे हैं। मैंने अखबार में 150 करोड़ का ही देखा था। पब्लिक सेक्टर एक ट्रस्ट है हम लोगों के लिए। कोई इनका हिस्सा नहीं है, कोई हमारा हिस्सा नहीं है। जिस तरीके से पब्लिक सेक्टर में आज स्ट्राइक चल रही है उस से पब्लिक का कान्फिडेंस शेक होता चला जा रहा है।

आज आवश्यकता इस बात की है कि फर्मली इस को डील किया जाय। मान्यवर, इन सब लोगों ने टाइम्स आफ इंडिया को कोट किया। अपने अपने मतलब की बात को कोट किया। मैं भी टाइम्स आफ इंडिया को कोट करना चाहता हूँ जिस में यह लिखा है कि :

"The Government should put down violence with a firm hand but in order to restore industrial harmony, it should employ a large measure of tact. The difficulty in conceding the workers' demand for wage parity with BHEL workers is understandable. It has taken the right stand that workers of units where performance is poor and profitability low can

not claim the same rewards as are given to those whose efficiency and productivity make their units highly profitable."

मान्यवर, जिनको जो सूट करना है वह उन्होंने कोट किया। आज स्थिति क्या है। आज स्थिति यह है कि पूरे देश में यह लोग एक क्वास पैदा करना चाहते हैं। पहले तो मैं माननीय मंत्री जी से यह जानना चाहता हूँ कि इस उसूल को क्या वह कंसीड करते हैं कि जिस यूनिट में प्राफिटेबिलिटी न हो, जो यूनिट लाम में चल रहा हो, जहाँ प्रोडक्शन ठोक न हो उनके वर्कर्स को भी वही वेजेज दिये जायें पब्लिक सेक्टर के उस यूनिट के मुकाबले में जहाँ कि प्राफिटेबिलिटी अच्छी हो और जहाँ प्रोडक्शन ठोक हो। इस का मतलब क्या है? क्या आप इन्फ्लेक्शन्स को रिवार्ड देना चाहते हैं। एक सवाल तो यह है।

दूसरा मेरा सजेशन यह है कि मैं यह जरूर समझता हूँ कि जो हमारी वेज पालिसी है वह इरैशनल है। आवश्यकता इस बात की है कि हम एक नयी वेज पालिसी को बनायें। दूसरी बात यह है कि जो कंपेयरेबिल पब्लिक सेक्टर यूनिट्स है प्राफिटेबिलिटी के हिसाब से और प्रोडक्शन के हिसाब से, उनमें एक यूनिफार्म पालिसी बनाने की बात क्या मंत्री जी सोचते हैं?

SHRI C.M. STEPHEN : Sir, there is nothing for me to answer. There was one statement made that a loss of Rs. 200 crores was sustained. I want to make it clear that it is not loss ; it is loss of production to the extend of Rs. 200 crores, because even in the best of times, we make profit only to the extend of Rs. 50 to 60 crores, all put together. This loss of production to the extent of Rs. 200 crores is what

is hurting us ; the defence is hurt, the ITI is hurt. Now the position is, we have now come to compromise metally with the situation that we need not get any production from these units. We have to meet our current demands. There is nothing to get frightened about. We are to make alternate arrangements for meeting our requirements. It is for the workers to decide whether they want to come back and cooperate with us.

I am again repeating, public sector is a national property. It is not my property. And everybody must feel hurt that this is being done. I have, I think, convinced the House that whatever best could be done has been done and now we took the lock-out position because we felt that the security of the company or the property was in danger under the circumstances of violence that is prevailing. The moment that assurance comes that things will be all right, the production will be forthcoming, we do not want to keep the lock-out. That is a matter which can be discussed when the Managers call their representatives and discuss.

SHRI BHUPESH GUPTA : You have met them before. Again I say, Sir, the Joint Action Front is a coordinating body of the unions. The names are there. What is the difficulty in calling a joint meeting ? You have discussed with them.

SHRI C.M. STEPHEN : This impression I must disabuse straightway. As far as the Central Government is concerned, we have never called the JAF. We called the representatives of all the unions all over India, and, of course, the members of the JAF will be leaders of some union ; therefore, they also will have to be called in. (*Interruptions*) My friends might have met informally.

SHRI BHUPESH GUPTA : There it is now. He says, "informally."

4.00 P.M.

Well,... (*Interruptions*)

SHRI C.M. STEPHEN : There are 10 or 15 members, according to my understanding. I don't know. Four of them whom I know personally, intimately, they met me and they meet me.

(*Interruptions*)

SHRI BHUPESH GUPTA : That is not the point. I would be agreeable to whatever the Joint Action Front leaders decide. I make it absolutely clear. I am leading it from the point of view of what has been brought to our notice. Perhaps, you are much more knowledgeable from your side. Whatever these leaders agree upon will be acceptable to me. All I am saying is a simple thing. Now that you think that talks are necessary, you make them purposeful and meaningful. Now what is the difficulty in telling that you will have talks with them ? Leave it at that and then let them decide amongst them. They will decide how they will behave. Sir, my fear is this ; I hope Mr. Stephen will not try the trick. . No, I do not say "trick" for you. I hope, the management will not try the trick of dividing the solidarity of the workers. That will be treachery. How he *modus operandi* and the modalities of the talks will be, is not for me to say. Why can't you get up and say, "Yes, negotiations will be resumed ?" Why can't he ask us to go and tell them that negotiations will be resumed ? Has not Mr. Gundu Rao asked the leaders of Opposition ? Why not ? Why casuistry and semantics ?

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI) : Mr. Ramamurti will have his say now. Yes, Mr. Ramamurti.

SHRI P. RAMAMURTI : Sir, I am afraid I have to clarify certain things. You please bear with me because Mr. Stephen has made a long statement. Mr Stephen was also in the Opposition in 1978 and the INTUC also participated in the joint convention that we held. You were not there but your representatives were there. At that time the negotiations were due in many of these public sector undertakings including the Bangalore-based undertakings. The managements had taken up a position that they have got a directive from the BPE and they could not go beyond that. That means, negotiations were barred ; you take it or leave it. That was the position then. You remember, Mr. Stephen, that we all called a convention on that question, on the question of negotiations and collective bargaining and later we also called a one-day strike. The INTUC was a party to it. Then you were not a Minister. Just two days before that, the then Finance Minister and the other Ministers called us and they said this is not a directive ; we shall go through it again ; let us now evolve new norms. It is on that basis that the strike was called off. I would also like to tell you that pending that action, the Bangalore-based industries had come to an understanding, an agreement. Actually, the negotiations took place jointly but the agreements were signed differently. Each union recognised or otherwise—signed the agreement with the particular management. This is what happened then also. Negotiations took place jointly but agreements were signed by different unions. This is what had happened at that time. In those agreements, there were two types. In one type of agreement it was specifically stipulated, because the other question, the question of revision, was pending—that wherever a heavy engineering industry in the public sector gives a higher wage, in that case, this thing will be retrospectively upgraded. This is what was stated. In certain

other things BHEL was specifically mentioned and it was said that if in BHEL some higher wages were given, then those wages also will be given. This is what happened. Now, Sir, he says that the BHEL agreement came in 1981 and we can't give the minimum wages of 1981 to 1978. I agree with him. I don't deny that. Nobody says that you should give the BHEL agreement of 1981, what was agreed to. But, from what date has the BHEL agreement come into force ? It didnot come into force from January, 1981. It came into force retrospectively. You take the cost of living index of that day when that agreement came and the cost of living index on the day when your agreement came—On that basis you work out and accordingly you upgrade that. That is the agreement. The BHEL agreement was of the 8th January. It was later on ratified by the Government of India. Mr. Stephen, when he went there, said that this agreement was made when there was no Government, and therefore, we are not bound by it. We should have repudiated it, but we did not do it. Mr. Stephen should know that it was signed on the 8th when Mrs. Gandhi's Government came to power. At that time Mr. Stephen was not the Minister. He was not even a Member of Parliament. This is the position. Now I want to ask that after it was ratified, for eight months what prevented the Government from negotiating with the Unions, when they were asking for it. For eight long months, after it was finally ratified by the Government of India in 1981, what prevented the managements from negotiating on the basis of the earlier agreement ? You are now talking about interpretations. These things you raise only now. For long eight months you did not do it. They were asking you again and again for negotiations. Then there was a hunger strike. All these things were there and you were indifferent and callous to all these. It is your callous and

[Shri P. Ramamurti]

indifferent attitude that has alienated the workers there. When they want to go on strike, they also give notice of strike. There is also conciliation. During those days you did not do anything. Just on the previous day you go and ask the workers to withdraw. The trade Union leaders give notice of strike. The previous day you ask them to withdraw. Could you have done it? You are a trade union leader yourself. Then you make all this sort of allegations. We may disown Mr. Gundu Rao. At least one Minister of your Cabinet had told me that Gundu Rao has no business to make that appeal or to make that commitment. That is what he told me. I do not want to name that person. Your own Minister had said this to me. Now you say that you are ready for negotiations. Negotiations for what? Is negotiation for seeing that something more could be got or not? After all, today the trade unions do not insist that they should get the same BHEL wages. You have offered them Rs. 25/-. Let us try to suggest something more. This is negotiation. If you are not prepared to give anything more, what is the use of negotiations? Is it for taking tea sitting around the negotiating table? I cannot understand that. I am not speaking on their behalf. My Union is not involved in this dispute. It is not my union. I am not concerned with them directly. I am not speaking on their behalf. All I would say is that this attitude of total indifference and callousness to the workers' demands and your own commitment has alienated the workers. You could have discussed with them in March itself. But you refused to discuss with them. This is the attitude that has provoked the workers so much.

Therefore, Sir, I am asking whether the Minister is prepared even now, just as they negotiated with them earlier, jointly, on separate agreements, to negotiate. Even today,

Sir, the JAF is there which is an Action Committee consisting of the representatives of the recognised unions and it is not of any other unions. It consists of the representatives of the recognised unions in these various factories. So, you negotiate with them and you ask them to negotiate with you. Let them enter into certain agreements and let them agree on certain principles and let them enter into agreements with each factory. You negotiate and you don't refuse to negotiate with them. Therefore, Sir, for the Government to talk on high and mighty principles and to say that they would negotiate individually is something unheard of. You are not now putting anything new. This has been there. Why do you want to depart from that? All these attempts will make the workers certainly have strong feelings that the Government is not serious, that the Government wants to disrupt them and divide them and they will become bitter. Therefore, in order to remove that feeling, please agree to negotiate with them, with the representatives of those people. Call them, call the representatives of the different unions, here. I do not mind. Negotiate with them and then let them go and sign the agreement with the local people—I am not bothered about it—as they did before. Will you please do it?

SHRI C. M. STEPHEN: Let me make it clear. I am not going to be caught. I make it absolutely clear. It is said: "Negotiations for what". That is the question that I should have put. But, as far as we are concerned, we have offered the maximum. If negotiation is in expectation of increasing the amounts that are offered and all that, I do not want to disappoint anybody and I must be absolutely dear. There is no scope. Whatever capacity we had has been drawn upon during the course of the last five months. I cannot pay out of my empty pocket. What do I find? What do I find during the last five months? In the last five months

there has been no production; no production, no production, no production! And, Sir, I cannot draw from the Consolidated Fund of India to pay this. Therefore, if negotiation is in expectation of setting a stage for further start to get something more, then, Sir, I must be honest with our case, I must be honest with everybody and I must be honest with this House, and I must tell that there is absolutely no scope at all. But negotiation is necessary because there is a lock-out and there can be two methods. The agreement is coming to a close and we can negotiate with them for a new agreement and sign the agreement. But, even that will depend on what exactly the capacity is in terms of production, not in terms of profit. I am not concerned about profits, but about production and on the basis of production, it will have to be done. Two possibilities are there. Either sign the agreement even as Rae Bareilly signed, as HAL and others signed. If this is not accepted, then let us close the chapter. On June 30, 1981, it is ending and a new agreement has got to be negotiated and for a very purposeful negotiation scope is there because a subsequent long-term agreement has to be signed. The two things are there. We want them to come for the talks and we can talk to them and a stage can be set for them. This is what I can say. With regard to the past and all those things, I do not want to go into the past and I do not want to go into the question of interpretation of the agreement. I do not want to go into that now. I have already said that this is a closed chapter. They say that it is not so. If that is so, then

the fundamental question of keeping the sanctity of the agreement, keeping the agreement inviolable, arises. It cannot be changed by even an iota. This is absolutely clear. "Either BHEL or nothing." That is their case. Our interpretation is different. During the subsequent period the talks can take place. Let us not take the floor of this House and make it the collective bargaining area for this particular purpose. I am only spelling out the position of the Government as it is now. The position is this: It will differ from unit to unit according to the production we are getting from the workers. If production comes, it will be dealt with in a particular manner. If production is not coming, then the workers need not expect to get the benefit of the back-breaking efforts of the workers in other units. Everybody will have to fend for himself. We will not insist on profit, but we will insist on production. And, Sir, if production is scuttled, it will reflect on the different areas. Therefore, past is past and that is the present policy of the Government. As far as the public sector is concerned, the public sector is for production and if production is not forthcoming, it will have an effect on the national sector in the different areas. Production will be insisted upon and good production will be rewarded and bad production cannot be accepted as an incentive and production from some others cannot be taken as the basis for getting more in an area where production is not taking place.

Therefore, this Joint Action Front question does not arise. We recognise trade unions. We do not recognise Joint Action Front. We recognise Federations of Trade Unions. I can sit with the CIPU, AIPUC and INTUC Federations. We can talk to them. We cannot recognise the J.A.C. It is impossible. It cannot be done.

SHRI SHANTI G. PATEL (Maharashtra): In connection with

Sir, we call it the Blood escalation apparatus. This is their institution which tries to dictate the policy, and the policy that was sought to be dictated was that uniform wages irrespective of the capacity to pay would be enforced. Now, again, Sir, another policy is sought to be introduced in these public sector undertakings at Bangalore and other places. They say, "No, we will not have the uniform wages. We will have something else." Sir, may I know from the hon. Minister one thing? Is it not the history of these public sector undertakings which are involved in this dispute from time to time—and in some of these settlements he himself was directly or indirectly associated—that because the Government takes up this position that 'we shall not give more this is our present policy, and that is why the unions insist that a clause be there which will provide for a

revision of the wages or the review of the wages ? When you revise wages in another sector or another undertaking like the BHEL ? When the BHEL entered into an agreement it has also put a clause to the effect that when the wages are revised in other public sector undertakings like the HAL etc. the wages in the BHEL will be revised. This has been going on for some time. It was for the first time that this Government sought to break this history, to reverse this history and say, "No, we are not going to pay this." Of course, the Government and particularly Mr. Stephen would clarify this. I feel the Government has reached a conclusion that there has to be a wage control and wage freeze and the first victims of this policy are the public sector undertakings in Bangalore and other places. I would therefore like to know whether this policy which is surreptitiously to be enforced is going to be reversed or not. And in this context I would like the Minister to say, "No; let us have real negotiations as the words mean." Sir, I would only like to make one more point. He has said "Well, this will be at an individual management level and no GAF and all these will be allowed to come in. May I ask Sir, whether he is prepared to convene another meeting ? I think, he should have no objection. He himself has referred to the speech that some time back he had convened a meeting where the representatives of all these Central trade union organisations were called. May be the Labour Ministry had taken some interest in that. But ultimately it was Mr. Stephen himself who took the final decision and this meeting was convened. Unfortunately no fruitful or purposeful negotiations or no settlement could be reached there. But let us hope for the best. And may I ask whether he is prepared to convene such a meeting which can be a way out in the present situation ? Let such a meeting be convened. But, please no pro-conditions on either

side. Let us come together, let us try to sort out the differences and come to a settlement which is acceptable to both the sides instead of harping on the same thing all the time. I hope and trust that the Government would reconsider its position more so because it says or at least it professes that they want the public sector undertakings to be a success. If this is to be so, then they have to function as a model employer and not to be vindictive towards the workers. And about a Government which is required to declare a lock-out, you can give any justification Sir. I do not want to go into all those details. But I would certainly like to say that if a situation is created in a public sector undertaking where a lock-out is declared by the management or by the Government then it does no credit to that Government. It is a matter of shame for the Government that such a situation has been allowed to develop.

Sir, it is in this context that I would like to appeal to him : Let us have ideal industrial relations in these industries so that they can be a lesson to the private sector and other industries. Thank you, Sir.

SHRI G.M. STEPHEN : Sir, I have nothing to add to what I have already said. All these points have already been covered.

श्री हरीशंकर भाभड़ा (राजस्थान) :
उपसभाध्यक्ष महोदय, मेरा ट्रेड यूनियन से कोई संबंध तो नहीं है लेकिन मैंने इस बारे में जो कुछ बात सुनी है उस में दो बातें सुझे बड़ी गंभीर लगी हैं जो कि मंत्री महोदय और सरकार करने जा रही है और मेरी दृष्टि से वे बड़ी खतरनाक है। एक बात तो यह है कि जो कर्मचारी आन्दोलन चल रहा है वे उस की यूनियन को किसी प्रकार से भंग करना उस में किसी तरह से डिवाजन पैदा करना यह पहली बात है और दूसरी बात यह है कि सरकारी पार्टी अपनी हो

[श्री हरिशंकर भाभड़ा]

यूनियन को, इंटक को किसी न किसी प्रकार से आगे लाना चाहती है और इस लिए जिन कंसर्न्स में उन्होंने लाक आउट किया है उस में जो दूसरी यूनियन्स हैं उनको दबाया जा रहा है और जहां इंटक है जैसे कि एच० एम० टी० में, उन से सरकार निगोशियेशन्स कर रही है, बात चीत कर रही है और उन यूनियन्स को सरकार वहां आगे लाना चाहती है। मैं समझता हूं कि यह स्थिति देश के हित में नहीं है। यह बात राजनीति से प्रेरित है। मंत्री महोदय ने आज लाक आउट की बात करते समय बेजेज के संबन्ध में बात करते समय यह कहा कि सार्वजनिक क्षेत्र किसी एक की व्यक्तिगत संपत्ति नहीं है। यह राष्ट्रीय संपत्ति है। यह सारे देश की संपत्ति है। इस लिए उस का नफा नुकसान देखना एक ट्रस्टी की हैसियत से सरकार के लिए जरूरी है। यदि उन का भावना यह है तो क्या वह इस प्रकार से अनिश्चित काल के लिए लाखों मजदूरों का दमन करके, राजनीति से प्रेरित होकर किसी एक विशेष यूनियन को ला कर या किसी दूसरी यूनियन को दबा कर देश का हित, करेंगे, क्या इस से प्रोडक्शन बढ़ेगा। क्या उस से हिन्दुस्तान के अन्दर जो संगठित कर्मचारियों का एक मूवमेंट चल रहा है उस की प्रगति होगी? मैं समझता हूं कि इस से हानि ही होगी। इस लिए मैं मंत्री महोदय से पूछना चाहता हूं कि कृपा करके वह बतायें कि एच० एम० टी० में जो यूनियन इंटक है उस से उन्होंने बात चीत की है क्या? क्या इंटक इस मूवमेंट में शामिल है यह मैं जानना चाहता हूं। जो इस मूवमेंट में शामिल नहीं हैं उन से तो आप बात कर रहे हैं और जो यूनियन्स इस में शामिल हैं, रिकग्नाइज्ड है, उन का जो ज्वाइंट फ्रन्ट है उस से आप बात नहीं करना

चाहते। यह आश्चर्यजनक बात है। यह बात एक कामन आदमी को समझ में भी नहीं आती। जो रिकग्नाइज्ड यूनियन्स हैं उन से आप अलग अलग बात करना चाहते हैं, उस के लिए तो आप तैयार हैं लेकिन उन यूनियन्स ने जो चुन कर अपने आदमी भेजे हैं बात करने के लिए, उन से आप बात करने के लिए तैयार नहीं है। सिवाय जिद के और जिद भी राजनीति से प्रेरित है, और कोई बात इस के पीछे नहीं है। इस से देश का हानि होगी और जिस पब्लिक अंडर टेकिंग का प्रोडक्शन आप बढ़ाना चाहते हैं उस का प्रोडक्शन बढ़ना तो दूर रहा वहां ला एंड आर्डर की सेचुरेशन भी और भी खराब हो जायेगी जैसा आप ने बताया वहां करोड़ों की सम्पत्ति नष्ट हुई है। यह सारी चीजें हो रही हैं और इस के लिए जिम्मेदारी सरकार की है क्योंकि सरकार जिस नीति पर चल रही है वह नीति न तो मजदूरों के हित में है और न देश के हित में है। यह सब तो एक पार्टी के हित में किया जा रहा है। इसलिए मैं माननीय मंत्री जी से पूछना चाहता हूं कि ज्वाइंट फ्रंट से बात करने में उन को क्या आपत्ति हो सकती है। जब वह बात आप करने के लिए तैयार हैं तो इस में उनको क्या दिक्कत है?

SHRI BHUPESH GUPTA :
Same leaders will come to you.
Why are you accepting the suggestion?

SHRI C.M. STEPHEN : Sir,
I have nothing to say.

THE VICE CHAIRMAN
(SHRI DINESH GOSWAMI) :
You have covered all the points.

SHRI BHUPESH GUPTA :
Let me ask one thing.

SHRI C. M. STEPHEN : Let me complete. Sir, one point was made that all this is politically oriented or motivated and all that and that we are breaking the unity of the workers. We understand the unity of the workers and unity of trade unions. We are not breaking it at all. We are not creating anything at all. That unity does not mean the action front. Central trade unions, we are dealing with any number of them. Separate unions in different areas, we are dealing with them. This sort of arrangement has no status in the Industrial Disputes Act or in the trade union structure, I mean trade union unity and all that. But if in a particular unit may be because it is the INTUC or the AITUC, if the production is going up then we will have to deal with them and give them proper relief about it. Merely because there is the INTUC you cannot expect us not to talk to them. We have not come to any arrangement with them. We do not want to create any situation at all. They are giving us fairly good product and let others also come in and give us good production. I am only saying please have a feeling for a situation in which Defence is suffering, in which the ITI and communications are suffering and other central areas are suffering. We have entrusted the whole thing to the workers there and they must redeem the trust that the nation has put in them. We have done our best. We have not violated anything. All that we say is that the agreement that is to be enforced up to the 30th June, 1980, must be respected.

And then there could be further negotiations. This is the position.

SHRI AMARPROSAD CHAKRABORTY (West Ben al) : Sir, I am merely shocked to hear the statement made by the Minister who has had connections with trade

unions law, Industrial Disputes Act and he himself was in the trade union movement.

THE VICE CHAIRMAN
(SHRI DINESH GOSWAMI) :
Even now he is, I think.

SHRI AMARPROSAD CHAKRABORTY: He is repeatedly saying that no negotiations. . .

SHRI C. M. STEPHEN : Who says ?

SHRI AMARPROSAD CHAKRABORTY : . . . can be made because there is no production. Sir, after the passing of the Industrial Disputes Act—the Minister knows very well—the Government has made a provision in the Act according to which, as soon as any dispute is caused or raised, the conciliatory authority issues notice and both parties are bound to discuss and come to a settlement and in case of failure, it is referred to adjudication. These are the principles which have been accepted and held by the Supreme Court and with that spirit, the trade unions go in for collective bargaining. Whenever a dispute is raised, there is a negotiation. But here the Minister is reiterating that if there is no production, there cannot be any such thing, and there can be no negotiations. Is the Minister going to change the established policy and practice of law and the provisions which have been so far practised under law and pronounced by the highest judiciary of India ? Secondly, Sir, I congratulate these workers who have fought for 72 days and went on strike. Whenever there is a strike, it is the duty of the Government to see to the causes of the strike or the dispute. But the Minister says again and again that no, there cannot be negotiations. On the contrary, I can ask the Minister whether

it is not a fact that some people were sent to create division on the basis of caste, division between the Scheduled Castes, the Scheduled Tribes and other castes. Sir, they have tried to create a division. Not only that, as most of the workers hail from Kerala and Tamil Nadu, poster were pasted by somebody saying : "You Kerala people go away : you Tamil Nadu people go away." What is the purpose of all this ? Is it not an unfair practice resorted to ? Was there not an attempt to divide the unions so that you can say that since the union is divided— you don't know whom to talk to ? Then, the strange thing is that the Government is blaming for no production. How can there be production. Can you expect production in the absence of good labour, employer relations ? Here— the employer is the Government. You say in the labour conferences that you are an ideal employer, is it the character of an ideal employer. It is ideal to sit tight and say that you will not negotiate unless the workers can give production ? It is very painful. May I request the Minister one thing more ? The Minister has seen the ITI : I have also seen it ; I went here last time. They gave a profit of Rs. 40 crores last year if I am not wrong. The Minister should agree to negotiate with these efficient workers who are producing for the benefit of the nation, for the army, for defence, for communication. Can the Minister as a trade unionist, not take a lenient attitude and invite them to come and sit and negotiate—or if I do not use the word 'negotiate'—to settle the matter through conciliatory proceeding ? This can be done either through the machinery of the Central Labour Commissioner or through other machinery.

Sir, this is a very painful thing. I would urge upon the hon. Minister. He should not be so rigid. He knows how these people had been working. They have been giving

profits. Rs. 40 crores of profit has been given. Whose labour is it ? It is the workers' labour. This much of profit has been given by the workers. You should give them the minimum wages. You should have a proper and uniform wage policy in regard to all the public sector undertakings. The question is, whether he will have a conciliatory attitude ? Sir, under the law, the lock-out cannot be continued for more than 45 days. It will be wise and it will be in the best interests of the nation if the hon. Minister thinks of conciliatory proceedings with the unions, with all the unions or agree with them separately.

SHRI C. M. STEPHEN : Sir, What is there to say ? I have nothing more to say. I have already said— whatever is covered by the Calling Attention. (*Interruptions*)

SHRI BHUPESH GUPTA : Sir, I have something to say. I have a little point to make.

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI) : I do not think you will get anything.

SHRI AMARPROSAD CHAKRABORTY : Sir, he should have conciliatory proceedings. He has been a trade union leader.

SHRI BHUPESH GUPTA : Sir— I have one clarification to ask.

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI) : I do not mind. But it seems, you cannot get anything further than what he has said. He has said whatever he wanted to, whether you agree with it or not.

SHRI AMARPROSAD CHAKRABORTY : Sir, the whole country will be affected by this. The private employers will be emboldened by the statement of the hon. Minister. They will say, we shall talk with the unions.

SHRI C. M. STEPHEN: Sir, I have already said that the management will be calling the respective unions for negotiations. I have to be guarded so that the fate which has come to Mr. Gundu Rao must not come to me. Hence, I have clarified what it means. Nothing more than that.

SHRI AMARPROSAD CHAKRABORTY: You should set up some conciliatory machinery.

SHRI BHUPESH GUPTA: Sir, only one clarification. He knows it. He will clarify it if he wishes. If he does not, he will not. Sir, a subtle point has been made. Individual unions and their leaders can come and talk. He has said this. Now, Sir, somehow or other, he has suddenly developed a little unnecessary allergy for the Joint Action Front. I would mention only this point for him to consider. May not be now but a little later. The Joint Action Front is a kind of co-ordination committee of the workers of the Bangalore-based public sector units. I have got their names. They are; N. D. Fernandes, M. S. Krishnan, H. Madhavan, D. Rajagopal, B. Shambu, T. G. Srinivasan and Shivmurthy. These are the names. He knows everything. Now, Sir, does he not deal with co-ordination committees of employees? You deal with confederations and so on. Here, it is a question of inviting the co-ordination committee, which bears the name of Joint Action Front. This is not unheard of, Mr. Stephen, in the trade union movement, nor does it involve any new principle at all. In many places, you have such a thing. Mr. Stephen has been a party, personally, may not be, but his unions have been. Now, why this hesitation? Why this shyness? Why this allergy? Why this allergy to invite them? These leaders, these names I have read out, are the leaders of the unions in different units of public sector undertakings. Therefore, Sir, this is absolutely incomprehensible. Mr. Stephen says, let them

come separately. He says he will send instructions to the managements. He is, of course, concerned with only one unit, namely, the ITI. Anyway, the Government will send instructions. Mr. Stephen, why don't you listen to us? Why don't you say, Yes, they will be invited? Why don't you invite these leaders who are the representatives of the co-ordination committee? Call them for negotiations and then thrash out everything with them. I say, thrash out everything with them, the modalities, the signing of agreements and so on.

In good sense what shall I tell the workers on hunger strike? One of them is a member of our party also, I must say. Mr. Krishnan, a former MLA is a member of the National Council of our party. And others are also friends. I have known them. I visited them also at Bangalore. Kindly tell me. Don't treat me as a hostile person. Kindly tell me what should I tell them on the point that we have requested you for inviting them for talks.

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): That is all right. Mr. Dhabe wanted to have some clarification.

SHRI SHRIDHAR WASUDEO DHABE: The hon. Minister has made an important point about loss of production. An offer was made that Rs. 25 can be given to the workers. May I know from the hon. Minister whether in any negotiations up till now any offer in conjunction with the production was made for giving Rs. 25, or if you want negotiations will you consider the proposal for revision of wages in all its aspects.

SHRI BHUPESH GUPTA: Mr. Krishnan told me....

SHRI C. M. STEPHEN: With respect to what Mr. Bhupesh Gupta has stated, politicians and trade-unionists of long standing have got a particular capacity—the capacity

of taking the situation into heart and evolving a sort of guidelines which will help resolve that situation. The situation I have stated from our position. It is for him to formulate the proposal he is to make to the comrades there to enable the things to come through. It will be very wrong for me to tell a veteran like Mr. Bhupesh Gupta what should be the formulation. It will be very wrong for me. If I were in his position, what I would have done I can tell him in private. (Interruptions). Therefore, I would now leave it to him. There is no can tankerousness on the part of the Government; it is a very principled stand. It is because of that that in spite of loss of production we are taking this stand.

Mr. Dhabe seems to have misunderstood me. Rs. 25 increase and Rs. 700 total were offered. In the light of the fall in production, we could have withdrawn it. We have not withdrawn it; it is still there; it is not linked up with that. There are two alternatives possible—either negotiate on that basis or forget about it and start negotiations straightway for the next long-term agreement. For both we are available. That is all I have to say.

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): We take up Private Members Resolution.

SEVERAL HON. MEMBERS: That is over.

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): Then we take up Half-an-Hour Discussion.

Mr. Prakash Mehrotra.

HALF-AN-HOURS

DISCUSSIONS I. Po'n's arising out of the answer given in the Rajya Sabha on the 21st April, 1981 to Starred Question 35 Regarding Hotel Projects for Asian Games.

श्री प्रकाश मेहरोत्रा (उत्तर प्रदेश) : यह हाफ-एन-आवर डिस्कशन एराइज होता है स्टार्ड क्वेश्चन 35 ने, जिसका आंसर 21 अप्रैल को दिया गया था यह प्र नंथा मेरा कि

“(a) whether he is aware that some hotel projects intended for the Asian Games are held up because of inadequate funds provided by the Industrial Finance Corporation; and

(b) if so, what steps are proposed to be taken by Government to facilitate free flow of funds for the hotel projects so that they might be ready in time for the Asian Games?

उत्तर मुझे यह मिला है—मान्यवर मैं कोट कर रहा हूँ—

“On the basis of the applications received by the IFCI so far, none of the projects is held up for want of institutional funds.”

एक तरफ तो यह है और उनको ब्यालोफ ई किया है—

“However, due to constraint of resources, IFCI would be able to meet the loan requirements of the projects to the extent of only one-third of the cost of putting up 1200 rooms out of the projected requirement of about 2500 rooms”.

एक तरफ तो मान्यवर, मंत्री जी ने खुद यह कहा है कि 2500 कमरों की आवश्यकता है, लेकिन कंस्ट्रैट्स है, तो केवल 1200 कमरों को फाइनैस करने की बात थी। उस में भी वह केवल वन-थर्ड को आई० एफ० सी० आई० फाइनैस कर पाएगी कंस्ट्रैट्स आफ रिजोर्सेज की वजह से।

मान्यवर, एग्जिड-82 जो होने वाला है उस के लिए 16 होटल दिल्ली में बनाने की बात थी और 2500 नए कमरे एड करने की बात थी। उस के फलस्वरूप वश हुआ कि डी० डी० ए० ने कई होटल के लिए प्लॉट बचे यहाँ और वह 1.6 करोड़ रु० से लेकर करीब पांच-सठ पांच करोड़ के अन्दर प्लॉट बचे