

goods sheds to reduce the circulation of defective wagons;

(x) Proper supervision and careful tallying of packages during loading and unloading operations;

(xi) Intensified supervision at break-of-gauge transshipment points and repacking points;

(xii) Prompt fixation of staff responsibility; and

(xiii) Special precautions during monsoon season to prevent damage by wet.

**SHRI KHURSHED ALAM KHAN:** Sir, the statement laid on the Table of the House makes very interesting reading. But the fact remains that the amount of compensation paid annually runs into crores of rupees and that is in spite of the fact that we are spending about Rs. 12 crores on the Railway Protection Force. So, this being the situation, I would like to know from the hon. Minister how the compensation that we pay compares with the compensation that is paid by foreign countries and what is the percentage of compensation that is paid by them. *(Time bell rings)*. Besides what has been done on the shipment...

**MR. CHAIRMAN:** Time is over. Let him reply.

**PROF. MADHU DANDAVATE:** Sir, I do not wish to draw comparisons between the compensation paid by our railways and the compensation paid by modern railways in modern countries. I would admit straightaway that this compensation is less as compared with the compensation that is paid by some other countries. But, of course, we have the financial constraints and even then the compensation paid is not very bad. I have already given the figures indicating that the compensation paid in 1974-75 is far more compared to the amounts of compensation paid earlier and we have also noted down as to what are the steps we have immediately

taken to take and what streamlining of the steps is going to be done in order to see that the R.P.F. machinery is rationalised. Wherever there is a change of gauge, maximum mischief is there and therefore we are trying to have proper supervision at those particular places. Above all, we are going to have fixation of staff responsibility and take special precautions during monsoon season to prevent damage on account of waiting. In addition, there are a number of vulnerable points at which this mischief is taking place and we are seeing to it that there is more reinforcement of Railway Protection Forces and the vigilance machinery is stepped up. I can assure the hon. Member that in times to come we will see to it that the problem of compensation becomes less acute; if course, subject to the co-operation from all the sections.

**MR. CHAIRMAN:** The Question Hour is over. Now we have another business, Short Notice Question No. 3 by Mr. Malaviya. You may address your question to the Minister of Industry, Shri George Fernandes.

#### SHORT NOTICE QUESTION AND ANSWER

**Tool down strike by workers of the Bharat Heavy Electricals Ltd., Bhopal**

**3. SHRI HARSH DEO MALAVIYA:** Will the Minister of INDUSTRY be pleased to state:

(a) whether it is a fact that about 17,000 workers of the Bharat Heavy Electricals Limited, Bhopal, went on a tool down strike recently;

(b) if so, what is the period for which they remained on strike;

(c) what are their main demands;

(d) what is the extent of loss suffered by Government due to the strike; and

19 (e) what steps Government have taken in the matter?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) The number of employees affected by the tool down strike in BHEL, Bhopal was about 11,300.

(b) Workers remained on strike from 14.7.1977 to 26.7.1977.

(c) The main demands of the workers were :—

1. The promotion policy of BHEL should be reviewed and promotion should be given to all workers every 3 years.

2. Houses should be given to all employees.

(3) Encasment of L.T.C. (Leave Travel Concession) i.e. cash to be paid irrespective of whether the employees travel or not.

4. Compensation to be given to the Ministerial and other non-industrial Staff whose working hours have been increased from 41 to 48 per week 1974.

5. Conveyance allowance should be given to all employees who possess a vehicle, at par with the offices. Further that conveyance subsidy should be paid to all employees whether they have been given houses in the township or not.

(d) The production loss suffered as a result of the tool down strike for this period amounted to about Rs. 5 crores.

(e) Despite the suddenness with which the tool down strike erupted and spread, BHEL management were immediately willing to take up negotiations but they were faced with the difficulty that there were 20 different trade unions functioning in BHEL, Bhopal. The Government brought the situation to the notice of the Labour Department of the State Government and kept them fully apprised with the developments from time to time. The Minister of Industry also

requested the Chief Minister and the Labour Minister of the State to use their good offices to resolve the dispute and assured them that the workers' main grievance regarding the promotion policy will be looked into. After all the Trade Unions formed themselves into a Joint Council on 19.7.1977, BHEL management immediately took up detailed negotiations and an agreement was signed on the 26th July, 1977. The normal working has been resumed since 27th July, 1977 and it has been agreed by the signatories of the agreement that jointly and severally every effort will be made to make up the loss in production by the 30th November, 1977.

SHRI HARSH DEO MALAVIYA:

Sir, I am grateful to the hon. Minister for the very detailed reply. But according to the *Economic Times* of today—I do not know whether the Hon. Minister has seen it—only Mr. Jumde of Bhartiya Mazdoor Sangh has signed and none else has signed. The A.I.T.U.C. has not signed, the I.N.T.U.C. has not signed and the Hind Mazdoor Panchayat, of which, I believe, the hon. Minister is an important leader, has not signed. Now the position is that the situation has been deteriorating for quite some time. There was resentment at times earlier. In the C-category, about five hundred C-grade artisans who were entitled to promotion, have not been promoted; only a dozen out of them were promoted. Then there were complaints. There is a story—I do not know how far it is true—that the officers were having quite a good time. On curtains they spent about a few lakhs of rupees to get them changed. Then there was a complaint about officers travelling by plane to Delhi for interviews. And all these complaints were there and the situation was completely deteriorating. Our surprise is, with such a vigilant Minister, as Mr. Fernandes, how and why this situation was allowed to deteriorate? Why did he not intervene earlier? That is one question. I also want to know whether the agreement is real or not. If the hon. Minister

understanding of the situation goes, there is a settlement. Regarding my arbitration, Sir, it is a part of the settlement. The settlement is that they are going to form a committee which will go into the question of promotion policy. This committee is to be formed by 1-9-77. It will be formed by the management in consultation with the Joint Council. Any dispute on the constitution of and terms of reference to the forum will be referred to the hon. Minister of Industry, Government of India, for arbitration and his decision will be binding on both the parties. This is only regarding the formation of the committee, the number of people it should have and the terms of reference of this committee. There is no other dispute or which the Minister's arbitration has been sought or has been extended. In so far as the foreign contracts and local commitments are concerned, the workers have assured that they will make good all the production loss. I have no reason to doubt their statement and I have no doubt in my mind that we shall be able to meet all our obligations, both domestic and foreign.

**श्री सुन्दर सिंह भंडारी :** श्रीमन्, इसमें श्री प्रमोशन पोलिसी एक बहुत बड़ा विवाद का विषय बना है। क्वार्टर्ज, अर्मेनीटीज के मांगों के साथ-साथ प्रमोशन पालिसी निर्धारित करने के लिए एक संयुक्त समिति का गठन हो रहा है। सवाल ऐसा नहीं है कि प्रमोशन पोलिसी नहीं थी। लेकिन ऐसी कौन सी मशीनरी सरकार के पास है या आगे कायम होने जा रही है जिसमें प्रमोशन पालिसीज के परिवर्तन और टेलर्ड-पालिसी को रोकने की व्यवस्था की जा सके? इसके कारण वर्कर्स में रिसेंटमेंट ज्यादा रहा क्योंकि उनकी प्रमोशन न होने के बजाय ऊपर से लोग उन पर थोप दिए गए। तो आगे ऐसी सिचुएशन पैदा न हो, इसके लिए क्या सोचा जा रहा है?

**श्री जार्ज फर्नेंडीज :** सभापति महोदय, प्रमोशन पालिसी का जहां तक सवाल है,

इस पर अभी हम बहस करेंगे और इस कारखाने में प्रमोशन पालिसी क्या हो, इस सम्बन्ध में निर्णय करेंगे, सवाल सिर्फ इस कारखाने का नहीं है। सवाल आमतौर पर एक प्रमोशन पालिसी बनाने का है। अलग-अलग जगहों से, अलग-अलग कारखानों से अलग-अलग किस्म की मांगें या सुझाव आते हैं, यह मैं पब्लिक सेक्टर की बात कर रहा हूं। यहां पर जो मांगें रही वह इस प्रकार रहीं वह इस प्रकार की रही कि तीन साल के बाद एक ग्रेड में सर्विस होने पर तत्काल ऊपर के ग्रेड में भेज दिया जाए। इसको प्रमोशन पालिसी नहीं कहा जा सकता। यह प्रमोशन पालिसी नहीं होती है। प्रमोशन तो तब होनी चाहिये आप अगले काम के लिए लायक हों तथा नीचे के ग्रेड में अमुक साल सर्विस कर चुके हों। यह कैसे हो सकता है कि इतने साल नीचे के ग्रेड में सर्विस होने के बाद तत्काल ऊपर के ग्रेड में हर तीन साल के बाद भेजते ही रहना चाहिये। यह प्रमोशन पालिसी का आधार नहीं बन सकता। जो समस्याएँ इससे उठी हैं, बी० एस० ई० एल० और तमाम पब्लिक सेक्टर अंडर-टेकिंग में हैं, हम सम्बन्धित लोगों से, मजदूरों के संगठनों और प्रतिनिधियों से बातचीत करके इसको सुलझाने का काम करेंगे।

**SHRI S. W. DHABE:** Sir, there are 20 trade unions—many of them are category-wise unions having less than 100 membership. Some of them are recognised unions in this selected industry, as verified under the Code of Discipline of the Labour Ministry. I would like to know from the hon. Minister why their demand for promotion and classification was not decided in the last two years by the management, which resulted in the tool-down strike.

**SHRI GEORGE FERNANDES:** I presume that some of the unions are category-wise unions and some of the

does not have a copy of "Economic Times", I can send one to him. Only Mr. Jumde has signed and none of the other trade unions signed it. So, my question is, why was this situation allowed to deteriorate and whether the agreement is real or not real?

**SHRI GEORGE FERNANDES:** I certainly have with me the agreement signed by the parties and according to the information in my possession, the agreement has been signed by all the unions numbering in all about 20. Mr. Jumde is the convener of the Joint Council of Action, Joint Council of these twenty trade unions and he has signed it as convener of these twenty trade unions. So far as the various other points raised by the hon. Member are concerned, I am not aware of the moneys spent or the officers travelling by air. Certainly, those were not the issues involved in the strike. The strike—it has a very interesting history—started on the 14th July. On the 14th, in all, 400 workers laid down their tools and shouting slogans, went out. Their demand was that they should all be promoted. By evening, they were persuaded to go back. They went back. But on the next working day, some other section of workers also came out, may be about 1200 or 1300 in number. The following day was Sunday. On the subsequent day, more workers came out. It was on the 19th that the workers were finally able to decide as to what their demands were. Till that point of time, there was only one demand of a section of artisans numbering about 430, that they should be promoted. No other issues, about how the officers were operating or whether they had any accumulated grievances, were raised. In fact we have a method of settlement of the grievances, through a Joint Council where all matters are processed and settled. In the last five years, while there have been strikes all over the country, there has not been a single day's stoppage of work in this particular unit. On the 28th of June, this negotiating body met, discussed a number

of issues, studied them and settled them. At that point of time also, this question was not raised. For the first time, the management of the unit came to know that this was the issue that was agitating a certain section of the workers. This was on the 14th when they came out. None of the trade unions were involved. The unions came into the picture on the 18th or 19th when, finally finding that the workers have taken certain decisions on their own, they formed themselves into a joint council of all trade unions, elected a convener in order to negotiate. This is where we started negotiating. That is how the settlement was brought about.

**SHRI HARSH DEO MALAVIYA:** Sir, the hon. Minister has given us the figure in regard to the total production loss. This is about Rs. 5 crores. But I would like to know one thing. We understand the BHEL has very heavy foreign commitments also, if I am not wrong. I would like to know how far these foreign commitments, which are very important and which run into crores of rupees, will be affected? Mr. F. Haq, who is the Chief Executive or something there, is very sanguine that they will make it up. I would like to know from the hon. Minister about this. I have a number of newspaper cuttings about the BHEL. There is a proposal asking Mr. Fernandes to come and arbitrate. There is this demand. Things are not still settled. Don't be cocksure about this settlement because there are reports that they want Mr. Fernandes—the management as well as the workers want Mr. Fernandes—to personally come and arbitrate. These are my two questions. Will you go and arbitrate? Secondly, how will you meet the foreign commitments which must have been seriously affected because of this work stoppage?

**SHRI GEORGE FERNANDES:** Sir, the hon. Member says that things are not still settled and that there may be trouble. If he has any information, I am not certain. But as far as my

unions are unions that cover all sections of the employees. It is also true that the category-wise unions do not have any formal recognition while some of the unions have formal recognition. In so far as the situation in the last two years is concerned, I thought the hon. Member was aware as to why in the last two years the demands and grievances of the workers were not settled. This is a question which should not be put to me, because what happened in the last two years is something which is very well-known. Why the demands... (Interruptions). Obviously, the managements were under the directions of the Government. They were operating under the directions of the Government and the Government's directions were such that a lot of problems could not be settled. That is why we are today having industrial unrest throughout the country which we are trying to meet, which we are trying to resolve.

### WRITTEN ANSWERS TO QUESTIONS

#### Expenditure incurred by the political parties in elections

\*308. SHRI C. P. MAJHI: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that the Prime Minister made a statement at Tiruchirapalli in Tamil Nadu on the 18th May, 1977 to the effect that according to the new electoral system which is under Government's consideration expenditure incurred by the political parties and the candidates on elections would be paid by Government; and

(b) if so, by when this system is likely to be introduced?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN) (a) The

Prime Minister's statement referred to herein was only with regard to a proposal for the financing of candidates by the Government in respect of expenses incurred by them at the elections, and not in respect of financing of expenditure incurred by the political parties on the elections.

(b) The proposal will be examined along with other proposals for amendment of the election law which are currently under examination. It is not possible to say when a decision will be taken in the matter.

#### Legislation regarding liability of the State in Tort

\*310. SHRI M. S. ABDUL KHADER: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that the Supreme Court of India and the various High Courts in their Judgments and observations as well as the Law Commission of India in one of their reports have strongly stressed the need for legislation regarding liability of the State in Tort on lines similar to other countries including the United Kingdom; and

(b) if so, what is Government's reaction thereto and whether Government propose to bring forward a bill before the Parliament in this regard; if not, what are the reasons therefor?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): (a) Yes, Sir.

(b) The matter is under consideration with reference to the earlier Bills on the subject which have lapsed and the subsequent decisions of Courts.

#### Conversion of Ranchi-Lohardaga Railway Line

\*311. SHRI BHAIYA RAM MUNDA: Will the Minister of RAILWAYS be pleased to refer to the answer to Un-