

**PLANNING (SHRI UMASHANKAR DIKSHIT) :** Sir, I beg to lay on the Table, under sub-section (4) of section 18 of the Post-Graduate Institute of Medical Education and Research, Chandigarh, Act, 1966, a copy (in English and Hindi) of the Annual Accounts of the Post-Graduate Institute of Medical Education and Research, Chandigarh, for the year 1970-71, and the Audit Report thereon. [Placed in library. See No. LT-3170/72]

**PUNJAB MOTOR VEHICLES (CHANDIGARH AMENDMENT) RULES, 1971**

**THE MINISTER OF STATE IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS AND IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI OM MEHTA) :** Sir, I beg to lay on the Table, under sub-section (3) of section 133 of the Motor Vehicle Act 1939, a copy in (English and Hindi) of the Notification No. 11935-III(2)-71/29162, dated 29th November, 1971, publishing the Punjab Motor Vehicles (Chandigarh Amendment) Rules, 1971, issued by the Chandigarh Administration. [Placed in library. See No. LT-3275/72]

**ANNUAL REPORT AND ACCOUNTS (1970-71) OF THE FOOD CORPORATION OF INDIA**

**THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI ANNASAHEB SHINDE) :** Sir, I beg to lay on the Table a copy (in English and Hindi) of the Annual Report and Accounts' of the Food Corporation of the India for the year 1970-71, together with the Auditors', Report on the Accounts, under Sub-section(2) of the section 35 of the Food Corporation Act, 1964. [Placed in library. See No. LT-3162/72]

**ANNUAL REPORT AND ACCOUNTS 1970-71 OF THE STATE FARMS CORPORATION OF INDIA LIMITED AND RELATED PAPER**

**SHRI ANNASAHEB SHINDE :** Sir I also beg to lay on the Table a copy (in English and Hindi) each of the following papers, under sub-section (1) of section 619-A of the Companies Act, 1956 :—

(i) Second Annual Report and Accounts of the State Farms Corporation of India Limited, for the year 1970-71, together with the Auditors' Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

(ii) Review by Government on the working of the Corporation.

[Placed in library. See No. LT-3177/72 for (i) and (ii)]

**ANNUAL REPORT (1970-71) OF THE INDIAN INSTITUTE OF MANAGEMENT AHMEDABAD**

**THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (PROF. D.P. YADAV) :** Sir, I beg to lay on the Table a copy (in English and Hindi) of the 9th Annual Report of the Indian Institute of Management, Ahmedabad, for the year 1970 71. [Placed in library. See No. LT-3271/72]

**CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE  
CONTINUED GENERAL STRIKE IN  
THE KHETRI COPPER PROJECT**

**SHRI KALYAN ROY (West Bengal) :** Sir, I beg to call the attention of the Minister of Steel and Mines to the continued general strike in the Khetri Copper Project by over 10,000 workers paralysing production of copper.

**THE MINISTER OF STEEL AND MINES (SHRI S MOHAN KUMAR-MANGALAM) :** Sir, the Tamba Mazdoor Sangathan, a recently registered un-recognised Union at the Khetri Copper Project served a strike notice on Hindustan Copper Ltd. on 9th June, 1972 making certain allegations that the Management had been hostile and vindictive towards the office bearers of their organisation and also alleging that their General Secretary, Shri R. N. L. Srivastava and Secretary, Shri B L. Bhatt had been illegally suspended. The notice also added that the ser-

vices of Shri Y K Gaur Secretary of their Kolihan Branch had been terminated in December, 1972. The notice demanded that the alleged illegal suspension and termination orders on the office bearers must be revoked and went on to say that in view of all this the Union proposed to call a strike with effect from 11th July, 1972.

The strike in Khetri Copper Project started on 11th July, 1972 as indicated in the strike notice.

Disciplinary action against Shri Srivastava and Shri Bhat had been initiated by the Management following acts of indiscipline on their part. Both of them were charge-sheeted and given every opportunity to defend themselves in the disciplinary proceedings initiated against them. Following the preliminary enquiry, Shri Bhat who had been suspended was reinstated and a punishment of withholding of one increment was imposed on him considering the nature of the charges of which he was found guilty.

As for Shri Srivastava, the enquiry against him dragged on because of the uncooperative attitude adopted by him. He had been suspended on 7.10.1971 and continued to be under suspension even on the date of strike. Subsequently, on completion of the disciplinary proceedings, his services were terminated.

Shri Gaur was approbationer and his performance during the period of probation being found unsatisfactory, his services had been terminated by the Management in December 1971.

The action taken against these persons was the subject matter of conciliation proceeding before the respective Conciliation officers of the Central and State labour machinery. The Central Government have since referred the case relating to Shri Gaur to the Industrial Tribunal, Jaipur for adjudication and similarly the Government of Rajasthan have also referred the issues relating to the action taken against Shri Srivastava and Shri Bhat to the Tribunal. Both Governments have also issued orders banning the strike by their orders dated 15th and 17th July, 1972.

Hon'ble Members will appreciate that action against these individuals has been taken only for specific reasons, such as their performance in the undertaking in the case of Shri Gaur and charges of indiscipline against Shri Bhat and Shri Srivastava. No general issues were raised at the time the strike began. Whatever the grievances the individuals may have about the orders passed against them would be enquired into by the Tribunal to whom the matters in issue have been referred for adjudication. There is therefore, no reason why the strike should continue, particularly when it has been banned by both the Central and State Governments in the wake of reference of the issues for adjudication. The Board of Hindustan Copper are certainly ready to consider and settle any genuine demand of the workers. But in a matter where issues of indiscipline are at stake, the proper course undoubtedly is to agree to a decision by an impartial adjudicator under the law and this has been done.

During the last two years, the performance of Hindustan Copper Limited in construction and minning work at Khetri has substantially improved. The Board of Hindustan Copper are hopeful of keeping to the revised target dates for the starting of the project, settled in July, 1970 soon after the present Chairman took charge of his office. However it is obvious that to attain this object strict discipline must be maintained in the undertaking to ensure that progress of work is not hampered and consequently the early completion of the project delayed.

Government would like to underline that the country is spending enormous sums of money in importing copper year after year spending valuable foreign exchange and the speediest completion of the project is of vital importance for the nation.

**SHRI KALYAN ROY :** Sir, I regret to draw the attention of the House to the strike in this public sector project, because, as you know, we want the public sector to grow, we want it to flourish and we want it to expand. But, Sir, I was shocked by the deliberate sabotage from within by the top bosses and the strike has reached now the twenty-third day. But I do not want

to say anything which will embitter the relations because the relations have already been embittered. Sir, Khetri is one of the projects in which we are very much interested. But here, unfortunately, there is horrible corruption, in efficiency and grossly nepotism.

Then the entire project has been handed over to the contractors. More and more contractors are being appointed every day. Sir, NPCC was given big contractor of setting up concentrators and other fabrication plants. Suddenly, NPCC were pushed out and the entire contract was given to the Tarapore company. Then the same party was given another contract, without calling any open tenders. The entire power house with electrical contract has been handed over to the kamanis. The permanent workers are idle. The Union leaders were writing letters after letters, sending registered letters and sending deputations, to the Union Minister of Steel and Mines and to the Prime Minister, saying that this corruption is going on. Please sack Mr. Jacob. They wrote in September. Mr. Jacob was found taking bribes in a Calcutta hotel. But no action was taken against Jacob. Why is it that no action was taken against Jacob?

Not only this. This project is spending enormous amounts on computers. Nowhere in a public sector is there such a heavy concentration of high paid officers—over 450—and new officers are being taken through the backdoor every day.

MR. CHAIRMAN. Mr. Kalyan Roy, are you giving clarifications or seeking clarification? Kindly put your question.

SHRI KALYAN ROY : Let me have my say. I will not exceed the time which is absolutely needed. 22 crores production cost shot up to 34 crores, 34 crores shot up to 94 crores; 94 crores shot up to 120 crores. And if these officers keep the contractors and allow them to loot the project as they are looting it today, and if the workers are so dissatisfied, not a single ounce of copper metal will come out either in 1972 or in 1973. The whole production is in a mess. When Dr. Biju Sen was presiding over the Consultative Committee, he himself said that he was extremely dissatisfied with the progress of the project and he wanted the Public Undertakings

Committee to deal with that matter. These officers are sabotaging the whole thing. A Union was formed (on the 1st of October but by the 10th leading office bearers were suspended.

MR. CHAIRMAN : Please shorten your question.

SHRI KALYAN ROY : Is it not victimization? Is it the way for the Public Sector to behave?

MR. CHAIRMAN : I cannot permit you to go on like this . . .

SHRI KALYAN ROY : Not a single worker dare to become an office-bearer. May I ask Mr. Kumaramangalam on question. Why are there till today no Works Committees? Why are there no Works Committees? Is it a public sector project? In this project, 10,000 workers are working but there is no Works Committee. Why? Why is there no hospital for the contractor workers in that area? If a worker there is injured or loses his leg or eyes he is denied medical facilities. Five thousand Rajasthan workers, poor landless labourers, do not get medical facilities...

MR. CHAIRMAN . All right.

SHRI KALYAN ROY : Last question. Is it not a fact that contractors' workers are not getting any benefits? Mr. Kumaramangalam, you are talking about labour laws in Tamil Nadu. Why are you silent about what is happening in Khetri project? I do not want to embitter any more the relations between the workers and the management, which are already bitter. We are prepared to settle on any basis, through any arbitrator, any Member of Parliament or anybody, but we cannot allow . . .

MR. CHAIRMAN: Please sit down . . .

SHRI KALYAN ROY : We cannot allow victimisation in this shameless manner by these officers who are ruining the project, together with these contractors.

SHRI S. MOHAN KUMARAMANGALAM : Mr. Chairman, I have always admired the facilities for use of adjectives

and I have also admired the adjectives used by my friend today. I do not propose to deal with the adjectives but I would deal with the questions that he has asked.

Firstly, so far as the question of the strike itself is concerned, the hon Member I think should appreciate that no demands have been made in respect of the strike except in relation to the action taken against these three employees. The other matters which he has referred to in his speech are not mentioned in the strike notice and do not form part of the demands of the workers in relation to the strike.

**SHRI KALYAN ROY :** They wrote hundreds of letters to you about corruption . . .

**MR. CHAIRMAN :** Please sit down.

**SHRI S. MOHAN KUMARAMANGALAM :** Secondly, he has asked about the formation of the Works Committee. No demand has been made by the Union as a part of the demand in relation to the strike.

**SHRI KALYAN ROY :** Works Committee has got to be there even if they make a demand or not. Deliberately you are preventing the formation of the Works Committee . . .

**MR. CHAIRMAN :** Yes, yes, Mr. Kalyan Roy, please sit down.

**SHRI S. MOHAN KUMARAMANGALAM :** The hon. Member I think will remember that the matter of public importance to which he has drawn attention is the continued general strike, I am dealing with that. So far as the other question that he has raised regarding medical facilities all the medical facilities that are possible are being given to the contract workers. They have been getting the facilities and doctor. In addition, where the contractors pay, we also take them into the hospitals. It is not correct to say that a public sector organisation was pushed out in order to benefit somebody. If the hon Member will come for a discussion with me, I can show to him all the correspondence regarding the matter which shows that at that time very unfortunately the NPCC was not able to fulfil its

commitments and it was only after the termination of the contract of the NPCC that we have been able to make progress. My predecessor, Dr. Triguna Sen, is kindly nodding his head in agreement because it happened quite some time back and it was with very very great reluctance that ultimately the Department of Mines came to the conclusion that there was no other alternative than to ask once more for tender and then fix up or new contractor who can do the work properly.

So far as the order of the CISF is concerned, that was done on the 10th August, 1971 nearly a year ago, and that has got nothing to do with the strike that has taken place recently. All I can say regarding the strike is that the three demands are in relation to the action taken against these three different office-bearers of the union. Now, we had agreed and even before the strike took place we were prepared to refer it to adjudication which has now been done. Normally, any management which has come to a conclusion *bona fide* on the basis of whatever was done by the employee, charge-sheet issued, opportunity given to him to explain, enquiry proceeded with, findings given, cannot go back on that. If what is done is wrong or if the Tribunal will decide that it is wrong. But, if the management is not prepared to enforce discipline, then surely no project including the Khetri project will be able to come forward towards completion.

**SHRI KALYAN ROY :** You have heard me patiently and I have heard you patiently. I have asked very specific questions and see what replies he has given to the same. I asked whether it was not the fact that the contract workers were denied medical facilities and he has said that if the contractors pay then they are given medical facilities; otherwise not. This shows that you deny them the medical facilities. Then, my second question was about M/s Kamanis. All the electrical people are now sitting idle . . .

**MR. CHAIRMAN :** Please sit down.

**SHRI S. MOHAN KUMARAMANGALAM :** Mr. Chairman, in any project the responsibility of what I would call the project authorities towards contract labour is

[Shri S. Mohan Kumaramanglam]

not the same as the responsibility of the project authorities to their own labour. Contract labour is labour employed by the contractors and it is impossible for the project authorities to take on all the responsibility regarding contract labour. What we try to do is we make these facilities available and we do not try to insist that the contractors really provide the facilities to enable their labourers to be looked after properly.

SHRI KALYAN ROY : But why Kamani was given a contract without open tenders ?

MR. CHAIRMAN : That is all right.

श्रीमती लक्ष्मी कुमारी चूडावत (राजस्थान) : अध्यक्ष महोदय, खेतड़ी तांबा परियोजना जिस तरह से काम कर रही है, उससे एक बड़ी चिन्ताजनक बात हो रही है। हमें अफसोस तो यह है कि पब्लिक सेक्टर होते हुए भी वहां का जो मैनेजमेंट है, वह पब्लिक सेक्टर में विश्वास नहीं करता। उसका सबूत यह है कि उन्होंने वहां के सारे के सारे काम को ठेकेदारों को दे रखा है, कांटेक्टरों को दे रखा है। जब कि पब्लिक सेक्टर के पांच हजार मजदूर काम करते हैं और सबसे मजे की बात यह है कि हमारी केन्द्र सरकार या परियोजना हर एक मजदूर के पीछे 60 पैसे कांटेक्टर को प्रति दिन देती है; क्योंकि कांटेक्टर का कहना है कि स्किल्ड लेबर है, लेकिन असली स्थिति यह है कि जो हमारे यहां के मामूली लेबरर्स हैं, जो अकाल-पीड़ित लोग आये हैं, वह लोग हैं, वह स्किल्ड लेबर नहीं है, इमारत के काम करने में लगे हुए हैं, उनके नाम पर 60 पैसे प्रति दिन कांटेक्टर परियोजना से लेता है। दूसरी दुखद बात यह है...

श्री सभापति : अब आप प्रश्न कीजिये।

श्रीमती लक्ष्मी कुमारी चूडावत : प्रश्न ही है। दूसरा प्रश्न यह है कि जो वहां पर बीमार हो जाते हैं उनकी दवादारु का प्रबन्ध नहीं है।

जो केन्द्रीय सरकार की तरफ से अस्पताल चल रहा है, क्या उसमें कोई मजदूर भर्ती होता है, तो उससे सौ रुपया नहीं लिया जाता है। सौ रुपया ले कर के वहां भर्ती किया जाता है। कोई फैंक्ट्री एकट चालू नहीं है, लागू नहीं है। रहने का प्रबन्ध नहीं है और पीने के पानी का प्रबन्ध नहीं है।

इसलिये मैं आपसे निवेदन करूंगी कि आप अपने गुड-आफिसेज को काम में लें। हड़ताल होने की वजह से हमारा राष्ट्रीय नुकसान हो रहा है। कई तरह के भगड़े पैदा हो रहे हैं। ये भगड़े केवल मैनेजमेंट और यूनियन के लोगों के हैं। आप अपने गुड-आफिसेज को यूज कर के यह मामला सुल्टा दें तो यह हमारी परियोजना काम करने लगे।

SHRI S. MOHAN KUMARAMANGALAM : Mr. Chairman, I appreciate the concern of the hon. Member about what is happening in Khetri. I would like to state most categorically that it is not correct to say that the management does not believe in public sector. In any project there are always a large number of contract labour because the construction by and large is done by labour belonging to contractors who come merely to finish the work of construction. The project authorities do not engage labour themselves for the purpose of construction all the more so because otherwise at the end of construction they will be faced with a large number of surplus labour. Even in a major construction project like Bakaro where there are some 50,000 to 60,000 workers there are 50,000 to 60,000 workers under different contractors and that is bound to be so. I can only say that so far as the change of the contract being taken from a public sector organisation and transferred to private sector I have already explained the position when I was answering Mr. Kalyan Roy that it was because of the unfortunately bad performance of the public sector organisation. So far as the question of hospital, drinking water and such other things are concerned, the management does try to do its best to see that the contractors fulfil their duties to the labour whom they employ. I entirely agree with the hon. Member that this strike is certainly

very much against public interest and we would like to see the end of it as early as possible. That is why despite the management having been convinced that the action it has taken against the three individuals is entirely justified it was ready to have it adjudicated upon by an independent tribunal and now the matter is before the tribunal for a decision. And I think that is the fairest way to settle the whole affair. I would certainly appreciate if the hon. Member can help towards a settlement.

**श्रीमती लक्ष्मी कुमारी चूडावत :** 60 पैसे प्रति लेबर रोजाग्रा जो सरकार देती है? उसके बारे में क्या आप कुछ नहीं कहेंगे ?

**SHRI S. MOHAN KUMARAMANGALAM :** I am not aware of any sixty paise being charged by the contractor per person. I know that the minimum wage fixed by the Rajasthan Government for payment to contract labour, to this type of construction workers, is I think Rs. 3.25 a day and what is being paid by the contractors in Khetri is somewhere around Rs. 4/- a day, but I am not aware of this sixty paise problem. If the hon. Member wishes to know I shall investigate it and inform her but that is not a demand connected with the strike at all.

**SHRI BABUBHAI M. CHINAI (Maharashtra) :** Mr. Chairman, Sir, I am very glad that after so many years I have found a Minister who has shown the guts to see that discipline in a public sector industry is maintained. Now, Sir, this project came into being in 1966; we are in the middle of 1972 and we do not know whether even by 1974 this target of 31,000 tonnes of copper or 2 lakh tonnes of superphosphate, etc. will be fulfilled. Under these circumstances I hope the hon. Minister will assure us that he means discipline, he means production and that he will fulfil the date of targets in spite of the fact that the strike is going on. The strike will no doubt delay but, in order that for all time to come there is discipline maintained and production targets are also touched, I hope Government will take necessary action so that public money is not wasted by delaying this project.

**SHRI S. MOHAN KUMARAMANGALAM :** Sir, I have no hesitation in

assuring the hon. Member that both the Management and the Government are interested to see first of all that discipline is enforced and secondly that production is kept up and we go as fast as we can towards completion of the project, but I would also like to underline that the Government is interested in seeing that justice is done to the workers, and is confident that justice is being done.

**SHRI NAND KISHORE BHATT (Madhya Pradesh) :** May I know from the hon. Minister whether there are reported cases of coercion, intimidation and assault on innocent workers? If so, I would like to know what steps are being taken by the Management to give protection to them?

**SHRI S. MOHAN KUMARAMANGALAM :** Naturally the Management is making every effort to see that those workers who want to work are given protection. There are charges and counter-charges on one side and the other about police misbehaviour, workers' misbehaviour, intimidation, and so on, but I have no doubt that ultimately things will sort themselves out.

**SHRI MONORANJAN ROY (West Bengal) :** I find here that Tarapur Company of Farakka notoriety because they have failed to fulfil the contract in Farakka, the contract of digging the canal. That is why water is not coming from the Ganges to the Hooghly river. That notorious contractor, he has again been given a contract here.

**MR CHAIRMAN :** Kindly put your question.

**SHRI MONORANJAN ROY :** Why that contractor was chosen here? And that contractor has got the notoriety of dealing with the workers in a way which is unbecoming of India in this situation. In Farakka he treated the workers in the same way he is treating them here. My second question here.

**MR. CHAIRMAN :** No second question. Only one question.

**SHRI MONORANJAN ROY :** This is Calling Attention. I have not come to the point at all. My question is . . .

**MR. CHAIRMAN :** You have put your question.

SHRI MONORANJAN ROY : Government cannot avoid the responsibility of settling the dispute.

MR. CHAIRMAN : Please sit down.

SHRI MONORANJAN ROY : . . . by sending it to the Tribunal

MR. CHAIRMAN : I have allowed only one question . . .

SHRI MANORANJAN ROY : Now I am asking . . .

MR. CHAIRMAN : Then you sit down if you have put a question.

SHRI MONORANJAN ROY : I will put a question now.

MR. CHAIRMAN . No more now.

SHRI S MOHAN KUMARAMANGA-LAM : Mr Chairman, Sir, I am in some difficulty because I came here prepared to deal with the matter of urgent public importance relating to the continued general strike. I did not know I will have to go into Tarapur's history and remember what happened at the time of the Farakka barrage.

MR. CHAIRMAN : You need not answer that.

SHRI S. MOHAN KUMARAMANGA-GAM : There is no other question on the agenda except that.

SHRI S MOHAN KUMARAMAMGA-LAM : He started with Tarapore. Tarapore has nothing to do with it.

SHRI MONORANJAH ROY : My question about workers. . .

MR CHAIRMAN : He has answered the question.

SHRI KALYAN ROY : On a point of order Mr Monoranjana Roy is absolutely relevant. It is at Tarapore's instigation that these people have been victimised and

Mr. Mohan Kumaramangalam is defending them.

SHRI S. MOHAN KUMARAMANGA-LAM : This is a clever figment of Mr. Kalyan Roy's imagination. Nobody has ever made the allegation either orally or on paper till the moment he opened his mouth just now saying that Tarapore is responsible. Every other allegation under the sun has been made, but not this one.

SHRI MONORANJAN ROY : I want to ask one question . . .

MR. CHAIRMAN : I will not allow it

SHRI MONORANJAN ROY : You do not allow me. This is Calling Attention.

How can you say that I cannot ask ? I want clarification.

MR. CHAIRMAN : He has given clarification.

SHRI MONORANJAN ROY : My question I could have finished by this time.

MR. CHAIRMAN : Kindly sit down.

SHRI YOGENDRA SHARMA (Bihar) : I am sorry to state that the hon. Minister has taken a very technical view of the whole situation, instead of taking a realistic view of how to end the strike. The strike is against the national interest, which the Khetri Copper project is supposed to be. Now, three office-bearers of the Thamba Mazdoor Sangatan have been suspended on the supposed charge of indiscipline. Now Sir, we know that public undertakings . . .

MR. CHAIRMAN : Kindly put your question. You are not putting your question.

SHRI YOGENDRA SHARMA : I am just reminding the hon. Minister whether he knows or not that the Public Undertakings Committee had made an adverse remark against the management giving specific cases where the contracts had been given to contractors in violation of all rules and norms. So, if the charge of indisci-

pline is to be levelled. It has to be levelled against the management. It is the management which is responsible for draining the public exchequer. Even after six years I do not think we are anywhere near completion of the project.

MR. CHAIRMAN : Now, please sit down.

SHRI YOGENDRA SHARMA : My question is this. Will the hon. Minister take appropriate steps to see that the charges against the management, the charges coming from the Public Undertakings Committee, charges coming from the unions and the charges coming from the workers are gone into and an enquiry is made ? Secondly. . .

MR. CHAIRMAN : I have permitted you only one question .

SHRI YOGENDRA SHARMA : It is a very serious question and we are all concerned at it I am suggesting to the hon. Minister how to do it. One of the ways to do it is, let there be a thorough enquiry into the malpractices and corruption from which the whole management is suffering.

SHRI S. MOHAN KUMARAMANGA-LAM : The hon. Member asked me, first of all, whether I am aware of the fact that the Public Undertakings Committee has made adverse remarks against the Khetri management. So far as I remember—subject to correction—the remarks were made in relation to the work of the Khetri management prior to 1970. In February, 1970 a new Chairman was appointed and most of the senior officers in the project have also been appointed after 1970. The revised schedule for the construction of the project was settled in July, 1970 and we still have hope that we will be able to keep to the schedule. Of course, as the hon. Member who spoke earlier pointed out, it is possible that the strike may delay it by, say, a month or two, but we will try and pull that up also. Secondly, the hon. Member asked me whether contracts had been given, in violation of the rules, to Tarapore and Company. That is not correct. The contracts were given following the regular procedure and I would earnestly request the hon. Member, if he has any

material—(*Interruptions*) I do not yield—with him beyond the liberal use of adjectives to provide me with that material, in which case I will investigate the correctness or otherwise of the allegations, but the mere use of adjectives does not prove any fact because fact is something separate from an adjective. Thirdly, regarding the charges against to management, he has not given me a single charge till now. If he would kindly indicate concretely what are those charges together with whatever facts he may have...

SHRI YOGENDRA SHARMA : What is that, why does he say no charge has been given ? Specifically it has been said that Mr. Jacob was caught red-handed. He says no specific charge has been given.

SHRI S. MOHAN KUMARAMANGA-LAM : I must protest with the greatest of respect to the hon. Member against charges of mismanagement, corruption, and so on, being freely levelled in such a general and vague manner.

SHRI KALYAN ROY : We are giving it.

SHRI S. MOHAN KUMARAMANGA-LAM : If any concrete facts are there, I would most earnestly request the hon. Members to give them to me and I will investigate them. Till now, till date, till the moment . (*Interruption*)...I am on my legs in this House. Till this very moment not a single concrete charge has been given to me about the conduct of the management involving *mala fides* on their part on the basis of which I should take any action against them for so called indiscipline. If there are any such, kindly give them to me and I will look into them and see what is to be done.

SHRI KALYAN ROY : I can lay the paper on the Table of the House.

MR. CHAIRMAN : Please sit down, Mr. Kalyan Roy.

SHRI S. MOHAN KUMARAMANGA-LAM : Laying the paper does not advance the argument either.



**SHRI BHUPESH GUPTA :** We have strong views on this. You allow a Short Duration Discussion on this.

**MR. CHAIRMAN :** Please sit down.

**SHRI S. MOHAN KUMARAMANGALAM :** I am perfectly confident that the management of Hindustan Copper to my knowledge has conducted its work during the last two years, after the new Chairman was inducted by my predecessor, honestly and efficiently. There are always difficulties in trying to bring up a project of this character, difficulties of a technical character, difficulties of an administrative character, but I have no material with me on the basis of which I can say I can charge them for indiscipline. Hon. Members must be aware that recently on the basis of the initiative taken by the management itself a particular high ranking officer in the project was trapped by the CBI and now a case is proceeding against him and is pending against him. *(Interruption)* Act on facts rather than talk.

**SHRI CHANDRA SHEKHAR (Uttar Pradesh) :** Mr. Chairman, I want to say that the management of Hindustan Copper has done exceedingly well during the last two years. It should be placed on the record of the House in order to avoid any misgiving about this particular undertaking. I agree with my friend that there should be better labour relations in that public undertaking, and so far as I know even the union leaders have no charges against the Chairman of this particular project. There are certain misgivings between the workers and the management, and I request the Minister to use his good offices to invite labour leaders and the management and to see that this unfortunate situation ends immediately. Whatever charges have been levelled by my hon. friend, Shri Yogen-dra Sharma and others, those are the stories of the past and we should not run down the public undertaking for what happened three or four years back. It should be known by the country and by this House that Hindustan Copper is one of the rare units among the public undertakings, which has actually done something during the last two years.

**MR. CHAIRMAN :** All right. Last question,

**SHRI CHANDRA SHEKHAR :** He has referred to adjudication, but the workers are afraid that it may take years. Will the Minister invite the management and the workers by using his good offices and see that, if possible, arbitration or some immediate process is evolved whereby their grievances are met and something is done to avoid further difficulties?

**SHRI S. MOHAN KUMARAMANGALAM :** I am grateful to the hon. Member for the suggestion that he has made just now. I do not think it will be proper for me to make any commitment on behalf of the management who after all have to manage the undertaking. But from my knowledge of the approach of the management to the problem, I am quite confident that they will be prepared to discuss any reasonable solution to the problem which may also include arbitration or anything of that character. I know that even before the strike took place, before the matters were referred to adjudication, they had offered that they be referred to adjudication, and I do not think in principle there will probably be objection to referring to arbitration. I am thankful to the hon. Member for the remarks that he has made about the management. I would like to endorse them myself. I know that there has been considerable improvement in the Khetri project in the last two years. If the hon. Members opposite who have spoken on this motion could help to bring about an amicable solution of this dispute, certainly it will be beneficial to the workers and the project.

**श्री नवल किशोर (उत्तर प्रदेश) :** श्रीमन्, मैं यह जानना चाहता हूँ कि क्या यह बात सही है कि राष्ट्रीय खेतड़ी तांबा मजदूर संघ या जो यूनियन थी वह आई.एन.टी.यू.सी. से अफिलिएटेड थी और हड़तालियों की तीन डिमांड्स हैं कि खास तौर से मि० श्रीवास्तव को रिइस्टेट किया जाय, मि० भट्ट के खिलाफ जो चार्ज है उसको खत्म किया जाय और मि० गोड़ का जो टर्मिनेशन आर्डर है उसको विद्वड़ा किया जाय। मि० श्रीवास्तव इस यूनियन के

एक सदस्य थे और अब उन्होंने एक दूसरी यूनियन बना ली है जो अफिलिएटेड है ए. आई. टी. यू. सी. से जिस को सी. पी. आई. कंट्रोल करती है। यह फैक्ट है कि यह जो मि० श्रीवास्तव है यह पिछले दो साल से एक के बाद दूसरे, तीसरे, चौथे सीरीज आफ ऐक्ट्स आफ इण्डिसपलिन करते हुये चले जा रहे हैं और उनके इण्डिसपलिन को छिपाने के लिए यूनियन में तोड़ की गई है और एक दूसरी यूनियन बनाई गई है जिसको कुछ पोलिटिकल पार्टीज की सपोर्ट है। तो मैं यह जानना चाहता हूँ कि क्या मंत्री जी इस बात को मानते हुये कि मैनेजमेंट का अच्छा काम था और प्रोडक्शन बढ़ रहा था ऐसे मौके पर यह नाजायज स्ट्राइक की गई है, इसलिये इस स्ट्राइक को खत्म करने साथ के साथ जो पहले की यूनियन थी उसी को मान्यता देगे और दूसरी यूनियन की हरकतों को प्रोत्साहन नहीं दिया जायगा।

SHRI S MOHAN KUMAR-MANGALAM : I think the hon Member has got slightly confused about the facts probably because all of them are not available to him. The recognised union as represented by the workers is one that is affiliated to the Indian National Trade Union Congress and that union has not supported this strike, but on the contrary has opposed it. So far as the present union is concerned, I am not aware whether it is actually affiliated to the All India Trade Union Congress. But it is an unrecognised union and it is true that Shri Srivastava who is the general secretary of that union, according to the management and according to the findings and enquiries against him, had acted in an indisciplined manner and that is why action was taken against him. But I do not want to go into all those details here. I do not think it will be proper. The matter has been remitted to a tribunal and the tribunal will adjudicate upon the correctness or otherwise of the decision of the management and I think it would be only proper that the tribunal should be permitted to do so untrammelled by any remarks made by me.

SHRI DWIJENDRALAL SEN GUPTA  
(Wast Baghi) 12.02.1972

repeatedly spoken about the necessity for maintaining discipline in an industrial institution. There is no difference of opinion so far as that is concerned. Possibly, the whole House will agree on that. But the point is this whether there was any colourable exercise of the management's function in the name of taking disciplinary action against the three leaders of the workmen who were charge-sheeted or dismissed. For this, it is necessary to ascertain whether the three persons who were charge-sheeted or dismissed were subjected to the same following the allegation of Mr. Jacob's taking bribe. These two things have got to be considered together. There was a complaint against Mr. Jacob of taking bribe and if immediately thereafter you pick up these leaders of the workers for charge-sheeting and suspension, then the conclusion becomes irresistible that whatever might be the contents of the allegation, that was not *bona fide* and amounted to a colourable exercise of the management's function. What has the Minister to say about it?

MR. CHAIRMAN : Only one question.

SHRI DWIJENDRALAL SEN GUPTA : Yes, only one question. The Calling Attention motion says that 10,000 workers paralysed production. If the persons were really suspended on grounds of indiscipline on the 10th how is it that 10,000 workers supported the indiscipline and paralysed the project? That is my question.

SHRI S MOHAN KUMARAMANGALAM : So far as the first question raised by the hon'ble Member is concerned, I would like to say that allegations of corruption were made against, I think, Mr. Jacob and other officers, not against Mr. Jacob alone, even prior to the action being taken against Shri Srivastava. But unfortunately the cause and effect are not always so simple to locate because so far as Mr. Srivastava is concerned the charge was in relation to a specific act of indiscipline, and that specific act of indiscipline was inquired into and the finding was given. Whether that was right or wrong or whether it was *nila fide*, which seems to be the implication contained in the hon'ble Member's statement the tribunal is going into it. If *nila fide* it would be set aside. But so far as the effects are concerned, which are in my possession, I have absolutely no doubt that

Shri G. Mohan Kumaramanglam]

he action taken against Mr. Srivastava was perfectly *bona fide*. Ultimately it is a matter for the tribunal to decide.

Secondly, the hon'ble Member asked me. How is it that 10,000 people joined a strike? Does it not show a not very happy state of affairs? I think the management itself is quite conscious of the fact that a strike taking place on issues like this or any other issue is not a happy thing. Therefore, they will certainly examine to what extent their policies have contributed to it, how they should improve their work and see to it that such strikes do not occur again. But you will appreciate that these things are not always solely in the hands of the management. There are other gentlemen and other forces at play who also act in a way which may not contribute towards the health of the project. That also plays its own part. Therefore, it is not merely a question of 10,000 people going on strike but also of other individuals coming into operation for their own reasons which have also contributed towards this unfortunate situation.

#### MOTION FOR ELECTION TO THE NATIONAL SHIPPING BOARD

THE MINISTER OF STATE IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS AND IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI J. M. MEHTA) : Sir, I beg to move.

"That in pursuance of clause (a) of sub-section (2) of section 4 of the Merchant Shipping Act, 1958 (44 of 1958), read with sub-rule (2) of rule 4 and rule 5 of the National Shipping Board Rules, 1960, this House do proceed to elect, in such manner as the Chairman may direct, one member from among the members of the House to be a member of the National Shipping Board in the vacancy caused by the retirement of Shri Lokanath Misra from the membership of the Rajya Sabha on the 2nd April, 1972."

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

MR CHAIRMAN : The programme for election to the National Shipping Board

will be published in the Parliamentary Bulletin

#### MOTION RE. AGREEMENT ON BILATERAL RELATIONS BETWEEN INDIA AND PAKISTAN, SIGNED AT SIMLA ON 2ND JULY 1972

THE MINISTER OF EXTERNAL AFFAIRS (SARDAR SWARAN SINGH) : Sir, I beg to move

"That the statement made in the Rajya Sabha on 31.7.72 regarding the Agreement on bilateral relations between India and Pakistan, signed at Simla on the 2nd July, 1972, be taken into consideration."

Mr Chairman, Sir, I have no intention to make any further statement today and in order to accommodate the hon'ble Members who, I know, are anxious to participate in this debate, I would not like to take any more time. I have already made a statement giving the salient features of the Simla Agreement when I placed a copy of the Simla Agreement on the Table of this honourable House. With these words I commend this motion for adoption.

DR BHAI MAHAVIR (Delhi) : Sir, I move :

1. "That at the end of the Motion, the following be added, namely :—

"and having considered the same and noting that :

(a) the Agreement fails to assure 'durable peace' which the Prime Minister had solemnly promised to obtain through a 'package deal' with Pakistan,

(b) 'bilateral negotiations' and 'causes of conflict which have bedevilled the relations between the two countries for the last 25 years shall be resolved by peaceful means' mentioned in the Agreement have lost all meaning after President Bhutto's declaration in the National Assembly of Pakistan that he was free to raise the Kashmir issue in the U. N. O.,