

(iii) Notification G. S. R. No. 933, dated the 14th July, 1972, publishing the Indian Police Service (Uniform) Amendment Rules, 1972. [Placed in Library. ■ See No. I.T. 3312/72 for (i) to (iii)]

I. THE CENTRAL INDUSTRIAL SECURITY FORCE (AMENDMENT) RULES, 1972

II. CORRIGENDUM TO GOVERNMENT NOTIFICATION S. O. No. 4632

III. THE COMMISSIONS OF INQUIRY (CENTRAL) RULES, 1972.

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN) :
Sir, I beg to lay on the Table :—

(i) A copy (in English and Hindi) of the Ministry of Home Affairs Notification S. O. No. 1752, dated the 26th June, 1972, publishing the Central Industrial Security Force (Amendment) Rules, 1972, under subsection (3) of section 22 of the Central Industrial Security Force Act, 1968.

(ii) A copy (in English and Hindi) of the Ministry of Home Affairs Notification S. O. No. 1753, dated the 26th June, 1972, publishing corrigendum to Government Notification S. O. No. 4632, dated the 12th November, 1969. [Placed in Library. ■ See No. LT-3313/72 for (i) and (ii)]

(iii) A copy (in English and Hindi) of the Ministry of Home Affairs Notification G. S. R. No. 899, dated the 13th July, 1972, publishing the Commissions of Inquiry (Central) Rules, 1972, under sub-section (3) of section 12 of the Commissions of Inquiry Act, 1952. [Placed in Library. ■ See No. LT—3311/72.]

THE FINANCE ACCOUNTS OF THE UNION GOVERNMENT FOR THE YEAR 1970-71

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) :
Sir, I beg to lay on the Table, under clause (1) of article 151 of the Constitution, a copy of the Finance Accounts of the Union Governments for the I
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CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE

RETRENCHMENT OF WORKERS OF VINOD TEXTILE MILLS AND DEEPCHAND TEXTILE MILLS OF UJJAIN

श्री बीरेन्द्र कुमार सखलेचा (मध्य प्रदेश) :
श्रीमन्, मैं मध्य प्रदेश में उज्जैन स्थिति विनोद टेक्सटाइल मिल्स और दीपचन्द टेक्सटाइल मिल्स के सैकड़ों मजदूरों की बिना किसी विधि मान्य कारण के छंटनी और इन छंटनी किये गये मजदूरों के जीवनयापन की स्थिति पर इसके प्रभाव की ओर श्रम और पुनर्वास मंत्री का ध्यान दिलाना चाहता हूँ।

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADIL-KAR) :
Sir. The matter falls in the State sphere. According to the information made available over the telephone by the State Industrial Relations Machinery, the management is reported to have retrenched about 340 employees including technical, supervisory and clerical staff on different dates between March and June, 1972 as these were found to be in excess of the 'strength' mutually agreed upon by the management and the representative union in the Settlements entered into by the parties some time back. Compensation as admissible under the law has been paid to the workers whose number is approximately 250. Compensation to the remaining supervisory and clerical staff numbering nearly 100 is being paid by the management in instalments due to financial stringency being experienced by the management. The representative union has challenged the management's action in retrenching the workers in the Labour Court, Ujjain. Eleven retrenched workers are also reported to have filed individual cases in the Labour Court praying reinstatement. The cases are still pending and the Court's award in the matter, we understand, is awaited.

[MR. DEPUTY CHAIRMAN in the Chair]

श्री बीरेन्द्र कुमार सखलेचा : महोदय, यह विनोद मिल और दीपचन्द टेक्सटाइल मिल उज्जैन के अन्दर स्थिति है। अभी जैसा कि मंत्री जी ने स्टेटमेंट दिया कि इसके अन्दर 350 कर्मचारियों को रिट्रेन्च कर दिया गया है। मैं आपकी जानकारी के लिए यह बतला देना चाहता हूँ कि

विनोद मिल और दीपचन्द मिल जो हैं, ये उज्जैन में सेठी परिवार द्वारा चलाई जाती हैं। यह जो सेठी परिवार है उसका संबंध प्रदेश के मुख्य मंत्री श्री प्रकाश चन्द्र सेठी से है। इतना प्रमाण होते हुए भी इतने मजदूरों को वहां पर रिट्रेन्च कर दिया गया। क्योंकि प्रकाश चन्द्र सेठी प्रदेश के मुख्य मंत्री हैं और उन्होंने इंटक के साथ कम्प्रो-माइज करके इतनी बड़ी संख्या में मजदूरों को रिट्रेन्च करवा दिया जो कि एक बड़ी अनुचित बात है। मैं माननीय मंत्री जी से विशेष रूप से यह निवेदन करता हूं कि प्रदेश में उनके अधिकारों की रक्षा होना सम्भव नहीं है, मजदूरों में इतनी ताकत नहीं है कि वे लेबर कोर्ट में जा सकें और वहां से न्याय प्राप्त कर सकें और यही कारण है कि आज वहां पर यह सारी कांसप्रेसी हुई है रिकग्नाइज्ड यूनियनों और मिल मालिकों के बीच, विशेष रूप से ऐसी परिस्थिति के अन्दर जब से प्रकाश चन्द्र सेठी वहां पर चीफ मिनिस्टर बन कर आ गये हैं और तब से इस तरह की बातें वहां पर चल रही हैं।

मैं उदाहरण के तौर पर आपको बतलाना चाहता हूं कि मिल मालिकों ने मजदूरों की तन-स्वाह से 64 लाख रुपया प्राविडेंट फंड का काट लिया है और वह रुपया अभी तक प्राविडेंट फंड कमिशनर के वहां जमा नहीं कराया गया है। 64 लाख रुपया मिल मालिकों पर प्राविडेंट फंड का बकाया होने पर भी स्टेट गवर्नमेंट द्वारा किसी तरह का भी प्रोसीक्यूशन की कार्यवाही नहीं की गई है। मैं माननीय मंत्री जी को इस निर्णय के बारे में बधाई देना चाहता हूं कि जो उन्होंने प्राविडेंट फंड के बकाया रहने पर कैबिनेट में निर्णय लिया है कि कम्पलसरी इम्प्रिजनमेंट दिलाने की कार्यवाही करेंगे। तो मैं यह जानना चाहता हूं कि इस मिल मालिक के ऊपर मजदूरों का जो इतना बड़ा एमाउन्ट बकाया पड़ा हुआ है प्राविडेंट फंड का, उसके बारे में आप कोई निश्चित प्रोसीक्यूशन करेंगे तथा सजा दिलायेंगे? प्राविडेंट फंड का इतना रुपया प्राविडेंट कमिशनर के वहां जमा नहीं कराया गया, तो मैं आपसे स्पष्ट शब्दों में यह जानना चाहता हूं कि सेन्टर द्वारा प्राविडेंट फंड ऐक्ट द्वारा आपको जो

अधिकार दिया गया है, उसके अन्तर्गत आप कोई प्रोसीक्यूशन और ऐक्शन लेंगे?

इस विनोद मिल और दीपचन्द मिल को स्टेट गवर्नमेंट द्वारा हैबिली फाइनेंस किया गया है और सूती वस्त्र निगम ने भी इसको फाइनेंस किया है तथा इसके ऊपर यह कंडीशन डाली है कि मिल की किसी भी प्रापर्टी को वहां से रिमूव नहीं किया जायेगा। इस तरह की शर्त होने के बाद भी वहां पर से प्रापर्टी रिमूव कर दी गई। यह सब चीज हो रही है क्योंकि वहां के चीफ मिनिस्टर साहब उनसे संबंधित हैं। जब श्री प्रकाश चन्द्र सेठी प्रदेश के मुख्य मंत्री नहीं थे, प्रदेश के एक कार्यकर्ता थे, तब वे मिल से पैसा करते थे। इन सब बातों को देखते हुए मैं मंत्री जी से निवेदन करना चाहता हूं कि क्या वे प्राविडेंट फंड ऐक्ट के अन्तर्गत मिल मालिकों के ऊपर जो रुपया प्राविडेंट फंड का बकाया अभी तक पड़ा हुआ है उसके लिए उनका चालान करेंगे और उन्हें सजा दिलायेंगे?

दूसरी बात मैं यह जानना चाहता हूं कि जो मिल की सम्पत्ति रिमूव की जा रही है, उसके बारे में आप क्या ऐक्शन लेंगे जबकि स्टेट गवर्नमेंट और सूती वस्त्र निगम ने उनकी मदद की है।

तीसरी बात मैं यह जानना चाहता हूं कि 350 मजदूर जो दो सालों से काम कर रहे थे, जो कंफर्म हो रहे थे, वे जातू नहीं हुए और इसीलिए उन्हें निकाल दिया गया। रिकग्नाइज्ड यूनियनों द्वारा उनके अधिकारों की रक्षा करना सम्भव नहीं है और इसीलिए मैं आप से निवेदन करना चाहता हूं कि आप इन रिट्रेन्च किये हुए मजदूरों को फिर से काम पर लगवाइये ताकि वे जातू हो सकें। मजदूरों को अलग रखने की जो कोशिश मिल मालिकों द्वारा की गई है उसके सम्बन्ध में आप कदम उठाइये और इस तरह से मजदूरों के हकों की रक्षा कीजिये। यही मेरा आप से निवेदन है।

SHRI R. K. KHADILKAR : Sir, I very strongly repudiate the insinuation which the hon. Member has made by bringing in the Chief

■ [Shri R. K. Khadilkar] Minister, by trying to establish some connection, real or imaginary, between the proprietors of these three mills and the hon. Chief Minister of Madhya Pradesh so far as the question of retrenchment is concerned. The representative union, had agreed to certain staff strength several years back. But it was not given effect to, as I have stated very clearly. Now the financial condition has become rather serious and therefore they have resorted to this retrenchment on the understanding that they had reached some years back and which is still subsisting. So, they have taken this step, as I have said. So far as the other aspect of compensation is concerned, I have made it clear. There is only one question regarding the arrears of Provident Fund. For this I would find out from my Regional Provident Fund Commissioner what is the exact position, and certainly with the concurrence of the State Government I will ask him to initiate action.

श्री वीरेन्द्र कुमार सखलेचा : अभी मंत्री जी ने कहा कि रीजनल प्रावीडेंट फंड कमिशनर से पता लगायेंगे। तो मैं जानना चाहता हूँ कि क्या रीजनल प्रावीडेंट-फंड कमिशनर से पता लगने के बाद कि उनके पास 64 लाख रुपया मजदूरों के हिस्से का जमा नहीं कराया, अपना कन्ट्रिब्यूशन तो जमा कराया ही नहीं, मजदूरों के वेतन से काटा हुआ रुपया भी जमा नहीं कराया तो आप निश्चित आश्वासन दे सकेंगे कि उनका प्रोसीक्यूशन होगा ? मेरे ख्याल में स्टेट गवर्नमेंट की कानकॉरेंस नेसेसरी नहीं है कि कानकॉरेंस हो तभी प्रोसीक्यूशन किया जा सकेगा। मैं कैटेगोरिकली जानना चाहता हूँ कि अगर बकाया होगा तो आप प्रोसीक्यूशन करेंगे या नहीं ? दूसरे आपने इनसिन्क्यूशन की बात कही। मैं इनसिन्क्यूशन नहीं कर रहा हूँ, परन्तु वस्तु स्थिति यह है कि उनके चीफ मिनिस्टर बनने के बाद यह स्थिति आई है। पहले रिट्रेंचमेंट के समझौते को लागू नहीं किया, उनके आने के बाद लागू हुआ। 4 तारीख को मजदूरों की स्ट्राइक हुई, 6 तारीख को कमिशनर को भेजते हैं कि समझौता कर लो, स्ट्राइक हटा लो। आखिर मजदूर दो साल तक काम करने के बाद वहां जायेंगे। फाइनेंशियल स्ट्रिजेंसी थी तो 10 लाख रुपया स्टेट गवर्नमेंट ने, टेक्सटाइल निगम ने उनको दिया। क्या मजदूरों को हटा कर ही

फाइनेंशियल स्ट्रिजेंसी खत्म की जा सकती है ? रिक्वागनाइज्ड यूनियन से समझौता करके मजदूरों के हितों पर कुठाराघात नहीं होना चाहिए। इसलिए मैं निवेदन करूंगा कि यह ऐसा मामला है जिसमें सेन्टर को इन्टरवीन करना चाहिए। मैंने इनसिन्क्यूशन की बात नहीं कही, लेकिन फिर भी उनके हितों का संरक्षण होना सम्भव नहीं है। उनके चीफ मिनिस्टर होने के कारण ही उनका साहस हुआ कि रिट्रेंच करें, प्रोपर्टी को रिमूव करें, प्रावीडेंट फंड का मजदूरों का शेयर जमा न करें। क्या आप सदन को सूचित करेंगे कि इस संबंध में क्या कार्यवाही आपने प्रावीडेंट फंड एक्ट के अन्तर्गत की है ?

SHRI R. K. KHADILKAR : Under the Provident Fund Act the appropriate authority to initiate any action is the State Government. In our contemplated legislation we would like that our Provident Fund Commissioner should be empowered to take action. However, as he has related certain facts, I will ascertain the position ; I will ask the Regional Provident Fund Commissioner whether the employees' contribution has been credited or not, if not why not, and if it is found that the facts are correct, certainly action will be initiated.

SHRI T. V. ANANDAN (Tamil Nadu) : Sir, I am very much concerned to find that a Government which is vehemently of opinion to introduce projects and works to solve the unemployment problem in this country does not look in detail as to what is happening in the country, a Government which has got full powers with a massive majority in Parliament can do and undo things, can amend the Constitution several times. Can you not think of solving this problem which affects the entire working class ? Can you not introduce a law that there shall be no retrenchment anywhere in the country, whether he be a private employer or a public employer ? Fix a date. When you went in for the midterm poll, you had been propagating that you wanted to solve the unemployment problem and also poverty. Why not you take that date, December, 1970 ? Such of those people, who were in service prior to the date when you gave an undertaking to the people who put you in power in the mid-term poll saying

that no man would be retrenched, should not be retrenched. Why do you not do that ? You want to solve the unemployment problem, but you do not even have the figures about the total number of unemployed in this country. You have some figures yet. You say that 4 crores are unemployed. If you are planning to find employment for all these four crores, will it be a burden on you if those who are already in employment are not retrenched every year, every month, every day ? Will you be able to solve the problem ? Therefore, why do you not fix a date and say that anyone who was in employment prior to that date would not be retrenched on any account? If any employer wants to retrench, he should come before the Government saying : This is my difficulty. I want to retrench some people. In this country you do not have unemployment pension or unemployment insurance. Nothing here in this country. You care only for the capitalists. It is all propaganda to say that you want to find employment and uplift the 'have-nots,' but you have done nothing. I know in those days when the Britisher was here, he was afraid of retrenching people. He wanted to spread over the work. Instead of working 12 hours a day, instead of working 8 hours a day, he reduced it to 6 hours a day so as to see that no man was retrenched. Why do you not adopt this means to solve the problem of unemployment ? It is no good being the Minister of Labour and Rehabilitation, if you do not take credit for yourself by suggesting that the work should be spread over amongst all the workers in a factory or in a concern, so that retrenchment could be avoided ? Or, else the number of working days should be shortened. Instead of a six day week, you can make it a four-day week, so that no man is retrenched. This is how you should provide a solution to the unemployment problem and not by Mr. Khadilkar allowing people to be retrenched and then through a Call Attention Notice we discuss something and you reply something. Then, we go back. This is not the way to find a solution to this mass unemployment in this country.

SHRI R. K. KHADILKAR : The hon. Member has raised certain issues, but most of them do not certain to this question, or to the matter under discussion.

SHRI T. V. ANANDAN : Unemployment.

SHRI R. K. KHADILKAR : So far as the unemployment problem and retrenchment

are concerned, the hon. Member knows very well that it is before us. By law it is difficult to totally stop retrenchment. Under the Industrial Disputes Act, if retrenchment becomes inevitable, of course, compensation and other provisions are there. The Government's effort is always there to see that, as far as possible, those in service are not removed from service.

SHRI A. G. KULKARNI : In the case of these two mills, as has been rightly pointed out, about provident fund, etc. the Minister has assured us that he will ascertain the facts and he will take measures to prosecute or recover the amount. That I can agree, but I want to tell the hon. Minister in this connection that mills, particularly textile mills, are coming to grief day by day. We have recently passed a Bill to take over any industrial unit. You yourself have advocated that any sick unit or a potentially sick unit should be taken over. The Ministry of Company Affairs is a *poit mortem* department. Apart from that, you are directly concerned with the unemployment created by industrial units becoming sick. That is why I want to know whether he is aware, along with these mills—I mentioned it some days back—that the losses of the Kohinoor Mills are staggering. Your Ministry has not taken any action. The provident fund amount has not been deposited into the Government Treasury. You are sitting silent. You will later hand it over to the sick Textile Mills Corporation. That does not solve the problem. Positive action on your behalf, on the Ministry's behalf, is required to stem the unemployment that may be created in this connection.

Also along with this I want to have an assurance from the Minister that whenever these sick units are taken, whether it is the textile or any other industry, they will not impress on the employees that they will be employed under what you call the relief scheme, by giving them lesser wages than what they are getting. You have to assure this House that this will not take place whether in these mills or the Kohinoor Mills or some other mills.

SHRI R. K. KHADILKAR: The hon. Member is right that sick mills are taken over by the Government. It needs a fresh look to make them economically viable, and every effort is being made to see that all the textile mills which were closed due to certain

[Shri R. K. KUadilkar]

financial difficulties, mismanagement or otherwise, will be as far as possible by rennovation set right soon. Efforts are being made, I may assure him. But regarding the second part of the question, in this period when we take over a mill as a relief undertaking to keep people employed, unfortunately in some cases we are not in a position to pay them full wages or dearness allowance or even bonus. But keeping this in view this effort is being made, I can assure him. So you will find that all the textile mills taken over by the Government will be possibly modernised because they are junk and they will be made viable.

SHRI A. G. KULKARNI (Maharashtra) : The employees should be given full pay.

SHRI R. K. KHADILKAR : After we take the steps it would be possible.

SHRI A. G. KULKARNI : About the Kohinoor Mills you have not stated any thing.

SHRI R. K. KHADILKAR : I have no information.

SHRI MONORANJAN ROY (West Bengal) : I am a bit surprised that the reply of our Labour Minister to the contention of our friend about the retrenchment is that Government can absolve itself of the responsibility for retrenchment and sit idle without taking any step on the plea that certain unions had agreed. Here is the case of one union, recognised union, which had an agreement with the management for retrenchment. I do not know what kind of union it is. It may be employers' union which agrees to retrenchment and Government absolves itself of all responsibility. *(Interruption)* I do not know why the Labour Ministry is in existence at all if the workers do not get any relief by appealing to the Labour Ministry, and they say there is an agreement and so "I wash off my hands". This is most unjust. Secondly, I do not understand how there can be provident fund dues to the extent of Rs. 64 lakhs. I do not know if it is correct. The Minister will enquire. He says that after enquiry if it is found that there are dues to the extent of Rs. 64 lakhs or Rs. 80 lakhs or Rs. 50 lakhs whatever that amount may be then steps will be taken after consulting and in consonance with the State Ministry. Why ? This

provident fund is a Central subject. Why the Government of India in the Ministry of Labour should not take steps against the management ? How can they escape unhurt without any steps being taken against them so long ? It is Rs. 64 lakhs, and half of it must be from the workers' wages deducted by the employer on account of the provident fund. This is a scandal taking place in the name of giving employment to people. Retrenchment is taking place everywhere and the Ministry is sitting idle.

SHRI R. K. KHADILKAR : So far as the retrenchment part is concerned, I stated the facts as they were reported to me by (he industrial relations machinery of Madhya Pradesh. That too, yesterday evening, late evening, when I got the notice, I tried to ascertain the facts because this question comes within the purview of the State Government. So far as the provident fund is concerned, we take the full responsibility. But unfortunately the hon. Member is perhaps not aware that in launching the prosecution, the appropriate Government is the State Government. We want to take that power and give that power to the Regional Provident Fund Commissioner. However, I do not want to shirk the responsibility. I will see and ascertain the facts and then recovery proceedings or prosecution will be undertaken.

SHRI BHUPESH GUPTA (West Bengal) : The scope of the discussion has been somewhat enlarged, I should like to ask the hon. Minister why the Government is not considering the need for a basic change in policy. I think the policy should be that all the closed mills or those where a closure has been declared should be taken over by the Government as a matter of policy. That should be the guiding line. I do not think there is any difficulty in that and if there are any technical or legal difficulties, they can be overcome. We are told that the Government will be getting the junks. Well, you need not pay anything for just taking over this thing and it is for us to decide as to how this should be done, whether it should be renovated or how it should be handled. But the first thing is that they should be taken over. That also should be the settled policy of the Government.

As far as the textile industry is concerned, in our view it should be nationalised, nothing short of it will do. Sir, the hon. Minister comes from Maharashtra and from the City of Bombay. He knows very well that the Sakseria

Mills have been closed for full four years now and it has entered its fifth year. Five thousand workers are unemployed as a result of that closure. Big financial interests are behind it and that is why the Government is not taking any action. And the Minister of the Government of India seems helpless in this matter. I have brought it to the notice of the Prime Minister. I do not know what she will do. Well, "nobody seems to move in this matter. We have been repeatedly telling the Government that this mill should be taken over by the Government because the fate of five thousand workers is involved, apart from the fact that it is one of the important mills in the city. Why don't they take it over? And I should like to know what Mr. Khadilkar's policy is. I think a basic policy change is needed in this regard. Without that you cannot do anything. Sir, it has become now a habit with the capitalist class, especially the monopolists that because of mismanagement, because of other things, because of family quarrels, they close down the mills. Sometimes in order to intimidate and terrorise the workers or to blackmail them or sometimes to blackmail the Government or to create an artificial scarcity, they plan all the closures. The immediate sufferers are the workers, ultimately the consumers also and the national economy suffers. And the Government pursues a policy of tolerance; a pro-capitalist attitude is pursued in this matter. And, Mr. Khadilkar is more or less reconciled to this attitude, subject to some tinkering here and there, which takes us nowhere basically, and things go on. I should like to know why this is so. Mr. Khadilkar, you have been in the Ministry for some time and nobody will accuse you of having any basically reactionary ideas. Generally, you have been a man of progressive ideas although they have not been matched by courage. Therefore you need a little backing of courage. Why should you stick on? I say, take courage in both hands, follow the example of Mr. Giri, force the Government to do something, ask them to do this thing, determine, draw your line of thus far and no further if the Government does not allow you to take this measure in the interests of the working people. On the question of labour, you should say, "Well, here is my resignation in my pocket." Why can that attitude not be there? There was President Giri. Today because of this attitude, well, he is in the Presidential House. He is Rashtrapati of India. I am not saying that you should do that in order to become the Rashtrapati. I am

not suggesting that for a moment. But I say that as an example. I say this is the kind of attitude that is needed. I am not asking you to resign also. But your Ministry has got pucca bureaucrats. Some of them are viciously anti-labour, not all. I am not a trade unionist, but, many of my friends are trade unionists, I know that.

SHRI MONORANJAN ROY (West Bengal) : Mr. Bhupesh Gupta, the whole policy of the Government is anti-labour. One man cannot do anything.

SHRI BHUPESH GUPTA (West Bengal) : That is what I have been asking. Change that policy. For example, some officers are absolutely anti-labour. Some are initiators, originators. Therefore, I have asked Mr. Khadilkar to go into the question deeper. Show them originality somewhere at least.

SHRI R. K. KHADILKAR : The hon'ble Member has widened the scope of this calling Attention Notice. So far as his proposition is concerned, take over of those sick mills; takeover takes a little longer time.

SHRI A. G. KULKARNI : But not five years.

SHRI R. K. KHADILKAR : Firstly, the proprietors take recourse to the court of law and the judiciary comes in our way. I may assure the hon'ble Member particularly that not only in the case of Seksaria Mill—I know it very well and I am very much concerned about it—but in other cases too every step is being taken. And I can assure him that we will take over the sick mills when there is no hurdle left. Some comprehensive measures will be taken so that the so-called sick mills will be definitely set right. And so far as production is concerned, the employees will also get their full dues. But I cannot just now say that it will take so long. But it will be done as early as possible because so far as the Seksaria Mill is concerned even the Prime Minister is concerned about the reopening of that mill.

SHRI BHUPESH GUPTA : You can assure me but she has not yet assured us. Vicarious assurance.

MB. DEPUTY CHAIRMAN : Mr. Tyagi,

SHRI BHUPESH GUPTA : May I have the other point?

MR. DEPUTY CHAIRMAN : No, I have called Mr. Tyagi.

श्री नवल किशोर : खादिलकर साहब ने एक बात का जवाब नहीं दिया। उन्होंने इस्तीफा देने की बात का जवाब नहीं दिया।

SHRI BHUPESH GUPTA : My friend should have a little sense of humour. Mr. Khadilkar, you have a lot of sense of humour.

SHRI JAGAN NATH BHARDWAJ (Himachal Pradesh) : I should be given a chance.

MR. DEPUTY CHAIRMAN : You will get a chance if there is time. Please wait.

श्री ओउम् प्रकाश त्यागी (उत्तर प्रदेश): उप-सभापति महोदय, उज्जैन स्थित विजय मिल्स में केवल गवर्नमेंट की पालिसी का प्रश्न नहीं है, यहां सैकड़ों मजदूरों के जीवन का प्रश्न है और विशेष रूप से मैं आपको सूचना देना चाहता हूँ कि वहां मध्य प्रदेश के मुख्य मंत्री के द्वारा "इन्टेक" पर प्रभाव डाल कर यह रिट्रेन्चमेंट पर समझौता कराया है। मजदूरों ने खुशी से यह नहीं किया। वहां सैकड़ों मजदूरों के जीवन का प्रश्न है इसलिए इस मामले में केन्द्र को हस्तक्षेप करना चाहिए। सरकार की पालिसी, जहां तक मैं समझता हूँ, गरीबों और मजदूरों के हित में है तो जहां तक संभव हो रिट्रेन्चमेंट न किया जाए। परन्तु वहां रिट्रेन्चमेंट किया गया है। मैं आक्षेप नहीं लगाना चाहता परन्तु सत्य यह है कि चीफ मिनिस्टर के द्वारा दबाव डाला गया और मजदूरों पर दबाव देकर समझौता किया गया और रिट्रेन्चमेंट किया गया ताकि वे कार्यकर्ता जो दो-दो साल से काम कर रहे थे और परमानेंट होने वाले थे, उन लोगों को जानबूझ कर निकाल दिया जाए क्योंकि अगर वे थोड़े दिन और रह जाते तो परमानेंट बन जाते। आपने एक गम्भीर बात कह दी है। अध्यक्ष महोदय, अभी तक सरकार की नीति यह थी कि सिक् मिल्स जो हैं उनको गवर्नमेंट टेक-ओवर करेगी। परन्तु आज ही मंत्री महोदय ने यह संकेत दिया है कि चूंकि उनका अनुभव ऐसा है कि सिक मिल लेने के

बाद वे लाभदायक सिद्ध नहीं हुई हैं और मजदूरों को अपनी ओर से तनख्वाह देनी पड़ रही है। मैं आप से यह जानना चाहता हूँ कि आपके डिपार्टमेंट ने या गवर्नमेंट ने क्या वह नीति अब बदल दी है अर्थात् क्या सिक मिलों को अपने हाथ में लेने की नीति बन्द कर दी है? इस तथ्य के बारे में सरकार के स्पष्टीकरण की आवश्यकता है। मैं माननीय मंत्री जी से निवेदन करना चाहता हूँ कि सरकार ने सिक मिलों को अपने हाथ में लेने के बाद उनकी सहायता करने की पालिसी को त्याग दिया है तो क्या वह मजदूरों को मिल सौंपकर उसे चलाने में सहायता करेगी?

चौथी बात मैं यह पूछना चाहता हूँ कि मजदूरों का लाखों रुपया जो प्राविडेंट फंड में जमा था उसे मिल मालिकों ने प्राविडेंट फंड कमिशनर के वहां जमा नहीं कराया और साथ ही मिल मालिकों द्वारा जो प्राविडेंट फंड में कांटीब्यूशन दिया जाता था वह भी जमा नहीं कराया गया है। इस तरह से मिल मालिकों ने दोनों रुपयों का दुरुपयोग किया है और इस रुपये का मिसयूज किया है जो कि एक क्रिमिनल एक्ट है। मैं आपकी जानकारी के लिए यह बतलाना चाहता हूँ कि वहां के चीफ मिनिस्टर महोदय ने प्राइवेट तौर पर यह समझौता करवा दिया है कि मिल मालिक यह रुपया इंस्टालमेंट में जमा करवा दें। एक तो प्राविडेंट फंड का रुपया इस तरह से मिसयूज किया गया है और दूसरी तरफ चीफ मिनिस्टर की ओर से यह कहा जा रहा है कि इस मामले का सब कुछ हल निकल गया है। मेरी मिनिस्टर साहब से यह मांग है कि क्या वह मजदूरों की मांगों के सम्बन्ध में एक कमीशन नियुक्त करने तथा उसके द्वारा जांच कराने के लिए तैयार हैं जो मजदूरों के रिट्रेन्चमेंट और प्राविडेंट फंड के रुपये के दुरुपयोग के बारे में जांच करे तथा सेन्टर को रिपोर्ट दे कि वास्तव में रुपये का मिसयूज किया गया है जो कि एक क्रिमिनल एक्ट है। क्या आप इस तरह की जांच कराने के लिए तैयार हैं?

SHRI R. K. KHADILKAR : I made it very clear when I replied to Mr. Bhupesh

Gupta that in our experience, whenever we decided to take over a mill, sick or otherwise, there were certain hurdles because of the judicial interference—the old proprietors going to the court and getting so many orders and all that. To remove that, we will take sarious steps so that the takeover is made easy and the unemployment problem to that extent is selved. Not only that, all these mills will be set right and made viable concerns. There is no question of giving up. So far as these three mills are concerned—Vinod Textile Mills, Deepchand Textile Mills and Yimal Textile Mills—I have not got the information that the hon. Member has in his possession. But if there is anything as he alleges, then that will have to be taken up at the State level. We have no authority. But so far as the provident fund question is concerned, I have said and I will repeat that we are taking very deterrent measures because the persent Act does not act as a deterrent.

श्री ओउम प्रकाश त्यागी : मैंने जांच कमीशन नियुक्त करने के बारे में कहा था, तो क्या आप इस तरह का कोई कमीशन नियुक्त करने जा रहे हैं ?

SHRI R. K. KHADILKAR : I have said that we have no authority. This matter falls within the sphere of the State Government, and it is for the State Government- to do that.

श्री ओउम प्रकाश त्यागी : प्राविडेन्ट फंड का मामला तो सेन्टर का है ।

SHRI R. K. KHADILKAR : I have answered that.

श्री वीरेन्द्र कुमार सखलेचा : आप इंडस्ट्रियल डेवलपमेंट एंड रेगुलेशन एक्ट के मातहत कार्यवाही कर सकते हैं ।

MR. DEPUTY CHAIRMAN ; Mr. Bhardwaj.

SHRI JAGAN NATH BHARDWAJ : Mr. Deputy Chairman, I am surprised that such questions which can be dealt with at the lower level are taking up so much time of this House. Is it reasonable to accept such questions for discussion in this House ?

MR. DEPUTY CHAIRMAN: If you want to ask for any clarification, you can ask.

But don't ask why it is reasonable or unreasonable.

SHRI JAGAN NATH BHARDWAJ : Sir, my first doubt is that this question should not have been accepted in this House. It is a State subject and this is a dispute between two rival unions. My friend is just mocking at the recognised union. After all, the union is not recognised under any Act and if they want to settle the affair and if they have anything against one another, they can just follow the legal procedure that is available in the State, and after' doing that they should go further. But, in this way if the unions go on using the dictatorship of the proletariat or whatever you may call it, where will the recognised unions go and how can they function ? How can laws relating to trade unions and industrial relations exist in this country ? Therefore, for the protection of industrial relations laws and trade union rights, I would like to know what the machinery is and what the position is of the recognised unions in this country. When a recognised union is there, what is the necessity of bringing this question for discussion over here ?

SHRI R. K. KHADILKAR : I have made it clear, there was a recognised union. And the recognised union and the management some years back, not now, entered into an agreement regarding the total staff strength. That is their agreement. And that was not executed. Now there is financial stringency Therefore, on that basis these steps are taken. Beyond that on this issue I cannot say anything. So far as taking over of these mills is concerned, it is a suggestion for action.

STATEMENT *RE* ATTEMPT ON THE LIFE OF THE CHIEF MINISTER OF NAGALAND

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI RAM NIWAS MIRDHA) : Sir, on the 8th August, 1972, at about 12.30 p. m. the convoy, with which the Chief Minister of Nagaland was travelling from Dimapur to Kohima, was ambushed at a place about 5 miles from Kohima. Fortunately, the Chief Minister was not hurt. But, two police constables and a driver were killed by the miscreants. The daughter of ihe Chief Minister, who was travelling with him, received injuries. She is