

12 NOON

**CALLING ATTENTION TO A MATTER
OF URGENT PUBLIC IMPORTANCE****THREATENED STRIKE IN THE BHARAT
HEAVY ELECTRICALS LIMITED,
HARDWAR**

SHRI BHUPESII GUPTA (West Bengal) :
Sir, I beg to call the attention of the Minister of Industrial Development to the threatened strike from June 6, 1972, in the Bharat Heavy Electricals Limited, Hardwar, due to the non-fulfilment of the workers' demand and the reaction of the Government of India thereto.

THE DEPUTY MINISTER IN THE
MINISTRY OF INDUSTRIAL DEVELOP-
MENT (PROF. SIDDHESHWAR PRASAD) :
Sir, as far as the Government and the Management of BHEL are aware, there is no threatened strike from 1st June, 1972 in BHEL, Hard-war Unit, due to non-fulfilment of workers' demands. However, HEL Workers Association, which is not the recognised union, has served the management with a notice of token strike for one day on 6th June, 1972. The strike does not seem to be due to non-fulfilment of the Workers' Demands but it appears to be the offshoot of inter-union rivalry on the subject of recognition. The issue of the non-fulfilment of the demands appears to have been raised by one of the unrecognised unions namely, HEL Workers Association with the object of mustering support of the workers for the purpose of the recognition of the Union. In fact, I would like to say that up to the time that the Labour Commissioner of U. P. undertook the verification of membership in March, 1972, there was hardly any industrial unrest in BHEL, Hard-war. On the other hand every one of the 7000 workers in the plant had pledged himself in writing during December 1971, following the Indo-Pakistan conflict, to work whole-heartedly and to maintain higher production during the present emergency. The signed pledges were ceremonially presented to the President of India on the 14th March, 1972, in token of their determination to improve production and work whole-heartedly, shoulder to shoulder with the management. Subsequently, when the verification of the membership of the various Unions, was commenced by the Deputy Registrar of Trade Unions, U. P. in the last week of March, the HEL Workers' Association wanted to demonstrate their strength. Apparently there was counter demonstration by the other Union and it is reported that there was some scuffle between

representatives of the rival Unions, which has been reported by the Management to the Resident Magistrate. Following this, the President of the HEL Workers' Association undertook a fast for four days, his demand being that the Joint Secretary of the other Union must be suspended forthwith. On 20th May, 1972 the Association has served a notice of token strike for 6th June, if their demands numbering 32 are not conceded. Some of these demands were the subject matter of agreed solutions under an agreement registered under the U. P. Industrial Dispute Act with the Recognised Union. The currency of the Agreement is for 5 years with effect from 24th February, 1970. Therefore, the raising of these demands at this stage is not legal.

Recognition of the Union : As I have mentioned earlier, the Heavy Electrical Workers Trade Union was the recognised Union at the BHEL, Hardwar, till 31st December, 1971. Thereafter, the Deputy Registrar of Trade Unions had wanted to do the verification to give recognition to the union having maximum support. However, so far the Deputy Registrar of Trade Unions had not informed the BHEL management as to which Union could be taken as the recognised Union, and has advised the Management of BHEL Hardwar that they are to continue the recognition of the HEL Worker's Trade Union till such time as change, if any, in the recognition is notified by the Registrar. In this circumstance, the Management is also not in a position to negotiate with the HEL Workers' Association, on the question of any of the demands alleged to have remained unfulfilled, as it is not the recognised union.

I may add that the Labour Commissioner, Government of U. P, is aware of the threatened strike for the 6th June and it will be within his competence to take appropriate action under the relevant Rules issued under the Industrial Disputes Act-

SHRI BHUPESH GUPTA: I am a little shocked and horrified by the statement that has been made but I must say I am not surprised because such a statement is expected from a Ministry headed by Shri Moinul Haque Choudhury. Sir, before I start, I should like to point out that much has been said about the management. You will remember during this session I had occasion to refer the House to a statement by Mr. Moinul Haque Choudhury about his income-tax to Mr. I. P. Ha/rika, In come-tax

Officer of Gauhad and Mr. Hazarika cleared Mr. Moinul Haque Choudhury. Now as a reward for the services rendered Mr. Hazarika has been appointed as the Joint Secretary of the BHEL. Such is the management ; let him deny it. After giving clearance to Mr. Moinul Haque Choudhury in regard to his income-tax and other things—in fact I read out the statement which was made to Mr. Hazarika by Mr. Moinul Haque Choudhury in this very House—the reward has come. That is your management. Now it is rather strange that the hon. Minister has sought to distort and suppress facts but that is the characteristic of the Ministry to which he belongs.

First of all, the workers had put forward 35 demands lone ago. They have been pending for a long time and have been placed before various authorities. The demands would show that they are legitimate demands of the workers and relate to the needs of the workers. Now the main demand is for bonus for 1970-71 and 1971-72. It has nothing to do with the quarrel with the so-called INTUC if at all INTUC is there. It is actually Syndicate INTUC. The second demand is for a minimum wage of Rs. 214/- as in the steel industry. The third demand is participation in management which conforms to the Government policy. Fourth demand is about the Public Undertaking Committee's finding that there is bungling in the matter of production and that is why they stress workers' participation should be there. The Public Undertaking Committee has recommended such a thing and the declared policy of the Government is also along that line. Is it not a fact that the engineers and workers are never consulted as a result of which the company has to face very great difficulties in the matter of production ? Another demand is relating to the promotion policy to avoid corruption and nepotism. One case of nepotism I have just told. Mr. Moinul Haque Choudhury's favourite Income-tax Officer of the IRS has been shifted from the Revenue Deparimeni to be put in by him as the Joint Secretary of BHEL. The connection between the two I have already mentioned and he has lived in his house his also, Mr. Hazarika. The sixth demand is this. Eleven hundred out of the 5.500 workers are daily-rated, many for eight years or so and they are working on half the wages. They are not even paid the rates under the Engineering Wage Board Award which are applicable to the daily-rated workers in the engineering industry in the public sector which

are enforced by statutory notification. The violation of this notification and non-implementation of this wage rule makes the employers liable up to three years imprisonment. That is not being done. As a result our calculation is workers have been cheated of Rs. 8 lakhs ; it is not less than that.

Now, Sir, this is one of the five industrial undertakings in the public sector. But it has almost been put on the Bhopal way, that is to say, the Bhopal Heavy Electricals way.

Now, Sir, there is a calculated effort, according to us, to sabotage and ruin that industry by some people who are never reconciled to the prosperity and promotion of public sector industries in our country. Management is in the hands of Mr. D. R. Malik, who is a shady character. Is it not a fact that an inquiry is going on against him ? He is a man of such a shady character that I would not like to say such things. I being a very old type of man do not use the very modern language of now-a-days, the language of the permissive age. I do not use it. I hope hon. Members will forgive me. I do not belong to the permissive age of these days, but Mr. Malik belongs eminently to the permissive age.

Then, Sir, the 'syndicate' union was led by the 'syndicate' leader Mr. Kashinatl) Panday. He has gone but his lieutenants with the help of *goondas* attacked the AITUC leaders in a bus. A case of dacoity is being investigated but no arrest, no suspension, has been made in this connection, and only after four days of hunger strike by the President of the Union the magistrate made a promise that there would be some kind of inquiry—it does not come. I am surprised he called it a trouble. I have got here the magistrate's letter to the President of the Union. He says, "I must assure you that the culprits cannot escape the clutches of law however difficult and protracted the process may be." This is what the magistrate has said, and the magistrate is the Mr. S. C. Rasiogi, Resident Magistrate, Hardwar, and he has said this in his letter dated 20th May, 1972, to Mr. R. K. Garg, Advocate of the Supreme Court and also President of the Union. What has happened to this ? Your official, not my official. Now he does not mention this thing. The magistrate says : yes, there is a case and I assure you that they will be dealt with according to law, no matter what happens. But here it is presented as some kind of trouble, rivalry of

[Shri Bhupesh Gupta |

unions. It is dacoity and an assault on the bus, inmates, and when the magistrate is in the picture dealing with the case, he is ignored for some reason or another—I will not say they have taken bribe—by this hon. Minister. It is a shame. You have to explain it. It is deliberate misleading of the House ; I charge the hon. Minister. He should have known that we would be in possession of such things. The documents have gone to the President of India also.

Sir, now the question comes to the recognition part of it. There is the union first of all, the 'syndicate' union. Where it is 'syndicate', where [lie people call it 'indicate' we do not know.

SHRI NAWAL KISHORE : Where it is a CPI union, there it is 'indicate'.

SHRI BHUPESH GUPTA: I do not know; you can tell better, but as far as this union is concerned, you have the pride of place in this matter.

SHRI NAWAL KISHORE. : Oh ! Thank you.

SHRI BHUPESH GUPTA: That was the 'syndicate' union and its recognition expired on the 31st of December 1971. He has mentioned this but then *suggestio Jatu, suppressio veri*; that tactics he has followed. In Uttar Pradesh no law exists for recognition; only the Code of Discipline exists there. The U. P. Labour Minister went to the Management to continue recognition of the 'syndicate' union even after the expiry of the recognition. And he has suppressed another fact, namely, that the Deputy Registrar of Trade Unions, who came to Hardwar for verification, refused to accept the 6,000 open ballots to be presented by the workers with their identity cards. He did not accept. He ran away from there. The next day, the 'syndicate' union and its *goandas* ¹, tacked tin-bus and assaulted the workers. The case is pending. Why don't you see such things ? Therefore I say it is total suppression of facts. The President of India went to Hardwar and he was all praise for the manner in which the workers were running that particular undertaking, and in fact when he had been met by the representatives of the union, he expressed the same sentiment. Therefore, Sir, what to say ? I think we are absolutely helpless. Such a false,

perverse and malicious statement is made in the House in the name of the Government. It is an anti-working-class, dull statement made in order to placate the management and Mr. Moinul Haque Choudhury's friends there. It is a shameful thing. In the name of the country and for the good of the nation and the industry, I shall make a few suggestions for the Leader of the House to take note of. Mr. Moinul Haque Choudhury puts Mr. Hazarika, who allows him to evade income-tax, as Joint Secretary in charge of the public sector undertaking. Immediately negotiation with the HEL Workers Association is called for. Another union is recognised, but which union is representative can be easily found out. Is the Government ready for it ? I am prepared to leave it to the members of the Congress Party there. Let them send their representatives because I have faith in my friends there. Let some official members of the Congress party go there and ascertain facts and tell us whether this particular union, the HEL Workers Association, does represent the overwhelming majority, almost 90 per cent of the workers, or not. If they come and say 'No', I shall accept it. Is he ready for it ? Therefore, negotiate with it. The Minister must visit, which Minister I do not know. If Mr. Moinul Haque Choudhury goes there he will find on the one side Mr. Ishwari Prasad Hazarika, who had helped him to evade the income-tax law—political fund donation is a very normal thing he has made—and on the other side, somebody else, Mr. Malik, and so on. I would ask Mr. Dikshit, as the Leader of the House, and an hon. Member he is I believe, to go there. Let Mr. Dikshit go there and enquire into it and hear the complaints and grievances of the workers and tell us. I will abide by what he says as the Leader of the House. He is also a senior member of the Cabinet. I am prepared to listen to him. Is he ready ? The syndicate union, its representation, is a myth. It has absolutely disappeared. It can also be found out. It is a question of objective fact—You do not have to dream it. You should go there, look at the workers, talk to them and find out as to whether it exists there or not. But some *goandas* are there . . .

SHRI JAGANNATH BHARDWAJ (Himachal Pradesh) : Is this House the place for discussing all these matters ? He is talking so much.

MR. DEPUTY CHAIRMAN : You have already taken fifteen minutes.

SHRI BHUPESH GUPTA : The *goondas* should be arrested. You are new. You will get accustomed to me. I do not mind it. I am sorry, I sympathise with you. It takes a little time to get accustomed to me. Ultimately you will like me, I know. I am a person who is not loved at first sight. I am one who is loved after a deep love. Then, Sir, he has mentioned another fact. The HEI. Workers Association has made it known that it is prepared to have one union. Let all these people combined have one union. They have never said that they want any rivalry or division among the workers or a rival union. Is he prepared for that / If he is prepared for that, let there be a discussion and let the matter be discussed.

Finally, before I sit down, I should like the matter to be reported to Parliament. We cannot allow another repetition of what happened in Durgapur or what is happening in Bhopal where corruption and nepotism have ruined our industry under the bureaucratic management, under accused anti-working-class Minister, and it has resulted in such a thing. We have a Labour Minister, but where he lives I do not know. He is never to be found in such matters. He should have been here. The moment it came here, he ran away . . .

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR AND REHABILITATION (SHRI BALGOVIND YERMA) : I am here.

SHRI BHUPESH GUPTA: You are a Shirley Temple Labour Minister. Now, why is he absent here ? Mr. Dharia and others —they know the whole case. Why are these steps not being taken ? I demand that the report should be made to Parliament and I do demand negotiations should start. You cannot stand on prestige over the question of negotiation. Negotiate with those people in whom you have confidence. If you have any doubt, go and find out. Make your judgment and come to an arrangement through negotiations. Their demand should be met. It is a just and legitimate demand. You cannot allow the public sector undertaking to go to rack and ruin, which appears to be the calculated policy of some people in the management and some people also around them. Therefore with great sorrow and also, if I may say so, indignation I have brought this matter to the notice of the House in the interests of finding some solution to the problems which have been created by the management, which is not

only not imaginative, but hostile *o the working-class and partisan in this matter. Therefore, I want action to be taken. Mr. Dikshit, I appeal in him again and again that he should really take a little more interest in such matters. Although he has too many things on hand, still I do not see . . .

MR. DEPUTY CHAIRMAN : Let us hear the Minister.

SHRI BHUPESH GUPTA: You should take interest in such matters. You are the only bridge between us and the Prime Minister. Whether that bridge is shaky or not is a different matter.

SHRI S. D. MISRA: Mr. Bhupesh Gupta is the other bridge.

SHRI BHUPESH GUPTA : He is never a bridge. He has been a dynamite to blow up the syndicate, but he has never been a bridge.

PROF. SIDDHESHWAR PRASAD: Mr. Deputy Chairman, I do not want to use harsh words.

SHRI BHUPESH GUPTA: No, Sir, he should.

PROF. SIDDHESHWAR PRASAD: ... nor do I want to exaggerate facts like my friend, Shri Bhupesh Gupta, who has very ably summarised the demands of the Association. The whole point is that only on the 14th March, 1972, as I have stated earlier, the workers of the BHEL, Hardwar, pledged and took it ceremoniously before the President that they will cooperate and make all efforts to increase production but only after two months all these things are taking place. As I have stated earlier, it is because of the recognition of the union. Whatever be the facts, they have got to be put straight. As far as the recognition of the union is concerned, under the law the Government of U. P. is the competent authority to verify and to report to the management which is the union which should get recognition. I have also stated that the recognised union came into existence in December, 1969. Now, verification is under way. After getting the report as to which union has majority, naturally the management will give recognition to the union. Pending that, I think, it will not be proper to start any negotiation with any of the unions, my only

[Prof. Siddheshwar Prasad] hope is that, as the workers have pledged, as all the workers of BHEL, Hardwar, have pledged, they will make all-out efforts and cooperate with the management for stepping up production. I pray and hope that they will keep their pledge.

As far as the bonus matter is concerned, according to the Bonus Act, after going into production and only six years after that, it will be paid. The Act says from the sixth accounting year following the accounting year in which the employer sells the goods produced, bonus will be given to the workers. Now, the factory went into production in 1966-67. Therefore, it will be due only by 1973-74, and then the matter of bonus will be considered. As far as the other matters are concerned, regarding the clash between the two unions, the workers of the two unions, the matter is being investigated by the Magistrate and this has been rightly pointed out by my hon. friend, Shri Bhupesh Gupta. Therefore, the matter is *sub-judice*. *Hem e*, I do not want to say anything.

डा० भाई महावीर : उपसभापति जी, मंत्री जी ने जो यूनियन की आपसी झगड़े की बात कही, उसकी बारीकियों में या उस सारे झगड़े को मैं नहीं जानता हूँ और श्री भूपेश गुप्त जी ने इस बारे में जो बात कह दी है उससे मैं और ज्यादा बात जोड़ने की जरूरत नहीं समझता हूँ।

लेकिन महोदय, मैं एक बात के बारे में स्पष्टीकरण चाहता हूँ कि क्या यूनियन के झगड़े के अतिरिक्त जो ये चिट्ठियाँ इस बर्कर एसोसिएशन की तरफ से सरकार को भेजी गई है—यूनियन को आपने मंजूरी दी है या नहीं दी है, यह एक अलग सवाल है, आप उनसे बातचीत करें या न करें, यह भी सवाल मैं नहीं उठाता हूँ—उसमें उन्होंने जो बात कही है, उसमें एक मुद्दा यह है कि राष्ट्रपति को एसोसिएशन की तरफ से जो चिट्ठी भेजी गई है, उसमें इस बात का जिक्र है कि वहाँ के प्रशासन में नैपोटिज्म और फेवरिज्म है :

"It is encouraging nepotism, favouritism and corruption in the name of enlarged discretionary powers of the management in matters of house allotments, promotions and other discretionary relief."

महोदय, क्या यह सच नहीं है कि इस तरह के चार्ज वहाँ के प्रशासन पर पहले भी लगते रहे हैं, क्योंकि प्रशासन को बहुत स्वायत्त संस्था के अधिकारी मिले हैं और उसकी आड़ में हम लोग कुछ पूछ नहीं सकते हैं? यदि हम कुछ पूछते हैं तो हमें जवाब दे दिया जाता है कि सरकार इस तरह के सवाल के बारे में वहाँ पर जवाब देने की जरूरत नहीं मसझती है।

महोदय, मैं मंत्री जी का ध्यान इस बात की तरफ दिलाता हूँ कि मैंने स्वयं एक सवाल पूछा था, जिसमें मैंने मंत्री जी के ध्यान में यह बात दिलाई कि जिस वक्त वी० एच० ई० एल० टाउनशिप में बहुत से इंजीनियर, जिनकी शुरु में उनके निर्माण के समय जरूरत थी, बाद में उनका काम कम होने की वजह से जरूरत नहीं रही थी, तो उनसे कहा गया कि वे चले जायें और वहाँ से हटने की बात थी। लेकिन फिर एक एग्जीमेंट के बाद यह तय हुआ कि उनको तब वहाँ से हटने के लिए कहा जायेगा जब वे दूसरी जगह पर जा सकेंगे। यानी इंजीनियरों की जरूरत ज्यादा होते हुए भी एक स्पेशल पोस्ट एडमिनिस्ट्रेटर आफिसर की क्लिएट की गई, बनाई गई टाउनशिप में क्योंकि किसी एक खास आदमी को जो मंत्री जी से विशेष संबंध रखता था, उसको प्रोवाइड करना था। महोदय, इस तरह की शिकायतें भेजी और सरकार के सामने आई या नहीं?

इसके साथ ही साथ दूसरी बात मैं यह निवेदन करना चाहता हूँ कि इस बारे में मैंने प्रश्न उठाने की कोशिश की थी और सफल नहीं हुआ कि वहाँ पर जो डाक्टर हैं, मेडिकल प्रैक्टिशनर हैं, उनमें से कई ऐसे हैं जो अपने रिस्क में, अपनी जिम्मेदारी में छुट्टी लेकर बाहर से स्पेशलाइज्ड ट्रेनिंग लेकर आये, लेकिन आने के बाद उनकी इस ट्रेनिंग का कोई उपयोग नहीं किया गया और उन की योग्यता के लिए कोई पुरस्कार भी नहीं दिया गया। इन कारणों से इन स्पेशलाइज्ड मेडिकल ट्रेनिंग पाने वाले स्पेशलिस्टों को एक और बड़ी शिकायत अपने काम के बारे में और अपने वेतन की शर्तों के सम्बन्ध में बहुत पहले से है और उनके बारे में अभी तक कोई ध्यान नहीं दिया गया है।

महोदय, वहाँ पर एक लेडी डाक्टर है जिसके खिलाफ कुछ कम्प्लेंट्स भी थे, शिकायतें भी थीं, लेकिन उनको प्रमोशन दिया गया एक विशेष मंत्री जी के टेलीफोन के ऊपर और सिफारिश किये जाने के पश्चात। क्या मंत्री जी को इस तरह की शिकायतों के बारे में पहले मुनने का मौका मिला है? अगर नहीं मिला है, तो मैं चाहूँगा कि मंत्री जी इन सारे मामलों और जो पिछली घटना हुई हैं, उनके बारे में जरा खोज करेंगे और फिर बतलायेंगे कि कुछ शिकायतें थीं या नहीं? वहाँ के जो वर्कर्स हैं, कामदार हैं, उनमें कुछ असंतोष का कारण मालूम होता है और अगर उनके अन्दर काम करने की लगन है, तो ऐसी हालत में उनके काम करने की पूरी क्षमता का इस्तेमाल नहीं किया जा सकता है। जिन लोगों को आगे बढ़ने का मौका मिलना चाहिए वह उन्हें नहीं मिलता है और कुछ लोग सिफारिश के आधार पर, कुछ लोग नेपोटिज्म के आधार पर भाई भतीजेवाद के जोर से आगे बढ़ते हैं। इस तरह के लोगों को आगे बढ़ने से रोकने के लिए और इस सारे मामले की जांच के लिए सरकार क्यों कोई कदम नहीं उठाती है?

आखिरी बात जो श्री भूपेश गुप्त ने कही थी और मैं चाहता हूँ कि मंत्री जी उसका सीधा जवाब दें। क्या यह बात सच है कि जिम आफिसर ने श्री मोइनूल हक चौधरी के केस के मामले में उनकी कोई मदद की थी, जिसका उन्होंने जिक्र किया—मैं इस मामले में नहीं जानना चाहता हूँ, मैं तो केवल यह जानना चाहता हूँ कि किसी ऐसे मामले में जिसमें श्री मोइनूल हक चौधरी का वास्ता पड़ा था किसी रेवेन्यू आफिसर से, क्या वे भारत हैवी इलेक्ट्रिकल के ज्वाइन्ट सेक्रेटरी बनाये गये हैं? अगर बनाए गए हैं तो मंत्री जी कृपया यह बताएं कि उनकी इस समय वहाँ नियुक्ति का आधार क्या है? जैसा कि भूपेश जी ने इलजाम लगाया है, किस कारण, किस योग्यता के बल पर अभी हाल में वहाँ उनकी नियुक्ति हुई है, यह मैं जानना चाहता हूँ।

प्रो० सिद्धेश्वर प्रसाद : श्रीमन्, विभिन्न व्यक्तियों के बारे में जो ऐसे मामले हैं, उनके संबंध में व्योरा मेरे पास अभी नहीं है। जिन व्यक्तियों

के बारे में माननीय सदस्य को शिकायत है उन व्यक्तियों के सम्बन्ध में कहीं अन्याय हुआ है, अगर उसके बारे में मुझको व्योरा देंगे तो हम जरूर उसकी जांच कराएंगे।

जहाँ तक श्री भूपेश गुप्त ने श्री हज़ारिका का सवाल उठाया है, उसके सम्बन्ध में मेरे वरिष्ठ महयोगी श्री मोइनूल हक चौधरी ने पूरी तरह से

प्रो० सिद्धेश्वर प्रसाद : श्री हज़ारिका वहाँ के संयुक्त सचिव हैं और उनको योग्यता के आधार पर बहाल किया गया है। अगर माननीय सदन ऐसा चाहता है कि संसद् सदस्यों का या मंत्रियों का जिनसे परिचय हो सरकारी कामों के सिलसिले में उनकी बहाली न हो तो इसके सम्बन्ध में...

SHRI BHUPESH GUPTA : On a point of order. We are not concerned with that thing. Mr. Moinul Haque Choudhury never disputed it. Neither Mr. Gancsh disputed that statement was made to Mr. Hazarika. I did not ask you a question. I gave the information whether Mr. Hazarika is not the Joint Secretary of the Heavy Electricals L'd. That is the question. You just answer that question in yes or no.

SHRI BHUPESH GUPTA: I seek your protection. I think in such matters the Chair should give the protection. The simple question was whether the gentleman now or lor whatever reasons...

DR. BHAI MAHAVIR : He has admitted that.

SHRI BHUPESH GUPTA : Does he know that after this thing he is living in Mr. Moinul Haque Choudhury's house as a reward because this gentleman cleared Mr. Moinul Haque's statement to which reference has been made? We shall return to that again.

डा० भाई महावीर : मैंने यह पूछा था, मैं यह जानकारी चाहता था—आधे का जवाब मंत्री जी ने दिया कि वे नियुक्त किए गए हैं—कि क्या वे हाल ही में नियुक्त किए गए हैं, कब नियुक्त किए गए हैं और इस सम्बन्ध में उनकी विशेष योग्यता क्या है, हैवी इलेक्ट्रिकल्स के सम्बन्ध में

[डा० भाई महावीर]

या इस तरह के संस्थान के प्रबन्ध की उनकी कोई योग्यता है या उनका कोई तजुर्बा है और अगर कोई है तो वह क्या है ? कृपया यह बताएं ।

प्रो० सिद्धेश्वर प्रसाद : इसका व्यौरा मेरे पास नहीं है, लेकिन माननीय सदस्य भूपेश जी ने बार-बार जो बेवुनियाद बातें कही हैं, पहले भी उन्होंने कुछ बातें कही उनका कोई आधार नहीं है ।

SHRI BHUPESH GUPTA : On a point of order. On what basis is he saying that I have said baseless things ? The statement I have made is admitted. He has admitted it. In connection with the statement made in the month of September the Minister said here in this very House that the income tax authorities were satisfied and Mr. Hazarika was satisfied. These are on record. Still I am accused of making a baseless statement. Shall I say more about your Minister today ? I have got something which will shock you, gentleman. I will ask the junior Minister not to put his foot into his mouth.

SHRI N. G. GORAY : Sir, the question about this plant raises certain very important issues. I would like to point out one or two things. One is that this is a very important industrial complex. That is number one. And the Government has admitted that there is a strike notice and strike is likely to begin on the 6th of June which is not very far away. Now, they have also admitted that the recognition given to the old union expired by the end of December last. Now it is six months. It was really time by which the recognition ought to have been verified. So far it seems it has not been verified at all. I would ask the Minister instead of giving very perfunctory answers to the question does he not feel that it is very necessary for the Central Government to go into this dispute and not to say that all this authority lies with the State Government of U. P. And it is they who have to verify whether this particular union is a representative union or not. When things have come to such a pass that such an important industrial complex is likely to be closed down involving losses of crores of rupees, does not the Central Government think that it is very necessary to step into it on their own volition and try to find out whether the truth

is on the side of this association or the truth is on the side of the management. I am not concerned here with Mr. Moinul Haque Choudhury at all. He has become a pet aversion of Mr. Bhupesh Gupta. I do not want to go into that. I do not know why again and again the name of Mr. Moinul Haque Choudhury, where he stayed, etc. is being raised. He said he stayed in the house of a particular man. I do not know whether he stayed in the night or during the day. I do not know.

SHRI BHUPESH GUPTA : Generally Mr. Moinul Haque Choudhury at night likes to be alone.

SHRI N. G. GORAY : That is all right. That is not very important at all so far as this industrial complex is concerned. He may stay anywhere and however long he wants. That is not our main concern. I would like to ask you, as Minister in charge of this particular industry, whether you are not interested in seeing that justice is done to the workers and also the continual production of this factory is ensured.

PROF. SIDDHESHVAR PRASAD : I completely agree with the concern shown by my hon. friend, Shri Goray, about the B. I. E. L., Hardwar. Sir, we are making all efforts to see that there is no industrial unrest and we have been reminding very often the Government of U. P. to expedite action . . .

SHRI N. G. GORAY : But do not confine your activity only to reminding them. If they are not waking up you can go there yourself.

PROF. SIDDHESHVAR PRASAD : We will take it up again with them. But if I go there or if anybody goes from here, he is not the authority under the law to verify and give recognition to any union. Therefore, even if I go there, the only thing will be that there may be goodwill among the workers, but beyond that I cannot verify and give recognition to any union or I cannot de-recognise any union. It is only the State Government in the concerned State which is supposed to do it under the law.

SHRI N. G. GORAY : Sir, I am not satisfied. I would say that if this matter is so important, why not depute from here somebody

101/tcknow and take the official concern there along with him to Hardwar ? It is not very far.

PROF. SIDDHESHWAR PRASAD : That is what I have said. We will take it up with the Government of U. P.

SHRI D. P. SINGH (Bihar) : Sir, at a time when this nation is fighting one of the grimmest battles and fighting against economic strangulation by foreign powers, and when we are trying our level best to achieve not only self-sufficiency but increased production in all fields so that we can economically rehabilitate this nation, any impediment in the matter of production and larger production must be attended to immediately. Sir, even a casual visit to Hardwar does not fail to convince one about the gross mismanagement in the factory and stories of pilferage on a large scale are going round the town and any third person will speak about it. Now, at the moment if a strike is threatened and if there are allegations of large-scale nepotism and corruption, it is a very serious matter which must be enquired into. We expect that on this matter there cannot be two opinions. There cannot be any dispute whether it is the AITUC or the INTUC. It is essentially not a matter of dispute between the rival trade unions. There are certain matters which are common and which are basic. Sir, I submit that if the assurance from the workers is forthcoming that as a result of their looking into the bureaucratic management, production is likely to improve, then any difficulty that arises in the way must be tackled with speed and urgency and must be removed.

PROF. SIDDHESHWAR PRASAD : I agree with the suggestion made by the honourable Member that if cooperation is coming from the side of the workers, such cooperation should also come forth from the side of the management, and we are making all efforts to see that whatever lapses there are on any side, they should be removed and whatever the grievances either from the side of the management or from the side of the workers, those grievances should also be removed at the earliest. And I may further add, with your permission, that I am glad that the Chief Minister of U. P. is scheduled to come by the end of the month and I shall try to see that with the intervention of the Chief Minister of U. P., their verification and other labour

matters are settled at the earliest. If a specific charge regarding corruption, nepotism, favouritism, pilferage and matters like that, is brought to the notice of the Government, certainly the Government will look into it.

SHRI ISHUPESH GUPTA : They had been brought to your notice, by a memorandum to the President, by a letter to the Prime Minister, by a document to your Ministry also.

SHRI KRISHAN KANT : I am not interested at the present moment whether this union is recognised or that union is recognised. The question is this industrial undertaking might close on the 6th June. Whether you will talk to the U. P. Government or not, it is immaterial. The question is whether the Government of India, whose undertaking the BHEL is, will do something by calling the representatives of both unions or other representatives of the management and the workers, and talk to them together so that this situation is averted. Whether long-term measures have to be taken or short-term measures have to be taken, whether they should be taken in two years' time, it is a different matter. You can decide it later. (Interrupted) Mr. Moinul Haque Choudhury has written a letter to me saying, "I am having the matter looked into expeditiously". If the Deputy Minister is also serious that the matter should be looked into expeditiously, will he assure this House that steps will be taken to see that the strike does not take place on the 6th June because Parliament will not be in session at that time ? You must assure the House that you will take steps so that the strike does not take place and production does not suffer. Whether this union is recognised or that union is recognised is not the question.

PROF. SIDDHESHWAR PRASAD : I am as serious as the honourable Member is. All efforts will be made to see that the strike does not take place.

SHRI T. V. ANANDAN : For the progress of a country the working class is the most essential. Amongst them two categories are (here : one is the agricultural labour and the other is the industrial labour. Industrial labour is most important and vital for the growth of agricultural labour also. As such, I find, the Government of India, especially the Labour Department, does not evince interest in this matter. They take everything easy and allow people to suffer ; it means the country suffers. If there is a strike in the

[Shri T. V. Anandan]

BHEL the country suffers, not the Minister or anybody else. It is a huge project. I know, I have visited that project. It is a pride for our country to have the BHEL there. The question involved here is the participation in the management, the wage structure and the bonus. You are now saying that it will be solved. You now say, Mr. Minister, that because of the question of recognition this issue has now come to the forefront. Even if it is a question of recognition, what is the harm there? All right, prior to the mid-term election, everything was not all right. After the midterm election at least, with the massive support which the Prime Minister got from the country, why should you not change the policy of recognition to unions? Why don't you have a ballot among the workers? I was once myself against ballot. But after the mid-term, I feel that the working classes must come together. My colleague said that recognition is a matter for the State. What harm is there if the Centre gives instruction to the State to have a ballot on which union should be recognised? If you are interested, certainly you could have done that. As far as Tamil Nadu is concerned, is not the Labour Ministry interfering with the local strikes there? Why is it on strike and is not Shri Khadiolkar taking action to solve the problem there? So also Avadi. I think this is of paramount interest to the country and therefore the Minister should not say that you depend on the U. P. Government because it is the country which is going to suffer. Therefore I want that before the 6th June a solution must be found, whether you call the Chief Minister here or whether you contact him by telephone or telegram. Whatever it is, you have to see that this question is solved immediately by Inning a ballot.

THE LEADER OF THE HOUSE (SHRI UMASHANKAR DIKSHIT) : Before he replies, I want to say something in regard to the remarks made by Shri Bhupesh Gupta. He seems to be under the impression that as Leader of the House, I have to take up various assignments relating to various industries and Ministries in which I may be interested. I am one with him and the entire House that if it is a labour dispute; every reasonable effort must be made to see that the Government is not in the wrong and the management is not in the wrong. Now he can imagine a situation where with the best of efforts it is very difficult to avoid a strike, particular where there are two Unions. Shri Bhupesh Gupta should know

this as he has been in the labour movement.-: I have also been associated with labour indirectly, sometimes from the side of management and more so from the side of labour. Wherever there is multiplicity of Unions . . .

SHRI BHUPESH GUPTA : On a point of order ...

SHRI UMASHANKAR DIKSHIT : I am speaking from my experience. I wish to be heard, because I am speaking something very serious. Wherever there is multiplicity of Unions, there is more likelihood of strike than otherwise. However good may be the feelings or intentions of my friend I cannot certainly take the responsibility, whether I am a shaky-bridge or strong bridge. Sir, it is not a question of roads and bridges. It is a serious matter involving labour interests and I am sure the Ministry concerned will take interest in this matter and do whatever it can. Prof. Siddheshwar Prasad is a serious-minded person. Apart from that, I do not want to go into personalities. He has given that assurance. Now let the House take this warning . . .

SHRI BHUPESH GUPTA : On a point of order . . .

SHRI UMASHANKAR DIKSHIT : I have not completed. I have to go on an urgent work . . .

SHRI BHUPESH GUPTA : Before you go

SHRI UMASHANKAR DIKSHIT : I will not take his orders. I shall only take your orders. Sir, I will not take the order from anybody else, however important he might be to the House. I shall take orders only from the Chair. I should not be interrupted. I have not completed my statement, I am intervening at his own request. He is in the habit of making provocative statements. I refuse to be provoked. I want to say with complete sense of responsibility what my feeling is in this matter. I can say even on behalf of the Government that whatever reasonable steps have to be taken, will be taken. But let us say this in a matter like this where one of the Unions feels that it alone can negotiate and if you recognise another Union and start dealing with that Union, then more trouble will arise than otherwise. Another thing, Sir, I would like to say. I agree that what Mr,

Krishan Kant and some other honourable Members have said has force in it, that is, where a reasonable demand is there, then, the difference between the Unions does not matter much, because to the minimum extent of the desired demand all Unions will agree. Therefore, I would advise Mr. Siddheslnvar Prasad to take note of this that if the matter of bonus or anything can be settled by taking the matter above the Union quarrel, I hope, he will make the necessary effort in that direction.

Sir, I would like to go now as I have to attend to an important engagement.

MR. DEPUTY CHAIRMAN : Yes, Mr. Siddheslnvar Prasad, you have to reply to Mr. Anandan now.

PROF. SIDDHESHWAR PRASAD : Mr. Deputy Chairman, Sir, the honourable Leader of the House has very clearly stated the position of the Government on this matter. Therefore, to that extent, Sir, I have nothing more to add on this point.

Sir, the hon. Member has raised the question of recognition of the Unions. Sir, the House is fully aware that the Union Labour Minister is making all-out efforts to evolve a formula for the recognition of the Unions and not only he has held a conference of the Labour Ministers of the States, but, I am told, Sir, that on the 30th May he has also called for a meeting of the National Council of the Trade Unions where these matters will be settled. Now, Sir, my friend, Shri Krishan Kant, has earlier raised the point about reasonable demands of the Unions, whether of this or that Union and there is multiplicity of Unions in the BHEL. Sir, only this morning I had a talk with my hon. friend, Shri Krishan Kant and I had said that the legitimate demands of the workers . . .

SHRI BHUPESH GUPTA : Sir, on a point of order. Why didn't he talk to me also ? It is a question of labour.

PROF. SIDDHESHWAR PRASAD : Because he gave me a ring and you did not give me a ring.

SHRI BHUPESH GUPTA : Mr. Khadilkar used to ring me up. Why didn't you do that ?

PROF. SIDDHESHWAR PRASAD : My hon. friend gave me a ring whereas you did

not give me a ring. We have a telephone and he too has a telephone.

SHRI BHUPESH GUPTA : I am not objecting to your telephoning. The difficulty is that you talked to him and not to me. At least to one sensible man you have talked.

PROF. SIDDHESHWAR PRASAD : Thank you for the compliments.

SHRI M. K. MOHTA : The hon. Minister should ring up so that it will go in the Government account.

PROF. SIDDHESHWAR PRASAD : Therefore, Sir, I have only this much to say that whatever the legitimate demands of the workers, whether they come from this Union or that Association, it does not matter to the management or to the Government and we will take ample care of these legitimate demands and, Sir, in case there is a multiplicity of Unions, all efforts will also be made to see that there is only one Union in one unit which will also smoothen the way of the management not only in getting the co-operation and support from the workers, but also in fulfilling the demands of the workers.

SHRI BHUPESH GUPTA : Sir, on a point of submission. You have to give me protection. I have to ask questions on this.

MR. DEPUTY CHAIRMAN : Let Mr. Kapur ask questions first.

SHRI YASHPAL KAPUR (Uttar Pradesh) : Sir, I support what Shri Krishan Kant said. In this connection, Sir, I may say that if the good offices of the U. P. Government are obtained and utilised, these matters can certainly be settled. I say this, Sir, because there was trouble, I remember, in the Antibiotics Factory at Rishikesh and some people were dismissed, some were arrested, and when the U.P. Government were informed of the fact? of the situation, they withdrew the case: against all those people who had been arrested and then released on bail. As far as the BHEI is concerned, Sir, our concern is and also o the U. P. Government's is that because of tin slow production in that unit, till now largi orders are pending and crores of rupees havi been advanced by the U. P. Government als for equipment and machinery for power generation. But they are unable to fulfil the orde

[Shri Vashpal Kapiu] Now this is affecting the electrification of the State and it would be a tragedy if because of this labour trouble the undertaking gets closed and our programme of taking the electricity to the rural areas is affected. Therefore, I would appeal to the Minister to do something about it. I understand he is proceeding to U. P. for some other business. He can find some time when he goes there to convene an informal or formal meeting, whichever he thinks it is effective, of the Chief Minister, who is also the Labour Minister and the Labour Commissioner. A few representatives of labour from Hardwar can be invited and some settlement must be arrived at, otherwise it would affect all our programmes of electrification in the State. Thank you.

PROF. SIDDHESHWAR PRASAD :
The

hon. Member has made a suggestion, Sir. As per the programme as it stands, I am scheduled to go to Lucknow this Sunday. If the Chief Minister and the Labour Minister and others are available, I will ascertain it. And after that I will also request the representatives of the different Unions if it is possible to meet me at Lucknow with the representatives of the U. P. Government. I shall try to settle it, if possible. If not, I will take it up later on.

SHRI BHUPESH GUPTA : Sir, I am very sorry that Mr. Dikshil, before he went, said that I was making certain provocative statements. Sir, I do not want to be provocative. I was provoked to some extent . . .

MR. DEPUTY CHAIRMAN : What is it ? Is it a point of order or what ?

SHRI BHUPESH GUPTA : It was not provocative. Now, Sir, the hon. Minister also accused me of making baseless statements. Mr. Goray said that I have got something against Mr. Moinul Haque Chaudhury. It is not individual . . .

MR. DEPUTY CHAIRMAN : This has nothing to do with this . . .

SHRI BHUPESH GUPTA : If these people are brought in as Mr. Moinul Haque Chaudhury bringing them, then it will be spoiling the industry. It is very wrong . . .

MR. DEPUTY CHAIRMAN : This has got nothing to do with this . . .

PAPERS LAID ON THE TABLE

STATEMENT LAYING ACTION PROPOSED TO BE TAKEN ON THE CONVENTIONS AND RECOMMENDATIONS OF THE 54TH SESSION OF THE INTERNATIONAL LABOUR CONFERENCE

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR AND REHABILITATION (SHRI BALGOVIND VERMA) : Sir, I beg to lay on the Table a statement (in English and Hindi) indicating the action proposed to be taken on the Conventions and Recommendations adopted at the 54th Session of the International Labour Conference held in Geneva in June, 1970. [Placed in Library. S.No. LT-3045/72].

MINISTRY OF LABOUR AND REHABILITATION NOTIFICATIONS

SHRI BALGOVIND VERMA : Sir, I also beg to lay on the Table a copy each of the following Notifications of the Ministry of Labour and Rehabilitation (Department of Labour and Employment) under sub-section (7) of Section 3 of the Personal Injuries (Emergency Provisions) Act, 1972 :

(a) (i) Notification S. O. No. 559G, dated the 30th December 1971, publishing the Personal Injuries (Emergency Provisions) Scheme, 1971.

(i) ii) Notification S.O. No. 5597, dated the 30th December, 1971, publishing the Personal Injuries (Emergency) Regulations, 1971.

(b) Statement (in English and Hindi) giving reasons for not laying simultaneously the Hindi version of the Notifications mentioned at (i) and (ii) above.

[Placed in Library. See No. LT-3044/72 and (b)J.

I. ANNUAL REPORT AND ACCOUNTS (1970-71) OF THE MINING AND ALLIED MACHINERY CORPORATION LTD. DURGAPUR AND RELATED PAPERS.

II. ANNUAL REPORT AND ACCOUNTS (1970-71) OF THE NATIONAL MINERAL DEVELOPMENT CORPORATION LTD. AND RELATED PAPERS.

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAH NAWAZ KHAN) : Sir, I beg to lay on the Table, under sub-section (1) of section 19V & 19VV