

†WITHDRAWAL OF PROSECUTION CASE AGAINST
HIND MOTORS

*38. **SHRI BHUPESH GUPTA:** Will the Minister of LABOUR AND REHABILITATION be pleased to state:

(a) whether it is a fact that the Government of West Bengal have recently taken a decision to drop the proposal for prosecution of the management of the Hind Motors; and

(b) if so, the reasons for the same and the circumstances in which Government thought it fit to do so?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (SHRI BISHWA NATH ROY): (a) Yes, Sir.

(b) In the interest of mutual understanding between the management and labour through conciliation, the West Bengal Government thought it fit to refrain from taking any legal action.

SHRI BHUPESH GUPTA: The question has not been properly answered. May I know, Sir, whether it is not a fact that it was brought to the notice of the Governor by a former M.L.A., Shri Arun Sen, a trade unionist himself and also a member of a number of trade union committees connected with the Birlas, that the Hind Motors were violating Section 9A of the Industrial Disputes Act by unilaterally increasing the working hours by half a day for the workers without any notice to the Government or to the workers and whether it is also not a fact that in the light of these disclosures made to the Governor by a former M.L.A., the Governor ordered prosecutions to be launched against the Birlas under this Section? I should like to know also whether it is not a fact that immediately after some people had met him, the Governor asked the authorities to drop the case. In this connection has his attention been drawn to a letter written by the Governor to Shri Arun Sen in reply to the letter written by Shri Arun Sen? The Governor's letter is dated July 29 in which the Governor says: "Several labour leaders on behalf of the employees' union suggested that such prosecution may not be in the interests of the workmen themselves. In view of this suggestion from the representatives of the workmen themselves the Government decided to stay its hand." Now I should like to know who these leaders were, what are their names, when they met the Governor and what advice they gave.

SHRI BHAGWAT JHA AZAD: Hind Motors certainly changed the working hours on 4-4-1970 as to be effective from 8-4-1970. This is a fact. And under Section 9A of the Industrial Disputes Act they have to give twenty-one days' notice. This is also a fact. The moment it was brought to our notice, we started action for filing a prosecution. This is also a fact. On 18-5-1970 the Hind Motors' workers' union, which is a recognised union, entered into a bipartite agreement with the management in which, along with this change of hours, other things were also considered and acceded to on both sides. Therefore, Sir, to encourage the bipartite agreement, the West Bengal Government withdrew the prosecution. However, the management have been given a letter of warning that this should not happen again.

SHRI BHUPESH GUPTA: Is that the answer? I said about the Governor's letter. I have quoted that letter. Can he deny it? "Several labour leaders on behalf of the employees' unions suggested that such prosecution may not be in the interests of the workmen themselves." We are these leaders? He should name them.

SHRI BHAGWAT JHA AZAD: I can only say this. (Interruptions). I can only say that we have no such information. The West Bengal Government told us that this prosecution was withdrawn because a bipartite agreement on 18-5-1970 was entered into with the recognised union. This is the information. We have no other information.

SHRI BHUPESH GUPTA: Is it not a fact that—this Union is affiliated to the CITU; you say it is the recognised Union—the agreement was arrived at between the Union leaders, that is to say, CITU leaders, with the Birlas to increase the working hours by half an hour every day, that is to say, by offering the Birlas one thousand working hours per day without any payment for it? For that agreement to be justified, how could it include the temporary casual labour also? These persons were also involved in them.

I should like to know how it is that the Government does not know that it was an attempt on the part of the CITU leaders to involve the Government into an agreement which was entered into between them and the Birlas with a view to getting a particular, according to me, anti-labour policy through.

SHRI BHAGWAT JHA AZAD: Sir, I am sure hon. Members who are working in the trade unions know about it. It is a bipartite settlement and it is a recognised union that entered into that bipartite agreement and I think the West Bengal Government did nothing wrong.

†Transferred from the 29th July, 1970.

So far as the working hours are concerned, it is not a fact. They have three shifts, 6.15 to 11.15 and from 11.15 to 11.45 rest for half an hour, then going up to 2.30. Then they have the B shift and then the C shift. About temporary workers they have got an agreement that the management will provide work to temporary workers upto six months on 31st March 1970. Apart from that they have also another agreement under which they said that in the first two shifts they would get attendance allowance equal to 15 minutes' work. So that was an agreement with the recognised union.

SHRI PRANAB KUMAR MUKHERJEE: May I know from the Minister whether it is a fact that Mr. Dhiren Bhattacharyya, CPM trade union leader met the Governor and asked him to withdraw the case and whether it is a fact that Mr. Jyoti Basu, the ex-Deputy Chief Minister of West Bengal met the Governor on 22nd May and asked him to withdraw the case?

SHRI BHAGWAT JHA AZAD: It is a fact that Shri Dhiren Bhattacharyya, General Secretary of the recognised union has signed the agreement. He is the General Secretary of the recognised union which entered into a bipartite agreement. Therefore it is all right. I do not know whether he has met or not but he has signed the agreement.

SHRI PRANAB KUMAR MUKHERJEE: I want to know categorically whether Mr. Jyoti Basu met the Governor and . . .

SHRI BHAGWAT JHA AZAD: I have said that Shri Dhiren Bhattacharyya has signed the agreement and therefore he is for it.

SHRI D. THENGARI: May I know whether it is the policy of the Government to allow bilateral agreements which would violate and circumvent the provisions of the I.D. Act? Secondly there is a timelag between the period of the I.D. Act and the agreement. For that violation in that particular period, what action has been taken against the management?

SHRI BHAGWAT JHA AZAD: It is not the policy of the Government to allow the Act to be violated. In this case as I said when we came to know of this lapse for four days we immediately proceeded to file the prosecution and when the union entered into this agreement we have given a warning to the management that they should not do that. *(Interruptions)*

SHRI BHUPESH GUPTA: In West Bengal there is collusion between the CPM and the Birlas and that is why . . .

MR. CHAIRMAN: Next question.

SHRI CHITTA BASU: But, Sir, the hon. Minister has not replied to the question of Mr. Thengari.

SHRI BHUPESH GUPTA: Why next question? You have not allowed even five minutes for this question, when for other questions you give even 20 minutes. Now there is no question of co-operation. I say it is a crime on the part of the Government; having come to a deal with the Marxist leaders they allow the Birlas to get away. I charge the Government that they have done this. Sir, you are a jurist, you are a lawyer. Suppose I commit a crime and there is an agreement between me and somebody in the House; will the crime be condoned?

MR. CHAIRMAN: I have not called you; you please sit down.

SHRI BHUPESH GUPTA: I say this matter should be discussed. We will not allow such things. Why was the case withdrawn?

MR. CHAIRMAN: Question Hour is over.

12 Noon

SHRI BHUPESH GUPTA: The Minister has given a very strange answer. They say the crime was condoned, because some people have arrived at an agreement. Sir, suppose I commit a murder and then I come to an agreement, would the murder be condoned? I kill your servant . . .

MR. CHAIRMAN: No, please sit down.

SHRI BHUPESH GUPTA: I come to an agreement. Would the murder be condoned?

MR. CHAIRMAN: Please sit down.

SHRI BHUPESH GUPTA: How is it . . .

MR. CHAIRMAN: No. The Question Hour is over.

SHRI BHUPESH GUPTA: Here the difficulty is that . . .

MR. CHAIRMAN: The Question Hour is over . . .

SHRI BHUPESH GUPTA: The difficulty is that . . .

MR. CHAIRMAN: Now, this will not be taken down

SHRI BHUPESH GUPTA: *(Spoke)*.

MR. CHAIRMAN: Now, Short Notice Question.

SHRI BHUPESH GUPTA: You have been non-controversial. Therefore, you will not understand our difficulties. I leave it in your hands. You consider it.

SHRI K. S. CHAVDA: On a point of order . . .

MR. CHAIRMAN: No point of order.

SHORT NOTICE QUESTION AND ANSWER

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

MR. CHAIRMAN: Will you please sit down? No point of order.

SHRI BHUPESHI GUPTA: This I question. Land grab movement is the title of the question. There is no such thing as land grab in India . . .

SHRI DAHYABHAI V. PATEL: There is time-grab in this House.

SHRI BHUPESHI GUPTA: You can say time-grab, but there is no such thing as land grab. I request that a correction be made in the question. It is land occupation.

MR. CHAIRMAN: Please sit down. It is for the questioner.

‘भूमि छिनो’ आन्दोलन पर वृत्त चित्र

1. †श्री शीलभद्र याजी :

श्री महेन्द्र कुमार मोहता :

क्या सूचना तथा प्रसारण और संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि भारत सरकार के फिल्म डिवीजन ने पश्चिम बंगाल और प्रदेश के अन्य भागों के सिनेमा गृहों में प्रदर्शनार्थ ‘भूमि छिनो’ आन्दोलन पर एक वृत्त चित्र तैयार किया है ;

(ख) क्या पश्चिम बंगाल की सरकार ने इस वृत्त चित्र के प्रदर्शन का विरोध किया है; और

(ग) यदि हां, तो इस सिलसिले में भारत सरकार ने क्या कदम उठाये हैं ?

‡[DOCUMENTARY FILM ON LAND GRAB MOVEMENT

1. SHRI SHEEL BHADRA YAJEE†:
SHRI M. K. MOHTA:

Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to state:

(a) whether it is a fact that the Films Division of the Government of India have prepared a documentary film on ‘Land grab

†The question was actually asked on the floor of the House by Shri Sheel Bhadra Yajee.

‡[] English translation.

movement’ for screening in the cinema Houses in West Bengal and other parts of the country;

(b) whether the Government of West Bengal have opposed the screening of the said documentary film; and

(c) if so, what steps have been taken by the Government of India in this connection?]

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI I. K. GUJRAL): (a) A brief item on ‘Land Grab’ movement in West Bengal was released on July 17, 1970 in Indian News Review No. 1136, produced by the Films Division.

(b) Yes, Sir.

(c) The aim of Indian News Review is to cover news-worthy events in an objective manner and this item in the newsreel conforms to this objective.

‡[सूचना तथा प्रसारण मंत्रालय और संचार विभाग में राज्य मन्त्री (श्री आई० के० गुजराल) :

(क) फिल्म प्रभाग द्वारा निर्मित 17 जुलाई, 1970 को रिलीज की गई इण्डियन न्यूजरिव्यू संख्या 1136 में पश्चिम बंगाल में “भूमि छिनो” आन्दोलन पर एक संक्षिप्त समाचार चित्र था ।

(ख) जी, हां ।

(ग) भारतीय समाचार चित्र का लक्ष्य समाचार योग्य घटनाओं को निष्पक्ष रूप से प्रस्तुत करना है और यह न्यूज़रील इस लक्ष्य की पूर्ति करती है ।]

श्री शीलभद्र याजी : यद्यपि फिल्म डिवीजन को इस तरह के चित्र बनाने का चाहे वह किसी पार्टी की कांग्रेस के संबंध में हो या गाय के प्रदर्शन के संबंध में हो—निकालने तथा बनाने का अधिकार है । लेकिन मैं यह जानना चाहता हूं कि बंगाल सरकार ने इस संबंध में विरोध क्यों किया है ?

‡[] Hindi translation.