

THE DEPUTY MINISTER IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS, AND IN THE MINISTRY OF SHIPPING AND TRANSPORT (SARDAR IQBAL SINGH) : (a) The information is being collected and will be laid on the Table of the Sabha.

(b) No.

SHRI K. S. CHAVDA (Gujrat) : Sir, but what about our rules? The rules say, 'judicial proceedings'. I am talking about our rules.

MR. CHAIRMAN: You cannot overrule my ruling.

### CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE

#### REPORTED STRIKE, BY COAL MINE WORKERS DUE TO NON IMPLEMENTATION OF THE RECOMMENDATIONS OF THE CENTRAL COAL WAGE BOARD BY THE COLLIERY OWNERS

SHRI CHITTA BASU (West Bengal) : Mr. Chairman Sir, I call the attention of the Minister of Labour, Employment and Rehabilitation to the reported strike by the coal mine workers in a number of coal mines on November 17, 1969, due to non-implementation of the recommendations of the Central Coal Wage Board by the colliery owners.

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (SHRI BHAGWAT JHA AZAD): Mr. Chairman, Sir. Agitated about delay in implementation of the recommendations of the Central Wage Board for Coal Mining Industry, Coal Mine Workers' Organisations had served notices of strike, as from November 17, 1969, on a number of colliery owners, particularly in the States of West Bengal and Bihar. The strike notices had demanded full implementation of the Coal Wage Board's recommendations already accepted by Government, and also acceptance of some other recommendations relating to gratuity, attendance bonus, house-rent allowance and certain funds of leave. Conciliation was held but failed. The workers' demands, among other subjects, came up for discussion; In the tripartite meeting of Industrial Committee for Coal Mining Industry, held at New Delhi on November 6, 1969. The employers' representatives were urged to implement the Wage Board's recommendations. At this meeting, it was "

also announced by Government, that they accept in principle the need for a gratuity scheme for coalminers' workers. The details of the scheme are being worked out.

However, about 47,000 workers went on a day's token strike on 17-11-69 in 66 collieries in West Bengal. Workers in three collieries in Bihar also are on strike.

The unanimous and near-unanimous recommendations of the Wage Board relating to wages, dearness allowance and certain other matters were accepted by Government on 21-7-67 for implementation with effect from the 15th of August, 1967. The recommendations are not statutorily enforceable; implementation is being secured through persuasion and such other administrative action as is open in the circumstances. According to available information in collieries, with a strength of 1,47,622 workers, have implemented the recommendations. Another 458 collieries employing 2,44,294 workers, have also implemented the recommendations, though they have not given the full benefits to the workmen, particularly in regard to variable dearness allowance. Altogether 178 collieries, employing 31,157 workers, have not implemented the recommendations.

Government expect the employers to meet the workers' just demands for implementation of the Coal Wage Boards recommendations in the interests alike of good industrial relations and uninterrupted production in the coalmines.

SHRI CHITTA BASU : From the statement just read out by the hon. Minister, it is apparent that more than one hundred colliery owners have not yet implemented the Central Wage Board's Award either fully or partially. Now, may I know from the hon. Minister whether the present policy of the Government to persuade the colliery management to give full effect to the Central Wage Board's recommendations has virtually failed? And in that case what other steps do the Government propose to take to get the Award fully implemented by the recalcitrant colliery owners? What stands in the way of the Government in making the recommendations of the Central Wage Board as statutory ones? Why does not the Government come out with a Bill for sanction by this august House?

My second point is this. Mr. Chairman, you might have observed that there are certain other recommendations of the Central Wage Board which have not been

[Shri Chitta Basu.]

accepted, particularly with regard to gratuity, leave, bonus, house rent, etc. What steps do Government propose to take with regard to these recommendations? They have not yet been accepted by the managements of the collieries. The Government might have accepted these. If the Government have accepted these recommendations, what steps do they propose to take in regard to getting these recommendations fully implemented?

SHRI BHAGWAT JHA AZAD: So far as the first part of the question is concerned, it is true that the recommendation of the Wage Board and its success in implementation are not so happy as it was some time before. For the last two to three years, it is unfortunate that the implementation of the Wage Board's recommendations is not so happy and good as it was before. Therefore, Government is now thinking of putting the employers and the employees on the bargaining strength for deciding it. Recently in the Iron and Steel Industrial Committee, in spite of the insistence of some of the employers including the Government to have a Wage Board, we did not agree to this. And I am happy to announce that now we have got a bipartite committee of the steel employers and employees to decide that matter. Therefore, our policy in this is clear.

Sir, as far as the present once is concerned, we cannot make it statutory because it will not be possible for us possibly under the law.

SHRI CHITTA BASU: How?

SHRI BHAGWAT JHA AZAD: No. We cannot make the recommendations of the Wage Board already made as statutorily enforceable. That is not possible. As for the future, I have already announced the Government's idea.

So far as the important consideration about gratuity is concerned, Government have agreed, in the last meeting on the 6th of November about gratuity; it is only a question of how to implement it, because the Wage Board has said that a cess should be levied, which means that it is not the employers who should pay, but the consumers who should pay. Therefore, that point is under consideration.

About house rent it is a component included in the wages. Therefore we have not agreed to it. That is all that I have to say.

श्री राजनारायण (उत्तर प्रदेश) : श्रीमन्, मैं सरकार से यह जानना चाहूंगा कि वेज बोर्ड की रपट के मुताबिक जितनी बढ़ोत्तरी मिलनी चाहिये थी क्या वह बढ़ोत्तरी मिल रही है और अगर मिल रही है तो कितनी कोलियरीज में मिल रही है और कितने मजदूर उससे लाभान्वित हैं, यानी सम्पूर्ण वेज बोर्ड की रपट के मुताबिक आज उनको महंगाई भत्ता कुल कितना मिलना चाहिये और उसमें से जितना पूरा होता है वह पूरा कितने मजदूरों और कितनी कोलियरीज में मिल रहा है।

इसी के साथ साथ क्या सरकार को इस बात की भी कोई सूचना मिली है कि सम्पूर्ण आसनसोल बेल्ट जो कि इस देश के कोयला खानों का एक प्रधान केन्द्र है और यह समझिये कि अगर वह कोल बेल्ट की जगह में कोई गड़बड़ हो जाये तो सारे देश की इन्डस्ट्री रुक सकती है। वहां पर सी० पी० आई० (एम०) का जिन जिन कोलियरीज में प्रभाव है वहां के मालिकों से उन्होंने एक अन्डर-स्टेन्डिंग की है कि तुम वेज बोर्ड की रपट के मुताबिक उनका महंगाई भत्ता मत बढ़ाओ, वह पैसा हमको दे दो और मजदूरों के साथ जैसा चाहो वैसे चलो और उसी के साथ साथ क्या सरकार को इस बात की जानकारी है कि सी० पी० आई० (एम) हर मजदूर से छः छः रुपया जबर्दस्ती दे रहा है और जिसका नतीजा है कि 24 सितम्बर 1969 को 700 मजदूर ईस्ट निम्बा कोलियारी वाले जिन्होंने सी० पी० आई० (एम) को छः छः रुपये नहीं दिये, जबर्दस्ती भगा दिये गये।

श्री सभापति : आप क्लैरिफिकेशन मांगिये।

श्री राजनारायण : श्रीमन्, मैं नियम जानता हूं। तो मैं यह जानना चाहता हूं कि सी० पी० एम० के द्वारा दिये जाने वाले खतरे से सरकार घबरा गई क्योंकि 24 सितम्बर को वे लोग ए० डी० एम० के कोर्ट के कम्पाउन्ड में बैठ गये थे। इसके बारे में हमने चीफ मिनिस्टर से बातचीत की, इसके बारे में कोयला खदान के मंत्री से बातचीत की, इस के

बारे में हमने मिनिस्टर से बातचीत की और बादमें हमने इस संबंध में एक तार मुख्य मंत्री और घर मंत्री को भी भेजा। इन सब की कापी हमारे पास है। मुझे खुशी है कि श्री जयप्रकाश नारायण जी ने भी इस बारे में एक बयान दिया और उन्होंने इस संबंध में श्री ज्योति बसू को भी चिट्ठी लिखी कि वहां पर इस तरह से अमानवीय कार्य हो रहा है। मैं आगामी इजाजत से उस मेमोरैन्डम की कापी सदन को मेज में रखना चाहता हूं जो हमने 29 अक्टूबर को बंगाल के राज्यपाल श्री धवन को दी थी।

**श्री सभापति :** आप कौनसी मेमोरैन्डम की कापी रखना चाहते हैं। आप पहले इसे मुझे चैम्बर में दिखा दीजिये तब मैं इसके बारे में इजाजत दूंगा। मैं अभी इसको रखने की इजाजत नहीं दे रहा हूं।

**श्री राजनारायण :** 29 अक्टूबर को श्री वन की सेवा में हमने एक मेमोरैन्डम पेश किया था जिसमें उन्हें यह बतलाया था और मांग की थी कि श्री ज्योति बसू से घर विभाग फौरन ले लिया जाना चाहिये क्योंकि वे पुलिस विभाग का इस्तेमाल स्वतः अपनी पार्टी को बढ़ाने में कर रहे हैं। श्रीमन्, जिस समय मैं यहां आ रहा था उस समय मुझे इस तरह का तार मिला।

{THE VICE-GH VIRMA^J (SHRI RAM NIWAS MIRDHA) in the Chair,}

**SHRI NIREN GHOSH (West Bengal):** Sir, these things do not arise out of this Calling Attention. If you allow him to mention these things, you should allow us also to go into details.

**उपसभाध्यक्ष (श्री राम निवास मिर्धा) :** माननीय सदस्य संक्षेप में प्रश्न पूछें।

**श्री राजनारायण :** मैं आप से एक प्रार्थना करूंगा कि जब हम सदन में सवाल पूछते हैं तो हमें बीच में किसी को टोकने न दें। तो मैं यह तार पढ़ रहा हूं और मैं जानना चाहता हूं कि क्या सरकार को इसके बारे में जानकारी है। अजय बाबू ने जो वहां के मुख्य मंत्री हैं

हमको आश्वासन दिया था कि 4 नवम्बर तक इन मजदूरों को ईस्ट निमचा में भेज देंगे। जब वे लोग गये तो सी० पी० एम० के लोग बम लेकर, औरों लेकर और भाला लेकर खड़े हो गये। इस पर पुलिस ने वहां पर दफा 144 लगा दी। इस तरह से डेढ़ महीने के बाद पुलिस ने वहां पर 144 दफा लगाई। मजदूरों को ए० डी० एम० के कोर्ट से ले जाया गया और वहां उन्हें गिरफ्तार किया गया और फिर थाने में ले जाकर छोड़ दिया गया। तो मैं सरकार से यह जानना चाहता हूं कि क्या उसको इन सारी बातों की जानकारी है।

**SHRI MONORANJAN ROY (West Bengal) :** On a point of order, Sir. Is all this relevant to the Calling Attention Motion?

**SHRI NIREN GHOSH:** I rise on a point of order, Sir. These things are not relevant.

**उपसभाध्यक्ष (राम निवास मिर्धा) :** आप अपने सवाल को संक्षेप में पूछिये।

**श्री राजनारायण :** मैं संक्षेप में ही पूछ रहा हूं।

**SHRI NIREN GHOSH:** Sir, you have not heard my point of order; please hear. My point of order is that all those things which Mr. Rajnarain is being allowed for a pretty long time to say here do not arise out of this Calling Attention Motion.

**SHRI RAJNARAIN:** Why not?

**SHRI NIREN GHOSH :** They are irrelevant.

**SHRI RAJNARAIN :** No.

**SHRI NIREN GHOSH:** If despite the irrelevancy the Chair allows those things to be mentioned, then would the Chair allow other Members who have facts at their disposal a similar amount of time to seek clarifications on all those things? This is my point of order.

**THE VICE-CHAIRMAN (SHRI RAM NIWAS MIRDHA) :** Hon. Members know that the Calling Attention matter refers to some specific incident which has been mentioned therein, and to bring in a whole general discussion in the garb of a Calling Attention Motion is really not proper.

SHRI NIREN GHOSH: That is what he is doing.

THE VICE-CHAIRMAN (SHRI RAM NIWAS MIRDHA) : I would request the hon. Member not to bring anything outside the purview of the Calling Attention Motion, but to be specific and relevant.

श्री राजनारायण : मैं उसी के मुताबिक चल रहा हूँ।

SHRI GODEY MURAHARI (Uttar Pradesh) : Specific about the collieries.

THE VICE-CHAIRMAN (SHRI RAM NIWAS MIRDHA) : Specific about the collieries does not mean that anything about a collieries can be brought into this.

श्री राजनारायण : श्रीमन्, आपने जो व्यवस्था दी है मैं उसके मुताबिक ही चलूंगा। यह जो ध्यानाकर्षण प्रस्ताव है वह वेज बोर्ड की रपट को लागू करने के संबंध में है। तो मैं यही बात पूछ रहा हूँ कि वेज बोर्ड की सिफारिश लागू हुई या नहीं हुई। अगर लागू नहीं हुई तो क्यों नहीं हुई और उसी के कारण उपसभाध्यक्ष (श्री राम निवास मिर्धा) : यहाँ पर सारी बातों को उठाने के बजाय आप संक्षेप में प्रश्न पूछिये।

संबंध में सवाल पूछ रहा हूँ कि यह वेज बोर्ड क्यों नहीं लागू हुए और इसी संबंध में बतला रहा हूँ कि जहाँ पर सी० पी० एम० के लोग मालिकों को डरा रहे हैं वहाँ पर वेज बोर्ड लागू नहीं किये गये हैं।

श्रीमन्, जब मैं आज सुबह इधर आ रहा था तो मुझे एक तार मिला जो मैं आपके सामने पढ़ देना चाहता हूँ।

"Resettled workers at East Ninicha Colliery are still not provided with jobs. Managements' attitude adamant and vindictive. Workmen are being harassed and implicated in fake cases by the Police in connivance with management and CPI(M) Shyam Bihari Singh, Lall Bihari Singh, Jhallak Singh and Azit Singh Saini implicated in false cases and arrested on 17-11-1969".

श्री राजनारायण : श्रीमन्, मैं यही बात तो बतला रहा हूँ कि आज सी० पी० एम० के लोग हजारों की तादाद में ईस्ट निमचा में बम, ऐरो और भाला लेकर सैकड़ों मजदूरों के घरों को लूट रहे हैं और उन्हें परेशान कर रहे हैं। मैं चाहता हूँ कि सरकार वहाँ पर एक पार्लियामेंटरी डेलीगेशन भेजे या फिर कोई इन्व्वायरी कमिशन भेजे, सुप्रीम कोर्ट के जज को भेजे जो वहाँ पर जाकर जो कत्ल, लूटपाट और आगजनी हो रही है उसके बारे में जांच करें। मैं यह चीज इसलिये बतला रहा हूँ कि इन्हीं कारणों की वजह से वहाँ पर वेज बोर्ड लागू नहीं किया जा रहा है।

उपसभाध्यक्ष (श्री राम निवास मिर्धा) : आपने बहुत समय ले लिया है।

श्री राजनारायण : तो मैं सरकार से यह जानना चाहता हूँ कि क्या सरकार को इस बात की जानकारी है और अगर जानकारी है तो सरकार मजदूरों की सुरक्षा के लिए क्या व्यवस्था कर रही है।

श्री भागवत झा आजाद : जहाँ तक प्रश्न के प्रथम भाग का सवाल है उसके बारे में मैंने बतलाया कि 111 कोयला खदानों में यह कार्यान्वित हो गया है जिससे 1 लाख 47 हजार मजदूर लाभान्वित हुए हैं। 458 कोयला खदानों में, जिनमें 2 लाख 44 हजार मजदूर काम करते हैं, जो 58 परसेंट है सम्पूर्ण श्रमिक शक्ति का, उनको वह डी० ए० नहीं मिल रहा है जो वेज बोर्ड ने रिकमेन्ड किया है, वहाँ रिकमेन्डेशनस पाशियली कार्यान्वित हो रही हैं। 178 कोयला खदानों में, जहाँ 31 हजार मजदूर काम करते हैं, वहाँ पर ये बिल्कुल लागू नहीं हुई है, यह सम्पूर्ण श्रमिक शक्ति का 7 प्रतिशत है।

जहाँ तक प्रश्न के दूसरे भाग का सवाल है सी० पी० आई० (एम०) द्वारा मारपीट और झगड़े का, यह सारा कानून और व्यवस्था का प्रश्न है। जैसा कि माननीय सदस्य ने कहा कि उन्होंने वेस्ट बंगाल के मुख्य मंत्री को लिखा, उपमुख्यमंत्री को लिखा, समय समय पर

जब हमारे पास ये बातें आई हैं तो हमने भी उनका ध्यान इस ओर आकृष्ट किया है। इस सम्बन्ध में जितनी कार्यवाही उन्होंने की है उसमें हम कुछ दखल नहीं दे सकते।

SHRI ANANT PRASAD SHARMA (Bihar) :- Sir, the honourable Minister has stated that 178 collieries have not at all implemented the recommendations of the Wage Board. I would like to know, in view of the recent increase in the price of coal by 70 paise per ton, whether the Labour Ministry will see that these collieries which have not implemented the recommendations of the Wage Board, do not get the benefit of this increase in price and also whether the Labour Ministry will advise the Railway Ministry not to purchase coal from these collieries till such time that they have implemented the recommendations of the Wage Board.

श्री भागवत झा आजाद : बहुत बार हमने रेलवे मंत्रालय पर इस बात के लिए जोर दिया है और नियम भी बनाया है कि ऐसी कोयला खदानों से कोयले लिए जायें जो वेज बोर्ड की रिकमेंडेशन्स को कार्यान्वित कर रही हैं। इस सम्बन्ध में मैं माननीय सदस्य से सहमत हूँ और हम जोर भी डाल रहे हैं कि जिनको यह इन्कीज दी जाय वे इसको कार्यान्वित करें।

SHRI CHITTA BASU: There have been violations of this rule. Why?

SHRI KALYAN ROY (West Bengal) : Sir, I was the leader of the A. I. T. U. C. delegation which attended the sixth meeting of the Coal Industry Committee in November in relation to the Wage Board's recommendations. Unfortunately the Government has not yet declared the date on which the gratuity scheme is going to be introduced in the coal-mines. The gratuity scheme is a major issue of the strike notice. Secondly, the Government has also announced that it is going to abolish immediately the Central Recruiting Organization as recommended by the Labour Commission. But unfortunately the Government has so far declared neither the date of introduction of the gratuity scheme nor the date of abolition of the Central Recruiting Organization. The strike took place in a large number of coal mines in West Bengal because the United Front Government gave protection to the coalminers in Asansol belt. Unfortunately there could not be any strike in the Jharia

Belt although the implementation of the Wage Board's recommendations was the worst in Bihar and there the strike could not take place because of the corrupt practices of the police in the State of Bihar and the police in Bihar is under the Central Government now. I would like to know what the Government is going to do about the non-unanimous recommendations of the Wage Board, the date when the Government is going to announce the introduction of the gratuity scheme in the coal-mines, the date of abolition of the Central Recruiting Organization and the date when the bonus clauses will be amended as per the decision of the November session of the Industrial Committee for Coal Mining Industry because we feel the Government is responsible for the strike and also for the unrest in the coal-mines because every time the Government particularly the Railway Ministry, is succumbing to the pressure of the coal-mine owners. And the coalmine owners are getting an increased price without implementing the Wage Board's recommendations. And, Sir, the Regional Labour Commissioner of Dhanbad—I am making this allegation—is in the pay of the coal-mine owners and that is why the Bihar coal-miners are the worst exploited in India today. The Government of India has a duty to protect the interests of the coal-miners. Lastly, I entirely agree with Mr. Rajnarain's remarks about the activities of the Communist Party (Marxist). Instead of fighting the coal-mine owners, the CP(M) workers in many places are colluding with the coal-mine owners to suppress the All-India Trade Union Congress and Hind Mazdoor Sabha in a way which is most shocking to any civilised society.

SHRI BHAGWAT JHA AZAD: Sir, as I have said the Government wants to implement the gratuity scheme in the coal-mines. We will announce that. But the House would appreciate this point that the Wage Board... (Interruptions), has said that it should be paid by a cess on the consumer. Normally gratuity is to be paid by the employers. But here is a recommendation which says, "Pay gratuity by a cess on the consumer". The Government has to consider this point. So far as the date of introduction is concerned, I have categorically stated that we have agreed to it and we shall do it. It is only a question of considering how to pay it, whether by a cess on the consumer or by any other method. That is the point which I would like you to consider. I cannot say immediately it can be done.

[Shri Bhagwat Jha Azad]

Then about the CRO. We are taking steps for this. It is a voluntary organization of the employers. I think Mr. Kalyan Roy will agree with me that the employers also have agreed for the abolition of this. We also agree and steps are being taken.

Then, Sir, he has made a very unfortunate allegation that the RLG is under the pay of the coal-mine owners. I categorically deny this. We have no evidence whatsoever. It is wrong, absolutely mischievous, (Interruptions)... CP (M) and all that.

SHRI BHUPESH GUPTA (West Bengal) : On a point of order...

SHRI BHAGWAT JHA AZAD : This has to be decided amongst themselves in West Bengal, not by the Government of India...

(Interruptions)

SHRI BHUPESH GUPTA: On a point of order, Mr. Vice-Chairman. An honorable Member of the House has made a specific allegation, a serious allegation, naming the officer, the Regional Officer, saying that according to the facts and information available to him he is in the pay of the coal-mine owners. We also hear from various sources that this is so. I should like to know whether the honourable Minister is prepared to institute a proper inquiry into this allegation by a man who commands the confidence of both sides before he comes and says, "I have no information, no evidence." Surely the officer who indulged in corruption will not send you the file saying that he is indulging in such and such practices. It will not be on the file. It has to be brought to your notice and it has been brought to your notice repeatedly by the Members of this House. It is your duty to go into this matter in a manner which will evoke some measure of confidence among the Members of the House. Who does not know that these officers are downright hirelings of the coalmine owners? Who does not know this public scandal which the coal-mine owners have started? Today you are saying all this kind of things to cover all such people. I say the Ministry is failing in its duty. It is a failure on the part of the Ministry in carrying out its duty. Therefore, I demand the Parliament should give instructions to this Ministry for a proper inquiry into the allegation of downright corruption and malpractice including bribery on the part of these officers.

SHRI BHAGWAT JHA AZAD: Sir, it is definite our duty to inquire into the allegations which are properly made in writing..

SHRI BHUPESH GUPTA: On a point of order Mr. Vice-Chairman.

SHRI BHAGWAT JHA AZAD: I must have the right to reply. I must reply to the points raised. He cannot go on like that, Sir. What I am saying is this ...

(Interruptions)

SHRI RAJNARAIN : On a point of order.

SHRI BHAGWAT JHA AZAD: I have not yet finished my reply.

SHRI RAJNARAIN: No, no. On a point of order.

उपसभाध्यक्ष (श्री राम निवास मिर्धा) : सुन तो लीजिए ।

श्री राजनारायण : सुन लिया ...

(Interruptions)

SHRI BHAGWAT JHA AZAD: Sir, unless the allegations are made properly in writing, we are not going to institute an inquiry into the hearsay of the honourable Member. . .

(Repeated interruptions)

श्री राजनारायण : आज तक किसी भी जनतंत्रीय, संसदीय प्रथा में किसी भी मंत्री के मुखारविन्द से इस प्रकार के वाक्य निकलते हमने नहीं सुने कि मंत्री यह कहें कि जब तक हमको सदन के सम्मानित सदस्य कोई लिखित आवेदन नहीं देंगे तब तक जांच नहीं करेंगे । सदन का जो मेम्बर इस सदन में आरोप लगाता है वह उसकी रेस्पॉसिबिलिटी लेता है, वह उसके लिए जिम्मेदार होता है । तो सदन में जो आरोप लगे उसकी जांच करना मंत्री का प्रधान कर्तव्य होता है, संसदीय कर्तव्य होता है, जब तक हमको लिखित नहीं मिलेगा हम उसकी इन्क्वायरी नहीं करेंगे मैं समझता हूँ कि मंत्री को यह नहीं कहना चाहिए, यह उन्होंने गलत चीज कही ।

श्री भागवत झा आजाद : संसदीय प्रथा के अनुसार मेरा कर्तव्य है कि जो आरोप लगाये गये ह उन की जांच करूँ, लेकिन संसदीय प्रथा में यह भी नियम है कि माननीय सदस्य आरोप लगाये जाने के जो नियम बने हुए हैं उन के अनुसार आरोप लगायें । तभी

मैं उस की जांच करूंगा। मैंने यह नहीं कहा कि मैं जांच नहीं करूंगा। मैंने पहले यही बात कही थी।

SHRI BHUPESH GUPTA: Mr. Vice-Chairman, on a point of order. It is for you to give a ruling. I do not think any ruling from my friend, Shri Bhagwat Jha Azad, is necessary. A charge has been made much more authentically by an M.P. or by a private citizen. It has been made on the floor of the House. That is much more important. A letter is written to you, a memorandum is sent to you it has been made on the floor of the House, and hence it has acquired special importance and my friend, Mr. Rajnarain, has rightly pointed out this aspect. Still my friend says, "Do it in writing." When it is made on the floor of the House, it forms part of the record of the House. (Interruptions.)

SHRI BHAGWAT JHA AZAD: Please do not try to tell me that way; I have listened to your harangue.

SHRI BHUPESH GUPTA: I might tell this illiterate Minister that he does not know the rules of the House or the procedure of the House. He calls it a harangue.

(Interruptions)

SHRI BHAGWAT JHA AZAD : I cannot tolerate this, Sir. The hon. Member must behave properly. If he only shouts, I can also do it.

SHRI BHUPESH GUPTA: Mr. Vice-Chairman, I will not allow him to get away with it. Look at the arrogance that he has; they have lost their majority but the arrogance they still stain in full force; I hope some of the Ministers should be voted out by no confidence or censure motions. Mr. Vice-Chairman, please ask him to withdraw that remark. (Interruptions). He wants to have everything in writing and then he will proceed with it. He calls my speech a harangue. He does not understand the difference between a speech and a harangue.

SHRI BHAGWAT JHA AZAD: Let him speak on the point. Otherwise I can also reply in the form of a running commentary.

(Interruptions)

SHRI BHUPESH GUPTA: Please remember that those days are gone.

public importance

श्री राजनारायण : श्रीमान् मेरा एक निवेदन है। सरकार को ज्यादा सभ्य होना चाहिए। सरकार को ज्यादा सोबर होना चाहिए। सरकार को हरही गाय नहीं होना चाहिए। सदन का सदस्य अगर वह सरकार का सदस्य नहीं है अगर कुछ कह भी दे तो उसका सरकार को सहनशील होकर, व्यापक होकर उत्तर देना चाहिए। मगर जो उत्तर माननीय मंत्री जी दे रहे हैं वह उचित नहीं है।

SHRI R. T. PARTHASARATHY: Sir, I wish to make a humble suggestion. The hon. Minister was pleased to state that a petition in writing should be given. According to the British parliamentary practice for centuries it has been accepted—any statement made by any Member is sufficient for the Government to take note of. It is absolutely not necessary that it should be given in writing. Over that small thing this quarrel should not have taken place. I hope the hon. Vice-Chairman would be pleased to give a ruling on that point so that in future this kind of a situation does not arise.

SHRI KALYAN ROY: I had already given it in writing to the Union Labour Minister about a month back.

SHRI BHUPESH GUPTA: So he was suppressing the truth. Having got that letter, he wants another letter also. It is like *suppressio veri suggestio falsi*. (Interruptions) Mr. Shah, you are the Leader of the House. Please kindly control him.

THE LEADER OF THE HOUSE (SHRI K. K. SHAH): I request both of you to forget what has happened. Now you can argue the case.

SHRI BHUPESH GUPTA: I am ready to forgive and forget provided the other man does it.

SHRI NIREN GHOSH: Sir, the hon. Minister wherever he has stated it has been implemented, it has not been implemented. I have myself visited those areas. I know that even 1.29 is not given let alone 1.47 except of course a very few collieries. If they have intimated to you in that way, they have given you some false information. Are you aware of the troubles that are going on in the collieries, including the strike arising out of the non-implementation of the Award, theekedari and CRO? Where-ever the workers want to fight for their rights, these people come in their way.

[Shri Niren Ghosh]

You know that years back it was accepted by a tripartite committee that it should be abolished. I am told that wherever there is thekedari or wherever there is CRO, violence is bound to take place because they are the very embodiment of violence. Wherever the workers can pick up courage against this injustice, it is unfortunate that Shri Rajnarain almost in collusion with the management contractor has unleashed violence in those areas. I do not wish to go into details.

**श्री राजनारायण । शत्रुघ्न ।**

SHRI NIREN GHOSH: I can go into every case, if you like. They are killing and murdering workers and he is their protegee; they are working in collusion these contractors and the CRO people. Shri Kalyan Sankar Ray knows all these things but he will not dare to say these things in the trade union circles. Everybody knows that the HMS unions running in Asansol are fully in collusion with the managements; they are depending on a certain strata of company stooges. He knows it also but he will not tell it anywhere in the trade union circles. That is the position. I can give one instance. In the Madhuban colliery because the workers were fighting for the implementation of the Award, the company contractors and goondas murdered one trade union worker in broad daylight and thereafter the company declared a lockout; it is there for 2½ months. I understand that the R.L.G. has recommended that it should be referred to adjudication and the lockout should be prohibited but the Government are taking no steps whatsoever. The thekedari and the contractor system are rampant in all the collieries. They are the paid goondas of the collieries and the CRO is a paramilitary organisation. It was recommended that it should be disbanded but it is not being disbanded; there is a reign of terror going on. Therefore, Mr. Vice-Chairman, even if the wage board recommendations are made statutorily enforceable, they will not be implemented unless these things are done away with. I know of a certain case in the Andrew/ule colliery.

**श्री राजनारायण :** श्रीमान्, यह एक बड़ा सवाल है। आप तो बैठे हुए हैं। आई कैन नाट एलाउ आल दिस रविश। मैं यह बात जानता हूँ कि श्री नीरेन घोष झूठ बोलने में माहिर हैं। यह पूंजीपतियों के दलाल हैं और वहाँ

पर गुन्डों के दलाल हैं और वहाँ तमाम गुन्डों को लेकर लोगों का मर्डर करा रहे हैं। इन्होंने तमाम गुन्डे परचेज किये हैं, और इन्होंने तमाम अनसोशल एलीमेंट को परचेज किया है। मैं चाहता हूँ कि आप उनको बँटायें। ये वहाँ के मालिकों के दलाल हैं और गुन्डों के साथी हैं। वहाँ हर नेता सी० पी० आई० (एम) का एक गुन्डा है।

I cannot allow all these rubbish things to go unchallenged.

(Interruptions)

SHRI BHUPESH GUPTA : I think we better pass on to the next item.

SHRI A. G. KULKARNI (Maha-rashtra) : Sir, why don't you appoint Mr. Bhupesh Gupta as the arbitrator between both of them ?

SHRI BHUPESH GUPTA : I am a man of peace and I do not like the cold war in Bengal to be brought in here. I appeal to both my friends.

SHRI A. G. KULKARNI : Be an arbitrator between them.

हैं। आपसे एक रास्ता चाहता हूँ, श्रीमान, मैं इस सदन में ईमानदारी के साथ और अधिकार के साथ कहना चाहता हूँ कि इस सदन के हर पार्टी के एम०पी० का डेलिगेशन वहाँ चले और देखें कि वहाँ पर ला एंड आर्डर क्या है और वह सी०पी०एम० पूरी गुन्डातरह जिम्मेदार है हूलिगनिज्म फैलाने के लिए, गर्दी फैलाने के लिए और लोगों के शील का अपहरण करने के लिये, हत्या के लिये और लुटके लिये। वहाँ की हर पार्टी के लोग चले उनके नेता की हिम्मत नहीं पड़ी कि हमारे साथ चले।

THE VICE-CHAIRMAN (SHRI RAM NIWAS MIRDHA) : Mr. Niren Ghosh now please wind up.

SHRI NIREN GHOSH : I ask whether Government would take measures to abolish the contract system and abolish the Central Recruiting Organisation so that some sense of normalcy could be restored there. I ask whether they would catch hold of the collieries by the neck. Unless that is done nothing would be implemented there. They are adopting illegal means. Sand stowing is not being done in the proper manner.

There is large-scale subsidisation of the soil in the colliery industry because the colliery-owners do not abide by the law and doing sand-stowing in the proper manner. So you can catch them by the neck and bring them to book for not implementing the Wage Board's recommendations. Only then things will improve. They are already making profits; it is not that they are not making profits and there is no reason to sanction an increase in the coal price in order to introduce gratuity because the colliery-owners are in fact making huge profits through illegal means. May I know why you should increase the price of coal when all the big colliery-owners are making huge amounts of profits through all sorts of means.

THE VICE-CHAIRMAN (SHRI RAM NIWAS MIRDHA) : That will do Mr. Niren Ghosh. You have taken enough time. That is enough.

SHRI BANI A BEHARY DAS (Orissa) : Whatever he goes on saying, shall we keep silent?

THE VICE-CHAIRMAN (SHRI RAM NIWAS MIRDHA) : Please take your seat, Mr. Niren Ghosh.

SHRI BHAGWAT JHA AZAD: Sir, I would like to say once more that Government have always impressed upon the employers that the recommendations of the Wage Board should be implemented. We have persuaded them in meetings and we have told them, and as I have already stated, the recommendation has been implemented in the case of 35% of the colliery workers, partially implemented in the case of 58%, and not implemented in the case of 7% involving 178 collieries and about 31,000 workers, and they are small collieries employing small numbers of workers. We are trying to persuade them that this should be done. So far as gratuity is concerned, as I have said already, we have accepted it in principle. How to do it is a question for us to decide and therefore, Sir, we have been saying that from our side we are trying our best. Our regret is that the recommendation of the Wage Board is not enforceable statutorily and therefore there is difficulty. But, Sir, we are trying our best as to how as far as possible it could be done.

As far as the mutual admiration between Shri Niren Ghosh, Shri Rajnarain and Shri Kalyan Roy is concerned, I have no comments.

श्री राजनारायण : श्रीमन्, मैं आपसे जानना चाहता हूँ, आप एक लर्नेड आदमी हैं, आप कानून और व्यवस्था को जानते हैं। जरा सुना जाय।

वहाँ के जो मजदूर हैं वह सेंटर के मजदूर हैं, केन्द्रीय सरकार के मजदूर हैं और वहाँ के कल-कारखाने केन्द्रीय सरकार के मातहत हैं और जब कि वहाँ डेढ़ दो लाख मजदूरों का जीवन-निर्वाह करना सी० पी० एम० के द्वारा नामुमकिन कर दिया जाय, तो मैं आपसे पूछना चाहता हूँ कि हमारे पास रेमेडी क्या है। केवल सरकार कह दे कि यह ला एंड आर्डर का सवाल है तो यह सिम्पल ला एंड आर्डर का सवाल नहीं है। मैं पूछना चाहता हूँ कि क्या रास्ता है। आप हमें रास्ता बतायें। जब कि श्री नीरेन घोष तैयार हो गये कि वहाँ पर एक इन्क्वायरी कमिशन जाय तो मैं चाहता हूँ कि सरकार इसमें हमारी पूरी मदद करे, हर पार्टी से एक या दो एम० पी० वहाँ पर भेजे जायें।

उपसभाध्यक्ष (श्री राम निवास मिर्धा) : ठीक है, आपने कह दिया।

श्री राजनारायण : श्रीमन्, आप हमारी बात का सरकार से जवाब तो दिलवाइये। सरकार को क्या दिक्कत है यहाँ से इन्क्वायरी कमिशन भेजने में। क्या दिक्कत है कि यहाँ से

SHRI BHAGWAT JHA AZAD : I would like Shri Bhupesh Gupta to reply to that question. Would he agree that the Central Government should interfere in the domain of West Bengal if it is a question of law and order? How can we send a deputation? Hon. Members are free to go anywhere they like, but the Central Government cannot send a deputation to enquire into a matter of law and order. At least I cannot do it.

श्री राजनारायण : मगर अहमदाबाद का दंगा जो है वह आज कैसे डिसकस हुआ। यह ला एंड आर्डर को यहाँ डिसकस क्यों करेंगे। वहाँ सिम्पल ला एंड आर्डर की बात नहीं रह गई है, यह आजाद साहब समझ लें। वहाँ

[श्री राजनारायण]

तो दिन दहाड़े पुलिस की उपस्थिति में हजारों लोग बम्ब ले कर आते हैं। लूटते हैं, जलाते हैं।

SHRI NAND KISHORE BHATT

(Madhya Pradesh) : Sir, we very much appreciate the efforts of the Central Government in trying to see to the implementation of the recommendations of the Coal Wage Board. But, Sir, simply efforts alone do not help. As already pointed out by the hon. Minister, 25% collieries employing less than 25% of the total labour force have not yet agreed to implement the recommendations of the Wage Board in full. Sir, the workers of these collieries have deferred the notice of strike by a week and strike will take place on the 24th of this month. I want to know from the hon. Minister what steps he has taken to bring pressure and force the managements to implement the recommendations of the Wage Board. And if there is any slackness or lukewarm attitude on the part of these employers are the Government in a mood to cancel the licences of these collieries? That is number one. Number two; I also want to know the number of collieries in the area of Raniganj coal-fields and also in the area of Jharia coal-fields who have not implemented these recommendations and the steps the Government is taking to encourage such of those workers who are genuinely interested to see that the production is maintained and the work is not hampered. Is the Government going to see that their efforts to maintain the production targets is not hampered and the recalcitrant and defaulting employers are brought to book, if need be, by prosecuting them?

SHRI BHAGWAT JHA AZAD : Sir, it is naturally the concern of the hon. Members to repeatedly ask us as to what we are doing about the enforcement of the recommendations of the Wage Board. As I have said Sir, since it is not enforceable statutorily, therefore we are persuading them, we are requesting them and also fixing criteria, a criterion that tenders will be accepted only from those who have fully implemented the recommendations of the Coal Wage Board. I would like to restate the figures about non-implementation for the information of the hon. Member. It is only in the case of 7% of the workers it is only in 178 collieries where the workers employed are about

31,000. So it is not 25%. Sir, we are trying our best to persuade the employers even now. We have met on the 6th and we have asked them that they should do it. We have requested the Railways to see that the tenders of such employers are not accepted and that they should accept the tenders only from those who have fully implemented the recommendations of the Wage Board. If they are not going to implement them within three months, we shall see what other action could be taken. We on our side are doing as much as possible under the law. The hon. Member has talked about particular areas. In Asansol it has not been implemented in 25 collieries employing 5,398 workers. In Dhanbad it has not been implemented in 141 collieries involving 20,423 workers.

SHRI BANKA BEHARY DAS : Sir, I have been standing for long to seek clarifications as I am connected with a central trade union organisation with which many of the colliery trade unions are affiliated.

श्री रेवती कान्त सिंह (बिहार) : श्री चित्त बासु के पहले मैं खड़ा हुआ था और अभी तक आपने मुझे समय नहीं दिया है।

उपसभाध्यक्ष (श्री राम निवास मिर्धा) : इस तरह तो सभी बोलना चाहेंगे, इतना समय देना तो मुश्किल है।

SHRI BANKA BEHARY DAS : There should be some procedure so that those who cannot shout can get sufficient attention. Such a procedure should be evolved; otherwise what is the use of our sitting here? Or, would you like us to shout and to violate your ruling? Either you should accept that position or give sufficient attention to those Members who abide by the rules. There is no other alternative before you.

THE VICE-CHAIRMAN (SHRI RAM NIWAS MIRDHA) : Please go ahead now.

SHRI BANKA BEHARY DAS : The Minister himself admitted that more than 2,51,000 workers have been affected in the sense that either partially or wholly the recommendations of the Wage Board have not been implemented and he went on to say that they were trying to sit round the table and persuade them. I do not know how long this persuasion would continue. I would now give a categorical suggestion since the Award is not statutorily binding

according to the prevailing law. Just like the Railways the public sector undertakings of the State Governments and the Central Government consume more than 25 per cent of the coal produced in the country though the Railways consume more than half. They must say that they will not accept any tender unless in the tender the coal mine-owners specifically mention that they have accepted and implemented the recommendations of the Wage Board.

Secondly I want to know whether the Labour Minister would move the Ministry of Mines that whenever there is a question of renewal of the licences of coal mine-owners in the licence terms it would be specifically mentioned that as far as the recommendations of the Wage Board or the Awards of the Tribunals are concerned, unless they implement them the renewal of the licences would not be considered at all. Then only he can bring the recalcitrant mine-owners to the table and finalise the matter. Otherwise there would be no finalisation. I know the tenders of even those collieries which are supplying to the Railway 5 and which have not accepted them have been accepted by the Railways. This is my information. The Labour Ministry can surely take it up with them.

SHRI BHAGWAT JHA AZAD : We shall try to persuade them as long as we do not succeed. It should be appreciated that even by this method we have been able to achieve quite a success. Let us not belittle it. As I have said, in the case of collieries involving 1,47,622 workers full implementation of the Dearnes Allowance is Rs. 1.29 from 1st October, 1969. In the case of 58 per cent of workers they are partially implementing it. We have not succeeded fully in the case of 31,157 workers, that is, in about 7 per cent. Therefore let us not belittle the results achieved. Since the Wage Board recommendations are not enforceable in law we have to persuade them and by this method of persuasion we have succeeded quite a lot.

So far as the suggestion that if they are not implementing their tenders should not be considered is concerned, we have taken that decision that the tenders of only such collieries which have implemented should be accepted.

SHRI BANKA BEHARY DAS : What about the public sector undertakings like the H.S.L. and . . .

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SHRI BHAGWAT JHA AZAD : We have written to all the Public Sector undertakings that they should consider only such cases where they have fully implemented. It may be possible that some of them might not have followed this but the moment our attention is drawn or we come to know ourselves we again write to them to say that this is our decision.

So far as the renewal of licences is concerned, the concerned Minister is here in the House. We shall also draw his attention about the suggestion of the hon. Member.

श्री रेवती कान्त सिंह : श्रीमान्, इस वेज बोर्ड के बारे में हम लोगों को बड़ा ही बुरा अनुभव हुआ है। सरकार वेज बोर्ड बनाती है, उसकी रिक्मण्डेशन आती है और जब इम्प्लीमेंटेशन का सवाल आता है तो सरकार हाथ पैर रखकर बैठ जाती है कि यह स्टेट्युटरी इन्फोर्सिबल नहीं है। इसका उदाहरण जर्नलिस्ट्स के मामले में भी हमारे सामने आया था। मैं सरकार से जानना चाहता हूँ कि इस अनुभव के आधार पर क्या भविष्य में जो कि किसी उद्योग के लिये वेज बोर्ड बँठाये जायेंगे उनके लिये अनिवार्यतः स्टेट्युटरी स्टेटस देने के लिये सरकार निश्चय करके ही वेज बोर्ड बँठायेगी या अपनी इसी नीति को चलाये जाते रहेगी कि वेज बोर्ड बँठा दिया, एजिटेशन हुआ और इम्प्लीमेंटेशन का जब सवाल आता है तो कह दिया जाता है कि स्टेट्युटरी अधिकार नहीं है इसलिये इम्प्लीमेंट नहीं हो सकता है।

दूसरी बात मैं यह जानना चाहता हूँ कि वेज बोर्ड की सिफारिशों को लागू करने के नाम पर ही कोयले के दाम बढ़ाये गये थे, जैसा कि माननीय मंत्री जी ने बतलाया है कि उन्होंने एक पब्लिक सेक्टर को और एक रेलवे को यह अनुदेश दे रखा है कि जिन कोलियरियों ने वेज बोर्ड की रिक्मण्डेशन को इम्प्लीमेंट किया है उन्हीं से कोयला खरीदा जाय। तो उनसे मैं दो और सवाल पूछना चाहता हूँ। पहला यह कि सरकार को इस बात का पता है कि सरकार के उस अनुदेश का पालन तमाम जगहों में

## [ श्री रेवती कान्त सिंह ]

एक तरह से नहीं हो रहा है, पब्लिक सेक्टर में भी और रेलवेज में भी जहाँ तहाँ उसका उल्लंघन हुआ है। अगर सरकार को पता है तो सरकार ने उसके बारे में क्या किया है। दूसरी बात, वैसी कोलियरीज जिन्होंने वेज बोर्ड रिकमन्डेशन को नहीं लागू किया है उनको इस बड़े हुए दाम का लाभ नहीं हो इसके बारे में सरकार क्या करना चाहती है। मैं इन तीन सवालों का स्पष्ट जवाब चाहता हूँ।

**श्री भागवत झा आजाद :** जहाँ तक पहले प्रश्न का संबंध है, जैसे वेज बोर्ड की रिकमन्डेशन के कार्यान्वयन के संबंध में उनका कटु अनुभव है उससे मैं सहमत हूँ। जैसा मैंने अभी कहा, सरकार के पास अभी इस संबंध में नेशनल लेबर कमीशन की सिफारिशें हैं जिन पर हम विचार कर रहे हैं। उन्होंने भी सिफारिश की है कि वेज बोर्ड स्टैट्यूटरी हो। इस पर हम विचार कर रहे हैं और इस संबंध में हम निश्चय ही कोई निर्णय लेना चाहते हैं।

जहाँ तक आदेश के पालन का सवाल है, जैसा मैंने पहले बताया, हमने यह अनुदेश सभी पब्लिक अन्डरटेकिंग्स को दिये हैं, जहाँ इसका कार्यान्वयन नहीं हो रहा है वहाँ पर फिर उनसे आग्रह करते हैं कि इस पर ठीक से विचार करें इस पर जोर दे, इसके अनुसार ही काम करें।

सबसे प्रमुख बात इस संबंध में जो माननीय सदस्य ने कही वह यह है कि वेतन आयोग को असली जामा पहनाया जाये ताकि सरकार की ओर से जो असमर्थता प्रकट की जाती है वह स्थिति न हो। वेतन आयोग की सिफारिश आने के बाद जो उद्योग यह कह देते हैं कि हम उन पर अमल नहीं कर सकते हैं यह एक गम्भीर प्रश्न है और इस पर हम भी गम्भीर विचार कर रहे

REFERENCE TO TRAFFIC  
OBSTRUCTION ON PUBLIC ROADS  
CAUSING INCONVENIENCE TO  
MOVEMENT OF MEMBERS

**श्री राजनारायण (उत्तर प्रदेश) :** श्रीमन मैं बेयरमैन साहब की इजाजत से एक आवश्यक प्रश्न आपके द्वारा सदन में प्रस्तुत कर रहा हूँ। आज मैं आल इंडिया मेडिकल इन्स्टीट्यूट से अपनी आंख को दिखा कर आ रहा था तो रास्ते में पुलिस खड़ी थी, उस पुलिस ने हमारी गाड़ी को रोका। हमने कहा हमारी गाड़ी को क्यों रोकते हो तो वह कहता है कि प्राइम मिनिस्टर साहब के यहाँ बड़ा मजमा है इसलिये इस सड़क से आप नहीं जाने पायेंगे तो हमने कहा हमारी गाड़ी को रोकने की ताकत तुम्हें नहीं है और हम जायेंगे, इस तरह से बदतमीजी नहीं होनी चाहिये। प्राइम मिनिस्टर साहब के यहाँ मजमा हो या प्राइम मिनिस्टर साहब के यहाँ सदमा हो इससे हमें गर्ज नहीं। पांच मिनट तक उस पुलिस ने हमको डिटेन किया और जब हम बिल्कुल दृढ़ हो गये कि हम जायेंगे और इसी रास्ते से जायेंगे तो बाद में उसने कहा आप जाना चाहते हैं तो जाइये। मैं आपसे कहना चाहता हूँ कि प्राइम मिनिस्टर की कोठी में कोई मजमा नहीं था, वहाँ केवल पच्चीस, तीस लड़कियाँ हाथ में प्लेकार्ड लिये हुए और साइनबोर्ड लिये हुए कुछ पटरियों में खड़ी थीं और कांग्रेस के मस्तिष्क के गुलाम लोग वहाँ पर खड़े थे। तो मैं यह कहना चाहता हूँ कि जब संसद् सदस्यों की गाड़ियों को इस ढंग से रोका जायेगा तो क्या प्राइम मिनिस्टर कोई खुदा है, ईश्वर है, क्या है? अगर नागरिकों के अधिकार पर इस ढंग से कुठाराघात होगा तो इस सदन के सम्मानित सदस्यों से मैं कहना चाहता हूँ कि इस देश में तानाशाही का शासन होगा और अच्छी तरह से मैं आपके द्वारा इसको एक विशेषाधिकार के रूप में उठाऊंगा क्योंकि यह हमारा अधिकार है। दो मिनट या तीन मिनट भी यहाँ आने में हमें देर हो जाये और हमारा क्वेश्चन चला जाय तो उसका क्या होगा। इसलिये आप कृपा करके प्राइम मिनिस्टर साहब को हम लोगों