

[श्री जगदम्बी प्रसाद यादव]

कट गये हैं या हाथ कट गये हैं या आखें खराब हो गई हैं और जो अपने जीवन के लिये मार हो गया है उसके लिये यदि आप अपने भाषण में यह बताते कि हम उनके लिये ये उपाय करने जा रहे हैं तो आप का भाषण देना भी सफल होता। आप इसपर फिर से विचार कर के देखें और अगर आप फिर से विचार करने के लिये तैयार नहीं हैं तो यह दुर्घटनाएं घटेंगी नहीं बल्कि बढ़ेंगी। और यह केवल रेल पात्रियों के लिये ही दुर्भाग्यपूर्ण नहीं होगा बल्कि आपके विभाग के लिये भी दुर्भाग्यपूर्ण होगा और इस समस्या का कभी निराकरण नहीं हो पायेगा। यह मैंने पहले भी कहा था और आज फिर कहता हूँ कि आप का इस्तीफा मांगने से ही इस समस्या का निराकरण नहीं हो सकता है। लेकिन हो सकता है कि एक समय ऐसा आजाय जब इस्तीफा देने के सिवा आपके सामने और कोई दूसरा चारा न रहे। अगर आप अपने कर्मचारियों को सुधारने का प्रयत्न नहीं करेंगे आप की मनोवृत्ति में अगर ऐसा परिवर्तन नहीं होगा कि आप सहृदयतापूर्वक उन लोगों की जिम्मेदारी ले सकें और जिम्मेदारी के साथ इस समस्या का निराकरण कर सकें तो हो सकता है कि किसी समय आप को इस्तीफा देने के लिये बाध्य होना पड़े।

THE DELHI SHOPS AND ESTABLISHMENTS (AMENDMENT) BILL, 1969

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (SHRI BHAGWAT JHA AZAD) :
I beg to move :

“That the Bill to amend the Delhi Shops and Establishments Act, 1954, be taken into consideration.”

Sir, a similar Bill, namely, the Delhi Shops and Establishments (Amendment) Bill, 1965 was introduced in the Rajya Sabha on 7th December 1965. The Bill was discussed and passed by the Rajya Sabha

on the 5th April 1966. Therefore this is not a new Bill before the House. It could not be gone through the Lok Sabha because at the consideration stage the House was dissolved and therefore, we have to go through this Bill in the Rajya Sabha again.

I only want to draw the attention of the Members that the House has already passed this Bill and all the provisions that are there to amend the Act are the same except clause 3. The Delhi Shops and Establishments Act, 1954 was enacted by the then Delhi Legislative Assembly. The Act regulates the hours of work, payment of wages, grant of leave and holidays, terms of service and other conditions of work, of persons employed in the shops, commercial establishments, establishments for public entertainment and other such establishments. The Act which extends to the whole of the Union Territory of Delhi has been in force since 1st February 1955 and is administered by the Delhi Administration. It was last amended through Parliament in May 1961

The Bill under consideration has been framed to mitigate certain difficulties that we experienced in the course of its implementation. Our proposal for the amendment, embodied in this Bill, have the approval of the Metropolitan Council and the Executive Council of Delhi. They are very small amendments. Yet I would like very briefly to draw the attention of the House to these.

In this Bill we have tried to redefine the term ‘employee’ to cover apprentices, piece-rate workers and persons employed on common basis who were not included in the Act before. Therefore we are giving a wider definition to cover all these persons.

It is to be clarified under Section 10 of the Act that interval for rest and meals shall be fixed by the employer and intimated to the Chief Inspector. As you know, there are fixed hours of work here in Delhi. We propose that at least after five hours there must be compulsory half hour rest and therefore in this case we want to amend Section 10 of the Act. The third point is we want to take away the discretion which at present is with the employers to choose ‘close day’ and to vest in the Government the power to specify by notification the ‘close-day’ locality-wise, trade-wise or uniformly for the whole of the Union Territory of

Delhi. Another amendment is that we propose to provide that claim applications arising out of delayed payment or non-payment of wages can also be filled by any official of a registered trade union authorised in writing by the person concerned. That will mitigate the difficulties of individual workers who come for that. We also want to extend the time-limit for filing claims from six months to twelve months. We propose to raise the ceiling for accumulation of privilege leave from 30 days at present to 45 days. It is also proposed to provide for grant of sickness or causal leave in proportion to the period of service rendered in a year. Such a provision does not exist in the Act now. At present the employee is prohibited from contracting out of the benefits of the Act only with regard to wages for the closed day, the holidays and the days of leave. We now propose in this Bill to prohibit contracting out of any of the benefits extended by the Act.

We have made provisions to amend the Act in order to give facilities to the workers and to meet the difficulties which we have experienced during the implementation of this Act. I commend this Bill for the consideration of the House.

The question was proposed.

श्री निरंजन वर्मा (मध्य प्रदेश) : श्रीमान, हमारे मित्र ने 1954 के कानून के संशोधन के लिए यह बिल प्रस्तुत किया है और उन्होंने अपनी भूमिका में इस बिल के लिए क्यों आवश्यकता पड़ी उसके बारे में प्रकाश डाला है हम समझते हैं कि यह एक निर्दोष बिल है, कि जिसका किसी प्रकार का विरोध करने को आवश्यकता नहीं है। तब भी ऐसा मालूम पड़ता है कि जो कुछ भी कठिनाइयाँ हैं जो कर्मचारियों के सामने आईं उन सब कठिनाइयों को नए बिल के निर्माताओं अथवा उनके अधिकारियों ने पूरी तरह समझा नहीं और जल्दबाजी में इस बिल को लाए। उदाहरण के लिए यह बात ठीक है कि जो आदमी टेम्पोररी सर्विस में थे व्यापारी और दूकानदार इस्पेक्टर को उनके सम्बन्ध में सही सूचना नहीं देते थे, महीनों पुराने कर्मचारियों को एप्रेंटिस या 8-10 दिन का नौकर रखा हुआ बता कर दुर्व्यवहार करते रहते थे, उसको

दूर करने के लिए शीघ्रातिशीघ्र कदम उठाया जाय और यह कदम इस समय आपने उठा लिया। उसके विषय में कुछ ऐसी बातें हैं जिनके विषय में प्रकाश डालना चाहता हूँ। उदाहरण के लिए इसमें जो सेक्शन 6 है उसमें बताया गया है—

It shall be the duty of the occupier to notify to the Chief Inspector, on a prescribed form, any change in respect of any information contained in his statement under sub-section (1) of section 5 within fifteen days after the change has taken place.

इसमें 15 दिन की जगह पर 30 दिन जो रखा गया है हम समझते हैं कि उसको कोई आवश्यकता नहीं थी, व्यापारी बहुत अच्छी तरह से तीन दिन के भीतर जो कुछ भी इनफार्मेशन है वह दे सकता है। अगर तीन में नहीं तो एक सप्ताह या 15 दिन में भी दे सकता है। अब वह एक महीने में जाकर इनफार्मेशन देगा। इससे थोड़ा बहुत भ्रष्ट चार पनप सकता है। इसलिए जो तीस दिन की व्यवस्था आप कर रहे हैं हम समझते हैं कि वह अपने स्थान पर सही नहीं है। इसी तरह से धारा 10 का जो एमेंडमेंट है उसमें एक बात समझ में आने लायक नहीं है और वह यह है कि उसमें यह बताया गया है—

The period of work of an adult employee in an establishment each day shall be so fixed that no period of continuous work shall exceed five hours...

यह भावना तो ठीक है कि लगातार किसी आदमी को काम करने के लिए इतना अधिक विवश न किया जाय कि वह काम करने की शक्ति से ऊब जाय। 5 घंटे के पश्चात् उसे विश्राम लेना चाहिए, यह बात बहुत अच्छी है, लेकिन इसके बाद 'एडल्ट' शब्द क्यों जोड़ दिया गया। एडल्ट की कोई आवश्यकता नहीं थी। जो एडल्ट नहीं हैं उन्हें भी लाभ मिलना चाहिए। यह शायद इस वजह किया गया है कि वे फेक्ट्री कानून से गवर्न होंगे। फिर हम पूछते हैं कि तीसरी लाइन में 'एम्पलाई' शब्द क्यों लिखा है, वहां पर

[श्री निरंजन वर्मा]

'एडल्ट' क्यों नहीं लिखा। पहली लाइन में 'एडल्ट' और तीसरी लाइन में 'एम्प्लॉई' शब्द है। या तो 'एडल्ट' दोनों में होना चाहिए था या फिर नहीं होना चाहिए था। 'एडल्ट' शब्द नहीं लेना चाहिए। एक कानून जब हम बना रहे ह तब हम दूसरे कानूनों को क्यों लेते फिरें और उनको सन्दर्भ में देखते फिरें। यह कानून संलफ-कन्टेन्ड एक्ट होना चाहिए, किसी सन्दर्भ में आकर बड़ने की आवश्यकता नहीं होनी चाहिए। इसलिए 'एडल्ट' शब्द को जरूरत नहीं है।

आगे चल कर उन्होंने यह लिखा है 'हाफ एन अवर', पांच घंटे के पश्चात् आठ घंटे की छुट्टी। हम समझते हैं कि आठ घंटे की छुट्टी बिल्कुल ठीक नहीं है, आठ घंटे के स्थान पर एक घंटे की छुट्टी देनी चाहिए। आठ घंटे की छुट्टी में वह दौड़-दौड़ कर मोजन भी नहीं कर पाएगा। अगर उनके घर से कोई डिब्बा लेकर आता है तो उसे बेर भी हो सकती है। तो कानून पूरा अच्छी तरह बनाना चाहिए, व्यावहारिक रूप में कुछ भी किया जाय लेकिन कानून में ठीक होना चाहिए।

मैं एक और निवेदन करूँ। दिल्ली में यह देखा गया है कि दिल्ली में दुकानें सम्भवतः साढ़े 7 बजे बन्द होती हैं। अधिकांश कर्मचारी वहाँ 6 बजे छुट्टी पाते हैं, 7 बजे तक वे घर पहुंचते हैं और बाद में सामान खरीदने के लिए निकलते हैं तो साढ़े 7 बजे बाजार बन्द हो जाता है। इधर आठ घण्टे की जगह एक घण्टा कर दें और उधर साढ़े 7 बजे की जगह 8 बजे कर दें तो यहाँ के लोगों को भी सहूलियत मिलेगी और वहाँ की जनता को भी और जो कर्मचारी सचिवालयों में काम करते हैं उनके लिए भी। यह बहुत लाभ की चीज हो जायगी।

दूसरे जो 6 (ए) सेक्शन है उसका संशोधन करने के लिए कुछ बातें कही गई हैं -

after the words "employee himself", the words "or any official of a registered trade union authorised in writing to act on his behalf" shall be inserted.

यह जो विधेयक है वह निर्दोष मालूम होता है लेकिन यह धारा खतरनाक है। खतरनाक इसलिए है क्योंकि धारा 21 में यह बताया गया है कि कोई कर्मचारी अगर उसको किसी प्रकार का ग्रीवान्स है तो वह किसी लीगल प्राफेशन वाले या वकील के थ्रु पहुंच सकता है और उसे दूर करा सकता है लेकिन इसमें जो अधिकार दिया गया है वह रजिस्टर्ड ट्रेड यूनियन को दिया गया है और रजिस्टर्ड ट्रेड यूनियन कांग्रेस सरकार की निगाह में एक है हिन्दुस्तान में और वह है इन्क।

THE MINISTER OF LABOUR AND REHABILITATION (SHRI JAISUKHLAL HATHI) : You are making some confusion between "recognised" and "registered". As to "registered", anybody can be registered.

श्री निरंजन वर्मा : कभी कभी ऐसा होता है, इसलिए यह कठिनाई भी और भ्रम भी हो जाता है। उदाहरण के लिए मध्य प्रदेश में यह नियम बना दिया गया था कि केवल एक मान्यताप्राप्त यूनियन होगी और दूसरी जितनी यूनियन थीं उनको रहने दिया गया। हाथ उठा कर वहाँ देने की प्रथा थी, वे पकड़े जाते थे, इस सन्दर्भ में मैंने यह निवेदन किया। आपने जो यह भ्रम था दूर कर दिया। ठीक है।

इसी तरह से दूसरा 7 का जो संशोधन है—

Every person employed in an establishment shall be entitled, after twelve months' continuous employment, to privilege leave.

पिछले कानून में 'विद फुल पे' था। इसमें छोड़ दिया गया। इसमें क्या हटाया है यह किसी दूसरे कानून से खोजना होगा। किसी कानून के बारे में अगर कहीं उसमें एमेंडमेंट या संशोधन लाया जाय तो उस कानून को दूसरे कानून के सहायक के रूप में नहीं रखना चाहिए। जो कुछ भी है उस कानून के अन्तर्गत रखना चाहिए।

इस में धारा 24 है। इस में लिखा हुआ है कि :

"Any contract or agreement whether made before or after the commencement of the Delhi Shops and Establishments (Amendment) Act, 1969, whereby an employee relinquishes any right conferred by this Act, shall be null and void in so far as it purports to deprive him of such right."

मैं समझता हूँ कि एग्जीमेंट सभी वकील जानते हैं कि क्या होता है।

They cannot override the expression of law.

जब कानून में यह बात बना दी जायगी तो एग्जीमेंट और कांट्रैक्ट निरर्थक होगा। इस को कोई आवश्यकता नहीं थी लेकिन अगर आप समझते हैं कि इस की आवश्यकता है और इस में कर्मचारियों को कोई लाभ मिलेगा तो इस को रख लीजिए। जिस प्रकार से यह कानून में संशोधन आया है वह कुछ सुझावों के साथ स्वागत करने योग्य है और उस का स्वागत किया जाना चाहिए।

SHRI U. K. LAKSHMANA GOWDA (Mysore) : Mr. Vice-Chairman, I rise to support this Bill, the Delhi Shops and Establishments (Amendment) Bill, 1969. As the Minister has already explained the original of this Bill has already been passed by the Rajya Sabha and because it has not been able to go through the Lok Sabha it has come up here again now. I wholeheartedly support the various amendments proposed to be made through this Bill. This Bill seeks to provide facilities and amenities for the workers in shops and other establishments in the whole of Delhi and I am glad that the Delhi Municipal Corporation and others have also wholeheartedly supported this measure.

Coming to the actual provisions, the provision to cover apprentices and other employees employed on contract, casual or temporary basis in addition to the permanent workers is a very desirable one. I am glad all these categories have been included because these are some of the categories which often come under malpractices and misuse, that is, the temporary and casual workers, and I am glad that they have also been covered under the definition of 'employee'.

Regarding the amendment under section 6 I agree with my friend Mr. Niranjan Varma that a period of 30 days is not necessary because after all it is only a question of notifying any change and 15 days would have been enough.

Then I come to the provision relating to interval for rest and meals and there again I feel that this half an hour is not reasonable enough. For every establishment where eight hours' work is the norm, an interval of one hour during the period of eight hours is very necessary. As my friend, Mr. Niranjan Varma, said if necessary the closing time could be advanced and during the full working time of eight hours an interval of one hour for rest is very essential. This provision of half an hour after five hours of work I think is not desirable. Normally wherever you have eight hours of work you provide one hour for rest.

Coming to the clause relating to amendment of section 21 it relates to claims arising out of delayed payment or non-payment of wages. The original Act provides that the employee himself should do it but the present amendment permits any official of a registered trade union to handle this. This is in line with the normal practice in trade union movement and if the employee so likes such a person can represent the employee's case. The question about a particular trade union was raised but that need not worry us because any seven persons under the Trade Union Act can form a trade union. So I welcome and support this amendment.

Then I come to the amendment to section 22 which relates to privilege leave. I certainly support the contention of hon. Members that it would be better to include the term 'full wages' because without such a specific reference it may mean any wages for those 15 days. So it is desirable to make it very clear by inserting the words 'full wages'. I also support the provision to raise the ceiling for accumulation of privilege leave from 30 days to 45 days. It is a welcome provision and I support it.

I would also like to support section 24 which prevents anybody from contracting out of any of the provisions contained in this Bill.

With these few observations I extend my wholehearted support to this Bill.

SHRI BALACHANDRA MENON (Kerala) : This is a Bill which I am sure will be accepted by everybody. I am glad that some provisions have been made here which can be considered to be progressive and we welcome them. For instance I welcome the provision to widen the coverage of the Act so as to bring within its scope apprentices and others, the provision to provide for a period of 30 days instead of 15 days in respect of any change to be communicated to the Chief Inspector—quite a good provision—the provision to vest in the Government power to specify by notification the “close days” locality-wise, trade-wise or uniformly for the whole of the Union Territory of Delhi, the provision to increase the time limit for filing claims from 6 months to one year, the provision to allow registered trade union officers to represent the cases of employees etc. Here I would only suggest that if there are no unions if the workers authorise one among them, that also should be allowed. That would be helpful. I would also like to say that on no account should we accept the stand taken by my hon. friend, Mr. Niranjan Varma, that workers should be allowed to contract out of the provisions of this Bill. It will create much trouble if such a thing is accepted. On the question of wages it should also include other benefits like free food and all that. If the worker or employee is given such facilities they should also be taken into account to decide what his ‘wages’ should be. Because it need not be more monetary amount alone; especially in restaurants and other places the workers get free food, free lodging etc. All these things must be taken into account when the wages are calculated and the amount fixed. Some provision to this effect should be made in the rules or something like that.

That is all I have got to say.

SHRI CHITTA BASU (West Bengal) : Generally the provisions incorporated in this Bill are progressive and they merit our support. I only want to draw the attention of the hon. Labour Minister to this that in the matter of implementation certain things have to be taken into account. In this Bill it has been provided that the shop assistants will be given privilege leave and certain sickness or casual leave under clause 7 (a) and (b). But one condition is there to hedge it—I say it from my own experience—saying after every twelve months

of continuous employment. I think the hon. Labour Minister will agree with me that the very words “continuous employment” are sometimes taken to mean by the employer not to give the privilege or the benefit of the law. It has been the practice particularly of the shop-owners not to maintain a register. They are allowed to work for a few months and and then they say: ‘No, you are not in employment’. His employment is discontinued and again he is taken back on the job. In this way if a particular employer wants to deprive a particular shop assistant from the benefit of privilege leave or casual leave, he can do so. Therefore, in the implementation of the Act, particular attention has to be paid to the words ‘continuous employment’. The practice has always been to discontinue his service and later re-employ him. Only the officer should be satisfied that he was in employment but the words ‘continuous employment’ may stand in the way of the poor or unfortunate shop assistant getting the benefit of privilege leave or earned leave.

Here I do not know why a different standard has been applied. In the Factories Act the privilege or earned leave one gets at the rate of one day for every twenty working days why has not the same standard been applied here? Here fifteen days have been taken to be the statutory privilege leave. In the other labour laws, particularly the Factories Act, a worker can have privilege leave or earned leave and he will earn it at the rate of one day for every twenty days. Why is not this particular standard followed in this case? Why do you say only fifteen days?

I also support the plea made by my hon. friend, Mr. Gowda. He said that at least one hour should be given by way of recess to enable the shop assistant to take his meal and come back. That is also the general practice in all factories where eight hours’ work has to be put in by the worker. This is all that I want to say, and I generally support the Bill.

SHRI BHAGWAT JHA AZAD: Mr. Vice-Chairman, the hon. Members, Shri Varma, Shri Menon and Shri Chitta Basu, who have contributed to this debate, have generally supported this Bill. They have raised certain points, but I would request them that the Bill should be allowed to go as it is. In the working of the Act, certain difficulties have been experienced and this Bill

has been brought forward to remove them. As Shri Chitta Basu has said, we shall see that in the implementation of this Act proper safeguards are made. If there is any harassment, we shall see that it is not there and that it is properly implemented. Varmaji asked: why have you increased it from 15 to 30 days? We found from experience that there was difficulties in communicating it. Therefore, we have made it thirty days. Then, he asked why the word 'adult' has been omitted in respect of employees. In the parent Act we have mentioned that children will not be employed. We have to follow the parent Act and in the parent Act it is like this.

श्री निरंजन वर्मा : मैं उस सम्बन्ध में निवेदन कर रहा था कि एक जगह तो आपने एडल्ट इम्प्लॉई लिखा है और तीसरी लाइन में एडल्ट को छोड़ कर सिर्फ इम्प्लॉई ही लिखा है।

SHRI BHAGWAT JHA AZAD : In the construction it is not necessary to mention both the words. When once we say 'adult employee', the second time 'employee' would do. that is why we have removed the word 'adult'. In the parent Act we have mentioned children, we have mentioned young persons. Therefore, it is not necessary to use the same sentence. In the second sentence 'employee' means 'adult employee'.

श्री निरंजन वर्मा : क्या आप इसके लिये भी जेनरल क्लोज़ एकट में जायेंगे क्योंकि एक जगह तो आपने "एडल्ट इम्प्लॉई" लिखा है और एक जगह सिर्फ "इम्प्लॉई" लिखा है। तो इम्प्लॉई की जगह आप उसका मतलब लगायेंगे कि एडल्ट है, यानी इससे आपका मतलब एडल्ट इम्प्लॉई का है। ऐसा तो कानून में होता नहीं।

श्री भागवत झा आजाद : इसके लिये जैसी कि लीगल ओपिनियन है उसके अनुसार कोई कठिनाई नहीं है। "एडल्ट इम्प्लॉई" एक बार कहा तो यह उसी तरह है कि जैसे नाउन या प्रोनाउन को एक ही बार यूज़ किया, बार बार उसका प्रयोग नहीं किया। लीगल प्रिसिपिल से उसमें कोई कठिनाई नहीं है और इसलिये ऐसा लिखा है।

Further, those who were working had difficulty in filing their claims. Therefore, we have extended it. The registered trade union office-bearers have the right on their behalf, to give it in writing. It is a good thing and I think the other three Members have welcomed it.

About the last clause regarding contracting out, which the hon. Member mentioned it is necessary that we put it in there. When we put an Act on the Statute Book we should not allow any agreement between an employer and employee to say that we are in good condition and, therefore, we will not carry this out. From the legal point of view it is necessary and, therefore, we have put it in. This clause seeks to substitute section 24 of the parent Act.

These are some of the points raised. All the hon. Members have welcomed it and I hope that this Bill will be allowed to go through as it is.

SHRI CHITTA BASU: May I draw the attention of the Minister to clause 7, where you say "after every twelve months' continuous employment, to privilege leave for a total period of not less than fifteen days;"? He may also get more, but what is the basis of calculation? In all it will be fifteen days. I understand that it will be not less than 15 days and it may be 17 or 18 days, but what is the basis of the calculation? I want to know it. Therefore, I said earlier that under the Factories Act it is for every twenty days put in in the earlier year. The worker is entitled to get one day's privilege leave for every twenty days.

SHRI JAISUKHLAL HATHI: It will be calculated for every year or part of a year. That we have done.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): The question is :

"That the Bill further to amend the Delhi Shops and Establishments Act, 1954, be taken into consideration."

The motion was adopted.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): We shall now take up the clause-by-clause consideration of the Bill. There are no amendments.

Clauses 2 to 8 were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI BHAGWAT JHA AZAD : Sir, I move:

"That the Bill be passed."

The question was proposed.

श्री निरंजन वर्मा : श्रीमान, मैं मंत्रीजी की का ध्यान इस तरफ आकर्षित करना चाहता हूँ कि हमने एक बात बताई थी कि आधा घंटा जो दोपहर में देने हैं उसको जगह एक घंटा दे और सायंकाल में तमाम और कर्मचारियों की सुविधा को दृष्टि में रखते हुये जो कि छः बजे दफ्तरों से छुटते हैं और एक घंटे उनको लौटते हो जाते हैं तो सत बजे जात है और बाजार बन्द हो जात है, इधर 8 बजे कर दें। आधा घंटे का माजिन बढ़ा दें और उसको एक घंटा कर दें और सायंकाल 8 बजे कर दें। यही मेरा निवेदन था।

श्री भागवत झा आजाद : जो आप कह रहे हैं कि 8 बजे कर दें तो आप जानते हैं कि कठिनाई उनको ही हो जायगी क्योंकि दिल्ली में काम करने वाले ये लोग पंद्रह पंद्रह मील से आते हैं। दिल्ली के जो सारे उपभोक्ता हैं वह तो चाहते हैं कि दुकान अधिक देर तक खुली रहें। हमने यहां एट लीस्ट कहा है कि उतना तो दे हीं, लेकिन जितना अधिक दे सकते हैं वह देना चाहिये, जहां सम्भव हो वह अधिक दें, यह तो इनेबलिंग रखा है। अब अगर 8 बजे का कर देंगे तो कठिनाई उनको बढ़ जायगी घटेगी नहीं।

SHRI CHITTA BASU: Instead of half an hour, keep it one hour.

श्री भागवत झा आजाद : अच्छा, अभी ऐसा ही रहने दीजिये, बाद में आगे देवा जायगा।

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) : The question is:

"That the Bill be passed."

The motion was adopted.

RE. STRIKE BY JUTE MILL WORKERS IN WEST BENGAL

SHRI BHUPESH GUPTA (West Bengal) : Mr. Vice-Chairman, I have a submission to make. I had not spoken on the Bill. Therefore, I want to make a submission, not in regard to that Bill. Again and again I had been asking that the hon. Minister should come out with the latest statement about the jute workers' strike in West Bengal. You remember he pointed out how it was of national importance, this particular industry. Everyday we are told that Rs. 1 crore will be lost. Why is the hon. Minister not coming out with a statement? It is the duty of the Labour Minister to take the nation into confidence. Their wage demands are not being met. Even the service conditions are not being made permanent. So many other things are there relating to their demands. The hon. Minister knows very well that the companies can be easily forced to accede to their demands, at least some of them, immediately, it is quite possible. They have made enough money over the years taking advantage of all the patronage given by the Central Government. Today the strike has been forced upon the workers. They are legitimately fighting. Even the Minister himself has said that the demands are legitimate. If that is so, we should like to know what the Government is doing to compel the intransigent and unreasonable jute mill-owners to accept their demands. Is it not a national issue? I find our Labour Minister, my friend Mr. Hathi, sitting quietly, sometimes smiling . . .

THE MINISTER OF LABOUR AND REHABILITATION (SHRI JAISUKHLAL HATHI) : I am not sitting quietly, but the West Bengal Government is in the picture. They are trying to do all they can.

SHRI BHUPESH GUPTA : What is that, Mr. Vice-Chairman ?

SHRI JAISUKHLAL HATHI: Anything a Government can do they are trying to do. If there is an industrial dispute between workers and an employer, the question is to be settled or to be dealt with by the West Bengal Government. It is a question of industrial relations. The Government of India comes in because it is an important subject. It earns foreign exchange. It is a big item of commerce, and therefore, the Minister of International Trade went to Calcutta and I have requested him to make a statement.