

एकत्र की जा रही है और सभा पटल पर रख दी जायेगी ।

†[THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) and (b) The requisite information is being collected and will be placed on the Table of the House.]

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

#### STRIKE IN THE EAST BASURIYA COLLIERY IN BIHAR

SHRI NAND KISHORE BHATT (Madhya Pradesh): Sir, I beg to call the attention of the Minister of Labour and Rehabilitation to the strike in the East Basuriya Colliery in Bihar due to the reported refusal by the management to pay D.A. according to the recommendations of the Coal Wage Board and the retrenchment of some workers and union officers.

THE MINISTER OF LABOUR AND REHABILITATION (SHRI JAI-SUKHLAL HATHI): Mr. Chairman, Sir, on the 25th June 1968, the Branch President of the Colliery Mazdoor Sangh of East Basuriya Colliery raised an industrial dispute before the Regional Labour Commissioner, Dhanbad, about the order of retrenchment of 135 workmen of the Colliery issued by the management on grounds of un-economic working of the colliery and the closing of one of the seams on account of flooding. Together with this demand was another one for payment of variable D.A. as per Coal Wage Board's recommendations. While this dispute was under conciliation, all but 3 of the 135 workmen accepted retrenchment compensation. On the 13th July 1968 the management issued retrenchment notices to two senior overmen on the same grounds and this precipitated a strike in the colliery that very day. On the 15th July the union raised another dispute before the Regional Labour Commissioner, Dhanbad over the retrenchment of the two overmen. In this dispute they also included the demand for the reinstatement of the 135 retrenched workmen and for the payment of variable D.A.

†[ ] English translation. 104

2. The dispute raised on the 15th July was taken up in conciliation but efforts to bring about a settlement ended in failure. As stated above, 132 out of the 135 employees retrenched in June, 1968, have accepted compensation, and so far as the question of variable D.A. was concerned, it was a demand concerning the industry as a whole on which the Government had called a tripartite meeting. As regards the third demand it appeared to the Government that the retrenchment of the two overmen was unjustified, and the dispute, so far as this demand was concerned, was accordingly referred to adjudication under Section 10(1) of the Industrial Disputes Act.

3. A meeting with the representatives of employees and the workers in the Coal Mining Industry was held on the 12th August, 1968 in the Department of Labour and Employment to consider the progress of the implementation of the recommendations of the Wage Board for the Coal Mining Industry and in particular the payment of variable D.A. The representatives of the various coal mining associations who attended the meeting were requested to persuade the defaulting collieries to implement the Wage Board's recommendations. It was decided at the meeting unanimously to review the position again after six weeks. The Government are thus making every endeavour to bring about the payment of the variable D.A. by all employers in the Coal Mining Industry.

The strike in the colliery is in violation of section 22 of the Industrial Disputes Act, 1947. The workers still continue to be on strike despite the orders issued under section 10(3) of the Industrial Disputes Act. The number of workers involved is about 900. I would hope that, in view of the action already taken by the Government on the question of variable D.A. and the reference to adjudication of the dispute relating to the two retrenched overmen, the workers will now call off the strike.

SHRI NAND KISHORE BHATT: Sir, here the workers are aggrieved for one reason that the main demand of the workers was implementation of the recommendations of the Wage Board in respect of D.A. Now the Government have referred the subsidiary issue to adjudication, namely, the retrenchment of two workers. One hundred and

thirtyfive workers were retrenched and they were retrenched one after another in four batches. This is certainly in contravention of the law. I want to know what action was taken by the Ministry of Labour to prosecute this employer. Sir, the point is this . . .

SHRI JAISUKHLAL HATHI: As far as the 135 employees are concerned, 132 of them have accepted compensation and the case of the other three is also being considered. So far as the other two workers are concerned, the matter is referred to adjudication. I do not think there is anything for prosecution of the employer . . .

SHRI NAND KISHORE BHATT: . . . because the employees were starving. The workers have been on strike for more than a month and they were forced to accept the retrenchment compensation under protest.

SHRI JAISUKHLAL HATHI: I shall find out the position. I shall look into it.

SHRI NAND KISHORE BHATT: The honourable Minister has given an assurance on a number of occasions that whenever workers wage a strike for implementation of the recommendations of any Wage Board, the Government will not interfere, they will not come into the picture. He has admitted that workers have their actual claims and the Government will not come into the picture. But here by the Government's acting in the manner in which they did, the workers are very much aggrieved. I would like to know how the Government is going to support the workers. Instead of giving support to the workers, by referring the case to adjudication, they are giving support to the employer. This is an extraordinary position. The Colliery owner has given in writing to the union that he will implement the recommendations of the Wage Board which he has not done.

SHRI JAISUKHLAL HATHI: I will give support to the workers. But the honourable Member knows, because he was also in the meeting, that both the trade union leaders and the employers are aware that within six weeks they will persuade these people to implement the recommendations.

SHRI CHITTA BASU (West Bengal) : Sir, . . .

SHRI M. V. BHADRAM (Andhra Pradesh) : Sir, . . .

SHRI CHITTA BASU: Sir, this side, Sir.

MR. CHAIRMAN: You are not in the list. There is no question of this side or that side. This is a Calling Attention Notice. There are a number of people on the list. There is no this side or that side. I shall try to see both the sides.

श्री शीलभद्र याजो (बिहार) : चेयरमैन साहब, क्या मंत्री महोदय हमारी राय को स्वीकार करेंगे कि चाहे कोयला हो, लोहा हो या प्रेस हो जो मैनेजमेंट वेज बोर्ड के अवार्ड को कबूल न करें उनको जल्दी से जल्दी यह नोटिस दिया जाय कि उनका जो कोयला, लोहा या प्रेस का कारोबार है उस पर सरकार कब्जा कर लेगी और जो लोहे के वर्कर्स हैं, कोयले के वर्कर्स हैं या प्रेस के वर्कर्स हैं उनके हाथ में मुपुर्द कर के उसको चलाने की व्यवस्था करेगी ?

SHRI JAISUKHLAL HATHI: It is a suggestion for action.

चौधरी ए० मोहम्मद (बिहार) : क्या यह सही है कि इस कम्पनी ने कई बार रिट्रेंचमेंट किया और रिट्रेंचमेंट कानून के खिलाफ किया और अगर ऐसा है तो क्या सरकार इस पर कोई कानूनी कार्रवाई करने के लिये तैयार है ?

श्री जयमुखलाल हाथी : हां जी, जो केस दो ओवरमेन का है वह रिकॉर्ड कर दिया है ।

SHRI ARJUN ARORA (Uttar Pradesh) : Sir, this is another case in which a recommendation of the Wage Board has not been implemented by the employer and the Minister, instead of taking action against the employer, blames the workers in resorting to strike . . .

SHRI JAISUKHLAL HATHI: No, no . . .

SHRI ARJUN ARORA: Do not blame them. All the same you do not take action against the employer. May I know if these repeated instances of

[Shri Arjun Arora]

employers flouting the Wage Board's awards, have enabled the Government to examine the desirability of having an amendment in the law under which the awards of the Wage Boards could be enforced on recalcitrant employers? Here a funny situation has developed. The Wage Board gave an award. The Government allowed the coal mine-owners to raise the price of coal because of the award of the Wage Board, increased D.A. etc. Some miners have implemented the award. But this one has not and he has got an unfair advantage over labour, he has got an unfair advantage over other law-abiding miners. This is a very strange situation and the Government is taking an extraordinarily long time in this matter. May I know if the Government will be moving about it swiftly?

SHRI JAISUKHLAL HATHI: We are considering the position and facts as stated by Shri Arjun Arora and we are certainly considering as to what should be the constitution, the composition, the legality of the Wage Board, etc. Certainly we are considering this.

شری شیر خان (میسور) : منسٹر صاحب جس انڈسٹریل ڈسپيوٹس ایکٹ کا حوالہ دے رہے ہیں اس سے تو صرف مالکوں کے مفاد کی نگہبانی ہوتی ہے - میں آپ سے یہ پوچھنا چاہتا ہوں کہ کیا آپ اس ایکٹ میں کوئی ترمیم کر کے اس کو ایسا بنائیں گے کہ جس سے مزدوروں کے مفاد کی حفاظت ہو سکے -

†[श्री शेर खां (मैसूर) : मिनिस्टर साहब जिस इंडस्ट्रियल डिस्प्यूट्स एक्ट का हवाला दे रहे हैं उस से तो सिर्फ मालिकों के मुफाद की निगहबानी होती है। मैं आपसे यह पूछना चाहता हूँ कि क्या आप इस एक्ट में कोई तरसीम करके इसको ऐसा बनायेंगे कि जिससे मजदूरों के मुफाद की हिफाजत हो सके?]

श्री जयसुखलाल हाथी : जी हां, वह विचाराधीन है।

†[ ] Hindi transliteration.

SHRI KRISHAN KANT (Haryana): Sir, may I know from the honourable Minister . . .

SHRIMATI YASHODA REDDY (Andhra Pradesh): Sir, Mr. Krishan Kant is not in his seat.

MR. CHAIRMAN: Mr. Krishan Kant, you must go back to your seat. It is always safe for the Members to sit in their own seats.

SHRI KRISHAN KANT: May I know from the honourable Minister as to whether he can find out a method so that the Wage Board's awards are implemented and not questioned in court because these disputes go on for years? Mr. Chairman, Sir, you know, the Wage Board gives certain recommendations and then the Government modifies them and when the modified recommendations go to the employers, they go to court. It lingers on for years till the recommendations of the Wage Board become redundant. May I know from the honourable Minister as to what he is proposing to do quickly so that the Wage Board's awards will have a legal sanction and are implemented and not questioned in a court of law?

SHRI JAISUKHLAL HATHI: The Government is seriously considering whether the wage boards should be made statutory. The question is whether the future wage boards also should be made statutory. We are considering it and the National Labour Commission also is considering it. We are certainly seriously considering as to how this can be done.

SHRI CHITTA BASU: Sir, I have carefully listened to the statement of the hon. Labour Minister. In the course of his statement, he has said that they are also trying to persuade the coal miners to see whether they may be made to implement the Wage Board award. Sir, I am very much apprehensive of the word "persuasion" because, you know, Sir, in the earlier case, the coal miners were granted an increase of price so that they may implement the Wage Board award. In view of the fact that there is general discontentment among the coal mines' employees over the failure of the Government to get the Wage Board award implemented within a reasonable time—they propose now to persuade—may I know whether they would also persuade the coal miners

with the phased granting of increased price? There is a demand now from the coal miners that there should be another price increase. In view of this fact, I would like to know whether the Government of India can assure this House that there will be no phased granting of price increase and immediate steps will be taken to make the Wage Board award a statutory one.

**SHRI JAISUKHLAL HATHI:** So far as price increase is concerned, at the time of the recommendation of the Wage Board, it was controlled price. They wanted that this price should be statutorily increased. We opposed it. And the coal prices have now been de-controlled and it is for the producers and the buyers to fix the prices.

**SHRI M. V. BHADRAM:** Sir, the Implementation and Evaluation Committee has unanimously decided that in regard to the wage board awards, the coal mine should get a certificate from the RLC to the effect that they have implemented the award and only then their coal will be lifted by the public sector undertakings. If that is so, what is happening to this particular coal miner?

**SHRI JAISUKHLAL HATHI:** That suggestion was made at the last meeting and it is being considered.

**श्री निरंजन वर्मा (मध्य प्रदेश) :** इस कम्पनी के और मजदूरों के बीच बहुत दिनों में झगड़ा चला आ रहा है। तो यह कम्पनी क्या कोई यूरोपियन्स की है या शासन का इसमें किन्हीं अंश में हिस्सा लगा हुआ है जिसके कारण ये मामले अच्छी तरह से सुलझ नहीं पा रहे हैं ?

**श्री जयसुखलाल हाथी :** यह बात नहीं है कि यह यूरोपियन्स की है, न शासन का इसमें हाथ है। असल में यह अपनी है। झगड़ा तीन प्रकार का था, एक तो 135 आदिमियों को रिट्रेंच करने का, दूसरा दो सीनियर ओवरमेनों को रिट्रेंच करने का, तीसरा नान-इम्प्लीमेंटेशन आफ वेज बोर्ड। 246 कौलीयरीज हैं जिन्होंने वेज बोर्ड को रिकमेन्डेशन को लागू नहीं किया है। 12 तारीख को मीटिंग हुई थी, उसमें ट्रेड यूनियन लीडर्स और एम्प्लोईज सभी थे, उन्होंने

कहा था कि छः सप्ताह तक वह लोग खुद दूढ़ करेगे। Then we shall review the position.

## PAPERS LAID ON THE TABLE

### THE ORIENTAL GAS COMPANY (AMENDMENT) ACT, 1968

**THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI K. V. RAGHUNATHA REDDY) :** Sir, I beg to lay on the Table a copy of the Oriental Gas Company (Amendment) Act, 1968 (President's Act No. 15 of 1968), under sub-section (3) of section 3 of the West Bengal State Legislature (Delegation of Powers) Act, 1968. [Placed in Library. See No. LT. 1969/68.]

### ANNUAL REPORT (1966-67) AND ACCOUNTS OF THE MINING AND ALLIED MACHINERY CORPORATION LTD., DURGAPUR AND RELATED PAPERS

**SHRI K. V. RAGHUNATHA REDDY:** Sir, I also beg to lay on the Table a copy each of the following papers, under sub-section (1) of section 619A of the Companies Act, 1956:

(i) Annual Report and Accounts of the Mining and Allied Machinery Corporation Limited, Durgapur, for the year 1966-67, together with the Auditor's Report on the Accounts.

(ii) Review by Government on the working of the Corporation.

[Placed in Library. See No. LT-1910/68 for (i) and (ii).]

### I. ANNUAL REPORT (1966-67) OF THE DEVELOPMENT COUNCIL FOR DRUGS AND PHARMACEUTICALS AND RELATED PAPER.

### II. ANNUAL REPORT (1966-67) OF THE DEVELOPMENT COUNCIL FOR ART SILK INDUSTRY AND RELATED PAPER

**SHRI K. V. RAGHUNATHA REDDY:** Sir, I also beg to lay on the Table a copy each of the following papers, under sub-section (4) of section 7 of the Industries (Development and Regulation) Act, 1951:—

(i) Annual Report of the Development Council for Drugs and Pharmaceuticals for the year 1966-67, together with the Statement of Accounts for the year 1966-67.