

heads of public undertakings. I hope he does not include those who do not contest elections at all. I hope the door will be left open for them.

4 P.M.

**SHRI LOKANATH MISRA :** But is there any undertaking left with a vacancy for those with some credit in the market? All the discredited people have flooded in all the public undertakings.

**SHRI K. C. PANT :** When Mr. Misra enters the fray in the political field he will realise that elections are a very fickle thing. Sometimes even very eminent and desirable people lose the elections.

**SHRI LOKANATH MISRA :** In a democracy you cannot help it. That really reflects the will of the people.

**SHRI K. C. PANT :** I am sure he will approach the problem with the greatest sympathy if he enters the fray directly.

**THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHEB SHINDE) :** That is more pertinent.

**SHRI K. C. PANT :** My hon. friend Shri Bhargava spoke about his Bill and he has asked us to examine that Bill. We shall certainly examine it very carefully.

**THE DEPUTY CHAIRMAN :** The question is :

"That the Bill be passed."

*The motion was adopted.*

#### THE FOOD CORPORATIONS (AMENDMENT) BILL, 1968

**THE DEPUTY CHAIRMAN :** We now come to the next item—the Food Corporations (Amendment) Bill. The time allotted is two hours.

**THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND CO-OPERATION (SHRI ANNASAHEB SHINDE) :** Madam Deputy Chairman, I beg to move :

"That the Bill to amend the Food Corporations Act, 1964 and to declare the Central Government as the appropriate Government under the Industrial Disputes Act, 1947, in relation to the Food Corporation of India, as passed by the Lok Sabha, be taken into consideration".

**THE DEPUTY CHAIRMAN :** There is noise in the House and the Minister is not heard.

**SHRI ANNASAHEB SHINDE :** Madam Deputy Chairman, hon. Members are aware that the Food Corporations Act was passed in the year 1964 and thereafter in January 1965 the Food Corporation came into existence as a public sector agency to handle the procurement of food, transport of food, storage of food, etc. During the last four or five years the Food Corporation has been functioning in this country as a public sector agency and is trying to increase its scope of work more and more. The main functions of the Corporation are purchase, storage, movement transport, distribution and sale of foodgrains and other foodstuffs. The Corporation may also with the previous approval of the Government promote by such means as it thinks fit the production of foodgrains and other foodstuffs, set up or assist in the setting up of rice mills, flour mills and other undertakings for the processing of foodgrains and other foodstuffs and discharge such other functions as are supplemental, incidental or consequential to any of the functions referred to above. These functions are being carried on by the Food Corporation.

The main issue in this Bill is a very limited one. With more and more work which was being done by the Food Department being transferred to the Food Corporation of India a question arose as to how the persons who were discharging these functions in the

[Shri Annasaheb Shinde]

Food Department should be transferred to the Food Corporation. Originally the idea of the Government was to pass an executive order and transfer the employees from the Food Department to the Food Corporation of India but to this the Employees' Association raised some objection and they said that instead of transferring them by an executive order, their transfer should be governed by a statute. They thought that if statutory protection was given to them they would not have any fears about their future. In fact their fear was unfounded. Even then in order to accommodate them, in order to see that they do not have any fear with regard to the transfer of their services we accepted their view point and we promised them that we shall bring forward a legislation and provide by statute for the transfer of their services.

Naturally when this was accepted some incidental provisions also had to be made in the Bill. This Bill has three or four important provisions. They are very simple provisions and not at all controversial. First of all, the proposed section 12A(1) reads as follows :

"Where the Central Government has ceased or ceases to perform any functions which under section 13 are functions of the Corporation, it shall be lawful for the Central Government to transfer, by order and with effect from such date or dates (which may be either retrospective to any date not earlier than the 1st January, 1965, or prospective) as may be specified in the order, to the Corporation any of the officers or employees serving in the Department of the Central Government dealing with food or any of its subordinate or attached offices and engaged in the performance of those functions:"

This provision actually defines whose services would be transferred and how they would be transferred.

Then there is a second provision which is an important one. After the transfer of the services of these employees they have to exercise an option

because the employees also made representations to us and asked whether they would be free to opt either for the service conditions which they were enjoying when they were in Government service or for the service conditions obtaining in the Food Corporation of India. We said they would have the option which means that the employees whose services would be transferred would be free to opt for the conditions under which they were serving in the Food Department or for the conditions that obtain under the rules of the Food Corporation. So sub-section (4) provides :

"Every officer or other employee transferred by an order made under sub-section (1) shall, within six months from the date of transfer, exercise his option in writing to be governed,—

(a) by the scale of pay applicable to the post held by him under the Government immediately before the date of transfer or by the scale of pay applicable to the post under the Corporation to which he is transferred,

(b) by the leave, provident fund, retirement or other terminal benefits admissible to employees of the Central Government in accordance with the rules and orders of the Central Government as amended from time to time or the leave, provident fund or other terminal benefits admissible to the employees of the Corporation, under the regulations made by the Corporation under this Act, and such option once exercised shall be final."

Now broadly I am mentioning that the service conditions which have been provided by the Corporation are more liberal and most of the employees are likely to opt for the service conditions of the Food Corporation but still in order to allay any fear the employees may have—suppose somebody feels that the service condition under which he was serving in the Food Department is better than the service conditions in the Corporation—they are free under

this provision to opt for either of the service conditions, those obtaining in the Food Department under which they were serving or those that obtain in the Corporation.

Madam, a more important provision in this Bill is the one to which I am coming. Now because the Government employees enjoyed certain protection under article 311 of the Constitution a fear was expressed by the employees that after their services are transferred and they have become the employees of an autonomous Corporation they would not have the benefit of the protection available under article 311 of the Constitution. We said if this be your fear we are prepared to provide for the same protection if your services are transferred to the Food Corporation and this has been provided for in sub-section (5) which says :

"No officer or other employee transferred by an order made under sub-section (1),—

(a) shall be dismissed or removed by an authority subordinate to that competent to make a similar or equivalent appointment under the Corporation as may be specified in the regulations made by the Corporation under this Act ;

(b) shall be dismissed or removed or reduced in rank except after an inquiry in which he has been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges and where it is proposed, after such inquiry, to impose on him any such penalty until he has been given a reasonable opportunity of making a representation on the penalty proposed, but only on the basis of the evidence adduced during such inquiry :"

That means the same provisions which exist in article 311 of the Constitution have been included in this Bill and therefore the main point of grievance if there be any is no longer there.

The only other point here is that the services of the employees belonging to the Central Secretariat Service would

not be transferred to the Food Corporation of India. I am really surprised that when we decided not to transfer their services there was a hue and cry and the representatives of the Central Secretariat Service employees' Union met me and they said why they should also not be transferred along with others. I told them that after all they were a part of the original set-up, that is, the Food Department. And the Food Department, as has been explained on the floor of the House, mainly consists of two parts. One is the policy section. The other is the Directorate. The latter includes the Regional Directors of Food. They mainly comprise field organisations. As far as the functions carried out by the field organisations are concerned they are being transferred to the Food Corporation of India. The policy section, which is part of the Ministry, is going to be there. The Food Corporation Act originally provides that the policy directives would be issued by the Ministry. The Ministry will be competent to issue policy directives to the Food Corporation of India. That means the policy section will be there in the Ministry itself. That would continue to be handled by the Ministry. That which forms part of the policy section will naturally remain with the Ministry. In regard to the fear expressed whether, as a result of the transfer of work to the Food Corporation, some employees will be retrenched, I have given an assurance that nobody need have any fear. We shall see that they are adequately provided for. These are the important provisions in this Bill. There is only one . . .

DR. B. N. ANTANI (Gujarat) : May I know . . .

SHRI ANNASAHAB SHINDE : Kindly excuse me. Let me finish this and then you can ask. Then, the last is clause 3, which reads :—

"In section 2 of the Industrial Disputes Act, 1947, in sub-clause (i) of clause (a) after the words and figures "the Unit Trust of India Act, 1963, or", the words and figures "the Food Corporation of India established

[Shri Annasaheb Shinde]

under section 3, or a Board of Management established for two or more contiguous States under section 16, of the Food Corporations Act, 1964, or" shall be inserted."

It means that the appropriate authority under the Industrial Disputes Act will be the Central Government. This is also consistent with the other provisions of the Bill. The employees will have a proper forum.

Madam Deputy Chairman, I have nothing to add, because this Bill only provides for statutory protection in regard to the transfer of the Food Department employees to the Food Corporation of India. I think by and large we have tried to accommodate the demands of the employees. After all the employees of the Food Department have been serving us for a number of years. They were part and parcel of the Food Department. We are very sympathetic to them and we have to see that their interests are properly safeguarded. I think all sections of the House will welcome this Bill. There was a demand, a number of times, on the floor of the House. When are you bringing forward the Food Corporation (Amendment) Bill? Now, as per the demands of the representatives of the employees and as per the demand of the hon. House and hon. Members, we have come forward with this progressive legislation. I hope all sections of the House will support this Bill. Thank you.

*The question was proposed.*

DR. B. N. ANTANI : I want a clarification. I am glad that the hon. Minister has given an assurance about the employees, but am I not correct when I am informed that even now, in spite of the assurance having been given in the other House, in Madras a number of employees have been retrenched? We are prepared to support this Bill to accommodate the reshuffling of the Ministry and the Food Corporation of India for better operation, etc. But what concerns us is the plight of the employees by virtue of this. We are conscious of the assur-

ances that are being given, but if the information that I have received is correct, would the hon. Minister enquire into it and give a categorical assurance in this House that no such retrenchment will be effected of the employees of the Food Corporation?

SHRI ANNASAHĒB SHINDE : I will have to examine what is the particular condition. I will have to go into the merits and demerits of it. I have explained the broad policy approach. As regards a particular case at a particular point of time I will have to go into it.

THE DEPUTY CHAIRMAN : I have got here eight or nine names and if Members would restrict themselves to ten minutes, everybody would get a chance.

SHRI LOKANATH MISRA (Orissa) : Madam, all right. At least I would see to it. I listened very attentively to the speech of the hon. Minister of State when he moved the Bill and when he said that the union of the employees did not have confidence in the Ministry, when they promised to do something. Therefore, they wanted some statutory provision to be made. It seems to me germane that the employees of this particular Government should have lost so much confidence in their own Government, in their own Department . . .

SHRI ANNASAHĒB SHINDE : I do not think that it should be interpreted that way.

SHRI LOKANATH MISRA : Let me have my say. You may kindly reply later on. That is what you have yourself said.

SHRI M. N. KAUL (Nominated) : You have to recapitulate it again.

SHRI LOKANATH MISRA : That is my fate every day. As soon as I start, there will be so many interruptions. I do not know why.

THE DEPUTY CHAIRMAN : It is being appreciated.

**SHRI LOKANATH MISRA :** I was really very much shocked when I heard from the Minister himself that the employees of the Food Department demanded a statutory provision, when the Minister was prepared to promise them anything. That is because, by and large, the employees do not have confidence in their respective departments and Ministers. They are justified probably in having that lack of confidence, because if you send them from pillar to post and from post to pillar, how can they have confidence in you? They have served in the Food Department for fifteen years and you are now sending them away like a shuttlecock, 18,000 of them, not a hundred or a thousand. Eighteen thousand of them you are sending to the Food Corporation of India. I am told that the strength of the employees in the Food Corporation of India is 3,000, while the employees who are being transferred from the Food Department, are 18,000. Naturally everybody who is being sent is in a state of uncertainty and the persons who are serving already in the Food Corporation of India do not know what their future is. To this state of uncertainty, whatever there was already, further uncertainty is added by bringing together two different cadres into one. Nobody is certain of his future. How could you expect them to work for you to your satisfaction? That is the difficulty always with this Government. They do not know how to keep their employees satisfied. At one point of time they may have to concede . . .

**SHRI ANNASAHEB SHINDE :** I hope everybody is satisfied in Orissa.

**SHRI LOKANATH MISRA :** I mean this particular Government in the Centre. They do not know how to keep their employees satisfied. In Orissa it is a different matter. If I were in the Orissa Assembly . . .

**SHRI N. PATRA (Orissa) :** In Orissa you keep your staff not satisfied . . .

**SHRI LOKANATH MISRA :** If I were in the Assembly, probably it would have been my job to speak about

Orissa, but since I am asked to speak on a Bill which only concerns the Centre, I do not think the hon. Minister should make an endeavour to bring in Orissa. I can refute anything said about Orissa on the floor of this House with confidence, but all the same I have to restrict myself to the direction of the Chair. I have to confine myself to ten minutes. (*Interruptions.*) If the Chair is good enough to give more time, if the Chair gives me ten minutes more, I shall sit down any time there is an interruption and I shall reply to it. Surprisingly enough many Members in this House take great pleasure in interrupting me and probably they also get the same pleasure on being hit back. I do not know why there is such a pleasure in interruptions.

**SHRI M. P. BHARGAVA (Uttar Pradesh) :** Do not overestimate yourself.

**SHRI LOKANATH MISRA :** I relish interruptions and I also hit back as far as it is possible with the talent I have. I do not overestimate myself as many of the front-benchers there I do not overestimate my own capabilities like many of your front-benchers, who have run into difficulties because of their overestimation. But all the same I try to hit back within my limitations.

Coming back to the subject, I was talking about the lack of confidence of the employees in their own Department, their departmental heads and Government. Unless they are kept satisfied, it is very difficult for any Government to run smoothly, and when we talk of lack of efficiency in this House, we always overlook the fact that the employees are not kept satisfied. I do not know where the defect lies. It has to be gone into or else with a dissatisfied set of employees you cannot get the efficiency that you desire to get from them. (*Interruption.*) Not that I appreciate all that the employees do in the Food Corporation. I have my grievance against the Food Corporation and I as a Member of the Swatantra Party am against any nationalisation—this is a nationalised institution that way. I feel that

[Shri Lokanath Misra]  
the efficiency that is available in the private sector is not available in the public sector as such. But if the employees could have been kept satisfied, probably the efficiency would have been comparatively much more than it is today. Particularly one or two instances have been brought to my notice. One is that there is tremendous red-tape in paying the peasants for purchase of paddy and rice. There is tremendous delay and the delay is because of red tapism. Secondly, I am told that there are inspectors for quality checking. At that particular point there is corruption. I have no personal knowledge about these things, but since they have to deal with other State Governments, I can never take it for granted that the State Governments would have complaints which are not very much well-founded.

**SHRI MULKA GOVINDA REDDY** (Mysore): You have read in the papers about rotten rice and so on.

**SHRI LOKANATH MISRA**: That is what was done. I do not know how the hon. Minister with this feeling of dissatisfaction among the employees in the Food Corporation is going to eradicate it.

I will now put forward some facts which I hope the hon. Minister will refute. I would be most happy if he would refute these things. I have got a sheet of paper supplied to me from some source which gives a comparative picture between the facilities enjoyed by the old employees of the Food Corporation and the transferees. Firstly, credit to length of service is given to the transferees. No credit to higher education and experience in commercial organisations is given to people who are already in service. Then protection of certain rights in the Corporation as pay protection, pension protection, continuity of service, cadre protection, etc., is given to the transferees; while no surety is given, no such scheme for pension is there and only the danger of retrenchment is there for people who have been serving the Food Corporation. To add to this, I would say that their apprehension is very much confirmed regarding

retrenchment because the Food Corporation has recently issued notices to 24 directly recruited employees who have put in more than 1½ years' service and who are thereby regular employees according to the rules of the Corporation. All the same they are being retrenched. If this is the beginning, naturally many of them would have apprehension what the end would be. Even after the assurance of the Minister in both the Houses if this is how the beginning looks, then they must be apprehensive about the end also. Therefore, would the Minister be in a position now to say that there would be no discrimination between the one and the other? They should be treated equally. If they are serving in one Corporation, you cannot discriminate between the two, and if there is discrimination, naturally there would be lack of efficiency.

The last point I would like to make is this. The Minister is very clever, it seems, in moving Bills. This is the first time that I intently listened to him when he piloted the Bill. He has given all the merits of the Bill, enumerated them, and very cleverly he has avoided mentioning the only lacuna that is in this Bill. Probably he is much better aware of it than I am because I had a casual glance at the Bill, whereas he should have participated in drafting when one of the bureaucrats drafted it. The point that he made is that according to article 311 of the Constitution we have given all the benefits to the employees. There is a proviso about which he did not say anything. The proviso is the most dangerous one. I shall only read out for your information what the proviso is like.

**SHRI ANNASAHAB SHINDE**: You are supposed to have read all the provisions.

**SHRI LOKANATH MISRA**: At least the dangerous ones I have read to see how dangerous the Minister's intentions are. That must be evident on the floor of the House. The proviso in question is this, at page 4 :

"where the authority empowered to dismiss or remove an officer or employee or to reduce him in rank is satisfied that for some reason to be recorded by that authority in writing it is not reasonably practicable to hold such inquiry";

If the officer records "there is no reason why I should inquire about it because I am satisfied it is not feasible for me to inquire into the matter"—he can just record it and there is also no provision for appeal in this case. The Minister says that he has given all the benefits to the employees that are enshrined in the Constitution. He wants to emerge as a hero on the floor of the House by saying that he has given all the concessions to the employees that he could conceive of. Thank you.

SHRI BALACHANDRA MENON (Kerala): Madam, I am glad the Government have thought that at least some sort of assurance should be given, and they have brought forward this Bill. It is good to that extent. But then I have got my own doubts. The doubts are these. The Food Corporation has been functioning for the last few years. I do not know how far it will be able to function and how long, because one day the Government might feel that it can be wound up for two reasons: one, because the States do not co-operate sufficiently and therefore they do not have work and, secondly, because the Government feels that the old method is better and therefore we shall have the old method. These things are done often. We have seen how about 7000 national cadets were thrown out. Here what you will do is you would promise all conditions of service that exist now would be continued. You tell them "you can opt out". It might be that the terms look better and they opt out. What will happen is if the Department is wound up, if the Corporation is wound up, they are helpless. That is all. The terms might look better, the wages might look better, the conditions might look better, and therefore they opt out. When that is a separate department, your respon-

sibility to take them back is no more there. They have voluntarily agreed to go out. If they do not go out, what will happen is they have got a right to demand that they can be continued as before, that the conditions of service can be continued as before. But then you might feel that you do not require so many employees. Any day the Government can certainly say that those who are not required by them, they have to be retrenched, and they would get retrenched. So, that difficulty is there because the functioning of the Food Corporation does not inspire sufficiently the employees who would like to opt out. I am not one with my Swatantra friends when they say that they would prefer the private people to continue the food trade. On the other hand, I want the food trade to be completely taken over by such a Corporation or by the Government. As for me, on the question of food, there is absolutely no concession to be given to anybody.

Therefore, this Food Corporation should function effectively. Now, it is not being worked properly only because different States have different policies and ideas regarding the food procurement and also the functioning of the Food Corporation. That is the whole difficulty. If we are convinced that all the State Governments will accept that the wholesale purchase of foodgrains will be done by the Food Corporation, and if sufficient facilities are given to the Food Corporation regarding advance of money, etc. certainly it is a very welcome step. Nobody will object to it. It will be a very good thing also. And it would also be a permanent thing for us, because I do not believe that in a few years we will come to a stage when we will be in a position to have no such Food Corporation or a distribution machinery through such an agency. We will not easily come to that stage. When it is so, this Food Corporation has to function properly. That is why again the question comes of a national policy on these things, which we have failed to evolve. I do not want to speak about such subjects except to say this much that whatever

[Shri Balachandra Menon]

good intentions you may have, you will not be able to persuade so many of the States to accept the policies that you lay down. Therefore, the Food Corporation in certain States will be purchasing and in certain other States they will not be purchasing. To that extent, facilities will not be given by the various States. Therefore, its functioning may not come to that level which we expect it to.

When this is so, one day the Government might feel that the whole thing might be wound up, that they would continue as before. Meanwhile, these employees have already said, we are prepared to opt out; I would suggest that the conditions of service which are there should be guaranteed to them and if they agree to go and work in the Food Corporation, they will have to be given the same, if not better, benefits so that they may go and work there. It is only a question of lending their service for the time being until you are certain that the Food Corporation has established itself and there is a feeling in the country that it has stabilised itself. Until then, what is required is only to lend the services of your employees to that Food Corporation. Then there are the existing employees of the Corporation. They are also your employees and you cannot have two different conditions of work. People who do the same job must get the same benefits. Now, you must insist on the Food Corporation that the benefits that you give to your employees should be given by them also to the employees already with the Food Corporation so that there is no discrimination between the two. That you should insist upon. The Food Corporation is our own creation and we will have to insist that the benefits that other employees get these employees will also get, that in the case of such employees who agree to serve in the Food Corporation, they will be taken back and that their services are only for the time being. Malaria and filaria eradication programme, when wound up, threw out thousands of employees. They have put in 17 or 18 years of service.

You cannot give them any job anywhere else. The same thing might happen here also—I am only afraid of that—when you wind up such departments. And all these people will be thrown out. At least we have the one responsibility to see that all those people are continued till they retire and that they get pension when they go out in their old age after they have put in 15 or 20 years of service, having agreed to serve in the Food Corporation. If after four or five years the Corporation gets wound up, what will happen to them? They will not be able to get their pension. They should be absorbed back by you and there should be no difficulty in it. Why not they continue in your service till they retire? Let their services be lent if you are certain that the Food Corporation will be stabilised, there will be no difficulty, all these people will be employed and there will be a guarantee to them. Then I have no objection in agreeing to that provision that you have stated. But if there is a danger, you can at least assure us that even if they now opt out, there will be still consideration where they are forced to come back. That much is necessary.

**श्री बालकृष्ण गुप्त (बिहार) :** उपसभापति महोदया, मेरे पहले श्रीमान लोकनाथ मिश्र और मेरे पड़ोसी बहुत कुछ बोल चुके हैं। यह जो एकट बन रहा है यह खाद्य निगम के बारे में है और खाद्य की मोनोपोली को सरकारने हाथ में लेने के लिये यह खाद्य निगम बनाया है किन्तु इस एकट में सिवाय इम्प्लाइज के ट्रांसफर, उनके प्रमोशन और उनके इम्प्लायमेंट के और कोई नई चीज नहीं है। अब हम क्या कहें, जब सरकार के नये नये निगम बनते हैं तो सब इम्प्लाइज को जो कि सरकार के कर्मचारी हैं एक ही तरह से देखना चाहिये और उनके लिये अलग अलग कानून बना कर उनके लिये अलग अलग तरह की चीजें करने से काम ठीक तरह से नहीं चलता है। इस तरह निगम के कर्मचारी यह समझेंगे कि हमारा यह काम कुछ थोड़े दिनों का है इसलिये वह मन लगा कर काम नहीं करेंगे और वह अपने आपको सुरक्षित भी नहीं समझेंगे। तो उनको सुरक्षा देने के लिये



जरूरी है कि तमाम केन्द्रीय कर्मचारियों की तरह से ही उनके साथ भी व्यवहार हो और उनकी कार्यावधि भी उतनी ही स्थायी हो जितनी दूसरों की होती है।

यह खाद्य निगम भारत के खाद्य संकट को दूर करने के लिये बना बताते हैं लेकिन इसके बनने के बाद खाद्य के भाव सिवाय इस साल के हमेशा बढ़ते रहे हैं और एक किस्म की सरकारी मोनोपोली खाद्य में खड़ी हो गयी है व्यक्तिगत व्यापार के साथ साथ और वह हिन्दुस्तान की खाद्य स्थिति से एक ऐसा खिलवाड़ कर रहा है जिसमें कि साधारण उपभोक्ताओं को कोई विशेष राहत नहीं मिलती मगर यह एक्ट तो सिर्फ कर्मचारियों के लिये है इसलिये खाद्य निगम की सारी बातों की आलोचना करना इसके दायरे से बाहर की चीज है, परन्तु मैं यह कहूंगा कि हिन्दुस्तान के पचास करोड़ आदमियों के खाद्य के लिये अब तक हम अमेरिका पर निर्भर रहे, कनाडा पर निर्भर रहे और अब भी हम बराबर वही हाथ फैलाये हुए हैं। रोजाना अखबारों में यह छपता है कि कहीं एक एकड़ में सौ मन हो रहा है और कहीं पचास मन हो रहा है लेकिन अधिकांश हिन्दुस्तान के खेत पानी के बिना सूखते जा रहे हैं या कहीं बाढ़ से जलमग्न हो कर डूबते जा रहे हैं। तो जब तक खेतिहारों की अवस्था को नहीं सुधारा जायगा तब तक यह खाद्य निगम न हिन्दुस्तान के लोगों को खाना दे सकेगा और न अपने कर्मचारियों को वही वेतन जो कि सरकार के दूसरे कर्मचारियों को मिलता है और वही सुरक्षा जो कि दूसरे सरकारी कर्मचारियों को उपलब्ध है, दे सकेगा। वैसे तो सेंट्रल गवर्नमेंट इम्प्लॉयर्स की स्ट्राइक के बाद आज यह मालूम होता है कि कोई भी सरकारी कर्मचारी सुरक्षित नहीं है, जब मन में आये वह निकाला जा सकता है, उसको हड़ताल करने का राइट नहीं है और उसको ऊपर के लोग बड़ा दंड देने के लिये तैयार बैठे हैं तो खाद्य निगम के कर्मचारियों को भी कोई विशेष सुविधा इस ऐक्ट से मिलेगी ऐसा मुझे नज़र नहीं आता है। अब यह सरकार जगह जगह उद्योगधंधों में और व्यापार में फंसती जा रही है और वह समझती है कि सरकारी व्यापार को

बढ़ाने से हिन्दुस्तान की जनता को राहत मिलेगी लेकिन यह धारणा बिल्कुल निर्मूल और गलत है। लाखों छोटे छोटे दुकानदारों को, लाखों छोटे छोटे व्यापारियों को इस खाद्य निगम ने बेकार और बेरोजगार कर दिया है। और भी जैसे जैसे इसका प्रसार होगा वह साधारण व्यापार बंद होता जायगा और यह खाद्य निगम ही हिन्दुस्तान के खाद्य का एकाधिकार प्राप्त कर लेगा। तब किसान को भी खुले बाजार में बेचने की सुविधा नहीं मिलेगी और उसको भी इस खाद्य निगम पर निर्भर रहना पड़ेगा। पिछले साल पंजाब और हरियाना में खाद्य निगम ने किसानों को बहुत ही नीचा दाम दिया और खाद्य निगम के इंस्पेक्टरों ने बनियों से और दूसरे एजेंटों से मिलकर भारी नफा कमाया जो कि बनिये भी नहीं कमा सकते थे। यह खाद्य निगम बिल्कुल भ्रष्टाचार के ऊपर अवस्थित है और इसके जो फेयर प्राइस शाप्स हैं जिनको यह सप्लाई करते हैं वहां भी भ्रष्टाचार चलता है और जब कभी खाद्य का अभाव होता है तो यह फेयर प्राइस शाप्स फाऊल प्राइस शाप्स हो जाती है, लोगों को कम खाद्य देते हैं ऊंचा दाम भी लेते हैं, खराब और धूल मिला हुआ खाद्य देते हैं। इस प्रकार हिन्दुस्तान के लोग कुछ नहीं कर सकते क्योंकि खुले बाजार में दाम ऊंचा रहता है, वह हमेशा फेयर प्राइस शाप्स की तरफ ताकते रहते हैं लेकिन जब घर में लाकर छानकर, फटक कर, खाने की चेष्टा करते हैं तो उन्हें मालूम पड़ता है कि खुले बाजार की असली चीज से भी ज्यादा दाम लगा है।

[THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) in the Chair.]

यह खाद्य निगम हिन्दुस्तान में खाने पीने की चीजों के अभाव की पूर्ति के लिये बना है लेकिन इसने खाद्य के अभाव की पूर्ति करने की बजाय खाद्य अभाव को हिन्दुस्तान में और बढ़ा दिया है। खाद्य निगम के गोदामों में जितना गल्ला सड़त है, चोरी होती है, शाटिज होती है, उतनी किसी बनिये की दुकान में नहीं होती क्योंकि इसका कोई मालिक नहीं है। सरकारी कर्मचारी अपने को थोड़े दिन का पंछी समझता है जो वहां घोंसलें

श्री [श्री बालकृष्ण गुप्त]

के ऊपर बैठे हैं और उसमें कुछ चुगा चुग कर भाग जाते हैं। बनिये को अपना ममत्व होता है, अपने पैसे से ममत्व होता है। यहां पैसा कमाने की प्रवृत्ति तो बनियों से भी ज्यादा है लेकिन वह पैसा सरकार के घर में न जा कर इधर उधर कर्मचारियों की पाकेट में चला जाता है। मैं इस बिल पर ज्यादा बहस करना नहीं चाहता क्योंकि यह बिल तो सिर्फ कर्मचारियों के लिये बना है परन्तु खाद्य की स्थिति इससे न सुधरेगी और न हिन्दुस्तान का अभाव ही मिटेगा जब तक हम खेतों को पानी नहीं देंगे जो हिन्दुस्तान की सबसे बड़ी समस्या है और उन खेतों में जहां ज्यादा पानी होता है उसकी ड्रेनेज की व्यवस्था नहीं करते तब तक कभी खाद्य का अभाव मिटने वाला नहीं है चाहे कितने ही खाद्य निगम बनाएं जाएं, एक नहीं दो नहीं दस बनाएं, उनसे हिन्दुस्तान के लोगों का पेट भरने वाला नहीं है और न ही खाद्य के व्यापार में जो दिक्कतें हैं वह सुलझने वाली हैं।

**SHRI KESAVAN (THAZHAVA)**  
(Kerala) : Mr. Vice-Chairman, Sir, if the Food Corporation of India does its work properly it can do immense service to the people of India and the benefit would mostly go to the deficit States. But the Corporation must work properly and the Government also must give the necessary help to the Corporation. The Food Corporation of India is not getting necessary funds to purchase foodgrains from other States. For example, if the Food Corporation is supplied with the necessary funds to purchase foodgrains, specially paddy and rice from Andhra Pradesh, it would have been possible to supply rice to the deficit State of Kerala in full. On the floor of the House one of the hon'ble Members, Mr. Bhadram, said that if the Food Corporation of India is given ample funds to purchase paddy directly from the peasants ten lakhs of tonnes of rice can be collected from Andhra alone which would be sufficient for Kerala. But the answer given by the Food Minister was that the State Government was not agreeable to that. So all the other things

said by Mr. Bhadram were admitted by the Minister. So my submission is that if the work of procurement and the distribution of all these things have to be entrusted to the Food Corporation they must be given ample funds by the Government to procure foodgrains from wherever they can get. If it is done, my submission is that it will be possible to supply the necessary foodgrains to the deficit States.

Mr. Vice-Chairman, in some places there are no godowns for keeping the foodgrains which they procure. That is a fact admitted even by the Government. They must see to it that godowns are constructed in places wherever they are required.

In this connection I may also submit that States like Kerala are horribly in need of foodgrains especially rice. The staple food of the people of Kerala is rice. Wheat is not their staple food. Even then they are being supplied wheat from 1966 onwards, and they are using it. But they are given altogether ten or 12 ounces of wheat plus rice. I submit that for the last four or five months we are getting only 80 grammes per adult per day. We know that 80 grammes of rice is not sufficient even for a child for one meal. That is a fact. I admit that some wheat is also given. But it is impossible for us to use wheat because the labourers, when they return from the factory in the evening, go to the ration shops and purchase the wheat and then they have to rush to the grinding mill. They do not know what to do with it. That is why we say that we must be supplied with sufficient quantity of rice. There is no dispute with regard to the fact that Kerala is a deficit area. It has become deficit, not after independence, the deficiency had been in existence from years past. Even in my childhood I remember we were getting rice from Burma. Therefore, we want the help of the Central Government in this respect. We have no right to import and no right to purchase from the other States. Therefore, you should try to see that sufficient rice is supplied to the Corporation so that

they can send it to Kerala. If our own rice is not enough, you must see that rice is imported.

Sir, in January 1967 we were getting rice at the rate of 160 grammes per head per day but it was reduced to 120 grammes by the Centre. Then there was agitation in which all the parties, including the Congress, joined hands. Of course, some untoward incidents also happened. Trains were stopped at Quilon for two hours and immediately the cut was restored. Then the Congress joined in the agitation. But now they are against getting enough rice for Kerala. Even our Law Minister has nothing to say with regard to that.

SHRI N. PATRA : You are not procuring your own rice. Much of it goes to Ceylon for a higher price.

SHRI KESAVAN (THAZHAVA) : You sit down. If the Law Minister, Mr. Panampalli Govinda Menon, had asked the Food Minister to supply sufficient quantities of rice to Kerala, and if that fact were known to the people they would have become in favour of the Congress. But their attempt is to create trouble. In fact the first attempt was to ask the students to come out of the colleges and the schools; there was much trouble created. Now they say that there is sufficient quantity of rice but they are not distributing it. The Food Minister knows that it is a deficit area and the Congress people also do not dispute that fact, but taking advantage of this position they are trying to create trouble to the United Front Government.

SHRI AKBAR ALI KHAN : These are the general tactics of the Communists and not others

SHRI KESAVAN (THAZHAVA) : If these people had pleaded with the Central Government to supply sufficient rice to this deficit State, the people would have been attracted to the Congress. Instead of that, you are doing the reverse. I may tell you that this will not help you in any way. You

know that in January 1967, when it was reduced from 160 to 120 grams, all people rose against it as one, and you had to restore the old ration of 160 grams. That was the position then. But now in spite of the reduction from 160 grams to 80 grams, the people are quiet there. They are not rising, they are not agitating because the United Front Government is there. They know that they are a set of educated people, not like you, not like the people of North. The literacy there is 70 per cent. They are a set of decent people, peace-loving people. You must understand all these things. There is no factory there to work. Educated unemployment is very high. You know all the facts are in favour of cultivating communes in Kerala. There is no good in saying "You are communists and so you are not entitled to get food." We are entitled as citizens of India and we are entitled to get our quota of rice. We joined the Indian Union not as slaves. We want equality. We are earning for you dollars. We must get something in return. If you are not willing to give, nobody or on earth is going to stop us from asking for these things and we know what to do.

SHRI AKBAR ALI KHAN : Why do you think you are separate? We are all Indians.

SHRI KESAVAN (THAZHAVA) : Well, if the Nagarjunasagar Dam is completed, I think Andhra alone will supply rice to the whole of India. You have not made any attempt to complete it. Like that there are so many projects in India. Now there is not an inch of cultivable land in Kerala which lies uncultivated. That also is a fact.

SHRI BRAHMANANDA PANDA (Orissa) : Is it true that Mr. Govinda Menon is treated as an unwanted guest in Kerala?

SHRI KESAVAN (THAZHAVA) : Well, he is now in the Cabinet and he wants to make his position safe. If somehow the Congress gets a chance there, he may anticipate Chief Ministership. Anyhow, I may tell you, he is

[Shri Kesavan (Thazhava)]  
not going to get one more chance from Kerala. That is a fact. He now goes there often and asks the people to go in for collective violence. The Union Law Minister asks the people to go in for collective violence. So he is not even fit to be in the Cabinet. That is a fact. If he is really a citizen of India from Kerala, he must approach the Ministry of Food to get food supplies to Kerala.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Your time is up. Mr. Thillai Villalan.

SHRI THILLAI VILLALAN : Mr. Vice-Chairman, Sir, to-day we have before us the Food Corporation (Amendment) Bill, 1968. By the parent Act the Food Corporation was set up in the year 1965. The original Act was passed in the year 1964 and the Corporation was constituted in 1965. From that date onwards it has been functioning. The Food Corporation was constituted mainly for the purpose of improving the food situation in our country. So far as our State is concerned, we have a programme, "a measure for a rupee", which was started by our Government in the year 1967. The State Government approached the Central Government for subsidy to extend the scheme from the statutorily rationed area to other parts. But it was totally denied by this Government.

SHRI PATIL PUTTAPPA (Mysore): If subsidy is given, then the other States also will ask for it. Where is the money?

SHRI THILLAI VILLALAN : The other States have not approached. If they approach, then the position will be clear. We approached but we have been denied. Anyhow, so far as the Bill is concerned, I want to confine myself only to the provisions there. All the provisions are there to regulate the administrative procedure for appointment of the employees of the Corporation.

Mr. Vice-Chairman, Sir, I want to bring, in this connection, the fears and apprehensions of the employees of the

Corporation to the notice of the hon. Minister. My aim is only to get an assurance from the hon. Minister regarding the employees who fear that their future will be doomed. There are two sets of employees in the Corporation. One set of employees are employees transferred from the Food Department of the Government of India, numbering 18,000. The other group consists of employees recruited directly by the Corporation, numbering 3,000. The Bill, on the very face of it is innocuous, harmless. But the employees say that the provisions are all attempting to ensure benefits to one section of employees and at the same time, throw all disabilities on the other set of employees. They have made it clear that there is disparity and discrimination against one set of employees, i.e. the directly-recruited employees. Here all provisions attempt to give assurances to the employees from the Food Department about their positions, but there is no provision at all regarding the directly-recruited employees of the Corporation. The directly-recruited employees are given comparative difficulties when we compare them with the transferred employees from the Food wing of the Government. I want to enumerate the benefits enjoyed by the employees who are transferred from the Food wing of the Government and at the same time, the difficulties faced by the directly-recruited employees of the Corporation. First of all, the Food wing transferees are recruited in the Food Department with lesser qualifications, that is, as per the Government of India rules. But the direct recruits are recruited in the Corporation with higher qualifications at every cadre by competition as per the staff regulations of the Corporation. Next, the transferees from the Food wing are experienced in the Food Department for a number of years. These directly-recruited employees have also their experience in various Departments. But when it comes to promotion or making their posts permanent the transferred officers or employees from the Food Wing are taken into consideration as seniors and that should not be done. Both the categories of employees must be taken

on an equal basis. They want to get an assurance from the Government. Then, so far as comparative benefits enjoyed by the transferred officers and

direct recruits are concerned, they have given nine comparative things. I want to enumerate them.

Food transferees	Direct recruits
1 Credit to length of service.	1 No credit to higher education and experience in commercial organisations.
2 Protection of Government rights in the Corporation.	2 No Govt. rights to Corporation's original employees.
(a) Pay protection.	(a) No surety.
(b) Pension protection.	(b) No such scheme.
(c) Continuity of service and cadre protection.	(c) Only danger of retrenchment.
3 Assurance of service security if Corporation winds up or in the event of shrinkage in business.	3 No job security even if Corporation continues. In fact direct recruits are being retrenched in order to accommodate Food Dept. transferees.
4 No danger of retrenchment.	4 Already facing retrenchment.
5 Enjoying Government rights as well as the benefits of Corporation. Snatching promotions in the name of integrated seniority.	5 Even benefits of a corporate body are denied.
6 Were enjoying promotions in the Food Dept. as well as in Corporation against the vacancies of the Corporation even when on foreign service.	6 No clear policy of promotion has been formed so far. All direct recruits are being asked to come in queue after 18,000 Food transferees.
7 Only 20% staff are permanent.	7 More than 80% staff are confirmed as per F. C. I. Rules.
8 Upgradation of pay scales and pay fixation at higher scales in Corporation.	8 No such benefits.
9 Staff recruited till yesterday in the Food Dept. will enjoy all the facilities provided by this Bill.	9 Staff even senior to them are being retrenched.

These are the comparative benefits and disparities between the two sets of employees. I want to bring these fears of the directly recruited employees in the Corporation to the kind notice of the honourable Minister and he must allay the fears of the employees of his own Department and such provisions which are necessary to

9—58 R. S./68

allay these fears may be included in this Bill. And then this Bill may be passed. With these words I conclude.

SHRI ANNASAHAB SHINDE : Sir I am thankful to the House for completing the discussions on this Bill in the briefest possible time. I am particularly thankful to those honourable Members

[Shri Annasaheb Shinde]

who wanted to speak, but did not participate because they thought that it was not worthwhile taking the time of the House.

As I explained in the beginning, there is hardly any provision which is of a controversial nature. (*Interruptions.*) I think, by and large, there is a general agreement on all sides in regard to the provisions of the Bill. I am sorry some of the Members unfortunately dealt with many extraneous matters. Take, for instance, Mr. Kesavan who did not say anything about the provisions of the Bill but all along he was dealing with the Law Minister. I do not know why he is so terribly afraid of the Law Minister who comes from his State.

**SHRI KESAVAN (THAZHAVA) :** I am not afraid. There is no necessity to fear that man. No fears.

**SHRI AKBAR ALI KHAN :** He makes you nervous.

**SHRI ANNASAHAB SHINDE :** Anyway, I am sorry you have so much Mr. Menon in your mind.

Again, he also made an observation, it is not correct, that the Food Corporation is not in a position to function effectively because the Food Corporation is not provided with adequate funds. That is not a correct impression. But I do not want to go into the remarks which are extraneous to the provisions of the Bill.

Mr. Villalan, who was just now speaking, made an observation that there is a discrimination between the employees of the Food Department whose services are transferred to the Food Corporation and the employees who are directly recruited. I do not know how he got this impression. All his worry is about their future, whether they would all be made permanent or not.

**THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) :** Shri Lokanath Misra also mentioned this.

**SHRI ANNASAHAB SHINDE :** Under the existing rules of the Food

Corporation an employee is recruited and he is on probation for one year. As soon as he completes that probation period, unless there are some specific reasons for not confirming or making him permanent, he normally becomes after one year a permanent employee of the Food Corporation. Most of the employees who have been recruited like this, after completing one year's service, have become permanent. I think this itself is a very important fact that many of the employees who are serving in the Food Department for a number of years, they do not enjoy this status. I do not think there is anything which discriminates against the employees who are directly recruited in the Food Corporation of India . . .

**SHRI BALACHANDRA MENON :** Such permanency is only the permanency of a regular employee having put in 240 days service and nothing more than that. He will be entitled at the most to get his gratuity or something when he goes. But in the other case it is not so. That is the difference.

**SHRI ANNASAHAB SHINDE :** Now, Mr. Misra, as if he was scoring a point in the debate, read out one proviso to the sub-clause wherein I have referred to Article 311 of the Constitution. The honourable Member is an enlightened and a learned Member. I wish he read the provisions of Article 311 of the Constitution, because we want that this criticism on the floor of this House should be really well founded, the criticism should be based on correct information and it should be knowledgeable criticism. But I am sorry to say that if the honourable Member goes through the provisions of Article 311, he will find what has been produced here is nothing, nothing but what is contained in Article 311 of the Constitution including that proviso. The honourable Member's criticism is entirely unfounded and incorrect.

Then, a fear has been expressed as to what would happen if the F. C. I. is wound up in course of time and that all the employees would be thrown on the streets. I think this argument is

advanced many times. But to my mind, I do not see in any foreseeable future there is any possibility of the Food Corporation of India being wound up, because the Food Corporation is not supposed to play a role only during food scarcity or so long as food deficit is there. Take the last year's instance when there was surplus food production, a bumper crop in Punjab, and the main issue at that time was how to purchase, how to tap the market and how to procure the foodgrains and ensure the farmer a remunerative price. So, the Food Corporation can play an effective role not only during the period of scarcity but even if our country emerges a surplus country, I think the Food Corporation will have to play a more effective role, because our country is vast and if the farmers are to be ensured reasonable prices, I do not think, unless we have a very extensive organisation like that of the Food Corporation of India working all over the country, we shall be in a position to protect the interests of the farmers. So, from the point of view of the consumers' interests as well as of the farmers, the Food Corporation is expected to play a more and more effective role in future. I think a number of expert bodies have gone into the role the Food Corporation is expected to play. I may draw the attention of this House to the fact that the Foodgrains Enquiry Committee with which great economists of the country were associated, examined at some length the role the Food Corporation of India was expected to play in future. And they say in times to come the Food Corporation of India should attain a more and more commanding position in the Indian market so that both the interests of the producers and the consumers will be protected. I quite see the point of Mr. Menon about the unwholesome rate. We do see that the Food Corporation is more effective. I do not agree with his one sentence. I do not agree with him that everything should be nationalised. I do not think nationalisation is the answer but in the wholesale trade, the Food Corporation should have a more positive and effective role to play and that is the intention of the Govern-

ment of India. Therefore I do not see that there is any possibility of the Corporation being wound up. If you look at the aims and objects with which the Corporation Act has been framed, you will appreciate that there are many other activities like processing, marketing etc. The Food Corporation is expected to take interest in food production itself in days to come. It is expected to play its role more and more in various fields connected with allied activities connected with food. Therefore I feel that the Corporation is going to provide more and more avenues for employment and for promotions and activities in newer fields. Therefore this fear that the Corporation will have no role to play is not justified.

Members asked as to what would happen to the employees if it is wound up. What happens if the Government of India decides to wind up the Food Department?

SHRI LOKANATH MISRA : You would then be the first casualty.

SHRI ANNASAHEB SHINDE : Do not bother about me. Politicians are prepared to face any situation and you are in the same line. If any post becomes redundant in Government, the Government employees are normally retrenched. Even if somebody is in Government employment, that does not afford him complete protection but whatever protection was there in the Government service has been extended to the employees of the Corporation and I would repeat that assurance. Some Members asked what happens if the Corporation is wound up. I am prepared to say that—it is hypothetical, I do not see any possibility of the Corporation being wound up but for the sake of argument if I accept that position—the Government would adopt the same policy in regard to such employees which it adopts in regard to other employees when they become surplus in the Government and they would try to absorb them in certain other Departments. This is the moral commitment which the Government of India give to its employees and the same commitment will apply in the case of the em-

[Shri Annasaheb Shinde]

ployees of the Corporation whose services have been transferred from the Food Department.

I do not think there is any other important point that has been made by Members. I hope the House will support the provisions of the Bill and pass it unanimously. I am thankful to all the Members who have participated and the House particularly.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : The question is:

"That the Bill to amend the Food Corporation Act, 1964 and to declare the Central Government as the appropriate Government under the Industrial Disputes Act, 1947, in relation to the Food Corporation of India, as passed by the Lok Sabha, be taken into consideration."

*The motion was adopted.*

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : We shall now take up clause by clause consideration of the Bill.

Clause 2—Insertion of new section 12A

SHRI THILLAI VILLALAN : I move :

1. "That at page 3, after line 29, the following be inserted, namely :

... '(4A) (a) A permanent officer or a permanent employee transferred by an order made under sub-section (1), who had been confirmed in his post on or before the 31st day of December 1964, shall be deemed to be a permanent officer or employee of the Corporation with effect from the 1st day of January, 1965 ;

(b) any staff or employee directly recruited by the Corporation shall be governed by the Rules and Regulations of the Corporation'."

I also move :

2. "That at page 4, after line 28, the following be inserted, namely :

'(8) (a) When the Corporation ceases to perform any of its functions, the officer and staff of the Corporation affected by such closure who had been transferred under section 12A shall be retransferred and absorbed in other Government departments ;

(b) no staff or employee directly recruited by the Corporation shall be retrenched ;

(c) when the Corporation ceases to function, its officers and staff shall not be retrenched and shall be absorbed in other departments of the Government'."

*The questions were proposed.*

SHRI THILLAI VILLALAN : There should be equal treatment meted out to the employees, both to those who are transferred from the Food Wing of the Government and those who were directly recruited. The Minister has assured that there will be no discrimination but the assurance of the Minister will not be heard if it goes before a court. Everything has to be in black and white in the Statute Book. So I have moved these amendments to allay the fears of the directly recruited employees of the Corporation.

The directly recruited employees are recruited on the basis of merit. They are qualified but the transferred are taken because of their length of their service in the other Departments and the experience in the other Departments. The amendment moved by me is only to safeguard the interest of the directly recruited people who are the qualified ones and those who have come by experience in other Departments should not override the rights of the directly recruited employees. If there is shrinkage in the Corporation, first the transferred officers must be absorbed in their original departments or in the other departments of the Government. At the same time the directly recruited employees should not be retrenched on any account. They must also be taken or given assurance of employment in service. That is why I have moved these amendments.



I have received telegrams from Tanjore where there are 24 employees threatened with retrenchment. They are directly recruited people. Some of them are M.Sc.s. and B.Sc.s.—well-qualified persons—and they are facing retrenchment. So without this provision in the Bill their position will not be safeguarded. I suggest that these two amendments may be accepted.

**SHRI D. L. SEN GUPTA** (West Bengal) : Mr. Vice-Chairman, there is a class within the class. There are about 18,000 employees in the Food Corporation as envisaged of whom 15,000 will be by transfer from the Food Department and 3,000 from direct recruitment by the Corporation. The directly recruited people have a natural apprehension that all the assurances that have been given are given in favour of the 15,000 people who have been transferred from the Government Departments. Because their continuity of service will be taken into consideration, because their past service will be taken into account, the principle of last come first go, the direct recruits apprehend, will benefit those transferred employees in preference to those who are directly recruited in this Department. So they are expecting only one assurance, namely, that nobody will be retrenched, whether he was directly appointed in this Food Corporation department, or was transferred here. And the second thing that came incidentally was that in the case of those who are directly appointed by the Food Corporation department also, their past services anywhere, whether Government or private, may be taken into consideration for the purpose of determination of seniority.

**SHRI ANNASAHEB SHINDE** : Mr. Vice-Chairman, Sir, I am sorry the hon. Member has repeated the same argument which he advanced while making his speech. I have already clarified the position. As far as the directly recruited employees are concerned, they are on probation for a year, and after completing the one year, if such employees' services are found to be satisfactory, they become permanent

employees of the F. C. I. I therefore see no reason why fear should be expressed, why the anxiety of what would happen to their service, etc. should be there. Therefore I am not prepared to accept this first part of the hon. Member's amendment. Even to the second part of his amendment reading.

"When the Corporation ceases to perform any of its functions, the officers and staff of the Corporation affected by such closure who had been transferred under section 12A shall be re-transferred and absorbed in other Government departments;"

I have already explained the point. I suppose it is the same point now. It is the same point, the same fear is being expressed and it is asked what happened if suppose the F. C. I. ceases to operate or is wound up, and all that sort of thing. I do not think that that is really possible. The food problem, whether we are surplus or deficit, is going to be there, and the food administration is a very important aspect of our operations, and as far as food procurement, its storage, its transport and delivery to the various States, as far as these aspects are concerned, the Food Corporation is going to be there and the F. C. I. is going to play a very important role. Therefore it is going to be one of the very important aspects of our food administration.

And then the only point which has been made out is in regard to seniority as between directly recruited employees and the employees of the Food Department. Now the Government has a very broad policy. Whatever is being followed in other departments in regard to seniority, etc. would be followed. But how is it; suppose there is an employee who has been recruited two years or three years earlier, and there is an employee who has put in a service of ten or fifteen years, now is it the proposition of the hon. Member to put him, an employee who has put in a service of three years, over an employee in the same category who has put in a service of ten or fifteen years? I do not

[Shri Annasaheb Shinde]

think that can be really an acceptable proposition. The normal rules of equity and justice will prevail.

SHRI P. C. MITRA (Bihar) : There is some difference. The directly recruited employees were recruited on the basis of competitive examinations, whereas the Food Department employees were recruited in the ordinary course without any competitive examination.

SHRI ANNASAHAB SHINDE : Sir, I do not think that is a very valid point, because after all I can argue that employees of the Food Department have so much experience which hardly these new recruits can have. But I do not want to argue this way because, after all, whether they are employees directly recruited, or transferred from the Food Department, they are our employees, and their legitimate interests would be quite safe in the hands of the Food Corporation of India ; they have very elaborate rules for safeguarding the interests of the employees, and I do not think any fear should be expressed on that account. Then the point has been made that some employees have been retrenched, etc. I am not prepared to say that nobody would be retrenched, because suppose some employees are recruited only for a temporary job on an *ad hoc* basis anywhere, and if that job is over in a particular part of the country, I do not think Government can make a permanent commitment that even employees who are only employed for a temporary purpose on a temporary job will never be retrenched but, by and large, the employees who have been made permanent, etc., I do not think there should be any fear entertained for those employees who are with us and whose services have been made permanent in the Food Corporation of India.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Are you pressing your amendments ?

SHRI THILLAI VILLALAN : Yes, I am pressing.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : The question is :

1. "That at page 3, after line 29, the following be inserted ; namely—

'(4A) (a) A permanent officer or a permanent employee, transferred by an Order made under subsection (1), who had been confirmed in his post on or before the 31st day of December, 1964, shall be deemed to be a permanent officer or employee of the Corporation with effect from the 1st day of January, 1965 ;

(b) any staff or employee directly recruited by the Corporation shall be governed by the Rules and Regulations of the Corporation'."

*The motion was negatived.*

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : The question is :

"That at page 4, after line 28, the following be inserted, namely,—

2. '(8) (a) When the Corporation ceases to perform any of its functions, the officers and staff of the Corporation affected by such closure who had been transferred under section 12A shall be re-transferred and absorbed in other Government departments ;

(b) no staff or employee directly recruited by the Corporation shall be retrenched ;

(c) when the Corporation ceases to function, its officers and staff shall not be retrenched and shall be absorbed in other departments of the Government'."

*The motion was negatived.*

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Now I shall put clause 2 to vote. The question is :

"That clause 2 stand part of the Bill."

*The motion was adopted.*

*Clause 2 was added to the Bill.*

*Clause 3 was added to the Bill.*

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

SHRI ANNASAHEB SHINDE : I move :

"That the Bill be passed."

*The question was proposed.*

SHRI D. L. SEN GUPTA : Mr. Vice-Chairman, Sir, I wish the Minister gave an assurance that nobody hereafter will die of starvation, and he would make, through this Food Corporation, rice accessible to every citizen at a reasonable cost. When Mr. Annadurai in his DMK Government in Madras can sell rice at one rupee per Madras measure—which is well over a kilogram—I wonder why in Calcutta we should buy rice at two rupees a kilogram when the price is controlled at Rs. 1.50 per kilogram. The Food Corporation will face one difficulty; that I can see. They will say, "We have not sufficient funds; we have not sufficient money." Now, if that should stand in the way of the Food Corporation, what is the utility of this Food Corporation? And if the Food Corporation has no dearth of money, why food should not be available at a reasonable price to every citizen of India? So I wish the Minister gives an assurance, or takes steps so that this laudable thing can be done.

SHRI THILLAI VILLALAN : Sir, there is the crisis in the food situation of our country; I request the hon. Minister not to create any crisis among the employees also. The Minister during the discussion repeatedly gave an assurance. But three or four days ago we received a telegram, and the telegram reads : "Twenty-four direct recruits Category IV with more than one year's service under orders of ousting. Take immediate action. Wired management". This telegram has been received from Thanjavur. But the Minister has given the assurance that no directly recruited employee will be retrenched. I want to bring the plight of these twenty-four employees at Thanjavur to the notice of the

hon. Minister to take the necessary steps.

With these words I conclude.

SHRI ANNASAHEB SHINDE : I only wish to say that the Food Corporation, as I have been submitting, is a very important organisation in our country, and it is expected to play a very important role from the point of view of our national economy, and food economy in particular. Hon. Members will appreciate that 1966 and 1967 were very difficult years and I think, if the Food Corporation would not have been there, it would have been very difficult for us to handle the food situation as such. The Food Corporation has already played an important role. I do not mean to say that there are no defects. I welcome the criticism if sometimes criticism is made either on the floor of the House or elsewhere that the efficiency of the Food Corporation should be improved. That criticism would always be welcome, that would benefit us. But I would seek the co-operation of the hon. Members that for the Food Corporation the necessary climate is created in the country, so that the Food Corporation becomes a very important instrument in order to solve our food problem.

With these observations, Sir, I am again thankful to the entire House and to the hon. Members who have participated in the debate. Thank you very much.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : The question is :

"That the Bill be passed."

*The motion was adopted.*

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : The House stands adjourned till 11 A.M. tomorrow.

The House then adjourned at thirty minutes past five of the clock till eleven of the clock on Wednesday, the 18th December, 1968.