

a correction made in a subsequent release in order to make it clear that this press release did not represent the official view of the United States Government?

SHRI JAWAHARLAL, NEHRU: We did enquire from the U.S. Embassy as to how far this represented their views and they said it did not. I do not for the moment remember if their correction or denial of this was issued as an official release or not, but it was given publicity anyhow in various ways.

SHRI ARJUN ARORA: May I know if the Government has prohibited the circulation of this objectionable press release and taken steps to confiscate all the available copies?

SHRI JAWAHARLAL NEHRU: No, Sir.

SHRI NIREN GHOSH: There are numerous press reports saying that the United States Ambassador, Mr. Galbraith, is making himself available during the course of Indo-Pakistan negotiations and putting all sorts of pressures on India to make a particular sort of settlement over Kashmir? May I know, Sir, whether the Government considers these overtures and activities of the United States Government as putting pressure and a crude interference in the internal affairs of our country; and, if so, whether the Government have taken care to learn from the Government of the U.S.A. as to why they are doing so?

MR. CHAIRMAN: Mr. Ghosh, do you think this arises out of this question? The working of the human mind is rather complicated, but do you think that your question arises out of the question we are considering? I am afraid, not.

SHRI A. B. VAJPAYEE: May I know, Sir, whether the U.S. Embassy has been asked not to release such press statements in future and whether any assurance has been given by them in this respect?

SHRI JAWAHARLAL NEHRU: Surely the mere fact that we drew the attention of the U.S. Embassy to the statement which we considered objectionable itself was an indication that we did not approve of this kind of thing being done in future. That is enough indication to be given to them.

**SUPREME COURT JUDGEMENT *OH* APPEAL
FILED BY SILKS LTD., ETC.**

♦36 SHRI A. D. MANI: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether his attention has been drawn to the judgement of the Supreme Court delivered on March 20, 1963 in the appeal filed by Silks Ltd. and the Sirpur Paper Mills Ltd.;

(b) whether it is a fact that the Supreme Court has held that Government need not publish the award of an industrial tribunal; and

(c) if so, what is the reaction of Government in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR AND EMPLOYMENT AND FOR PLANNING (SHRI C. R. PATTABHI RAMAN) : (a) and (b) According to press reports the Supreme Court had held that although it was mandatory on the Government to publish the award of a Tribunal under section 17(1) of the Industrial Disputes Act, in the particular circumstances of the case before it, it was not necessary to publish it as a binding settlement between the parties had already come into force.

(c) No action is called for in the matter.

SHRI A. D. MANI: I should like to draw the attention of the Deputy Minister to the mandatory nature of section 18(1) of the Industrial Disputes Act which makes it obligatory for the Government to publish the award of an industrial tribunal. Here is a judgment which says that the award

need not be published, -which means that the Government will be contravening the law that they have enacted. Does the Government propose to have an amendment of section 18(1) of the Industrial Disputes Act?

SHRI C. R. PATTABHI RAMAN: I have already explained. If I may say so with respect, we cannot forget the wood for the trees. The whole purpose is industrial peace. A settlement has been arrived at between the parties. The State Government has received the award. Before publishing it the matter had gone to the Supreme Court who had held that in the circumstances of the case it was not necessary to publish the award. It is mandatory.

SHRI A. D. MANI: I would like to raise the point again. What is the interpretation of Government on section 18(1)? Under section 18(1) the awards of industrial tribunals have got to be published. Here is a judgment which says it need not be published. Are we going to follow the law which we have enacted?

SHRI GULZARILAL NANDA: The 'Supreme Court had indicated that the law was as previously explained, but in the special, exceptional circumstances, they directed that this need not be done. But there is no warrant for any change in the law itself.

SHRI ARJUN ARORA: May I know, Sir, if the Government will continue the practice of publishing the awards in spite of the decision of the Supreme Court?

(No reply)

MR. CHAIRMAN: I think that was only an exceptional situation, only in that case.

SHRI A. D. MANI: In view of the judgement of the Supreme Court, is there any proposal before the Government that the matter should be examined *de novo* and, if necessary, an amending legislation brought forward for this purpose?

SHRI C. R. PATTABHI RAMAN: We do not think so.

EXPLOSION OF ATOM BOMB BY CHINA

*37. SHRI A. B. VAJPAYEE: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that China has exploded an atom bomb recently; and

(b) if so, what is Government's reaction thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI DINESH SINGH): (a) The Government has no reports about China's having exploded an atom bomb recently.

(b) The question does not arise.

SHRI A. B. VAJPAYEE: In view of the fact that China is making serious attempts to use atomic energy for aggressive purposes and she believes in the inevitability of war, may I know whether the Government would consider the desirability of revising their earlier decision not to develop atomic energy even for defensive purposes?

SHRI JAWAHARLAL NEHRU: The Government has repeatedly and carefully considered this and has come to the firm conclusion not to change its views in this matter. It is not correct, however, to say that, as the hon. Member has said it. Government will consider developing atomic energy. We are developing atomic energy in a variety of ways and are probably at the present moment in the world the sixth or seventh country amongst the advanced countries in this respect, including the great Powers and others. But we have not directed it towards the preparation of nuclear weapons. I do believe—I cannot be certain of course—that our development in atomic energy is probably far ahead of that of China. I do not think per-