

ment of the United States of America and others concerned about the United States move for convening the 82-Nation Disarmament Conference;

(b) if so, what position India has taken in the matter;

(c) whether his attention has been drawn to the recent Soviet proposal that the United Nations General Assembly should discuss the Disarmament question with the participation of the Heads of Governments; and

(d) if so, what position India has taken in this regard?

THE PRIME MINISTER AND MINISTER OF EXTERNAL AFFAIRS (SHRI JAWAHARLAL NEHRU): (a) No, Sir. The Government of India have not expressed their views to the Government of the United States of America or to other Governments about the United States move for convening the Disarmament Commission.

(b) The Government of India were in favour of the Disarmament Commission being convened on a date nearer the opening of the General Assembly so that high-powered delegations could conveniently participate.

(c) Yes, Sir.

(d) Government have not formulated their views in this regard.

#### PAPERS LAID ON THE TABLE

REPORT (1960) OF THE TARIFF COMMISSION ON REVISION OF RAW RUBBER PRICES, GOVERNMENT RESOLUTION THEREON AND RELATED PAPERS

THE MINISTER OF COMMERCE (SHRI N. KANUNGO): Sir, I beg to lay on the Table, under sub-section (2) of section 16 of the Tariff Commission Act, 1951, a copy each of the following papers:—

- (i) Report (1960) of the Tariff Commission on the revision of raw rubber prices.

(ii) Government Resolution No. 16(4) Plan(B)/60, dated the 23rd August, 1960.

(iii) Statement under the proviso to sub-section (2) of section 16 of the Tariff Commission Act, 1951, explaining the reasons why the documents referred to at (i) and (ii) above could not be laid within the period mentioned in that sub-section.

[Placed in Library, See No. LT-2327|60 for (i) to (iii)].

NOTIFICATIONS UNDER THE INDUSTRIES DEVELOPMENT AND REGULATIONS ACT, 1951.

THE MINISTER OF INDUSTRY (SHRI MANUBHAI SHAH): Sir, I beg to lay on the Table a copy of the Ministry of Commerce and Industry Notification S.O. No. 1598, dated the 22nd June, 1960, issued under section 15 of the Industries (Development and Regulation) Act, 1951. [Placed in Library, See No. LT-2328|60.]

Sir, I also beg to lay on the Table a copy of the Ministry of Commerce and Industry Notification S.O. No. 1718, dated the 11th July, 1960, issued under section 18A of the Industries (Development and Regulation) Act, 1951. [Placed in Library. See No. LT-2328|60.]

STATEMENT RE THE THREATENED STRIKE BY THE BOMBAY REGIONAL COMMITTEE OF THE AIR CORPORATIONS EMPLOYEES' UNION.

THE MINISTER OF TRANSPORT AND COMMUNICATIONS (DR. P. SUBBARAYAN): Sir, I am grateful to you for giving me this opportunity to make a statement on the notice given by the Bombay Regional Committee of the Air Corporations Employees' Union, to go on strike from the 2nd Septemeber, 1960.

The Management of the Air-India International Corporation have been negotiating a settlement for over two years on the Charter of Demands

presented by the Air Corporations Employees' Union, which covered scales of pay and other conditions of service. After protracted negotiations, the Management and the Union reached an agreement in April, 1959, according to which about 20 demands presented by the Union were agreed to and the balance of some 33 demands which could not be settled by agreement, were agreed to be referred to arbitration. Accordingly, at the joint request of the Union and the Management, the erstwhile Government of Bombay appointed an Arbitration Committee consisting of two representatives of the management, two representatives of the Union and a retired Judge of the Bombay High Court, as an independent chairman of the Committee. In the Arbitration Agreement, it has been provided that the unanimous decision of the Arbitrators shall be binding on both the parties and in the event of there being no unanimity among the Arbitrators the decision to be made by the independent Chairman would be deemed to be an Award made by a single and sole Arbitrator. This Committee had been considering the demands since July 1959 and the last hearing was on the 29th April, 1960.

After this last meeting, at the instance of the Union, the representatives of the Management and the Union on the Arbitration Committee, got together to consider whether they could come to an agreement on the various demands. On the 9th May, the four members of the Arbitration Committee representing the Union and the Management prepared a document showing an agreement on all demands except one, which related to retirement benefits, in respect of which it was agreed to abide by the decision of the Chairman of the Arbitration Committee. The agreed document was presented to the Chairman of the Arbitration Committee on the 10th May and the Committee as a whole considered it at a meeting held on the 11th May, when the Chairman of the Arbitration Committee observ-

ed that a number of clarifications were needed and, therefore, he wanted time to consider it and give it a legal shape. The Chairman of the Arbitration Committee went to the United States on the 14th May and returned on the 4th August. Although he was in bad health when he came back, he fixed a meeting of the Arbitration Committee on the 25th August in order to consider the document of the 9th May.

It has been reported that during this period the Union representatives had approached the Management of the Corporation to give effect to the agreement of 9th May. The Management had explained that as this was an agreement amongst four members of the Arbitration Committee, it had to be accepted by the Arbitration Committee as a whole before the Management could act on it. Moreover, that document was more in the nature of a list of agreed points rather than an agreement or settlement, and in any case a number of clarifications had to be obtained and doubts cleared before a joint submission could be made on behalf of the Union and the Management before the Arbitration Committee, to the effect that the matters in dispute had been agreed to excepting one demand and that an award could be given on the basis of the agreement so reached.

I understand that even on the night of 24th August, the representatives of the Union were discussing with the management clarifications which were to be presented to the Arbitration Committee, which was to meet on the following day. The Union representatives on the Arbitration Committee did not, however, attend the meeting held on the 25th August. The Chairman of the Arbitration Committee, therefore, in terms of the Arbitration Agreement, decided to proceed as single and sole arbitrator. He also passed an order instructing the management to give certain interim relief pending publication of the Award. The management published the order of interim relief on the 27th August, 1960 but the Union issu-

[Dr. P. Subbarayan.]

ed a notice on the 29th August saying that they did not recognise the Chairman of the Arbitration Committee as the arbitration and advised their members not to accept the payment. At mid-night on Monday the 29th August, the General Secretary of the Union telephoned the General Manager and said that the Union had decided to go on strike. The strike notice was received on Tuesday the 30th August, 1960 in which it was stated that the members of the Union proposed to go on strike from 6 A.M. on Friday, the 2nd September, 1960, for reasons of which the General Manager was said to be fully aware.

The management of the Corporation have pointed out that the arbitration proceedings had been completed and the award was expected any day. There was no pending dispute between the Union and the management, except for the one demand relating to the retirement benefits of which no agreement could be reached, and it was, therefore, decided to leave it to the decision of the Chairman of the Arbitration Committee. In the circumstances, therefore, the notice given by the Union on the 29th August, 1960 of their intention to go on strike from the 2nd September was both illegal and irresponsible—illegal because Air Transport has been declared as a public utility service and a notice of strike of only three days was contrary to the provisions of the Industrial Disputes Act, 1947, and irresponsible because there was no dispute pending between the management and the Union which can justify the strike, let alone a lightning strike. On the 30th August, the Union moved the High Court of Maharashtra for a writ to restrain the Chairman of the Arbitration Committee from acting as Chairman or as sole or single arbitrator granted. The management have already brought to the notice of the Government of Maharashtra—the appropriate Government under the Industrial Disputes Act, 1947—the grave situation created by the threatened

strike. If the strike materializes it would affect the services operated by Air India International and thereby result in great inconvenience to the travelling public apart from putting the Corporation to financial losses. As I had informed this House on an earlier occasion, in connection with the lightning strike resorted to by the Pilots of the same Corporation, a strike in a public utility industry without due notice is wholly unjustified and illegal.

I hope—and I am sure the hon. Members will agree with me—that even at this late stage the Union will reconsider its position and call off the strike. But if they resort to the lightning strike tomorrow, the management will have no option, but to react with firmness and Government also will have to give the management the necessary support.

SHRI BIREN ROY (West Bengal): Mr. Chairman, I have heard the long statement which has been made by the hon. Minister. Without going into the legality or other questions I would request one thing and ask the hon. Minister to concede openly in this House whether it is not a fact that an injunction was issued by the High Court over there on the allegation that the gentleman who acted in the arbitration Committee as Chairman was given a free flight by an Air-India International Boeing to U.S.A.?

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There could have been compromise at that time very easily, and the same thing is happening now. They gave notice four days back and by this time the Employees' Union could have been contacted. Also, no news of the strike has come out in any of the newspapers. I do not think even the A.I.R. has given out this very important news, news of this strike which is going to affect the international passengers coming to this country. This is what they did in the case of even the Railway strike, and because of that, many railway passengers were stranded in Bengal on the second day of the strike

\*\*\*\*\*Expunged as ordered by the Chair.

by the Railways. The same thing is going on now. Now that a statement has been made, some newspapers will give a report; but it will be found that many international passengers could have changed from the Air-India International to the B.O.A.C. if they had known of it before. After all, the Air-India International and the B.O.A.C. are closely operating in a pool and these passengers could have been saved a lot of trouble if this news had been flashed in the papers and given out by the A.I.R. But all the big newspapers have practically suppressed the news.

**SHRI BHUPESH GUPTA** (West Bengal): Sir, only one question. I have seen the statement which contains some threats . . .

**MR. CHAIRMAN:** The statement is not to be discussed.

**SHRI BHUPESH GUPTA:** No, I do not discuss it. The Statement is not to be discussed, you are right. What I want to know from the hon. Minister is whether he is personally intervening in this matter.

**MR. CHAIRMAN:** He asks whether you are personally intervening in the matter.

**SHRI BHUPESH GUPTA:** Apart from issuing threats in a written statement. It seems the situation is rather serious and I want to know whether there will be his personal intervention at this stage, late though it is to help the situation, instead of leaving it to the Managing Director and the management there, who are obviously taking an unreasonable attitude.

**DR. P. SUBBARAYAN:** I do not propose to personally intervene in this matter because I had spoken to them but they did not listen to me. Therefore, there is no intention of personally intervening in this matter. I would, however, controvert the statement

made by Mr. Roy that the Chairman of the Air-India International has been behaving in a manner not worthy of a Chairman. He has not done that. He has always done his best to get these people see reason.

**MR. CHAIRMAN:** Such expressions should be avoided with regard to persons who are not present here. This expression he made use of about Mr. Tata should be expunged and should not be used with regard to any person, who is not here to defend himself.

**SHRI BIREN ROY:** The expression was not unparliamentary.

**MR. CHAIRMAN:** It is not a question of its being parliamentary. It is a question of a person who is not here and your making an adverse comment against him.

**SHRI BHUPESH GUPTA:** Sir, because you took note of it, may I ask whether you know what kind of expressions are made use of against us and the working people? Threats have been issued. We have not issued threats to Mr. Tata.

## MESSAGES FROM THE LOK SABHA

### I. THE INDIAN TRADE UNIONS (AMENDMENT) BILL, 1960

### II. THE APPROPRIATION (No. 4) BILL, 1960

**SECRETARY:** Sir, I have to report to the House the following messages received from the Lok Sabha, signed by the Secretary of the Lok Sabha:—

#### I

"In accordance with the provisions of Rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose herewith a copy of the Indian Trade Unions (Amendment) Bill, 1960, as passed by Lok Sabha at its sitting held on the 30th August, 1960."