

3. Shrimati K. Bharathi
,
4. Shri Santosh Kumar Basu
5. Shri M. P. Bhargava
6. Shri Rohit M. Dave
7. Shri T. R. Deogirikar
8. Shri Puma Chandra Sharma
9. Shri Bhupesh Gupta

10. Shri Ganga Sharan Sinha
11. Shri Dahyabhai V. Patel
12. Shri B. D. Khobaragade
13. Shri D. Y. Pawar
14. Shrimati T. Nallamuthu Rama-
murti
15. Sardar Budh Singh
16. Shri R. S. Doogar.

I appoint Shri S. V. Krishnamoorthy Rao
to be the Chairman of the Committee.

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**RESOLUTION RE. APPOINTMENT OF
A COMMITTEE TO ENQUIRE INTO
THE INDUSTRIAL RELATIONS IN
STATE UNDERTAKINGS —continued**

MR. CHAIRMAN: Mr. Harihar Patel, you
took 12 minutes that day. You have 18
minutes more.

SHRI HARIHAR PATEL (Orissa): Sir, the
other day when we star tea discussion on
this Resolution I complained that the State
undertakings have failed to be model
employers in spite of our expectations. It is
not a demand made by me only. Even the
Labour Minister stated in the conference
of the Labour Ministers of States that in
the kind of society which we envisage for
the country the workers in the public sector
have every right to expect the State to be a
model employer. Our First Five Year Plan
laid down that in so far as working conditions
and welfare amenities are concerned,
undertakings in the public sector should set
the pace and serve as models. It is also laid
down in the Second Five Year Plan
undertakings were expected to set that
the conditions of work in public the pace for
the private sector and

that any attempt on the part of the public
employer to avoid the responsibility of an
employer on the ground that he is not working
for profit has to be discouraged. 'In the last
analysis employees in the public sector should
on the whole be at least on a par with their
counterparts in private employment and
should feel a legitimate pride in what they
produce and in their position as employees
in the public sector.' This is what the Second
Plan says. I also said the other day that we
have the Directive Principles in our
Constitution which enjoin upon the State to
secure proper conditions for the well-being
of the workers. Our Plans have committed
us to a socialistic pattern with all this in mind.
Our public enterprises, the planned economy
and the social services—all these ought to be
regarded as inherently socialistic institutions,
and we have to seek in them the fulfilment of
our aims and aspirations. But what do we
find in actuality even in these fields? We find
that in actual implementation of our policies
there are very great shortcomings and we
do not feel to have progressed any far.
The first and foremost thing one would
expect in the State undertakings is the
provision of employment opportunities. To
ensure this, Government have brought in-I
to existence a number of Employment
Exchanges in different places and people
have been assured that they will get
employment according to their merits and
that their cases will not be overlooked. If we
look into the history of the
Employment Exchanges, we will find that
their recommendations are disregarded by the
managements in the State undertakings. I
know of one Employment Exchange, the one
at Rourkela, and for a pretty long time the
recommendations of the Employment
Exchange found their place in the waste paper
basket. It is only of late that there has been
some improvement but the position is not yet
satisfactory. Now, Sir, in my opinion, this is the
starting point of discontentment. One
does not get the employment one deserves
and I think that in these circumstances it is
futile to hope that

[Shri Harihar Patel.]

he will have faith in the Government and in its administration and that he will work with zeal or interest. We are told that there should be freedom of work, and by this expression is meant that everybody should get a job suitable to his merit in which he can find his self-expression. It is not a fanciful demand. It is necessary also from the point of view of productivity because unless the worker who is working has a sense of contentment, he will not work with zeal and one cannot expect production according to his best ability. We find that the State undertakings are most indifferent to this aspect possibly because the authorities in the State undertakings have no personal interest; they are not concerned with the profit and loss of the concern and so they are indifferent to this question. As a result of this the workers suffer. They have no appreciation of their merit and they have to work almost under compulsion. There is a feeling of coercion from the management. We also find arbitrary and indiscriminate discharge, dismissal, suspension and retrenchment of workers in those State undertakings. It is the legitimate right of the workers to hope that in State undertakings the labour legislations that we have passed would be observed strictly and that there would be no inconvenience or difficulties for the workers but, Sir, in spite of all our benevolent labour legislation we find these things happening. There is retrenchment, there is discharge and dismissal even without notice. There is no regard for the conditions of employment, contracts entered into while making appointments, and I know of cases pending for more than even one year. We have not as yet found out any effective method of accountability and we do not also possess adequate information about the working of the State undertakings. Till now we have been depending on our hon. Ministers to give us information about the affairs and working of these undertakings and in practice we see that the hon. Ministers act

I more like defence counsel for the misdeeds of the management. They do not give adequate information nor do we get any opportunity to discuss those affairs. We have to devise some means whereby we can be in possession of detailed information. Then only can we be of some help and guidance to those State undertakings, and unless we achieve this, I think we would not have achieved our purpose in having public enterprises. Because when the State participates in industry it must do so not merely to increase production but also with the whole of the economic policy in mind. We have to see that our expectations, our aims and aspirations laid down are achieved by the functioning of those enterprises. But unfortunately whenever there is any question about the human aspect in a State undertaking, whenever there is any criticism that those undertakings are not resulting in any benefit or improvement in the economic condition of the workers, there is a general retort from the Minister in charge of that undertaking that he is not concerned with those aspects. There seems to be an utter lack of co-ordination and even the different Ministers are found to be fighting for their own tasks. To quote a passage from a book:

"There is no virtue in public enterprise in itself, but it is essential if the Government is to plan for economic security and an expanding economy. What is needed is not just more and more of any of these, but more to be used towards clearly defined ends. The first question is never 'how much?' but 'what for?'"

The managements in State undertakings have to be fully conscious of this. It has to realise that the worker's attitude will depend on the firm's attitude towards him, which should pave the way for industrial democracy. Matters relating to contract or employment should not be the exclusive prerogative of management. There should be rule of law.

The management, to impress that it is democratic, must not fail to give every employee his full status as a human being. We have to remember, Sir, that people are not much interest-ed in the policies we have laid down in our Five Year Plans but they are more interested in the actual implementation of those and the actual results they bear. Any deviation, distortion or shortcomings in the policies have serious repercussions and serious effect on the people and generate a very bad reaction. All care should be taken to see that the implementation of the policies is satisfactory, as far as possible. Whenever there is any criticism about the unsatisfactory condition of workers in our country, hon. Ministers generally come out with an explanation that we have a lot of benevolent labour legislation and that all steps are being taken to secure their progress and well-being but there is no attempt to enquire whether those laws are actually being observed and whether the workers are reaping the benefits. Even in State undertakings you will find And, Sir, that the amenities laid down to be extended to the workers are not provided for. You will find insanitary conditions, you will find lack of canteen facilities. The housing problem is also there in the State sector. I had been to Barsua and there I found that the workers were being asked to live in most unsatisfactory conditions. In one place I found some houses made of aluminium sheets-. Now, this Barsua is in the midst of dense forests and there was *no* dearth of wood for constructing houses. I do not know why these aluminium houses came to be constructed. They become refrigerators in the winter and hot furnaces in the summer. It is difficult to reside in them. Yet house-rent is being realised from the workers at an increased rate.

It is laid down in the Factories Act that there should be certified employment standing orders, but to my knowledge the Hindustan Steel Limited at Rourkela has not yet framed

these rules and workers are being employed according to the whims of the management, and different conditions are being laid down for them. In the private industrial undertakings we generally find instances of corruption, favouritism and nepotism and we expected that when the State undertakings would be established these things would not be there. It is the legitimate right of the workers and everybody to expect that these things do not occur in State undertakings. But if we enquire into the affairs of State undertakings, we will find that such instances are numerous and they are generating a sense of disillusionment in the minds of the people. When somebody approaches a private sector undertaking, he comes fully prepared to meet such factors, but to a State undertaking he comes with great expectations of getting a fair deal. When he finds a deviation and when he finds that things are otherwise, there is a sense of frustration and disillusionment, which results in doubting the values of democracy itself. We have to be careful of this aspect, or else our public enterprises will not be able to instil any hope of progress or development in the workers.

Then, there is another expectation in State undertakings. One would generally expect that there would not be any obstruction to the growth of healthy trade unionism. But if you look into the affairs of State undertakings in different places, you will find that the same practices, which are adopted by private sector employers, are also adopted in those State undertakings. It is not possible for any strong trade union to grow. There is interference. There is obstruction always. The management tries to see that some organisation of I.N.T.U.C. only grows and develops and no other organisation thrives there. Even if there is any other trade union organisation, no recognition is accorded to it. The management waits till some I.N.T.U.C. organisation springs up there and seeks recognition. This sort of attitude on

[Shri Harihar Patel.] the part of the employers has put the workers in serious doubt as to whether the labour movement can be free from politics. Of course, it is sometimes complained and rightly complained that the trade unions fight among themselves. Because of this a lot of work is hindered and proper benefits cannot be conferred on them in time. I would like to ask what steps are being taken to avoid this in State undertakings. Is it not a fact that in State undertakings also we have not yet come across any strong trade union organisation? What are the reasons? Has there been any attempt to make an analysis and come to any finding? No Code of Discipline, no grievance procedure laid down can secure redress to the workmen. My complaint is that these things will not be of much help to the workers, unless there is clean conduct on the part of the management. It is, therefore, most necessary that a Committee consisting of Members of both Houses of Parliament should be constituted to look into the affairs of State undertakings and come to a finding whether the conditions are satisfactory, and, if not, to find ways and means to improve them. So, I urge upon the House to accept this Resolution for appointing a Committee.

The question was proposed.

THE DEPUTY MINISTER OF LABOUR (SHRI ABID ALI) : Sir, if the hon. Member tells us the names of the undertakings where INTUC unions have been recognised and others have been refused recognition, then I will be able to give some information about it.

DR. R. B. GOUR (Andhra Pradesh): N.C.D.C. is one example.

MR. CHAIRMAN-. The question was addressed to him.

SHRI HARIHAR PATEL: I complained that the same practices, which

are adopted by private employers, are also being employed in State undertakings. If he wants information, I shall speak of my own experience. We organised a labour union in Rour-kela.

SHRI ABID ALI: I only wanted to know where an INTUC union has been recognised and others have been refused recognition in State undertakings.

SHRI HARIHAR PATEL: Only they are given better conditions and the other trade union organisations are neglected. That is my complaint.

MR. CHAIRMAN: He will give you all the information. Fifteen minutes for every subsequent Member.

SHRI P. RAMAMURTI (Madras): Mr. Chairman, I do not see any reason why the hon. Deputy Minister for Labour should be excited over this Resolution.

MR. CHAIRMAN: He is not excited. He is quite calm.

SHRI P. RAMAMURTI: After all, the Government should thank the Mover of the Resolution, because the Resolution simply states that Parliament, having control of all these public undertakings, also owes to itself, the public and the workers employed in those various public undertakings, a responsibility to see that industrial relations, which are of paramount im-

1 portance, in seeing "that these industries develop properly, are set on proper lines. It is not only a question of evolving proper industrial relations, but also a question of seeing that those relations, which have already been evolved, actually get implemented in these public undertakings. This is a very simple Resolution. After all, what does this Resolution want this Parliament to do? That is why I say that I do not feel that the Government should have the least objec-
j tion in welcoming and accepting this Resolution and seeing that a Com-

mittee of both Houses of Parliament is immediately appointed to go into the whole question. After all we know that there have been loud complaints from the workers in many of these public undertakings. I am not now going into the merits of those questions. But the fact remains that a number of workers engaged in a number of public undertakings, very important public undertakings, which lay the foundation of industrial development in our country, have made very big complaints in the recent past. For example, steel is going to be the foundation of our entire industrial development in future. And from many of these steel undertakings, not only from Bhilai, from Rourkela and from a number of other places, very loud complaints have come even with regard to the question of their wages and the question of their emoluments. It is for example stated that total and complete anarchy prevails with regard to the system of wages and the system of emoluments in all these steel undertakings. It is not a question of only those workers who are today temporarily employed on construction jobs. Even with regard to some technical personnel, highly trained technicians, different systems of wages prevail according to the whims of the individual officers. There is no system whatsoever under which these people are recruited. The same kind of worker with the same technique, with the same skill, if he happens to be recruited, for example, at Kulti, gets a different set of wages. If he happens to be recruited from some other private employer's undertaking, he gets a different set of wages, as for example TISCO. If he is openly recruited, he gets a different set of wages. All these things are supposed to prevail in these places. More than all these things, what we are now concerned with is the question of industrial relations. After all disputes arise with regard to wages, disputes arise with regard to other conditions of service inside these public undertakings. What is the machinery that exists which will see to it that

these industrial disputes are resolved properly and amicably, which will give satisfaction to all concerned, to the workers and employers on the one side and to the general public on the other side as well as to the Government? Sir, this is a simple question that has to be answered when we talk of industrial relations.

Sir, my friend who spoke before me quoted the Second Five Year Plan. I am not going into the question of that grand conception of industrial democracy being the foundation of the future socialist society, but the Plan lays down this. I am coming to more immediate and mundane things, that is, the question of industrial relations. What does the Second Plan itself say (page 575):

"The importance of preventive measures for achieving industrial peace needs to be stressed. Greater emphasis should be placed on avoidance of disputes at all levels, including the last stage of mutual negotiations, namely conciliation. In countries where the conciliation machinery has worked more successfully than in India, efforts are made by the conciliator to keep in touch with trade union leaders . . ."

I am not asking for that. I am asking for something less.

"Once disputes arise, recourse should be had to mutual negotiations and to voluntary arbitration. The machinery for facilitating these stages should be built up by the Central and the State Governments."

Therefore, the Second Plan definitely lays stress on developing this machinery of conciliation, this machinery of seeing that there is mutual negotiation, that in the final analysis at least as far as the public undertakings are concerned, some machinery does exist by means of which the worker will be assured that if he is not able to carry conviction with regard to the correctness of his demands to the management or to

' [Shri P. Ramamurti.] the Government, there will be somebody else, an impartial tribunal, a third party, to whom he can refer all these complaints, so that a sense of justice and fairplay is assured. What is the position in all these industrial undertakings in the public sector? There is, for example, the Hindustan Machine Tools. As far as the workers of the H.M.T. are concerned, the entire country should be proud of them. Four and a half years ago, this H.M.T. was started, where extremely high precision instruments are being made, precision instruments in the making of which the Swiss workers are supposed to be the topmost people in the whole world— such high precision instruments are being made in the H.M.T. Four and a half years ago the position was that one Swiss worker was equal to 4:7 Indian Workers. That was his productive capacity. But just within four years the position has improved, the Indian worker has improved his capacity to such an extent that the other day, in February last, no less a person than the Governor of the Reserve Bank addressing the Statistical Institute at Calcutta, after analysing the production figures, had stated and very proudly stated that in the course of four and a half years the Indian workers had attained such a degree of efficiency and proficiency and capacity that today we can say that one Swiss worker is equal to 0.9 of his Indian counterpart. From 4.2 it has come to 0.9. In how many years? In just four and a half years. The Swiss worker has acquired his skill over generations, skill which has been handed down to him over the last 200 years. The Indian worker has improved his efficiency during the course of just four and a half years. We are proud of his skill. But in an undertaking like that what happens? Is there an industrial machinery or a machinery for industrial relations? They have improved their efficiency to such an extent that in February last they put forward a demand for increase of wages. The Second Plan says that increased

wages can come only as a result of increased productivity. Here are the H.M.T. workers, here at least we have improved our productivity and capacity fourfold in the last four years, but there has been no increase in wages. Therefore, let us have a discussion on the question of their wages. Even though they put forward their demand, no conciliation has taken place. The workers are desperate. There is no knowing what will happen to their demand. The moment this demand has been put forward relations have become tremendously embittered. Ultimately we do not know what will happen.

SHRI M. H. SAMUEL (Andhra Pradesh):
Production capacity has also gone down.

SHRI P. RAMAMURTI: So far nobody has stated that the production capacity has gone down. It is to the credit of the worker that despite all these provocations he has been maintaining his productive capacity and has improved his productive capacity. This is what I would like to say. Here people talk of adjudication machinery and machinery of arbitration. No machinery exists.

Sir, the employees of the State Bank put forward their demand, and the Governor of the State Bank refused to discuss their demand unless the workers framed their demand in a certain manner. Here is a strange Governor of a Bank who said that it was open to him to accept the demand or turn it down, but he said that he was prepared to discuss their demand only if they framed it in a particular way. Is he a trade union leader? It is for the trade union to decide what exactly their demand is going to be, and it is for him to decide whether he would accept it or not. When we are not able to agree with the demand, let the whole demand go to arbitration. Even though the Government is talking about arbitration, it says:

"No, we will not give you arbitration". Similarly in the H. M. T., workers say: "We will have conciliation. If conciliation fails, let us have recourse to arbitration." Government says: "No, we will stay put." How do you expect the workers to have that amount of enthusiasm when these conditions prevail? We are asking that we must have some method for evolving proper industrial relations and seeing to it that those industrial relations which are evolved are actually implemented, that those norms are implemented. Not that there are no norms. After all we have the Tripartite Labour Conferences which take place year after year. There was the 15th Tripartite Labour Conference, and the Labour Ministers rightly insisted that under the conditions that are prevailing, under the conditions of development in our India when the needs of development are so very great, it is very necessary to ensure that industrial peace is maintained, that development takes place in conditions of comparative peace in industry. They also urged that it was necessary that a code of discipline must be accepted and adhered to by all parties concerned, by the employers, by the workers, by the trade unions, by the State Governments as well as by the Government of the Union. After a good deal of discussion a code was actually evolved. Nandaji is very proud that he has been able to evolve a code. He is also proud that all the trade union interests in the country have accepted that code of discipline. There have been certain breaches unfortunately. He has also evolved a machinery to see that those things are implemented. Implementation machinery is there.

Sir, when it comes to a question of the Central Government undertakings, none of these things, none of these codes, is binding, not one clause is binding. Take the question of recognition. The Deputy Minister talked - about the question of recognition.

DR. SHRIMATI SEETA PRAMANAND (Madhya Pradesh): Which specific undertakings?

SHRI P. RAMAMURTI: Take, for example, this H.M.T., itself. Here is an employees' organisation which has got about 70 per cent of the employees in that undertaking as members of that organisation. The Government itself has found it necessary that that organisation should be given representation as the representative organisation on the Joint Management Committee. They appointed a Joint Management Committee three or four years ago and they found that this was the only organisation which could be represented on that Committee. When they think that this organisation is sufficiently representative and is the only representative organisation for the purposes of the Joint Management Committee, they do not think that it is necessary also to give it trade union recognition under the terms of the 15th Labour Conference by which representative organisations of workers and employees must be given the right of recognition. After all the right of recognition is not a favour. After all it is a democratic right. You have got to treat the worker as your equal if you want to bargain with him. After all the question of collective bargaining means that that organisation which is the most representative of the workers has got that confidence that it alone will have the right to bargain, and it is not for you to dictate terms. It is not for us to dictate terms even as the workers cannot dictate terms to each employer. It is for him to have collective bargaining with them. Similarly, it is for the workers to decide as to which is the organisation which can deliver the goods, which can do collective bargaining. Therefore, here is an organisation which the Government itself has found to be the most representative organisation for the purpose of this Committee. Then why is it that this organisation is not recognised at all? All these years this organisation has not

Ramamurti]

been given recognition. I will give you another example. The other day there was the verification of the Central Labour Ministry itself with regard to the membership of the Union in the Southern Railway. I know, as a matter of fact, that when the officer in Madras went to the I. N. T. U. C. Union, they could not furnish him with any books, they could not furnish him with any accounts, they could not furnish him with any papers, and the officer had to return and send a report that the I. N. T. U. C. Union had not been functioning. On the other hand, the Southern Railway Labour Union won election after election with a thumping majority in the elections that took place; for example, in the election to the Staff Council, in the Workshops, in the Yard and in every place it won with a thumping majority.

DR. SHRIMATI SEETA PARMANAND: One swallow does not make a summer.

MR. CHAIRMAN: One swallow does not make a summer, she says.

DR. R. B. GOUR: One Dr. Shrimati Seeta Parmanand does not mean the whole I. N. T. U. C.

DR. SHRIMATI SEETA PARMANAND: I am sorry the significance is lost on the speaker.

MR. CHAIRMAN: It does not matter; there is not much time.

SHRI P. RAMAMURTI: Therefore, the question is whether these industrial relations are properly maintained or not. I am not saying that the Government should accept my charge. They may repudiate my charge. The Government may come and say that no such things exist. When there are charges that are made by responsible people, it is the task of Parliament to see that no ground exists for making any complaint on behalf of the workers. Therefore, all that this Resolution asks for is to evolve such norms and to see that those norms

are actually implemented. I can give a number of other instances. I have got enough of them with me. But I will not go into them. All that I would say is that the Government should have absolutely no objection to this. Parliament should also realise that in a matter of this kind where after all the human aspect has got to be very seriously considered, we are dealing with the question of the lives and conditions and self-respect of hundreds of thousands of workers whom we are going to employ in our public undertakings. More than anything else is the question of human self-respect that is involved. I am not so much bothered about the question of their wages, I am not so much bothered about the other conditions. What I am bothered about is that the worker in our public undertakings must have pride in himself and he must be treated as a human being and he must also have that self-respect that he is today being treated as a human being. He will have that feeling that he is being treated as a human being only when industrial relations are properly maintained. That is why I ask you to have a Committee of Parliament. Why should the Government be afraid of having such a Committee? If our charges are found to be untrue, let this Committee come out ! openly and condemn us. We are prepared to abide by their verdict. This Joint Parliamentary Committee is not going to be a Committee consisting of the Members of the Opposition. A majority in that Committee is going to be Members of the Congress Party. Let them all go into the whole question and on the basis of their findings, let them submit their report as to what exactly the position is and suggest ways and means. Therefore, once again I commend this Resolution to the acceptance of the House.

श्री शीलभद्र याजी (बिहार) : माननीय चेयरमैन साहब, अभी साथी हरिहर पटेल का जो प्रस्ताव सदन के सम्मुख उपस्थित हुआ है मैं उसका तहेदिल से समर्थन करता हूँ।

इस पर दो रोज बहस हुई और बहस के दौरान में हमारे कतिपय सदस्यों ने इसकी उपयोगिता पर अच्छी तरह से भाषण दिया है और मैं नहीं समझता हूँ कि सरकार इस को क्यों कबूल नहीं करेगी। हमने समाजवाद...

डा० श्रीमती सीता परमानन्द : इस पर तो अभी दो सदस्य ही बोले हैं।

DR. R. B. GOUR: On that day, Mr. Patel moved the motion and only spoke for 12 minutes. But he says that two days' discussion took place. I do not know how.

श्री शीलभद्र याजी : प्रस्तावक महोदय की बहुत लम्बी तकरीर हुई थी।

ڈاکٹر راج بھادر گور : اس دن ۱۲
ملٹ کی ہی ہوئی تھی -

†[डा० राज बहादुर गौर : उस दिन १२ मिनट की ही हुई थी।

श्री शीलभद्र याजी : यहां तो ५ मिनट की तकरीर को लम्बी समझते हैं।

श्री शीलभद्र याजी : तो प्रस्तावक महोदय ने इसकी उपयोगिता पर जो तकरीर की उसमें मैं समझता हूँ कि उन्होंने जो वाजिब आर्ग्यूमेंट हैं, दलीलें हैं, उनको हाउस के सामने रखा था। मैं यह कह रहा था कि जब हमने समाजवाद की घोषणा की है तो कम से कम जो सरकारी इंडस्ट्रीज हैं, पब्लिक सेक्टर में जहां जहां हमारे कल-कारखाने लगे हैं, चाहे वह रेल के हों, सीमेंट के हों, कोई भी कल-कारखाने हों, वहां

वर्कर्स की क्या हालत है, समाजवाद का वहां क्या नमूना है और उस नमूने से जो हिन्दुस्तान के दूसरे रूजीपति हैं, सरभायेदार हैं, उनके लिये क्या सबक, क्या आदर्श उपस्थित होगा, और वर्कर्स के साथ जो वहां सरकारी कर्मचारी, मैनेजर होते हैं उनका क्या बर्ताव होता है, उनके रहन सहन की व्यवस्था क्या है, इन तमाम चीजों पर यदि सदन के सदस्य एक कमिटी में विचार करते हैं और इस बारे में सरकार को सिफारिश करते हैं तो उससे सरकार को भी जो बहुत सी चीजें अभी तक मालूम नहीं हैं उनका पता चलेगा और हिन्दुस्तान के जो दूसरे रूजीपति हैं उन रूजीपतियों के सामने हम एक आदर्श उपस्थित करेंगे कि समाजवादी सरकार की जो हमने घोषणा की है तो हम शुरू शुरू में क्या क्या वर्कर्स को देते हैं और उनसे भी हम इस तरह की उम्मीद करते हैं।

माननीय चेयरमैन साहब, अभी रेलवे में करीब ११ लाख मजदूर काम करते हैं। इसी तरह से जब हमने योजना का काम लिया है तब ज्यादा से ज्यादा अंडरटेकिंग्स पब्लिक सेक्टर में होंगी। तो जो समाजवादी देश हैं वहां किस तरह से वर्कर्स के साथ वहां के मैनेजर, वहां के सरकारी कर्मचारी पेश आते हैं और जो वर्कर्स हैं उनकी कैसी आवाज होती है, इन तमाम चीजों की जानकारी इस कमिटी के सदस्यों को होगी तो वे सरकार को बहुत बेशकीमत राय दे सकते हैं। हमारी सरकार ने, हमारी पार्टी ने यह घोषणा की है कि समाजवादी व्यवस्था होनी चाहिये लेकिन रेलवे यूनियन में और जो बहुत सी सरकारी अंडरटेकिंग्स हैं उनमें, हम जानते हैं जो ट्रेड यूनियन्स में काम करते हैं, हालत अच्छी नहीं है। वर्कर्स के साथ वह पुराना रवैया, ब्रिटिश साम्राज्यवाद और व्यूरोक्रेसी की जो आदत थी वह, अभी तक ज्यों की त्यों मौजूद है और बात की बात में वर्कर का डिसमिसल होता है। एक चितरंजन लोकोमोटिव वर्कर्स यूनियन है। मैं ७ वर्ष तक

[श्री शीलभद्र याजी]

उसका प्रेसीडेंट था। मुझे इजाजत नहीं मिली कि मैं उस यूनियन की प्रिमिसेज में जा सकता, इसलिये कि वहां गड़बड़ हो जायगी। उस समय लाल बहादुर शास्त्री जी माननीय मन्त्री महोदय थे, उनसे मैंने कहा कि हमारी जब यह हालत है तो वर्कर्स की क्या हालत होगी। उन्होंने कहा कि शायद हमको भी नहीं घुसने देंगे तो मुझको बड़ा ताज्जुब हुआ कि इस तरह की बात होती है। तो मैं यह कह रहा था। और जगह हम बड़े बड़े प्रदर्शन करते हैं, हड़ताल भी करते हैं लेकिन ये जो सरकारी अंडरटेकिंग्स होती हैं वहां हम जो सरकारी पार्टी के लोग हैं जरा पैर सोच समझ कर उठाते हैं क्योंकि यदि कोई कदम उठाते हैं तो सोचते हैं कि हमारी सरकार की बदनामी न हो जाय, लेकिन हालत सुधर नहीं रही है। ठीक है, पंडित जवाहरलाल नेहरू जी का भाषण हो रहा है कि हमें समाजवाद लाना है और पुराने जमाने की, भट्ठारहवीं और उन्नीसवीं शताब्दी की जो मनोवृत्ति है उसका परित्याग करना चाहिये और समाजवादी व्यवस्था में अच्छी तरह से अपने वर्कर्स के साथ आचरण करना चाहिये, उनकी यह अपील होती है लेकिन हालत अच्छी नहीं है। इसकी वजह यह है कि जो मैनेजर होते हैं या जो कर्त्ताधर होते हैं उनको समाजवाद में विश्वास नहीं। यदि विश्वास नहीं है हमारी सरकार की नीति में तो उस पर ठीक तरह से आचरण वे नहीं कर सकते। दूसरी बात, दुनिया के देशों में जो सरकारी मुलाजिम होते हैं उनको ट्रेनिंग होती है। आई० ए० एस० की आई० पी० एस० की ट्रेनिंग होती है। उसमें समाजवाद का कोर्स ही नहीं रखा गया है कि वर्कर्स के साथ ऐसे पेश आना चाहिये, जनता के साथ ऐसे पेश आना चाहिये। जब उनकी ट्रेनिंग नहीं हुई तो हम उसको कसूर क्या दे सकते हैं। उनका दोष क्या है? इसलिये आज जो हालत है, जहां जाओ वहां सरकारी अंडरटेकिंग है, वहां मजदूरों की हालत अच्छी नहीं है।

चूंकि मैं ट्रेड यूनियन में काम करता हूं इसलिये मैं जानता हूं। जो प्राइवेट हैं उनसे तो हम जरा लड़ झगड़ लेते हैं, अपनी शक्ति की आजमाइश कर लेते हैं। हम नेता जी को मानने वाले हैं। उन्होंने कहा था कि रूलिंग पार्टी कांग्रेस यदि समाजवाद की घोषणा करे तो कोई वर्ग संघर्ष, कोई हड़ताल नहीं होनी चाहिये लेकिन उसके साथ साथ उन्होंने यह भी राय दी थी कि सरकार को ऐसी मशीनरी बनानी चाहिये कि जो मुलाजिम की, कर्मचारी की, वर्कर की मांग की जल्द से जल्द सुनवायी कर दे। उस एपेरेट्स के जरिये उस काम को करना चाहिये। तो इस प्रस्ताव के जरिये जो कमेटी बनाने की बात है सरकार को नहीं घबड़ाना चाहिये कि हम हड़ताल की बात करते हैं, वर्ग संघर्ष की बात करते हैं। मैं तो पार्लियामेंट में भी और बाहर आल इंडिया कांग्रेस कमेटी में भी बदनामी से नहीं डरता कि मुझको लोग क्या कहेंगे, लेकिन मैं प्रस्ताव लाता हूं और कहता हूं कि इस हड़ताल को गैर-कानूनी घोषित करना चाहिये। जब तक हम स्ट्राइक को इल्लिगल नहीं करते हैं तब तक हमारे समाजवाद का प्रयोग और जो हमारी योजना का काम है वह सफलीभूत नहीं हो सकता है। इसलिये इस प्रस्ताव को मानने का मतलब यह नहीं हो जाता है कि इस तरह के संघर्ष की या स्ट्राइक की बात होगी हालांकि मैंने रेलवे के ११ लाख मजदूरों की बात बतायी थी और चूंकि मैं रेलवे यूनियन से सम्बन्धित हूं, मैं जानता हूं कि छोटी बात में उनके डिसमिसल्स होते हैं। जेनरल मैनेजर को इतने पावर्स दिये गये हैं कि वे जिसको चाहें डिसमिस कर सकते हैं। उसकी अपील न सुप्रीम कोर्ट में है, न हाईकोर्ट में है। ऐसा कहीं फंडामेंटल राइट्स में, कांस्टीट्यूशन में, तो दिया है लेकिन उनको अधिकार दिया गया है कि यदि वे चाहें तो उनको डिसमिस कर सकते हैं। जब वे कोई यूनियन बनाते हैं, यूनियन का काम करते हैं और जरा पापुलर हो जाते हैं, मशहूर हो जाते हैं तो एक जगह से दूसरी जगह, जैसे

कमण्डलु फेर होता है साधुओं का, उस तरह से यहां से वहां तबादला होता है और उनको वर्कर्स के बीच जाने में बड़ी दिक्कत होती है। यह जरूर है कि जो सरकारी अंडरटेकिंग हैं उनमें हम जो ट्रेड यूनियन के लोग हैं, इण्डियन नेशनल ट्रेड यूनियन कांग्रेस के लोग हैं, इंडस्ट्रियल रिलेशंस के मामले में कोशिश करते हैं।

अभी ट्राइपार्टाइट लेबर कांफ्रेंस का हवाला दिया गया। यह ठीक है कि वहां पर सब लोगों ने तय किया और सरकार ने भी मंजूर किया कि कम से कम मजदूरी १४० ६० महीने में मिलनी चाहिये, चाहे सरकारी अंडरटेकिंग हो चाहे गैरसरकारी। लेकिन हमने उसे कबूल नहीं किया। हमारी सरकार के और लेबर मिनिस्ट्री के लोग भी वहां थे। तो मैं यह कह रहा था कि समय आ गया है जब हम इस प्रश्न पर सोचें। हम बार बार बात करते हैं कि हमने समाजवाद की घोषणा की है। तो उस समाजवाद के प्रोग्राम को ठीक तरह से चलाना चाहिये। जब तक समाजवादी सरकार नहीं बनती है तब तक हमारे मुल्क से जो शोषण, उत्पीड़न, लूट खसोट और तमाम समाज में विषमता है, हम हजार कोशिश करें, हम उसे खत्म नहीं कर सकते हैं। सिर्फ रूलिंग पार्टी ही नहीं, पार्टिसिपेंट हो नहीं, जो हमारे विरोधी दल के लोग वहां बैठे हुए हैं, छूटभइये लोग, जो हमारे छोटे छोटे साथी बैठे हुए हैं, जिनको पार्टी बहुत छोटी है, तमाम लोगों ने समाजवाद की घोषणा की है। तो झगड़ा कहां है? इसलिये इस सदन की और उस सदन को मिलाकर एक कमेटी बने, खास करके जो सरकारी अंडरटेकिंग हैं...

SHRI FARIDUL HAQ ANSARI (Uttar Pradesh): The hon. Member has used a very wrong word calling the opposition Members "Chhut-bhaiyya".

श्री आशुबिंद अली : बड़े भाई, छोटे भाई।

श्री शीलभद्र याजी : चेयरमैन साहब मैं कोई अनपार्लियामेण्टरी शब्द का प्रयोग नहीं कर रहा हूँ।

MR. CHAIRMAN: Before he started speaking I had advised him to be a little more restrained.

श्री शीलभद्र याजी : माननीय चेयरमैन महोदय, चूंकि कांग्रेस रूलिंग पार्टी है, समाजवादी विगेस्ट पार्टी है और इनको छोटी छोटी पार्टियाँ हैं इसलिये मैंने इनको छूटभइया कहा, ऐसा कह कर उनका स्वागत किया। उन्होंने बुरा समझ लिया तो यह क्या स्ट्रांग वर्ड हुआ, मुझे पता नहीं। मैं कह रहा था कि जो बड़ी पार्टियाँ हैं... मैंने आपको भाई बनाया, साथी बनाया, आपको तो खुशी होनी चाहिये थी।

प्रो० एम० बी० लाल (उत्तर प्रदेश) : आप हिन्दी जरूर जानते हैं क्योंकि आप बिहार से आ रहे हैं। आपको हिन्दी शब्दों के मायने जरूर आते होंगे।

श्री शीलभद्र याजी : मैं बिहारी में बोल रहा हूँ, हिन्दी में मेरा आधिपत्य नहीं है। इसलिये घर में जो छोटा भाई होता है उसको छूटभइया कहता हूँ।

प्रो० एम० बी० लाल : बिहार में छोटे भाई के लिये छूटभइया शब्द का प्रयोग नहीं करते।

श्री शीलभद्र याजी : चेयरमैन साहब, अगर हमारे भाई साहब को तकलीफ हुई तो बिना आपके कहे उस शब्द को विदड़ा कर लेता हूँ।

MR. CHAIRMAN: He is ready to withdraw whatever offensive words he uses, but only he first makes use of them.

श्री शीलभद्र याजी : लेकिन मैंने तो उनका स्वागत किया था। मैं यह कह रहा था कि इस प्रस्ताव का हमारी सरकार विरोध क्यों करती है। ये लोग बोलते कुछ हैं, समझते

[श्री शीलभद्र याजी]

कुछ है। इसलिये सरकार भी घबड़ा जाती है कि इस प्रस्ताव के पीछे क्या मंशा है। जब इन लोगों को बात होने लगती है तो सरकार घबड़ाने लगती है और मैं भी घबड़ा जाता हूँ। जब प्यार से कोई चीज बोलता हूँ तब भी वे नहीं समझते हैं तो मुझे दुःख होने लगता है। हमारी सरकार को भी उनसे परेशानी होती है।

तो मैं यह कह रहा था कि जब हमने, हिन्दुस्तान की सबसे बड़ी पार्टी कांग्रेस ने और पार्लियामेंट ने, सबने धोषित किया कि आगे जितनी भी योजनाएँ होंगी—तृतीय पंचवर्षीय योजना, चतुर्थ योजना, पंचम योजना, षष्ठम योजना—वे पब्लिक सेक्टर में होंगी और उनमें सब जगह मजदूरों से काम लिया जायेगा। जब हम अन्डरप्लायमेंट क्वेश्चन को साल्व करेगे, सब जगह पब्लिक अन्डरटेकिंग में हम लोगों को काम पर लगायेंगे उस वक्त हमें जितने भी सरकारी अन्डरटेकिंग हैं उनमें मजदूरों की हालत को सुधारने के लिये उपाय करने होंगे—उनको क्या देना चाहिये, उनकी क्या हालत है, जो हमारे सरकारी मुलाजिम हैं जिनको समाजवाद की ट्रेनिंग नहीं हुई है वे उनके साथ किस तरह से पेश आते हैं। इसलिये यदि हम जो प्राइवेट सेक्टर वाले हैं उनके सामने एक आदर्श वाली, एक नमूने वाली कमेटी पार्लियामेंट के सदस्यों की बनाएँ तो सरकार को भी इससे मदद होगी, और जो बिड़ला, डालमिया और एस० पी० जैन वगैरह जो बड़े बड़े मूजीपति हैं उनको भी एक नसीहत मिलेगी कि हम लोगों को भी समाजवादी व्यवस्था में इस तरीके पर चलना है नहीं तो हमारी खैर नहीं है।

इन शब्दों के साथ मैं पुरजोर शब्दों में इसकी तारीफ़ करता हूँ।

SHRI ROHIT M. DAVE (Bombay): Mr. Chairman, Sir, I fully support the Resolution that is now before the House. In supporting this Resolution

I have no illusion in my mind that, if such a committee is appointed and even if the committee makes certain model recommendations regarding industrial relations in our public sector, all our problems—what can generally be called labour problems in the public sector—would automatically be solved, because industrial relations deal with dynamic situations, events take place, various points of view develop, these points of view come in conflict and solutions have to be found. Such a dynamic situation will continue to exist, and therefore it is not with reference to any such illusion of permanently solving the industrial relations problem in the public sector that I support this particular Resolution. I support this Resolution, Sir, because of the fact that we know that in the Third Five Year Plan the public sector is likely to develop very fast, and large-scale investments are being planned during the Third Plan period. Now if these investments are taking place, the public sector is likely to be one of the most important employers in our country, and this Parliament, apart from the fact that it is the public sector, would be interested in the labour policy of this sector because of the fact that it would be the most important employer in the country. 12 NOON Now, Sir, as far as the elements of labour policy are concerned, we are completely in the dark. We know that for a number of years the labour policy of the Government of India is struggling with the idea of having some sort of labour code which might incorporate the various legislations and principles that would govern industrial relations. For reasons into which I would not go here, this code has still not come into being. This Parliament at least, expects that some code should come into existence regarding the projects that are included in the public sector. This is necessary because of the fact that we have accepted the principle of autonomy as far as the projects in the public sector are concerned. Therefore, all these normal industrial relation problems will be

aeait with by these managements with representatives of the unions and ; this Parliament will not have any effective say as far as the normal, relations are concerned. At the same time it is the public money which will be invested in this. It is the public exchequer that will be involved in all those relationships. It is the public exchequer that will be taking risks in all these projects. Therefore, it is i very necessary that this Parliament must have, at some stage, a say regarding the labour policy that should be followed in these autonomous corporations and other projects. To my mind, this is the proper time when Parliament can have such a say if a committee is appointed to go into the various aspects of this problem.

Sir, we have already got some experience of the working of the public sector projects. We know the type of industrial problems that arise over there, labour problems that arise over there, and if we can draw on this experience, if we apply our mind regarding how best to translate the principles of a socialist society in terms of the experience that we have gathered and thereby lay down certain principles which would guide these autonomous bodies in dealing with their labour problems, perhaps it will be very advantageous. It is because of this that I support this Resolution.

Sir, what are the problems that we are facing today? We have to find out the Government's attitude to a -imple proposition,' viz. whether such a big employer in the country, employer that uses public funds, employer that is already wedded to ihe principles of a socialist society, whether that employer considers itself as a model employer. It is almost a truism to say that the Government should be a model employer. But we have got the recommendations of the first Pay Commission and the report of the second Pay Commission in which they have dealt with very elementary facts as to whether the Government should* be a

model employer or not. It is for this Parliament now to step in and to decide this issue, viz. whether the Government should be a model employer, after of course examining the various implications of this particular principle.

Secondly, there is the question of wages and bonus. We are not quite sure whether the Government has got a very definite wage policy as regards the corporations. There the Government's attitude seems to be that these are autonomous corporations and, therefore, they are entitled to define and shape their labour policy in the light of what they consider to be in the interest of the particular project. To my mind it is a dangerous theory, because if we allow these managements to define the labour policy according to their own whims, it will be very difficult for Parliament to answer to the public when the latter will come round and say, "It is our funds that are invested in this. You are claiming to be a body wedded to the principles of a socialist society. Now how is it that in these various projects, in these various establishments, the labour policy is not guided by the principles of social justice and social relationship." We have, therefore, to step in and lay down certain particular general principles. In the light, of these alone these autonomous bodies should define their general policy regarding the point whether they are a model employer or not, and if they are model employers, what their duty should be in determining the industrial relations.

Then, Sir, there is the question of bonus. The Government of India has announced the appointment of a Bonus Commission. Now, the Government is also an employer. I do not know whether that Commission can also enquire into the questions of bonus as far as the workers in the public sector are concerned. Supposing that item forms part of the terms of reference of the Bonus Commission, the question would arise

[Shri Rohit M. Dave.] as to what, attitude the Government is going to take as an employer before this Commission. Here again the principle of autonomy would be taken to its absurd conclusion. It might mean that every employer would lead his own evidence and would give his own points of view whether a bonus should be paid to the workers or should not be paid, and if the bonus is to be paid, on what principles this bonus is to be determiner]. Here again it is the duty and the responsibility of this Parliament to decide whether certain general broad principles regarding wages and the payment of bonus and other allowances to the workers are to be determined on certain general principles or not.

[MR. DEPUTY-CHAIRMAN in the Chair.]

Still more important, Sir, is the question of industrial relations and industrial peace. The Government of India has declared time and again that the workers and the employer should come together and try to solve their problems by mutual negotiations, and if they fail to decide or to come to an understanding regarding those problems by mutual understanding, then there should be voluntary arbitration, and as far as possible recourse should not be taken to adjudication.

Now, Sir, a number of industrial disputes have arisen and in these industrial disputes the Government has got consistently to follow this policy. Again the principle of autonomy might be brought in. But this Parliament is entitled to know exactly why the policy which is laid down by the Government of India itself is not being followed in the case of projects that are included in the public sector and which are run by the public funds.

Similarly, Sir, there is further the question of the working conditions and the question of the unemployment that results from the closing down or finishing up of a particular work. Sir, we have always told the private

employers that they will have to pay a certain gratuity in case there is large-scale unemployment as a result of the closing down of some units or closing down of some departments. In this the general principle is that as far as possible, people who are already employed, whose work is found to be quite satisfactory, are the people who are entitled to work and therefore there should not be any arbitrary unemployment or discharge from employment of these people. If this idea is to be extended further, the question would arise as to what happens to people who are employed in a given project and that project comes to an end, specially in matters of construction, etc. It is quite all right to say that if people are employed on a particular project and if that project comes to an end, naturally those people will be discharged. That would be a legalistic point of view. But the human point of view and a point of view from the point of view of the various principles which we have laid down with reference to gratuity, etc. demand from us that we should have a certain principle of pooling of the resources of the various projects in the public sector. Unless we have a pool in which we collect together all those people who are discharged as a result of the completion of a particular project and direct those people to a new project that we are likely to take in hand, we will not be fulfilling the basic principles.

SHRI ABID ALI: That is exactly what we are doing.

SHRI ROHIT M. DAVE: That is exactly what you say that you are doing but unfortunately you are not doing that. There is a general idea of a pool but it has been found that in a large number of places the people who are being discharged are not included in the pool for one reason or another. It may be that when you put people in this pool and direct them from one channel to another, a certain amount of re-training is necessary. I would ask the hon. Deputy Labour Minister to tell us whether

they have got any such scheme whereby the workers could be given a retraining on a minor scale when they have been changed from one channel of work to another in that particular pool. As far as I know, no such training scheme exists. Here again it is a question whether a general broad policy is to be laid down as to what happens to people who are discharged as a result of the completion of a particular project, what is the responsibility of the Government in the matter, just as we have already applied our mind to what should be the responsibility of the private employer in the matter. We have already got the ideas which have been debated which say that if there is going to be rationalisation, and if as a result of rationalisation there is x likely to be unemployment, those unemployed people have to be pooled together. They have to be given new training and they have to be fitted into the new scheme of things. We expect this of the private employer, though we have not any law to that effect yet but still this is an idea which has been debated in the country. Whether the Government is prepared to accept this idea or not is a question which is a question of policy and will have to be determined.

In this way there are a number of policy issues that are involved and to my mind, this is the proper time, when we have already got a pool of experience to draw on and a large-scale programme of public projects before us, that a Committee should be appointed of the Members of Parliament who can apply their minds to these policy issues and come to some decision. I thank you, Sir.

SHRI H. P. SAKSENA (Uttar Pradesh) : Mr. Deputy Chairman, Sir, my very good friend, my very good hon. friend—let me correct myself—Mr. Ramamurti, has presupposed that there is no instrument in the gigantic machinery of the Government to look after the industrial relations between *the* employers and the employed and that is the reason why I cannot give

my support to this Resolution. From my experience, I know that the Government cannot but look after this relationship as enthusiastically as possible because it is in their interest that perfect peace is maintained during the period of the Plan³ that we are conducting one after another and our entire mechanism of the administration is based on these Plans and this being the reason, I must commend to my friends who are supporting the Resolution to bring about a state of affairs in the country so that peace reigns completely between the labour and the employers. That is the advice that I give them and I hope they will heartily accept it.

DR. R. B. GOUR: Sir, I rise to commend this Resolution to the House with the entire emphasis at my command. I would request, through you, the hon. Deputy Labour Minister to discard his anti-Communist prejudices when he rises to reply to the debate on this particular question because after all prejudices die very hard . . .

SHRI ABID ALI: Have they changed?

DR. R. B. GOUR: I would request him to stick to the merits of the question and not go into his usual anti-Communist peroration because it is not a question of communism *versus* anti-communism. Here it is not even a question of industrial democracy *versus* industrial bureaucracy. Here it is a question of the Government labour policy as enunciated and adumbrated in the various labour conferences and seeing whether it is being implemented in the industries run by the Government themselves. It is common knowledge that we, through struggles of years, have come to the idea of an integrated labour policy for the period of the Five Year Plans. When planning means development of the economy, the labour also has accepted that in that developing economy it

[Dr. R. B. Gour:] will have its own share. What is it that the labour has been asking for? It has been asking for certain wages. It has been asking for certain machinery so that the grievances are tackled in time. The labour has been asking for, as democratic citizens of the country, a share in the management of the concern, a say in the management of the concern if a share is denied. Therefore, we have arrived at an integrated labour policy consisting of, if I may say so, three basic principles. One is a need-based wage. The second is that grievances will be tackled as and when they arise without delay or undue delay through a proper grievance machinery and the third is, recognition of a union which commands the majority of the workers employed in that concern. These are the three basic principles.

DR. SHRIMATI SEETA PARMANAND:
Even when the majority is manipulated?

DR. R. B. GOUR: I would request Dr. Parmanand not to look at others through her coloured eyes.

DH. SHRIMATI SEETA PARMANAND:
Question.

DR. R. B. GOUR: Because after all she probably indulges in certain things and expects others to do the same.

DR. SHRIMATI SEETA PARMANAND:
Figures which were sent to the I.L.O. prove that.

DR. R. B. GOUR: I would request her to take her own time and not to encroach on my time. These were the three principles. The question is that according to the Government's own machinery, even though we did not agree with it, on principle, we said that if at all a union has to bargain on behalf of the entire workers of an undertaking, let it go to the entire workers and let it be decided by the ballot of the workers of that undertaking. Later on, because the

INTUC would not agree with us on this point, the Government gave us a suggestion that it be according to the majority in the verified membership. "We accepted that the union which has the majority of the verified membership will be recognised. Therefore, recognition of a union on the basis of the majority of verified membership of an undertaking, tackling all the grievances on the basis of a fool-proof grievance procedure in an undertaking and a need-based wage—these are the fundamental principles of industrial relations that we have evolved in the 15th and 16th Indian Labour Conferences. I would like to ask a straight question and wait for a straight answer from the Minister. Is there a single public undertaking which has stuck to all these principles? Let us see that position. You said that democratisation of industrial administration would be proceeded with and that the very first step would be workers' participation in joint management councils. I would like to know how many public undertakings have got these joint management councils? Apart from private undertakings, how many public sector undertakings have these joint councils? The Hindustan Machine Tools had it and it was a sort of a model for workers' participation in the management. But suddenly, when the union put forward certain demands and when naturally disputes arose between the management and the union on the question of wages, the joint management council was shut up. The management refused to function in the joint management council. The two things were quite different. The management council has nothing to do with the wage demand. Wage demands have got to be looked at on the basis of their own merits. Yet we find that this public sector undertaking has confused the two, made a muddle of the whole thing and the joint management council has failed to function.

We have the example of the N.C.D.C.—the National Coal Development Corporation. There even elections to the works committee are not

held. Works committees, Mr. Deputy Chairman, are a statutory obligation under the Industrial Disputes Act and elections have to be held to these committees. Private undertakings quite apart, how many public undertakings run these works committees? And how many of them hold elections to these committees according to the obligation under the Industrial Disputes Act? That is the point. Because the union of your choice is bound to lose the elections to the works committee, you do not want to hold elections. Is it or is it not the position? How is it that the N.C.D.C. is not holding elections to the works committee? That is because the INTUC is not likely to win the elections and the AITUC is likely to win the majority of the seats. We have the Assam collieries. Even according to the verified membership, the AITUC commands the majority there. My hon. friend wanted instances and so I give them. How is it that that union is not recognised? How is it that that union is not even allowed to talk to the management? The management would not even speak to the union. You say that going on strike is against the code of discipline. This code is a sort of Damocles' sword. Very well, to go on strike may be against the code. But what about the behaviour of the management where it refuses even to talk to the union that has the majority of membership? Is that according to the code of discipline? What have you done about it? It is common knowledge, Mr. Deputy Chairman, that the employing Ministries are openly vitiating the labour policy that has been laid down. They will not let the Labour Ministry go anywhere near them. Why is it so? Is this labour policy laid down only for others and not for those in the public sector? Is this code of discipline laid down only for others and not for the undertakings in the public sector? Is the principle of voluntary arbitration meant only for others and not for those in the public sector? Is this machinery for the removal of grievances meant only for others and not for the undertakings in

the public sector? Is this principle of giving recognition to the union with the greater membership meant only for others and not for the public sector? Finally, is the need-based wage meant only for others and not for the undertakings in the public sector? That is the question I would like to be answered. I would like to know the position.

Take the Reserve Bank of India—the biggest public sector undertaking in the banking sector. The Reserve Bank does not like to endorse this code of discipline because the Reserve Bank management does not like the principle of voluntary arbitration whenever a dispute arises between the bank management and the bank employees. The Reserve Bank would like to be the final arbitrator of all disputes. So negotiate and go on talking, talking and talking. Talk for months and for years. But if the dispute is not settled, well, there will be no arbitrator. It will not go to an arbitrator. Just because the code of discipline evolved by the Indian Labour Conference involves the principle of voluntary arbitration in case a dispute is not settled by direct negotiations, the Reserve Bank is unable to endorse it. Sir, here is a Government undertaking which will not accept the principle of voluntary arbitration when a dispute is not settled by direct negotiation. Shri Ramanujam said the other day, addressing the INTUC conference that all those organisations should be black-listed which refused voluntary arbitration. If that is done for all these public sector undertakings, the Reserve Bank and all those other organisations would top the list of black-listed organisations, for refusing voluntary arbitration. Why this defiance on the part of the public sector, this open defiance of the policy enunciated at the Tripartite Indian Labour Conference, at the initiative of the Labour Ministry itself? The situation, therefore, in the public sector, Mr. Deputy Chairman, is very deplorable.

[Dr. R. B. Gour.] This is not likely to be in the interest of labour or of the country in general. It is not in accordance with the Second Five Year Plan, not in accordance with what the Indian Labour Conference had laid down and not in accordance with the integrated labour policy that has been agreed to. That is why, Mr. Deputy Chairman, I submit that here is a fit case to enquire into the industrial relations in the public sector undertakings and suggest measures to improve these industrial relations. Let the public sector undertakings come forward and be the model undertakings in matters of industrial relations for our plans. Let them come forward as model undertakings, and see that the private undertakings are put to shame in open competition even in matters of industrial relations. That is exactly what we want.

Therefore, Mr. Deputy Chairman, this Resolution is very necessary. It fulfils an urgent need and it meets an immediate situation which has arisen and I do not think there is any possibility of any opposition to this Resolution from any quarter. So far none has opposed this Resolution.

SHRI P. RAMAMURTI: Mr. Sak-sena has.

DR. R. B. GOUR: Mr. Saksena does not know anything about labour or industrial relations. Therefore, I do not bother about his opposition, I am sorry to say that, but I take some liberty with him.

श्री आबिद अली : सक्सेना साहेब,
सुना आपने उन्होंने क्या कहा ।

श्री हर प्रसाद सक्सेना : हां सुना ।
वह ठेकेदार हैं लेबर के, मैं नहीं हूँ ।

SHRI M. D. TUMPALLIWAR (Bombay) :
Is it a merit that the Resolution has not been
opposed by anybody?

DR. R. B. GOUR: Yes, there is merit in that.

SHRI M. D. TUMPALLIWAR: So many would like to speak and oppose it, but they do not speak.

DR. R. B. GOUR: Certainly, many perhaps would like to oppose it, many in the private sector would certainly like the Government to oppose it, because the private sector likes the industrial relations in the public sector not to be good, so that that becomes an example for them to follow and behave in any way that suits their own interests. So there will be people to oppose the Resolution. But I expect that none in Parliament will oppose it, because Parliament has the obligation to fulfil the policy that Parliament has laid down, the policy which has also been agreed to in the Five Year Plans. Parliament has already laid down a certain policy when it endorsed the Labour Ministry's demands for grants. Therefore, it is for Parliament to go into this matter. Parliament has the control over these undertakings, and we are going to have more and more of such rtakings, according to the proposals that are mooted. Therefore, on Parliament rests the responsibility to see to it that industrial relations in the public sector are up to the mark, that they are a model, that there you have model industrial relations and that the relations are in accordance with the principles laid down by the Five Year Plan as well as subsequently developed by the various Indian Labour Conferences.

Thank you.

DR. SHRIMATI SEETA PARMANAND:
Mr. Deputy Chairman, before I say whether I oppose this Resolution or agree with it, and if I oppose it for what reason I am not in agreement with it, I would like to read the Resolution as it has been worded. The Resolution says:

"This House is of opinion that Government should appoint a Committee consisting of Members of

both Houses of Parliament to enquire into the industrial relations obtaining in State undertakings and to suggest measures to improve them."

There are now two opinions about the fact that conditions both in private undertakings as well as in State undertakings are not exactly what they should be but at the same time we have to see whether a committee is required to find out what the grievances are. We have to see whether already there is not machinery which is competent to find out these conditions and whether there are not unions which sitting in tripartite committees with Government are not making Government aware of the grievances of the workers, and if that is the state of affairs, Sir, appointing another committee even if it is of Members of Parliament, in my opinion, would unnecessarily lead to prying into the affairs or rather enquiring into already known grievances without always having the means of remedying those conditions. This would result in creating aspirations and disappointment and consequent industrial unrest. Sir, the mover of the Resolution has not made out a case as to why he wants a wholesale enquiry into the industrial relations existing in State undertakings. The mover as well as the Communist Member who spoke gave the illustration of one undertaking but the mover of the Resolution should have come out with details of the undertakings where the grievances were of such a nature that they could be easily remedied and yet were not remedied, where the grievances were of such a nature that they were not known and that a committee like this going into those grievances would be able to remedy them, and if so through what machinery. There are already so many committees and conferences apart from the Parliamentary committees like the Consultative Committee and the Standing Labour Committee appointed by the Labour Minister only two Sessions back when the Gorakhpur labour question came to the fore. There is

no way in which the grievances that would be found out by this committee could be remedied or attended to by another organisation. The same organisation will have to go into that. What we want in labour today is not so much unrest; what we want today is not to make several enquiries, emphasise the hard conditions, create discontent and affect production but what we want today is to remedy those grievances with all the machinery that is available, particularly through the trade unions, with the help of the employers, but my friends particularly the Communist friends, what they require is not really to help labour but to create friction. They say, as several other Communists say in their speeches—speaking in Hindi—that their trade unionism thrives on *sangarsh*. *Sangarsh* means friction, and only by creating friction, only by creating discontent will they be able to make the labour feel that they are doing something for them. They do not bother whether they have got the wherewithal to deliver the goods so far as the demands are concerned. All that they want is that there should be discontent; that is, by creating problems they would be able to enlist the support of such unthinking labourers. I would like to ask the Communist Members who plead the cause of labour in season and out of season—all unions are there to plead the cause of labour as well as to train labour—as to what they have done to train labour. What welfare activities have they started in this country? Without doing these things and only taking up the question of demands and more demands and without having the responsibility to see whether the industry is able to bear the burden of fulfilling those demands, it is no use making promises. There are several other unions, not only Communist controlled but other unions, not INTUC. It was stated the other day, and the hon. Member who spoke before me was good enough to mention it, by Shri Ramanujam, the retiring President of the INTUC that he would boycott such unions which did not

[Dr. Shrimati Seeta Parmanand.] settle their disputes through arbitration, which do not believe in arbitration because the keynote of labour support otherwise is false promises and the raising of false hopes. That is their strength and that is their forte. I would say that we are fully aware that industrial relations are worse in the private sector and, therefore, there is no reason why this Resolution should make a demand for making a probe only into the public sector. It was pointed out, and perhaps rightly too for the sake of argument, by Dr. Gour that naturally the public sector should make labour conditions of such a nature, and have labour relations of such a nature that they would be a model for the private sector. It may look very nice on paper as a model statement but one would wonder, if one went deeper into the question, whether there were not regulations already known to the private sector. All the rules and regulations are there; the conditions stipulated in the Industrial Disputes Act are already there but where is the desire, where is sometimes the wherewithal to fulfil those conditions and implement those rules and regulations? Knowing fully well the conditions in the country, though we must aim high, we cannot implement or put into practice all the labour welfare measures that are possible in other countries. I would therefore say that it should be the duty of the recognised trade unions, whichever they may be, to give labour good training, so that they may get all the benefits of the existing rules and regulations. No further committee is required to be appointed; nothing new will be discovered. There is not a thing that is not known because if anywhere; social workers are most active it is in the labour field. They are not active in the agricultural field. Another attempt was made, the House may remember, by a Communist Member asking for a probe into something to do with a Defence organisation. That was another way of getting entry into

that organisation. This is another way. The Ganatantra opposition party may think that they will also put down something on paper and show for propaganda purposes that they have discussed something which on paper gives proof of their being most interested in improving the conditions of labour but the ignorant labour is not trained, even the educated amongst them have not been trained, to see the various aspects and the difficulties - in the way of solving these problems. As such, the duty of all good trade union workers from all sides should be to train the workers and to create in them a sense of responsibility.

Reference was made to not having works committees. We have received some complaints also but very often it is found that even when there are recognised unions, there are differences and groups amongst the workers and the demands are delayed. But if the union is strong enough, the management cannot resist the formation of a works committee. Even then in the private sector or in the public sector where there are works committees it is not always easy to implement the decisions because the workers, not being generally trained in the responsibilities of management from the beginning have been making demands which are not practicable. But that does not mean that there should be no works committees. We have to have works committees; we have to train workers and we have to tell them what part of their decision can be implemented gradually and what part will take time and so on. Now, one example was given by somebody who was a very responsible leader in the labour movement as to what would happen as a result of the workers taking over a concern, without proper training and without a sense of responsibility. Supposing in a mill there was surplus of cloth say, five lakhs of yards or so and there were 10,000 workers. The first decision would be: 'Why should we have so much cloth lying? Let us distri-

bute the cloth among the workers. That is out legitimate right'. And when some demand would come from somewhere they would not be able to meet that demand. So it is .easy to say that there should be participation in management but we have to see that we have trained workers, trained not for political propaganda, but in the real interest of the country, in the real interest of the concern, if the workers were to take a share of the responsibility and that day would not be very far off if we all try to do our work honestly, not for the sake of showing high membership only. Reference was made to the verification of union membership and I would like to record it here *bat when at the I.L.O the Communist Party had made a very tall claim, it was found that the membership was only about half of what was claimed. Am I right? I am subject to correction. SHRI ABID ALI: Much less.

DR. SHRIMATI SEETA PARMANAND: Much less. I think 13 lakhs and 5 lakhs were the figures. So it is well known what the object behind this Resolution is—to gain contact in ihe State industries. The Opposition parties, to begin with, through Parliament Members, would like to have such a Committee so that the workers there may feel how much these people are interested in them.

I would make a reference to a Committee of Parliament Members which had gone out to enquire into an industrial dispute and I know that the Communist Member—the only Communist Member—in that Committee remained behind. There the INTUC was really the recognised union and even powerful Communists had no stand at all. Not one of them was there but some other people were showing red flag of Forward Bloc or something else. But they remained behind and tried to contact some of the workers and see whether they could get them. This was done by a Member of Parliament.

I would therefore like to say that though one would sympathise with the object behind this Resolution, namely, to enquire into industrial relations, I feel I am regretfully obliged to oppose this Resolution because of its impracticable nature and because it is not necessary with all the machinery that the Government has got to help labour. I would like here to record that the Government in our country, since the last ten years, has passed so much labour legislation which has not been done during the last 50 years and that is how we have come more or less on par with Western countries which had a lead over us of nearly 100 years.

PAPERS LAID ON THE TABLE

PRESIDENT'S ORDER ON THE REPORT OF THE COMMITTEE OF PARLIAMENT ON OFFICIAL LANGUAGE

THE MINISTER OF HOME AFFAIRS (SHRI GOVIND BALLABH PANT) : Sir, I beg to lay on the Table a copy of the Ministry of Home Affairs Notification No. 2|8|60, O.L., dated the 27th April, 1960, publishing the Order made by the President containing his directions, issued under clause (6) of article 344 of the Constitution, on the Report of the Committee of Parliament on Official Language. [Placed in Library. See No. LT-2141/60.]

PRESIDENT'S ORDER APPOINTING A COMMISSION TO REPORT ON THE ADMINISTRATION OF THE SCHEDULED AREAS AND WELFARE OF THE SCHEDULED TRIBES

SHRI GOVIND BALLABH PANT: I also lay on the Table a copy of the Ministry of Home Affairs Notification No. 11|6|59-SET-IV, dated the 28th April, 1960, publishing the President's Order issued under clause (1) of article 339 of the Constitution appointing a Commission to report on the administration of the Scheduled Areas and the welfare of the Scheduled Tribes. [Placed in Librarv. See No. LT-2142160],