

**RESOLUTION RE. APPOINTMENT OF A COMMITTEE OF MEMBERS OF PARLIAMENT TO EXAMINE THE CAUSES OF INDUSTRIAL UNREST**

—continued.

**MR. DEPUTY CHAIRMAN:** Mr. Abid Ali.

**DR. A. N. BOSE:** Sir, I wish to speak for two or three minutes.

**MR. DEPUTY CHAIRMAN:** But I have already called him.

**SHRI BHUPESH GUPTA:** You can ask him again.

**MR. DEPUTY CHAIRMAN:** But I have already called him. And Dr. Bose's name was not before me.

**DR. A. N. BOSE:** I did not intend to, but the speeches of some of the other Members inspired me to say something.

**SHRI BHUPESH GUPTA:** Sometimes you may allow.

**MR. DEPUTY CHAIRMAN:** All right.

**DR. A. N. BOSE:** It is not in the rules that all the names should be before you.

Mr. Deputy Chairman, I do not see any reason why objections should be raised to a Resolution like this which has for its objective the fulfilment of the Second Five Year Plan and bringing good relations in the industries. I quite admit and agree with Dr. Kane that sometimes the workers also may be at fault. To err is human and it is open to the Government, to the employers and to labour to go wrong. But the Resolution does not attach any blame to anyone. It is inspired with the objective of bringing healthy industrial relations in the light of the declared objectives of the Second Five Year Plan and of recommending to the Government that suitable measures should be taken for improving the relations on the basis of the directive principles of the Constitution and in consonance with social justice and

democracy. Sir, in spite of the laws and in spite of the best intentions of the Government, industrial unrest does prevail and it does impede the progress of the Second Five Year Plan. The hon. Deputy Minister will perhaps remember a case which I brought to his notice during the last session.

**SHRI V. PRASAD RAO:** No, he does not remember inconvenient things.

**DR. A. N. BOSE:** At least he will remember this case. If public memory is not short, the House will remember that about five years back there was a strike in the Burnpur Iron and Steel industry which lingered for several weeks. Thereafter the cases in dispute were referred to the industrial tribunal. Most of the workers won the case and were reinstated in their posts and were offered suitable compensation. But there were a few cases of persons who took a leading part in the strike and who won the case on every count, and in every tribunal, in the Labour Appellate Tribunal, fighting up to the Supreme Court even. But they were neither reinstated in service nor paid appropriate compensation. I particularly brought to his notice the case of Shri Samar Sen who fought every case up to the highest tribunal in the country—the Supreme Court—and the Supreme Court gave the verdict that he should be reinstated and paid full compensation. The company refused to implement this verdict and laid him off on the plea that the post in which he was employed before the strike was no longer in existence. Sir, Shri Samar Sen was employed not only in the post as manager of the company's hotel, but also he had some other duties, and he might quite well have been provided for and reinstated in those duties. Further the company is expanding its functions and the steel industry is growing and it is taking in additional hands, month after month. Sir, this case was brought to the notice of the West Bengal Government and to the notice of the Central Government, but nothing doing. Apparently, there is some flaw in the law, some lacuna in the statute. It was agreed by the

West Bengal Government when the representatives in the West Bengal Legislature took up the case, that there was ample provision in the Burnpur Iron and Steel industry to absorb these people. But since they were determined to keep out these men, they took refuge under some lacuna in the law and refused to accept them, on the plea that the jobs were no longer in existence. Sir, there are similar other flaws and lacunae in the law and I think a Parliamentary Committee will be helpful in giving suggestions or in thinking of how the law may be amended to foil such tactics on the part of the employers.

Sir, this Resolution, so far as it goes, does not cast any reflection on either the employers or on the Government. If somebody has his head broken or if somebody is inconvenienced because of strikes and industrial unrest, that only shows a social disease which must be tackled, which must be examined by all who are interested in the upkeep or welfare of society. So, I think the Government should not object to a Resolution like this one which has been brought forward with an honest motive and which is quite practicable and which, moreover, will be helpful in restoring industrial peace and in fulfilling the objectives of the Second Five Year Plan.

Thank you.

THE DEPUTY MINISTER OF LABOUR (SHRI ABID ALI): Sir, I must confess that I do not find myself sufficiently equipped to reply to all the arguments and statements which have been made here during the course of the debate on this Resolution, because these have not only dealt with matters connected with labour, but have also dealt with the question of quota for raw materials, control of imports and exports, foreign relations, the Pakistan border raids, the States Reorganisation Commission, the political situation, matters connected with the Railway Ministry, the Ministries of Transport, Food and Agriculture, Economic Affairs, Finance, Commerce and Industry, the C.P.I.'s attitude towards

the agreement which has been entered into between the Kerala Government and the Birlas and several other items. All these are not in connection with the subject of labour. However, I will try and I will endeavour to refer to some of the items which are directly connected with the Labour Ministry.

Sir, mention has been made about some strike. The hon. friend from Bihar just said that most of the strikes which had been referred to here were political and had very little concern with trade union matters. Take the strike in the Bokaro collieries. When the Coal Award was in force—it is even now in force—items which have been already disposed of by the Coal Award were mentioned in the demands and so certainly no adjudication could be granted with regard to such items. But some workers were advised to go on strike and they went on strike. We were not competent to interfere and we remained silent and the workers just remained on strike for nearly 80 days. Subsequently the strike was called off. The same thing about the port and dock workers. What happened? What is it that the strike achieved for the workers? The Committee which was to meet on the 17th perhaps met on the 14th, three days earlier. That was the achievement of the strike. The Calcutta Bank Strike was for 31 days on the occasion of the *Puja*. Most unpatriotic, unsocial act on the part of those who advocated this strike. What is it that the workers gained? That is for those who advocated this strike to say.

DR. R. B. GOUR: Industrial employers are anti-social.

SHRI ABID ALI: I did not utter a word during all this discussion. The same thing I expect from the hon. Members Opposite. Of course, the Mover has the right to reply.

Reference has been made to the Calcutta Tram Strike.

DR. R. B. GOUR: Every one of us has a right to reply to you.

MR. DEPUTY CHAIRMAN: Order, order. Let him go on.

SHRI ABID ALI: Hon. Members now are here for nearly six years. By this time, they are sufficiently conversant with . . .

DR. R. B. GOUR: We are conversant with you also.

SHRI ABID ALI: Reference has been made to the Calcutta Tram Strike. I was in Calcutta before the strike. Some of the leaders of the union approached me and they themselves suggested a line of action. On their own suggestion in writing that I received from them, that if I gave a letter on those terms they will withdraw the strike notice, exactly on the same terms, I gave a letter, after consulting the State Minister of Labour of the West Bengal Government and, in spite of all that, they chose to go on strike. Now, we should not be blamed for that. Just now, an hon. Member said that the Resolution was an innocent one and that it should be acceptable but, Sir, I have not been able to appreciate the reason for the Resolution at all. Nothing has been said, excepting the parrot-like repetition of things like strikes and other happenings but then, Sir, how will this Committee be able to solve these matters? Nobody has been able to say anything about that. Have we not got the Informal Consultative Committee of the Members of Parliament, of both the Houses of Parliament? I think sixty or seventy Members are there. We can meet on many more occasions, have a fortnightly meeting or even meet weekly, if you want. Let us discuss all the suggestions there. Then, we have the Indian Labour Conference, the Standing Committee and the Tripartite Committees in all the States. Besides all these we have got a dozen Industrial Committees and, whenever we meet, the decisions are always unanimous on all subjects. The representatives of labour, of all the sections of labour, employers, the Central and the State Governments attend. Much was said

about the rationalisation of the jute industry. We had an Industrial Committee on jute last month in Calcutta and unanimous decisions were taken there and these are being implemented. We have got arrangements for the collection of advance information regarding weak and uneconomic units which are likely to be closed. We have appointed a department to have advance information and then to find out ways and means for stopping the closures, if possible. Then there is compensation for lay-off, closing and retrenchment. We have amended the Industrial Disputes Act which provides for lay-off compensation, retrenchment compensation and also a procedure has been laid down under it for the prompt settlement of grievances. Then we have got a Steering Group on wages and also participation of labour in management, which, of course, we will not be able to have alone unless we have in hand the education of the workers. We have a working group on closures and in the Indian Labour Conference, a code of conduct and a code of discipline have been adopted. The Indian Labour Conference of May, 1958, appointed a working group on closures, particularly for plantation, cotton textile, jute, engineering industry, etc. That also is working. An attempt is being made for quick disposal of industrial matters; the settlement of disputes at conciliation stage is increasing and effective action is taken for the implementation of awards and settlement both at the Centre and in the States. Abolition of Labour Appellate Tribunal was with the purpose of avoiding delays. Of course, there are some cases in the Supreme Court or the High Courts but their number is not one to hundred, as disposed of by adjudications, not one to hundred. For the purpose of encouraging voluntary arbitration the Industrial Disputes Act has been amended. With regard to rationalisation, much has been said but we have settled this already. The workers' and the employers' representatives in the Nainital Conference agreed to the line of action. Wage Boards have been

appointed and the Pay Commission is working. Then, about the integration of social security, the scheme is known to hon. Members. Out of twenty-one cases of violation of the code of discipline, nine are against the employers and eleven against the employees. It is not that no action is being taken. Whenever any paper comes to us, we ourselves take personal interest and see that effective and quick disposal of these matters is assured.

Now, Sir, there was much talk of the Jamshedpur strike. In Hindi there is a saying: "चोर कातवाल को डंडे मारे।" The hon. Member from Bengal is taking too much liberty here and I am sometimes surprised as to how he is allowed to go to this extent. He has said that the Bihar Government is in the pay of Tatas. Certainly somebody is in the pay of somebody else, not the Congress Party, not the Congress Government but somebody is in somebody's pay and that is now sufficiently known. Hon. Members should not talk of things which they themselves know are complete falsehood. Sir, with regard to Jamshedpur, it is known to everybody connected with the labour movement that there was a memorandum of settlement signed in 1957, between the union and the management. Then, the wage structure was under negotiation and even then, the strike was organised.

*(Interruption)*

I am not going to give way and my friends should not disturb me. They have been talking all the time and they should now hear with patience. It is not a public meeting that anybody will talk and go away.

A claim has been made that 19,000 membership was accepted by the Bihar Government of the union which they claim in Jamshedpur. They say that that was accepted. I do not know from where these stories are got. Not even one person is a member of the union which hon. Members claim has been accepted by the Bihar Government Labour Department. Where is the question of 19,000 members? A

bunch of papers was sent saying that these had been signed by the workers and when enquiries were made, it was found that most of the persons who had signed were not even employees and those who were employees, when asked, said, "We were shown these papers and were told that if we signed them, we would get some increment in our wages." Some were not signed at all but only contained thumb impressions. They were not aware of what they had signed.

Now, about recognition, they say that they have not been given recognition. My hon. friend, from Hyderabad has made a reference to the 1952 resolution of the Labour Advisory Committee of Bihar. Now, the procedure has been laid down. When they were talking about recognition, the Department of Labour of the Government of Bihar advised them to follow the procedure laid down, which was again a unanimous resolution passed in the Labour Advisory Committee which met at Patna. Did they follow the procedure? No, they will not follow because they know that what they were claiming was not a true claim and they did not deserve it. Therefore, they were not following the procedure. Several other unions which were against I.N.T.U.C., which were socialist, which were communist, did make representation to the Bihar Government according to the procedure laid down. Enquiries were made; votes were taken and the I.N.T.U.C. union was ousted; the communist and socialist unions came in. Why the same procedure was not followed with regard to this particular matter as well? And what is the use of talking that in spite of 19,000 membership of "our" union "we" are not given the recognition and the union of Mr. John having a 1,000 membership is being boosted by the employers and that the Bihar Government is in the pay of the employers, and all that? When a procedure has been laid down, it must be followed.

Now, Sir, about the Jamshedpur strike the stay-in strike and sit-down

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strike started on May 15. They talk of the Plan, and the Resolution says: for the improvement of the Plan, for the achievement of the Plan, objective of the Plan. Now what happened here?

On the 15th key departments like the coke oven, blast furnaces, transportation and electric operations were marked out for special attention by the workers. It must be remembered, Sir, that the coke ovens must run continuously; if they cool off the coke oven batteries are ruined, and rebuilding of a battery costs about one crore and fifty lakhs of rupees and takes about eighteen months. Members of Parliament should know these facts. Similarly, a blast furnace must be kept at a certain temperature. The Communists knew all these fully well and that is why they directed their main efforts against these key departments. This is the action of J.M.U. which is their union and they advised them to interfere in this safety of the plant and it was nothing else but wilful sabotage . . . .

SHRI BHUPESH GUPTA: I would like to know what he is reading from?

SHRI ABID ALI: From my own notes.

MR. DEPUTY CHAIRMAN: Notes?

SHRI ABID ALI: My own notes based on facts as happened in Jamshedpur.

SHRI BHUPESH GUPTA: Falsehood.

SHRI ABID ALI: It was nothing else but wilful sabotage which would have resulted in major damage, would have resulted in unemployment for many months for ten thousand workers. The country would have lost several lakhs of tons of steel.

DR. SHRIMATI SEETA PARNAND: These are the people who are worried about an increase in production.

SHRI ABID ALI: They want the country to be destroyed so that they

may flourish. They do not want the progress of the country and if the country is flourishing and prosperous they will be nowhere.

SHRI BHUPESH GUPTA: Who are these people?

SHRI ABID ALI: It is always good to give and to take. If one does not want to take he should not give.

(Interruptions)

MR. DEPUTY CHAIRMAN: Please continue.

SHRI ABID ALI: Give and take. Why worry?

SHRI BHUPESH GUPTA: How the Communist Party comes in? He cannot make serious allegations like that, and you are allowing him.

MR. DEPUTY CHAIRMAN: You must hear the other side of the picture.

SHRI BHUPESH GUPTA: I have heard it and because I have heard it I am objecting.

SHRI ABID ALI: What is objected to? Was this union not under Communist influence? There were Communists working there. Were these things not done? What I am saying should not annoy them. I am only saying what they are doing and what they are hiding.

Now, Sir, I am coming to the loss of production there. It was 45,000 tons.

(Interruptions)

MR. DEPUTY CHAIRMAN: Nobody disturbed you when three of your Members spoke. You must hear the other side of the picture.

SHRI V. PRASAD RAO: No such jibes.

SHRI ABID ALI: All this time caused by interruptions should be counted, Sir.

Now, Sir, as I was saying, production loss was 45,000 tons and the value

of it was Rs. 2·7 crores. In respect of the loss of wages Rs. 24·23 lakhs were lost to the workers. They lost so much. So much is being talked about the workers, that they lost so much here, they lost so much there and they lost everywhere. But what about this loss? Who will make this good? Who is responsible for this? The Communist Party.

(Interruptions)

MR. DEPUTY CHAIRMAN: No hon. Member should stand up when another hon. Member is speaking. That is not the way; that is not parliamentary practice.

SHRI D. A. MIRZA (Madras): Mr. Deputy Chairman, just one thing. Once our friends wash off their hands from the labour movement everything will be settled in India. It is they who are responsible although they met at Amritsar and passed that pious resolution.

(Interruptions)

MR. DEPUTY CHAIRMAN: Order, order, he is standing on his legs.

SHRI ABID ALI: Now, Sir, they talk of man-days lost. Again this will add to the man-days lost. They will create strikes, create problems where none exists. When man-days are lost you will come and say: The country is in difficulty because man-days are lost; the workers are not getting their dues. Now, here, Sir, the man-days lost are 3,35,000; property lost Rs. 11·15 lakhs Whose property? Who burnt it?

SHRI S. D. MISRA (Uttar Pradesh): Also post offices.

SHRI ABID ALI: Yes, post offices; and chosen buildings; it was not at random. There was some system in this madness, not that some buildings were put on fire, but selected buildings. All this was planned, Sir. They were selected buildings, not that they were all in a row; one building here, two buildings there and three buildings elsewhere, like that. At one and

the same place some buildings were destroyed and some were left out; then at another place some buildings destroyed and some buildings left. Also post offices. Belongs to whom? Britishers have gone; they don't exist here. Even when they were here these belonged to the nation. But why today? Well, these friends came to believe that India was free only after our friends Khrushchev and Bulganin told them that India was free, and then they started believing it. Before that they were telling us that India was not free, because she was a member of the Commonwealth.

(Interruptions)

Please read the 'New Age'. You have forgotten; I am quoting the 'New Age'.

Then, Sir, I should tell you that the persons injured were over 114 and police officers and policemen were also involved in it. Sixty-eight police officers and policemen were so badly injured that they had to be hospitalised. Are they not employees? Are they not Indians?

SHRI BHUPESH GUPTA: Did they not get Tatas' money for their elections?

AN HON. MEMBER: You also got.

SHRI ABID ALI: Sir, abuse is not argument; abuse does not argue a case and persons who have no arguments, persons who have no case, they only abuse. That shows the smallness of the persons who abuse; it is not good.

Then, Sir, somebody said that *mazdoors* were the low-paid employees in Tatas and they got Rs. 60 only. I am not saying they should not get Rs. 160. Let them be paid Rs. 200—I have no objection—but the statements which are made here are far from facts. Among *mazdoors* there are three categories and I am quoting the emoluments of the so-called lowest-paid people. *Mazdoors*—Rs. 89/13; *Rejas*—Rs. 81/14; and *Office boys*—Rs. 83/10, besides their getting bonus and other amenities, provident

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fund, gratuity, sickness benefits, free education, subsidised rent, medical facilities, etc. Now where is Rs. 60?

SHRI BHUPESH GUPTA: Sir, may I ask one question?

SHRI ABID ALI: I am not yielding, I have said.

MR. DEPUTY CHAIRMAN: He is not yielding in your favour.

SHRI ABID ALI: I told him that I am not yielding. What is the use of interrupting?

Now about the Bombay strike, Sir, much has been said, but fortunately for this country our workers are patriotic and in Bombay the strike was a complete failure. Our friend Dr. Kane was telling about violence. I was also in Bombay and I moved about sufficiently on the 25th morning. I am making a statement of fact. There are on record. For the morning shift of the B.E.S.T., Bombay—B.E.S.T. is Bombay Electric Supply and Tramways—our tram and bus service workers who reported for duty there, their number was more than that required for the morning shift.

(Interruptions)

Now what is the use of interrupting me? You should control them, Sir. What is this? It is not the way.

MR. DEPUTY CHAIRMAN: Order, order, don't disturb. You are to hear patiently what he says.

SHRI NIRANJAN SINGH: On a point of order, Sir. Speakers should address the Chair. He is addressing the House and therefore this disturbance is caused.

MR. DEPUTY CHAIRMAN: They are sitting opposite to him. What am I to do? They are such good friends, I suppose.

SHRI ABID ALI: I am not unfortunate to that extent. As I was saying, Sir, those workers who turned up for the morning shift, their number was more than required, but the manage-

ment did not allow them to take out the buses and trams. Other workers who wanted to go to their factories and mills, they were in the streets; they wanted to go, but there was no transport available; and when some buses were taken out violence was used; the drivers and conductors were attacked; those who wanted to work, they also were beaten and some of them had to go to hospitals.

MR. DEPUTY CHAIRMAN: You can continue after lunch.

The House stands adjourned till 2.30 in the afternoon.

The House then adjourned for lunch at one of the clock.

The House reassembled after lunch at half past two of the clock. MR. DEPUTY CHAIRMAN in the Chair.

#### ALLOCATION OF TIME FOR DISPOSAL OF GOVERNMENT BUSINESS

MR. DEPUTY CHAIRMAN: I have to inform hon. Members that the Business Advisory Committee at its meeting held today has recommended allotment of time as follows for Government legislative and other business during the remaining part of the current session of the Rajya Sabha:

#### GOVERNMENT BILLS

1. The Sugar Export Promotion Bill, 1958 . . . 3 hrs.
2. The Central Sales-Tax (Second Amendment) Bill, 1958 . . . 1 hr. 30 mts.
3. The Estate Duty (Amendment) Bill, 1958 . . . 3 hrs.
4. The Banaras Hindu University (Amendment) Bill, 1958 . . . 5 hrs.
5. The Trade and Merchandise Marks Bill, 1958. . . . . 3 hrs.
6. The Industrial Disputes (Banking Companies) Decision Amendment Bill, 1958 . . . 1 hr. 30 mts.
7. The Sea Customs (Amendment) Bill, 1958 . . . 1 hr.