SHRI S. N. DWIVEDY: Is it the contention of the Government that the 1949 Tribunal did not take into consideration the financial aspect of this question while deciding this issue?

SHRI ABID ALI: I am not able to appreciate.....

SHRI V. K. DHAGE: Question.

SHRI ABID ALI: .....the mind of the Members on the other side because the award was made in 1949 and this is 1954. In case the workers were dissatisfied with the prevailing condition, that is non-implementation of the award, they would have done much more.

MR. CHAIRMAN: What is it, Dr. Mitra? Do you want to ask something? Let us hear Dr. Mitra.

SHRI B. C. GHOSE: He is a Director of that company, Sir.

DR. P. C. MITRA: Are the Government aware that the company has not paid any dividend for a number of years?

SHRI ABID ALI: For 30 years no dividend has been paid by the company.

DR. P. C. MITRA: Still that company is working that line for the benefit of the labourers. Nothing else.

SHRI B. C. GHOSE: Sir, is the hon. Minister aware that the Tribunal of 1949 awarded a minimum salary of Rs. 25 a month whereas what the workers are getting now is Rs. 18. The maximum recommended was Rs. 45. The scale suggested was Rs. 25 to Rs. 45 and even that was not implemented.

SHRI H. P. SAKSENA: With your permission, Sir.....

SHRI S. N. DWIVEDY: He has not replied, Sir.

MR. CHAIRMAN: That would do. Mr. Bhupesh Gupta. *(Interruptions.)* That would do, Mr. Saksena, no more questions.

SHRI H. P. SAKSENA: You have already announced that the question hour is over.

MR. CHAIRMAN: These are short notice questions.

SHRI H. P. SAKSENA: Even the short notice question is over but my query does not relate to any question. I want, with your permission, to enquire whether the Government have got any statement to make with regard to the disastrous colliery accident that took place the other day.

MR. CHAIRMAN: Mr. Saksena, after the short notice questions are over, Government will make a statement. . Yes, Mr. Bhupesh Gupta.

SHRI O. V. ALAGESAN: Sir, there is also a short notice question by Mr. Mazumdar. If you agree, that also might be put along with Mr. Gupta's question.

MR. CHAIRMAN: Yes.

DISPUTE BETWEEN THE CALCUTTA PORT AUTHORITIES AND EMPLOYEES

SHRI B. GUPTA: Will the Minister for TRANSPORT be pleased to state:

(a) whether there is any dispute between the Calcutta Port Commissioners and certain categories of their employees;

(b) if so, what is the nature of the dispute; and

(c) whether any representations have been made to the Port authorities by the employees concerned?

THE DEPUTY MINISTER FOR RAILWAYS AND TRANSPORT (SHRI O. V. ALAGESAN): (a), (b) and (c). Yes. The dispute relates to the decasualised shore labour employed by the Port Commissioners in the cargo docks Kantapukar and Tea Warehouses. It arose following the adoption of "go-slow" methods by the workers with effect from 12th November 1954 over certain demands while negotiations with the Port Commissioners were still in progress. The em-

THE DEPUTY MINISTER FOR LABOUR! (SHRI ABID ALI): (a) and (b). Government are aware that| a strike by workmen of the Bengal Provincial Railway commenced on the 14th November 1954. As the attempt to bring about a settlement could not succeed. Government, by an order issued on the 22nd November 1954 referred the dispute to an Industrial Tribunal for adjudication and simultaneously promulgated an order under section 10(3) of the Industrial Disputes Act, 1947, prohibiting the continuance of the strike.

SHRI B. C. GHOSE: Sir, is the hon. Minister aware that the main reason why the strike was undertaken is the non-implementation of the award of 1949?

SHRI ABID ALI: That is true but the workers themselves were not very serious to get that award implemented because of the very bad financial condition of this particular railway. In 195S there was an agreement arrived at between the workers and the employers that the question of making further demands which may involve the company into additional financial liabilities would not be raised by the union until such time as the position of the railway improved. This was endorsed by the Conciliation Officer according to the desire of both the parties.

SHRI B. C. GHOSE: Sir, is the hon. Minister -aware that representations were made by the workers to the Government for the implementation of the award of 1949 and that there were even token strikes, for one day on 14th September 1954 and for 3 days from 22nd to 24th October 1954, for the implementation of that award?

SHRI ABID ALI: I have just said, Sir, that the workers themselves, realising the financial condition of the company which was unsatisfactory, were not very serious for the implementation.

SHRI B. C. GHOSE: That is not true, Sir.

SHRI S. N. DWIVEDY: They went out on strike.

MR. CHAIRMAN: Mr. Abid AS, what he says is this: You $_{sav}$ that the workers, taking into,, $_{acc0}$unt the impoverished conditio $_{of\ the}$ railway came to an agr^gjnggfc ^th them that they wouj/a $_{no}$t agitate for the imple-mentation of the award but Mr. B. *J.* Ghose says that actually there were strikes taken out, for one and three days respectively in September and October 1954.

SHRI ABID ALI: The workers were very sharply divided on this question.

SHRI B. C. GHOSE: That is not an answer, Sir. But, may I know, once an Industrial Tribunal has given an award, has Government no responsibility in the matter in seeing to it that that award is implemefited.

SHRI ABID ALI: I know, Sir, oi Government's responsibility but we should be guided by the desire of the workers also. The workers, knowing that if they pressed for the implementation of the award the company wil close its doors thus leaving so manj workers unemployed, did not wan that award to be implemented.

SHRI B. C. GHOSE: Have the Gov ernment received any representatioi at any time from the workers to thi effect that the award need not be im plemented on account of the financia condition of the company?

SHRI ABID ALI: The report receiv ed by us says that the workers did no agitate for its implementation.

SHRI B. C. GHOSE: Did not th Government receive any represents tion from the workers that the awar should be implemented?

' SHRI ABID ALI: Sir, what I hav just read is an extract from th agreement reached between the tw parties and endorsed by the Region; Labour Commissioner.

Rules, particularly section 69 of those Rules?

SHRI O. V. ALAGESAN: Yes, we have.

SHRI S. N. MAZUMDAR: Why was that rule amended and on whose representation?

SHRI O. V. ALAGESAN: It was amended as a result of talks between the Calcutta River Transport Association and the Bengal Mariners Union which represents the boat crew.

SHRI S. N. MAZUMDAR: Is it a fact that some months earlier, the company which was mentioned, intended tc retrench a large number of labourers, but that they could not do so for whatever reason it be, and that the company represented to the Govem-ment on the matter and as a result of that this rule has been amended? And is it not a fact that this amended rule lays open the possibility of re-trenching 3,000 labourers?

SHRI O. V. ALAGESAN: As I have said, there has been no retrenchment, because under the previous rule .....

SHRI S. N. MAZUMDAR: But I am asking about the possibility of retrenchment being opened.

SHRI O. V. ALAGESAN: No, that is not a fact. Under the previous rule, a larger complement was prescribed, but in actual practice or fact, the larger number was not employed, because there were different classes of employees. The *manjhis* were employed by the companies direct and they employed the *dandis*. The number of *d.mdis* has been reduced under the amended rule, but this has made no difference, because the full compliment was not actually employed.

SHRI S. N. MAZUMDAR: May 1 know, Sir, whether the Government have gone into the question of the different categories of workers employed by the different companies or different employers? And if they have, whether it was done in consultation with the representatives of the labourers?

SHRI O. V. ALAGESAN: Yes, it was done in consultation with all concerned, and now the position of the *dandis* has improved, because they are now directly employed by the companies.

SHRI S. N. MAZUMDAR: Has not the Bengal Mariners' Union protested against the amendment of the rule?

SHRI O. V. ALAGESAN: Yes, it is this union which has come with this objection; but the other union which is representative of the boatmen, they have agreed to this and there has been no retrenchment.

SHRI S. N. MAZUMDAR: But. what is this other union?

SHRI O. V. ALAGESAN: I mentioned the name of the other union— The Bengal Mariners' Union.

12 NOON

SHORT NOTICE QUESTIONS AND' ANSWERS

CLOSING DOWN OF BENGAL PROVINCIAL RAILWAY

SHRI B. C. GHOSE: Will the Minister for LABOUR be pleased to state:

(a) whether he is aware that great inconvenience is being caused to the public and heavy loss to trade and commerce in Hooghly district in West Bengal as a result of the closing down of the Bengal Provincial Railway on account of a strike by the workers of that railway; and

(b) if so, what action Government have taken or propose to take for the resumption of the working of that railway?