

TAX EVASION BY M/s. KANARA ENGINEERING Co. (Pvt.) LTD., BOMBAY

995. SHRI GEORGE FERNANDES : Will the Minister of FINANCE be pleased to state :

(a) whether any complaint was received by the Assistant Director of Inspection (Intelligence), Bombay about tax evasion by M/s. Kanara Engineering Co. (Pvt.) Ltd., Bombay;

(b) whether a raid was carried out on the premises of the Company;

(c) if so, with what results;

(d) whether the inquiries in respect of the tax evasion by the Company have since been completed; and

(e) if so, the action taken against the Company ?

THE DEPUTY PRIME MINISTER AND MINISTER OF FINANCE (SHRI MORARJI DESAI) : (a) Yes, Sir.

(b) and (c) No raid was carried out but the business premises of this company were surveyed under section 133A of the Income-tax Act, 1961 and marks of identification were placed on the books of Accounts and other documents, which were later summoned and examined.

(d) No, Sir,

(e) Does not arise.

FUNDS FOR NEW MEDICAL COLLEGES IN U.P.

996. SHRI YASHPAL SINGH : Will the Minister of HEALTH AND FAMILY Planning be pleased to state :

(a) whether Government have refused funds for setting up two Medical Colleges in Bareilly and Faizabad Divisions of Uttar Pradesh. and

(b) if so, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH, FAMILY PLANNING AND URBAN DEVELOPMENT (DR. S. CHANDRASEKHAR) :

(a) and (b) Central assistance is released to the State Governments on an approved pattern for the establishment of new medical colleges. The location of the

colleges is determined by the State Government concerned.

The Government of India are not aware if the State Government of U.P. have refused to allot funds for setting up medical colleges in Bareilly and Faizabad Divisions of the State.

12 HOURS

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

STRIKE BY AIRCRAFT MAINTENANCE ENGINEERS OF AIR-INDIA

SHRI SRADHAKAR SUPAKAR (Sambalpur) : I call the attention of the Minister of Tourism and Civil aviation to the following matter of urgent public importance, and I request that he may make a statement thereon :

"The strike by the Air-craft Maintenance Engineers of Air-India."

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH) : I am grateful to you, Sir, for affording me this opportunity—

श्री कंबर लाल गुप्ता (दिल्ली सदर) : अध्यक्ष महोदय, पहले भी यह बात उठ चुकी है—यह मिनिस्टर साहिब लम्बा चौड़ा स्टेटमेंट दे रहे हैं, अच्छा हो कि यह स्टेटमेंट हम को पहले से मिल जाय ताकि हम उसको देख कर यहां प्रश्न पूछ सकें। मिनिस्टर साहब जान-बूझकर पहले से नहीं देते हैं और इस वजह से इस पर बातचीत नहीं हो सकती है। मैं जानना चाहता हूँ कि यह पहले से क्यों नहीं दिया जाता है ?

डा० कर्ण सिंह : मैंने अभी आरम्भ ही किया है, आप कैसे जानते हैं कि लम्बा चौड़ा है, आप पहले मुझे सुनिये।

SHRI NATH PAI (Rajapur) : On the same subject—the strike of the aircraft engineers of Air-India which, if not settled, amicably, is likely to engulf the whole

staff—I had given an adjournment motion. That has been disallowed. We are now on the calling attention. How do you help us ?

MR. SPEAKER : At every stage. I do not know, adjournment motions are given. It does not mean that automatically it is taken up. This was allowed before your adjournment motion came. Your adjournment motion was seen by me this morning at 10.40, while this one was received yesterday. Therefore, I cannot help it.

SHRI NATH PAI : The Calling Attention notice was given yesterday.

MR. SPEAKER : You had given it after 10-30. Up till 10-30 you are entitled to give. Anything coming after 10-30 comes only the next day. You know that very well. This, I had admitted before 10-30.

SHRI HEM BARUA (Mangaldai) : This does not cover other adjournment motions and calling attention matters.

MR. SPEAKER : Let us hear the Minister now.

DR. KARAN SINGH : I am grateful to you, Sir, for affording me this opportunity to make a statement on the illegal strike resorted to from the 6th November, 1967, by Maintenance Engineers of Air India represented by the All India Aircraft Engineers Association. The Association served a notice on the management of Air India on the 7th October, threatening to strike from 6th November if their three main demands were not conceded. These were.....

SHRI NATH PAI : What is the period of notice that you had ?

DR. KARAN SINGH : 30 Days.

SHRI NATH PAI : They are required to give 14 days' notice. If they had given 30 days' notice, it is a very important aspect.

DR. KARAN SINGH : That does not make it legal.

These were that :—

- (i) No one excepting Aircraft Maintenance Engineers should be allowed to inspect or certify the

maintenance of aircraft in terms of an existing agreement;

- (ii) The appointment of an engineer on local terms in the Air-India Office in Rome was in breach of an agreement requiring consultation with them and should therefore be revoked; and
- (iii) The Association should be recognized as the sole representative of another section of Officers in Air-India, called 'Technical Officers'.

The Regional Labour Commissioner, Bombay, enquired into the matter and held conciliation proceedings which ended in failure. He submitted a failure report to Government on the 26th October. On the 3rd November my honourable colleague, the Minister for Labour & Employment, met the Chairman & Secretary of the Association and advised them to withdraw the strike notice on the basis that Government would refer the first point of dispute to compulsory adjudication. He informed them that the second point lacked substance and was therefore unsuitable for such reference and that the third point could not be the subject of an industrial dispute. The representatives preferred to have further conciliatory talks initiated by the Labour Minister on all the three points, and the Minister agreed to do so and requested them to withdraw the strike notice. He also assured them that, pending further negotiations, he would advise Air-India to maintain the *status quo* as on 3rd November 1967. A letter to this effect signed by the Labour Secretary was handed over to them the same evening. The Association, however, did not withdraw the strike notice and on the 5th morning it became necessary for Government to refer to adjudication the first point of dispute. Notwithstanding the fact that their main point of dispute had been referred to adjudication, the Union chose to go on strike from the evening of the 6th November.

As Hon'ble members are aware, any strike, when an adjudication between the parties is pending, is illegal under the Industrial Disputes Act. It is a matter of deep regret that a body of educated and highly paid technicians should have chosen to resort to this illegal path, and should

[Dr. Karan Singh]

have attempted to apply pressure by causing loss in precious foreign exchange to the country apart from inconvenience to thousands of passengers, Indian as well as foreign. This is not the first time that the law of the land has been defied by a group of skilled workers employed by the Air Corporations, and Government is deeply concerned at this growing tendency to contravene legal provisions and make a mockery of the procedures laid down for the peaceful settlement of disputes under the Industrial Disputes Act. It was for this reason that at the end of August the Labour Ministry had informed all the Unions and Associations of the Air Corporations that illegal strikes would not be tolerated, and that parties resorting to such action should be prepared to face the consequences of their action. Government have accordingly initiated criminal proceedings against some of the strikers, and these are now pending before a Court of Law in Bombay. Air-India has also initiated disciplinary action against them.

I have already stated that the first point in dispute has been referred to adjudication, and it would not therefore be proper for me to go into the merits of this dispute. I would, however, like to assure the honourable Members that the system introduced for inspection and certification of overhaul work by Inspectors is one which had been evolved with the approval of the Director General of Civil Aviation and has been in vogue in the industry since 1948. A similar system is also prevalent in the Airlines of most advanced countries, and the Director General Civil Aviation reiterated the adequacy of the present arrangements in a letter to the Association dated 21st October, 1967. He also offered to meet representatives of the Association for such clarifications as they may require. This clearly shows that the arrangement being questioned by the Aircraft Maintenance Engineers has nothing to do with safety, but has been raised purely on monopoly considerations. I should also add that the demand of the Maintenance Engineers has been opposed by the Technicians, who do not want all inspection and certification work to be monopolized by the former. This is now a matter to be decided by the Adjudicator.

In conclusion I would like to reiterate that it is a matter of deep regret that Unions and Associations whose members are well paid and occupy responsible positions should resort to illegal strikes on flimsy grounds. I am sure the House will join me in the hope that they will even at this late stage see the error of their ways, conduct their activities strictly in accordance with law, and unconditionally call off their strike which is as contrary to the law as it is detrimental to the national interest.

SHRI SRADHAKAR SUPAKAR : It is reported in today's papers that 500 more engineers are joining the strike which will probably make the entire air service to be paralysed altogether. What steps have the Government taken to make the Air Indo and the Indian Airlines Corporation run in spite of these strikes? May I know why steps were not taken earlier to see that the adjudication started in time and not at this late stage?

DR. KARAN SINGH : There is a report in the papers today that some IAC maintenance engineers may join the strike, but I sincerely hope that the report is not true, because it will be a matter of great regret if others also were to be drawn into an illegal activity. I would like to put it this way. Over the last few months we have had over half a dozen strikes and strike threats in aviation. We are trying to build the new foundations for aviation in this country; we are spending crores of rupees upon buying new aircraft and on building new airports, and still we are hampered at every step by people who resort to strikes upon flimsy grounds. I am sure the House will agree that we cannot continue to face this sort of thing. Otherwise, it makes a complete mockery of all our air plans.

As for adjudication, the first point was sent to adjudication on the 5th, and there was no reason whatsoever why the illegal strike should have been resorted to

श्री कंबर लाल गुप्त : अध्यक्ष महोदय, मैं मंत्री महोदय से इतिफाक करता हूँ कि भारत सरकार का एयर इण्डिया ही केवल एक हैल्दी और हेण्डसम बेबी है, जिसकी तारीफ़ सब जगह होती है और यह भी

ठीक है कि इस समय चार लाख रुपए रोज के फॉरन एक्सचेंज का नुकसान हो रहा है। तो क्या मैं मंत्री महोदय से पूछ सकता हूँ कि जैसे उन्होंने कहा कि पिछले तीन-चार महीनों में 6 स्ट्राइकें हुई हैं और फिर बाद में कम्प्रोमाइज हो जाता है, उसके बाद फिर शोशा उठता है।

हमें और इस हाउस को यह विश्वास दिला सकते हैं कि अगर बाद में और भी स्ट्राइक जैसी कि उन्होंने थूट की है वह हुई तो क्या आप पक्की तौर से जैसे अभी मजबूती से कह रहे हैं वैसे ही मजबूती से क्या आप स्टैंड भी करेंगे और क्या आप ने प्राइम मिनिस्टर से इस बारे में पूछ लिया है कैबिनेट से सलाह करके ऐसा अपना यह निश्चय किया है क्योंकि अगर फिसलना ही है आपने कल नहीं तो परसों तो फिर आज ही फिसल जाइये तो ज्यादा अच्छा होगा और नुकसान नहीं होगा नम्बर एक और नम्बर दो यह तो दूसरी बात कही है कि क्या यह लोक है कि ऐयर इंडिया ने यह एक के बजाय दोनों मामलों को नहीं भेजा और क्या ऐयर इंडिया ने यह जो एडजुडिकेशन का मामला ले आये थे उसे रिजैक्ट कर दिया और यह असोसियेशन उन्होंने माना था ? यह तीनों बातें मुझे बतलाइये... (व्यवधान)।

श्री मधु लिमये (मुंनेर) : मजबूती चीन के साथ दिखाइये, पाकिस्तान के साथ दिखाइये इन मजदूरों के साथ अपनी मजबूती क्यों दिखाते हैं ?

डा० कर्ण सिंह : जहां तक फिसलने का सवाल है मैं माननीय सदस्य को यह विश्वास दिलाना चाहता हूँ कि हम फिसलने वाले नहीं हैं और इसमें अगर इल्लीगल स्ट्राइक में कोई और भी शामिल हो जाता है तो भी हम मजबूती से खड़े रहेंगे।

In this country either the rule of law will prevail or the rule of chaos will prevail. There is no third alternative.

जाहिर है कि यह लोग रूल आफ ला पर नहीं चल रहे हैं बल्कि रूल आफ केजीस को फीलो कर रहे हैं और जो स्ट्राइक का ला है उसके विरुद्ध यह स्ट्राइक पर जा रहे हैं...

श्री कंबर लाल गुप्त : इसके बारे में आपने क्या कैबिनेट से सलाह कर ली है या प्राइम मिनिस्टर से सलाह कर ली है या महज आप अपनी तरफ से यह मजबूती दिखाने वाली बात कह रहे हैं ?

डा० कर्ण सिंह : मैं जब यहां पर बोल रहा हूँ तो एक कैबिनेट मिनिस्टर की हैसियत से बोल रहा हूँ और सरकार की तरफ से पूरी जिम्मेदारी के साथ बोल रहा हूँ।

श्री कंबर लाल गुप्त : सवाल के दूसरे हिस्से का जवाब नहीं मिला।

डा० कर्ण सिंह : जो दूसरा प्रश्न है उसके एग्रीमेंट में यह है कि यूनियन से कंसल्टेशन किया जायगा कोई चेंज करने से पहले और वह कंसल्टेशन यूनियन से किया गया। **मैनेजमेंट डिड कंसल्ट दी यूनियन।** यह ठीक है कि यूनियन से एग्रीमेंट नहीं हुआ लेकिन एग्रीमेंट सिर्फ यह है कि कंसल्टेशन होना चाहिये इसलिये उस प्वाइंट को एडजुडिकेशन में भेजने की कोई आवश्यकता नहीं है और जो तीसरा प्रश्न है वह इंडस्ट्रियल डिस्प्यूट्स ऐक्ट के तहत आ ही नहीं सकता। वह केवल यह है कि जो एक ग्रुप है टैकनीशियन्स का वह कहता है कि सारा हम ही उनको रिप्रेजेंट करें तो इन प्रश्नों के ऊपर हमने उस वक्त भी कहा था कि हम बातचीत करने को तैयार हैं और आगे भी हम बातचीत करने को तैयार रहेंगे। लेकिन हर एक डिस्प्यूट को रोज करे वह हर एक चीफ एडजुडिकेशन में आ जाय यह असम्भव है जब तक कि इंडस्ट्रियल डिस्प्यूट्स ऐक्ट के चार कोनों में वह नहीं आता है।

श्री शिव कुमार शास्त्री (अलीगढ़) :
राष्ट्रीय विमान सेवाओं में ऐयर इंडिया का
स्थान तीसरा माना जाता है किन्तु
इन इंजीनियरों की हड़ताल से बहुत बड़ा
आघात इस सेवा को लगा है तो क्या
सरकार इस बात पर विचार कर रही है कि
आगे से विमान सेवाओं में लगे हुए उन कर्म-
चारियों की सेवाएं अनिवार्य कर दी जायें
जिससे कि इस प्रकार की हानि होने का
अवसर न आये ?

डा० कर्ण सिंह : माननीय सदस्य ने ठीक
ही कहा है। ऐयर इंडिया एक अन्तर्राष्ट्रीय
स्तर पर पहुंचा हुआ है। मैम्बर्स को भी
झायद ऐयर इंडिया में जाने का मौक़ा मिला
होगा और उन्होंने देखा होगा कि कितना
ऊंचा स्तर ऐयर इंडिया का अन्तर्राष्ट्रीय जीवन
में है.....

एक माननीय सदस्य : आज नहीं है कभी
हुआ करता था। आज वह ऊंचा नहीं रहा
है ऐयर इंडिया का स्तर गिर गया है।

डा० कर्ण सिंह : स्तर में नहीं मानता कि
गिर गया है। बाकी अगर आज ऐयर इंडिया
का स्तर गिर गया है और खराब है तो वह
इस कारण है कि वहां पर इस तरह के
कर्मचारी हैं जोकि बिना किसी कारण
बिना लीगल कारण के स्ट्राइक करते हैं और
रोज हमें नुकसान होता है। पब्लिक सैक्टर
का उन्होंने कहा कि यह एक चीज है जो
प्राफिट बना रही है। यह सदन चाहता है कि
ऐयर इंडिया और आई० ए० सी० हर वर्ष
प्राफिट दें, लेकिन किस प्रकार से प्राफिट
हो सकता है जबकि छोटी-मोटी बातों के ऊपर
कोई न कोई यूनियन स्ट्राइक करती है और
लाखों रुपये का नुकसान होता है।

बिक्रिमाइजेशन की बात होती है, मैं सदन
के सामने विनम्र निवेदन यह करूंगा कि यह
बिक्रिमाइजेशन इम्पलाईज का नहीं बल्कि
यह बिक्रिमाइजेशन जनरल पब्लिक का

हो रहा है, उन लाखों जनरल पब्लिक वालों
का नुकसान व बिक्रिमाइजेशन हो रहा है
जोकि हमारे देश में और विदेशों में जाते
हैं और जिनको कि अपने टिकट कैंसिल करने
पड़ते हैं। उनके बिक्रिमाइजेशन का कौन
जिम्मेदार है ? उसकी जिम्मेदारी उन लोगों
के सिर पर है जोकि किसी कारण के बिना
अपनी स्ट्राइक करते हैं।

SHRI NATH PAI : Mr. Speaker, you
should allow a discussion on this subject.
Are you fair to us now? Do you want
only one side to be presented?

MR. SPEAKER : No, it is not fair to
say that. I have given opportunity to the
members of the Opposition also.

SHRI NATH PAI : I am not asking for
an opportunity to put a question.

MR. SPEAKER : Anyhow I do not
accept that charge.

12.15 Hrs.

PAPERS LAID ON THE TABLE

FINAL REPORT ON INDUSTRIAL PLANNING AND LICENSING POLICY

THE MINISTER OF INDUSTRIAL
DEVELOPMENT AND COMPANY
AFFAIRS (SHRI F. A. AHMED): I beg
to lay on the Table a copy of the Final
Report on Industrial Planning and Licens-
ing Policy by Dr. R. K. Hazari. [Placed
in Library. See No. LT-1569/67]

ANNUAL REPORT OF THE ALL INDIA INSTI- TUTE OF MEDICAL SCIENCES & PREVENTION OF FOOD ADULTERATION (AMENDMENT) RULES

THE DEPUTY MINISTER IN THE
MINISTRY OF HEALTH, FAMILY
PLANNING AND URBAN DEVELOP-
MENT (SHRI B. S. MURTHY): On
behalf of Dr. Chandrasekhar, I beg to lay
on the Table—

- (1) A copy of the Annual Report of
the All India Institute of Medical
Sciences, New Delhi, for the year