

[Mr. Speaker]

pect the Minister later on, after seeing the judgment, to say something about it. A copy of the judgment will come. It is a matter of a few hours or one or two days, whatever it is. The judgment must be seen. I have already said on that day that after the judgment is given, we shall examine this case. I shall look into it and give my ruling after I hear the Government, the Home Minister and the Law Minister. As I said, we should not take it as Mr. Madhu Limaye's case at all. We should take it as a case of the hon. Member of this House to whichever party he may belong. There are different Governments belonging to different parties in different States. We shall see what we should do in the matter. The Papers to be laid.

12 51 hrs.

#### PAPERS LAID ON THE TABLE

##### Report of Railway Accidents Inquiry Committee

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI R. L. CHATURVEDI) : On behalf of Shri C.M. Poonacha, I beg to lay on the Table a copy of the Report of the Railway Accidents Inquiry Committee, 1968—Part I. [Placed in Library. See No. LT-2462/68]

##### Export of Minerals and Ores Amendment Rules

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI) : On behalf of Shri Dinesh Singh, I beg to lay on the Table a copy of the Export of Minerals and Ores—Group II (Inspection) Amendment Rules, 1968, published in Notification No. S. O. 3978 in Gazette of India, dated the 12th November, 1968, under sub-section (3) of section 17 of the Export (Quality Control and Inspection) Act, 1963. [Placed in Library. See No. LT-2460/68].

##### Cotton Textile Companies (Amendment) Rules Notification under Forward Contracts (Regulation) Act etc.

SHRI MOHD. SHAFI QURESHI : I beg to lay on the Table—

- (1) A copy of the Cotton Textile

Companies (Management of Undertakings and Liquidation or Reconstruction) (Amendment) Rules, 1968, published in Notification No. G. S. R. 1918 in Gazette of India dated the 2nd November, 1968, under sub-section (2) of section 10 of the Cotton Textile Companies (Management of Undertakings and Liquidation or Reconstruction) Act, 1967. [Placed in Library. See No. LT-2461/98].

- (2) A copy of Notification No. S. O. 4098 (English version) and S. O. 4099 (Hindi version) published in Gazette of India, dated the 15th November, 1968, issued under section 5 of the Forward Contracts (Regulation) Act, 1952. [Placed in Library. See Nos. LT-2456 and LT-2457/68].

- (3) A copy each of the following Notifications under sub-section (2) of section 18A of the Industries (Development and Regulation) Act, 1951 :

- (i) S. O. 3246 published in Gazette of India dated the 14th September, 1968. [Placed in Library. See No. LT-2463/68].

- (ii) S. O. 3746 published in Gazette of India dated the 26th October, 1968, containing corrigendum to S. O. 3246 published in Gazette of India, dated the 14th September, 1968. [Placed in Library. See No. LT-2464/68].

- (4) A copy of the Audited Accounts of the Central Silk Board for the year 1966-67. [Placed in Library. See No. LT-2458/68].

- (5) A copy of the Annual Report of the Central Silk Board for the year 1967-68. [Placed in Library. See No. LT-2459/68].

12.52 hrs.

#### STATEMENT RE. THREATENED STRIKE BY LIC EMPLOYEES

MR. SPEAKER : Shri Morarji Desai.

SHRI S. M. BANERJEE (Kanpur) :  
On a point of order, Sir.

MR. SPEAKER : You can lay it on  
the Table of the House.

THE MINISTER OF STATE IN THE  
MINISTRY OF FINANCE (SHRI K. C.  
PANT) : On behalf of Shri Morarji Desai,  
I beg to lay the statement regarding the  
threatened strike by the employees of the  
Life Insurance Corporation of India on the  
Table of the House.

#### STATEMENT

Mr. Speaker, Sir, with your permission  
I would like to make a statement on the  
proposed strike by Class III and Class IV  
employees of the Life Insurance Corporation  
of India from 5.12.1968 for an indefinite  
period.

On 7.11.68, the All-India Insurance  
Employees' Association served a notice on  
the Life Insurance Corporation that it  
would call upon the employees of the Life  
Insurance Corporation of India to go on  
strike for an indefinite period from 5.12.68.  
That Association was at that time the recognised  
Union of Class III and Class IV  
employees but later on, about 21.11.68, on  
account of established breaches of the Code  
of Discipline, the Corporation derecognised  
the Association. The derecognition was  
authorised in terms of the conclusions  
reached at the meeting of the Central Im-  
plementation and Evaluation Committee of  
the Ministry of Labour, Employment and  
Rehabilitation, held on 16.11.68.

The Association gave in the resolution  
accompanying the strike notice, the follow-  
ing grounds for the strike :—

- (i) Automation, including installa-  
tion of the second computer  
system in Calcutta ;
- (ii) refusal to come to a settlement  
on the Charter of Demands sub-  
mitted by it ;
- (iii) alleged victimisation against the  
leaders of the Association.

As the Honourable Members may be  
aware, the decision of the Life Insurance  
Corporation to instal two electronic com-  
puters, one at Bombay and the other at  
Calcutta, was taken as long ago as 1964 and  
this matter has been discussed in this

House in one way or the other a number of  
times. The Life Insurance Corporation of  
India as well as the Government have given  
repeated assurances that there will be no  
retrenchment or loss of remuneration to  
employees or even transfers out of station.  
Even the loss of employment potential was  
expected to be small. Switching over to  
computers would entail disappearance of 383  
jobs, but the very process of computerisation  
will create 225 new jobs. The net reduction  
in the number of jobs was, therefore, ex-  
pected to be only 158, that is about 50 per  
year, an insignificant figure compared to the  
1500 or so new jobs created every year in  
the Life Insurance Corporation. The figures  
of actual net displacement on account of  
the introduction of the computer at Bombay  
which is already functioning, have been  
found to be even less. There has, in fact,  
been no retrenchment whatsoever nor trans-  
fers out of station nor loss of emoluments.

In January, 1967, the Association pre-  
sented the Life Insurance Corporation with  
a "Charter of Demands" listing 42 de-  
mands. These demands would have involv-  
ed an additional expenditure of Rs. 52  
crores per annum increasing the present  
renewal expense ratio of 16%, which is  
already in excess of the statutory limit of  
15%, to about 45%. Discussions on the  
Charter followed. The Corporation was  
willing to an additional outlay of Rs. 1.20  
crores. Later, the Chairman indicated that  
he would be agreeable to increase this  
figure by another 10%. This was not  
acceptable to the Association whose revised  
demands would still have involved an out-  
lay of Rs. 11 crores per annum, a figure  
which was well beyond the Corporation's  
means.

On 5th April, 1968, in response to a  
call from the Association, many Class III  
and Class IV employees went on an one-  
day strike to protest against automation  
and non-settlement of the Charter of De-  
mands.

In July, 1967, the Conciliation Machi-  
nery of the Government of India intervened  
in the dispute relating to the Charter of  
Demands but it was not possible for the  
two parties to come to an agreement. The  
"failure" was duly reported to the Labour  
Ministry. In view of the failure of the  
conciliation proceedings, the Central  
Government constituted on 28th November,  
1968, a National Industrial Tribunal at

[Shri K. C. Pant]

Calcutta with Shri Justice B. N. Banerjee as Presiding Officer to adjudicate on the dispute between the management of the Corporation and their workmen in respect of the following matters :

1. Revision of the scales of pay of different categories of workmen.
2. Revision of Dearness Allowance.
3. Grant of special pay to certain categories of Workmen.
4. Payment of other allowances.
5. Revision of the existing provident fund, pension and gratuity schemes.
6. Medical benefits.

The allegation that office-bearers and others are victimised is certainly not correct. The so-called acts of victimisation are nothing but disciplinary action under the relevant provisions of the Staff Regulations for the misconduct of the individual employees concerned. Some office-bearers are facing cases instituted by the police against them for charges under various sections of the Indian Penal Code.

Now that a National Industrial Tribunal has been appointed by the Central Government to adjudicate on the question of revision of scales of pay of different categories of workmen, revision of dearness allowance, etc., I hope the employees concerned will abandon the proposed strike.

I now see from the papers that the strike on the 5th will not take place.

SHRI S. M. BANERJEE : On a point of order, Sir.

The statement has been laid on the House. I wanted to raise a point of order before that. I invite your attention to item No. 7 of the Order Paper—Statement by Minister. I think, he had made the statement under Rule 372. We have been tabling Call Attention notices and we also gave a Short Notice Question about the threatened strike of the employees of the L.I.C. The strike has now been deferred. Now, I invite your kind attention to the fact that today, in the other House, there is a Call Attention notice by 10 Members on the same subject .....

MR. SPEAKER : I am not interested in knowing that.....

SHRI S. M. BANERJEE : .....of the threatened strike of the employees of the Life Insurance Corporation of India. That appears even in the newspapers today that this is being discussed in the other House in the form of a Call Attention notice. Sir, as a Member of this House, like other Members also, I am also answerable to the people who elect us. We are directly elected by the people to this House. The hon. Minister has chosen to make a statement *suo motu* after the threatened strike is over in the sense that it has been deferred. You must have read it in the newspapers that the strike has been deferred. Now, in the other House, he makes a statement on the subject and invites 10 questions from 10 Members. But here, the hon. Minister simply lays it on the Table of the House. This House is being treated with contempt by the hon. Minister. I am sorry to say that. Since we are not allowed to put questions now, I would request you to either allow us, after we study the statement, to put questions or allow a discussion on this matter. This is a very serious matter. I have got the Order Paper of the other House.

श्री रामावतार शास्त्री (पटना) : अध्यक्ष महोदय, चन्द्रशेखर सिंह गया में तीन चार दिनों से भूख हड़ताल कर रहे हैं उनके बारे में गवर्नमेंट को कुछ कहना चाहिए.....

MR. SPEAKER : Your name is also included in what Mr. Banerjee has said. I cannot promise off-hand anything because somebody raises something. If I go on permitting on the floor of the House, it will not be proper. The point of order raised is that the Minister has laid the statement *suo motu* .....

SHRI S. M. BANERJEE : Not that. My point of order is only this. You can in your wisdom disallow a Call Attention notice. I have no grouse against that. Whenever you refuse Call Attention notices, we know, under embarrassment, you do so or because there are so many Call Atten-

tion notices. I have no grouse against that.

On your advice, Sir, we thought that in respect of such important matter like a strike which involves 40,000 employees of the LIC, let us have a short-notice question. My submission is only this, Sir. We have got a chit from the Secretariat saying that the Minister of Finance is unable to accept the short notice question on the subject of Strike in LIC. The question is, not that it is being replied to by Shri K. C. Pant, instead of Shri Morarjibhai. The question is that he is replying to a calling-attention notice in the other House while he rejects it here.

MR. SPEAKER : You are repeating. I understand all that.

S. M. BANERJEE : There is discrimination by the Minister, Sir.....

MR. SPEAKER : Let us see what can be done.

श्री रामावतार शास्त्री : अध्यक्ष महोदय, चन्द्रशेखर सिंह को भूख हड़ताल के बारे में मंत्री जी क्या सदन को कोई जानकारी देंगे .....(व्यवधान).....

MR. SPEAKER : Order, order. Shri Patodia.....

SHRI K. C. PANT : Sir, it was unfair of Shri Banerjee to say that I am not making a statement. I asked you in the beginning whether I should make the statement and wanted the statement to be laid on the Table of the House.....

MR. SPEAKER : That makes no difference. You read the statement here. By laying on the Table you have read the statement. That makes no difference.

SHRI S. M. BANERJEE : I have no grouse against Mr. Pant. He is as good a friend of mine as anybody else. We are answerable to our voters. How it is that in Rajya Sabha he could answer that..... (Interruption)

श्री रामावतार शास्त्री : अध्यक्ष महोदय, वह कई दिनों से भूख हड़ताल कर रहे हैं, मंत्री

महोदय को उनके बारे में सदन को बताना चाहिए.....(व्यवधान).....

MR. SPEAKER : Order please. Mr. Patodia.

12.57 hrs.

# MATTER UNDER RULE 377

## Enhancement of Duty on Petrol and Diesel Oil

SHRI D. N. PATODIA (Jalore) : Sir, under Rule 377 of the Rules of Procedure I rise to bring to the notice of the House that manner in which the privilege of the House has been ignored, bypassed and flouted by the hon. Minister Dr. V.K.R.V. Rao while speaking in Visakhapatnam on December 1, 1968. I wish to quote from a news-item published in the *Statesman* of December 2, 1968, in regard to this matter, as reported by the UNI. It says :

"The duty on petrol and diesel oil is proposed to be enhanced, Dr. V.K.R.V. Rao, Union Minister for Transport and Shipping said here today, according to UNI.

Inaugurating the 15th conference of the Andhra Pradesh Motor Transport Operators Association, he said the proceeds from the enhanced duties, which were estimated at Rs. 20 crores, would be utilized by the national highways."

Similar news-items have appeared in other papers also. Now, Sir, this raises three fundamental issues.

Firstly, it raises the issue of the privilege of the House.

Secondly, it is a matter in which the observance of secrecy relating to the budgetary proposals are involved.

Thirdly, Sir, it raises a fundamental point relating to the functioning of the Cabinet.

Now, Sir, with regard to the privilege of the House, I wish to quote from the book, *Practice and Procedure of Parliament* by Shri Shukdher. It says :

"It has also been held that policy statements should first be made on the floor of the House when the House is in session, before releasing them to the press or the public."