

on India's foreign trade by the wrong pattern of trading adopted in the case of East European countries, including Russia, this House resolves that the foreign trade policy of the Government of India, particularly with East European countries and Russia, be suitably changed."

The motion was negatived.

18.12 hrs.

RESOLUTION *RE* : FUNCTIONING
OF CENTRAL SERVICES

MR. DEPUTY-SPEAKER : We are pressed for time. Your Resolution is very important. In fact, every Resolution is important, no doubt. But today, as we are pressed for time, may I request you to make a reference and just confine your remarks for five minutes? Just confine yourself for five minutes and you may continue later on.

SHRI SHRI CHAND GOYAL (Chandigarh) : 2½ hours has been provided for Private Members' business. I don't think the House should take away any part of that time. We should spend full time, that is 2½ hours and we should continue. ...

MR. DEPUTY-SPEAKER : That is outside Private Members' purview. It has been said that all sorts of complaints are there. Certain grievances are to be ventilated.

AN. HON. MEMBER : Free for all.

MR. DEPUTY-SPEAKER : That is also Private Members' time in a way.

SHRI SHRI CHAND GOYAL : The Speaker said something else could be done after the non-official hour . . .

MR. DEPUTY-SPEAKER : I am guided by the House. I don't want to impose decision.

SHRI SHRI CHAND GOYAL : He was specific on that.

MR. DEPUTY-SPEAKER : The Mover is agreeable. But if the House agrees then alone I can do it. This is my suggestion.

SHRI S. R. DAMANI (Sholapur) : There is a Half-an-Hour Discussion. I want to submit certain points.

MR. DEPUTY-SPEAKER : That matter is totally different. Because, after Private Members' Business is over, there is a Zero-hour, if I may put it that way; there is some time for Members. Whatever you call it, that is there. It is a good thing. Due to procedural things certain matters could not be brought up on the floor of the House. So the Speaker has said that. So, the House now agrees with my suggestion. The hon. Member may just move.

SHRI NAMBIAR (Tiruchirappalli) : I just want about fifteen minutes. At about 6-30 I will finish.

SHRI SAMAR GUHA (Contai) : I want to make a submission. It is not free for all. In the morning we made a representation to the Speaker on certain specific points. On the basis of those specific points, he said, you can rise and speak for just a few minutes. Therefore it is not free for all. . .

MR. DEPUTY-SPEAKER : Others also will come forward.

18.13 hrs.

[MR. SPEAKER *in the Chair*]

SHRI NAMBIAR : Free for all, at 6-30. Sir, I move the following Resolution :

"In view of the serious situation created by the policy of victimisation that is being pursued by the Central Government following the one-day token strike by the Central Government employees on the 19th September, 1968, resulting in the removal from service, launching prosecution against, issue of suspension orders on and issue of orders effecting break in service of a very large number of Central Government employees, this House is of opinion that a serious threat has arisen to the smooth and efficient functioning of the Central services spread all over India in the prevailing

[Sri Nambiar]

atmosphere of tension and bitterness among the employees and recommends that all the above acts of victimisation be withdrawn forthwith and normalcy be restored."

At the beginning of my speech I would like to bring to the notice of the House that we in India had agreed to the International Labour Organisation's decision, which is enshrined in Article 863 which reads as under.

The Freedom of Association and protection of the right to organise convention 1948, art. 8:

"(1) In exercising the rights provided for in this section, workers and employers and their respective organisations like other persons...shall respect the law of the land;

"(2) The law of the land shall not be such as to impair, nor shall it be so applied as to impair the guarantees provided for in this section."

It is found in the footnote that the role that India played in connection with this convention is significant. As a compromise, the Indian Government member withdrew his amendment and proposed in its place, the following new article :

"(1) In exercise of the rights provided for in this convention, workers and employers' organisations shall respect the law of the land;

"(2) The law of the land shall not be such as to impair, nor shall it be so interpreted as to impair the guarantees provided for in this convention."

This was agreed to by our representative in the ILO, and it is evident that India is a party to the agreement that the fundamental right of labour to organise and carry on with the legitimate right to strikes etc. should be allowed and should not be impaired. That is the meaning and spirit of this article.

But what is the result of the 19 Septem-

ber strike? How far has our Government respected this convention? How far have they violated this accepted convention of ILO can be seen from the victimisations that have been perpetrated. Figures which I shall quote will convince you about the extent to which victimisations have taken place for the so-called offence of the exercise of the right which is guaranteed, which was agreed to by our own representative in ILO. These are the figures I could collect:

Northern Railway : Suspensions 3534, terminations 3000, arrests 3,600; North Frontier Railway: suspensions 530, terminations 150, arrests 680; For the South Central Railway, I have not got the figures; Southern Railway, suspensions 250, terminations 311, arrests 264; South Eastern Railway: suspensions 452, terminations 85, arrests 397; North Eastern Railway: suspensions 700, terminations 300, arrests 700. The total on the railways is : Suspensions 5,668, terminations 1158, arrests 5793. The total now out of employment is 12,624.

On the posts and telegraphs side, the figures are : terminations 1209, arrests 4251, suspensions 3744, total : 9234.

On the audit and accounts department side, arrests 131, terminations 91, suspensions 414, total 636.

On the Civil Aviation side, break in service 3590; in Defence department, suspension 176, discharge 476. Many other smaller departments are also there which have treated the staff like this. In all, you will find that the figure is more than 20,000. Government may give some other figures. I do not mind. In fact, in their answers they have said that their figures are not complete.

From this, you will see what a calamity has been created in this country by Government breaking their own rules and accepted principles and procedures and solemn agreements to which they are a party. How will Government appear before the eyes of the international organisations, the ILO and people of the outside world that they have no respect for and of

these things. Otherwise, for exercising that right to strike, which is guaranteed not only in this country but the world over, these men would not be kept out of service.

There was another instance of a similar nature. In 1960 there was a strike which was also declared illegal by an ordinance. It was not a one-day strike, it was a general strike. When it was brought to the notice of the then Prime Minister, Pandit Nehru, that the right to strike is a legitimate right of the workers and he could not penalise them for exercising it, he told the departments that there should not be any victimisation, and within a minute there was a clean slate.

MR. SPEAKER : He may continue on the next occasion.

SHRI S. M. BANERJEE (Kanpur) : He may also start and continue next time if you agree.

MR. SPEAKER : No question of continuing next time. It may be over in 10, 15 minutes.

18.22 hrs.

DISCUSSION RE; NON-IMPLEMENTATION OF ASSURANCES GIVEN DURING DEBATE ON DELHI PREMISES (REQUISITION AND EVICTION) AMENDMENT BILL

MR. SPEAKER : We will now take the discussion under Rule 193. Shri Sambhali.

श्री इस्हाक साहब (अमरोहा) : स्पीकर साहब, मुझे बड़े दुःख के साथ आज यह डिस्कशन आपके सामने शुरू करना पड़ रहा है। हमारे पालियामेंटरी सिस्टम में कुछ ट्रेडिंशंस हैं कुछ ससयियवें हैं जिनको कि हम निभाते हैं। पालियामेंटरी सिस्टम में एक बहुत महम चीज नवर्नमेंट के ऐश्योरेंसज होते हैं जो कि हाउस में दिये जाते हैं। मुझे अफसोस है कि गाडगिल ऐश्योरेंस के बारे में शायद न जाने कितनी बर्तबा इस हाउस में अर्चा हुई और न जाने कितनी बर्तबा इसके बारे में रिप्रेजेंटेशंस प्राये लेकिन हमारी सरकार ने न जाने गाडगिल ऐश्योरेंस को कितनी बेमानी चीज समझ ली कि जिस पर कोई गौर नहीं किया गया।

स्पीकर साहब, मैं अजं करना चाहता हूँ कि यह गाडगिल ऐश्योरेंस क्या था ? 29

सितम्बर 1951 को हमारे भूतपूर्व मंत्री श्री एन० वी० गाडगिल ने यहां एक ऐश्योरेंस दिया जिसमें उन्होंने यह कहा था कि जो इन्स्टीट्यूट परसन्स इंडिया की तकसीम के बाब यहां पर प्राये हैं और उन्होंने जो कुछ कन्ट्रक्शन कर लिया है और वह जहां कहीं बँठ गये हैं तो उनको नहीं उजाड़ा जायगा उनको नहीं हटाया जायगा। उनके अलफाज यह हैं :

"... any building or part of a building on such land before the 15th August, 1950, such persons shall not be evicted."

यह उन्होंने अपने भाषण में कहा है। गाडगिल ऐश्योरेंस विलकुल साफ है। प्राये चल कर जो चीजें कही गयी हैं उनमें भी यह बतलाया गया है कि अगर कोई प्लान हो और उसकी वजह से उनको हटाना तो यह बात बहुत साफ तौर पर कही गयी है और मैं चाहता हूँ कि जरा आप उस पर गौर करें :

"Where eviction is necessary, alternative accommodation should be provided on developed land and as far as practicable near the place of business/employment of the displaced person."

इक्विवेशन अगर कहीं निहायत ही जरूरी हो तो यह शर्त बतलाई गई है। गाडगिल ऐश्योरेंस आने के बाद यहां के रंप्यूजीज ने जो लुट पीट कर प्राये थे उन्होंने एक इतमीनान का सांस लिया और उनको यह उम्मीद हुई कि अब यहां पर हम अपनी जगह पर बस सकेंगे, अपनी जगह पर रह सकेंगे लेकिन मालूम नहीं कि हमारी सरकार की क्या मेहरबानी थी कि गाडगिल साहब के ऐश्योरेंस को भुला दिया गया। जो मास्टर प्लान बनाने के लिए प्रपोजस्त नये हमारे चीफ कमिश्नर साहब ने जिनका कि मैं नाम नहीं लेना चाहता, जो उस वक्त यहां चीफ कमिश्नर थे, बहुतपुराने सीनियर आई० सी० एस० थे, मैं तो समझता हूँ कि वह बहुत ही टिपिकल आई० सी० एस० अफसर थे, उन्होंने उस ऐश्योरेंस को मास्टर प्लान बनाने वालों