

1 व० 5 बाने में बाबल मिलता है। हमारे चीफ़ मिनिसटर ने बाबा किया था इस लिये हम बाबल दे रहे हैं लेकिन हम को उस के बदले में कुछ तो दो। गेहूँ दो, ज्वार दो। हम मुक्त तो नहीं मांग रहे हैं बाख़िर 1 लाख 50 हजार टन हम भी तो दे रहे हैं। हमारी डिमांड शूगर की 12 हजार टन की हर महीने की है। हमारे पास शूगर होती है लेकिन उस को एक्स्पॉर्ट किया जाता है। हमारे यहां शहर होती है लेकिन हमारे ही यहां बह प्राप्ति कर दी गई है। इतनी कमी तो नहीं होनी चाहिये। हमारा हिस्सा तो हम को मिलना चाहिये।

फूड एंड एग्रिकल्चर को प्राप रखने है। मे समझती हू कि एग्रिकल्चर नहीं है प्रम फूड ही रह गई है। एग्रिकल्चर का मतलब होता है घर में तमाम सामान रहना खोई बनाना। फूड होता है टेबल पर मजाना। प्रापने एग्रिकल्चर को छोड़ दिया है और फूड को ही पकड़ लिया है। प्रापने कारपोरेशन बनाई है और चारह हजार लोग उस में भरनी किए हैं—

अध्यक्ष महोदय : माननीय सदस्या प्रना भावग कल जारी रखें। प्रब हाफ़ एन प्रावर लिया जाएगा।

17.31 hrs.

#### \*RETRENCHMENT IN FOREIGN OIL COMPANIES

Shri Umanath (Pudukkottai): Mr. Speaker, Sir, the retrenchment in the foreign oil companies has been going headlong since 1960. So far 9,000 employees have been retrenched and many more are to be axed. Ever since the Damle Committee imposed

a slight restriction on the loot of these oil companies, they have resorted to this retrenchment as a way to restore their pre-Damle committee super profits. It goes without saying that it is the Government's responsibility to ban retrenchment as part of their responsibility to prevent the companies' attempts to circumvent the Damle committee's restriction on their super profits but the Government has utterly failed in this regard. Now an enquiry commission has been appointed by the Government. Does this Commission help to resolve this dispute? According to me the appointment of this commission does not at all help to resolve this dispute. What are the crucial issues involved in this dispute? According to me, they are two. One is whether the business and financial conditions of these companies warrant the creation of any redundancy of labour; if not, how to ensure job security against the onslaught of the foreign oil companies? The second issue is, how to compel the management to stop retrenchment during the pendency of the determination of the main dispute? Let us take the question of maintaining the status quo during the pendency. It is a sorry tale of the foreign oil companies defying their own assurances, defying the union, defying the government and defying the labour relations. In short it is perpetrating humiliation in this country while the Government just kept looking on, putting up an appearance of helplessness. In 1965, when the first tripartite to ensure job security was appointed, Shri Sanjivayya assured this House that status quo would be maintained. The companies trampled under foot this assurance and went on retrenching people. Then again in October 1966, when the Labour Commissioner of West Bengal fixed the conciliation for the 17th of that month, these companies assured that status quo would be maintained and got extension of that date upto the 20th. But before the con-

[Shri Umanath]

ciliation date, when the employees went on puja holidays, the Calcutta Caltex defied their assurance and emptied their offices and rendered all the employees surplus. It is now nine months since when these employees are sitting in these offices, round the clock, without any relief. Then again when the recent tripartite was fixed by the Labour Commissioner on the 28th April, the Deputy Director of the Labour Ministry wrote to the three companies to maintain the status quo pending tripartite meetings. That was also defied by the companies and they carried out retrenchment. Now that the Government had appointed this Commission, does it ensure the maintenance of the status quo during the pendency of this enquiry commission's investigation at least? No, it does not. In reply to my question on the 5th of this month, that is, after the appointment of the Commission Shri Hathi stated that the companies have rejected his proposal for maintenance of the status quo. Nor can this enquiry commission compel the management to maintain the status quo since it has no force or power to pass such an order. The result will be this. The result will be that before the commission completes its work the companies will complete their work of retrenchment schemes. I know that Mr Hathi would say that if the workers had accepted a national tribunal, they could have been legally protected during pendency. Yes. They would have been legally protected during the pendency, but would have been legally retrenched in the final award, since an industrial tribunal cannot take cognisance of the wider aspects of job security and computerisation. So, it was to avert all these disasters that the union representatives accepted Mr. Hathi's own proposal for the appointment of a court of enquiry under the Industrial Disputes Act which has power to examine witnesses, compel production of documents and to pass binding, legal interim orders or final orders.

But for reasons best known to themselves the Government backed out of this commitment on the plea that it requires the concurrence of the State Governments.

Our Petroleum Ministry, being the blue-boy of the foreign oil companies, the foreign oil interests must have asked them to stop this move, and the Petroleum Ministry must have pressurised the Labour Ministry, in view of which they must have backed out of their original proposal or commitment. Where is the difficulty in getting concurrence from the State Governments for the appointment of a court of enquiry? The non-Congress governments would have concurred. I want to know from the hon. Labour Minister, which is the Congress government, Congress Ministry, which favoured the foreign oil companies by refusing to concur on this question which is to protect our own Indian workmen. I want the Government to tell this House as to how, in these circumstances, Government propose to compel the companies (1) to keep all schemes of retrenchment in abeyance during the pendency, and (2) to see that the Calcutta office of Caltex is revived and the employees are given work. Otherwise, let them admit frankly that the Indian Constitution, the Indian Parliament and the Indian labour laws cannot protect the Indian worker from the attacks of the foreign oil companies and that the workmen must meekly submit to the dictates of the foreign oil companies to retrench them.

Now, I come to the second main question. In fact, that is the main question. Is this Commission going to determine as to how to ensure job security in the oil companies? No, Sir. It is not. If it is meant to ensure job security, then the question to be referred to that Commission will be, not the determination of the extent of surplus, not the reason for the surplus, and not the method of disposal

of the surplus, but whether the companies' business and financial conditions justify the creation of any redundancy at all, and if not, then, how to re-employ those unjustly retrenched, and how to ensure job security in future. This is the issue that should be referred to the Commission.

Let us see how the first Tripartite saw the issue. The first Tripartite appointed by the Government formulated the issue thus: in their report, they said:

"In particular, the representatives of the Burmah Shell Oil Co., held that in view of the competitive position of the oil companies, low profits, reduced sales and grim future prospects of business, the company was faced with the problem of reducing the number of surplus employees. The representatives of the other companies endorsed these views."

The Minister of Petroleum and Chemicals—it was Shri Humayun Kabir then—

"however, discounted the pessimistic outlook of the oil companies' representatives and said that on the basis of the profits earned by the oil companies in the past years, their trade prospects were encouraging

In view of the divergence of views expressed by the representatives of the oil companies and their employees' organisations, it was agreed that a tripartite committee be appointed to look into the whole problem of job security . . ."

That is the whole issue, as far as this matter is concerned. And what was the finding? I want to focus the issue of finding. I quote from para 7.12 of the Committee which says:

"While it is not the function nor the intention of this commit-

tee to probe into the method of calculation of the profits revealed in the balance-sheets of the companies, the Committee is satisfied that the financial soundness of these companies is not in doubt and that they are certainly not in such sore straits as to have to retrench/reduce their staff and jeopardise their job security."

Now, the company is lying when it said that the entry of public sector. . .

Mr. Speaker: The hon. Member's time is up. It is a warning bell; you go ahead.

Shri Umanath: I want a minimum of 15 minutes. The normal time is 15 minutes. I have seen Members being given 20 minutes and sometimes 25 minutes also.

Mr. Speaker: 10 minutes is the normal time; otherwise, the other Members will not be able to get a chance.

Shri Umanath: The others will be able to get their chance. I will finish in the normal time

Mr. Speaker: If they exceed by one or two minutes, how can I help? You will also exceed the time now.

Shri Umanath: Now I was saying that the company is lying when it said that the entry of the public sector IOC into the field has affected its profits and business profits. Because, the company, in its newsletter says as follows: I am quoting from the company's newsletter dated 14th April, 1987, last para:

"With increasing demand for petroleum products—industry sales in 1986 of 250,000 barrels per day are expected to rise to 659,000 barrels per day by 1975—we believe that in this large potential market, there is adequate scope for growth of both the public and private sector. It is with this in view that we look hopefully to improve our marketing and refinery performance in 1987 and."

[Shri Umanath]

our profitability in the years ahead."

That is their own assessment. So, was this issue of justifiability or otherwise, of creation of redundancy and the method of job security referred to the Commission? No, Sir. On the other hand, the first issue was like this I am quoting from the Government's own terms of reference:

"The number of surplus workmen on the rolls of Burmah-Shell Oil Storage and Distribution Company of India, Limited, ESSO Standard Eastern Limited and Caltex (India) Limited as on the 1st January, 1965, 1966 and 1967."

This means, the Commission is asked to take the redundancy and surpluses for granted, asked to find out from the companies' rolls as to how many are the surpluses and then determine whether the method of disposal of surpluses are justified.

Take the second issue:

"The reasons for the said workmen becoming surplus and in particular the extent to which they became surplus as a result of . . ."

Then the Government gives five methods for workmen becoming surplus. After referring to that issue, the commission is asked to find out the reasons for redundancy, but even here the commission is not asked to determine whether the company's business and financial conditions warrant the creation of surpluses for those reasons. Even while asking the commission to calculate the surplus on company's rolls, the period 1960 to 1965 is excluded, when 3600 employees were retrenched.

The Government, instead of creating a machinery for ensuring job security, has created a machinery to legalise the criminal conduct of the foreign oil companies. I do not be-

lieve that Mr. Hathi had anything to do with these terms of reference. Whoever has drafted these terms of reference has done so with the full knowledge that he was serving the interests, not of the nation, not of the Indian employees, but of the wretched foreign oil companies. The whole terms of reference must be scrapped.

In conclusion, I would like to bring to the notice of the House and of the Government that before the terms of reference were finalised, certain terms were suggested by the Petroleum Workers' Federation. The terms suggested were as follows:

What are the measures of rationalisation, reorganisation, mechanisation, automation etc. which were introduced by the foreign oil companies?

How were the various measures introduced? What was the need and how far such measures can be justified? How can work be restored to those rendered or are being rendered idle? What measures should be taken to ensure job security in the companies? These were the terms given to help the Government so that there may not be any mistake and the Government may not be misled in this matter. But they were completely left out.

The Government must tell the House how they propose to get the management keep all schemes including early voluntary retirement scheme in abeyance. The records and other things taken from the Calcutta office must be brought back and work must be given. Mr. Hathi was good enough to agree with the West Bengal Labour Minister that this was a just demand. Either the Government must compel the management to do this or move the Petroleum Ministry to absorb all the 95 employees of the Calcutta Caltex Office in the IOC, treating the same as alternate employment, without affecting existing

salary and as permanent hands without probation. Thirdly, the Commission must be armed with additional powers to examine witnesses, compel production of documents and to pass binding interim orders. Fourthly, Government must substitute the present terms of reference with the ones given by the Petroleum Workers' Federation or let the minister sit jointly with the representatives of the union and draft a fresh set of terms of reference. If these steps are not taken, I seriously apprehend that the employees' representatives may dissociate themselves from the Commission. Ultimately, a permanent solution lies in the Government taking over the entire oil industry.

Shri D. C. Sharma (Gurdaspur): May I know what prevents Government from nationalising the oil industry in this country, so that there may not be any talk about retrenchment in Calcutta or anywhere else by Burmah-Shell or Esso or any other company? May I also know how much profit Burmah-Shell, Esso and other foreign oil companies have been able to remit out of India during the last three years and whether the profit they have remitted does not mean that there is no need for retrenchment of these workers?

श्री कंवर लाल गुप्ता (दिल्ली सदर) : अध्यक्ष महोदय, विदेशी तेल कंपनियों द्वारा प्राटोमेशन और रेशननाइजेशन के नाम पर 25,000 कर्मचारियों में से लगभग 9,000 कर्मचारियों को अभी तक निकाला गया है। अभी भी यह सिलसिला जारी है। उन को बुला कर जबबंदी तन्बाह दे दी जाती है और उन की छुट्टी कर दी जाती है। बहुत से कर्मचारियों को बगैर काम के बिठा दिया जाता है। कुछ लोगों को मेन्टल टार्चर दिया जाता है, उन को ऐसे काम दिये जाते हैं जो वे नहीं कर सकते हैं। इस तरह उन पर दबाव डाला जा रहा है। इस के प्रतिरिक्त सरकार ने

जो भी एम्बेयरी कमेटी या कमीशन बिठाया है, कारेन प्रायस कम्पनीज ने उन की किसी भी रीकमेंडेशन को नहीं माना है। मैं यह जानना चाहता हूँ कि सरकार ऐसे कौन से कदम उठाना चाहती है कौन सी पावर अपने हाथ में लेना चाहती है, जिस से जरिये वह इन कम्पनीज से इस कमीशन की ग्रीव-मेंटेशन को मनवा सके। ये कम्पनीज अपने कर्मचारियों को मेन्टल टार्चर करती है और उनकी रिट्रिब्यूट करती है और इस को "बाल्टरी" कहती है, इस को रोकने के लिए सरकार कौन से कदम उठाना चाहती है। मैं यह भी मांग करता हूँ कि इस कमीशन के बजाये एक कोर्ट आफ एम्बेयरी नियुक्त की जाये क्योंकि इन कर्मचारियों को 1963 से कोर्ट इन्कीमेंट नहीं मिली है, ताकि वह अपनी इन्टरिम रिपोर्ट दे और इन कर्मचारियों का महंगाई भत्ता वगैरह बढ़ाया जा सके। इस मिलने में सरकार क्या कार्रवाई करना चाहती है। जो लोग हटाए गये हैं या हटाए जा रहे हैं वे सब एक्म-पीरियस्ड हैं। उन को इन्डियन प्रायस कम्पनी में क्यों नहीं लगाया जाता है और इस बारे में उन को थ्रिफरेस क्यों नहीं दी जाती है?

Shri H. N. Mukerjee (Calcutta North East): I would like to know from the Minister if Government intends to truckle down to the attitude of the foreign big money industrialists in oil who are flouting the recommendations of the Damle Committee and the Talukdar Committee in regard to reducing the remuneration of top officials and also their expenditure over the London office? They are throwing out our own people and they are refusing to implement these recommendations. I would like to know if Government finds itself compelled to truckle down to this very crucial demand? I would like also to know whether the 95 Calcutta employees, to whom a reference has been made, who were pushed out by very peculiar methods—during the Puja holidays last year like a thief in

[Shri. H. N. Mukerjee]-

the night the company people entered the office and removed all furniture etc., so that when the office reopened and the clerks and others came they found that there was no place to work and they were told that they were dismissed; the Government was told about it and the Government showed its sympathy for the clerks and other people—and who have been on a sit-in-strike for the last nine months and are continuing to do so, cannot be absorbed in the IOC? They are wanting to be absorbed in the IOC? Is it impossible for Government to do something for these 95 people who have been pushed out by the company in a most blatant and brutal manner? Are we going to truckle down to this kind of thing?

Shri K. N. Pandey (Padrauna): May I know what was the difficulty before the Ministry that they preferred to refer this matter to a Commission instead of referring it to a Tribunal so that something could be decided immediately?

श्री जार्ज फरेनेडीज (बम्बई दक्षिण).  
अध्यक्ष महोदय, ये तेल कम्पनियाँ घाटो-  
भेशन का इस्तेमाल तो कर रही हैं जिस  
से कम लोगों को काम पर रखा जाये लेकिन  
वे दूसरे कई किस्म के तीर-तरीकों का इस्ते-  
माल भी कर रही हैं जिन में से दो हैं कंट्रैक्ट  
लेबर और कैजुअल लेबर। जो काम उन  
के अपने कर्मचारी करते थे उन को हटा कर  
वे उस काम को कंट्रैक्टर के जरिये करा लेते  
हैं। अपने मजदूरों को काम से हटा कर वे  
हर किस्म के काम के लिए कैजुअल लेबर भी  
भर्ती कर लेते हैं। सरकार ने जो गोखले  
कमीशन नियुक्त किया है वह इन  
तमाम मतलों पर विचार करेगा। मंत्री  
महोदय से मेरा प्रश्न है कि जहाँ जहाँ  
कान्ट्रैक्ट लेबर—यह तेल कंपनियों में आप को  
देखने को मिलेगा और जहाँ जहाँ कैजुअल लेबर

देखने को मिलेगा इन दो मतलों को ध्यान  
करके उन कर्मचारियों को कम्पनी के ही  
मस्टर पर लाने की कार्यवाही वह ट्रिब्यूनल  
के द्वारा या और किसी तरीके से करने के  
लिए तैयार है क्या ?

Shri Vasudevan Nair (Peermade):  
We have so many commissions and  
committees and there is no end to it  
that it seems that this is a govern-  
ment of committees and commissions.  
The management turned their back  
on the Mehta Committee and tripar-  
tite committee recommendations and  
nothing happened. I should like to  
know that if at all this commission  
makes some good recommendations,  
would Government propose to give  
legal sanction to the proposals for the  
protection of the rights of the work-  
ers? Have they considered this mat-  
ter? Are they going to take any steps  
towards that end?

The Minister of Labour and Reha-  
bilitation (Shri Hathi): Mr. Speaker,  
Sir, I have heard the speech of Shri  
Umanath. I was rather surprised that  
he blamed the Government, the Pet-  
roleum Minister and that he thought  
that they had brought pressure on  
the Labour Ministry and that the in-  
tention of the Labour Ministry in  
appointing a Commission of Inquiry  
and not a court of inquiry was to sup-  
port or help the foreign oil compan-  
ies. I have met the workers more  
than half a dozen times and also some  
Members of Parliament and I may  
say that I tried to persuade the work-  
ers that this matter should be refer-  
red to a national tribunal and not a  
Court of Inquiry or Commission. Shri  
K. N. Pandey has just now asked what  
is the difficulty in doing that. I may  
say that the difficulty was, while my  
idea or intention was to try to accom-  
modate the representatives of the  
workers, they objected to the appoint-  
ment of a national tribunal because  
they wanted some inquiry to be made  
into it. This I may say even at the  
cost of being said that I am being

pressurised by the workers, as I do not mind being blamed, because I am inclined to help the weaker section of the society, that is, the workers and I am not at all afraid of being blamed that I am being pressurised by the workers. Anyway, I may say that in this case it is not referred to a tribunal because the workers wanted, rather they were eager, to have a court of inquiry.

Now Shri Umanath asks: what was wrong in appointing a court of inquiry? I am not going into the history of the case. I know that this voluntary retirement scheme has many evils that it is not, I have been told by the workers, really a voluntary retirement scheme. It is made to look voluntary and that the workers are made to retire. I think there is much substance in what they say.

Then Shri Umanath asked a question which Congress or non-Congress Government would have opposed the court of inquiry, meaning thereby that the non-Congress Governments would have all supported or concurred in the proposal of the Central Government in appointing a court of inquiry. But he wants to suggest that which of the Congress Governments would not have concurred in the Central Government's proposal to appoint a court of inquiry. Now, Shri Umanath perhaps wants thereby to suggest that Congress governments want to support the foreign oil companies, and therefore they would have objected. While the non-Congress governments would have readily agreed to that I think, this is what he wanted to convey. The whole idea of Shri Umanath is based on a wrong conception. He thinks that the court of inquiry under the Industrial Disputes Act could be appointed by the Government of India if the State Governments agreed. This seems to be his idea.

Shri Umanath: That is what you told me.

Shri Hath: Yes. When the first request was made that a court of in-

quiry be appointed, I said that if it is possible we shall do it.

Shri Umanath: You proposed it in the tripartite meeting.

Shri Hath: Yes. But then the court of inquiry can be appointed only by the appropriate government and the appropriate government for this trade is the government where this trade is carried on. Thus, it may be Calcutta if it is the Caltex Company. The West Bengal Government is perfectly within its power to appoint a court of inquiry and do anything they like with the company.

Shri Umanath: But it is an all-India issue.

Shri Hath: Let us understand the law. You read sections 9 and 11 of the Industrial Disputes Act. If it is an all-India issue a national tribunal can be appointed and that is what I wanted to do, but there is nothing like a national court of inquiry. In a dispute between an employer and workers, it is permissible for the Central Government to appoint a national tribunal where the disputes are in different States. Then I was within my powers, I could have appointed it. But they insisted on a court of inquiry which could be appointed only by the State Government and the Central Government could not appoint it. It certainly can appoint a national tribunal which I was prepared and I am prepared to do.

Shri Umanath: But you told me that a court of inquiry can be appointed by the Central Government with the concurrence of the States.

Shri Hath: But that is not the law. What is the meaning of your saying that I told you this? If the law does not permit it, what is the meaning of that? I did not say that.

Shri Kanwar Lal Gupta: You have changed your stand.

Shri Hath: No.

[Shri Hathi]

Shri Mukerjee has raised the question about the Caltex employees and the dispute between the Caltex company and the employees there. It is a matter which the West Bengal Government can take up. Here, if I were to write to the West Bengal Government suggesting to them that they should do this, the difficulty would be that perhaps I might not be within my jurisdiction as the Labour Minister to do something within the State labour field. That is another aspect. But I did meet the Labour Minister

Shri S. Kandappan (Mettur): You are upholding the federal principle

Shri Hathi: But even then I met Shri Banerjee and I said that though this is within your purview, still I will use my good offices and tell the Caltex people to employ them back and do whatever they can do. But that can be only advice, it cannot be under any term of the law or any other legal order. I have conveyed that to the Caltex company.

Secondly, when this question of retrenchment was there, the workers and everybody came to me and told me that as soon as a commission or a committee is appointed we will be able to settle the matter and we shall start bi-partite talks and they also will feel that something is being done; at least appoint a committee. We have appointed the committee not because I want in any way to oblige the workers. It is not a question of obliging; it is my duty to help the workers. I appointed it because I also feel that the way in which the retrenchment is carried on it is not voluntary. I have been told so; many workers have come to me. Therefore, it is not at all that I am going out of the way or doing anything which I should not have done. I am doing it because I should have done it and I have felt myself convinced that this voluntary retirement is not really voluntary retirement. Therefore, at the tri-partite conference I also put it to them, "You give a chance to anybody who wants to retire; let anybody apply for volun-

tary retirement and make it open to everybody." They said, "Yes, we are prepared to do it. But in that case, we must be given power to transfer persons. Supposing at one place, there is no work and we want to transfer those persons to some other place, we should be allowed to transfer them." Now, the workers were not prepared to accept that also. There was some justification in what the workers said. They said that it may be because of the victimisation only that a man from Ghazabad may be transferred to Madras. They were not agreeable to that. I have nothing to say against that because it may be that there may be victimisation. Therefore, the only way out of it was to appoint a national tribunal. The court of enquiry could not be appointed because, even with the concurrence, the Law Ministry advised that it was not possible. Then, there was the question of the appointment of this commission. There, Shri Umanath asked: Will they have powers to call for documents and all those things? Under the Industrial Disputes Act, they would have all the powers of calling witnesses producing documents and all other things. Shri Umanath thinks that this commission will not have any such powers. My only quarrel with Shri Umanath is that before he makes such a statement, he should refer to the Act.

18 hrs.

Shri Umanath: You can clarify it.

Shri Hathi: I can clarify it. Even in clarification, there may be so many things which may create an impression as if a blue-eyed boy has pressurised the Labour Ministry. In this case, to say that the commission has no such powers is not true. The Commission shall have the powers of a civil court, under the Civil Procedure Code, in respect of the following matters, namely, the summoning and enforcing of attendance of any person and examining him on oath, requiring the production of any document, receiving evidence on affida-



vita, etc. etc. Not only that. In addition, the Government have given further powers of ordering search of any office and of procuring any document. If you read the last paragraph of the order, they say, all the powers mentioned in sub-section (3), (3), (4) and (5) of section 5 are also given to the commission, as a special case.

Could you say that I was surprised by the Petroleum Minister? Why should I have given powers to the commission of ordering search, if necessary? My intention is that we want to arrive at truth. Having arrived at truth, we shall see what can be done. Even then, a national tribunal may have been necessary. This House is the sole custodian of powers and they can pass any law they like. But I as a Minister cannot simply pass any order asking anybody to keep or not to keep a person when in terms of law this could be done. What this commission will do is that it will go into the reasons of rendering people surplus. There also, if you had read it carefully, it does not mean only this. It goes into various reasons as to what are the reasons that have rendered these people surplus, where the financial position could also be looked into.

Shri Umanath: But they cannot go into the justifiability of it

Shri Hathi: That is there. If you will read it properly, it says, the methods and schemes adopted by the said companies to deal with the surplus; if any of the methods adopted to deal with the surplus of workmen was not just, fair and proper...

Shri Umanath: It says, the methods to deal with the surplus; they cannot go into the justifiability of it.

Mr. Speaker: This cross-examination will not do; please conclude.

Shri Hathi: There were various questions asked by Shri Sharma about finances and all that. I am dealing

now with the employment question. All that can be found out from the report of the commission. I am sorry I have no material with me today about all that. So far as the other question of surplus is concerned, as soon as we find that the method of making voluntary retirement was not voluntary but something different, we shall certainly take adequate steps for that.

श्री कवर्लाज गुप्त : वह तो घाय पहले से भी कर रहे हैं लेकिन सवाल यह है कि आज क्या कर रहे हैं ?

श्री हाथी : जो आज करने का है, वह मैंने कहा है।

It is not possible. That is what I have said

Shri Kanwar Lal Gupta: He is showing his helplessness (Interruptions).

Shri Hathi: Under the Tribunal, something could have been done.

So far as Caltex is concerned, the West Bengal Government can take all the measures they like. (Interruption).

Shri Umanath: When a company does not care to hear you or any State Government, there must be a ban on retrenchment and it cannot be done unless some law is passed here under the Constitution. What is the use of simply saying this?

Shri Hathi: Passing of the law can be done by Parliament. I do not come in the way.

Shri Umanath: It must be done here.

Shri Hathi: Then a Bill can be brought.

Shri Umanath: You must bring.

Shri Mathi: Under the existing law, if a person is retrenched, the benefit of compensation should be given to him. That, we can compel them to do. To Shri Pandey's question, I have already replied.

Shri H. N. Mukerjee: What about absorbing those 96 people in the IOC?

Shri Mathi: I can recommend.

Mr. Speaker: The House stands adjourned till 11 a.m. tomorrow.

18.07 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, July 13, 1967/Asadha 22, 1889 (Saka).