

[श्री डॉ० एम० तिवारी]

है कि 45-45 और 50-50 मिनट तक मिगनल पर खड़ी रहती है। जो बिना टिकट यात्री होते हैं वे तो वहाँ उतर ही जाते हैं। दूसरे लोग जब उनको पता होता है कि इस में एम पी वीएन कोई नहीं बैठा है तो थोड़ी बहुत गाँविया रेलवे स्टाफ को देखते हैं लेकिन अगर एम पी बैठा होता है तो इतनी गाँविया देने है कि एम पी को मुह नीचे झुका लेना पड़ता है। वह कहा जाए, क्या बरे? आराम में मन लगाए, रेलवे बोर्ड काम में मन लगाए तभी काम चल सकेगा। वहाँ चलेगा कैसे? क्या होया?

ट्रेन में पानी नहीं रहना है बिजली नहीं रहती है। परसों मैं कालका में से गयी गया हूँ। फर्स्ट क्लास के डिब्बे में लाइट नहीं थी। इलहाबाद में मुगल नगर तक कार्ड ला - नहीं थी। कार्ड हम लाय जानवर तो है नहीं कि इन तह में आप व्यवस्था करे। यह एक इम्पार्टेंट मेल ट्रेन की जाना थी खाना बिना लाइट के खाए तो कैसे खाए। बहुत से लोगों ने खाना नहीं खाया। प्लेटफार्म पर बैठ कर उसकी लाइट में क्या खाना खाया जा सकता है। क्या लाइट नहीं हो सकती ट्रेन में? आप कहते हैं कि कभी कभी ऐसा हो जाता है। लेकिन मेरा गाब तो सरकार ऐसा होता है। शायद मैं ऐसा बदकिस्मत हूँ जिसे के साथ ऐसा होना है।

समाप्ति सहोदय आप मंगली दफा अपना भाषण जारी रखे।

17.00 hrs

DISCUSSION RE. CURRENT STRIKE SITUATION IN RAILWAYS

MR. CHAIRMAN We will now take up the discussion under Rule 183 I would like to know how much time the House would like to devote to this discussion.

SHRI SAMAR MUKHERJEE (Howrah): This morning we insisted that the Minister should make a fresh statement. He has issued some appeal but the leaders of the All India Loco Running Association want him to make an announcement on the floor of the House so that it is binding, so, we request the minister to make a fresh statement

SHRI S M BANERJEE (Kanpur) I support what Mr. Mukherjee has said Twice this morning, once before the Speaker and again before the Deputy Minister we have pleaded that the minister should make the announcement on the floor of the House. Yesterday he made an announcement over the All India Radio There is a fear lurking in the minds of the leaders of the All India Loco Running Staff Association One or two of them have been arrested and arrest warrants under the DIR are pending against the others The minister should make an announcement here that the leaders of this Association or the members of their action committee will not be arrested if they come here to Delhi for a negotiated settlement

SHRI NARSINGH NARAIN PANDEY (Gorakhpur) If the Railway Minister makes a statement, will Mr Banerjee agree that there is no need for any further discussion?

SHRI DINEN BHATTACHARYYA (Serampore) We will speak in support or against the statement

MR CHAIRMAN If the Minister makes a statement of course there will be no scope for a discussion

SHRI SHYAMNANDAN MISHRA (Begusarai) This discussion is to take place on the statement made by the Minister on 3rd August. The House is quite in order to ask the minister whether he wants to add something so that his statement may be up to date because the situation is developing.

Situation

SHRI B. V. NAIK (Kanara): The procedure for a discussion under Rule 193 has been clearly laid down:

"There shall be no formal motion before the House now voting. The member who has given notice may make a short statement and the minister shall reply shortly...."

So, the member has to make a short statement first and then the minister will reply.

SHRI A. K. M ISHAQUE (Bairhat): Any statement by the Minister at this stage would be superfluous.

SHRI S. M BANERJEE: I am making an appeal in all earnestness. Let my hon. friends on the other side realise that we are seriously interested in seeing that this problem is solved amicably. If you are interested in aggravating the position, we are ready to do it.... (*Interruptions*).

SHRI A. K. M ISHAQUE: You are creating trouble.

SHRI S. M. BANERJEE: **

SHRI A. K. M. ISHAQUE: Do not say** You must behave, you must maintain decorum, you must know manners at least.

SHRI S. M. BANERJEE: **

SHRI C. M. STEPHEN (Muvattupuzha): Sir, on a point of order He is repeating the term** (*Interruptions*).

SHRI S. M. BANERJEE: **

SHRI C. M. STEPHEN: Sir, what does he mean by saying**

Is it permissible to use such expressions?

17.06 hrs.

[**MR. DEPUTY-SPEAKER** in the Chair]

SHRI S. M. BANERJEE: It was far from my mind to hurt the sentiments of Shri Ishaque.... (*Interruptions*).

SHRI C. M. STEPHEN: Sir, on a point of order on what has happened here.... (*Interruptions*) It is a matter concerning the decorum, how the proceedings have to be conducted. One of our rules says that every statement in the House has got to be addressed to the Chair. The hon. Member Shri Banerjee, while speaking said** and he repeated it. Is it proper and parliamentary? Could he address the Chair, or a member through the Chair with those words? (*Interruptions*).

SHRI S. M. BANERJEE: Let me explain the position.

MR. DEPUTY-SPEAKER: I will first deal with the specific point. I think these kinds of expressions are very unfortunate. If we are to conduct the proceedings of the House, I think it is all agreed that we must discuss seriously, if necessary we might fight also very strongly but the least that can be expected of each one of us is to be respectful and polite in our language to other members. If these words were used it was most unfortunate. I do not think anybody should use that term because it provokes tempers in the House. Also it does not give a good impression outside the House that we use this kind of language. Therefore on this score these words should not go on record.

SHRI S. M. BANERJEE: Sir, I never meant any offence. I may substitute my words by saying "kindly keep quiet".

MR. DEPUTY-SPEAKER: I have understood the point. (*Interruptions*). The Minister of Parliamentary Affairs is here. Shri Pande is a new member. I would request him to tell Shri Pande that when the Chair is on its legs there is no point of order.

Now there is a discussion under rule 193. A discussion on this can be

**Expunged as ordered by the Chair.

[Mr. Deputy-Speaker]

under 199 or perhaps under rule 342 because a statement made in this House is taken into consideration. Personally I think it would have been more proper if it had been under rule 342 because it specifically says that it takes notice of the statement made by a Minister. The statement has already been made. If there is a fresh statement made here then I think the discussion would be ruled out because it would be a discussion on a new statement.

SHRI SHYAMNANDAN MISHRA.
He can make the old statement up to date.

MR. DEPUTY-SPEAKER: I am more than sure that the Minister will come forward with statement. I am sure he will come forth with something.

THE MINISTER OF RAILWAYS (SHRI L. N. MISHRA) I will be benefited by the advice of the hon Members and then I will reply to the debate.

MR. DEPUTY-SPEAKER I support the reply of the Minister has to have some content. If the reply has no content then of course it is a new thing that we shall be experiencing. I am sure that the content of reply of the Minister will be with reference to the questions that the members have raised.

You are quite free to raise these questions during the course of the discussion. Why hurry for a statement now? Why not wait for an hour? The heavens are not going to fall.

Shri Ramavatar Shastri:

श्री रामावतार शास्त्री (पटना) उपाध्यक्ष महोदय, लोको रनिंग स्टाफ द्वारा सामूहिक छुट्टी लेने की वजह से 2 अग्ररू. से देश के अन्धर ट्रेनों के आवागमन में काफ़ी कठिनाई पैदा हो गई है। बहुत सारी गाड़ियों को रद्द किया

जा चुका है और यह स्थिति दिन-पर-दिन बिगड़ती जा रही है। यात्रियों को तो कठिनाई हो ही रही है, देश के कोने-कोने से गल्ला या दूसरा आवश्यक सामान पहुंचाने में भी कठिनाई हो रही है। हम सभी चाहते हैं इन कठिनाइयों को दूर किया जाये और हम के भी जवबा लोको रनिंग स्टाफ के मजदूर चाहते हैं कि शान्ति के साथ रेल का काम चले। लेकिन अफसोस की बात है कि सरकार के लोग, रेलवे बोर्ड के लोग इस बात की व्यवस्था करने में समर्थ नहीं हो सके हैं।

3 ता० को जब मंत्री महोदय ने अपना बयान दिया तो उन की सामूहिक छुट्टी को रैर-कानूनी हड़ताल घोषित करते हुए उन्होंने उस दिन कहा था कि लोको रनिंग स्टाफ के लोगों ने अपनी मांगों के सम्बन्ध में, अपनी कठिनाइयों के सम्बन्ध में कोई भी सूचना रेलवे मंत्रालय को, रेलवे बोर्ड को नहीं दी। उन्होंने यह भी कहा था कि पाच मिनट की सूचना भी इन्होंने नहीं दी। मैंने इस बात का पता लगाया और मैं इस नतीजे पर पहुंचा हू कि इस तरह का बयान रेल मंत्री को नहीं देना चाहिये था, यह बयान गलत था, इन की गलत बातें रेलवे बोर्ड के लोगों ने बताईं।

मैं इस मिलजुल में आप को बतलाना चाहता हू कि धाल इण्डिया लोको रनिंग स्टाफ की तरफ से रेलवे प्रशासन को 22-10-72, 24-3-73, 8-4-73, 26-4-73, 6-7-73, 27-7-73—इन तमाम तारीखों को उन लोगों ने अपनी 6-सूत्री मांगों के सम्बन्ध में ज्ञापन दिया, मैमोरेण्डम दिया और निवेदन किया कि आप 1967 से बायदा करते आ रहे हैं, जब पुनाचा साहब रेल मंत्री थे, उस समय से बायदा करते आ रहे हैं कि आप की कठिनाइयां दूर होंगी, लेकिन आज तक कुछ नहीं किया गया, उस्ता जब जब भी हम ने आप की बातों को मानकर अपना आन्दोलन स्थगित किया, आप ने हवाई सर्विसों को मानने

के बचाव दमन का डंडा चलाया, लोगों को बिरफ्तार किया, नीकरी से मुछलिया किया, दूसरी तरह की सजाए दी, नीकरी से हटाया, जिले भी हथकण्डे दमन के हो सकते हैं इस रेलवे बोर्ड के मेम्बरान ने, सरकार ने लोको रनिंग स्टाफ और हिन्दुस्तान के दूसरे तमाम रेल मजदूरों पर चलाये। स्वयं-देख की प्रधान मंत्री ने 12-7-68 को प्रैस बवान के जरिये लोको रनिंग स्टाफ के लोगों से निवेदन किया था कि आप धान्दोलन बन्द करे, सरकार आप की मांगों पर विचार करेगी। इतना ही नहीं जब तक मई की हड़ताल हुई तो उस के बाद आश्वासन दिया गया था 8 जून को कि कोई कार्यवाही नहीं की जायेगी, आपकी मांगों पर हमदर्दी से विचार करेगे। पाई साहब ने भी यहाँ आश्वासन दिया था, जब सदर्न रेलवे के मजदूरों ने हड़ताल की थी, कि आप की मांगों पर विचार किया जायेगा, और कोई कार्यवाही नहीं होगी। इस प्रकार माननीय परिमल घोष श्री हनु-मन्तैया, सब ने आश्वासन दिये, मैं बतारीख बता सकता हूँ, लेकिन किमी भी मंत्री के आश्वासन पर भ्रमल नहीं किया गया। रेलवे बोर्ड के अधिकारियों के कहने पर तमाम रेल मंत्री काम करते रहे और मजदूरों पर हमले करते रहे। और इस धान्दोलन के दौरान भी अब तक 150 से अधिक लोगों को भारत सुरक्षा कानून के अन्तर्गत गिरफ्तार किया जा चुका है और सैकड़ों लोगों के खिलाफ गिरफ्तारी के वारन्ट है।

कहा जाता है कि मजदूर देश के प्रति बफादार नहीं हैं। सब ने बड़े बफादार रेलवे बोर्ड के नीकरशाह हैं। ये जब से यहाँ बैठे हैं तब से रेलवे के अन्दर गोलमाल गड़बड़ी पैदा कर रहे हैं, तो यह सब से बड़े देशभक्त हैं। एक बार स्वयं रेलवे बोर्ड के एक मेम्बर ने मुझ से कहा शास्त्री जी देशभक्ति का लफाजा है कि रेलगाड़ियाँ चलनी चाहियें। मैंने कहा शास्त्री जी की यह

मन्क मत सिखलाइये, स्वयं आप सीखिये और देखिये कि आप क्या कर रहे हैं। सर्वत्र गड़बड़ी हो रही है, स्टेशन भास्टनों का धान्दोलन था, उन के माय क्या हुआ। उन को सर्वत्र से ब्रेक हो गया।

भाज जो गड़बड़ो हो रही है वह कर्मचारियों की 6-सूची मांग ले कर हो रही है। पहली मांग उन की यह है कि डी० घाई० प्रार०, एम० घाई० एस० ए०, ए०० ए०० ए०० ए०० की जो कायदाही है उस को रद्द कीजिये। सस्पेशन घाईंस और नीकरी से हटाने के घाईंस रद्द कीजिये। ट्रांसफर कर देते हैं और दूसरी तरह से सताते हैं, ये तमाम कार्यवाहियाँ बन्द कीजिये।

दूसरी मांग उन की यह है, लोको रनिंग स्टाफ का यह बहुत पुराना झगडा है, और बड़ी महत्वपूर्ण बात है, कि 8 घंटे से ज्यादा काम मत लीजिये। बारबार आप ने वायदा किया लेकिन आज तक उसकी पूर्ति नहीं हुई।

तीसरी मांग यह है कि माइलेज के सबाल पर उनके माघ न्याय नहीं किया जा रहा उम में वह परिवर्तन चाहते हैं, इस बात को वह कहते हैं।

चौथी मांग है कि ममान काम के निये ममान वेतन मिलना चाहिये, और ए और बी केटेगरी के शटर और फायरमैन में जो तफरका है उम को निकालिये। दोनों बराबर काम करते हैं लेकिन ननकवाह अलग अलग है। यह ममाजवाद नहीं है।

उन की मांग है कि सभी स्तर पर उन की यूनियन्म में बातचीत कीजिये। उन की ताकत का तो अदाज लग गया। अर्मा जी की ताकत कहा गई, आल इण्डिया रेलवे-मैन फ़ेडरेशन की ताकत कहा गई, एन० एफ० घाई० प्रार० की ताकत कहा गई। मंत्री जी समय घा गया है जब अर्मा जी की यूनियन की रिक्लीजन को गिन लीजिये,

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इन को रिकग्नाइज होने का कोई अधिकार नहीं है। मजदूरों का विश्वास इन पर नहीं है। उन का विश्वास है लोको रनिंग स्टाफ ऐनोसियेशन, आल इण्डिया स्टेशन मास्टर ऐसोसियेशन तथा दूसरी तमाम कैटेगरीज की यूनियन में विश्वास है। आल इण्डिया रेलवे ऐम्प्लोईज यूनियन पर उनका विश्वास है। बाका लोगों पर नहीं है। दोनों कैटेगरीज के नेताओं ने और फर्नांडीज साहब ने उदाहृत कर रहे हैं। मझे माननीय दण्ड्यते हम से कह रहे थे कि तुम तो सरकार के खेम में हो। कौन किम के खेम में है यह सब को पता लग गया।

इमलिये मेरा निवेदन है कि मजदूरों की मांगों पर रूझदण में विचार काजिये और उन के साथ बात कीजिये। जो बयान आप ने प्रेस में दिया उस का पढ़ना चाहता हूँ, और साथ साथ आल इण्डिया लोको रनिंग स्टाफ ऐनोसियेशन के अध्यक्ष एम० आर० मभापाति के दो तार मैं आप के नामने उद्धत करना चाहूँगा, और अन्त में वृत्त कि आप को क्या करना चाहिये ताकि यह जो अवस्था है, जिसकी जवाबदही आप पर है वह कम मिटेगी। हम और मजदूर स्वयं सहयोग देने के लिये तैयार हैं। ता में एक बयान पढ़ना चाहता हूँ जो अखबार में निकला है

“Shri S. A. Dange, General Secretary, AITUC, Shri Indrajit Gupta and Shri S. M. Banerjee, M. Ps, called on the Railway Minister, Shri L. N. Mishra, in connection with the situation arising out of the loco running staff strike.

After discussion, the Railway Minister informed the leaders that, provided the strike was called off, he was prepared to ensure immediate release of all arrested loco staff, including office-bearers of the Association in order to facilitate holding of talks with their representatives regarding their grievances.

He also stated that he stood firmly by whatever assurances he had given to the Association's leaders at the time of the earlier strike in May, 1973 and that these assurances would be implemented in letter and spirit. In this respect, status quo ante, as on 24-5-1973, would be maintained.

Shri Mishra further assured that there would be no harassment whatever of the loco staff representatives who would come to participate in the discussions which can be held within five days after the strike was withdrawn.

The leaders promised to see that the Minister's assurances were conveyed to the striking workers without delay.”

आप ने इस में कहा है कि हम तमाम अमि-येट को मानने को तैयार हैं जो पहले पर चुके हैं। मैं जानना चाहता हूँ कि मानक क्यों नहीं आप ने माना? अगर आप मानते तो यह स्थिति नहीं पैदा होती। मेरा निवेदन है कि इस परिणामों में आप सीधे आल इण्डिया लोको रनिंग स्टाफ ऐनोसियेशन के नेताओं को बुलाइए, जो जेल में है उन को छोड़िए और उन को बात करने के लिये बुलाइए और अपने प्रोपोजन्स उन के सामने रखिये तथा निवार-विमर्श करके उनकी राय लीजिये। मेरे विचार में इस हड़ताल में संबंधित लोगों पर विचार-विमर्श करने के लिये सही उत्तरदायी लोको रनिंग स्टाफ के लोग ही हो सकते हैं, इमलिये उन से बात करना जरूरी है। हम भी चाहते हैं कि गाड़ी चले, तभी तो गतिनाई पैदा होगी।

श्री भगवत शा आजाद (भारतपर क्ल जो वनहीं साहब, डांगे साहब, श्री उदरीत गुप्त रेलवे मिनिस्टर से मिले, वे किम रिपेटी में मिले थे ?

श्री राजावतार शर्माजी का भीम नेता हैं... (इंग्लिश) जो बात हुई है उस को आखिरी संकल

एक पक्षवाने के लिए आवश्यक है कि इनके नेताओं से बातचीत करना रॉन्ग स्टार के मतों से बाधका जाय। इनके साथ विवादों का बान नहीं करेगा। बात कितने के साथ करेगा? श्री जनाजी के साथ श्री पीटर प्रमोद-रिस सहित क साथ विवाद के पाषाण के नाचने में जनान खिचक रही है।

SHRI JYOTIRMOY BOSU (Diamond Harbour): I rise on a point of order. According to the order paper of the Business of the House which you have before you, it is now half-past-five and you are supposed to take up Stainless Steel sheets import scandal. I want your decision on that.

MR. DEPUTY-SPEAKER: Well, let me dispose it off since you have raised it as a point of order. I will ascertain what is the wish of the House, but, before I do that, I would like to point out that we have been honouring this rule 194(2) by convention of the House, more in the breach, than in the observance of it. Now, let me read out what the rule says. This is for future guidance, and I am not speaking particularly about him. This is what the rule says:

"The Speaker may allot two sittings in a week on which such matters may be taken up for discussion and allow such time for discussion not exceeding one hour at or before the end of the sitting, as he may consider appropriate in the circumstances."

This is what the rule says; I don't think we have ever observed this and we have taken two or three or four hours for discussions like these. In any case, I am pointing this out just for the attention of the House. Now, it is true that Mr. Bosu's subject is listed here to be taken up at 5-30 P.M. I would like to know what is the pleasure of the House, and can this be shifted to some other day...

SHRI A. P. SHARMA (Buxar): The half-an-hour discussion should be shifted to some other day.

SOME HON. MEMBERS: Yes.

SHRI JYOTIRMOY BOSU: Let it be tomorrow.

MR. DEPUTY-SPEAKER: Mr. Jyotirmoy Bosu has made a request, let it be tomorrow. I think this would be kept in mind. So, we carry on with this discussion.

SHRI JYOTIRMOY BOSU: Sir, may I say something? Monday, Wednesday and Friday are fixed days for half-an-hour discussion. If it is shifted to Wednesday, what happens? This would push off somebody else's discussion in regard to which names have been balloted already. This is a short, 27-day session and we cannot afford to lose time; we cannot miss such discussions. Therefore, what I would beg of you is, let this be taken up tomorrow. Wednesday's half-an-hour discussion may be kept as it is. I don't want to displease somebody else, Sir.....

SHRI K. S. CHAVDA (Patna): He is perfectly right, Sir... (Interruption).

MR. DEPUTY-SPEAKER: Order please. Just a minute. I think it is not healthy that any *ad hoc*, off-the-cuff decision should be taken straightaway because there must be other things also, Speaker has to see, office has got to take into consideration certain matters but this request of yours is there and it will be taken into account.

SHRI P. M. MEHTA (Bhavnagar): I have got my half-an-hour discussion on the 10th; my name was balloted as the first. This comes up on the 10th. This should not be discussed.

MR. DEPUTY-SPEAKER: I think all these things must be taken into consideration and everything possible should be done to accommodate the wishes of Members.

Shri Ramavatar Shastri may please continue.

श्री रामवतार शास्त्री मैंने एक पत्र का हवाला दिया था। उसके अनुसार मैं निवेदन कर रहा हूँ कि गिरफ्तार नेताओं को छाप छोड़ दें, उनके साथ छाप बार्ताओं के समस्या का समाधान निवाने और हम लोग छाप की मदद करेंगे तास्ता निवारने में। लेकिन उन से मिलना आवश्यक है।

मैं दूँ तीन तारे छाप के सामने पढ़ना चाहता हूँ। एक तार पाच तारीख 71 है जो श्री ए. एम. बनर्जी के नाम है। यह श्री एम. धार. सभापति, प्रेसिडेंट, झाल इंडिया लोको रनिंग स्टाफ एसोसियेशन का है।

Telegram from Shri M. R. Sabapathy, All India Loco Running Staff Association, Tiruchurapalli.

"A.I.R.F and N.F.I.R. leaders' press statement and agreement with Railway Ministry will not bind on us. Because of their betrayal we are suffering. Please raise previous and present Railway Ministers' and Prime Minister's Assurance in our demands in Parliament tomorrow. Please refer my previous telegram. Please obtain clear decision in Parliament for previous and present victimisations. Reduction of working hours and pay protection. Job guarantee to the medically de-categorise staff. Also regular negotiating facilities in future. If Minister agreed arrange negotiation with our representatives, with ministry in presence of Parliament Party Leaders. Please get assurance that our representatives will not be arrested. Anxiously awaiting your reply."

एक और तार जो छाप ही छाप है और श्री एम. एम. बनर्जी के नाम से है और लोकोरनिंग स्टाफ एसोसियेशन का है, वह भी मैं पढ़ देना चाहता हूँ।

"Loco Running Staff Association has nothing to do with recognised organisations with which Railway Minister having discussions. Agreement reached will not be honoured. Present Demands of agitation 8 Hours Work. Alternative Job with pay protection to medically unfitted staff. Stop victimisation".

"Please raise to release the arrested employees and Leaders first in the floor of Parliament. To-day, Western Railway General Secretary, Shri H.S. Chowdhry arrested at Ratlam. Without leaders how to settle. All previous and present prosecutions under D.I.R. to be withdrawn. Please enlighten these difficulties in Lok Sabha."

जिन को छापने गिरफ्तार किया है, उनको रिलीज करें, उन से वार्ता शुरू करें। छाप और हम सब की यही इच्छा है कि यह मसला हल हो। इसके लिये जरूरी है कि गिरफ्तार नेताओं को छोड़ करके उन के साथ बात चीत शुरू की जाये। अगर छाप रेलवे बोर्ड की राय से चलेंगे और ये जो नेता हैं इनकी राय से चलेंगे तो ये छाप को ले डूबेंगे। इनकी बात को छाप न मानें। इन की सलाह बराबर गलत होती है। जो नामधारी नेता हैं उन से सावधान रहें और झाल इंडिया लोको रनिंग स्टाफ एसोसियेशन के छाप मान्यता दें। अगर मान्यता नहीं दे सकते हैं तो उन को समझौता बार्ता चलाने का अधिकार दीजिये। सभी कैटेगरी की यूनिजन को मान्यता दें। झाल इंडिया रेलवे एम्प्लाइज कन्फेडरेशन को मान्यता छाप दें तब छाप की गाड़िया ठीक से चलेंगी। इन लोगों के कहने से गाड़िया नहीं चलेंगी। छाप साफ साफ एलान करें कि गिरफ्तार लोगों को छाप छोड़ते हैं और उन से समझौता बार्ता चला कर कोई रास्ता निकालने के लिए तैयार हैं।

येरा विश्वास है कि देश की संकटग्रस्त स्थिति को देखते हुए आप इन बातों पर विचार करने के इस पर अपनी राय देंगे और सही निर्णय पर पहुंचेंगे।

MR. DEPUTY-SPEAKER: Now, Shri A. P. Sharma.

SHRI JYOTIRMOY BOSU: On a point of order. I just now talked to the Secretariat and it was mentioned that the half-an-hour discussion could not be taken up this week but only on next Monday. But you know, Sir, that I went to Calcutta to bring my family. But telegraphically I was summoned, although on the trunk call I was told that the day would be shifted. I understand that if this discussion could have gone by default, it would have benefited some Members who are very powerful and influential. I understand these things. But this thing should be cleared. Are you or are you not going to take this matter up at least tomorrow or the day after?

MR. DEPUTY-SPEAKER: I think that these are very unusual things which are going on here, very serious procedural lapses which create difficulties for the Chair. In the first place, this question was taken up and it was disposed of. According to the rules, it cannot be raised again. I think it is a very wrong thing—I am sorry to say this—for the Table to pass on information to a member after the discussion has been disposed of and thus to excite him to bring it up again. A decision cannot be taken offhand like this. The Speaker has to take the decision. I have said just now that the Speaker will take the decision. These things would be conveyed to the Speaker. What the Speaker can do inside his Chamber and decide, let us not suppose, is being pre-empted by the office here or by the Table, without reference to the Speaker, which has incited Shri Jyotirmoy Bosu to come up again with submission after we have taken up something else. Shri Bosu's wishes

and what the House has decided with regard to the shifting of his discussion will be conveyed to the Speaker. Let the Speaker decide.

I think that it is a very serious thing that we should be passing information inside the Chamber and then bringing up the question again after it has been disposed of. It is a very serious procedural lapse which I hope will not be repeated.

SHRI P. M. MEHTA: I have one submission to make. My name also had been balloted along with that of my hon. friend Shri Jyotirmoy Bosu...

MR. DEPUTY-SPEAKER: He has made his submission already. All that is on record, and it will be taken into consideration. Why does he raise it again?

SHRI MADHU LIMAYE (Banka): On a point of order....

MR. DEPUTY-SPEAKER: Another point of order on what Shri A. P. Sharma is speaking? Or on what else?

श्री मधु लिमये उपाध्यक्ष महोदय, व्यवस्था का प्रश्न है। मैं भी मायं पाच बजे वाली बात उठाना चाहता हूँ। मैं आप से जानना चाहता हूँ कि किस व्यवस्था के तहत श्री शर्मा अभी बोलने जा रहे हैं। पिछले सप्ताह उस दिन कार्मिकी सदस्य समय के बड़े पाबन्द और कार्य-सूची, एजेन्डा पेपर, के मुसाम बन गये थे। जब मैं साढ़े पाच बजे दो मिनट के लिए धरना खुलासा करना चाहता था, और हालांकि साढ़े घंटे की चर्चा भेरी ही थी तो उन्होंने कहा कि साढ़े पाच बजे के बाद वे एक मैकड भी सुनने के लिए तैयार नहीं है। भेरी नीति ब्रह्मा डालने की नहीं है।

MR. DEPUTY-SPEAKER: What is the point of order?

श्री मधु लिमये: येरा पायंट आफ ऑर्डर यह है कि कार्य-सूची के अनुसार इस

[श्री मधु लिमये]

समय प्राप्ति तो होना चाहिए श्री ज्योतिबेय वसुधा, न कि श्री ए० पी० शर्मा का। लेकिन मैं शर्मा नहीं डालना चाहता हूँ। अगर आप कार्पेटी सदस्यों को यह बता दीजिये कि भविष्य में वे भी शर्मावादी न हों। मैं श्री एम० पी० शर्मा को सुनने के लिए तैयार हूँ। अब वह बोल सकते हैं।

MR. DEPUTY-SPEAKER: There is no point of order.

श्री मधु लिमये: उस दिन कैम गार्ड आफ आर्डर था? मैं इस बात के लिये तैयार हूँ कि श्री शर्मा बोलें, लेकिन भविष्य में ये लोग कार्य-सूची के गुलाम न बनें ये कार्य-सूची के गुलाम हैं।

MR. DEPUTY-SPEAKER: Let me dispose it off since Shri Madhu Limaye has raised it. As far as I understand, his point of order is 'that the order...

SHRI MADHU LIMAYE: I am not pressing it.

मैं केवल इन लोगों के तरीके आप के ध्यान में लाना चाहता था।

MR. DEPUTY-SPEAKER: Therefore, accept it. If you do not press it, let us proceed. Shri Sharma.

SHRI A. P. SHARMA: At the very outset, I would like to say that nobody in the trade union movement is more unhappy than the two recognised federations of Indian railwaymen, the National Federation of Indian Railwaymen and the All-India Railwaymen's Federation, about the situation brought about by certain interested people every now and then on the Indian railways (*Interruptions*). When I finish my speech, you Sir, the whole House and the whole country will come to know what is the reason behind all these difficulties that are being created by interested persons and parties in this country.

There are two recognised federations of railway employees in this country representing more than 70 per cent of the total railway employees. (*Interruptions*) I did not interrupt Shri Ramavatar Shastri. I request him to hear me patiently.

Apart from my federation, I do not know whether any representative of the other federation is present in the House, but I know that one of the recognised unions of the All India Railwaymen's Federation is represented mostly by the Communist Party of India which is in that federation, and it is surprising that a person like Shri Ramavatar Shastri whose habit is, of course, always to fish in troubled waters (*Interruptions*). The members of that Union, the South Eastern Railwaymen's Union is mostly represented by the AITUC which is the union of the Communist Party of India.

Now what is the representative of that party here, Shri Ramavatar Shastri, demanding? He wants recognition of a third federation. He calls it the All India Railway Employees' Federation or something like that. He demands recognition of a zonal union on the Northern Railway. At the same time, I do not know how it lies in his mouth to demand recognition for a category union, that is, the loco running staff. I do not know what is the policy these people want to follow in the trade union field. I leave this matter here to them to judge whether they want an industry-wise union, or whether they want a zonal union or they want a category-wise union. What kind of trade union movement do they want to run in this country?

The House will be interested to know that there are more than 700 categories on the Indian Railways and if we go by the demand of Shri Ramavatar Shastri, there should be 700 trade unions on the railways. This is how they are interested to serve the workers! They want to divide

the trade union movement and they want the Railway Board and Government to benefit by this division amongst the workers. This is the type of trade union movement they want to run.

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

SHRI C. M. STEPHEN: One of the demands is for recognition. It is a relevant question.

MR. DEPUTY-SPEAKER: I will listen to you, Mr. Banerjee.

(Interruptions).

MR. DEPUTY-SPEAKER: Order, please. I am afraid Members are using these points of order really not in the proper way. What is the point of order. There can be only two things. *(Interruptions)* Order, please. In the midst of another Member's speech, if one raises a point of order, is it a point of order that the Member is speaking? Is that the point of order? *(Interruptions)* Order, please. Just a minute.

Now, there can be only two procedures. Number one is, you can protest against what the other Member says. It is there. Secondly, if you say something and that Member yields to you, then you can say something. But then I cannot interrupt the speech of that Member simply because you want to raise a point of order.

Since I have allowed it, let me hear what this wonderful point of order is, and see whether it is really a point of order. *(Interruptions)* Order, please. Let me hear him. What is the point of order?

SHRI S. M. BANERJEE: May I request your kind attention—

MR. DEPUTY-SPEAKER: What is the point of order?

SHRI S. M. BANERJEE: I am coming to it. I can't say it in just

two words. May I invite your kind attention to the motion? It says:

"to raise a discussion in the statement made by the Minister of Railways in the House on the 3rd August, 1973 regarding the current strike situation in Railways."

(Interruptions)

MR. DEPUTY-SPEAKER: Order, please, Mr. Pandey. What is this? Somebody should control him.

SHRI S. M. BANERJEE: Mr. A. P. Sharma has not spoken anything about the strike as yet. He is only saying that we want a third federation or a fourth federation.

MR. DEPUTY-SPEAKER: What is the point of order?

SHRI S. M. BANERJEE: He has forgotten one thing: that the All India Railwaymen's Federation was the only federation. This is what he should remember. *(Interruptions).*

MR. DEPUTY-SPEAKER: Order, please.

SHRI S. M. BANERJEE: Irrelevant.

MR. DEPUTY-SPEAKER: You have come out with the right word; the right word you have just now used is irrelevant. Now, who is to decide whether a Member is relevant or irrelevant?

SEVERAL HON. MEMBERS: The Chair.

MR. DEPUTY-SPEAKER: I am to decide it. At least within this House I am to decide what is relevant and what is irrelevant. It is not for Mr. Banerjee or for anybody else. *(Interruptions)* Order, please. There is no point of order. There is only a point of relevance, according to you. Now, Mr. Sharma, as far as I understand, is replying to the argument already raised by—*(Interruptions).* Order, please. You may not like it.

[MR. Deputy-Speaker]

He is replying to your arguments. You may not like these arguments. (Interruptions) Order, please. If there is any point of order at all, or any point of relevance or irrelevance here, the ruling is, Mr. Banerjee is completely irrelevant by raising it.

Now, Mr. Sharma.

SHRI A. P. SHARMA: Sir, I am very much thankful to you for elucidating this point. Had Mr. Shastri not raised this point, perhaps it would not have been necessary for me to speak in that context.

As a trade union organisation, both the federations—although Mr. Indrajit Gupta is part of the other federation—we do work—for all categories of the workers in the Indian Railways, and today also, in our joint statement, we have recognised and we do recognise the right of workers to strike. But we recognise the right of the workers to strike. Mr. Shastri has accused the Railway Minister and the Railway Board of certain things. The Railway Minister will take care of himself and will speak on behalf of the Ministry. But when Mr. Shastri works in the trade union field he must understand what is the meaning of strike. I am sorry to say that he does not understand it because only those people who are law-abiding, who know the rules and the laws will understand what is the difference between the strike and wild cat strike action on the part of the workers. For the last many months, the whole country is passing through a serious situation. I do admit that even in such a serious situation the workers can go on a strike. I do not rule it out. But for a strike what one has to do is this. One has to take a strike ballot and take the opinion of the majority of the workers. There it is not a technical majority of 51 per cent, but it should not be less than 75 per cent. If more than 75 per cent of the workers vote for a strike, then only the Union is justified in giving a call for strike. May I

know from Mr. Shastri whether this has been done in this particular case? A strike call was given all of a sudden in the Southern Railway about which he spoke. A strike call has been given when every one is striving one's best to serve the country faithfully. Then at that time he reads out a telegram in the name of Mr. Banerjee and then requests the Railway Minister not only to talk to those people but also to withdraw the recognition of the two federations. Let me say in this House that neither the National Federation of railwaymen nor the All India Railwaymen's Federation enjoys this recognition as a matter of gratis from the Government. It is the strength of the workers that got them the recognition. I challenge Mr. Shastri. The moment he comes in this position, we will step down and he will be recognised. Let him follow that course. Let him have the following of the majority of the workers and he will be recognised. In that case he will be recognised as a federation and as a union. He will not be recognised as a sectional or categorical union. I am only sorry to say that my friend does not understand. Sometimes he threatens the Divisional Superintendent; some times he threatens the General Manager; sometimes he threatens the Railway Board; and now he has threatened the Railway Minister. Has any divisional superintendent got the power to settle something which has got financial implications, where money is to be sanctioned? Has any divisional superintendent got the power to change the pay scales even by a single paise? Mr. Shastri does not understand. He will challenge the divisional superintendent and say: you must change this and you must change that.

When the mileage allowance rules of the running staff was changed was Mr. Shastri responsible for improvement? Or was the federation responsible for the improvement? In regard to the hours of employment of the drivers and firemen and other run-

ning staff to work 12 hours. According to a later decision they are to work for 10 hours instead of 12 hours, but their actual hours of work will be 8, and if they work beyond 8 hours they will be given over time allowance. Where was Mr. Shastri at that time? He is talking of things which he does not understand, that is the trouble. We are not opposed to strike. As a matter of fact we recognise the right of workers to strike. But this kind of a strike every now and then, off and on does not help the unfortunate and mislead workers. It does not serve them; it does not serve the trade union movement either. More than that, it harms the interests of the country. It is because of our appeal that a vast majority of the railway workers are carrying on the railways working in spite of the efforts of Mr. Shastri and others to stop the work. Through this House, I would appeal to the good sense of these misled workers. Some of the problems of the railwaymen are already being processed between the Railway Board and the National Federation of Railwaymen and the other Federation. I appeal to them to refrain from such activities which give us a bad name. We will definitely look after their interests

18 hrs.

Mr. Shastri has made an appeal to the Minister to withdraw all actions under the DIR. I agree with him. I do not want that the railway workers who have worked hard every time when the country has faced a difficult situation should be given a harsh treatment. At the same time, I would appeal to them to call off the strike. We are there to settle their problems.

About victimisation, we have already told them that we will see that there is no victimisation. One of my friends in the opposition said—I will not name him—“Why don't you go and make the drivers understand the real position?” If I can make him

understand, my job will be done. But the trouble is, I am not in a position to make him understand. It is these people who mislead the workers and create such a situation in the country and in this House, trying to blame the Government for their own activities.

On this occasion, I would like to appeal to my friends in the name of trade unionism. They talk about trade union unity. But their concept of unity is that if we come in majority in the process of their trying for unity, that will not be real unity. Unless and until unity results to their advantage, they do not recognise the unity. This has been experimented some time back. We are prepared to experiment it again. So far our Federation is concerned, the doors are open. The doors are high. Nobody has to come on bended knees. They can come with their heads erect and join us in the service of the country.

SHRI S. M. BANERJEE: Mr. Sharma's speech should be circulated to the locomen!

SHRI SAMAR MUKHERJEE: Sir, in all seriousness I want to place before the House and the Minister certain facts. I want to make it clear that I do not represent the All India Loco Running Staff Association. I am not their spokesman and I do not want to speak on their behalf. But I had the privilege to make their cases being represented before the Ministry from time to time. It happened that I had personal talks with the Railway Minister during the last budget session. I wanted him to implement the assurances given by him as well as the previous Railway Ministers to the loco running staff. He said that if any assurances have been given by any Railway Minister, he is prepared to implement them. But the experience of the loco running staff is that while so many assurances have been given nothing has been implemented, except the withdrawal of some cases somewhere. On the

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other hand, victimisation, unnecessary transfers, involving them in false cases, demotion and suspension of employees are going on. These are so provocative and oppressive that the loco running staff or locomen find no other alternative except to resist this type of repression and victimisation through direct action. Further, this is not something new. They have mentioned it in a resolution which they adopted in the all India conference in January 1973 held in Burdwan. When after repeated representation and appeal nothing has come out, what is the alternative except some form of direct action. It is their unfortunate experience that only when they take some direct action that some Ministers, sometimes the Chief Minister or even the Prime Minister, come and give some assurance and the strike or struggle is withdrawn on the basis of that assurance. Then the Ministers forget whatever assurances they have given and everything depends on the officials of the Railway Board, the bureaucracy, and they move in their own way. That is the unfortunate bitter experience of the locomen and it is out of desperation that they have decided to take direct action.

While I was not present here on the 3rd to hear the statement of the Minister, according to newspaper reports he said that it was illegal action on the part of the locomen because no previous notice was given of the strike and so firm action will be taken against them. In order to have some settlement for the normalisation of the situation, I want to impress on all of you the real depth of the problem and why the locomen were forced to resort to strike.

SHRI JYOTIRMOY BOSU: When they are wooden-headed how can you impress them?

SHRI SAMAR MUKHERJEE: They have not taken this action all of a sudden. They decided on some phas-

ed action. In May in the Northern Railways there was some deadlock. That was not strike but work as per designation. It is the practice in the railways to use employees for doing jobs in the higher posts without giving them due promotion. While a person may not be holding the post of a driver or drawing the salary of a driver, he will be asked to work as a driver. He is given some extra allowance. He is denied promotion. This is not happening in one or two cases. There are a large number of such cases. All this 'substituted' work by the lower grade of people for higher posts has become a practice.

Long before, they had demanded that promotions must be given to all those people. But they have not been given those promotions. Ultimately, what is the way left to them? So, they decided that they will have some form of agitation; that they will work as per their designation. If he is a fire-man, he will work as a fire-man, not as a driver. In May, they told them. This is not a sudden thing. They told the Railway authorities long before that their demand was that they should be promoted. When they refused to work for higher posts, they were marked "absent". Then, they said, "If we are marked 'absent', we will really become absent. What is the good of our coming to office if we are marked 'absent'?" So, they started remaining absent. When the office did not record their attendance, they remained absent. It was called to be a strike. It is not a strike. A slander started that all Loco men had gone on strike. No. It is not a strike.

Ultimately, what happened that on several Divisions, all trains ceased running and there was a complete deadlock. There was the formal attitude both of the Railway Board as well as of the Minister. The formal attitude is that the Railways authorities will not discuss anything with any union which is not recognised. So, the recognised unions

have become the spokesmen of all categories of workers. That the Loco men did not want. Because they have had the previous bitter experience about the recognised unions. To that I will come later on.

18.12 hrs.

[SHRI N. K. P. SALVE in the Chair]

What was the stand that the Railway Minister and the Railway Board took? They tried to utilise the recognised unions against the Loco men. Immediately, two statements both from the NFIR as well as the AIRF were issued condemning all the Loco men. This created a strong resentment amongst them. It came in the papers. You denounced them. If you denounce them and, at the same time, you claim that you are fighting for them are both contradictory..

SHRI A. P. SHARMA: I can pass on the statement to you

SHRI SAMAR MUKHERJEE: You see the paper reports

SHRI INDRAJIT GUPTA (Alipore): This is the result of your sitting in the Rail Bnavan.

SHRI L. N. MISHRA: No, no.

SHRI A. P. SHARMA: No, no.

SHRI INDRAJIT GUPTA: You have got a room there

SHRI A. P. SHARMA: It is because of the Federation

SHRI INDRAJIT GUPTA: This is why your mentality has become like that

MR CHAIRMAN: No dialogue please

SHRI SAMAR MUKHERJEE: This is a very serious situation. The reaction amongst the Loco men is that the Railway authorities are utilising the two recognised unions

against the Loco men to create a public opinion against them. So, in their minds, these two recognised unions have become instruments in the hands of the Railway authorities to be used against the striking Loco men.

SHRI A. P. SHARMA: Wrong apprehension.

SHRI SAMAR MUKHERJEE: That is why there are these adverse reactions against the recognised unions.

Another thing to which I draw the attention of Mr. A. P. Sharma is this. Their main grievance against these two recognised unions is that these two recognised unions have come into an agreement with the Railway authorities regarding the hours of work. The Loco men are demanding that they will not work for more than 8 hours at a stretch. That is an international standard and that is accepted in the case of other industries.

SHRI A. P. SHARMA: This case was placed before the Tribunal and the Tribunal have decided that, whereas the actual duty hours will be eight hours they will be called upon to work for ten hours at a stretch and that they would be paid overtime for two hours.

SHRI SAMAR MUKHERJEE: You clarify your position before them.

Sir, this is a letter written by Shri Parimal Ghosh, the then Minister, to Shri Anandan Nambiar in 1968:

"You must be aware also that decision has since been arrived at with the two Federations that, pending further review, the total duty hours of running staff at a stretch would be limited to 14 hours. I can further state that a review will be done at an early date."

The fun of the thing is that, formerly, they used to work for 12 hours at a stretch. But after the agreement

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with the Federations, the running staff are to work for 14 hours at a stretch! Sometimes, it is even 16 hours and 20 hours. What reaction can you expect from the loco men after this agreement by the two Federations? As I read out now, it happened in 1968. I do not want to repeat this.

My point is that the Loco Running Staff Association have given sufficient notice to the Government. I personally met the Minister. I wrote several letters drawing his attention.....

MR CHAIRMAN: The hon Member may please try to conclude

SHRI SAMAR MUKHERJEE: This is very important. I am directly connected with it. In the morning I had discussions with the Minister. Please allow me some more time

MR CHAIRMAN: I quite appreciate it. But the difficulty is that you will have to see it in the context of the overall time

SHRI SAMAR MUKHERJEE: That is true. But this is a serious matter. That is why, a special debate was requested.

So, it is not for the recognition of their Union that they are struggling. They have made that clear in their charter of demands. I enquired from the Minister today morning. He has told me that all these are with him, even the letter which the President has written to me on the 24th July is also with him. If he admits that the letter dated the 24th July of the President of the Loco Running Staff Association is with him, how can he say that there was no notice at all given before this direct action? So, this is not a true statement made by the Minister and which has come out in the paper, that is a distorted report; in the paper it has come that the Loco Running Staff Association is only fighting for the recognition of

their Union. That is a distortion. In their charter of demands, they have placed as their last demand: 'negotiation facilities to the Loco Running Staff Association at all levels'. But the main thing is that all oppressive measures, all victimisations, all penal transfers, all demotions, all suspensions, must be withdrawn forthwith. This is the primary, preliminary condition to start negotiations and for a healthy settlement. Minus this, if you think that, by the use of DIR and by the methods of arrests and oppression, you will be able to meet the situation, you are living in a fool's paradise. So, in order to create the proper atmosphere, the preliminary thing you have to do is that you have to keep up your assurances that all cases of victimisation will be withdrawn forthwith.

Now I am happy that the All India Railwaymen's Federation leader says that he supports their demands. I am also happy that the All India Railwaymen's Federation in their resolution have also said that they support all the demands of the loco running staff though some unfortunate comments have been made in the resolution--It is indeed unfortunate that they should have allowed themselves to be misled by certain interests for narrow and sectarian ends. This is also not a fact. AIRF leader must also understand that no sectarian or narrow interests have forced them to come here. It is only the policy of the Government that has forced them to come to this position. That has to be properly understood and if you want to come to any settlement which will have a lasting effect, you will have to revert back to the old grievances, old cases of victimisation and not simply the cases of the last May or June.

So all old cases of transfers, victimisation, etc must be withdrawn. The application of DIR must be completely stopped. I have no time to dwell on this as the Chairman has already given the bell.

Even after the assurances in 1972 when the Southern Railwaymen strike was withdrawn on the assurance of the then Minister, Mr. T. A. Pai in September, I see on October 24, 1972, the Local Divisional Superintendent has issued charge-sheets and notices—"Illegal strike of loco running staff in September 1972." In this he said that those who have taken part in the 'illegal strike', their break of service is recorded and they will have to undergo all these punishments:

- 1 Forfeiture of all leave earned upto the date of the strike
- 2 Forfeiture of all passes standing to employee's credit on the date of the strike
- 3 Postponement of the date of increment
- 4 Forfeiture of services rendered prior to the date of the illegal strike for the purpose of grant of SC to PF or pension
- 5 For all purposes of benefits, concessions and privileges which are determined on the basis of length of service, it should be reckoned only from the date of resumption to duty after the strike etc

If this is not punishment and if this is not provocation and if this is not oppression, what else is it? There are 3000 cases in the Southern Railway alone. So, the situation is explosive. That is why you must be patient and considerate and if you want to actually bring about a satisfactory settlement, you must have to give a guarantee and an assurance that all these victimisations will be immediately stopped and you will have direct talks with the leaders of the loco running staff association and their basic demands, namely, 8 hours work and that they should be categorised, etc.—there are other demands also and all these demands I am not going into because they are

with you, should be considered sympathetically and a solution must be arrived at after negotiations with them.

I hope with a new attitude the Minister will make a statement so that they can feel assured to come and talk. On that understanding the struggle will be withdrawn.

18.25 hrs.

BUSINESS OF THE HOUSE

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI K RAGHURAMAIAH) I want to make one small statement about tomorrow's business

As the House is aware, the Resolution seeking approval of the Proclamation in respect of UP should be approved by the House before the 13th of August. Hence, it is proposed to give preference to it in tomorrow's order paper by providing it immediately after the passage of the Indian Railways (Amendment) Bill. This is made necessary by the changes which were made in the order of business today.

18 26 hrs.

DISCUSSION RE CURRENT STRIKE SITUATION IN RAILWAYS—Contd.

MR CHAIRMAN All right. Now, I have to take the sense of the House about the present debate. It is already 6-25 pm and we have got ten more speakers to participate. May I suggest that we may call the Minister for reply at 7-30? May I request the Members to cooperate? We have got 10 Members to speak and 66 minutes to go. How much each one should get is something for you to decide.

AN HON MEMBER: Six minutes each.