

[श्री रणधीर सिंह]

उसको अभी न लाया जाय। आज दिल्ली के पास तीस मील के अंदर जो लोग हैं उनके साथ भी वही हाल होगा जो हमारे आदिमियों के साथ गुड़गांव में हुआ। आप उसमें जल्दी न करें। थोड़े दिन इंतजार करें। दरअसल रिपोर्ट को आने दें और पार्लियामेंट में उस पर विचार हो। अगर आपको उसमें कोई तरजीम करनी है या उसको मंजूर करना है तो उसको करने के बाद कोई बिल लावें। मैं कहना चाहूंगा कि इस वक्त इस बिल की कोई जरूरत नहीं है। आप इस बिल को अभी इल्टबा में डालें। आप उस रिपोर्ट को यहाँ लायें उसके बाद पार्लियामेंट चाहे उस पर अपनी मुहर लगाये या कुछ करे।

13.02 hrs.

*The Lok Sabha adjourned for Lunch till fourteen of the Clock.*

*The Lok Sabha re-assembled after Lunch at five minutes past Fourteen of the Clock.*

[MR. DEPUTY-SPEAKER in the Chair].

RE: STRIKE OF BIHAR NON GAZETTED GOVERNMENT SERVANTS AND WORKING JOURNALISTS

SHRI S. M. BANERJEE (Kanpur): Sir, I rise on a point of order. I will read out the rule. May I invite your kind attention to rule 340? It says:

"At any time after a motion has been made, a member may move that the debate on the motion be adjourned".

The motion before the House is that the Bill which had been piloted by Shri Jaganath Rao be taken into consideration. I want that this debate should be adjourned for two reasons. Firstly, as you are aware, today the Bihar State is under President's Rule. Unfortunately, a situation has developed in that State where thousands

of non-gazetted officers are on strike and they are being arrested. There is no Assembly there and, naturally, this matter cannot be raised there. Secondly, because of the non-implementation of the Wage Board Award the working journalists and the employees in *Statesman* . . .

MR. DEPUTY-SPEAKER: This plea was made just after Question Hour by Shri Joshi and the Speaker, if I remember correctly, said that he would look into it and decide what is to be done because there is some Calling Attention Notice. The same thing applies to Bihar also. If you had given notice I would have considered.

SHRI S. M. BANERJEE: It is not necessary under Rule 340. You can rule me out. Sir, today all the employees of newspapers like *Statesmen*, *The Times of India*, *Hindustan Times*, *Indian Express* and the *Anand Bazar Group* are on strike. Tomorrow there will be no newspapers. These newspapers headed by Tata, Birla, Goenka and Sahu Jain are going to declare a lockout. I would request you to ask the Labour Minister, who is present here, to say something which may avoid the strike. I would request you to help us.

MR. DEPUTY-SPEAKER: So far as I know, because I know what is happening, the Labour Minister is taking active interest in this. If there is a Calling Attention Notice . . .

SHRI S. M. BANERJEE: He is physically present here. The Calling Attention has been rejected and that is why I am raising it here now.

MR. DEPUTY-SPEAKER: I am certain that the Labour Minister has done everything possible to avoid the strike. So far as the strike by working journalists' organisation is concerned, at the proper time I am certain he will intervene and take action.

SHRI S. M. BANERJEE: Let him make a statement.

MR. DEPUTY-SPEAKER: This is not on the Order Paper and I cannot ask the Labour Minister now.

SHRI S. M. BANERJEE: Under the rules a Minister can make a statement *suo motu*.

MR. DEPUTY-SPEAKER: If he wants to make a statement he can communicate that to me and I will immediately call him. I cannot compel him.

SHRI S. M. BANERJEE: I would request him, Sir, through you, to make a statement just now. Let him say a word about it which may avert the strike.

MR. DEPUTY-SPEAKER: He has done everything possible to avert the strike.

SHRI S. M. BANERJEE: Let him say so. We want to hear that from the Labour Minister.

MR. DEPUTY-SPEAKER: Now, Shri S. M. Joshi. He has to speak on the Bill.

SHRI S. M. BANERJEE: The Labour Minister is here and you may call upon him to make a statement.

MR. DEPUTY-SPEAKER: I cannot compel the Minister concerned to make a statement. So far as I know, he has been taking....

SHRI J. M. BISWAS (Bankaura): You may ask him to make a statement....

MR. DEPUTY-SPEAKER: I cannot say any such thing. If the item were there on the Order Paper I would have done that.

Now, Shri S. M. Joshi. If he wants to speak on the Bill he may speak now. Otherwise he will miss his turn.

श्री एस० एम० बानेजा (पूना) : मगर लेबर मिनिस्टर कुछ कहा चाहे, तो आप उनको कहने दें जिये । वह इतना तो कह दें कि हम कोशिश कर रहे हैं ।

SHRI J. M. BISWAS: I think the hon. Minister is willing to say something.

THE MINISTER OF LABOUR AND REHABILITATION (SHRI HATHI): There are two calling-attention-notice I am not ready with all the facts and figures just now. If the Members want me to say how many papers will go on strike, how many have implemented and how many have not implemented, then I am not prepared at the moment to give all those facts and figures. If hon. Members put me questions about the number of papers that have implemented and the number of papers that have not implemented and so on, I do not have all those facts with me here. But if you think fit that I should say something on the strike, certainly I am prepared to say something.

SHRI S. M. BANERJEE: Let him say something on the strike.

MR. DEPUTY-SPEAKER: Let him say something on the strike.

SHRI HATHI: The position is that on the 23rd April, the newspaper employees were to go on strike. When the Demands of the Labour Ministry were being discussed here, in the evening I said that negotiations were going on and I was sure that some settlement would be reached. Fortunately a settlement was reached whereby the employers agreed to pay as an interim measure 70 per cent of the total difference between the present emoluments and the wage board emoluments. Then, the strike was averted, and I had personally intervened in the matter.

Then, the negotiations started again. We had two or three sittings. In the

[Shri Hathi]

meantime, an unfortunate controversy arose between the two sides. Some of the editors and the newspaper employers challenged it and said 'Why did you commit yourself to 70 per cent? We are not bound by it', and they said that the IENS agreement was only a recommendatory suggestion. Now, on that the controversy arose. The employees said 'When we have gone into an agreement on a national or an all-India basis, how could it be recommendatory? Therefore, we say that it is binding, and you must also say that it is binding.' Then, the IENS said 'We have no legal sanction. So, how can we bind others?'. This controversy was going on, and in June again they gave a call for a strike to start on the 23rd July.

When I came to know of it, I again called the parties together, on the 17th instant. I gave them a formula. I said that I could appreciate the viewpoint of the employees namely that 'After having done all this if they cannot say that it is binding, then what is the use of entering into an agreement'. On the other hand the IENS also were right in the sense that they had no legal sanction. So, it was said that at least they must say that it was morally binding, and they must thus inspire a sense of confidence among the employees. But they were not prepared to do that.

Then, the formula that I gave them was this, namely that they might again start their discussions, and at the time when the final stage of agreement is reached, let them take some time, a day or two, go into a conference, and put this proposal before them, and they might put in the names of as many of them as agreed, and let the IENS sign on behalf of those who had agreed so that it may be binding on them, and as for the others, the remaining employers will see what could be done. The workers also agreed to that and the negotiations started.

I had been in touch with the developments and I found that unfortunately on the 20th afternoon, there was heat on both sides; the employers were prepared to go up to 75 per cent but the workers wanted that at least in the bigger four or five newspapers, it should be 100 per cent. They were prepared to accommodate class IV, class V, class VI and class VII. As for classes II, and III the bigger newspapers, that is, the *Times of India*, *Hindustan Times*, the *Statesman* and the *Indian Express* were not prepared to accommodate. Unfortunately, in the midst of the talk, the negotiations broke through.

On the 20th instant, I knew of that, and I called both the parties, but till today both are in that mood not to settle. They dissolved their committee, that is, the IENS, and they said that each newspaper would be free to negotiate with their workers at the plant level and not at the national level and they said they did not want the committee. So, they have dissolved that. I have yet requested them that rather than have this deadlock, it would be better to settle. I understand that some talks are going on. Well, I would watch for some days. If nothing happens, I shall certainly intervene and see that some *via-media* is found out.

This is the position. This disposes of the calling-attention-notice also.

There is just one small thing that I would like to mention, that this strike will be limited only to class I, II, and III. The other classes, namely classes IV, V, VI VII etc. are not affected by this.

SHRI D. C. SHARMA: (Gurdaspur):  
What will they do, if they have nothing to carry out?

SHRI S. M. BANERJEE: The Birlas, the Tatas, and the Goncnka are all there, and they have no capacity to pay but the others have the capacity to pay!

14.16 hrs.

REQUISITIONING AND ACQUISITION OF IMMOVABLE PROPERTY (AMENDMENT) BILL—contd.

श्री एस० एम० जोशी (पूना) : उपाध्यक्ष महोदय, सदन के सामने जो विधेयक है, मैं उस का विरोध करता हूँ और वह विरोध इस लिए है कि इस विधेयक के जरिये हम एक ऐसा कानून बनाने जा रहे हैं, जो न्याय-विसंगत और न्याय विपरीत है। रेक्वीजिशन एंड एक्वीजिशन आफ इम्पूवेल प्रापर्टी एक्ट के अनुसार जब तक हम लोग यह साबित नहीं करेंगे कि किसी खास पब्लिक परपज के लिये किसी जमीन की जरूरत है, तब तक हम का रेक्वीजिशन और एक्वीजिशन नहीं कर सकते हैं। मुझे याद है कि जब पूना में डेम डिस्ट्रिक्टर हुआ, तो हम ने बहुत से लोगों को घर देने के लिए जमीन को रेक्वीजिशन किया था और उस का एक्वीजिशन करने जा रहे थे, मगर इस कानून के कारण हम उस प्रोग्राम को आगे नहीं बढ़ा सके।

इमरजेंसी के कारण डिफेंस आफ इंडिया एक्ट के मातहत हुकूमत को एक-दम ब्लैकट पावर्स मिल गई थीं। लोगों ने इस बात को खूब किया कि जब देश पर कोई संकट है, तो हमें हुकूमत को अख्तियार देना चाहिए और वह अख्तियार उस को मिल गया। उस अख्तियार के मुताबिक जो जमीनें रेक्वीजिशन की गई हैं, उन के बारे में गोया एक इनडेमिटी एक्ट बन रहा है और जो जमीनें नहीं लेनी चाहिए थीं, जिन पर कुछ इमारतें या स्ट्रक्चर बना दिये गये हैं उन को रेक्वीजिशन के अधीन रखा

जायेगा। इस विधेयक के स्टेटमेंट आफ ब्राब-जैकट्स एंड रीजन्स में कहा गया है :

"On many of these requisitioned lands valuable structures have been put up. In the majority of the cases it has not been possible to vacate the lands and hand them over to the owners."

अगर यह स्थिति हो भी कि किसी जमीन पर इमारत या स्ट्रक्चर बना है और हम मालिक को वह जमीन वापिस नहीं दे सकते, हैं, तो बुनियादी सवाल यह है कि क्या इमरजेंसी के लिए उस जमीन की जरूरत थी। जैसा कि श्री कंवरलाल गुप्त ने अभी कहा है, किसी योगी के लिए जमीन ले ली गई है। हम को तो यह नहीं लगता है कि इमरजेंसी में किसी योगी के काम की जरूरत थी, जिस के लिए लोगों की जमीन ली जाये।

जगह जगह हम ने यह भी देखा है कि जमीन लेने के सम्बन्ध में, किस की जमीन ली जाये और किस की न ली जाये, इस बारे में गवर्नमेंट और उस के अधिकारियों द्वारा डिसक्रिमिनेशन किया गया है। अब इस प्रकार की जमीनों को हड़प करने की कोशिश हो रही है।

श्री देवराव पाटिल (यवतमाल)  
पैसा दे कर हड़प करेंगे।

श्री एस० एम० जोशी: जब कोई पब्लिक परपज नहीं है, तो एक्वीजिशन करने का कोई अधिकार नहीं है। हुकूमत को इस का अधिकार तभी होगी, जब कि पब्लिक परपज के लिए जरूरी हो। मेरा कहना यह है कि जो जमीनें रेक्वीजिशन की गई या एक्वायर की गई और जिन को रेक्वीजिशन के अधीन रखने का विचार है, उन के बारे में पहले यह साबित करना चाहिए कि वे पब्लिक परपज के लिए जरूरी थीं। तब कहीं जाकर उस को मुआवजा देने की बात आती है। इन ए कोर्ट आफ ला