

17 hrs.

This, I think is a neck to neck race, which may or may not be healthy from their point of view, but surely is not in our interest. I am going to bring this to the notice of the External Affairs Ministry so that they could pay attention to this.

I can only say one thing that in the spirit of the Press Commission report we are very keen that the Press Council should be a strong instrument for the development, growth and building up of the press in this country and to that extent we shall do our best.

AN HON. MEMBER: Price-page schedule?

SHRI I. K. GUJRAL: You would recall that it was struck down by the Supreme Court some years ago. It has been represented to us that in the interest of the small and medium newspapers the price-page schedule should be brought back. We are given to understand that perhaps the Constitution will have to be amended. If the House supports us, naturally Government would be keen to reintroduce it. It is under our study at the moment.

SHRI RANDHIR SINGH: Any incentives to make the press rural-minded?

SHRI I. K. GUJRAL: So far as rural bias is concerned, I am in agreement with him because it is in the villages that our country is being made. Particularly after the green revolution it is not only important that the country should know what is happening in villages, but the villages should also get an opportunity to get acquainted with the latest technological growth everywhere in the world. I hope our newspapers become conscious of this requirement.

SHRI RANDHIR SINGH: Will he give them incentives?

SHRI I. K. GUJRAL: If incentives are called for, I will not be lagging behind.

MR. CHAIRMAN: We have now to take up another discussion. Shall we dispose of this and then start it or hold this over?

SHRI KANWAR LAL GUPTA (Delhi Sadar): There are amendments to this Bill and there will be third reading. That will take time.

MR. CHAIRMAN: Then the rest of the discussion will be taken up on Thursday.

17.04 hrs

DISCUSSION RE. ACTION AGAINST CENTRAL GOVERNMENT EMPLOYEES

SHRI M. L. SONDHY (New Delhi): There should be more time allotted for this discussion. It is such an important matter. You have full powers to extend the time.

MR. CHAIRMAN: I do not think so.

SHRI M. L. SONDHY: Please consult your conscience.

SHRI NATH PAI (Rajapur): It may look imperitnent on my part to speak about the rule to so experienced a Chairman like you, but you are aware that it is up to the House to extend the time. The discussion which Shri S. M. Banerjee is raising is of great importance; it is not just a matter concerning the 1600 employees, of this socialist Government, but it concerns 2½ million employees. Therefore, we appeal to you to extend the time.

SHRI M. L. SONDHY: It is the unanimous demand of the House.

MR. CHAIRMAN: Let us now proceed.

SHRI S. M. BANERJEE (Kanpur): I must thank the Speaker for giving me an opportunity to raise this one-hour discussion to represent the cause of the 1689 employees who are still under suspension or termination of service or discharge. The entire country is rejoicing over nationalisation of banks. 2.5 million Government employees have expressed their solidarity and pledged their loyalty to the Prime Minister. When such is the case it is a sad commentary that 1600 and odd Government employees who had participated on the 19th September strike were either suspended or terminated from service.

Only yesterday we saw what happened in regard to the highest in the land. They were charged with intimidation, manouvring and indiscipline. But everything has been condoned. It may be a political dispute where it was done. Cannot they do the same thing in regard to a trade union dispute. I hope the hon. Minister Chavan and his colleague Mr. Shukla will apply the same thing here and condone even if there was intimidation and instigation. On 13 March, 1969 Shri V. C. Shukla announced in this House that except for a few dozen employees, almost all would be taken back. We hailed that statement and from the P. & T. Railways, Defence, audit and other organizations thousands of telegrams must have poured in. But even after four months we find that nearly 1600 employees are still under suspension. Some guidelines were issued by the Home Ministry and also by the Railway Board. On 3rd April, 1969 the Railway Board issued certain guidelines clarifying what constituted active instigation or intimidation. Firstly, it referred to the use of abusive slogans, secondly picketing of a coercive type and thirdly, issue of leaflets containing highly objectionable matter. Now, the Home Ministry issued a circular on 30 June 1969 clarifying what would constitute active instigation organis-

ing and addressing meetings (this is ridiculous); organising or leading processions and demonstrations, taking a leading part in slogan shouting, meetings, processions and demonstrations and fourthly, picketing of any kind. The Railway Board takes offence at abusive slogans while the Home Ministry classifies as offence even any slogan—taking leading part in slogan shouting, meetings, processions and demonstrations. Again, the Home Ministry circular refers to any picketing while the Railway Board refers to picketing of a coercive type. While the Railway Board objects to leaflets containing highly objectionable matter, the Home Ministry talks of issuing any leaflet or publication of articles, repeated solicitations or other behaviour, etc. I was surprised when the Home Minister issued these classifications. Taking advantage of such a circular, the bureaucracy had not considered the cases of 1600 and odd employees. Nearly 4,000 employees are facing court cases. What are the charges against them Section 5 of the essential Services (Maintenance) Ordinance and section 188 and section 144 of the Cr. P. C. were invoked. But I can say here and now that there was no violence in the country. If there was any violence, it was from the other side: the employees were killed by the policemen. The policemen killed the employees in Pathankot, in Bikaner, in Delhi, in Gauhati and in Shahdol. These employees were brutally killed by firing. The whole thing is over now. It is now 11 months since that was over, and I am sure that when the Central Government employees have supported bank nationalisation—they have led processions in thousands to see the Prime Minister, Shrimati Indira Gandhi, and congratulate her yet, there is this problem. and I thought at least the Government on this occasion, whether it is the Home Minister or the Prime Minister, will grant a general amnesty and that every employee who participated in the strike would be taken back to his job.

The opportunity of defence to the temporary employees was not given. It is surprising. Under article 311 of the Constitution, and under the rules, the Appeal and Control Rules, under which disciplinary proceedings are started, and under which disciplinary action is taken against temporary employees, the employees should be given an opportunity for defence. But what happened here? Temporary employees with three or four years service, with five years service in the defence department, were not given an opportunity for defence. They were not prosecuted by the court. If they were charged under section 5, what should be done? The permanent employees were suspended, but the temporary employees were sent out straightaway. The permanent employees were suspended and some were arrested under section 588 and section 144. But the temporary employees were sent out straightaway. Even in those cases where there was need for prosecution, they were straightaway dismissed or discharged from service and were never given an opportunity for defence.

In this country, where a person like Nathuram Godse who shot Gandhiji was given an opportunity for defence, the Central Government employees, those who were temporary and who numbered 1,200, were not given an opportunity to defend themselves, because they were only temporary. This is a sad commentary on our democracy and our judiciary.

I would request the hon. Minister Mr. Shukla to kindly consider these matters and declare here and now or at least assure this House that all those employees, numbering 1,500 to 1,600 will be taken back in their jobs. What happened in the P & T? The assurances were implemented, but they were not implemented in the case of the defence employees. Persons facing prosecutions under section 5 and section 188 were allowed to rejoin or their suspension period was removed. But in the ordnance factories, especially in Kanpur and other places, a number of

employees still remain suspended. How does it happen that the same Government orders are implemented differently and in a discriminate manner from Ministry to Ministry, from Directorate to Directorate? This is a sad commentary and a sad story, which I do not want to comment upon any more. But I would only request the hon. Minister to devote his attention to this aspect.

Then, about the activities after 19th September. You know, after the 19th September strike 48,000 people were facing termination notices. The Prime Minister, Shrimati Indira Gandhi, was then in Latin America, and she returned only on the 18th October. A hunger-strike was going on in respect of the four leaders of the P & T, the Federation, the All-India Railwaymen's Federation, the Confederation and the all-India Defence Employees Federation. A hunger-strike was going on. Then the Cabinet took a decision that in respect of those who were given termination notices, whether temporary or permanent, the notices would be withdrawn, and the moment the notices were withdrawn, we withdrew our agitation. From the 19th September to the 18th October, for anything which has happened and for which departmental proceedings are going on, we are not responsible. After all, the agitation was going on from 19th September to 18th October, 55,000 men were served with termination notices. They were ruthlessly suspended, jailed and not even bailed out. Firing took place. In this charged atmosphere, naturally all these employees started the agitation. If agitation continued between 19th September and 17th or 18th October, it was a continuation of the whole thing and nobody should be punished for that.

What happened in Kerala? In Kerala nearly 400 people are facing trial. The Kerala Chief Minister decided to withdraw the cases, and issued orders. But the Union Ministry contested the cases. The Punjab Government and Rajasthan Government have with-

[Shri S. M. Banerjee]

drawn the cases. But in Delhi, under the nose of the Home Ministry, the cases are not withdrawn. I am told the Delhi Administration is prepared to withdraw the cases, but unfortunately they are not withdrawn.

Let the hon. minister follow the decision taken by Shri G. B. Pant. He was very strict when there was a strike for six days in 1960. He was supposed to be an iron man and he was ruthless when he wanted to fight with the opposition. But after sometime, he took the decision and ultimately recognition was restored and all people were taken back, with the exception of a very few. He applied that healing touch. Now, a few dozens cannot mean 1600 men. It can be at the most 2 or 3 or even 10 dozens, not 1600. I request the hon. minister to consider this.

Recognition has not been restored. Only instructions have been issued that informal meetings will take place. If I go to the Director-General of Ordnance Factories or to the D.G.P. & T., he asks, "In what capacity have you come?" If I say that I have come as an M.P., they say, yes. But if I say that I have come as the President of a particular union, they say, "Only you can come. We will not give you minutes." Now, what are these informal meetings? If you read the letter it is clearly written by the Home Ministry. With the de-recognition of all these federations—The National Federation of P. & T., All India Defence Employees Federation, All India Railwaymen's Federation, the Confederation of Central Government Employees, etc. a vacuum has been created and that vacuum had to be filled by the INTUC-led organisations. But unfortunately, the anaemic INTUC-led organisations could not fill up the vacuum. Naturally, Mr. Chavan issued orders for informal meetings. But these orders have not been carried out at the lowest level.

The Government made a solemn promise that a Bill will be brought

in this session making JCM statutory. That Bill has not come till now. Therefore, recognition should be restored, so that an atmosphere of goodwill and harmonious industrial relations may be created. I am sure in that case all the Central Government employees will join hands and back any progressive policy which this Government takes.

I would request the minister to see that all temporary employees are taken back and given an opportunity to defend themselves. The employees have suffered for 11 months and therefore, it is suggested that they may be admitted to duty pending court decision. I want the court cases to be withdrawn. None of them is involved in violence or sabotage. Intimidation or active instigation should not be considered serious when they have not led to violence or sabotage. It is almost a year since there has been break in service in the case of two and a half lakhs of Central Government employees. One can very well imagine the suffering they would have undergone. If there is a break in service of even a day in the case of Ministers or Members, we know how much we feel about it and what noise we make. But these two and a half lakhs Central Government employees are suffering with no hope of their immediate reinstatement.

In the end, therefore, I would say that their recognition should be restored without delay. I would request the hon. Minister to view the entire case with the utmost sympathy. I am sure that once he makes a promise it will be as good as implementation. In return, I assure him on behalf of all the Central Government employees that given the goodwill we will support all the progressive policies of the government. I wish the Prime Minister of the country, who is addressing the Central Government employees daily, should come here and make an anno-

uncement of amnesty to all the Central Government employees. In that case, we will know that her policies are progressive. I am sure she will come here. Similarly, the Home Minister should also have been present here.

श्री रणधीर सिंह (रोहतक) : चेयरमैन महोदय, हमारे जनर्जी साहब ने आज जिस डिस्कशन को शुरू किया है और जो तकरीर उन्होंने की है, मुझे आज कुछ ऐसा महसूस होता है कि देश के आज के माहौल में, देश की आज जो मियासी फिजा है आज हालात जिस मज्जत में जा रहे हैं, उसको मद्देनजर रखते हुए मैं यह महसूस करता हूँ कि हमारी सरकार को इस मामले पर फिर से गौर करना चाहिये। अब तकरीबन एक साल हो जायगा, 11 महीने हो गये हैं, जिन आदमियों को 11 महीने में मस्टेड किया जाये या जिनकी गर्दन पर मुकदमे की तलवार लटकती हो, जिनको तनख्वाह भी पूरी न मिलती हो, शायद आधे तनख्वाह मिल रही है, जिनके बच्चे स्कूल में भर्ती हों, जिनको उनकी फीम का ख्याल हो, साथ ही साथ मकान का किराया और शहर में उनको रिहायश, घर का खर्च, हर आदमी कुनबेवाला है, अगर अपने दिल पर हाथ रख कर महसूस करें तो आपको पता लग जायेगा कि ये आदमी किस तरह से अपनी जिन्दगी गुज़ार रहे हैं। यह मिर्फ 1200 आदमियों की जिन्दगी का मवाल नहीं है, उनसे साथ उनका कुन्बा भी है, अगर इस मामले पर थोड़ी सी हार्ट-वाचिंग की जाय तो सारी हालत आपके सामने आ जायगी।

उधर में जो पत्र रखा गया है, वह भी यह सोचें कि इस मामले में कभी मियासी देखल न हो और गवर्नमेंट भी यह महसूस करे कि जब हाथी निकल गया तो उसकी पूंछ को थामे रहने से कोई फायदा नहीं है। जब सब कुछ दिया, तो बाकियों को भी दे डालो, इसको प्रेस्टिज का इशू नहीं बनाना चाहिये। जब हमने एक डिमिशन ले लिया है, तो कुछ लोगों के खिलाफ वायलेंस की बात को लेकर,

या कनाईवेंस की बात को लेकर या इन्टीमीडेशन की बात को लेकर उनको कानूनी शिकंजे में फंसा कर मुकदमा चलाते रहना ठीक नहीं है। मेरे अपने हल्के हरियाणा में और दूसरी जगहों पर बहुत से ऐसे आदमी हैं, जो गेहूँ के साथ धुन की तरह से पिस गये हैं। एक आदमी लीडर था, लेकिन उसके साथ पचास दूसरे आदमी फंस गये। ऐसे मौकों पर अक्सर ऐसी चीजें हो जाती हैं।

चेयरमैन साहब, मैं होम मिनिस्टर साहब से आपकी मारफत अर्ज करूंगा कि अब तो दाढ़ी-मूंछें भी बढ़ गई हैं, यह बहुत काफी सजा हो गई है कि 11 महीने से लगातार वह गरीब मुकदमे बाजी में फंसा हुआ है। एक गरीब आदमी, जिसकी थोड़ी तनख्वाह है, अगर मुकदमे में फंस जाये तो उसकी क्या हालत होगी आप अन्दाजा लगा सकते हैं। अगर कोई आई० सी० एम० अफसर या आई० एफ० एम० अफसर हो या फौज का बड़ा जर्नल हो, या जमींदार हो, वह वर्षों तक मुकदमा लड़ सकता है। आर० पी० कपूर जैसे अफसर मुकदमेबाजी को बरदास्त कर सकते हैं। लेकिन यह गरीब मुकदमेबाजी का कैसे इलाज कर सकता है। इसलिये न सिर्फ इबनाकी ख्याल से, बल्कि इन्सानी पहलू ने मैं चाहूंगा कि आप इस पर फिर से गौर करें। इस में तादाद कोई मायने नहीं रखती है। अगर आप इस पर हमदर्दीना पहलू से गौर करेंगे तो उनके दिल पर भी असर होगा उनका ख्याल भी सरकार की तरफ बढ़ेगा और उन मूरत में एक खुशदिल कारकून ज्यादा काम करता है। इस तरह से साइकोजिकली उनका एटीच्यूड बदलेगा, आइन्दा के लिये उनका किरदार बदलेगा। लेकिन साथ ही मैं अपने इन भाइयों से भी कहना चाहता हूँ कि थोड़ा सा इस बात पर रहम करो, राजनीति को अपने डंग से चलाओ। लेकिन कोई बात हर रोज़ का प्रोफेशन न बन जाये कि खुद अपनी पार्टी को मजबूत करने के लिये इन गरीब आदमियों को गर्दन हटवाई जाये कि चढ़ जा नेटा सूली पर,

[श्री रणधीर सिंह]

भगवान तेरा भला करे। 19 सितम्बर को जो कुछ हुआ उससे इन लोगों को बहुत बड़ा नुकसान हुआ, इनको बहुत बड़ी परेशानी हुई। लेकिन अब वह पुरानी बात हो गई, जो हो गया वह हो गया। लेकिन आगे के लिये मैं अपने इन भाइयों से कहना चाहता हूँ कि स बात को सीधे और उन गरीब लोगों के करियर के साथ और उनकी जिन्दगी के साथ न खेलें। जो सियासी बातें हैं उनको ये करते रहें। भगवान करे आपकी पार्टी दिन दूनी रात चौगुनी तरकी करे। मधु लिमये जी का लाल झंडा फहराये। लेकिन इन आदमियों की जिन्दगी के साथ आप न खेलें जिससे बाद में वे सस्पेंड हों, उनकी नौकरियों में ब्रेक आये। इस बात पर भी आप लोगों को ध्यान देना होगा।

मैं मिनिस्टर साहब से भी कहना चाहूंगा कि जब हमने सोशलजिम्ब का नारा दिया है और हमारी पार्टी आगे चली है, एक लम्बे चौड़े रास्ते पर बढ़ी है और हमारी प्राइम मिनिस्टर ने राज्य सभा में आज यह डिक्लेयर किया है कि दो सी रुपये तक जिसकी रेशन है उसको दस रुपए और ज्यादा दिये जायेंगे—वह बड़ा अच्छा काम किया है, हम उसका स्वागत करते हैं कि आपने एं. बुद्धे रिटायर्ड आदमी को आज की महंगाई के दिनों में इंसेंटिव दिया है, उसी तरह से मैं हूँ मिनिस्टर साहब से भी चाहूंगा कि यह जो हर रोज का झगड़ा है उसको खत्म करे और इसमें प्रेस्टिज का कोई सबाल न बनायें।

आपकी इजाजत से मैं एक बात की अपील फिर करना चाहता हूँ कि दिल्ली के हजार बारह सौ पुलिस वालों की आज भी वही हालत चल रही है, उनके लिए भी आपको सोचना चाहिए। उन गरीबों का भी आपको खयाल करना चाहिये। वे मामूली पचास सौ रुपए के सिपाही थे, उनमें एक एक पर पांच पांच और सात सात मुद्दमे चल रहे हैं। वे मुद्दमे सानों से लटक रहे हैं और पता नहीं

कब जाकर वे मुद्दमे खत्म होंगे। मैं समझता हूँ उनको बाकी सजा मिल चुकी है। इससे तो अगर वे नौकरी में ही न हों तो बेहतर होता। मैं चाहूंगा कि आप उन मुकदमों को भी वापस और उन लोगों को बहाल करे। उनसे क्लेमस हुई और डिसिप्लिन टूटा लेकिन आगे के लिए आप उनसे सेटिस्फेशन करलें और मेरा विश्वास है कि अगर आप उनको कांफीडेंस देगे तो अखलाको तीर पर वे भी पाबन्द होंगे कि आइन्दा उनसे कोई गलती न हो। मैं होम मिनिस्टर से कहना चाहूंगा कि पुरानी बातों को भूल जायें और एक बार फिर उनको मौका दें। इससे हमारी गवर्नमेंट, कांग्रेस पार्टी और हमारे सारे ही देश का मान बढ़ेगा। उन लोगों का या किसी आदमी को डंडे से नहीं दबाया जा सकता है। नेकी कर और दरिया में डाल। इसके बहुत अच्छे नतीजे निकलेंगे। इन अल्फाज के साथ मुझे उम्मीद है कि जो मोशन आया है और यहां पर जो डिस्क्शन हुआ है उस पर गवर्नमेंट पूरी तरह से गौर फरमायेगी। जो बेचारे आज जिन्दगी और मौत के साथ लड़ रहे है इतने दिनों से बेकार ह और जिनको हमारी सरकार मुफ्त में आधी तनक्वाह दे रही है, मुझे उम्मीद है उनको काम पर वापस लिया जायेगा। आगे के लिये आप कान पकड़ कर उनसे कहें कि ऐसी चीज नहीं करेंगे और मुझे उम्मीद है कि वे ऐसी बात फिर नहीं करेंगे।

MR. CHAIRMAN: I would like to make a request about the time factor. Although there was a request that time should be extended, even then we all know that we cannot take this debate to another day; we have to finish it today.

SHRI S. M. BANERJEE: We are prepared to sit up to 7 o'clock.

MR. CHAIRMAN: There may be some Members who are prepared to do that but I do not know the mood of the House. Anyway, the House has to decide that. There are many Mem-

bers whose names are here and many of them are very closely connected with this movement of the Central Government employees. I do not want to shut out anybody; still, I would request them to exercise as much restraint as possible.

SHRI S. KANDAPPAN: As humanly possibly.

SHRI M. L. SONDHI (New Delhi): Mr. Chairman, Sir, the Central Government employees raised their voice with the strength of their conviction that what they were asking for was something which was for the benefit of this country.

Their demands were very simple, a need-based minimum wage, merger of D.A. with Pay and full neutralisation of the rise in cost of living. In any environment which was socially responsive, these demands would have been welcome as opportunities for fresh thinking so that the minds which had become forced into certain channels on account of certain habits would be stimulated to new dimensions of social and economic thinking. The idea behind these demands was a very simple one that public services and people who work in the public services should feel part of a new economic and social environment.

Today, when we ask that Government employees should be taken back or when we ask that the cost of living index which has risen should be reflected in the rise of dearness allowance, these are not to be viewed as isolated demands. What we are asking really is that this Government, these Treasury Benches and the ruling party re-discover for themselves what at one time was the spirit of revolution in this country. What was that spirit? We need to go back to a past of 1907 when Lokmanya Tilak spoke to those innumerable people who used to come to his audiences. What did Tilak say? I quote:

"It is true that what we seek may seem like a revolution. It is a revolution in the sense that it means a complete change in the theory of the Government of India as now put forward by the bureaucracy."

It is a great tragedy—Mr. Vidya Charan Shukla is here—what is that lies behind the Government, their intellectual processes? At times they show us as if they are aware of new vistas but at other times they are under the dead-weight of the bureaucratic thinking.

Sir, when we raise this debate, it is not merely to generate some kind of tempers here. But we want them to think a new and to exercise their minds. Our minimum demand today is that they stop this repression that is going on. I invite the hon. Minister to visit any of the courts. He is in the habit of sending me to these courts very often whenever there is section 144 enforced here. But that has been an education for me because I find in these courts what is existing is not socialism or socialistic pattern of society but something which can only be called as *ante-diluvian*, something which is inhuman. All these Government employees who should be working in their offices, who should be working in various Government enterprises, all these fine citizens of our country, are being compelled by this Minister and his senior boss to waste their time in idleness, going from one court to another and suffering humiliation. This is the repression.

I seek your permission to refer to Lokmanya Tilak again. What does this policy of repression mean? Tilak asked and himself answered:

"To stop the future progress of those causes which have given birth to the nation in India which have developed the nation and which have created the national fire for the rise of the nation."

I would ask Mr. Shukla: Do the processes of his Government or his

[Shri M. L. Sondhi]

bureaucracy possess that national fire for which our national movement was known? Instead, whatever my esteemed friend, Mr. Randhir Singh may say, today the Government of India appears to the world to be Janus-faced which has two faces, one face which mouths slogans of socialism and the other face which is red in tooth and claw.

My plea today on behalf of the Central Government employees is this. India is lagging behind in respect of those procedures of administration in Government sector which the rest of the civilised world follows. I challenge the hon. Minister, not to provoke him but to again appeal him to exercise his own mind, not to be guided by the bureaucracy. Do we have adequate processes in matters of classifications? Mr. Banerjee has pointed out what havoc has been worked after the strike. But even otherwise, in matter of classifications of pay of bargaining, of arbitration, this Government has not yet developed any modern grievance procedures. People do not know what to do. And when they use repression, what an echo of colonialist repression which we had known! Take the phrase, 'active instigation'. Many of us have written to him letters and we have received the same stereotyped reply. If you take the Patna High Court judgment—enter into its spirit and not the letter—the High Court makes it clear that the charge of 'active instigation' is not one on which they should rely and which should lead to large scale repression. They must realise their obligation to mete out uniform treatment. What is happening here is this. Railways suggested one procedure. In 1960—Mr. Nath Pai would remember; at that time he played a crucial role—they dealt with certain cases. Those cases were dealt with on a different basis. The Home Ministry is arming itself with powers which can only work havoc.

Again what is the mentality of the Government in regard to recognition of trade unions? The question is of

recognition of trade union. Why do they link it up with other things? Unions, once recognised, should not cease to be recognised simply because in a fit of anger the administration feel that certain union officials have behaved improperly. That is not the way how the theory of trade unionism works or the practice of trade unionism works. Regarding demands of government employees to which I referred earlier—minimum wage and other things—, if they want to bring any new legislation it is good; they should bring new legislation because it is a travesty of fact that this country should still be governed by the regulations introduced by the East India Company. But when they bring a new legislation, let them not confuse the issue. The fact of bringing a new Bill has nothing to do with recognition. If unions are recognised, they should be de-recognised only if they forfeit the confidence of their members, only if they do not reflect the situation. Let the Minister not understand that we are bringing pressure on him. We are not interested in that. But we are interested in having a discussion, so that the mind should be awakened. If the mind of India goes to sleep, it will be a great tragedy. All those great figures that we see in the Central Hall of Parliament had beckoned to us; Shri Lala Lajpat Rai, in Lahore, used to say, 'Think dangerously'. That is what is necessary. We must think in a way that we create an apprehension. Of course, we may act carefully. That is another matter.

I say that this unfortunate chapter be closed and I am willing; my friends are also willing; Mr. Banerjee's speech is marked by moderation, is marked by restraint. Let the Minister rise to the occasion; let him show that he wants to end the strife in the relationship between Government and its employees. Therefore, we are not concerned here with entering into the history as to what happened, but we

will be content if he analyses the post-strike situation carefully and in this I would appeal to him to announce today that he would drop this clause of 'active instigation'. It is only working havoc. Let him assure us that he does not want to come in the way of the functioning of trade union.

Finally, if he would again take us into confidence, let him tell us where is the comprehensive Bill on Joint Consultative Machinery which he promised us. Why is it taking so long? It was conceived long ago. What is holding up the birth of that Bill, I would like to know. Let him remember how much harm has been done in the meantime.

Permit me, Sir, to refer to some problems faced by the people in my constituency, New Delhi....

MR. CHAIRMAN: Time is very little.

SHRI M. L. SONDHI: Have mercy on us.

MR. CHAIRMAN: You can say that on another occasion.

SHRI M. L. SONDHI: Just one point.

Since they did not have with them the views of the employees, what happened when the question of merger of dearness allowance with pay came up? It has done lot of injustice to people and people are crying out through their letters to editors and their representations. Will the Minister give some assurance that the interests of those who have been adversely affected by this merger would be taken into account? When the demand was articulated, it was not meant to harm people; it was meant to establish a better basis.

Finally—this is a matter for you and for this House to consider—is it
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a matter of satisfaction to us that 4,000 government employees have not yet been given the First Information Report or the charge sheet? Sir, this is bringing the entire administration of justice into disrepute. These people face, are prepared to face charges, but the charges are not there. Instead there is only the harassment of attending courts and that is all. Therefore, if that charge is to be removed, let the Minister announce today that he does not want the Central Government employees to come on their bended knees. Sir, since the beginning of the century, the trade union movement has left the stage of petitioning and supplication. Sir, the objective of the token strike was to end the economic plight and to stimulate the Government to think in terms of administrative reform. He cannot deny that Government employees are exploited or are suffering great exploitation. Most of them live in abject poverty. Look at their housing and living conditions in Delhi. No water, no electricity and many other amenities.

Finally, I endorse what Mr. Randhir Singh said about the Police. The Delhi Police deserve a better say and a better hearing. Finally I remind him of what Mr. Chavan said when he introduced the Bill. In the statement of objects and reasons of the Bill he says:

"It has always been the endeavor of Government to provide comprehensive and positive arrangements for the consideration of the legitimate problems and grievances of its employees."

As I see, Sir, the purpose of this debate is not to create any acrimony. The purpose of this debate is to persuade this Government to think again and to encourage the Government to work as partners in progress with their own employees and not to look upon the Opposition with any distrust. Our main object is restoration of confidence and re-establishment of communication between the administra-

[Shri M. L. Sondhi]

tion and the Central Government employees and, generally speaking, the resurrection of those ideals which are enshrined in our constitution.

SHRI KRISHNA KUMAR CHATTERJI (Howrah): Mr. Chairman, Sir, we on this side of the House are in between two difficult positions. One is we have to stand and support the Government's point as well as we have to function as trade union workers. Mr. Chairman, Sir, the Government has to consider whether trade-union rights should be given to the Government employees. Once that is conceded, the employees' demands are on two counts. They were fighting for economic causes. They wanted a minimum wage to be given to them. I am one of those who always supported the demand for a minimum wage for the Government employees. Therefore, the minimum wage demand was the least that should be given to the Government employees.

Then there is another point. They wanted the merger of the Dearness allowance with the pay. That was a minimum demand. In this process they had to go on a strike. But, unfortunately, there was some political emphasis. We object to that political emphasis being given to an economic issue. The Government employees are fighting for their trade union rights and the Government at that stage cannot deny trade union rights for the Government employees. It is not justified on the part of the Government to think that the strike was not justified. One thing is said against them that they went into some processes which are not quite good, as for example, incitement to violence. Sir, when the whole country is surcharged with an atmosphere of violence, probably the Government employees cannot be kept out of it. There may be here and there some incitement and some violent demonstration. It does not matter. We fought against Pakistan, our

enemy. Even after that we had the Tashkent agreement. So, is it impossible for the Government to sit across the table and come to some kind of an agreement with the employees? If they want to fight on trade union lines, they should be allowed to function like that. Sir, we should also now take a conciliatory attitude. We should yield to their demand wherever it is justified and we should sit along a round table and decide what the Government can do in the matter. In every sector the union should be one only and not several. Outsiders should not be allowed to function in the trade unions. The executive should be manned only by the employees. Outside political influence should not be allowed to function there. It should be manned by employees themselves. In that case reasonable attitude will be displayed by the employees themselves. I talked to the Home Minister about it. He should move the Labour Minister so that there should be an enactment so that outsiders may not get part in the trade unions of every sector, public or private. In that case the question of de-recognition or recognition will not arise and the executives themselves will be in their hands and they will show a more rational and reasonable attitude.

The Home Minister should now re-examine the whole issue and see that nobody is punished for whatever is done on that strike day and that they are restored to their rights. It should be seen that their demands are considered with sympathy. Some of their demands are justified. In spite of our financial limitations, I support the plea made by Mr. Banerjee for the re-examination of the question of giving back their rights to the employees which are due to them. Government servants are part and parcel of the Government. We should create the necessary atmosphere so that they could feel their responsibility. The

minimum wage is a just demand on the part of the employees in the context of the present day economic situation. I therefore appeal to the hon. Home Minister in this regard. The Home Minister is taking a forward march and I hope he will take a lenient attitude and re-examine the whole question, and restore back to the employees their rights and privileges. I support Mr. Banerjee's demand.

SHRI G. VISWANATHAN (Wandiwash): The strike of the Central Government employees on the 19th September, 1968 and its aftermath have left behind an indelible blot on the pages of Indian history. It was the main and immediate cause for the passing of the Essential Services (Maintenance) Act. This strike also exposed the Central Government to the reality that they are nothing but prisoners of indecision. The strike also caused strained relations between the Centre and the States.

What was the crime committed by the Central Government employees? They wanted 14 ounces of cereals, 3 ounces of pulses and 18 yards of cloth per annum. If this is considered a crime then all of us must be considered criminals. This is going on for the past 11 months. What is Government doing all these months about these employees who are thrown out of their jobs?

Sir, on 18th October, 1968, the Government decided to withdraw notices of termination served on 48,000 employees. On that day itself all the notices should have been withdrawn. In March, 1969, Mr. Shukla told this House that but for a dozen or a handful of people all the other cases will be withdrawn. But it is not so. If Government comes forward with a statement, it is not implemented by the bureaucrats. The Home Minister has sent out a circular to his subordinates saying that wherever there is no basis the cases should be withdrawn. It means that the police have

to admit, rather confess, that they filed the cases foolishly without basis. To save their face, they would not do it. So they are not withdrawing the cases. So the Home Minister should come forward with a definite proposal and send it to all concerned definitely worded that the cases should be withdrawn.

Again when the strike was on and even afterwards, State Governments were not at all consulted as to how to handle the strike. Day to day the Home Ministry was sending letters to State Governments as to who should be arrested and who should not be. As a matter of fact, the Chief Minister of Kerala, Shri E. M. S. Namboodiripad, protested against such letters. Even the Chief Minister of Tamil Nadu demanded that the Central Government should permit the State Governments to withdraw the cases. In spite of that, when the cases were withdrawn by the Kerala Government, the Central Government protested against it. When the magistrate refused, they appealed against it to the High Court which has upheld the contention of the Central Government that the State Government should not withdraw the cases.

So this is hanging fire for the 11 months. This Government is not taking any decision to withdraw the cases. When the Prime Minister was on her Latin American tour, the Cabinet met twice or thrice but could not take any decision. In fact, Shri Morarji Desai refused to attend the internal affairs sub-committee of the Cabinet. Then the *Hindustan Times* wrote:

"The delay over such a straight forward matter is symptomatic of the power paralysis at the Centre. Not one of the three members of the triumvirate, Mrs. Gandhi, Mr. Desai or Mr. Chavan wants to be held responsible in the eyes

[Shri G. Viswanathan]

of the public of being tough on the strikers if there is a possibility of being let down by a colleague."

This was a typical comment of the press. Since then one of the triumvirate has fallen; I do not know about the idols remaining.

This Government must make up its mind. Once it decides that the cases should be withdrawn, they must be withdrawn immediately because it says one thing at the House and does not implement it outside.

My final appeal is that all the cases pending against the employees should be withdrawn immediately. The trade unions which have been derecognised should have their recognition restored. Once a union is recognised, it should continue to be so till it ceases to enjoy majority support.

I remember once the Home Minister, Shri Chavan, said that the policy of the Government is going to be one of firmness and sympathy. I would request Government to be firm in showing sympathy and not be fluctuating in it. Our Anna used to say often, *Marappom mannipom*, that is, let us forget and forgive. Let Government not follow the policy of eye for an eye and tooth for a tooth. Let us forgive; let us put an end to this sad episode and start a new chapter.

श्री तुलशीदास जाधव (बारामती) :
श्री बनर्जी ने 193 के नीचे यह प्रस्ताव रखा है। मैं इसका समर्थन करता हूँ। उन्होंने कहा है कि जो ससरेंड किए हुए कर्मचारी हैं, जिन की सर्विस को टर्मिनेट कर दिया गया है, उनको काम पर वापिस लिया जाए और उनकी एसोसिएशन की जो भान्यता समाप्त कर दी गई है, वह उनको वापिस की जाए।

गवर्नमेंट के जितने अंग हैं, जितने पार्ट्स हैं उन में सरकारी कर्मचारी भी एक हैं। जिस तरह से गवर्नमेंट के विभागों को चलाना काम होता है, उसी रीति से कर्मचारियों का भी एक धर्म है और वह धर्म है कर्तव्य पालन करना। उस धर्म पालन के रास्ते में जो दिक्कतें हैं, जो कठिनाइयां हैं, उनकी तरफ ध्यान देना, यह भी सरकार का काम है। अगर सरकारी कर्मचारियों की यूनियन्ड, एसोसिएशन्स और फेडरेशन की ओर से कर्मचारियों की दिक्कतें और समस्यायें सरकार के सामने रखी जाती रहें और सरकार भी सहानुभूति के साथ उन पर विचार कर के उचित कर्वावाही करती रहे, तो भविष्य में यह स्थिति कभी पैदा नहीं होगी।

आज देश में एग्रीकल्चर और कारखानों के प्राइव्जेशन या कनज्यूमर गुड्स की कमी के कारण बाजार में महंगाई होती है और इस लिए सरकारी कर्मचारियों को पर्याप्त वेतन न मिलने से उन की दिक्कतें बढ़ जाती हैं। उन लोगों को सुबह 9, 10 बजे से शाम के 5, 6 बजे तक आफिस में काम करना पड़ता है। उन के सामने काम की भी दिक्कतें होती हैं और घर की भी दिक्कतें होती हैं और इसलिए उन का दिल कभी कभी अस्थिर हो जाता है और सरकारी काम करने में उन की रुचि नहीं रहती है। इस लिए यह आवश्यक है कि सरकार ठीक हालात पैदा कर के और उन लोगों को उचित सुविधायें दे कर उन का मनोबल बनाये रखे, ताकि वे पूरे दिल से अपना काम कर सकें। जिस प्रकार काश्तकार के औजार या कारखानेदार के यंत्र ठीक रीति से न रखने से उन का काम सुचारु रूप से, एफिशेंटली, नहीं होता है, उसी प्रकार सरकारी कर्मचारियों के असंतुष्ट रहने से और उन के सामने कठिनाइयां और समस्यायें होने से

सरकार का काम भी ठीक प्रकार से नहीं हो सकता है, सरकार को यह बात समझ लेनी चाहिए ।

जिस प्रकार मां अपने बच्चे को सुबह दूध पिलाने के बाद इस बात का ध्यान रखती है कि कहीं वह रोता हुआ न उठे, इसलिए उस को वक्त पर दूध पिलाना है, जिस प्रकार वक्त पर बच्चे को दूध पिलाना मां का कर्तव्य होता है और ऐसा करने से बच्चा नहीं रोता है, उसी प्रकार सरकार का भी यह कर्तव्य है कि वह समय समय पर सरकारी कर्मचारियों के संगठनों से बातचीत करती रहे और उन की दिक्कतों को दूर करने का प्रयत्न करे ।

कुल केन्द्रीय सरकारी कर्मचारी 26 लाख के करीब हैं, जिन में से कीब 2,91,000 कर्मचारी स्ट्राइक पर गये । लगभग 10,000 कर्मचारियों का प्रासिक्युशन हुआ । उन में से 8,813 कर्मचारियों को सस्पेंड किया गया और 3,528 कर्मचारियों की सर्विसिज को टर्मिनेट कर दिया गया । सस्पेंड किये गये और निकाले गये कर्मचारियों में से 10,662 कर्मचारियों को वापस काम पर ले लिया गया और इस प्रकार केवल 1679 कर्मचारी ऐसे रह गये हैं, जिन को काम पर नहीं लिया गया है । लेकिन सरकार को इस बात पर विचार करना चाहिए कि इन लोगों के सवाल को बार-बार उठाया जाता है और उन के परिवार वालों को तबलीफ़ हो रही है ।

मैं नहीं समझता कि स्ट्राइक करने में कर्मचारियों का उद्देश्य यह था कि गवर्नमेंट की मशीनरी को रोक दिया जाये या इस मामले में पालिटिक्स को लाया जाये । वे तो केवल यह चाहते थे कि उन की प्रीवेंसिज को दूर किया जाय । भले ही कुछ राजनीतिक दलों ने उन का समर्थन किया हो, लेकिन कर्मचारियों का उद्देश्य यह नहीं था कि गवर्नमेंट की मशीनरी को पैरालाइज

कर दिया जाये और जब उस के परिणाम-स्वरूप गवर्नमेंट कस अन्य राजनीतिक दल के हाथ में चली जाये, तो वह उन की मांगों को पूरा कर दे ।

मैं नहीं समझता कि जो थोड़े से आदमी बाकी रह गये हैं उन को वापिस काम पर लेने से सरकार का स्वाभिमान खत्म होता है या उस का अपमान होता है । इस लिए मेरी रिक्वेस्ट है कि उन लोगों को अब वापिस काम पर ले लिया जाय ।

SHRI UMANATH (Pudukkottai):
First of all I should clear my position. Today this discussion is not on the limited question whether the Government's so-called liberalised policy and criteria had been properly implemented or not or whether certain provisions in that criteria are just or not.

18 hrs.

My position is that after 11 months—September 11 is approaching—when the sufferings of the Central Government employees are going to reach the completion of one year, I want to put a straight question in this discussion, and I want an answer from the Minister. After this one year of suffering, is the Government prepared to say that they are going to cancel all the action so far taken, going to withdraw all the charge-sheets so far given, going to withdraw all the prosecutions that they have launched, and going to cancel all other acts like cut in service and are they going to restore the recognition of the unions, and whether they are prepared to restore the status quo, the situation that existed prior to the strike? This is a simple question and not simply some other minor points.

My submission is that the Central Government employees are being crushed between two acts of vindic-

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tiveness: one vindictiveness from the Government straight, and the other vindictiveness from the officials who are trying to implement the so-called assurances. Between these two acts of vindictiveness they are being crushed. Naturally, I expect Mr. Shukla to say "No; we are in sympathy with the employees." But that is not a fact. Take for example the cases in Madras and Salem. Those employees of the RMS division have not been suspended; that means according to the authorities themselves, the charges against them are not serious. But do you know what happened? Subsequently, they have been removed from service. Even for a small thing, there are employees who have been suspended, but then, here are a set of employees who were not suspended on the clear admission of the authorities that their charges are not serious, but then ultimately they were removed from service. This is the position there. I would like to know what else do they call this situation, if it is not victimisation, vindictiveness? Is this an attitude of sympathy?

I will give you another instance. In Madras, an employee was charge-sheeted for participating in the strike. An enquiry was ordered and he was punished by way of cutting of his three years' increment. The whole thing is over with him. But this month, on the 8th August, the same employee has been suspended, without giving him any reason whatsoever. What will Mr. Shukla call this? Is it an attitude of sympathy? It is very clear that it is a case of victimization and such things are galore throughout the country.

Normally, the Government says that they issue directives and if there is any individual case, and if there is any individual who is affected, we can bring it to the notice of the Government. They have stated so several times here. In pursuance of that assurance of the Minister, if we take up certain individual cases and bring

them to the notice of the Government, then what happens is that the very same officials issue charge-sheets against those employees saying that "you are trying to utilise political influence with the top people who are in the Government. So, please say why action should not be taken against you." Here is the Government which says that we can bring to their notice individual cases, and when we bring instances of individual injustice to their notice, then, the very same employees are threatened by their officials. What is this? I want to know whether this is not vindictiveness. If it is not so, what else is it? Is it not victimization?

Why does it happen? Because the procedure adopted by the Government is this. What was the procedure adopted? They lay down certain criteria, leaving it to the officers throughout the country to implement them. These officers cannot reconcile themselves to the trade union movement and practices; they cannot reconcile themselves to the situation of the employees fighting for their demands. They will have an anti-trade union bias. They will have their own personal grievances and scores to be settled with certain employees. So, because of this procedure, which the Government have adopted, when you have a criterion and ask the officials to implement it, naturally, it means that you are granting freedom to the officials and the bureaucracy throughout the country to do whatever they like. That is why these things have resulted in such a situation.

What about victimization by Government? We have certain examples. In the Kerala High Court,—you must be knowing much better than I—the services of some temporary employees were terminated. They went to the High Court with a writ. The High Court granted interim stay with full implication saying that pending the disposal of the appeal, they must be restored into service. But Government have not restored them to service. Here is a High Court order

saying, "Stay is granted. Restore them to service." But still they do not implement it. Mr. Shukla may say that they are going on appeal, but still his position will be legally wrong, because Government have not restored them to service, according to the High Court order. The attitude of vindictiveness is obvious. In the bargain, they are prepared even to resort to contempt of court. Still, they are the people who talk so much of Constitution and rule of law!

Now, 2800 employees have been reinstated after so many directives were issued on the basis that there are no aggravating circumstances against them. But in the case of a majority of these employees who have been reinstated, prosecutions are still being continued by Government. When you reinstate them, it means there are no aggravating circumstances. Still, you continue the prosecutions against them. What is the sympathy you are showing?

Coming to withdrawal of cases, Rajasthan Government has withdrawn the cases and this Government has not gone on appeal to the High Court. In some other States also, they have withdrawn the cases and this Government has not gone on appeal. But in Kerala where also the cases have been withdrawn, this Government has gone on appeal. It means not only double standard but discrimination. They are mixing political vendetta with vindictiveness so far as Kerala is concerned, with the result the poor employees are put to all this trouble.

I come to the question of recognition of unions. In trade union parlance, if a majority union is there and if the Government or any employer negotiates with the minority union and tries to enforce those conditions on the majority, it is called unfair labour practice. Government recognised these unions because they admitted that they are majority unions. Now, after de-recognising them, they negotiate with certain minority unions

within the JCA and come to an agreement with them on major conditions. Is this not unfair labour practice?

Lastly, in today's circumstances, it must be easier for us to convince the Prime Minister, the Home Minister as well as Mr. Shukla that all these things must be cancelled and status quo restored, on a simple point. It is enough if they adopt towards the Central Government employees the same approach which they have adopted to a similar problem within their party. Here the charge was large-scale indiscipline among Central Government employees because they defied an ordinance. I put this defiance of ordinance on a par with defiance of whip. I am seriously making this point. If the Prime Minister had been here, I would have personally appealed to her. Let me quote the relevant portion of the Congress Working Committee resolution in this regard:

"While it is painful and unfortunate that a large section of Congress voters failed to support Mr. Reddy, it is necessary to examine why this deep cleavage has taken place. What is needed is that the disease should be treated rather than the symptoms."

This resolution has been drafted by Mr. Chavan, the Home Minister. The approach of the Prime Minister in the Working Committee was, "it is not a question of indiscipline; you must deal with the basic causes and try to remedy the causes, not the symptoms". I think this House is justified in demanding of the Prime Minister, as well as of the Home Minister, Shri Chavan, who drafted this resolution, that the very approach on a similar question which you claim for yourself, that must be applied to the Central Government employees at large. Otherwise, this government will be open to the charge throughout the country that they are apply-

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ing a double standard, which is not in keeping with the times. That is why I appeal to the Central Government, to Shri Shukla, to Shri Chavan as well as to the Prime Minister that a statement must be made that before the 19th September, when one year would be completed, all recognitions would be restored, all orders of suspension and dismissal would be cancelled and the status quo would be maintained.

श्री प्रेम चन्द वर्मा (हमीरपुर) : सभापति जी, मैं आप को धन्यवाद देता हूँ कि आप ने मुझे समय दिया। मैं नहीं चाहता कि जो बातें कही गई हैं उन को दोहराऊँ। लेकिन कुछ बातें ऐसी हैं जिन को मैं कहना चाहता हूँ। यह मामला डिसिप्लिन का है, अनुशासन का है।

एक माननीय सदस्य : जैसे कल का था।

श्री प्रेम चन्द वर्मा : मेरा खयाल है कि अगर खामोश रहेंगे तो अच्छा रहेगा। यह आप को बता दूँ मैं। और किसी मेम्बर से बात नहीं कर रहे हैं, प्रेम चन्द वर्मा से बोल रहे हैं, मैं आप को सब को खामोश कर दूँगा। मैं आप का ही भेद खोल दूँगा। . . . (व्यवधान) . . . सब भाई, चुप रहोगे तो अच्छे रहोगे, फायदे में रहोगे। मैं बड़े दावे से कहता हूँ, मुझ से लड़ना ठीक नहीं है।

तो सभापति जी, बात यह है कि यह मामला डिसिप्लिन का है। सरकारी कर्मचारियों ने डिसिप्लिन को तोड़ा और जो आर्डिनेंस निकला उस को तोड़ा। कोई भी सरकार, कोई भी देश, कोई भी कौम तब तक जिन्दा नहीं रह सकती जब तक उस में डिसिप्लिन न हो और कोई भी सियासी

पार्टी, राजनीतिक दल भी डिसिप्लिन के बगैर जिन्दा नहीं रह सकता है, इस में भी कोई शक की बात नहीं है। जहाँ मरकार है, देश है, कौम है या राजनीतिक दल है या घर है या कोई भी किसान है, या अखबार-नवीस है या कोई काँबार चलाता है, डिसिप्लिन वहाँ पर भी कायम रहना चाहिए और जब तक डिसिप्लिन नहीं रहता तब तक कोई चीज चल नहीं सकती। लेकिन बहुत सी किताबों में लिखा गया है कि डिसिप्लिन जो है वह रखा नहीं जा सकता, जब-दंस्ती उस को रखना बड़ा मुश्किल है। डिसिप्लिन जो है वह अपने मन से, अपने दिल से हर आदमी महसूस करे तब वह डिसिप्लिन रहता है। जब डिसिप्लिन को जबदंस्ती थोपा जाय तो डिसिप्लिन नहीं रह सकता है। मेरा इस मिलसिले में यह कहना है कि डिसिप्लिन यहाँ जो तोड़ा गया है उस का कारण है। हमें यह देखना होगा कि कारण क्या है। मेरे दोस्त उमानाथ जी चले गए हैं उन्होंने कुछ कहा है कि कारण क्या है, यह हमारे बहुत बड़े लीडर ने कहा है, वही बात यहाँ लागू होती है कि वह डिसिप्लिन तोड़ा क्यों गया है। मैं यह कह रहा था कि डिसिप्लिन तोड़ा गया है इस कारण से कि लोगों में भूख थी, जरूरत थी और उस के साथ इंसाफ में देर हो रही थी। जब इंसाफ में देर होती है तो उसे बेइंसाफी कहा जाता है और इंसाफ की देरी के कारण यह हुआ। अगर सरकार पहले यह फैसला कर देती, जो बात वह बाद में सोचने के लिए तैयार हो जाती है एजिटेशन करने के बाद, अगर सरकार वह पहले ही सोच लेती और इंसाफ में देरी नहीं होती, तो कभी भी वह डिसिप्लिन को नहीं तोड़ते, आर्डिनेंस का अपमान नहीं करते। मैं समझता हूँ कि राष्ट्रपति की तरफ से जो हुक्मनामा जारी किया जाय सब को उस का मान करना चाहिए। लेकिन हमारी पहाड़ी बोली में एक कहावत कहते हैं कि मजरी का नाम

महात्मा गांधी । जब मुश्किल में फंम जाते हैं, मजबूर हो जाते हैं तो कहते हैं कि अच्छा महात्मा गांधी ने यही कहा था कि बैठ जाओ चुपचाप । और दूसरी तरफ यह कहा गया है कि जब मुश्किल आती है, जब किसी के मन पर चोट पड़ती है, जब किसी की मजबूरी इस काबिल हो जाती है तो वह कहता है कि या तो करो या मरो । वह बात जब सरकारी मुलाजिमों पर आई तब यह बात हुई । मैं माननीय मंत्री महोदय से यह कहना चाहूंगा कि आपको इस मामले पर डिसिप्लिन के ब्याल से नहीं, बल्कि उस के कारणों पर विचार करना चाहिये और कारणों पर विचार करने के लिये यह जरूरी है कि हम दोनों तरफ देखें । इस गाड़ी का एक पहिया सरकारी मुलाजिम हैं और दूसरा पहिया वह राजनीतिक पार्टी है जो सरकार चलाने है । एक ही गाड़ी के दो पहिये हैं, अगर एक पहिया नाकिस हो जाता है, तो वह गाड़ी नहीं चल सकती । हमें सरकारी मुलाजिमों में कान्फिडेंस क्रिएट करना पड़ेगा, उन को बताना पड़ेगा कि हमारी सरकार एक सोशलिस्ट सरकार है और हर आदमी को अपनी बात कहने की इजाजत है, बोलने की इजाजत है । लेकिन इस के साथ ही साथ जो उस की मुश्किलात हैं, तकलीफें हैं उन पर भी हम को एक फैमिली की तरह से सोच-विचार करना चाहिये । इसलिये इन मौजूदा हालात में मैं सरकार से अर्ज करूंगा कि वह इस को प्रेस्टिज का मामला न बनाये । अब तो सिर्फ 1600 मुलाजिम रह गये हैं, जिनकी वजह से यह मामला इस सदन में कई बार आया है । जब सब मामलों में यह कहा गया है कि भूल जाओ और माफ करो तो फिर इन 1600 मुलाजिमों के बारे में भी सरकार को भूल जाओ और माफ करो की नीति अपनानी चाहिये । आज तक जो कुछ हुआ है, उस को भूल जाओ और आइन्दा के लिये मैं समझता हूँ कि सरकारी मुलाजिम भी इस बात को महसूस करेंगे कि हमारी

सरकार ने हमारे साथ हमदर्दी की है और मैं समझता हूँ डिसिप्लिन की पाबन्दी जरूर करेंगे और मेरे ये साथी, जो कई बार उन को उभार देते हैं, वह भी महसूस करेंगे कि हम आइन्दा ऐसा काम नहीं करेंगे । मैं चाहता हूँ कि सरकारी मुलाजिमों के तमाम मुकदमों वापस लिये जाय, जिन को नौकरियों पर बहाल होना है, उन को बहाल किया जाय ।

इस के साथ ही, चेयरमैन साहब, मैं यह चाहूंगा कि पुलिस के मिलसिले को भी इसी कैटगरी में शामिल किया जाय और उन के साथ भी यही बर्ताव किया जाय ।

SHRI NATH PAI (Rajapur): Mr. Chairman, today's debate has been one of those very few occasions when a basic demand has received support from every section of the House transcending the barriers of parties and I hope the Minister will take due note when he proceeds to reply to the debate.

The debate has been caused by the vindictive policy of harassment, prosecution and revenge which this Government has followed for the past 11 months; there are no other words to describe what the Government of India has been doing for the past 11 months.

On the day the strike took place, I along with other trade union leaders, called on the Home Minister. At the conclusion of our discussion Shri Chavan assured us, "I assure you, the Government will not be vindictive; the Government will be firm." But if what has been done during the past 11 months is not being vindictive, I do not understand the meaning of the word 'vindictive'.

Deliberately this Government has been trying to penalise almost a helpless section of society. For what crime? For the crime of trying to take up seriously something which the hon.

[Shri Nath Pai]

Minister and his colleagues never tire of parroting from every housetop. They go on telling this country—the Government employees are only a part of the country—that the Government is dedicated to the proposition of establishing a welfare state in the country, of establishing a socialist pattern of society in this country.

The sense of today's debate is not how many thousands of employees remain to be reinstated, how many remain against whom prosecutions continue and need to be withdrawn. The sense of today's debate, according to me, is not even the restitution of these employees back into their jobs or granting recognition. These are ancillary subjects. The quintessence of today's debate is what really is the ethics of this Government.

We were being told that a debate was raging in this country between the so-called socialists and their so-called phoney opponents. I want to submit that the so-called socialists in that party are phoney socialists as their so-called opponents are gutless. These are harsh words but in no country, which is a socialist country, is this kind of harsh treatment meted out to people. For what crime? The only crime of the Government of India employees was that they asked the then Finance Minister and our Prime Minister to protect them against something against which they had no protection. The prices were rising. And that was not the crime committed by the employees. They were helpless. All that they asked was, either you neutralise the rise in prices or grant an increase in dearness allowance. Is this a crime? I want to submit that countries which openly call themselves capitalist countries grant elementary demands to the employees. The United States Steel Corporation is the greatest symbol of capitalism. This is for Mr. Shashi Bhushan. You go on fast for an alleged wrong. But here is the biggest wrong which no-

body but your party has committed. This is not the first time but the second time in nine years that we are seeing the veils of socialism torn as under. You prosecute your own employees. It is not the capitalist who is doing it. No capitalist in India can go on punishing the employees as the way in which this Government has punished them. I do not know the share of Mr. Vidya Charan Shukla I do not hold him individually responsible. He may have other views. But he sits here as the spokesman of the Government. It is in that capacity that he is answerable. Personally, I have nothing against him. I hope two years of power has not eroded all his ideas in his mind. I hope, still there is some part of it left.

The question which we want to ask is very simple. What did the Government employees ask for? They asked for, as it has been reiterated, a very simple thing to be defended against the continuous erosion in their living standard. Was it not the Reserve Bank of India which brought to the notice of the Government of India that between 1945 and 1968 there has not been any appreciable increase in the living standard of the employees? There has been 1 per cent fall. This was a fact which we tried to bring to the notice of the Government during negotiations and, on one occasion, I venture to believe that you, Sir, gave us the honour of accompanying us when we were discussing the matter with the then Finance Minister, Mr. Sachin Chaudhuri. These days, so many Ministers change their portfolios. We cannot take count of them nor we are interested in that. We are interested in the policies of the Government.

We pointed out with documentary evidence, with all the statistics, that it is this that the Government employees want to be protected against. What has been the response of the Government of India? They do not

come with any constructive proposal and say, either the Government will stabilise the prices, or, if its policies do not succeed in stabilising the prices, the Government will give the necessary neutralising dearness allowance. Instead, the response of the Government was to issue an Ordinance. Never did the framers of the Constitution contemplate that the Government giving power to the Government to issue Ordinances will be employed so brutally against those who want to ask for some legitimate protection.

I would like to ask Mr. Vidya Charan Shukla—I can give him other details also—to take into consideration this paper prepared by the employees' representatives. Does he seriously believe—I can not gauge his conviction nor it is given to me to challenge it—in the slogan of socialism? If he believes in that, does he know who are the people who are going to usher socialism? Does he believe that people in the secretariat are going to build it? Does he believe that socialism is going to come by issuing ordinances? If socialism is to come, there must be those who will fight for it. The battle of socialism has always been fought by the wage earners.

On 16th of July, 1960, the employees fought for this battle of socialism. But an Ordinance was issued. It was a cruel counter fight. The battle of socialism was fought on the 18th July, 1960 and again on 19th September, 1968 by the employees. It should prick your conscience. What is the standard that you have set? About those who go on amassing wealth by any means, the Government pretends that it is powerless. Prosecutions are being withdrawn against mighty tycoons in the country. But the poor 34,000 employees continue to go as many as 50, 70, times in a single year to the courts. And they do not know the crime commit-

ted by them. In obedience to the call of their federations, they absented for work and for this single crime, for one long year, he takes satistic delight in prosecuting them. I think, it is easy to deceive oneself. But they cannot go on deceiving this country that this Government is even in a remote manner concerned with socialism. Anybody concerned with socialism will not give this kind of treatment to employees, workers and peasants. Their immediate concern should have been to be the pacesetter and the standard-bearer. They are called upon to set an example to the private employers. But what is their attitude? Why issue an Ordinance? The Ordinance was a wrong Ordinance. It was an abuse of the Constitution of India. They never know what the Constitution is. We know it when they brought forward the Succession of the President Bill. I want to ask this question which I asked of the Prime Minister in a letter that I wrote to her. This is the quintessence of it. I do not know why Mr. Umanath, in his very brilliant speech suggested this. Have not they suffered long? Have not they been penalised? Have not they paid enough price? I want to make this very clear. You and I and some people here have honestly believed in socialism all our lives. But the government employees have twice paid a greater penalty than any one of us to make a progress in the direction of socialism. Nobody today recognises them; nobody today rewards them. Today they are being penalised and punished. The posterity will recognise that in the direction of the general road of socialism, if anybody gave a push by their suffering, it was these employees of the Government of India. This will be the verdict. I raised this question with our Prime Minister because I do think that when she talks of socialism, she genuinely believes in it. (Interruptions). I agree that nothing precious has been done. Anyway, this is the crucial test. The acid test. This is what I had said in my letter:

[Shri Nath Pai.]

"Permit me to say that withdrawal of recognition for participation in a legitimate trade union action is not in the best traditions of democratic dealings with unions...."

I had written a letter, but I have not received any reply. This is the new tradition—'No time at all'. They are busy. This is a new experience that I am having. I am raising this complaint after reminding her. The letter was written long ago. I have dealt with three Prime Ministers—all the Prime Ministers—and this is the first time that important letters are not even acknowledged, are not replied.

I want to conclude by asking these questions which I had put in that letter:

"You may remember that we had called on you and, among other things, we said that we were never convinced about the need to de-recognise genuine trade unions and to keep out chosen representatives of the employees because they had participated in a strike. We said that this action of the Government runs counter to all accepted principles of healthy trade unionism..."

This remains our view even today:

"In this context, let me draw your kind attention to the ban on wild-cat strikes on pain of severe penalty proposed by the Wilson Government recently. It could have carried the proposal easily with Tory backing, notwithstanding uniform opposition from the Trade Unions. It is a measure of the wisdom of the Wilson Government that the proposal was eventually dropped in the face of concerted opposition from the people who were directly affected..."

I want to submit that recognition of Union is not a reward for good behaviour which is to be given by this Government. Recognition of Union is a fundamental right of trade union movement.

In conclusion, I want to submit this. I have spoken with great anger because for me the test is not some slogans, some processions and some demonstrations. For my generation, the acid test, the only test, the crucial test, is whether we are serious about our commitment to socialism. If we want to remove this dictomy between our profession and our practice, how do we behave towards the employees, towards the workers, towards the proletariat and towards the peasants? Here is the test. You have done enough damage to your claim about socialism. Others may be deceived, but we refuse to be deceived. Here is a test for Mrs. Indira Gandhi, Mr. Chavan and their ardent and devoted colleagues. Mr. Shukla and I may be friends, but for me political conviction is more important. I want this: withdraw the prosecution, take back the employees, grant recognition. And about the Bill which they are going to bring, we warn Mr. Chavan and Mr. Shukla: Don't run away with your petty success with people who have no face to fight. We know you are propped up with the so-called success with the so-called heroes in your Party. If you bring that nefarious Bill victimising people for the legitimate right of strike—the right to strike is not something which you are giving to the people of India: it is a right which the people of India won for themselves to strike against every injustice—if you come with that Bill the people of India will be fighting inch and inch against the Bill which you are threatening without prior consultation. I hope, you will take our submissions in the spirit in which they are made and will not strike a false pose of prestige. Withdraw this Bill, grant recognition and take back the employees.

श्री जार्ज फरनेन्डीस (बम्बई दक्षिण) : अध्यक्ष महोदय, मेरे मित्र श्री नाथ पाई ने, कल काप्रेम वकिंग कमेटी में जो प्रस्ताव हुआ उसका मसूदा देते हुए कहा कि उसी के आधार पर, केन्द्रीय सरकारी कर्मचारियों के मामले को जो कि 19 सितम्बर की हड़ताल से अभी तक परेशान है, निपटाया जाये। मैं सरकार को एक दो और भी उदाहरण देना चाहता हूँ। अभी दो महीने पहले बम्बई में सरकारी अस्पतालों में काम करने वाले डाक्टरों की हड़ताल हुई। लगभग 1200 डाक्टरों ने 18 दिन तक शहर के तन्नाम अस्पतालों को बन्द रखा। इस हड़ताल का फलला कराने में राज्य सरकार के मुख्य मंत्री ने मदद की और केन्द्रीय सरकार के हेल्थ मिनिस्टर ने भी कुछ मदद पहुंचाई। महाराष्ट्र राज्य की पूरे सरकार उस हड़ताल को समाप्त कराने के काम में लगी। 18 दिन की उस हड़ताल में बम्बई शहर के 55 लाख लोगों को बहुत कठिनाइयां हुई। उतनी कठिनाइयां केन्द्रीय सरकार के कर्मचारियों के एक दिन की हड़ताल में नहीं हुई थी। कड़े फरमान निकले लेकिन उन फरमानों का उल्लंघन हुआ। सरकार की ओर से कई किस्म की चेतावनी दी गई लेकिन उनको भी किसी डाक्टर ने नहीं माना। और अन्त में समझौता हुआ, उनकी मांगों को स्वीकार किया। किसी भी डाक्टर का न तो सस्पेंड किया गया, न गिरफ्तार किया गया और न नीकरी से हटाया गया और न उनके संगठन से बाध करने में इस्तेमाल किया गया। इसकी वजह क्या थी? हम चाहते हैं कि मदन उम वजह को समझे, मारा देण उसको समझे कि सरकार उस वर्ग के बारे में हमेशा इत्तना सख्त है जो कि ऊंचा वर्ग है। डाक्टरों पढ़ने वाले और डाक्टर बनने वाले जो नौ-जवान हैं वह बहुत गरीब तबके क नहीं होते हैं बल्कि अभीय अथवा मध्यम वर्ग के होते हैं। बम्बई शहर में हड़ताल करने वाले डाक्टरों में महाराष्ट्र के राज्यपाल श्री चेरियन का भी लड़का था।

एह और उदाहरण दू जो केन्द्रीय सरकार पर लागू होता है। डेढ़ वर्ष पहले एयर इंडिया के पायलट्स और अन्य कर्मचारियों ने हड़ताल की। कई दिनों तक एयर इंडिया के जहाज बन्द रहे, लाखों रुपये का नुकसान हो गया लेकिन सरकार ने पायलट लोगों की यूनियन से बातचीत की, उनकी मांगों को स्वीकार किया, न किसी एक कर्मचारी को हटाने की बात हुई और न उनके किसी संगठन पर कोई कानूनी कार्यवाही करने की बात हुई। यह भी क्यों हुआ? इसलिए कि जो पायलट बनता है वह किसी गरीब इंसान का लड़का नहीं होता, किसी दाबू, झाड़ू लगाने वाले या किसी मध्यम वर्ग वाले कर्मचारी का लड़का पायलट नहीं बन सकता है। बल्कि प्रधान मंत्री का जो लड़का है वह पायलट है। पायलट वही बन सकता है। इस संसद के बड़े सदस्यों का भाई या भतीजा हो या कोई और रिश्तेदार हो। पायलट वही बन सकता है जोकि इस मुल्क में बहुत ही ऊंचे तबके के लोगों के घरानों में पैदा हुआ हो तो पायलट की उस हड़ताल में भी सरकार का वही स्वरूप नजर आया। उनके साथ मोदा और समझौता हुआ, उनकी मांगों को स्वीकार किया गया और उन पर कोई भी कानूनी कार्यवाही नहीं की गई। करोड़ों रुपये का नुकसान होने के बावजूद, लोगों को कई किस्म की परेशानियां होने के बावजूद, उनके साथ कोई गलत व्यवहार नहीं हुआ। लेकिन रेलवे के फोर्मेन, सरकारी दफ्तरों में काम करने वाले दाबू और टेम्पोरेरी व कैजुअल मजदूर जिनको पूछने वाला म मुल्क में कोई नहीं है उनको आप काम से हटा देते हैं। अलग अलग किस्म के सरकुलर रेलवे बोर्ड और मंत्रालय की तरफ से निकाले जाते हैं। तो इस बुनियादी बात को हमें मान लेना चाहिए। इस सरकार की बोली कुछ भी हो लेकिन इसका जो गठन है, इसको नचाने वाले जो अफसर और नाकर शाही हैं, जो उनका दिमाग है उसका हम मुल्क के माध्यायण और सामान्य

[श्री जार्ज फरनेन्डीज]

प्रादमियों के साथ कोई मेल ही नहीं है ।

पिछले पांच हस्तों से हम तमाशा देख रहे हैं । गरीबों के लिए हमारी प्रधान मंत्री बहुत परेशान हैं । रोज सुबह, शाम हर समय भाषण होने हैं कि मैं गरीबों के साथ हूँ । मुझे आज प्रधान मंत्री से पूछना है कि मुझे आज इस सरकार से पूछना है और इस सरकार के जो भी मंत्री आज यहां उत्तर देने वाले हैं, उनसे पूछना है कि जिन 1900 कर्मचारियों को आप ने एक साल से नौकरी से बाहर रखा है वह गरीब हैं या नहीं ? प्रधान मंत्री का दिल उन 1900 कर्मचारियों के साथ है या नहीं ? उनके मन में उन गरीबों के बारे में परेशानी है या नहीं ? हम आज इसका उत्तर चाहते हैं हमें आपके जबानी भाषणों से कोई मतलब नहीं । चुकि प्रधान मंत्री ने कहा था कि मैं शेरनी हूँ, आई एम ए लायनेस, इस लिये कहता हूँ कि अगर आप शेरनी है तो मेहरवानी करके सरकारी कर्मचारियों को हजम मत कीजिये । हम जानते हैं कि शेर और शेरनी को अगर गुम्सा आ गया तो वह किसी को भी खा सकती है । आप उनको मत खाइये । जिनको खाना चाहिए उनको खाइये ।

कल यहां पर बहम चली शांति प्रसाद जैन के मामले को लेकर मुझे गृह मंत्री से पूछना है उनके बारे में । जिन शांति प्रसाद जैन ने इंडियन पेनल कोड की हर एक कलम को तोड़ा और टाइम्स आफ इंडिया में काम करने वालों के बोनास के माध्यम से और तनख्वाह के माध्यम से रूपयों की चोरी करके, 20 करके, घर ले जाने का काम किया, जिनके खिलाफ भी आई का मुकद्दमा चल रहा है अदालत में, उनको फखरुद्दीन अली अहमद साहब टेलीफोन करके कहते हैं शांति प्रसाद जैन जो सब ठीक है, तुम्हारे लड़के को हम चैयरमैन बना रहे हैं । आज किस गरीब के साथ है हमारी प्रधान मंत्री, शांति प्रसाद जैन नाम के गरीब के साथ या जो

रेलवे कर्मचारी इस समय बाहर हैं, टेम्पोरेरी, कैजुअल और परमानेंट उनके साथ हैं ।

इस तरह के कई उदाहरण मैं दे सकता हूँ । अभी चन्द दिनों पहले इस सदन में मामला आया । दिल्ली प्रिंटर्स हाउस के एक साहब हैं जिन्होंने लाखों लूटे, जे एन साहनी । उनको 15 अगस्त को राष्ट्रपति भवन में बुलाया जाता है एट होम बाई दि राष्ट्रपति के लिए । उन पर मुकद्दमा चल रहा है दिल्ली की अदालत में लेकिन एट होम बाई दि राष्ट्रपति हो रहा है । मेहमान है आपके लेकिन आपके सरकारी कर्मचारी और आप के रेलवे के नौकर गरीब प्रधान मंत्री को नजर नहीं आते, साहनी साहब नजर आते हैं, शांति प्रसाद जैन नजर आते हैं । जो लोग रोज कानून को तोड़ने वाले हैं वह नजर आते हैं । इसलिए मैं आज आपसे उन बातों का बिल्कुल साफ और स्पष्ट खुलासा चाहूंगा क्योंकि जो वक्तव्य मंत्री महोदय ने इस सदन में और दूसरे सदन में किया है उसमें कई किस्म की गलतियां हैं । बुनियादी बातों के अलावा उनके जो वक्तव्य हुये हैं वह भी गलत हुए हैं । उन्होंने कहा कि जिन कर्मचारियों पर मुकद्दमे चल रहे हैं उन्हीं कर्मचारियों को अब तक हम ने काम पर लेने से रोका है । लेकिन यह बात गरीब नहीं है । जिनके खिलाफ मुकद्दमा नहीं है उनको भी नहीं लिया गया है । मैं सदन रेलवे की हकीकत आपको सुनाऊं जिन पर मुकद्दमे नहीं चल रहे हैं और जिनको काम पर नहीं लिया गया है । ओलावाकोट डिवीजन में 21 ट्रिचनपली डिवीजन में 1 और मद्रास डिवीजन में 2 । इन पर कोई मुकद्दमा नहीं है । परमानेंट कर्मचारियों को जिन आरोपों पर काम पर आने से रोका गया और बाद में ले लिया गया वही आरोप हैं जिन पर टेम्पोरेरी कर्मचारियों को निकाला गया था और उनको वापस नहीं लिया गया । टेम्पोरेरी और परमानेंट कर्मचारियों के बीच में यह भेदभाव क्यों ? यह सिलमिला भी आज चल रहा है ।

मैं आप के माध्यम से मंत्री महोदय से और सरकार से कहना चाहता हूँ कि यहाँ यह बात चली कि सरकार की क्या नीति है। फर्मनेस टेम्पर्ड विध सिम्पैथी। हमने फर्मनेस के मामले बहुत देखे हैं लेकिन हमने परवाह नहीं की, लड़े है चोट लगी है फिर लड़े है। हमें आपकी सिम्पैथी की उम्मीद नहीं है हम आपकी मेहरबानी नहीं चाहते हमें अपना हक चाहिए हड़ताल करने का, संगठन बनाने का। हम अपने हक के लिए लड़ेंगे। यह हमारा अधिकार है। इसमें आपकी मेहरबानी का प्रश्न नहीं है। यह बुनियादी बात है। इसलिए हमें न सरकार की फर्मनेस से कोई मतलब है न सिम्पैथी की कोई अपेक्षा है। हमारी मांग है कि हमें हमारे हक चाहिए। हम सरकार से मांग करते हैं कि सरकार अविलम्ब तत्काल घोषणा करे कि सब निकाले हुए कर्मचारियों को काम पर रखवायेंगे। नौकरशाही की बातों को न मानते हुए अपनी सरकार की नीति बना कर आप उनको रखवाइये। अदालतों में जो मुकद्दमे चल रहे हैं उनको तत्काल वापस लीजिए। किसी किस्म का भी मुकद्दमा क्यों न हों, उसको तत्काल वापस लेने की बात कीजिए। संगठनों की मान्यता को आप वापस दीजिए और जो उनकी बुनियादी बातें हैं उनको मानिये। पिछले एक वर्ष में सारे निकाले हुए सारे कर्मचारियों के मामले में, विक्टिमाइजेशन के मामले में, जिनमें हम फंस गये। जो उनकी बुनियादी मांगें हैं वह वैसे ही रह गई, न्यूनतम वेतन की बात रह गई, उनकी अन्य शिकायतें रह गई, मंहगाई भत्ते की बात रह गई। इन मांगों पर सरकार तत्काल बात करना शुरू करें क्योंकि जिस नये समाजवाद का नारा आपने लगाया है उसको लागू करने का मौका आज आप के सामने है। आज आप उस को कार्यान्वित करने की बात कीजिये।

अन्त में एक वाक्य कह कर मैं अपनी बात समाप्त करता हूँ। आज

निजी तौर पर मैं आखिरी बार इस बात की प्रार्थना करता हूँ, इस के बाद कभी भी इस किस्म की बात आप से नहीं होगी, मदन में प्रश्न हो जाय या बहस हो जाय यह दूसरी बात है, लेकिन आपसे प्रार्थना नहीं होगी। हममें जितनी भी शक्ति है मैं मानता हूँ कि इस समय हमारी शक्ति कम है, लेकिन जितनी भी शक्ति है उसका इस्तेमाल हम इस सदन के बाहर भी कर सकते हैं। अगर आप ने आज एलान नहीं किया तो उस शक्ति का इस्तेमाल कर के हम आप का मुकाबला करेंगे। आज यही चेतावनी देनी है आपको। इसी उम्मीद के साथ मैं आप से कोई कदम उठाने की अपेक्षा करूंगा।

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA): I agree with hon. members that when we consider this matter, we should do so in its total effect as a whole. I would remind them that when this matter originally arose, there was not much difference of opinion between Government and the employees' representatives regarding the main demands. They were considered and various assurances were given by Government. It was said that on one demand on which we could not agree, there could be further negotiations, the employees' representatives could come and discuss with the sub-committee of the Cabinet. Unfortunately, at that time, the employees' representatives thought that it would serve no useful purpose to come and discuss it with Government. I am pointing out this not to apportion blame; I am only trying to show that as far as sympathy for the employees' demands and as far as the implementation of the socialist or progressive policies of Government are concerned, there is no difference of opinion between us and the employees' representatives. The main thing was how to do it. In that, difference of opinion arose. That was how the trouble started.

[Shri Vidya Charan Shukla]

So if hon. members try to make out that basically we were against the demands of the employees or that we did not want to meet their demands, they are labouring under a completely wrong impression. It is not a fact. We are sympathetic to their demands; we want to meet each and every demand of theirs to the best of our capacity, and we will do it, irrespective of what is being done or has been done so far. It is not our intention to block the demands of the employees.

But I must say that I felt a little hurt at the speeches of some hon. members when all kinds of insinuations and accusations were made. I do not know what is the motive; I will not attribute any motive.

SHRI NATH PAI: Nothing personal.

SHRI VIDYA CHARAN SHUKLA: I am not speaking personally; I am speaking on behalf of Government and on behalf of the majority party here. I say the intention of Government is to solve all the problems with the goodwill and co-operation of the employees. But if accusations are made, threats are hurled and motives are attributed, the whole situation becomes very complicated. The Central point that I am trying to make is that whereas as far as the demands are concerned there is not much of difference of opinion, there is definitely difference of opinion or difficulties between the workers and the Government on the question how those demands were to be considered, and in what manner. An Ordinance had to be issued. Certain persons are now suffering. It does not make us happy. We feel unhappy that the situation took such a turn. We tried our best to avoid it. I can recall instance after instance, how the Government did its best to avoid this. But at that time the atmosphere was such and the attitude taken by certain representatives of the Government employees

was such that this clamity could not be averted.

SHRI M. L. SONDHI: On 13th June 1969 you have done something.

SHRI VIDYA CHARAN SHUKLA: I request hon. Members to hear me patiently and after my submission is over if you allow them questions, I am willing to answer them. Somehow an unfortunate situation arose because of which the Government employees are suffering today. We do not like that situation at all. Right after the strike, after the Prime Minister's return from her tour abroad, from October onwards a series of actions had been taken by the Government to remove the difficulties. If the hon. Members opposite say that all the suffering is due to the Government's action .

SHRI NATH PAI: Did we suspend them?

SHRI VIDYA CHARAN SHUKLA: I can only say the blame lies on them. I do not say the Government do not have any blame but a greater share of the blame lies with the representatives of the Government employees who by their impatience and tectlessness brought about a tragedy. If they had not done so, there would have been no suffering . . . (Interruptions.) The poor fellows are the victims of impatience and irresponsibility on the part of their leaders.

I am not saying that whatever we have done so far has removed the grievances of the Government employees completely. We should like to consider this matter further and see that all those difficulties which had been brought about are removed. Very soon we shall call a meeting of the Ministries concerned, the Ministry of Communications, Railways and Defence and consider the matter afresh and review the situation to see what further we can do in this matter. We shall do it soon.

SHRI M. L. SONDHI: Before the Parliament adjourns . . . (Interruptions.)

MR. CHAIRMAN: Let him end his speech. If you want to ask when exactly it is going to be held, you can ask a question later on.

SHRI VIDYA CHARAN SHUKLA: Sir, as the hon. Members know, out of the employees who were affected by this illegal strike, very few of them now remain.

SHRI NATH PAI: 1,300.

SHRI VIDYA CHARAN SHUKLA: 1,300 out of how many? (Interruption). What I am saying is, we do not want even these people to remain under suspension or to undergo any suffering. We will try to see what we can do about this matter. As I said earlier, we will review the entire cases.

About recognition of the unions, I have already said that the Bill regarding employees' relations is coming here. It is now in the final stages, and it is going to the Cabinet. As soon as the Cabinet has considered that Bill, it will be introduced in Parliament. We wanted to introduce this Bill during the current session, but unfortunately because of various reasons, the consideration of the Bill has not started.

SHRI NATH PAI: Did you consult representatives of the employees in formulating that Bill?

SHRI VIDYA CHARAN SHUKLA: If it is necessary, that will be done. But first the Cabinet has to consider it. The Cabinet will consider the entire matter. After they take a decision, then we will consider it. If that Bill goes to the Select Committee—I think it will go definitely—then, some of the representatives can go there and there can be evidence and all kinds of processes gone through and all consideration can be

given at the Select Committee or the Joint Committee. We do not want to rush that Bill through because that would be an important piece of legislation and we would like to see it through with the greatest measure of agreement. This question of recognition would only be considered after that measure has been considered by Parliament.

Having said this, I would like to say one more thing. Some hon. Members have made certain points about individual cases. Some hon. Members have referred to what has happened in Allahabad or something in Madras or Bangalore. I would like to have those cases brought to me so that we can examine them.

SHRI UMANATH: But the officials are against them. If we take up those cases, then the officials say that the employees are trying to bring political influence. What shall we do?

SHRI VIDYA CHARAN SHUKLA: It is very unfair to say that we do not exercise our own discretion and our own judgment in this matter or that we are guided by the Government officers.

SHRI UMANATH: They are punished by the officers for having approached us.

SHRI VIDYA CHARAN SHUKLA: I can assure you that nobody would be punished for approaching Members of Parliament to come to us. There is no question of anybody being punished to approach the Government through Members of Parliament in so far as this particular matter is concerned. What I am saying is, it is wrong and absolutely unjustified if the hon. Members allege that we are not using our discretion or judgment in these matters or that we are being guided by our official advisers. It is unfair to them and it is very much unfair to us. All these

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matters are considered by us, ourselves, at a political level and ministerial level and all that, and decisions have been taken by us, and while taking the decision we have taken the advice given by the hon. Members opposite. Their viewpoints have been considered and we have also taken them into account while we consider these matters. To say that these matters have been decided without giving any consideration to them, is wholly unfair and absolutely wrong.

The last point that I would like to make is with regard to the point made by Shri Randhir Singh and some others, namely, about the Delhi policemen, but that matter is completely different from the Government employees' subject-matter today, and so, I would not be able to say anything about that.

SEVERAL HON. MEMBERS rose—

MR. CHAIRMAN: Mr. Kundu. Only one question.

SHRI S. KUNDU (Balasore): Mr Chairman, the Government have recently issued a circular wherein they have said that those employees who are found guilty of any complaint of violence, intimidation and active instigation, will be caught, and the others will be taken back. I would like to say that a complaint of violence is not the same as guilty of violence. Suppose there is an application or a letter to the Divisional Superintendent or somebody saying that some employees were seen indulging in some sort of violence, they will be held up. (*Interruption*). I have some specific cases in mind. Let the minister kindly give thought to this whether instead of 'complaint' he can make it 'guilty of violence'.

According to the further clarification of "active instigation" that has been issued, everybody will be

caught, because it says, taking out demonstrations, putting posters, etc. I submit that these words "active instigation" should be completely withdrawn.

श्री रामावतार शास्त्री : सभापति महोदय, मैं भी इस आन्दोलन से सम्बन्धित था और जो मुकदमे चलाये जा रहे हैं, उन से भी मेरा सम्बन्ध है। बिहार में 13 पी० एन टी० एम्प्लॉईज अभी तक नौकरी से बाहर हैं। 2 की नौकरी समाप्त कर दी गई और 11 पर अभी तक विभिन्न प्रकार की कार्यवाहियां चल रही हैं। उनमें से 5 पर मुकदमे चल रहे हैं और 6 पर कोई मुकदमा नहीं है। मंत्री महोदय ने बताया था कि जिसके खिलाफ चार्ज नहीं होगा और मुकदमा नहीं चलाया गया, उसको, ले लिया जायेगा। जून में मिनिस्टर आफ कम्प्यूनिवेशन, श्री सत्य नारायण सिंह, ने कहा था कि हम ऐसे तमाम लोगों को ले लेंगे। मैं यह जानना चाहता हूँ कि जिन लोगों का मैंने जिक्र किया है, उनको कब वापिस ले लिया जायेगा।

क्या मंत्री महोदय को मालूम है कि जमशेदपुर में जिन लोगों पर मुकदमें चलाये जा रहे हैं, पहले उन पर धारा 4 के मुताबिक मुकदमें चलाये गये थे, लेकिन अब उन पर धारा 5 के मुताबिक मुकदमे चलाये जा रहे हैं; अगर हाँ, तो इसका क्या जस्टिफिकेशन है?

SOME HON. MEMBERS rose—

MR. CHAIRMAN: I do not know what I should do. This one-hour discussion has become a two-hour discussion. I thought it was the wish of the House that the time should be extended because this was an important matter. Now I will request members not to persist in asking questions. As far as I understand, the minister has said that he is prepared to discuss the entire matter with the various ministries.

SHRI UMANATH: The minister said that after that Bill is introduced, and passed, the question of restoration of recognition will be considered. It will take a lot of time because the Bill will have to be introduced, referred to Select Committee and then it should come back again. Why should the Government wait till the passing of that Bill for restoring recognition? Why not give recognition now itself?

SHRI S. M. BANERJEE: I welcome the minister's assurance that he will call a meeting of the various ministries to discuss this matter afresh. I suggest that that meeting must be called before Parliament adjourns sine die. This circular about informal discussion is not being carried out at all.

MR. CHAIRMAN: That point was made by all the speakers. (*Interruptions*).

19 hrs.

SHRI NATH PAI: In view of the fact that he has struck a very welcome and wholesome note, even though I was very critical in my speech, I welcome it. But may I know what comes in the way of stopping that horrible harassment and continuing the prosecutions? Will he assure us that all the prosecutions which are pending will be withdrawn forthwith?

श्री चन्द्रिका प्रसाद (बलिया) : रेलवे के जिन कर्मचारियों पर न्यायालय में मुकदमे चलाये गये और जो छूट गये, उन को अभी तक काम नहीं दिया गया है। उदाहरण के लिए एन० ई० रेलवे में आइज़टनगर के वर्कशाप के कर्मचारियों को अभी तक ड्यूटी पर नहीं लिया गया है। क्या उनका काम पर लिया जायेगा ?

श्री सुरज भान (अम्बाला) : डी० ए० के मर्जर का एम्पलाईज़ पर जो एडवर्स इफ़ेक्ट

हुआ है, मंत्री महोदय जो मीटिंग करने जा रहे हैं, क्या वह उस में इस विषय को भी कनसिडर करेंगे ?

श्री शशि भूषण (खारगोन) : देर से मिला हुआ न्याय भी अन्याय हो जाता है, इस को मद्देनजर रखने हुए क्या मंत्री महोदय कोई समय - हफ़्ता या दो हफ़्ते - निर्धारित कर सकते हैं, जिस में इस बात का निर्णय कर दिया जायेगा ?

SHRI VIDYA CHARAN SHUKLA: Mr. Chairman, as far as the question of withdrawal of cases is concerned, that is one of the things that will be reviewed when the Ministers meet.

SHRI NATH PAI: Be more categorical. When will be the meeting?

SHRI VIDYA CHARAN SHUKLA: Although we would like to have this meeting as quickly as possible, I cannot assure whether it would be within the next three days when Parliament would be in session. It is not necessary that the meeting of the Ministers should take place within three days. It cannot also be said that the decision may be taken in the very first meeting. Many more meetings will be necessary to consider all the aspects. I do not understand the anxiety of the hon. Members that the meeting should take place when Parliament is in session.

SHRI M. L. SONDHI: That would be denying Parliament a right.

MR. CHAIRMAN: The importance of Parliament is not ignored by that.

SHRI M. L. SONDHI: When Parliament is in session you dare not arrest anybody. When Parliament is not in session you rope in everybody.

SHRI VIDYA CHARAN SHUKLA: Your anxiety is completely misplaced.

SHRI M. L. SONDHI: If it is misplaced, why not you accept it? We are a democracy. Why not you heed the wishes of Parliament? Why do the government not treat their own servants sympathetically . . . (Interruptions) Sir, he cannot brow-beat me here. Please protect me. He should not challenge my *bona fides*. . . . (Interruptions).

MR. CHAIRMAN: You are asking for protection? I think I should have some protection!

SHRI VIDYA CHARAN SHUKLA: Shri Kundu asked for some information about one clarification. The withdrawal of that clarification would not help the situation at all. That clarification is not to be applied without thinking about it; neither is it obligatory on their part to follow that clarification. Also, if there has been any misapplication of that clarification, we would definitely go into it and remove the grievance, because it is not binding on them to follow it. It is only an illustrative clarification that has been given; no government officer is bound to follow what has been given in it. So, the withdrawal or non-withdrawal of that clarification would not alter the matter at all. It is a question of dealing with the matter with sympathy and goodwill and not with any intention of settling old scores and things like that. Whenever we come across any grievances we do try to see that the cases are decided on merits.

On recognition I have given my views.

SHRI NATH PAI: Why do you want to wait for the Bill?

SHRI VIDYA CHARAN SHUKLA: Because, the Bill will have a lot of bearing on this question. When this question is considered, it should be considered in its total effect. Therefore, it would not be possible for us to do it before the Bill is taken up here.

19.05 hrs.

MESSAGE FROM RAJYA SABHA
—contd.

SECRETARY: Sir, I have to report the following message received from the Secretary of Rajya Sabha:—

“In accordance with the provisions of rule 111 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to enclose a copy of the Bihar State Legislature (Delegation of Powers) Bill, 1969, which has been passed by the Rajya Sabha at its sitting held on the 26th August, 1969.”

STATE LEGISLATURE (DELEGATION OF POWERS) BILL

AS PASSED BY RAJYA SABHA

SECRETARY: Sir, I lay on the Table of the House the Bihar State Legislature (Delegation of Powers) Bill, 1969, as passed by Rajya Sabha.

19.06 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, August 28 1969| Bhādra 6, 1891 (Saka).