

17.00 hrs.

[Mr. DEPUTY SPEAKER in the Chair]

Lok Sabha divided:

Division No. 23]

AYES

[16.57 hrs.

Aney, Dr. M.S.
 Badrudduja, Shri
 Dwivedy, Shri Surendranath
 Kakkar, Shri Gauri Shankar

Krishnapal Singh, Shri
 Minimata, Shrimati]
 Ranga, Shri

Shinkre, Shri
 Swamy, Shri Sivamurthi
 Yashpal Singh, Shri

NOES

Alva, Shri A.S.
 Bhagat, Shri B.R.
 Bhattacharyya, Shri C.K.
 Borooah, Shri P.C.
 Brajeshwar Prasad, Shri
 Chakraverti, Shri P.R.
 Chandrasekhar, Shrimati
 Chaudhry, Shri Chandramani Lal
 Chavan, Shri D.R.
 Daffe, Shri
 Daljit Singh, Shri
 Das, Shri N.T.
 Dighe, Shri
 Dorai, Shri Kasinatha
 Dwivedi, Shri M.L.
 Ganga Devi, Shrimati
 Gowdh, Shri
 Hansda, Shri Subodh
 Hazarika, Shri J.N.
 Himatsingka, Shri
 Jadhav, Shri M.L.
 Joshi, Shrimati Subhadra
 Kamble, Shri
 Kandappan, Shri S.
 Kedaria, Shri C.M.
 Khadilkar, Shri
 Kotaki, Shri Liladhar
 Kripa Shankar, Shri
 Krishna, Shri M.R.

Krishnamachari, Shri T.T.
 Kureel, Shri B.N.
 Lahtan Chaudhry, Shri
 Lakshminanthamma, Shrimati
 Laakar, Shri N.R.
 Laxmi Bai, Shrimati
 Mahadeva Prasad, Dr.
 Mahtab, Shri
 Mallick, Shri Rama Chandra
 Maniyangadan, Shri
 Mehrotra, Shri Braj Bihari
 Morarka, Shri
 More, Shri K.L.
 Mukane, Shri
 Musafir, Shri G.S.
 Muthiah, Shri
 Niranjan Lal, Shri
 Oza, Shri
 Pande, Shri K. N.
 Pant, Shri K.C.
 Patel, Shri Rajeshwar
 Patil, Shri D.S.
 Patil, Shri T.A.
 Prabhakar, Shri Naval
 Raju, Shri D.B.
 Raju, Dr. D.S.
 Ram Sewak, Shri
 Ramshekhar Prasad Singh, Shri
 Rananjai Singh, Shri

Rane, Shri
 Rao, Shri Rampathi
 Rao, Shri Thirumala
 Reddy, Shrimati Yashoda
 Roy, Shri Bishwanath
 Sadnu Kam, Shri
 Sahu, Shri Rameshwar
 Samanta, Shri S.C.
 Saraf, Shri Sham Lal
 Shah, Shrimati Jayaben
 Shakuntala Devi, Shrimati
 Sharma, Shri A.P.
 Sharma, Shri D.C.
 Shastri, Shri Ramanand
 Sheo Narain, Shri
 Sinha, Shrimati Ramdulari
 Sinha, Shrimati Tarkeshwari
 Sonavane, Shri
 Subbaraman, Shri
 Subramanyam, Shri T.
 Thomas, Shri A.M.
 Tiwary, Shri D.N.
 Tiwary, Shri K.N.
 Tiwary, Shri R.S.
 Tula Ram, Shri
 Ukey, Shri
 Upadhaya, Shri Shiva Dutt
 Vaishya, Shri M.B.
 Yadav, Shri N.P.

The Minister of Communications and Parliamentary Affairs (Shri Satya Narayan Sinha): My vote has not been recorded even though I had pressed the button.

Mr. Deputy-Speaker: The result of the division is as follows:

Ayes: 10; Noes: 87.

The Resolution was negatived.

17.02 hrs.

RESOLUTION RE: CEILING ON URBAN PROPERTY

Shri P. R. Chakraverti (Dhanbad): I beg to move:

This House is of opinion that suitable measures should be taken

*Half-an-hour discussion.

to introduce ceiling on urban property, commensurate with the policy adopted with regard to rural areas."

Mr. Deputy-Speaker: The hon Member can commence his speech on the next day.

Shri D. S. Patil (Yeotmal): I also move my amendment.

Mr. Deputy-Speaker: Not now. He can move it on the next day.

17.03 hrs.

*SUPPLY OF SHOES TO MINERS

Mr. Deputy-Speaker: Now, we shall take up the half-an-hour discussion to

[Mr. Deputy-Speaker]

be raised by Shri Kishen Pattnayak. There are a number of Members who want to put questions. Obviously, such a large number cannot be accommodated, but I would request Shri Kishen Pattnayak to confine himself to about ten minutes.

श्री किशन पटनायक (सम्बलपुर) :
दस मिनट से तो ज्यादा लगेगे क्योंकि यह मामला बहुत गम्भीर है। लेकिन मैं कोशिश करूंगा कि दस मिनट में खत्म कर दूं।

मैं एक मामूली सदस्य इस सदन का हूँ। लेकिन आज एक बहुत ही गम्भीर मामले को मैं उठा रहा हूँ। हिन्दुस्तान के हिन्दुस्तानी नागरिकों के चरित्र में क्या ऐसी खराबी आ गई है, हमारे राष्ट्र की जड़ के पत्थर क्या ऐसी सड़ान आ गई है कि हम किमो भो दिशा में सन्तोषजनक रूप में प्रगति नहीं कर पा रहे हैं? अपनी जमीन को न हम चीनी हथले से बचा पा रहे हैं और न पाक हथले से बचा पा रहे हैं और न ही अनाज की पैदावार में वृद्धि कर पा रहे हैं। भ्रष्टाचार की बात हिन्दुस्तान में अब बहुत चलती है और हिन्दुस्तान के समाज को पवित्र करने के लिए भ्रष्टाचार से मुक्त करने के लिए हम लोगों ने इस सदन में एक सदाचारी मंत्री को नियुक्त किया है यह विश्वास करके कि यह सदाचारी मंत्री इस देश के समाज से भ्रष्टाचार को खत्म करेंगे। जब ऐसी बात है तो मेरे मन में कितना दुख होता होगा जब मैं किसी अखबार में यह पढ़ता हूँ कि भ्रष्टाचार में कमी नहीं हो रही है। यह जो अखबार में लिखा है, इसको मैं आपकी सुनाना चाहता हूँ। इसमें यह लिखा हुआ है :

"Nanda makes money for Sadachors"

यह मेरा अखबार नहीं है और न मैं इस अखबार का समर्थक हूँ। लेकिन जब ऐसी खबरें छप जाती हैं और सरकार को हिम्मत नहीं होती है

श्री शिव नारायण (बाँपी) : किस का अखबार है ?

श्री किशन पटनायक : मार्च आफ बी नेशन।

जब ऐसी खबरें छप जाती हैं और सरकार को हिम्मत नहीं पड़ती है इसके खिलाफ कार्रवाई करने की तो हमारे मन में शंकायें उत्पन्न होना स्वाभाविक है। जब देश के ऊपर हमला होता है तब भी कितना दुख हमें होता होगा, इसका भी अनुमान आप लगा सकते हैं। अगर यह मिथ्या खबर है और अगर नन्दा साहब इस अखबार के खिलाफ कार्रवाई करना चाहेंगे तो मैं इतना आश्वासन उनको दे सकता हूँ कि अगर यह सचमुच निराधार और मिथ्या खबर है तो मैं अपने दल के नेता से कहूँ कि वे नन्दा जी का समर्थन करें किसी भी कार्रवाई में।

तीन तारीख को अभी संजीवैया साहब को जो कि श्रम मंत्री है इस भ्रष्टाचार को डिफेंड करना पड़ा था। यह मामला जब मैं उठा रहा हूँ तो यह समझते हुए उठा रहा हूँ कि यह तब हुआ था जब श्री नन्दा श्रम मंत्री थे। इसलिए संजीवैया साहब के प्रति मेरे मन में कुछ दया और हमदर्दी है कि इतने बड़े भ्रष्टाचार के मामले को भी वे डिफेंड करना चाहते हैं और उनको ऐसा करना पड़ रहा है। तीन तारीख को उन्होंने जो स्टेटमेंट ले किया था टेबल पर उस स्टेटमेंट में कोई संतोषजनक उत्तर नहीं था। उसमें एग्जिमेंट की कापी भी नहीं है और न ही अभी तक उन्होंने उसको मेरे पास भिजवाया है हालांकि स्पीकर साहब का भी यह सुझाव था। प्राबिटोर ने जो रिपोर्ट दी थी उसकी भी कोई नकल कोई रिपोर्ट इस में नहीं है।

घब मैं इरगुलेरीटीज की तरफ आता हूँ। उस दिन क्वेश्चन आवर में श्री कछवाय ने पूछा था कि किन-किन अखबारों में यह विज्ञापन आया था, टेंडर के बारे में। इसका

जवाब नहीं आया था। संजीवैया साहब ने कहा था :

"I am not in a position to say what was the mode of advertisement"

तीन तारीख को स्टेटमेंट में इसका जवाब तो आना चाहिये था लेकिन आया नहीं। क्यों नहीं आया? इसलिए कि एडवर-टिजमेंट भी नहीं हुआ था, मोड आफ एडवर-टिजमेंट की बात तो अलग रही।

दूसरी इरैगुलैरिटी यह है कि ज्वायंट परचेज कमेटी को बनाना ही इरैगुलर था वह ही अपने में एक इरैगुलैरिटी था। ज्वा-यंट परचेज कमेटी का कोई भी उल्लेख 1956 के ट्रिब्यूनल एवार्ड में नहीं है। एवार्ड में यह है कि 1958 से सौ रुपये से कम तनख्वाह पाने वाले मजदूरों को हर साल आधे दामों पर मेनेजमेंट एक जोड़ा जूता सप्लाई करेगा और फिर यह quality and specifications of footwear to be decided by the management in consultation with the Chief Inspector of Mines.

चीफ इस्पैक्टर आफ माइज जो एक टेक्नी-कल आदमी होता है, उसके ऊपर यह जिम्मे-दारी सीपी गई थी। चीफ इस्पैक्टर आफ माइज ने अपना कर्तव्य कुछ दिन तो किया। इन्होंने छः किस्म के सैपल एप्रुव किये जिस में एक बाटा शू कम्पनी का भी था जिस का कि दाम बहुत सस्ता था। नी रुपये सब से लोएस्ट था। बाटा कम्पनी का 12 रु० 20 पैसा था और रूबी कम्पनी का बहुत ज्यादा था, साढ़े बारह रुपया था। यह था दाम जब चीफ इस्पैक्टर आफ माइज ने अपना काम किया था। उस व-सिस पर करीब चालीस हजार जूतों के जोड़ों का इन्तजाम किया गया था। अब जब ज्वायंट परचेज कमेटी घा गई और कोई अफसर नियुक्त हो गया तो आज तक यानी 1958 से 1965 तक हर मजदूर को कम से

कम छः सात जोड़ा जूता मिल जाना चाहिये था लेकिन जहाँ तक मेरी जानकारी है अभी तक उनको एक से दूसरा नहीं मिला है और एक भी हर एक को, सब को, नहीं मिला है। इससे साबित होता है कि नन्दा साहब ने जो ज्वायंट परचेजिंग कमेटी बनाई, जो स्पेशल आफिसर नियुक्त किये, यह सब मजदूरों के हित के लिये नहीं था। यह सब अपनी प्रिय रूबी कम्पनी को मजदूरों के खून पसीने से कमाये हुए पैसे से लाखों रुपयों का मुनाफा देना था। चीफ इन्स्पेक्टर आफ माइन्स ने छः प्रकार के सैपल एप्रुव किये थे। एक उसमें 9 रु० का भी था, बाटा शूज का 12. 20 रु० का था और रूबी कम्पनी का बहुत महंगा था। इस लिये क्या हुआ। ज्यादा आर्डर रूबी कम्पनी के पास नहीं भेजे गये। इसी कारण शायद उस वक्त के मन्त्रालय ने कोशिश यह की कि कोई दूसरी प्रणाली हो ताकि रूबी कम्पनी को ज्यादा आर्डर मिलें। इसके लिये बूट्स कमेटी बनाई गई, फिर बाद में उसे हटा कर ज्वायंट परचेजिंग कमेटी बनाई गई। पहले जब ज्वायंट परचेजिंग कमेटी बनाई गई तो उसका चेअरमैन कोई सरकारी आदमी नहीं था लेकिन जब तक सरकारी आदमी नहीं था, जब तक बूट्स कमेटी थी तब तक रूबी कम्पनी को ज्यादा आर्डर नहीं मिले। इमानिये आखिर में नन्दा जी ने ज्वायंट परचेजिंग कमेटी के सरकारी चेअरमैन कर्नल बागसिंह को बना दिया। जब सरकारी आदमी चेअरमैन बन गया तो फिर शुरू हुआ कि रूबी कम्पनी को आर्डर दिया जाये।

चेअरमैन बनने के कुछ ही दिनों बाद 27-3-61 को मीटिंग में डिमांड हो गया कि रूबी कम्पनी को सारे आर्डर दे दिये जायें। और किस आधार पर दे दिये जायें, इसका कारण जो बतलाया गया उसके प्रति भी मैं सदन का ध्यान आकृष्ट करना चाहता हूँ। जो कारण दिये गये थे उनमें से यह भी था कि बूट्स बनाने के लिये जिन स्टील नेल्स

[श्री किशन पटनायक]

की जरूरत होती है उस को इम्पोर्ट करने का लाइसेंस रूबी कम्पनी को प्राप्त है इसलिये उसको चुना जाता है। इसके पीछे जो इतिहास है वह बहुत ही रहस्यमय है। डिमांड नोटा है इस बेसिस पर कि रूबी कम्पनी के पास इम्पोर्ट करने का लाइसेंस है। और यह लाइसेंस कैसे मिला यह भी देखिये।

17-12 hrs.

[MR. SPEAKER in the Chair]

रूबी कम्पनी का टेण्डर ऐक्सेप्ट होने के बहुत दिन पहले 18-4-60 को रूबी कम्पनी ने ऐप्लीकेशन दी और इम्पोर्ट लाइसेंस मिला 30-4-60 को। फिर इम्पोर्ट लाइसेंस मिलना चाहिये वाणिज्य मन्त्रालय के इम्पोर्ट एक्सपोर्ट कंट्रोलर से। लेबर मिनिस्ट्री का इससे क्या सम्बन्ध था। इस लाइसेंस को रिकमेण्ड किया लेबर मिनिस्ट्री ने और कहा कि लाइसेंस दिया जाये। 30-4-60 को रिकमेण्ड होता है और 24 मई, 1960 को एमेन्सिफिकेशन की सर्टिफिकेट मिलता है। इतनी जल्दी क्या कभी किसी को लाइसेंस मिला है। यह लाइसेंस मिला लेबर मिनिस्ट्री की रिकमेण्डेशन पर, नन्दा जी के प्राइवेट सेक्रेटरी के नोट पर।

फिर चौथी इरेगुलैरिटी की तरफ मैं आता हूँ। ऐग्रीमेंट होता है। इस ऐग्रीमेंट को नन्दा साहब के डिप्टी सेक्रेटरी साहनी और भीमिक साहब ने मिल कर ड्राफ्ट किया। यह स्पष्ट हो जाता है कि भीमिक साहब के खत से ऐग्रीमेंट लिखा जाता है कि अगर रा मेटैरियल्स के दाम में कुछ बढ़ोतरी हो जायेगी तो रेट्स में भी वृद्धि हो जायेगी। यह पहले हो जाता है। इसके साथ यह नहीं लिखा जाता है कि अगर रा मेटैरियल्स के दाम घट गये तो रेट्स भी कम हो जायेंगे। पहले से दाम बढ़ाने के लिये ऐग्रीमेंट में एक क्लॉज हो जाता है, और फिर जब ऐग्रीमेंट हो जाता है तो उसके गार्ड महीने के बाद भीमिक साहब लिखते हैं कि दाम बढ़ा दो और उसकी चिट्ठी पर नन्दा साहब नोट देते

हैं कि जस्टिफिकेशन है दाम बढ़ाने के लिये। इसके लिये आरबिट्रेटर पहले राय दे देते हैं कि बढ़ाने के लिये जस्टिफिकेशन है। बाद में आरबिट्रेटर नियुक्त किस को करते हैं। अपने मन्त्रालय के ज्वायंट सेक्रेटरी आर०एम० मेहता को। पहले नोट लिखते हैं कि जस्टिफिकेशन है और फिर जब उनका नोकर आरबिट्रेटर बन जाता है तो उसकी क्या राय होगी आग्रिअर। वही हुआ। एक सरकारी आदमी ज्वायंट परचेजिंग कमेटी का चेअरमैन और दूसरा सरकारी आदमी आरबिट्रेटर और तीसरे आदमी का आरबिट्रेणन, भीमिक साहब का। इसका क्या नतीजा निकल सकता है यह विल्कुल स्पष्ट है।

अध्यक्ष महोदय : अब प्राप समाप्त कीजिये पन्द्रह मिनट हो गये।

श्री किशन पटनायक : यह बहुत गम्भीर मामला है, अध्यक्ष महोदय। आखीर में मैं केवल तीन चार सवाल पूछ देता हूँ और खत्म करता हूँ। मेरा सवाल यह है कि क्या यह सही नहीं है कि जितने प्राक्सिस प्रापने इस काम में लगाये हैं, जैसे कि ज्वायंट सेक्रेटरी आर०एम० मेहता, नन्दा साहब के मन्त्रालय छोड़ने के पहले ही उनका प्रमोशन हो जाता है और ऐडीशनल सेक्रेटरी की एक स्पेशल पोस्ट क्रिएट की गई है उनके लिये। दूसरे डिप्टी सेक्रेटरी मि० साहनी। डिप्टी सेक्रेटरी को चीफ लेबर कमिश्नर कभी नहीं बनाया जाता, लेकिन नन्दा साहब के मन्त्रालय छोड़ने के बाद उनको चीफ लेबर कमिश्नर बना दिया गया।

आखीर में मैं यह सवाल पूछना चाहता हूँ कि इरेगुलैरिटी और इम्प्रोप्रायटी के ऐसे केस जो हैं क्या बीजू पटनायक के इम्प्रोप्रायटी के कार्यों से और अप्टाचार से कुछ कम है। अगर कम नहीं है, या बराबर भी है तो क्या श्री नन्दा को इस कलंक से मुक्त करने के लिये एक जुडिशियल एन्वयगरी इस सम्बन्ध में बिठलाने का सरकार विचार कर रही है।

दूसरा सवाल यह है कि यह कहां तक सही है... **

अध्यक्ष महोदय : यह रेकांड नहीं किया जायेगा ।

श्री चन्द्रमणिलाल चौधरी (महुआ) : अध्यक्ष महोदय, दूसरे लोग गलत आरोप लगाते रहें और हम लोग चुपके मुनते रहें क्या इसी लिये हम लोग यहां हैं । यह बिल्कुल गलत आरोप है ।

Mr. Speaker: Some Members have given notice that they want to put questions. Would he like them to put questions so that he may, answer later on?

The Minister of Labour and Employment (Shri D. Sanjivayya): All together.

Shri N. Dandekar (Gonda): Must preface my questions by saying that I am greatly troubled both about the allegations that have been made as well as the excessive freedom with which allegations are being flung about the Minister. I have endeavoured to formulate four simple and precise questions . . .

Mr. Speaker: My difficulty is that ordinarily only one question is allowed for every hon. Member.

Shri N. Dandekar: My questions would cover most of the doubts of the hon. Members who want to put questions. My first question is this: Is it a fact that under the instructions of the then Labour Minister, the Officials of the Labour Ministry actively assisted Ruby Industries to obtain Import Licence for the special type of steel toe caps required for these boots and shoes, long before tenders for these boots and shoes were invited and if so, is it also a fact that the tender notice stated that preference would be

given to that tenderer who was in a position readily to import and utilise steel toe caps of the prescribed specifications? Perhaps this explains how Ruby Industries were able to produce a satisfactory sample conforming to specifications.

My second question is: Was it a condition of the tender or was it otherwise made known to all those to whom tender forms were sent, that in the agreement to be entered into with the successful tenderer, there would be an "escalator clause" to cover subsequent increases in the cost of raw materials etc. and if not, why was such a clause included in the agreement of Ruby Industries without calling for fresh tenders?

I would just add one comment: It is possible that Ruby Industries alone had prior knowledge that such an escalator clause would be accepted; whereas the other tenderers in the absence of such knowledge had to cover themselves by tendering high rates, Ruby Industries were able to get away with quoting low rates, knowing full well that as against the mere estimates of other people as regards subsequent rise in the cost of raw materials, they (that is Ruby Industries) could ignore that uncertain factor completely.

I will be satisfied if I have adequate answers to these questions.

Shrimati Ramdulari Sinha (Patna): May I know whether it is a fact that the quotations submitted by the concern under discussion were the lowest for the bulk supply and part supply? May I also know whether it is correct that the increase in prices was made as a result of an agreement arrived at between the seller and the purchaser themselves and the Government has nothing to do with it.

Shri Dinen Bhattacharya (Serampore): May I know whether it is a

[Shri Dinen Bhattacharya]

fact that the then Labour Minister, Shri Nanda, by a telegram sent to this purchasing committee, dissuaded the authority there to cancel the order to other companies because he had the prior intention of giving the order to this particular Ruby Company which is his most favourite one?

Several hon. Members rose—

Mr. Speaker: Order, order. Whatever names I have got, I will call them. I do not know how many there are.

श्री बागड़ी (हिसार) : 1956 के ट्राइबुनल एवार्ड के मुताबिक अभी तक ढाई लाख से ज्यादा मजदूरों को हर साल 6 या 7 जोड़े जूते मिलने चाहिए थे, वे पूरे मिले या नहीं, अगर नहीं मिले, तो इसका क्या कारण है ?

श्री यशपाल सिंह (कैराना) : क्या मैं जान सकता हूँ कि जब तक इस कम्पनी के साथ एग््रीमेंट नहीं हुआ था यह कितना इनकम टैक्स देती थी और क्या इसके पास अपनी फैक्टरी और पूंजी थी ?

Shri Gauri Shankar Kakkar (Fatehpur): In view of the serious charges against the Minister, as was suggested by you also, Sir, is it not proper for the Labour Minister to place on the Table of the House the original agreement and the arbitration award which were entered into in this connection, and then, is it not against the cardinal principles of justice that fresh tenders were not invited when there was enhancement in the price of the raw material and enhancement in the charges given to Ruby Industries?

Shri Sheo Narain: Is it a fact that the case of Ruby Industries for the import of toe-caps was recommended by the Indian Mining Association after the samples given by the Ruby Industries were accepted?

Shri A. P. Sharma (Buxar): Is it a fact that the Board of conciliation

made a recommendation for the supply of shoes to the mine workers in 1947 and no supply was made till 1961 and this was because of the fact that the mine-owners had to pay 50 per cent of the cost of shoes, and may I also know what was the amount that the mine-owners were saving every year as a result of the non-supply of the boots?

Shri K. N. Tiwary (Bagaha): Is it a fact that there was a clause in the agreement providing for arbitration in the case of demand for price increase to be made by the supplier, and if the answer is in the affirmative, whether this increase was made in pursuance of that?

श्री डा० ना० तिवारी (गोपालगंज) : मैं यह जानना चाहता हूँ कि यह होली डील कैसा था और इसमें कितना रुपया इनवाल्ड था, सरकार का रुपया था या नहीं ?

श्री किशन पटनायक : मजदूर का रुपया था ।

श्री डा० ना० तिवारी : आप जवाब देंगे या वह देंगे ?

Shri D. C. Sharma (Gurdaspur): May I know that what were the results that accrued to the mine-owners so far as this deal was concerned, and whether those results resulted in the loss of money to them or whether they gained because for a long time the shoes were not supplied to them?

Shri Shinkre (Marmagoa): I have also got one question.

Mr. Speaker: I have not got this name. All right; I will allow him.

Shri Shinkre: After all the protective treatment that was given to the Ruby Industries the management and the mineowners were still reluctant to purchase shoes from Ruby Industries and therefore, the officials of the Labour Ministry were actively canvas-

sing with the mine-owners and management to order from Ruby Industries; I want to know whether this fact is within the knowledge of the Ministry, and that the officials had even lodged a protest with the Minister for having entered into such an undignified work of private salesman.

Shri D. Sanjivayya: Sir, I will first deal with the points raised by Shri Kishen Pattnayak. He referred to the efforts being made by Government for eradicating corruption and quoted this instance as being not in conformity with the thinking of the Government and the people who are interested in eradicating corruption. I would like at once to dispel from his mind any misunderstanding with regard to this. Whatever appeared in that paper which he mentioned is not true and it is for Nandaji to proceed against the paper if he wishes to; that is a different matter. I have a copy of the agreement. In fact, the essential portion of it has been incorporated in my statement which I placed on the Table on 3rd of this month. If, however, a copy of the statement is necessary, if you permit me, Sir, I will lay it on the Table.

The mode of advertisement was not known to me really then. I went into the whole question and found there was no advertisement made in any newspaper. But requests were made, rather letters were written to certain suppliers by the Indian Mining Association and quotations were called for from them. Later on, a joint purchase committee was set up. Here again, I would say that Government did not set up that committee. The employers and workers set up that committee in pursuance of the recommendations of the miners' boots committee. That committee again requested 11 suppliers for quotations and these 11 suppliers are on the approved list of the DGS&D.

They were not satisfied with the speed with which the work was being done. So, both the workers and em-

ployers wanted that an official should be appointed as chairman of the joint purchases advisory committee. So, on account of requests from the representatives of both workers and employers, an official—the Commissioner for Coal Mines Welfare Fund—was appointed as Chairman.

Mr. Pattnayak also referred to the appointment of a special officer in this connection. A special officer was appointed to look into the question of hostels run for Gorakhpur labour in the coal-mine areas. When he was there on that job, the Ministry asked him to coordinate the work that was being done by the industrial relations machinery, i.e. conciliation officer, etc, and the officers under the Chief Inspector of Mines who were doing this work. I have made it very clear in my statement that it is the duty and responsibility of the industrial relations machinery and also the officers working under the Chief Inspector of Mines to see that awards and agreements are implemented, when such implementation is going to benefit the workers to a great extent.

With regard to the steel toes—the question has been raised both by Shri Pattnayak as well as other hon. Members—the fact is this. The Miners Boots Committee made it very clear as to what the specification of boots would be. The recommendation of the Miners Boots Committee was that a steel toe will have to be used in order to protect the feet of the miners. Having known this and being an enterprising industrialist or contractor, it is a fact that he approached the Iron and Steel Controller, Calcutta with an application for securing a licence to import about three lakh pairs of these steel toes. A copy of that letter was forwarded to the Labour Ministry to strengthen his case, in the sense that we were to say whether such material was required for the purpose of producing special boots and shoes for the miners. So the Labour Ministry said that it is very essential that these steel

[Shri D. Sanjivayya]

toes should be imported, and we recommended not only this application but we said we are prepared to recommend any application from anybody if one is interested in importing steel toes for the purpose of manufacturing these shoes and boots. Of course, he was able to secure a licence and he imported.

Shri Kishen Pattnayak: He alone!

Shri D. Sanjivayya: He alone because others in spite of our request did not come forward. What could we do?

Shri Surendranath Dwivedy (Kendrapara): The point is whether it was known to others that if they apply they will also get it?

Shri D. Sanjivayya: We had written to them. We had made it very clear even before the request was made for quotations. We had written to them that these were required and if they were interested they could also apply and we were prepared to recommend to the concerned Ministry (*Interruption*).

Then, with regard to the appointment of arbitrators, according to the clause in the agreement both the parties could agree on one name and the arbitrator could be appointed. In the absence of any such agreement between the two parties it was, according to the agreement, left to the Government, the Labour Ministry, to appoint an arbitrator whose award would be final. Luckily here—I do not want to go into the merits of the case—in fact all the persons who were approached to act as arbitrators declined and ultimately we had to send our own officer. Here again the one important point which is to be borne in mind is that the arbitrator's award is not as though it is his own award; in fact, he gave the award in the light of a compromise agreement filed before him. Therefore, it is not a question of the arbitrator exercising his own discretion and doing things.

Shri Kishen Pattnayak: Shri Nanda approved of it beforehand, of the price rise before appointing the arbitrator.

Shri D. Sanjivayya: No, no; that is not correct.

Let me now come to the points raised by Shri Dandeker. I think I have answered the point with regard to steel toes. The other point is whether a condition was there in the tender itself that there would be a possibility of incorporating an escalator clause in the agreement. It was not there in the tender. As a matter of fact, as I said earlier, there was no tender. It was a circular letter issued to certain suppliers in which, of course, they were asked for quotations. There was no mention in that. But after the lowest quotation was accepted of Ruby Industries, the agreement could not be signed immediately. In fact, it took a lot of time and the arbitrator felt that this delay was due to the Joint Purchase Advisory Committee. Anyway, in the end when the agreement was being signed, this clause was introduced, namely, that an arbitrator would be appointed in regard to the rise in price asked for. In fact, Sir, with your permission, I would like to make one submission to the House. When I answered the questions on the 19th of April, a definite question was asked whether the Ruby Industries asked for an increase in price before or after the agreement was signed. At that time I did not have fuller information and I said that it was after. The correct position I have given in a statement which I placed on the Table of the House on the 3rd of this month. The correct position is that they asked for an increase in price a month before the agreement was signed, and before the agreement was signed this escalator clause was decided upon and incorporated. Therefore, the other tenderers who sent in their quotations did not have any prior knowledge that there was going to be an escalator clause.

Shrimati Ramulari Sinha put a question whether the award given was in the light of the agreement. I have already answered that question. It was in the light of the compromise agreement between the parties. Some hon. Members enquired whether the employers, mine-owners, gained by not supplying the footwear. They gained roughly at the rate of Rs. 25 lakhs per year when they did not supply footwear.

Shri A. P. Sharma: The workers lost to that extent.

Shri D. Sanjivayya: Yes. With regard to the role of the officers, I have already said that we have asked them to help the workers so that they may be benefited by the supply of footwear.

श्री बागड़ी : अध्यक्ष महोदय, मेरे सवाल का जबाब नहीं आया कि कितने जोड़े मजूदरों को मिल सके? उसके बारे में कतई जबाब नहीं आया है ।

Shri D. Sanjivayya: I can give that information. So far they have supplied 1,78,524 pairs. They have still to supply 58,000.

Mr. Speaker: This discussion is over.

17.38 hrs.

EXPUNCTION OF CERTAIN REMARKS BY A MEMBER

Mr. Speaker: I have to bring to the notice of the House two things. This morning, during the debate, Shri H. N. Mukerjee had referring to Dr. Lohia, said:

"The leader of the party to which Shri Limaye belongs, that gentleman over there....".

Shri Surendranath Dwivedy (Kendrapara): He is not the leader of the party.

**For expunction please see page col. 13810.

***Not recorded.

Mr. Speaker: I am reading from the debate. He said:

"...in my absence, to make allegations against me which were dirty and completely false."

Dr. Lohia, while referring to that, said: **

It is very wrong on the part of a Member to have said like that. At that time I really could not catch it. Otherwise, I would have expunged it then and there. Now, with the permission of the House, I am going to expunge these words.

Shri Bagri (Hissar):

Mr. Speaker: Order, order. What Shri Bagri has said will not go on record.

17.40 hrs.

RE. WRIT PETITION BY A MEMBER

Mr. Speaker: The second question that I have to put to the House is that this morning the House directed me that I should not represent myself or the House before the High Court. After that I have received the summons from the Court at 5 o'clock, they have been delivered to me and the petition as well. There the allegation is that the action of the Speaker in naming the petitioner and of Shri Satya Narayan Sinha in moving the aforesaid notice for his suspension, the petitioner's suspension, was not only against the rules but *mala fides*, as he was—as he says—punished for raising the question of discussing the Secretariat Demands and for his having moved cut motions in that connection.

From the records I find that it was only the "Call attention" notice about Mr. Phizo that was being discussed and Shri Limaye had said:—

उन्होंने कहा कि क्या यह गवर्नमेंट चीन के आक्रमण पर श्री फिजो की इन एक्टिविटीज पर कोई ठोस कदम उठायेगी या बिल्कुल