

[Mr. Deputy-Speaker]

an opportunity. There is deep concern over this affair. There has been some failure of Government. Shri Prakash Vir Shastri may ask for the leave of the House.

श्री प्रकाशवीर शास्त्री (बिजनौर) :

उपाध्यक्ष महोदय, भारत सरकार मीजो का शासन सम्भालने में असफल रही है, इसलिये मैं सदन को प्रनुमति चाहता हूँ कि सरकार की इस असफलता पर विचार किया जाये और सदन की कार्यवाही स्थगित की जाये।

Mr. Deputy-Speaker: Those who are in favour may please stand up. I find 47 hon. Members standing. So, the leave is not granted... (Interruptions).

Shri Hari Vishnu Kamath: We demand a recount.

An hon. Member: It is wrong counting.

Mr. Deputy-Speaker: I will recount. There are 50 hon. Members standing.

श्री रामेश्वर राव (करनाल) : अध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है...

Mr. Deputy-Speaker: The leave is granted. We will take it up at 4 O' Clock.

Shri Hari Vishnu Kamath: There is a Half-An-Hour Discussion also.

Mr. Deputy-Speaker: If the House is willing, we will take it up after that. Otherwise, it will go to some other day.

12.31 hrs.

RE: BOMBAY TEXTILE WORKERS' STRIKE AND DISPUTE BETWEEN MANAGEMENT AND LABOUR IN D.C.M., DELHI

Mr. Deputy-Speaker: A point was raised yesterday about the Bombay

Textile Mills' workers strike. Is the Labour Minister going to make any statement? Have the Government issued any instructions to the Bombay Government to end the strike?

The Minister of Labour, Employment and Rehabilitation (Shri Jagjivan Ram): We have not issued any instructions nor is it necessary to issue instructions. The textile labour is within the jurisdiction of the State Government and the State Government is dealing with that matter. (Interruptions).

Shri Hari Vishnu Kamath: (Hoshangabad): Was the Rajasthan matter discussed in camera, that is, in your chamber, Sir?

Mr. Deputy-Speaker: We have discussed it. (Interruptions) Order, order. Papers to be laid on the Table. (Interruptions) The Government has not issued any instructions to the Bombay Government. It is purely a State matter.

Shri S. M. Banerjee: (Kanpur): The textile industry is paralysed in Bombay.....

Mr. Deputy-Speaker: Unless he is called, he cannot go on speaking like this. (Interruptions).

Shri H. N. Mukerjee (Calcutta Central): Sir, the Bombay strike involves something which concerns the national interest. In so far as the Bombay textile industry and its work is concerned, it is surely within the province of this House to discuss the matter. The strike in that industry has been going on for several days. 200,000 workers are on strike for the last five days and we are here not in a position to discuss this because this Government has not chosen, according to the Minister, to intervene in the matter in a helpful fashion. That itself is a condemnation of this Government and we surely have a right to discuss it

Shrimati Savitri Nigam (Banda): May I make a submission, Sir?

Several hon. members rose—

Mr. Deputy-Speaker: Only one at a time. Mr. Nath Pai.

Shri Nath Pai (Rajapur): May I make a submission? I am a little surprised at the cavalier reply of the Labour Minister, at the casual way of dealing with a very serious problem. Government never tires of invoking that we are in the midst of Emergency. In Emergency there is a special responsibility cast on the Government to see that production is not interfered. This is one of the major industries and lakhs of workers have downed their tools. There is another thing. Let me point out this responsibility. It is the Union Government which appoints the Textile Commissioner who looks after the textile industry not only to see that production is of quality but also to see that production is continued and ensured. The fact that perhaps it was not aimed at the Commerce Minister should not provide the excuse for you to take such a casual look and say that this does not arise. The law and order may be the responsibility of the Maharashtra Government, but to ensure production in this vital industry is a responsibility accepted by this Government; they cannot disown it now. We want a reply to this. (*Interruptions*):

Shri Vasudevan Nair (Ambalazhazha): The Commission Minister is also concerned with this.

Shrimati Savitri Nigam: I want to submit humbly that this question regarding the closure of sixty textile mills at Bombay is a very serious one. First of all, there is a Textile Commissioner appointed by the Central Government. Secondly, there is a Textile Advisory Committee, of which I am also one of the members. Thirdly, the question of production is everybody's concern; whatever is being produced in Bombay is not being consumed by Bombay people only; it is being consumed by the whole country. Fourthly, we want to increase our export earnings and we have signed

very important trade pacts under which we are going to export lot of textiles. You can understand the importance of these points and I would beg of you to impress on the hon. Minister to take up this question here and to give a reply which may convince us.

श्री मन्त्र लिम्बे (मुंगेर) : अध्यक्ष महोदय, इस प्रश्न से चार मन्त्रालयों का सम्बन्ध है सीधे सीधे। एक है मजदूर विभाग, दूसरा है व्यापार विभाग, तीसरा है योजना विभाग और चौथा है कानून और व्यवस्था का विभाग। जहाँ तक कानून और व्यवस्था का सम्बन्ध है मैं मानता हूँ कि वह राज्य के अर्थात् शासक है। लेकिन जहाँ तक मजदूर विभाग का सम्बन्ध है वह विषय ऐसा है कि राज्य के अर्थात् मंत्री है और केन्द्र के अर्थात् मंत्री है। जहाँ तक व्यापार का सवाल है आप जानते हैं औद्योगिक विकास और नियन्त्रण कानून है जिसके अन्दर जब कपड़े का मिलों का बन्द होना शुरू हुआ तो यहाँ पर बड़ा हल्ला मचा हुआ था और मेरा प्रस्ताव चर्चा के लिए आया था जिस पर अर्थात् तक चर्चा अर्थात् है तो व्यापार मन्त्री का फर्ज हो जाता है कि कपड़े का मिलों के बारे में जो समस्या पैदा होती है उसके बारे में वह ध्यान दें। इसलिए व्यापार मन्त्रालय का इससे सम्बन्ध है। जहाँ तक योजना का सवाल है, मैं निवेदन करना चाहता हूँ कि आखिरकार योजना मन्त्री काहे के लिए है, और योजना आयोग काहे के लिए है? उत्पादन के जो लक्ष्य हैं उनको पूरा करने के लिए योजना मन्त्री है और योजना कर्मागण है इसलिए केन्द्रीय सरकार का सीधा सम्बन्ध इस मामले से आ जाता है। यह एक बात हो गई।

लेकिन इस वक्त संकटकालीन स्थिति है। मैं आपका ध्यान संविधान की धारा 353 की ओर खींचना चाहता हूँ :—

“While a Proclamation of Emergency is in operation, then not-

[श्री मधु लिमये]

withstanding anything in this Constitution, the executive power of the Union shall extend to the giving of directions to any State as to the manner in which the executive power thereof is to be exercised".

कानून बनाने के बारे में तो मैं इस समय कुछ नहीं कहता हूँ क्योंकि (बी) में लिखा गया है कि कानून हम बना सकते हैं। लेकिन इस वक्त कार्य-समिति और सरकार का सवाल है तो संकटकालीन स्थिति के रहते हुए सरकार को यह पूरा अधिकार है कि वह राज्य सरकार को निदेश दें। इसलिए मेरा आप से निवेदन है कि बम्बई में करीब करीब दो लाख मजदूरों की हड़ताल शुरू हो गई है। बम्बई का कपड़े का घंघा हिन्दुस्तान में सबसे बड़ा है इसलिए मेरा आप से निवेदन है कि इस ध्यानाकर्षण प्रस्ताव को स्वाकारा जाय और हमको प्रश्न पूछने का मौका दिया जाय।

Shri D. C. Sharma (Gurdaspur): I had also sent a notice on this, but you never look to this side at all.

Shri S. M. Banerjee: Yesterday, a point of order had been raised and that was why you wanted a reply from the Labour Minister. May I submit in all humility that it is not as if this matter was raised only yesterday? For the last five or six days, we have been tabling calling-attention-notices inviting Government's attention to this and requesting them to make a statement on the strike by more than two lakhs workers of the textile industry in Bombay as a result of which the textile industry has come to a standstill. I was asked by the Hon. Speaker when he was in the Chair how this matter became Central matter, because the Labour Minister or the Commerce Minister perhaps was not convinced of it. I had given three or four arguments which I would now reiterate for your information and for the information of the House.

The first reason is that this has arisen out of the bonus dispute. This has arisen as a result of the Bonus Act which was a Central legislation that we had passed. It is a fact that the administration of this particular Act is done by the State Governments but it is a Central Act.

Secondly, labour is a concurrent subject. Thirdly, the laws relating to excise duty and other duties on textile goods are Central subjects; so the Centre is responsible for it.

My fourth submission is this. Even if these grounds are negated by the attitude of the Labour Minister or the Government of India and they do not want to intervene but want to teach a lesson to the workers at the cost of misery, I would refer you to article 353 of the Constitution under which during an Emergency it is the duty of the Union Government to intervene. My submission is that this calling-attention-notice satisfies all the grounds which justify the Centre to intervene or to make a statement. The attitude of the Central Government and the Maharashtra Government seems to be that they would face the workers this time because they do not want to displease the big Millionners since they have to take huge funds from them for the elections, as the elections are fast approaching; that is one of the reasons why they do not want to intervene. I am not imputing any motives to anyone...

Mr. Deputy-Speaker: The hon. Member should not make a speech now.

Shri S. M. Banerjee: I want that the Centre should intervene in the matter effectively. It is not only we on this side who are concerned, but all Members are concerned; they may be vocal or they may be silent, but everybody is concerned. An indefinite strike by the textile workers in Bombay, if it is not settled, may spread to Delhi today, and tomorrow

it may spread to Kanpur and so on, and an all-India strike is not desirable at this hour.

Mr. Deputy-Speaker: Has the hon. Leader of the House anything to say?

The Minister of Parliamentary Affairs and Communications (Shri Satya Narayan Sinha): We have nothing to say.

Shri A. P. Sharma (Buxar): I also want to say something.

Shri K. N. Pande (Hata): I also want to say something about the matter that we too feel....

Mr. Deputy-Speaker: Four Ministries are concerned. We are also working in an emergency. Does the hon. Labour Minister want to say anything?

श्री हुकम चन्द्र कछवाय (देवास) : सब को आपने बोलने का मौका दिया तो मुझे भी दिया जाय ।

Mr. Deputy-Speaker: I shall give him a chance afterwards. Let him sit down now.

Shri A. P. Sharma: I quite agree with the concern expressed by Shri S. M. Banerjee but in a different way. Shri S. M. Banerjee has expressed his concern about the strike going on in the textile mills of Bombay. We are also concerned. As I pointed out the other day, there are labour laws, such as the Industrial Disputes Act, the Bonus Act and so on. We want to understand whether Government are going to allow such thing to happen in this country where people will not take recourse to law but they will do whatever they like in the name of the labour movement or on behalf of the workers. So far as the workers are concerned, and their grievances are concerned, I am in full agreement, but there is a rule and there are laws for settling them and we have to follow them. But if people do not take recourse to the law and they take the law in their own hands, then that would definitely result in creating chaotic conditions in the country.

Shri Inderjit Gupta (Calcutta South West): The hon. Member is arguing on the merits of the strike. Are we discussing the merits of it now?

Shri A. P. Sharma: It is not my hon. friend's monopoly only to speak. I have also got the right to speak.

Therefore, what I am pleading with this House is that in this particular case, the hon. Labour Minister has very rightly said that so far as this textile strike in Bombay is concerned, it is absolutely within the competence of the State Government and the Centre should not interfere in this matter (*Interruptions*).

Shri S. M. Banerjee: Why does he not go to Bombay and explain to the workers?

Shri K. N. Pande: Although I agree with the statement of the Labour Minister, I have to say this. Though the Bonus Act was made by Parliament, yet its implementation lies with the State Governments. Therefore, this is within the jurisdiction of the State Government, to see that the Act is properly implemented. But this is a big strike. We should know what are the causes due to which this strike took place. I would request the Labour Minister to make a statement at least on this subject, whether the strike is justified or unjustified.

श्री हुकम चन्द्र कछवाय : उपाध्यक्ष महोदय, यह जो बोनस विधेयक बना है यह वास्तव में केन्द्र का विषय है। इस बोनस के विषय को लेकर महाराष्ट्र, राजस्थान, दिल्ली उत्तर प्रदेश और मध्य प्रदेश आदि सभी जगहों पर झगड़े खड़े हो रहे हैं, जैसे बम्बई में हड़ताल हुई, उसी तरह दिल्ली में चल रही है, राजस्थान में चल रही है, मध्य प्रदेश में चल रही है और उत्तर प्रदेश में भी आग भड़क रही है लेकिन हमारे श्रम मन्त्री ने इस और कोई कठोर कदम नहीं उठाया। हम जब जब सवाल पूछते हैं तो यह कह कर टाल दिया जाता है कि यह सवाल राज्य सरकार का है। मैं श्रम मन्त्री से निवेदन करूंगा कि बि आई के धन्दर

[श्री हुकम चन्द कछवाय]

15,000 मजदूरों की छंटनी हो रही है। उसके बारे में मैंने अल्प सूचना सवाल दिया हुआ है। काफ़ी दिन हो गये। एक पत्र मुझे लोकसभा से आज ही मिला है कि श्रम मन्त्री ने कोई जवाब नहीं दिया है और उनका जवाब आने पर बतलायेंगे दरअसल श्रम मन्त्री कोई ध्यान नहीं देते हैं।

जहाँ तक दिल्ली क्लाय मिल का सम्बन्ध है मैं यह साफ़ आरोप लगाता हूँ कि यह सरकार कपड़ा मिल के मालिकों के द्वारा बनाई हुई है और उनके एजेंट इसमें बैठे हुए हैं... (इंटरप्रांस) इसलिए मजदूरों की कोई सुनवाई नहीं होती है। मेरा खुला आरोप है कि क्या भरत राम माननाथ श्रम मन्त्री के कई बार घर नहीं गये हैं? अगर सरकार उन मिल मालिकों के हाथ में नहीं है तो क्यों नहीं वह उन पर दबाव डालती कि जल्द अपने यहाँ फैसला करवायें। हमें पता है और हमारा आरोप है कि वह उनके हाथ में खेलते हैं इसलिए इस मसले पर हाउस में चर्चा होना बहुत जरूरी है। सारे देश में उत्तेजना फैल रही है उस पर चर्चा होना बहुत जरूरी है।

Shri Hari Vishnu Kamath: Is it Sharam Mantri or Shram Mantri: (शर्म मंत्री या श्रम मंत्री)?

Shri Jagjivan Ram: Are we discussing the Bombay strike or something else?

श्री हुकम चन्द कछवाय : यह केन्द्र का विषय है और सभी बोनस की बात कर रहे हैं।

श्री जगजीवन राम : उपाध्यक्ष महोदय
(इंटरप्रांस)

श्री बागड़ी (हिसार) : आप चैलेंज कबूल करें।

श्री हुकम चन्द कछवाय : मालिकों के प्राप लोग एजेंट हैं। (इंटरप्रांस)

Mr. Deputy-Speaker: Order, order. If you go on like this, I will have to ask you to go out of the House.

श्री सत्य नारायण सिंह : अब स्ट्राइक के सम्बन्ध में जो बातें हो रही हैं उनका तो लेबर मिनिस्टर जवाब देंगे। मुझे तो इस समय इंटरवीन करते हुए केवल इतना ही कहना है कि जैसे कि हाउस के और लोगों को प्रोटेक्शन आपके जरिए मिलता है तो हमारे इधर के लोगों को भी सरकार को भी तां प्रोटेक्शन आप के जरिए मिलना चाहिए। श्री हुकम चन्द कछवाय ने वह जो आरोप लगाया है कि यह सरकार मिल मालिकों का एजेंट है यह कतई अनुचित और गलत चर्चा नहीं है।

श्री हुकम चन्द कछवाय : बिल्कुल सही बात है। यह हमारा आरोप है और हम सिद्ध कर सकते हैं इस बात को।

Mr. Deputy-Speaker: I will have to ask Shri Kachhavaia to go out of the House. He is obstructing the proceedings. Please go out of the House. (Interruptions).

Shri Surendranath Dwivedy (Kendrapara): This is not the way to conduct the proceedings.

An hon. Member: Everyday you are sending Members out of the House.

Mr. Deputy-Speaker: Order, order.

Shri S. M. Banerjee: Are you Speaker or a dictator?

Shri Mohammad Elias (Howrah): Every now and then, you are asking us to go out of the House.

Several hon. Members rose—

Mr. Deputy-Speaker: Please sit down.

Shri H. N. Mukerjee: Will you not even listen to us?

Mr. Deputy-Speaker: Please sit down. Let us not lose temper, let us have some dignity and decorum in the House.

Shri Surendranath Dwivedy: You are making it impossible, the way you have asked the hon. Member to go out. If you think the remark is not parliamentary, you could have asked him to withdraw it. If there is some objection, you should listen to it, as to what he actually said...

Mr. Deputy-Speaker: Please sit down.

Shri Surendranath Dwivedy: But you ask him to go out, you are ordering like a military man.

Shri Swell (Assam—Autonomous Districts): How can we discharge our duties as hon. Members of this House in this way?

Mr. Deputy-Speaker: I have been seeing the hon. Member sitting in his seat and disturbing the proceedings of the House. This cannot be tolerated. Unless the Member is recognised, he should not go on speaking. That is not the way to do it. Let us observe some decorum here.

श्री बागड़ी : उपाध्यक्ष महोदय, मेरी बात सुन लीजिए ।

Mr. Deputy-Speaker: Please sit down, Mr. Bagri.

Let us observe some decorum in this House. The national Parliament should not be reduced to this state. I am very sorry.

Shri H. N. Mukerjee: Dignity and decorum are a two-way business. It has to proceed from either side.

Mr. Deputy-Speaker: Yes, certainly.

Shri H. N. Mukerjee: Day after day Members are asked to leave the House just like that, and the rest of us do not happen to know what exactly was their offence. We might be different groups in the Opposition, but if Members of the Opposition, one by one, are asked to go out just like that, without our having been able to find out what exactly was the default that was committed, it is very difficult for us also to maintain our temper. We want to maintain

dignity and decorum and all that, but when the Leader of the House suddenly comes and intervenes in a completely unhelpful fashion, or when the Minister of Labour who is upgraded on account of Bombay burning while a Nero of a Minister is fiddling away his hours in Delhi, when that sort of thing happens, they try to push away that problem. Two Congress Members have spoken in this matter. It is not that you have not allowed Members on the other side, and yet the Leader of the House gets up to say as if something very wrong has happened as far as this side of the House is concerned.

Here is a subject on which a discussion is being demanded by different sections of the House. Maybe, some of us have formulated our demand in a rather impatient language, but that is because of the very peculiar situation which has developed in Bombay. If the Bombay situation is not to be taken notice of by the Government of India, when four Ministers of different colours and dispositions are in charge of this business, then what are we going to make of this administration?

We are going to discuss how one part of India is trying to separate from us because of the default of the Government. Every now and again this Government is giving evidence of this kind of separatism developing in this country because of the complete bankruptcy and inefficiency on the part of Government. You want dignity and grace. If this kind of inefficiency continues, dignity and grace cannot be purchased at that price.

Some hon. Members rose—

Mr. Deputy-Speaker: No more now. Please sit down.

Shri Satya Narayan Sinha: I think I have the right, and I simply took exception to the remarks that he made. Everybody has a right to take exception to what is said. It is for you to decide whether what I said was proper or not. We can always discuss things without making any

[Shri Satya Narayan Sinha]

insinuations. All that I said is you have every right to demand that a statement should be made, that we are not making a statement, but going to that extent and saying that the Government is in collusion with the capitalists . . . (Interruptions).

Shri Hari Vishnu Kamath: It is a statement of fact.

Shri Surendranath Dwivedy: We are perfectly within our rights to say that Government is an agent of capitalism. You ask the Member to go out because . . . (Interruptions).

Mr. Deputy-Speaker: Order, order.

Shri Indrajit Gupta: Is it unparliamentary to say that the Government is an agent of the capitalists?

Shri Hari Vishnu Kamath: We do not say that he is the agent, we say that the Government is the agent. We do not say that any particular Minister is an agent, but that Government is the agent. Government is impersonal.

Shri Satya Narayan Sinha: So far as I remember, the hon. Member said about Bharat Ram, who is the proprietor of DCM, that he is coming to the Labour Minister in his house and hobnobbing. So, it is an individual.

Shri Mohammad Elias: What is wrong if an employer comes to the Labour Minister's house? Why are you so much afraid of this thing?

Shri Swell: What is wrong in any Indian seeing the Minister, going to the Minister and seeing him in his house? What is wrong in that?

Mr. Deputy-Speaker: You cannot stand up like this and go on.

Shri Ranga (Chittoor): May I have a word?

Shri Bhagwat Jha Azad (Bhagalpur): Please hear us also if you want to maintain the dignity of the House,

Mr. Deputy-Speaker: Please hear your leader.

Shri Satya Narayan Sinha: I have made a submission to you. It is for you to decide whether such remarks should be allowed or not, that is all.

Mr. Deputy-Speaker: Have you got anything to say in this connection?

Shri Jagjivan Ram: I was going to submit that we are functioning in a federal set up where certain subjects have been assigned to the States under the Constitution.

Shri Maurya (Aligarh): Not federal, quasi-unitary.

Shri Jagjivan Ram: The Constitution allocates subjects to the Centre and to the States. We should not also forget that in the State: there are legislatures elected by the people, and that they are as conscious of their responsibilities and rights as the Members of this august House are. We should not forget that in Bombay there is a legislature where representatives of the people of that State do sit. They also enjoy the confidence of the people. They are also mindful of their responsibilities and duties, and we alone are not the custodians of the good of the workers in textile industry.

श्री मधु लिमये (मुंगेर) : यहाँ पर बयान देने में क्या आपत्ति है ?

श्री जगजीवन राम : माननीय सदस्य शान्ति रखें । उन्होंने इतना कहा है । अब वह मुझे भी कुछ बहने दें ।

Labour is in the concurrent list, but the Constitution itself....

Shri Ranga: Why do you go into all this?

Shri Jagjivan Ram: . . .divides labour into parts which should be entirely dealt by the Central Government and others which have to be

dealt with entirely by the State Government. The appropriate government in respect of labour in certain industries is the State Government; the appropriate government in respect of other industries is the Central Government. And may I humbly point out to the Members that according to the Constitution, the appropriate government for the workers in the textile industry is the State Government.

Shri Nath Pal: No.

Shri Jagjivan Ram: Look into the Constitution.

Shri Hari Vishnu Kamath: Emergency powers.

श्री मधु लिमये : उपाध्यक्ष महोदय, ये लोग दो तरफा बातें करते हैं—एक ओर तो ये संकटकालीन स्थिति रखते हैं और दूसरी ओर संवत्कालीन स्थिति के अन्दर जो जिम्मेदारियाँ हैं उनसे भागते हैं।

Shri Jagjivan Ram: This august House decided that we should have planned development of this country. We have also decided that the development of the country will be determined according to the five year plans. The priorities are determined by the Central Government in consultation and discussion with the State Governments. Simply because we have decided to have a planned economy where the priorities of development are decided by consultation between the State Governments and the Central Government, wherever planning is done by the Planning Commission will the subject be discussed in Parliament? That is a very relevant question to be asked. And simply because the priority is determined for the development of the textile industry by the Planning Commission, is the subject of textile workers to be discussed here? (*Interruptions*).

Mr. Deputy-Speaker: Members will not sit and go on.

Shri Jagjivan Ram: If they have a little patience, I will give the information in my possession, but certainly I will have to say that, though the Central Government is not responsible for what is happening in Bombay, and though the appropriate Government for the textile workers is the Bombay Government, in order to satisfy the anxiety of the Members of this House, I will share with the Members whatever information I have in my possession, but let the position be made clear.

The Payment of Bonus Act was passed by this House, and the Members of this House, in their wisdom, laid down in the Act itself that the enforcement and implementation of the provisions of that in respect of the industries lying within the sphere of the State Government will be the responsibility of the State Government. Then again the hon. Members of this House in their wisdom laid down in the Act itself that in the contingency of the failure of the employers to pay the bonus according to the scales laid down under the Bonus Act, recourse will have to be taken of the provisions made under the Act itself.

13 hrs.

Shri S. M. Banerjee: Scrap this Act.

Shri Jagjivan Ram: You are a party to it, in your wisdom.

Shri S. M. Banerjee: We all voted against it. . . . (*Interruptions*). Only one Dandekar voted for it.

Shri Jagjivan Ram: I expect the hon. Members of this House to see that the provisions that they make in Acts are observed and if the authority of Parliament is going to be challenged in a way it is being challenged. . . .

Shri Nath Pal: You are not recognising it; you say Parliament has no authority.

Shri Jagjivan Ram: I am urging the hon. Members to consider that the Bonus Act was passed in this House. Labour being a concurrent subject, the implementation and the enforcement of the Act was entrusted to the State Governments and it is only to be seen whether the State Governments are enforcing the Act or not.

श्री मधु लिमये : अगर कानून पूरी तरह से फेल हो जाय तो उसे बदल देना चाहिये ।

श्री बाजी (इंदौर) : प्रायको इसमें दखल देने का अधिकार नहीं है ।

श्री रामेश्वरानन्द (करनाल) : मजदूरों के प्रतिनिधि होकर ऐसी बातें करत हो ।

Shri Jagjivan Ram: Under the Bonus Act itself, provision has been made as to what steps are to be taken by the workers in case the employers fail to pay bonus in time. I will narrate the history.

Mr. Deputy-Speaker: If the hon. Minister wants to make a statement...

Shri Jagjivan Ram: Yes, Sir, I am making the statement now; it is not necessary that it should be a written statement. I will narrate the events. Just on the eve of Deepavali last year bonus was distributed among the workers of the textile industry in Bombay.

Shri S. M. Banerjee: Which year's bonus?

Shri Jagjivan Ram: Bonus of 1963. I will give all the facts; I have no intention of withholding any fact from the hon. Members.

Shri Ranga: You could have made the statement in the beginning itself; all that trouble could have been saved. You were so persistent in not making a statement; it was so foolish of you..... (Interruptions).

Shri Jagjivan Ram: I do not want this impression to go out that the Central Government is the proper Government for the textile industry in Bombay... (Interruptions). Now bonus to the extent of Rs. 4.1 crores was distributed on the eve of Deepavali. Then, bonus for 1964 was also due to be distributed more or less at the same time. The textile industry wrote to the Bombay government that as they have distributed the bonus for 1963 to the tune of Rs. 4.1 crores, the industry was not in a position to distribute the bonus for 1964 at that time. They applied to the Bombay Government for extension of time which is provided for in the Act itself. The Bombay Government gave extension from time to time till the 28th February, 1966. Workers were naturally pressing for the payment of the 1964 bonus which was due... (An Hon. Member: Overdue) If you want to use some adjective, you may add it. In the meantime the Rashtriya Mill Mazdoor Sangh's representatives...

Shri Vasudevan Nair: Bogus union; that is the whole trouble.

Shri K. N. Pandey: That is the real union.

Shri Jagjivan Ram: I am not here to decide which union is bogus and which, real; a machinery for that purpose is also laid down and any union which feels that it is the only representative union may apply to that machinery. In the meantime the Rashtriya Mill Mazdoor Union applied for conciliation. The whole issue of the payment of bonus for 1964 is pending before the legal machinery provided in the Act and therefore no further extension was necessary to be given by the Bombay Government. The point for consideration is whether, when the dispute is pending before a legal machinery provided under the Industrial disputes Act, illegal action is justified or not.

Shri Dinen Bhattacharaya (Serampore): What is illegal action?

Shri Jagjivan Ram: Whatever it may be. In the meantime, the Bombay Government also made efforts with the millowners but they expressed their inability to pay bonus at this time. The workers of the textile industry have gone on strike from 28th February.

Shri Ranga: How many? What percentage?

Shri Jagjivan Ram: Quite a good percentage. There are other issues which I do not propose to go into. There are eleven issues on which the workers have gone on strike but the main issue is of bonus which is pending before the conciliation machinery.

Shri N. Sreekantan Nair (Quilon): Can a statutory right be denied by consultation or negotiation?

Shri Jagjivan Ram: This is the factual position so far as the Bombay strike is concerned. Something has been said about the Delhi strike and my hon. friend, Shri Kachhavaiya, has waxed eloquent over that. I do not propose to use that kind of language which he has used or exhibit that kind of temper. The House is an august body, the supreme body and it has to set an example of decorum and decency.

श्री हुकम चन्द कछवाय : दिल्ली क्लाय मिल में क्या हुआ ?

Shri Jagjivan Ram: I may say that in the case of the Delhi Mills, without going into the merits of the case, I tried whether I could persuade the workers and the employers to come to amicable settlement and I devoted quite a number of hours over that. The employer, Shri Bharat Ram, and representatives of workers together met me. I have failed to bring them to terms. But I am going to exercise my authority. I have decided to refer the whole dispute to adjudication; by tomorrow it will be announced. That is what I have to say; I will again say that labour is a concurrent subject. In certain matters the appro-

priate government is the State Government in respect of certain disputes.

Shri Hari Vishnu Kamath: Is an emergency you can advise them under article 353. Where the Central Government is satisfied that the State Government has failed to take necessary steps under the Act provided for, then only the case will come before us. We are satisfied that the Maharashtra Government is taking all possible steps under the Payment of Bonus Act and the Industrial Disputes Act. Therefore, there is no occasion for us to direct the Bombay Government.

Shri Mohammad Elias: One point of clarification.

Mr. Deputy-Speaker: No questions.

Shri Mohammad Elias: The hon. Minister has misled the House by his statement. I had been there on the day when the strike took place. I had been there and I know . . . (*Interruption*) . . .

Mr. Deputy-Speaker: Order, order. Please sit down.

Shri Mohammad Elias: Please listen to me. It is only a question of two minutes. The hon. Minister said that it is only about the demand for bonus. It is not so. He said that the major demand is bonus. It is not so; it is about the wage-cut also. Since all the Cabinet Ministers have now been restoring the cut of 10 per cent.—the amount which they had been contributing to the National Defence Fund—how can they justify this wage-cut to the textile workers in Bombay? The cut must be restored. And now, they say—(*Interruption*).

Mr. Deputy-Speaker: Order, order. Please sit down.

Shri Mohammad Elias: Only one minute. I know all the facts. I had addressed meetings of more than lakhs of workers. Shri Sharma says that the real representative union is the Rashtriya Mill Mazdoor Sangh. (*Interruptions*).

Several hon. Members rose—

Mr. Deputy-Speaker: Order, order. Please sit down.

Shri Mohammad Elias: If that is the real union, then, why did they not prevent the strike. They talk so much about democracy. Today, it was said that more than 96 per cent of the workers there on strike. This is the report of the *Statesman*. Then, why don't they accept democracy—they talk of democracy—and prevent the strike? (*Interruption*). The Maharashtra State has failed to tackle this problem. The Central Government must intervene in the matter. Otherwise, there will be serious repercussions in the industries throughout India. (*Interruption*).

Mr. Deputy-Speaker: Order, order. We cannot go on like this.

Shri Yajnik (Ahmedabad): Just one point. The Labour Minister has spoken about bonus. But the real question is the cut in the dearness allowance. That had been secured after a long series of strikes.

Shri Jagjivan Ram: I have said that there are quite a number of other demands.

An hon. Member: This is the most important.

Shri Jagjivan Ram: There are quite a number of other demands, but I have said that the most important of all, which exercises the mind of the workers, was the payment of bonus.

Shri S. M. Banerjee: And D.A.

Shri Jagjivan Ram: So far as D.A. is concerned,—and I am being very frank to the House, and perhaps the mill-owners have raised the issue of reduction in D.A. as a counterblast from the employers' side. The issue is pending before the lower court. We hope that the labour court to which this matter has been referred will not agree to that. (*Interruption*).

Mr. Deputy-Speaker: Order, order. **Shri Bhagat.**

13.15 hrs.

PAPER LAID ON THE TABLE
GOVERNMENT SAVINGS CERTIFICATES
RULES, 1965

The Minister of State in the Ministry of Finance (Shri B. R. Bhagat): I beg to lay on the Table a copy of the Government Savings Certificates Rules, 1965, published in Notification. No. G.S.R. 1889 in Gazette of India dated the 16th December, 1965, under sub-section (3) of section 12 of the Government Savings Certificates Act, 1959. [*Placed in Library. See No. LT-5665/66*].

13.15½ hrs.

RE. CALLING ATTENTION NOTICE
(Query)

Mr. Deputy-Speaker: The House will now resume general discussion of the railway budget for 1966-67.

डा० राम मनोहर लोहिया :
(फर्खावाः) मैं आपसे एक व्यवस्था चाहता हूँ। आपने कल इस सदन में कहा था . . .

उपाध्यक्ष महोदय : कौन सा चल है ?

डा० राम मनोहर लोहिया : आपने कल इस सदन में कहा था कि राजस्थान के मामले में आप अपना निर्णय यहाँ देंगे . . .

उपाध्यक्ष महोदय : वह खत्म हो चुका है। आपके दोस्त हमारे पास आये थे और उन्होंने हमारे साथ इस चीज को डिमकस किया था।

I stick to the rule.

श्री हुकम चन्द कछवाय : कौनसा दोस्त था ?

डा० राम मनोहर लोहिया : मेरे दोस्त ने मुझ से कहा है कि कोई भी समझोता नहीं हो पाया। इसलिए मैं खाली आपको एक नियम बता देना चाहता हूँ। आप उपाध्यक्ष महोदय . . .

Mr. Deputy-Speaker: Order, order.

डा० राम मनोहर लोहिया : 378
नियम आप देखिये।