

Oil Storage and

Distributing Company Ltd.,
and Petroleum Workers' Union

Shri A. P. Jain: It has been followed for the last 4 or 5 years.

Mr. Speaker: For the purposes of the adjournment motion, it is enough if it was followed last year—and it has been admitted by Shri S. L. Saksena.

Shri S. L. Saksena: It was protested against last year.

Mr. Speaker: So far as the adjournment motion is concerned, the protest was as old as one year. Therefore, there is no urgency for this. There are other remedies. Not that I am barring other remedies; but adjournment motion is not the remedy. Normally, adjournment motions are to be so serious as to necessitate the suspension of other normal work before the House. Under these circumstances I am not called upon to give consent to this motion for the adjournment of the House.

PAPERS LAID ON THE TABLE

Audit Report (Civil), Part I

The Minister of Finance (Shri T. T. Krishnamachari): Sir, I beg to lay on the Table a copy of the Audit Report (Civil) 1956—Part I, under Article 151(1) of the Constitution. [placed in Library. See No. S-38/57.]

Amendments to Mining Leases (Modifications of Terms) Rules

The Minister of Mines and Oil (Shri K. D. Malviya): Sir, I beg to lay on the Table, under section 10 of the Mines and Minerals (Regulation and Development) Act, 1948, a copy of the Notification No. 29(5)/57-MIV, dated the 6th April, 1957, making certain amendments to the Mining Leases (Modification of Terms) Rules, 1956. [Placed in Library. See No. S-39/57.]

Amendments to Displaced Persons (Compensation and Rehabilitation Rules.)

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): Sir, I beg to lay on the Table, under sub-section (3) of section

40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, a copy of the Notification No. S.R.O. 1487, dated the 11th May, 1957, making certain amendments to the Displaced Persons (Compensation and Rehabilitation) Rules, 1955. [Placed in Library. See No. S-40/57.]

Medicinal and Toilet Preparations (Excise Duties) Rules

The Deputy Minister of Finance (Shri B. R. Bhagat): Sir, I beg to lay on the Table, under sub-section (4) of section 19 of the Medicinal and Toilet Preparations (Excise Duties) Act, 1955, a copy of the Medicinal and Toilet Preparations (Excise Duties) Rules, 1956, published in the Notification No. S.R.O. 891, dated the 23rd March, 1957. [Placed in Library. See No. S-41/57.]

STATEMENT RE: DISPUTE BETWEEN BURMAH SHELL OIL STORAGE AND DISTRIBUTING COMPANY LTD., AND PETROLEUM WORKERS' UNION

The Minister of Labour and Employment and Planning (Shri Nanda): On the opening day of this Session, Shri Anthony Pillai gave notice of an adjournment motion arising out of a strike which had been started by the workers of the Burmah Shell Company. I informed the House that I was willing to intervene in the dispute. Accordingly, I invited representatives of both sides to meet me that afternoon. I will not take up the time of the House with the facts of the dispute. Both parties agreed before me that the dispute was one of interpretation of an earlier agreement and that the question of interpretation should be referred to adjudication. It was also agreed that the strike would be called off immediately and that pending the decision of the adjudicator, the company would maintain the existing position.

I am glad that this dispute has been solved in this manner but looking back on the course of events ever since the dispute started, I cannot help

[Shri Nanda]

voicing the feeling that this interruption of work and the incidents connected with it could very well have been avoided. The prime need of the country is production and the last thing that we can afford is stoppages of work, which result not merely in unnecessary loss to the undertaking and to the community but cause serious hardship for the workers. Government itself has provided machinery for conciliation and for adjudication and the fullest use should be made of this machinery before workers take recourse to a strike. I have been a trade unionist myself and I would be the last person to deny the workers' right to strike but this is a right which should be exercised only after every other avenue has been exhausted. Otherwise the workers themselves may suffer. They will run the risk of losing the goodwill and support of the community at large and will make the task of mediators more difficult. It will of course be my very earnest endeavour to see that every possible facility is extended to the workers for obtaining expeditious redress of their grievances and settlement of disputes. The interests of the community as well as of the workers require, however, that direct action, which bypasses the machinery provided for the purpose, should be discouraged and those who, neglecting to avail themselves of the facilities, resort to such action, should not be treated on a par with others.

I have said that recourse should be had to the formal machinery provided by Government but even more important than the use of such formal machinery, in my judgment, is the attitude which needs to be developed on all sides that disputes should be settled by direct negotiation. To such direct negotiation both sides should bring an attitude of patience and of reasonableness. If, after full and patient discussion, a dispute cannot be solved, then I would ask that recourse be had to voluntary arbitration avoiding both a trial of strength and too

much dependence on official machinery. We have recently amended the Industrial Disputes Act to help settlement by arbitration. The new Section 10(A) of the Act provides that if the parties agree, they may, by written agreement, refer a dispute to an arbitrator and the award of the arbitrator would then be legally binding. I hope this procedure will be developed to the fullest extent and I myself would be prepared to assist by making available to both parties names of panels of arbitrators who would be readily available and from whom choice could be made by the parties without too much fuss or friction.

MOTION ON ADDRESS BY THE
PRESIDENT—contd.

Mr. Speaker: The House will resume further consideration of the following motion moved by Shri Thirumal Rao and seconded by Shri M. P. Mishra on the 14th May, 1957, namely:

"That the Members of Lok Sabha assembled in this Session are deeply grateful to the President for the Address which he has been pleased to deliver to both the Houses of Parliament assembled together on the 13th May, 1957."

We have spent two days over this and the whole of today will be set apart. I understand the hon. Prime Minister wishes to reply to the debate and he will do so tomorrow.

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): I shall not be here tomorrow and so the hon. Home Minister will reply. But, if you wish, I can speak now.

Mr. Speaker: I have no objection. I was informed by the hon. Minister of Parliamentary Affairs that the Prime Minister would reply to this debate.

Shri Jawaharlal Nehru: He has misunderstood.

Shri Goray (Poona): Yesterday, while moving my amendments, by