

announcing from State to state the absolute national minimum wage which can be enforced when the workers themselves begin to ask for it, whether there is a union for them or not, so that the absolute minimum below which a worker would be converted into a bonded labour, can come to the raised from time to time with the cooperation of the employers on one side and on the initiative of the workers and their welfare organizations on the other.

SHRI BINDESHWARI DUBEY: In every State there is a Minimum Wages Advisory Board which determines the minimum wages of not organised labour, but of the unorganised labour and while considering the question of unorganised labour, the representatives of the unorganised labour, voluntary organizations are being consulted.

MR. SPEAKER: Next Question

SHRI HANNAN MOLLAH: Sir, I want to ask one supplementary on Question No. 188.

MR. SPEAKER: There is nothing more in it.

SHRI HANNAN MOLLAH: Kindly allow me, you will be glad to listen to the question.

PROF. MADHU DANDAVATE: You will be happy!

MR. SPEAKER: All right. Who is not in pursuit of happiness?

SHRI HANNAN MOLLAH: Sir, there is no Central legislation for the agricultural labourers; at State level they may have.

MR. SPEAKER: How can there be a

Central legislation on this?

SHRI HANNAN MOLLAH: I am going to refer to the minimum wages.

MR. SPEAKER: It is a State subject. There cannot be a Central legislation, because there are different types of climatic conditions, incomes etc.

SHRI HANNAN MOLLAH: But some minimum wage should be there.

MR. SPEAKER: Yes, according to Statewise.

PROF. MADHU DANDAVATE: It is a breach of assurance; he has not given you happiness.

MR. SPEAKER: Yes, he owes it to me.

### Labour Disputes

\*190. SHRI THAMPAN THOMAS: Will the Minister of LABOUR be pleased to state:

(a) the number of labour disputes, strikes and lockouts during 1988; State-wise; and

(b) the number of cases settled during that period, State-wise?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR AND DEPUTY MINISTER IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI RADHA KISHAN MALAVIYA): (a) and (b). Based on the latest available information, two statements I & II are given below. The information regarding the number of cases settled by the State Governments under their jurisdiction is not maintained Centrally.

## STATEMENT

No. of Strikes and Lockouts in the Central and State Spheres during 1988 (Jan.-Nov.)\*

States	Strike		Lockout		Total	
	A	B	A	B	A	B
1	2	3	4	5	6	7
Andhra Pradesh	162	34	44	15	206	49
Assam	9	4	0	2	9	6
Bihar	22	33	0	10	22	43
Gujarat	0	141	0	15	0	156
Haryana	0	33	0	9	0	42
Himachal Pradesh	0	"	0	"	0	"
Jammu & Kashmir	2	0	0	0	2	0
Karnataka	7	29	0	1	7	30
Kerala	11	39	1	10	12	49
Madhya Pradesh	22	35	0	4	22	39
Maharashtra	8	72	0	56	8	128
Manipur	0	8	0	0	0	8

1	2	3	4	5	6	7
Meghalaya	0	"	0	"	0	"
Nagaland	0	0	0	0	0	0
Orissa	12	19	1	2	13	21
Punjab	2	38	—	3	2	41
Sikkim	—	—	—	—	—	—
Rajasthan	12	45	1	15	13	60
Tamil Nadu	7	158	0	17	7	175
Tripura	1	"	0	"	1	"
Uttar Pradesh	1	"	0	"	1	"
West Bengal	10	29	0	130	10	159
Andaman & Nicobar Islands	0	0	0	0	0	0
Arunachal Pradesh	0	0	0	0	0	0
Chandigarh	1	"	0	"	1	"
Dadra & Nagar Haveli	0	0	0	0	0	0
Delhi	0	"	0	"	0	"

1	2	3	4	5	6	7
Goa, Daman & Diu	0	10	0 <sup>a</sup>	2	0	12
Lakshadweep	0	0	0	0	0	0
Mizoram	0	0	0	0	0	0
Pondicheri	0	8	0	0	0	8
All India	289	735	47	291	336	1,026

\* — Information is based on the returns received in the Labour Bureau only upto 17th January, 1989.

A — Central sphere.

B — State sphere

**STATEMENT-II***Number of disputes handled and settled in the Central Sphere during 1988\**

<i>States</i>	<i>No. of disputes handled</i>	<i>No. of disputes settled</i>
<i>1</i>	<i>2</i>	<i>3</i>
Andhra Pradesh	770	377
Assam	125	76
Bihar	2,678	1,395
Delhi	414	154
Gujarat	291	123
Punjab, Haryana @ & Chandigarh	1,072	315
Karnataka	468	214
Kerala	344	193
Madhya Pradesh	1,287	618
Maharashtra & Goa@	1,197	531
Orissa	123	44
Rajasthan	1,531	514
Tamil Nadu & Pondicherry@	320	189
Uttar Pradesh	1,555	378
West Bengal	748	424
Total	12,923	5,545

@ - Figures are not available separately.

\* - Information for the State sphere is not maintained.

SHRI THAMPAN THOMAS: Two important aspects arise out of the answer. Kindly note that there were 12923 disputes which arose in one year alone and out of which the Government could settle or the tripartite machinery could settle only 5545

cases. This means that more than 7000 cases in a year still continue to be unsettled. Then, the number of strikes and lockouts which have taken place in the Central sphere were 289. This shows that the workers have shown the maturity in cooperating with the

authorities concerned. I would like to know whether the Government will eliminate the deficiencies and inadequacies in its machinery, so that the disputes can be settled. I would also like to know whether the Government will consider the question of mediation councils like in the western countries and voluntary agencies which involve themselves in the settlement of disputes other than the Government machinery for purposes of conciliation of disputes.

**THE MINISTER OF LABOUR (SHRI BINDESHWARI DUBEY):** In fact, the conciliation machinery on industrial relations is meant for mediation, and it carries mediation work. Had this been possible by the voluntary organizations, there was no question of conciliation machinery under the Statute? For the Voluntary organisations it was not possible to mediate between the two parties. Therefore, statutory provision was made for the Industrial Relation Machinery at the Central level and also at the State level to mediate between two parties.

**SHRITHAMPAN THOMAS:** My second supplementary is that the Sanat Mehta Commission and also the National Labour Conference has the convention of meeting periodically with the Labour Ministry and the Industry. Meeting is held between the Central trade unions and the Central Ministry. They have made many recommendations, especially the Sanat Mehta Commission has made positive recommendation in the matter of settlement of disputes in various areas. I will not go into the details because the Minister knows about it. I would like to know what is the positive reaction of the Government to the report made by the Sanat Mehta Commission and the National Labour Conference and other such conferences.

**SHRI BINDESHWARI DUBEY:** Sir, in fact the best course for the settlement of disputes between the parties is to have bipartite negotiation. Government is encouraging bipartite negotiation. Government does not want to interfere in these disputes when there is a possibility of the bipartite settlement. In the major industries, disputes

regarding wages and other benefits are settled by bipartite negotiation. Only where bipartite negotiation fails, Government intervenes.

[Translation]

**SHRI GIRDHARI LAL VYAS:** Mr. Speaker, Sir, the hon. Minister of labour is well aware of it that whenever disputes cannot be settled by the conciliation authority at the district level and the State level, they are referred to the Government to refer them further to the tribunal. I would like to know the number of such cases which had been referred to the Government and are lying pending with them.

**SHRI BINDESHWARI DUBEY:** Mr. Speaker, Sir, this supplementary question regarding the number of cases under adjudication and the number of those still pending, does not pertain to the main question.

[English]

**SHRI DINESH GOSWAMI:** Sir, the Hon. Minister is right when he said that the purpose of conciliatory proceeding is to have the matters settled through bipartite negotiation. But I think one of the purposes is also to have quick disposal of these conflicts. Now, the statement itself indicates that out of 12923 disputes handled in the year 1988 only 5545, which is less than half of these cases, were settled. If only less than half of the cases are settled, then this itself will lead to industrial unrest. This shows that something is wrong with the entire machinery. One of the suggestions put forth earlier was that in case the management goes in appeal against any of these orders, in order to give relief to the workmen, there should be a provision of interim relief and I think some of the states have made certain provisions for this but there is no uniformity. Will the Government consider of granting interim relief to the workmen whenever the management goes in appeal against an order which has gone in favour of workmen?

**SHRI BINDESHWARI DUBEY:** Sir,

when the disputes are not settled, my friend knows it very well, an offer for arbitration is given to the parties. The best course in that situation is to get the dispute arbitrated. Only when the parties are not agreeable for arbitration then the cases are referred for adjudication. If the Chairman or the Presiding Officer of the tribunal thinks it fit to give interim relief, in a particular case, he is free to do so.

**SHRI V. SOBHANADREESWARA RAO:** Sir, the Government has taken a decision to allow the workers to come forward and try to see that the factory functions when the management closes it and fails to run it. There is an instant case at Chembur factory which was closed by the Management though it was getting a lot of profits. The workers' union of the Union Carbide of India, Chembur Unit asked that the unit be handed over to them so that they could operate it and safeguard the interests of the workers. But there is no proper response from the Ministry of Industry in this regard. I would like to know whether the Ministry of Labour would coordinate with the Ministry of Industry and try to take the necessary steps to protect the interests of the workers in the factory.

**SHRI BINDESHWARI DUBEY:** This specific case has not been brought to our notice. If it is brought to the notice of the Ministry of Labour, we will certainly try to contact the Ministry of Industry and find out a solution.

#### **Penal Action against firm supplying Life Saving Intravenous Glucose**

\*191. **SHRI KAMAL NATH†:**  
**SHRI PRAKASH CHANDRA:**

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether a Delhi-based pharmaceutical company has sought penal action against a Coimbatore firm for supplying 30,00 bottles of life-saving intravenous glucose, all of which were found to be contami-

nated, as reported in "The Indian Express" dated 10 February, 1989;

(b) if so, the facts of the case; and

(c) the action taken against the firm and its proprietors?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (KUMARI SAROJ KHAPARDE):  
(a) to (c). A statement is given below.

#### **STATEMENT**

A complaint was received in the Office of Drugs Controller Delhi Administration from M/s. Eskay Pharmaceuticals, New Delhi on 8.2.89, where in allegations were made that M/s. Osler Pharma Limited, Coimbatore have supplied more than 30,000 contaminated bottles of I.V. Fluids of highly sub-standard quality to them and it was requested that action be taken against the manufacturer.

One day prior to the complaint of M/s. Eskay Pharmaceuticals New Delhi, i.e. on 7.2.1989, a complaint was also received from M/s. Osler Pharma Limited, Coimbatore by Drugs Controller, Delhi Administration. The latter alleged that their Delhi Distributor M/s. Eskay Pharmaceuticals, New Delhi was not making payments to them for two consignments and the distributor was also not returning the stocks of I.V. Fluids reportedly containing particulate matter. On receipt of these two complaints, the premises of M/s. Eskay Pharmaceuticals, New Delhi were inspected by Officers of the Drugs Controller, Delhi Administration on 9.2.1989 to collect samples of I.V. Solutions for analysis. The samples of 11 I.V. Fluids of different batches were taken for test and analysis and M/s. Eskay Pharmaceuticals were directed not to sell the remaining stock of I.V. Fluids of this firm till further orders. The samples have been sent to Government Analyst, Central Indian Pharmacopoeia, Ghaziabad for analysis and the reports are awaited. Further action will be taken after receipt of the test reports.