

THE MINISTER OF FINANCE (SHRI. P. CHIDAMBARAM): (a) As per the latest available estimate, the foreign debt outstanding on March 31, 1996 was US \$ 92.2 billion. The share of multilateral (including IMF) agencies and bilateral (from bilateral Governments and Governmental agencies including debt denominated in rupees) agencies accounted for US \$ 30.9 billion and US \$ 26.9 billion of the total respectively. Other sources (such as commercial, export credits and NRI deposits including short term) accounted for the balance US \$ 34.4 billion.

The total foreign debt cannot be quantified by country of origin since there are components, e.g. multilateral, which by definition are not bilateral. In addition, bond holdings have an investor profile spread across countries. They also change hands when traded at exchanges.

(b) As per the available estimates, the per capita foreign debt in 1995-96 was US \$ 100.7.

(c) The interest payment during the last three years upto March 31, 1997 is as under:

	1994-95	1995-96	1996-97*
	(US Dollar millions)		
Interest Payments	4099	4315	4719

*Provisional Estimates

(d) and (e) The Government has been following a prudent debt management strategy, the main features of which include sustaining a high growth rate of exports, encouraging non-debt creating capital inflows and keeping the maturity structure as well as the total amount of external debt within prudent limits. As a result, debt to GDP ratio declined from the high of 41.0 per cent in 1991-92 to 28.7 per cent in 1995-96.

Scheme for Labourers

*552 SHRI CHAMAN LAL GUPTA: Will the Minister of LABOUR be pleased to state:

(a) whether any scheme has been evolved to look after the problems of the migrant labour working in different States/UTs;

(b) if so, the details thereof;

(c) whether large number of poor workers from Bihar, Orissa, Madhya Pradesh and other parts of the country are working as labourers in Jammu and Kashmir;

(d) if so, whether any study has been conducted about their problems;

(e) if so, the number of such labourers in 1996 and at present;

(f) whether any system has been evolved at the union level to provide Ration to these labourers under the PDS; and

(g) if so, the details thereof ?

THE MINISTER OF LABOUR (SHRI M. ARUNACHALAM): (a) to (d) A statement is attached.

(e) to (g) Information is being collected and will be laid on the Table of the House.

Statement

(a) and (b) Government have enacted the Inter-State Migrant Workmen (Regulation of Employment and Condition of Service) Act, 1979 which aims at protecting the interests of such migrant workmen as have been recruited through or by a contractor in a State to work in an establishment in another State. The Act inter-alia provides for registration of employer and licensing of contractor, issue of pass books to workmen, payment of wages at the same rate payable to the local labourers, payment of displacement allowance, journey allowance, suitable residential accommodation, medical facilities, protective clothing and intimation of fatal accidents etc.

(c) Jammu & Kashmir reported 9949 migrant labourers mostly from the States of Orissa, Bihar and Rajasthan in April, 1994.

(d) The National Commission on Rural Labour (NCRL) (1987-91) appointed a Study Group on migrant labour in order to understand the nature, magnitude and intensity of the problems of the inter-state migrant workmen, their socio-economic condition and the factors responsible for migration and to enquire into the implementation of the Inter-State Migrant Workmen Act, 1979.

Contract Labour

*553 SHRI YELLAIAH NANDI:

DR. A.K. PATEL:

Will the Minister of LABOUR be pleased to state:

(a) whether the Supreme Court delivered a judgement regarding contract labour during September 1995;

(b) if so, the important points dealt with in the judgement;

(c) whether the Government have made any study in regard to major facilities like medical, casual leave, canteen, insurance and provision of compensation etc. in case of death of contract labourers; and

(d) if so, the action taken by the Government in this regard ?

THE MINISTER OF LABOUR (SHRI M. ARUNACHALAM) : (a) and (b) A judgement of the Supreme Court on Contract Labour in the case of Gujarat electricity Board Thermal Power Station—Ukai—Gujarat Vs. Hind Mazdoor Sabha & Others dated 9th May 95 has been published in the *All India Reporter* in the month of September 95. The important points dealt with in the judgement are as under:-

1. Section 10 of the Act does not provide for determination of the status of the workmen of the erstwhile contractor once a notification prohibiting employment of contract labour is issued under that Section by the appropriate Government.

2. In the event of abolition of contract the workmen are in a worse situation since they can neither be employed by the contractor nor is there any obligation on the principal employer to engage them in his establishment.

3. Although the object of the legislation is benevolent, it has not provided any relief for the concerned workmen after the contract is abolished.

4. The rationale of the legislation in not providing for automatic absorption of the existing contract labour in the principal establishment on abolition of contract labour is not clear.

5. The industrial adjudicator, however, may not be inhibited by such lacunae or omissions in law.

6. The industrial adjudicator has the jurisdiction to change the contractual relationship and made new contracts between the employer and the employees under the Industrial Dispute Act, 1947.

7. In all cases where contract labour is abolished the industrial adjudicator, depending upon the facts of the case, will be the authority to direct the principal employer to absorb such of the workmen of the erstwhile contractor and on such terms he may determine on the basis of the relevant material before him.

The Supreme Court of India inter-alia also recommended that:-

(a) all undertakings which are employing the contract labour system in any process, operation or work which satisfies the factors mentioned in clauses (a) to (d) of Section 10 (2) of the Act, should on their own, discontinue the contract labour and absorb as many of the labour as is feasible as their direct employees;

(b) both the Central and the State Governments should appoint Committees to investigate the establishments in which the contract labour is engaged and where on the basis of the criteria laid down in clauses (a) to (d) of Section 10 (2) of the Act, the contract labour system can be abolished and direct employment can be given to the contract labour. The appropriate Government on its own should take initiative to abolish the labour contracts in the establishments concerned by following the procedure laid down under the Act.

(c) the Central Government should amend the Act by incorporating a suitable provision to refer to the industrial adjudicator the question of the direct employment of the workers of the ex-contractor in the principal establishment, when the appropriate Government abolishes the contract labour.

(c) and (d) The Labour Bureau, under the Ministry of

Labour, from time to time conducts surveys on contract labour in different areas of work. So far 39 such surveys have been conducted, 38 of which have been published in the form of reports. These surveys which began in 1956-57 with one on Contract Labour in Iron Ore Mines. These surveys inter-alia cover the following aspect affecting Contract Labour:-

1. Hours of Work.
2. Rest Intervals.
3. Night Shifts Working.
4. Leave and Holidays with Pay.
5. Housing Accommodation.
6. Compensation for Accident.
7. Maternity Benefits.
8. Provident Fund.
9. Gratuity and Pension Scheme.
10. Trade Unionism and Grievance Handling Machinery.
11. Conservancy.
12. Washing Facility.
13. First Aid Box.

These survey reports are informative and useful for Government in policy making and legislation in the area of contract labour.

Price of Petroleum Products

*554. SHRIMATI LAKSHMI PANABAKA :

SHRI SURESH PRABHU :

Will the PRIME MINISTER be pleased to state:

(a) whether the Government propose to increase the price of petrol and petroleum products;

(b) if so, by when and the situation leading to the revision of price;

(c) whether the Government have studied the adverse impact of the increase in petroleum prices on the economy; and

(d) if so, the steps taken to avoid the frequent increase in the petroleum prices ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI T.R. BAALU): (a) to (d) The prices of petroleum products are administered by the Government through the Oil Pool Account mechanism. The oil pool accounts are supposed to be self balancing. It was estimated that the cumulative outstandings of the oil companies would be Rs. 5700 crores by 31.3.96. However, the pool account got adversely affected in Oct. 96 due to steep increase in the prices of the crude oil