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Title: Regarding alleged violation of Payment of Wages Act and Payment of Minimum Wages Act and need to enact a comprehensive legislation for unorganised labour.

**12.08 hrs.**

## **CALLING ATTENTION TO THE MATTER OF URGENT PUBLIC IMPORTANCE**

### **Situation arising out of alleged violation of Payment of Wages Act and**

Payment of Minimum Wages Act and need to enact a Comprehensive

Legislation for Unorganised Labour in the country and steps taken by the Government in this regard

SHRI GURUDAS DASGUPTA (PANSKURA): Sir, I call the attention of the Minister of Labour and Employment to the following matter of urgent public importance and request that he may make a statement thereon:

"The situation arising out of alleged violation of Payment of Wages Act and Payment of Minimum Wages Act and the need to enact a comprehensive legislation for the unorganised labour in the country and steps taken by the Government in this regard."

THE MINISTER OF LABOUR & EMPLOYMENT (SHRI K. CHANDRA SHEKHAR RAO): According to the survey conducted by the National Sample Survey Organization (NSSO), the workforce in the unorganized sector constitutes about 93 per cent of the total workforce. The unorganized sector workers are those who have not been able to pursue their common interests due to constraints like casual nature of employment, absence of definite employer-employee relationship and mostly ignorant of their rights and are illiterate. Various labour laws like the Workmen Compensation Act, 1923, the Minimum Wages Act, 1948, the Plantation Labour Act, 1951, the Beedi and Cigar Workers (Conditions of Employment) Act, 1966, the Bonded Labour System (Abolition) Act, 1976, the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996, etc., are fully or partially applicable to the workers in the unorganized sector.

\* Also placed in Library. See No. LT 2320/2005

There are some welfare schemes being implemented by the Central Government for beedi workers, non-coal mines workers and cine workers. Further, the Government is implementing various employment generation and poverty alleviation programmes like Swaranjayanti Gram Swarojgar Yojana, etc.[\[R16\]](#).

The Government is committed towards the welfare of the unorganised sector workers as is reflected in the high priority given to this matter in the National Common Minimum Programme (NCMP). The Government have taken steps to hold consultations with the Members and the experts of the National Advisory Council (NAC) and other stake holders. The Government have constituted a National Commission under the Chairmanship of Dr. Arjun Sengupta to review the social security systems available for the unorganised sector workers and to make recommendations for preparing a comprehensive legislation for such workers. The Government has drafted the Unorganised Sector Workers Bill, 2004 for the welfare of the unorganised sector workers with the objective to regulate the employment and conditions of service to these workers and to provide for their safety, social security, health and welfare matters in consultation with various stake holders *viz.* Central Ministries/Departments, State Governments, the representatives of Trade Unions, Employers' Organisations and also the NGOs. The major provisions of the draft Bill, *inter-alia* include setting up of the Welfare Fund with the contribution from the workers, employers, Central and State Governments. There is also provision of formulation of social security schemes like health and medical care, employment injury benefits, maternity benefits, group insurance, housing and old age pension. The draft Bill is also scheduled to be discussed during the 40th Session of the Indian Labour Conference. Before finalising the "Bill" comments/views of all stake holders including the recommendations of National Commission on Unorganised Sector under the Chairmanship of Dr. Arjun Sengupta would be considered.

Expanding the coverage of EPF and MP Act, 1952 to eligible establishments, that is, Establishments having twenty or more employees drawing monthly wages up to Rs.6,500 p.m. is a continuous process. In the last three years, the expansion of coverage is mentioned below:

Year	No. of Establishments	No. of Enrolled Members
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	covered	(In lakhs)
2001-02	357747	274.18
2002-03	344508	394.98
2003-04	370386	400.92

Compliance of the Act is ensured by the Employees' Provident Fund Organisation by taking severe actions against the non-complying establishments. The actions taken by Employees' Provident Fund Organisation for enforcing the EPF and MP Act, 1952 are mentioned below:

Year	Prosecution filed u/s. 14	FIR filed u/s 406/409 of IPC	Bank accounts attached	Movable/ immovable properties attached	Arrests of defaulters
2001-02	6712	570	8301	775	145
2002-03	2451	945	6390	609	144
2003-04	2426	1387	19278	1001	121

The Government is keen to improve the coverage and compliance under the EPF & MP Act, 1952. The Government is also contemplating steps to further strengthen the enforcement of the Act.

The Minimum Wages Act was enacted in the year 1948 to safeguard the interests of the workers in the unorganised sector who are vulnerable to exploitation due to illiteracy, lack of bargaining power and institutional backup. Under the Act, both Central and State Governments are appropriate Governments to fix, review and revise the minimum wages of workers employed in the scheduled employments under their jurisdiction. There are 45 scheduled employments in the Central sphere while in the State sphere the number of employments is as many as 1447.

The Payment of Wages Act, 1936 ensures that wages are disbursed by the employers within the prescribed time limit and that no deductions other than those authorised by law are made by the employers. The Act is applicable to only those workers whose wages are less than Rs.1600/- per month. The proposed Bill to amend the act by way of enhancing the wage ceiling to Rs.6,500/- per month has already been passed by the Rajya Sabha during the last Winter Session, 2004.

The enforcement of both the Acts is secured at the Central as well as State level. In the Central sphere, the implementation is secured through the Office of the Chief Labour Commissioner (Central), while at the State level, the responsibility of the enforcement lies with the respective State Enforcement Machinery. The officers of both these machineries are appointed as Inspectors under the statutory provisions of the Act. They conduct regular inspections and advise the employers to make payment of shortfall of wages whenever they come across any case of non-payment or less payment of wages.

The action taken by the Central and State Governments regarding enforcement of the Minimum Wages Act during 2003-04 is as follows:

	Central Sphere	State Sphere
No. of inspections made	18,587	5,38,820
No. of irregularities detected	2,53,141	1,98,087
No. of irregularities rectified	2,11,115	1,28,796
No. of claims filed	3,843	50,123
No. of claims settled/decided	3,594	18,638
No. of persons prosecuted	5,599	3,684
Amount of fine realised (in rupees)	24,95,057	53,38,338

The Central Government continues to impress upon the State Governments to strictly enforce these acts. The involvement of the Civil Society in the implementation of the Minimum Wages Act has also been suggested. The proposed comprehensive Unorganised Workers Bill would further strengthen their enforcement.

SHRI GURUDAS DASGUPTA : Sir, I cannot thank the hon. Minister for the long statement he has made with the statistics all around. Why? Firstly, it is not said when the Bill for the unorganised labour is going to be brought before the Parliament. All he says is, he is discussing the matter with Arjun Sengupta Commission. The hon. Minister, a new incumbent, should be aware of the past as to what happened in India, in Parliament for the last 25 years. How many Commissions had been appointed and what were their recommendations? On all occasions, Government failed to take any decision. Therefore, his promise brings me no relief.

On the question of Provident Fund, it is quite aptly drafted. He does not say what is the volume of default. He is conspicuously silent on



the total volume of default and he does not say whether the volume of default in the case of Provident Fund has increased or declined. Neither does he say what is the penal punishment that has been given to the people who have defaulted or eaten up the money of the workers.

On the question of prosecution for the violation of Minimum Wages, he is very proud that he has been able to realise nearly less than Rs.1 crore during all this period. For a country like India having a working population of nearly 40 crore, he finds satisfaction that the money realised from the defaulted persons was in the region of nearly Rs.75 lakh.

MR. SPEAKER: I do not think he is satisfied. He has just given the figure.

SHRI GURUDAS DASGUPTA : It is not a question of satisfaction. It is a question of perpetual failure of the Labour Ministry and Governments, particularly with regard to the organised and unorganised labour of the country[R17] .

I rise to raise a basic problem of huge dimension and basic human distress of the country who are all working people. I rise to draw the attention of the Government to the perpetual human problem. I rise to ask the Minister whether he will agree that there has been persistent violation of the labour laws in the country. There has been undeclared ban on the trade unions particularly in the private sector in the recent period. There has been doing away with the process of collective bargaining.

Let the Minister kindly confirm what is happening to the 53 tripartite boards that were set up and not a single board is meeting or having any deliberations. I rise to raise the question of widespread under payment, decline in wage, increasing working hours which are well beyond the limit the law of the land permits. I rise to raise the question expecting an answer from the Minister what is the volume of retrenchment that took place in the country during the last several years under the garb of Voluntary Retirement Scheme. I would like to know what is the total volume of default in the exempted and unexempted category of provident fund in the country.

MR. SPEAKER: You are going much beyond the subject of the Calling Attention.

SHRI GURUDAS DASGUPTA : Sir, it is there.

MR. SPEAKER: It refers to alleged violation of Payment of Wages Act and Payment of Minimum Wages Act.

SHRI GURUDAS DASGUPTA : Sir, kindly bear with me. While giving the Statement, the hon. Minister has referred to provident fund and on the basis of that, I raised this question. Let the country and this august House know that it is through informalisation, contractualisation and casualisation that the exploitation of labour has intensified in the recent period. Recent survey shows that there has been a decline in the volume of real wage across the board but there has been an increase in the volume of profit of the corporates.

In the situation like this, what role the Government is playing? In a situation like this, the Ministry of Labour is almost a silent spectator. In a situation like this, the Ministry of Labour – please do not mind for using the word – is almost a bonded Ministry. The tripartite bodies are all in hibernation at the Central level. Not only that, you will bear with me, the Parliament is oblivious – I do not charge but this is my agony – to its responsibility towards the working people of the country. It is very well demonstrated because this House did not discuss the Demands for Grants of the Ministry of Labour for the last 11 years.

The Minister has referred to Indian Labour Conference. May I tell you that for the last one year, in total violation of the established norms, Indian Labour Conference did not take place? The UPA Government came into power in the month of May 2004 and this is the month of May. One year has passed. The established norm in the country is that there should be an Indian Labour Conference which is the highest tripartite forum but the Ministry of Labour has failed to convene it in utter violation of the established norms of the country. Therefore, with all humility, may I raise this question whether this is an act of indifference or neglect or -- if you permit me to say -- an act of collusion of the political system of the country with the defaulting corporates who seek to make profit at the cost of the blood of the labour[r18] ?

Sir, I raised this Calling Attention because I look for a better deal, a fair deal for the Indian working class. I do not expect more. In the era of economic reforms, I demand, I claim that the workers have the right to have a fair deal, not a raw deal. I call for equity and justice. I call for enforcement of the labour laws. I expect the Government to protect the interest of the working masses of the country.

MR. SPEAKER: What are your questions?

SHRI GURUDAS DASGUPTA : Sir, I would like to give a few examples. Please allow me some time.

MR. SPEAKER: You have already taken 13 minutes. This is a Calling Attention. Please put your questions.

SHRI GURUDAS DASGUPTA : I know. But please allow me a few more minutes. The Government has to reply.

In Maruti Udyog Limited, hundreds of workers have been thrown out of their jobs without any reasonable compensation; Union leaders have been retrenched without chargesheet; unionised offices have been put under lock and key; funds of the unions have been frozen. In NOIDA, near Delhi, trade unionism has been banned. No registration of unions can take place there. As a matter of example I would like to cite that just in one year, Provident Fund default has increased by Rs. 300 crore and that too, in my opinion, is an under-statement.

Sir, how about the unorganised labours? Out of a total work force of around 39 crore, 37 crore labour are in the unorganised sector in this country. They do not have a minimum wage; they do not have any job security; they do not have any pension; they do not have any access to medical treatment and they do not have any access to basic human rights of the country. The basic features are pauperisation, poverty, hunger, under-employment and under payment and the great Indian State, after 57 years of our Independence, has remained completely oblivious to these problems.

MR. SPEAKER: We are all parties to that.

SHRI GURUDAS DASGUPTA : Sir, the hon. Minister was mentioning about various Reports. I can tell you that there have been several Commissions appointed. He was referring to the Report of the Sengupta Commission. It is a hide and seek game being played by the Labour Ministry. There have been five Commissions appointed so far, starting from 1969. There had been a Commission appointed by our late lamented Prime Minister, Rajiv Gandhi and I was a member of that commission. So far, five such Commissions have been appointed. All Commissions have recommended for a law for the Centrally funded unorganised labours. The Indian Labour Conference has suggested it. But the hon. Minister would again say that he will consult everybody. How long gentleman, are you going to consult? How long are you going to dilate? How long are you going to dither and how long are you going to deny the Indian working class in the unorganised sector, who are suffering, a law for wage?

Sir, in conclusion my question is, why is the larger segment of the work force being ignored? Why is the Government taking recourse to appointing Commissions only? Why is the political system becoming so indulgent?

MR. SPEAKER: The hon. Minister cannot answer about the political system. He can only answer questions relating to his Ministry, not about the entire political system.

SHRI GURUDAS DASGUPTA : Sir, the hon. Minister represents the Government.

MR. SPEAKER: We are all parties to that.

SHRI GURUDAS DASGUPTA : Sir, I also feel that you are a part of that and we are guilty of collective negligence to the working class of our country. But Government is the head. Power rests with the Government.

Sir, while concluding, let me give a few instances.

MR. SPEAKER: No. Please come to your questions. I have already allowed you 15 minutes time. It is not a debate.

SHRI GURUDAS DASGUPTA: Sir, I know it is not a debate. But it is out of my agony I am speaking today.

MR. SPEAKER: Everybody is agonised.

SHRI GURUDAS DASGUPTA: It is out of anger and a feeling of shame I am saying this.

MR. SPEAKER: All these strong words alone will not help. Everybody feels strongly about this. We share your agony[snb19] .

SHRI GURUDAS DASGUPTA : I will give [bru20] you two examples. A woman gets 30 paise for stitching a blouse in a mofussil town.

MR. SPEAKER: The country should feel ashamed of this.

SHRI GURUDAS DASGUPTA : A woman gets only Re. 1 for stitching a petticoat. A woman gets only Rs. 20 for manufacturing 1000 beedis a day and a man has to work more than 12 hours a day to get Rs. 1200 per month in this country.

Therefore, my pointed question to the hon. Minister for Labour is this and I want an assurance also in this regard. How long will the Government take to bring the Bill to Parliament and whether the Bill will provide for Central funding and elaborate monitoring system?

My second question is, why has the Ministry of Labour not brought an amendment to the Payment of Wages Bill passed in the other House more than a year back? The amendment to the Payment of Wages Bill may give relief to the workers. Why is the Government vacillating to take a decision on that?

Thirdly, what is the Government intending to do with those who violate the labour laws in this country?

Lastly, will the Government assure us that normal trade union movement including right to strike, which has become an international right of workers, will be protected under him as it is under the Ministry of Labour? Will the Minister assure that trade unionism will be protected, unions will be allowed to be registered and their right to have a movement, as guaranteed by the Constitution, will not be interfered with?

SHRI BASU DEB ACHARIA (BANKURA): Sir, today, we are discussing the problems of 40 crores of people. Out of 40 crores of workers, 37.5 crore workers are in the unorganized sector.

MR. SPEAKER: You are entitled to ask only questions. As the matter is important, I will allow you for only some time. So, you have to be brief. There are many important matters to be raised today.

SHRI BASU DEB ACHARIA : The workers under the unorganized sector do not enjoy any rights. There are a large number of laws enacted by this House. These laws are blatantly violated by the employers. Yesterday, I was at Chandigarh to address a rally of 5000 unorganised workers. They are demanding registration of their union for the last one year.

Sir, they have formed three unions. They are Lal Jhanda Hero Cycles Mazdoor Union, Ludhiana, Lal Jhanda Rockmen Cycles Mazdoor Union, Ludhiana and Lal Jhanda Majli Division Hero Cycles Workers Union, Ludhiana.

A year back, they submitted an application for merely registration of their union under law. But the Labour Department is not allowing or giving permission for registration of their union. To form an association is a fundamental right of the working class of our country. Today, even that right is being denied at the instance of the owners, the employers or the multinational corporations. We have passed



a number of laws but we have been asking them for several years to bring a comprehensive legislation for 37.5 crores of unorganised workers. Out of 37.5 crores of workers, 22 crores of them are agricultural labourers. There is no law for agricultural labourers and they do not get minimum wages. There is no job security or a welfare scheme for them.

MR. SPEAKER: Please confine yourself to Calling Attention. Your notice on the basis of which I have allowed you to speak is not to debate on the entire labour situation in the country.

SHRI BASU DEB ACHARIA Sir, I am not going into the entire gamut of the problem [\[bru21\]](#).

MR. SPEAKER: I am sorry. We are prepared to discuss it, but not in this manner.

SHRI BASU DEB ACHARIA : These are the problems. This is a matter relating to 37.5 crores of workers. In the Central Government Departments, like the Food Corporation of India, there are contract labourers. The hon. Minister referred to EPF Scheme. What is the position of contract workers who are covered under the EPF Scheme in the Food Corporation of India? The employers' share is also deducted from the employees' wages. The employees have to deposit both the contractors' share as well as their own share. I have written a number of letters in this regard. But still this practice is going on in the case of EPF Scheme.

There are forty lakhs of beedi workers. Out of forty lakhs of workers, how many are covered under the EPF Scheme? It is not more than three to four lakhs of workers. There is a welfare scheme for the beedi workers. ...*(Interruptions)*

MR. SPEAKER: This is covered under the Payment of Wages Act and the Payment of Minimum Wages Act.

...*(Interruptions)*

SHRI BASU DEB ACHARIA : Beedi welfare cess is being levied. It is Rs. 4 per thousand beedis. How much is being spent for the welfare of beedi workers? ...*(Interruptions)*

MR. SPEAKER: With all our sympathy for this section of workers, we have to regulate the proceedings.

...*(Interruptions)*

SHRI BASU DEB ACHARIA : There are lots of construction workers. We have enacted a law in this regard. So far, how many States have implemented the law which we have enacted for lakhs of construction workers? The situation is very serious.

The hon. Minister mentioned about the Commission which was appointed under the chairmanship of Dr. Arjun Sengupta. He has also stated that a draft Bill has already been prepared and that it would be placed before the Fortieth Session of National Labour Commission. In National Common Minimum Programme, it was categorically stated that the UPA Government will set up an umbrella organisation to cover the entire unorganised labour force. The UPA Government will complete one year of its tenure.

MR. SPEAKER: Is it one-year programme?

SHRI BASU DEB ACHARIA : It is a five-year programme. But there is an urgency. When it is a question of labour, the Government dithers and vacillates. But when it is a question of multi-national corporations, when it is a question of allowing foreign companies into our country, the Government promptly brings forward legislations. The Payment of Wages Bill was passed by the Rajya Sabha in the Winter Session. That Bill was listed to be taken up in the Lok Sabha, but it has not come. One Minister said that it had been de-listed. Is it because this is pertaining to labour? Their minimum wages were fixed long back and they have to be enhanced.

May I know from the hon. Minister whether the Government will consider a separate law for agricultural labourers, which constitute 22 crores of the workforce? There is no law for agricultural labourers. Will the Government take concrete steps to cover the entire workforce under the EPF Act? Will the Government take stern measures against those violating existing labour laws, like the Payment of Minimum Wages Act? Even in the Indian Railways lakhs of contract workers are being engaged [\[r22\]](#).

Most of these workers do not get the minimum wages. They do not get bonus.

MR. SPEAKER: What is your question? Please put the question.

SHRI BASU DEB ACHARIA : I would like to know from the hon. Minister whether he would ensure that the workers get the minimum wages as per the Minimum Wages Act. These are my three questions. I want a reply from the hon. Minister. ...*(Interruptions)*

MR. SPEAKER: I have allowed it because of the importance of the matter. I share your concern. Only two of you have taken half an hour. You cannot continue in this way. There are so many important matters to be raised.

Now, Shri Santasri Chatterjee to speak. If you have a question, put it. Otherwise, please take your seat.

SHRI SANTASRI CHATTERJEE (SERAMPORE): I will put the question. I am grateful to the hon. Speaker for allowing me to raise questions on the Calling Attention moved by the two hon. Members.

The first question that I put to the hon. Minister is whether he is fully aware of the commitment made in the Common Minimum Programme to safeguard the interests of the unorganised sector and the unorganised workers.

MR. SPEAKER: This has already been said. Come to the new question.

SHRI SANTASRI CHATTERJEE : My second question is this. Is the hon. Minister aware of the recommendations of the Standing

Committee on Labour and Textiles, the report of which has been placed before the House? With your kind permission, I would like to know whether the Department is examining the proposal. How long will it take to enact a law?

MR. SPEAKER: You are only repeating the question.

SHRI SANTASRI CHATTERJEE : My last question is this. Is the Government considering to enact a comprehensive law to safeguard the interests of the workers in general and the unorganised sector in particular. Thank you....(*Interruptions*)

MR. SPEAKER: There is a method. Nobody reads the rules. The Rule Book has become redundant today.

THE MINISTER OF LABOUR & EMPLOYMENT (SHRI K. CHANDRA SHEKHAR RAO): Mr. Speaker, Sir, first of all, I extend my thanks to the three veteran hon. Members who work in the labour field all through their life. They have expressed their genuine concern about the plight of the working force in general and the workers in the unorganised sector in particular....(*Interruptions*)

MR. SPEAKER: Hon. Members, you have put your questions. Please listen to the answer.

SHRI K. CHANDRA SHEKHAR RAO: I fully agree with the hon. Members about the implementation of the Minimum Wages Act; it is not fully ensured. So, I would like to submit to the House, through you, Sir, that there are about 1492 scheduled employments out of which only 45 are in the Central sphere and the rest of 1447 are with the State Governments. We have empowered the State Governments through a legislation by Parliament. The Minimum Wages Act gives powers to the State Governments through sections 3 and 27 wherein they are expected to ensure the implementation of the minimum wages in respect of 1447 scheduled employments.

It is not that we do not have a role. We have a role to play. The Government of India interacts with the State Governments. As and when serious nature of complaints are received, special teams are sent from the Government of India. We take stock of the situation. We take up the matter with the respective Chief Minister of the State, the Labour Minister of the State and with the implementing machinery of the States to improve the situation there.

Shri Dasgupta, Shri Basu Deb Acharia and Shri Santasri Chatterjee were mainly focussing on the Unorganised Sector Bill. This legislation is pending for the last 20 to 25 years....(*Interruptions*)

SHRI GURUDAS DASGUPTA It is more than that. From 1968, it has been pending....(*Interruptions*)

SHRI K. CHANDRA SHEKHAR RAO: It may be so. He may be right. The point is that this particular issue was discussed in so many fora. So many Labour Ministers' Conferences were called [\[R23\]](#) .

Conferences of Labour Secretaries and Labour Commissioners were called and meetings were held with trade unions and employers. Their views were divergent. There was no unanimity. Many of the participants in these meetings were of the view that entering into the agriculture sector may lead to social tensions. ...(*Interruptions*)

SHRI GURUDAS DASGUPTA: Mr. Speaker, Sir, whenever the Government of India makes a law, does it consult the States? Is divergence a reason for not enacting a law for the welfare of the largest segment of the workforce in the country?

MR. SPEAKER: Let him answer. He has listened to you quietly. Let him complete his reply. After that, if you have any clarifications, you can ask.

Yes, Mr. Minister, you carry on.

SHRI K. CHANDRA SEKHAR RAO: Sir, let me submit to the hon. Member that the Government of India, particularly the Ministry of Labour has to essentially consult all the State Governments and all the stakeholders whenever we make laws or amendments to laws. That is the tripartite system which has been advocated by the hon. Member Shri Gurudas Dasgupta. He was also emphasising just now on the Indian Labour Conference meetings to be held which is the tripartite culture that is broadly followed by the Ministry of Labour. We have to essentially consult all the stakeholders and all the implementing authorities to ensure the desired result. That is the reason why this matter has received divergent opinions. Divergent views were given by many of the State Governments.

The Bill which we are talking about will cover about 37 crore workmen of this country. So whether the agricultural workers can be part of the Bill or whether they can be separated, as advised by Shri Basu Deb Acharia, is also under examination. Immediately after coming to power, the UPA Government has depicted its commitment towards the workforce of the country. We strongly believe that healthy workforce is the wealth of the country. That is the philosophy of this Government. Keeping that view in mind, we want to bring a very comprehensive Bill on this subject. That is the reason why this matter has been assigned to Arjun Sengupta Committee to have an integrated study and submit a report. Once the report comes before the Government, we have to discuss it with the trade union leaders, with the employers, with the State Governments and then we will be coming before the House with a proper and comprehensive Bill. I definitely share the concern of the hon. Members. I understand their concern. I agree that there is a need to take care of the welfare of the unorganised workforce in this country which has been pending for decades together. I shall definitely try to expedite the matter and come before you as soon as possible.

As far as the Provident Fund Organisation, its dues and its defaults are concerned, there are a lot of misgivings. I would like to make it very clear that the default is not that high as has been propagated or understood. It is coming down. The arrears of provident fund as on 31.3.2004 was Rs. 1,862 crore. Out of that, the realisable arrears are Rs. 541 crore; amount not immediately recoverable is Rs. 1,321 crore; Rs. 711 crore is involved in stays given by hon. courts; Rs. 142 crore is involved in liquidation process; money locked up in BIFR and others is to the tune of Rs. 467 crore and realisable money which is 30 per cent of the total default is in the process of



recovery.

We are taking all steps to recover it. Let me also make it very clear that the said default of Rs. 1,800 crore is the cumulative default of the Provident Fund Organisation accrued right from its inception in the year 1952 and that constitutes only one per cent of the corpus of the Employees Provident Fund Organisation. The corpus is Rs. 1,60,000 crore whereas the default is only Rs. 1,800 crore, out of which Rs. 1,350 crore is locked up in BIFR and in court cases. We are taking stringent steps to recover rest of the money. We have flying squads, we have regionwise flying squads and we have a flying squad in the headquarters. As and when we receive complaints from the employees or the trade unions, we take very stringent and strict action[k24] .

It [r25] is not that we do not act on these issues.

I would also like to inform the august House that this Government is a labour friendly Government. We are not pro-industry and anti-labour. We are definitely labour friendly. Now-a-days, we are hearing about labour reforms. The hon. Prime Minister, Dr. Manmohan Singh, myself and the Government as a whole do not believe in a labour reform in the absence of a social security net. The social security net is needed to be expanded. We are discussing of amalgamating EPFO and ESIC as suggested by so many veteran Members and philosophers in the labour field.

We are also trying to pool up a huge corpus to provide adequate social security to the workers in the organised sector as well as in the unorganised sector. Towards that only, I have initiated certain steps. I would like to inform the august House that ESIC, under the Ministry of Labour, has introduced a scheme called Rajiv Gandhi Shramik Kalyan Yojana where in any insured person with ESIC, on losing job, will be paid 50 per cent of the salary up to a period of six months. I made a statement also in the House with your permission, Sir.

I would also like to inform the august House about another step, that is, with regard to ESIC coverage, which has been taken before my assuming charge of this Ministry. We have 1667 municipalities in the country. The ESIC was implemented in 350 municipalities. Out of 120 Municipal Corporations, the Government of India used to implement ESCI only in 55 Municipal Corporations. Now, we have passed the orders to expand the scheme to the entire country, wherever the population is more than 10,000. All over the country, in a phased manner, the ESIC coverage will be extended.

The bidi workers welfare is also taken into consideration after my assuming charge as the Minister. I have increased the cess from Rs.2 per thousand bidis to Rs.4. The budget to the Bidi Workers Welfare Fund is going up to the tune of Rs.170 crore. Out of this, we can initiate a lot of welfare measures like health care, providing scholarships and housing activities to the bidi workers. This is also an initiative taken by this Government.

This Government is also contemplating to establish a university of professional courses, to provide professional seats, professional education to the children of the poor workers of this country. This matter is under examination and we are examining it.

I would like to assure the hon. Members that the UPA Government is not anti-labour. So, they should not have any apprehensions like that. We are a labour friendly Government. We also believe that only when the workforce is healthy, then only the productivity will increase and we will be able to compete the global trend, which is going to be a major threat in the near future.

The emphasis of the hon. Members was also on the non-functioning of the 53 tripartite bodies. I fully agree. I am also not happy on the functioning of the tripartite bodies. The fashion has changed. They are meeting after a very long spell, which needs to be corrected. I am taking the advice from the senior leaders, trade union leaders and all other leaders. I promise the hon. Members to improve the functioning of all the tripartite bodies, to take effective steps, taking into consideration the suggestions given to the Government from time to time.

The main emphasis of the hon. Members was on these issues. I would also like to clarify one more thing to Shri Gurudas Dasgupta. The volume of retrenchment, according to the Labour Bureau of Shimla which assesses the retrenchment all across the country, is that in the year 2002, the number of workers affected was 3,875...(Interruptions)

SHRI GURUDAS DASGUPTA What a joke? Does the hon. Minister believe these figures?

MR. SPEAKER: He has referred to his source. There cannot be a running Question-Answer session like this.

...(Interruptions)

MR. SPEAKER: He has referred to a source. You just believe it.

SHRI GURUDAS DASGUPTA I am asking whether the hon. Minister agree to this report.

MR. SPEAKER: No please. Hon. Minister, you need not answer that.

...(Interruptions)

SHRI GURUDAS DASGUPTA : Sir, I seek your intervention. The figure that he is saying...(Interruptions)

MR. SPEAKER: You reject the figure, but let him speak first[r26] .

There[r27] cannot be running commentary.

SHRI GURUDAS DASGUPTA : Sir, I am neither entering into a running commentary nor having exchange. I would like to ask the hon. Minister to vouch before the House that he believes in these figures.

MR. SPEAKER: If he is misleading the House, you have got enough action to take.

SHRI K. CHANDRA SHEKHAR RAO: One thing, I would like to make very clear. I would definitely not be happy whenever and wherever we receive the reports of our workers losing the opportunity of working.

MR. SPEAKER: Nobody is happy.

SHRI K. CHANDRA SHEKHAR RAO: I will be unhappy. My heart goes out to them. But the figures were given by an official source which is available under the Ministry of Labour. I am only quoting the source. I am not trying to say anything. I assure the hon. Members that the Government will take all possible steps to expedite the measures to bring out the, so-called, Bill which is aimed for the workers in the unorganised sector.

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