

clared this city as a growth Centre.

Being a border district headquarters of Rajasthan Education Department and Indira Gandhi Canal Project, Agriculture University, Divisional office of Northern Railway, several other offices of State and Central Government are situated there. Besides B.S.F. Centre and Army Cantonment are also there. Under such Circumstances, the population of Bikaner has increased by three times in last seven years.

Bikaner is also surrounded by many important religious places such as famous Kapil Sarovar which is a place of pilgrimage for Kolayat Bishnois Gajner Amparanya, famous Karni temple and Ramuev temple at Runova. Lakhs of tourists visit there every year. Due to cantonment area and field firing range, lakhs of Army Jawan come to the city. Bikaner is one of the costliest cities of Rajasthan which naturally affects lakhs of State and Central Governments employees and daily wage workers. Bharatiya Railway Mazdoor Union and Rajasthan Rajya Karmchari Mahasangh have been demanding from the Government for the last two years to declare Bikaner as 'B-2' class city. At present the population of Bikaner is more than five lakh. Rajasthan Government has also recommended to the Central Government vide its letter dated 16.1.90 to declare Bikaner as 'B-2' class city.

Therefore, I would request that the Government should give priority to declare Bikaner a B-2 class city.

**(vii) Need for a through rail link between Sasaram and Patna (Bihar)**

SHRI CHHEDI PASWAN ( Sasaram): Even after so many years of independence, historical city of Sasaram has not been directly connected with the Capital city of Patna by rail. It is, therefore, requested that a new train should be introduced between Mughal-sarai and Patna via Gaya. This would benefit more than 50 lakh people in the districts of Rohtas and Aurangabad.

13.15 hrs.

**DEMANDS FOR GRANTS (GENERAL)  
1990-91**

**Ministry of Labour**

**and**

**Ministry of Welfare**

[English]

MR. DEPUTY SPEAKER: The House will now take up together discussion and voting on Demand No. 56 relating to the Ministry of Labour for which 8 hours have been allotted and also Demand No. 79 relating to the Ministry of Welfare for which 6 hours have been allotted.

Hon. Members present in the House whose cut motion to the Demands for Grants relating to the Ministry of Labour and Ministry of Welfare, have been circulated may, if they desire to move their cut motions, send separate slips for each Ministry to the Table within 15 minutes indicating the serial numbers of the cut motions they would like to move. Those cut motions only will be treated as moved.

The lists showing the serial numbers of cut motions treated as moved will be put up on the Notice Board shortly. In case any member finds any discrepancy in the lists he may kindly bring it to the notice of the Officers at the Table without delay.

Motion moved.

"That the respective sums not exceeding the amounts on Revenue Account and Capital Account shown in the fourth column of the Order Paper be granted to the President, out of the Consolidated Fund of India to complete the sums necessary to defray the charges that will come in course of payment during the year ending the 31st day of March, 1991, in respect of the heads of Demands entered in the second column thereof against Demands Nos. 56

relating to the Ministry of Labour.”  
“That the respective sums not exceeding the amounts on Revenue Account and Capital Account shown in the fourth column of the Order Paper be granted to the President, out of the Consolidated Fund of India to completed the

sums necessary to defray the charges that will come in course of payment during the year ending the 31st day of March, 1991, in respect of the heads of Demands entered in the second column thereof against Demand No. 79 relating to the Ministry of Welfare.”

*Demands for Grants, 1990-91, in respect of the Ministry of Labour and in respect of the Ministry of Welfare submitted to the vote of Lok Sabha*

No. and Name of Demand	Amount of Demand for Grant on Account voted by the House on 28th March, 1990		Amount of Demand for Grant submitted to the vote of the House	
	Revenue Rs.	Capital Rs.	Revenue Rs.	Capital Rs.
1	2	3	4	5
<b>MINISTRY OF LABOUR</b>				
56. Ministry of Labour	92,00,00,000	28,00,000	275,99,00,000	82,00,000
<b>MINISTRY OF WELFARE</b>				
79. Ministry of Welfare	94,00,00,000	2,29,00,000	281,98,00,000	6,68,00,000

**SHRI P. NARSA REDDY (Adilabad):** Mr. Deputy Speaker, Sir, on the Demands for Grant under the Ministry of Labour and the Ministry of Welfare, I would like to invite the attention of the Government relating to the Scheduled Tribes, which are the weakest of the weaker sections. It is said that the strength of the chain lies in its weakest link. It is imperative on the part of the Government and all of us to see that due assistance is given to the Scheduled Tribes in our country. Now, the total population of the Scheduled Tribes is 7.8 per cent of the entire population. They entirely depend on the agriculture for their livelihood. They have no other means by which to make their own living, except agriculture.

Mr. Deputy Speaker, Sir, there are about 167 lakh hectares of land under cultivation of the Scheduled Tribes, in which there are 68.54 lakhs of operational holdings. Thus, the average operational holding of the Scheduled Tribes is 2.44 hectares, although this is more than the average operational holding of the other special groups, which is 1.84 hectares only. The Scheduled Tribes, in spite of having an average holding of 2.4 hectares in the country, are not able to make both ends meet for the simple reason that out of the 167 lakh hectares of the total area sown, only 11 lakh hectares is irrigated, which would be only 8 per cent of the total area sown. So, you would see that unless the lands which are under the cultivation of the Scheduled Tribes are properly given assistance in the matter of irrigation, it would not be possible for the Scheduled Tribes to make a living in consonance with the common man or the other social groups in order that they may go up

The Scheduled Tribes in our country have been given, in my submission, a very raw deal. Under article 244 of the Constitution, there has been a difference made between Schedule V and Schedule VI. So far as North-East Frontier Province is concerned, all those areas have been given autonomy. Insofar as those areas of North East where Scheduled Tribes are living are concerned, they have their governments and also have

their honourable living, whereas in other plain areas covered by the other Schedule, the Scheduled Tribes have not been given the same type of autonomy in the matter of their living. Therefore, I strongly urge upon the hon. Labour Minister, whom I must compliment for the efforts he has taken for holding seminars to see that the attention of the nation is drawn to the tribal welfare, that he must take steps to see that other Scheduled areas in other States where there are Tribal Sub-Plans given and where you have formed Tribal Consultative Committees, which have only advisory capacity in the matters concerning their economic uplift and also their problems, should be given statutory powers. If need be, we may have an amendment of the Constitution to give statutory powers to all those Tribal Advisory Councils in areas other than the North-East Provinces which are covered under the Schedule of the Constitution, to see that they have the power to recommend for their own legislation and also have administrative powers for their benefit. The hon. Members have been inviting the Government's attention that several tribal people from Madhya Pradesh have come over here. They are not worried about the projects that are coming up, they are worried about their own rehabilitation. Many projects are constructed which cover the tribal villages. The tribals live in small habitats and they do not find rehabilitation in such a manner that they would continue to have a better living. That is why there has been an agitation and for that they are nearly at the mercy of the State Government. The Tribal Advisory Council's recommendations have no effect on anybody and, therefore, they have to adopt agitational methods.

The other point which I would like to submit is that the tribal land is subject to alienation and since the tribals are heaped in poverty for everything, there are attempts by non-tribals to occupy the tribal land and use it for their own benefit. No doubt, several States have made legislations to see that no person is allowed to occupy a tribal land and if he does so, he shall be evicted forthwith under the provisions of the law. Kerala, which

is one of the very progressive States, has made a legislation that no non-tribal shall occupy or purchase a tribal land and if he does so, he shall be evicted. But I am Sorry to say that the Act has been passed but for the last ten to twelve years, no action has been taken to see that tribals' land is restored to them. The same is the case of Maharashtra and to some extent Andhra Pradesh. So, I would submit that unless we have tribal Councils also in the Agency areas not covered by the Constitutional schedules where autonomous powers are not given, we cannot uplift these tribal people and we must give powers to those tribal Councils so that they can have the right to express their desire according to which laws can be made and implemented. The Governor may not act according to the advisory body but it should be imperative for him to issue orders to the State Governments to give respect in that regard.

Another point about tribals in the implementation of the Constitutional safeguards to the services. Now, we have seen a long record where the statutory requirement of the tribals who are to be employed in the services is not being maintained. Sometime back, there was a National Commission which advised that specific steps should be taken to see that the Scheduled Castes and Scheduled Tribes are not deprived of their constitutional rights in the matter of recruitment. The Gurudas Commission was appointed and the Commission made recommendations which, I think, the Government have only accepted in principle, but they have not implemented them. It should be imperative on the part of the Central Government to see that whenever the required number of persons have not been recruited in all places, it is the duty of the State Government to see that they give them employment.

Now, so far as the plans are concerned, under the Tribal Sub-Plans, in the 7th Plan, as much as Rs. 5269 crores have been earmarked for tribal areas. It is the bureaucrats who send them to the Central Government and they decide that in what manner

the Plans for tribals are to be made. I would strongly urge upon the hon. Minister that the Government should give the right to the tribals in those areas, if there is an agency area, that they shall make their own plans so that they know what is good for them, not the officers of the Department. For example, if the tribals want cattle rearing facilities to be made which will help as an ancillary to their agriculture, the bureaucrats will recommend poultry farms. So, that sort of thrusting of their own plans on the tribals has retarded the growth of the tribals. In the 6th Plan also, Rs. 3383 crores were earmarked for the upliftment of the tribals. But what we see is that the benefits that should reach them have not reached them. According to their own statistics, out of 165 lakh of households, about 85 lakhs could only be covered by the tribal sub-plans and 12.4 lakh families are yet to be given assistance. I would therefore submit that the manner in which the tribal sub-plans in areas other than the North-Eastern areas had been done is very tardy and the plans that are made are not drawn in consultation with the tribal leaders or the tribals but the people who are responsible to administer those areas.

Now, another point to which I would like to invite the attention of the hon. Minister is that all tribal sub-plans made by the hon. Minister is that all tribal sub-plans made by the States must be made through the Tribal Commissioner and not by the individual department. Now, whatever amount is earmarked by the Central Government goes to the States and to various departments and they are credited in their own accounts. It is earmarked for the tribal areas but unfortunately it is the Commissioner who sits as a person to look after them has no authority to see that the plan is implemented. So, I would submit that the plan must be formulated in consultation with the tribal leaders in the Agency areas by the Commissioner of the Tribal Welfare Department and in the matter of execution only the other departments must come in the picture, but the funds for the sub-plans should not be given to them.

Now, so far as the subsidies and the

[Sh. P. Narsa Reddy]

loans that are given are concerned, Mr. Deputy-Speaker, I would invite the non-Minister's attention to the fact that much of the subsidies and the loans are misused. They are eaten away by the bureaucrats. They do not reach the proper persons in a proper manner. I would give an example that where a certain amount is earmarked for either poultry or cattle, 50 per cent of the principal amount is deposited in the bank and the other 50 per cent is manipulated so that, that 50 per cent is eaten away and it includes the amount to be given to the beneficiary himself. He was told that 'you are getting this amount freely without any liability you need not worry for the proper amount to which you are entitled.' For example, he is entitled to get Rs. 3000, he will be given hardly a few hundred rupees to satisfy him. Each district in each sub-plan is given crores of rupees as subsidies which are mis-utilised.

I would invite your attention to one more point, Sir. And that is that in Malaysia they have a scheme for the tribals and the landless poor, which is known as the Federal Land Development Authority. Under this Authority, for every tribal who has got a minimum holding, a well, a house and the proper infrastructure is provided by the Corporation in which the representatives of the landless poor themselves will see that the entire structure is built on behalf of the Government without the money being parted to any single person or individual and after everything is completed—the well, the electric motor, the land after being levelled—the it is handed over to the landless poor and the amount that is spent on this project is collected from him in about 15 to 20 equal instalments. This method which has been successfully carried out in Malaysia may also be implemented here because the subsidy here is eaten away by the middlemen because the tribal is uneducated and he is taken for a ride.

The other submission which I wish to make is regarding bidi workers. About bidi

workers, Mr. Deputy-Speaker, you know that in Maharashtra, in Andhra Pradesh, in Karnataka and in the South of the Vidhyas most of the ladies are involved in this. They are at the mercy of the bidi manufacturers. The Government has said that they will be given provident fund benefit. What is happening is, no provided fund is given except some fund which is given to a lady through a passbook without proper checking or survey by the Labour Department, and the female workers are kept at the mercy of management. Due to this, many lady workers are deprived of their provident fund. I have seen the report given by the hon. Minister for 1989-90. For bidi workers the amount that has been earmarked for their welfare is Rs. 11 crores. The amount spent in 1988 is hardly about Rs. 4 crores and for 1989-90 the amount earmarked is Rs. 12 crores. The amount spent is only Rs. 6 crores, and the benefit given to the lady workers is housing which is hardly to the extent of about Rs. 2000 and odd. I would respectfully submit, Sir, that in order to give the benefit to the bidi workers, we will have to see that they are not robbed of their provident fund. And then, to add to this, ESI hospitals are not being run by the Central Government in various places where ladies are there. The ESI contribution is being extracted from the bidi workers which they do not know when this amount is going. The lower level labour officers are in collusion with the management and are trying to rob the bidi workers. I would most humbly submit that the hon. Minister should not venture for such schemes which would not benefit a large number of lady workers. I would earnestly request him to see that hospital, maternity wards and child welfare centres are set up for the benefit of lady workers who are very poor. They need not have training centres as it has been shown in the programme. But it must be seen that they are not robbed by managements. They have also to be given the benefits earmarked for them. So many crores of rupees are lying idle without giving them any benefit either by way of maternity assistance or housing, although it is said in the note that Rs. 6,000 per head is being earmarked for the benefit of beedi workers.

One last point which I wish to make is about the landless labour. So far as the agricultural workers are concerned, it is a pity that they are unorganised and there is no authority at the lower level to see that whatever minimum wages we have fixed are paid to them. It is a fact that Gurudass Committee had prescribed a minimum limit. But the minimum limit which the hon. Minister had announced the other day in this House is nowhere near reality. In reality when they get Rs. 20, we say only Rs. 14 here. So, if you want to give them minimum wages, it should be given in consultation with the local people of the district. You must not rely entirely on statisticians who sit somewhere in the State headquarters giving away whatever they want and show that everything is done for the benefit of the labour. Many of the agricultural workers are at the mercy of the landlords. Now, so far as the implementation of land reforms is concerned, it is shown that we have been able to acquire only 76 lakhs of acre. By any standards, it is very low. I would submit that we would have to make a drive for the implementation of land reforms. The most important thing is that we would have to see that the tenants who occupy lands on behalf of owners are given their due share and they are not left at the mercy of the landlords. It should also be seen that they are not evicted at any time the landlords want. So, today agricultural labour is neither getting the necessary assistance from the State Governments nor from any legislation. So far as the employment for these agricultural workers is concerned, the Maharashtra Employment Guarantee Scheme is a model legislation which will have to be followed in all States. There, a programme is made right from September till the next October by the Collectors and all the able-bodied persons who register themselves have been shown the work and if the Government is not able to show them work, then they are paid Daily Allowance the extent that they would not starve. The amount is too less and I think, the State Government in its own wisdom would increase it. Similarly, in 1974, the Kerala Government had also enacted a law which is worth emulating. In order to see that the unorganised agricultural labour is given their

due share, it is for the Central and the State Governments to come forward in a big way and help them so that their minimum needs are fulfilled. I would congratulate the Government on one point. The other day, they made an announcement that they are going to allow the landless poor to plant trees in forests, where there is no growth of forest, and benefit from the trees till such time as they give fruit and afterwards cut the timber. The forest land in our country is about 6.5 crore hectares. Out of this, in 3.7 crore hectares of land, there are no trees. So, if we allow tree pattas in 3.7 crore hectares of land, for growing fruit bearing trees, I think, the cutting of trees and timber and denudation of valuable forest would be stopped. These *pattas* should be distributed to the poor people living in the forest area. This would be a very good scheme and I hope the Government will implement it soon.

DR. VENKATESH KABDE (Nanded):  
Mr. Deputy Speaker, Sir, I rise to support the Demands for Grants relating to the Ministry of Labour being headed by a dynamic leader and young Minister.

In a vast country like ours, where we have a very large population, labour force is a very important ingredient for the development of our nation. This particular human resource has not been utilised to the extent possible. This is indeed regrettable. We should look upon population not only as a liability but in the given circumstances, our population or the manpower should be utilised to the best possible extent by giving suitable training and also using as a force of the people. I think, the Labour Department and the labourers deserve a great deal of respect because whatever we do in this country, the whole process of national reconstruction revolves around the work of the labourers.

In our country, unfortunately, the labour force is not well organised. Only a very small percentage of the labour force, about 10 percent is in the organised sector whereas about 90 percent of the labourers is in unorganised sector. About 27 crore labourers are

[Dr. Venkatesh Kabde]

in the unorganised sector and only 3 crore labourers are in the organised sector.

For the welfare of a large number of people, various laws are being made. We have been talking about labour legislation for a long time. A lot of legislations have already been made. But we have to seriously consider whether all the legislations have helped the labour class. I am sorry to say that a lot of these laws are just accumulating dust and they have not been really useful in many circumstances. Unless the law is practised in the proper spirit, the workers will not be benefited. This particular aspect has to be taken into account while making the legislation. Now there has to be a great deal of political will and enthusiasm to see that the labour laws are really implemented and benefit the people.

Our dynamic and young Minister has recently said in a meeting in Pune that in this Session, lot of new legislation is going to be presented. It may not be completed, in this session but certainly it is going to be introduced and it is for the benefit of organised sector. New legislation comprehensive and integrated legislation is going to be introduced by our Government for the sake of guaranteeing minimum wages and for providing pension plan for people in unorganised sector as well as for providing insurance scheme for them. It is also contemplating legislation for child labour and we have talked about the labour participation in the management at all levels. This is going to be a very important landmark for the benefit of industry and I think it is going to pave the way for a new revolution in the process of development.

Here I would like to say that it is not only enough to make laws but these laws should be explained and, for that, may I suggest to our hon. Minister, that after making the legislation, we call a meeting of all the Labour Ministers from different States and explain to them the spirit of the new legislation and how

these Acts have to be implemented for the benefit of the labourers.

The condition of the labourers is indeed very bad in our country. Look at any factories or any of the big public undertakings. How much care does the employer take for the benefit of the labourers on whose integrity and hard work, the whole enterprise of that particular industry is flourishing? You will find that very few industries really look into the different welfare aspects of the labourers. Take the example of families and children of the labourers. Do they make proper arrangement for their health care and education, leave aside their cultural upliftment or the cultural aspect of the life of the labourers? Such efforts are not made even in the organised sector. What happens in the unorganised sector is anybody's guess. The families of the labourers really are not looked upon properly and a great deal needs to be done in this regard and voluntary organisations can play some role. I saw that a very small amount 2 or 3 lakhs of rupees has been provided for the welfare of children and women in unorganised sector. I would urge upon the hon. Minister that the amount to be paid to the voluntary organisations for the betterment of women and children in the organised as well as unorganised sectors should be increased a great deal.

As regards the lockouts, wherever there is a lockout of the industry, the labourers have a great deal of suffering. They do not know what to do. They are just left to their lot. But the employer does not suffer as much. Just look at the employers of different big industries. Their standard of living does not change after choosing the industry but the people in the factories are left on the street. They do not know what to do. In Bombay, many spinning mills were shut down and the condition of the people working in the spinning mills is also miserable. They have to sell their houses. Their children were left on the streets.

I suggest that whenever the question of lock-out in a particular industry comes up, the question should be considered whether

the labourers will be able to run a particular industry and lot of consideration should be given to this particular aspect and, if possible, that particular industry should be kept alive.

Migration is a very important problem of labourers and it has got multi-dimensions i.e., labourers within the country and those who are going outside the country. Lot of labourers are exported outside the country and they are facing lot of problems because of the agencies. I would like to mention here one thing that we have entrusted this work to many of the private agencies. But there is a need to consider whether we can have a manpower corporation and assign this work to the corporations. Probably, this will solve good many of the problems. Also there are problems with the inter-State migration of the labourers. There is an act but it is not adequately implemented and it is causing difficulties to the labourers who migrate to other States.

Lastly, I would like to mention about the child labour. This again is a very neglected aspect. According to 1980 National Sample Survey Report, there are about two crore children who are working in a very bad condition. These are the children who are in a very formative stage of life 5 to 14 years. And they have no facilities. And the problem is that if their work is stopped, their family will starve their parents are putting them to some work because they need to have the minimum requirement, that is they need to have food. We cannot guarantee food to these people. So, they are made to work. So, it appears that we have to have some kind of a via media to provide them some facilities which others working in different industries get and also take care of the welfare of these children who are compulsorily made to work. We have to take care of their education; take care of their health, their nutritional needs and a great deal needs to be done to stop exploitation of children in different industries.

I would just like to mention about the plight of a textile mill in my constituency, the

Nanded Textile Mill, where because of the bad management and administrative problems, the number of labourers has come down from 4000 to 2000 in the last five years. A Mill which was running in profit until 1985 is running into loss. It is entirely because of the bad administration and people who do not know anything as to how to run the textile mill, non-technical persons, have been made incharge of this Mill which was otherwise running in profit for years together. May I request then hon. Minister to please look into the affairs of this particular Mill in my Constituency and see that the number of labourers does not decrease and those employed enjoy all the aspects of development benefit.

With these words, I thank you for giving me this opportunity to speak.

[*Translation*]

SHRI RATILAL KALIDAS VARMA (Dhandhuka): Mr. Deputy Speaker, Sir, I want to say a few words in support of the Demands for Grants presented by our dynamic Labour and Welfare Minister.

Unemployment is increasing in our country. Even educated people are not getting Government jobs, therefore they are forced to work as labourers. Actual situation is worse than this. I belong to Gujarat. About 23 mills have classed down in Ahmedabad and the labourers are in very miserable condition as a result thereof.

These labourers are not able to provide new clothes to their children even on Diwali. I would like to tell you about a very unfortunate incident. A child of a labourer demanded nice food from his father. The father took his two children near a pond and as he was not able to provide good food to them, he alongwith his two children committed suicide by jumping in the pond. This is not happening in Ahmedabad alone. Such incidents have increased. A mother did not get work and she set herself on fire along with her children or just left them on their fate. We would have to seriously think in this direction. About the labourer belonging to sched-

[Sh. Ratilal Kalidas Verma]

uled castes and scheduled tribes. I said that they are given work which is so dirty that people turn their eyes the moment they see it. Those who are carrying night soil and garbage on their heads, should have been provided special facilities, but it is not being provided to them. Even when technical means have increased a lot these people are carrying corpses of chattels on the heads. Thus untouchability is continuing.

Today, the mothers carry their babies with them while going to work. They are not paid full wages. They are paid only Rs. 10-12 for full day. If they raise their voices against it, they are either murdered or atrocities are committed on them. A person belonging to scheduled caste in village Toda of Jamnagar district was burnt alive because he refused to go on work. His dead body was thrown in pond of his house and the assailants said take your son and keep him safe. This is happening all over the country. These people have to work for 12 hours. If a labourer does not come to work, he is taken to task next time when he comes to work. He is not allowed to go home and he has to work the whole night and the next day also. They are not provided all facilities which should be provided to them and half of their life rots. That is why the people belonging scheduled castes die at the age of 40-45 years. Laws are there to ensure the safety of the labourers who work in iron factories or other factories, but attention is not paid towards them. The inspectors are bribed and they declare in their reports that all facilities have been provided to the labourers but fact is this that nothing is provided to them and work continues in the same style. Therefore, mortality rate is more there and it is increasing day by day. Besides, if requests are made for giving jobs to the wives or children of the deceased such requests are refused. They are made to wait for 2 to 7 years saying that their application is under consideration and whenever there is a vacancy they will be called. Other people are recruited for those jobs. Earlier, the work of killing stray dogs was reserved for the people belonging to scheduled castes

but now people of other castes are also engaged in this work.

In hospitals also where the people of scheduled castes were used to be engaged as sweepers, now the people of other castes are also doing the same work. Nobody keep watch on it. Similarly, the forms which have to be filled in factories at the time of recruitment are not filled by them and after their death, their dependents do not get any benefit. Such cases are increasing day by day. There number was 0.14 percent in 1961 and whereas it was about 0.23 per cent in 1985. Therefore, the number of such cases is increasing in general factories. The condition of the labourers in deteriorating whether he is working in fields or in Railway or Forces.

The labourers do not get justice if they meet an accident. There are very few courts therefore, they do not get justice in time. Justice delayed is justice denied and when he is about to die he gets justice. Therefore, more courts should be set up so that they can get justice in time.

14.00 hrs.

After the death of a labourer their dependents are harassed. They should be given shelter and jobs and their problems should be solved. Government has enacted very beneficial laws to check all this but there is lack of monitoring in this regard. Special attention should be paid towards it and time to time monitoring is also essential.

Today, labourers are migrating to Gulf countries in search of work but situation of labourers is very bad there also. They are harassed there and even their return passage is not arranged. Many times we have made arrangement for their return after requesting the Government. Attention should also be paid in this direction.

I would like to say one thing about labourers. Women labourers are exploited today. Our mother, sister and daughters who work as labourers do not get maternity leave till the last day i.e. the day they are

expecting delivery. Sometimes, they fall unconscious and die writhing in pain. Special arrangements should be made in this direction. It is commendable that relief work is initiated by the Government at some places but we have seen in Gujarat that there are no sheds for women labourers and cradles for their children. Women are exposed in the sun and get unconscious while working. No facilities are provided to them. Therefore, proper arrangements should be made for them.

There is a law for child labourers. Children below 14 years can not be employed anywhere but still small children are employed in hotels and factories and if they damage or break anything while working, they are tortured badly. There are cases where they have been burnt alive. Similarly, no attention has been paid to the children who work as domestic help in homes. There is no proper arrangements for their education etc. Present facilities are very meagre and these should be extended. More funds should be allocated to give educational facilities to them.

Mr. Deputy Speaker, Sir, I spoke about women and children. Now I want to say one thing about the labourers of scheduled castes and scheduled tribes who work in the fields in villages. These labourers have to work day and night and sometimes they are compelled to work in place of bullocks. There is no provision for providing them compensation if they are bitten by some poisonous insect and die while using poisonous pesticides in fields. There should be special provision for it.

While concluding, I want to say only this much that the Government should exchange views with the representatives of the labourers and labour unions regarding the smooth functioning of programmes and try to remove the problems if any. With these words, I conclude

[English]

MR. DEPUTY SPEAKER: I would like to

request the whips to keep the list with them, if they have forwarded the list to us. And the hon. Members may meet their whips and find out whether their names are there or not. Every time, every Member coming to the Chair and trying to find out whether his name is there in the list or not is not correct; it does not look nice. It is for all the hon. Members.

Now, Kumari Mayawati.

[Translation]

KUMARI MAYAWATI (Bijnor): Hon. Deputy Speaker, Sir, while supporting the Demands for Grants of the Ministry of Labour and Ministry of Welfare, I want to draw the attention of the hon. Minister Shri Ram Vilas Paswan towards some important points.

Mr. Deputy Speaker, Sir, so far as oppressed people of this country and the question of justice and atrocities on them is concerned whether they are labourers or people engaged in other fields, bureaucracy or politicians I feel that injustice and atrocities on downtrodden classes are rather increasing day by day instead of decreasing. This is not a new experience for National Front Government. If one looks into the history of the oppressed class of this country, it will be revealed that a handful of people of this country have created a social structure which has proved harmful not only for scheduled castes and scheduled tribes of this country but also for the people of other backward classes, and religious minorities such as Sikh, Parsies, Muslims and Buddhists. The downtrodden classes always have been looked down upon in every sphere. We have to go deep into the root of the problem and will have to look into the causes why they have been made victim of the injustice and why atrocities are being committed on these people from the very beginning. So long as we do not bring a change in the social structure. We can not save the oppressed class of this country from injustice and atrocities.

My first suggestion in this regard is that a change in the social structure is called for.

[Kumari Mayawati]

Our Hon. Prime Minister has referred to the subject social change many a times. But I feel mere lip service will not do unless we put these ideas into reality, and bring a change in the social structure we cannot save the Bahujan Samaj from injustice and atrocities.

I referred to bringing about social change because it is this social structure which has dealt a severe blow to the people of 'Bahujan Samaj. They have been degraded. Religious literature like Manu Simriti and Vedas give moral courage to those who give a raw deal to Bahujan Samaj and commit atrocities on them. Unless such inductive portions are deleted from these holy books like Vedas, Shastras, Gita and Ramayana you will never be able to put an end to injustice and atrocities being committed on weaker sections and they will keep on increasing in this country. The people who are ruling and have hold over five powers viz. administration, bureaucracy, industrial sector, zamindari and culture of this country have built up a social structure which will prove beneficial for a handful of people only and majority of people will suffer loss.

Harping of the same tune, of atrocities and injustice in the House will not be of any use and neither the prevention of Atrocities Act to check injustice and atrocities will bear fruit unless a ban is imposed on literature like Vedas and Shastras which give sanction for committing injustice and atrocities on down trodden classes.

So far the question of rural areas is concerned there are more than 5, 76,000 villages in our country and about 10 crores people of Bahujan Samaj live in villages. They have started migrating to Metropolitan cities in search of job. Do you know why these 10 crores people are migrating from villages? they have abandoned the villages because the feudalistic lords, having thousands of hectares of land, extract more work from them and pay them less wages. If they ask for more wages and make a mention of minimum wages fixed by the Government

they are threatened with dire consequences. The labour belonging to the weaker section who works on the field of the others generally have a milch cattle in his house. It is of great help to him. It helps him in bringing up his family. Whenever the labour make a demand for minimum wages, as prescribed by the Government, the landlord instead of giving him his due wages threatens him by saying that if we would not work in his field and goes to work for somebody else he will not be allowed to take away the fodder from his field for his cattle.

On the one hand Government propagates that narcotic drugs should be banned and on the other hand more and more liquor shops and narcotic drugs shops are being opened in the areas predominantly inhabited by the people belonging to the scheduled caste and scheduled tribes and backward classes as these people are more susceptible to liquor and drugs. The owners of these shops are multi millionaires and earned enormous profit. They promote alcoholism in these colonies so that they are able to earn more profit. Our people spend more than what they earn on these intoxicants. The Government should impose a ban on the sale of these narcotic drugs immediately.

I would like to submit a few words about Mandal Commission. Its recommendations have not been implemented so far and I feel nothing much has been done in this direction either by the Congress Party during their regime or by our honourable Prime Minister Shri V.P. Singh. During the elections, in his manifesto Shri V. P. Singh had declared that the recommendations of the Mandal Commission would be implemented as soon as their party came to power for the benefit of the backward classes of this country which constitute 52% of the total population. It is a matter of regret that even after four months of its rule in the country, the National Front Government has not so far implemented the recommendations of the Mandal Commission. Our colleague Shri Ram Vilas Paswan had announced in Madras that recommendations of the Mandal Commission would be implemented within a week or two. Let us

wait and see what happens in the next one or two weeks. The people of backward classes are suffering. Due to the efforts of Baba Saheb Ambedkar provision of reservation was made in the constitution and because of this provision some jobs were reserved for scheduled caste and scheduled tribes people in the Government offices. But no provision has been made in the constitution for the people of backward classes who constitute 52% of the population. Unless they are accorded recognition they will always remain deprived of their due rights. Therefore it is my submission to brother Ram Vilas Paswan that some provision should be made in the constitution for backward classes. Once a provision is made for them in the constitution they will definitely come up. There are thousands of people of backward classes in this country who are living below the poverty line and are socially backward. Some concrete steps should be taken to remove their backwardness. The Government have enacted the best of laws for scheduled caste, Scheduled Tribes, backward classes and for religious minorities but these laws are not being implemented with sincerity. The intention of people who are responsible for their implementation is not honest. There is one more drawback in the policy of the Government with regard to the assistance and facilities being extended to the people of these down-trodden classes. Majority of them in the rural areas are not aware of the facilities meant for them. Unless they have knowledge of what all they are entitled for how can they take advantage of these provisions. I therefore request that a programme should be chalked out to make these people aware of the schemes made for their benefit each and every village should be covered for this purpose and in this regard the expenditure should be borne by the Central Government. It has also been noticed that assistance to the persons belonging to Scheduled caste and Scheduled Tribes is given on paper only. The formality of completion of forms etc. is done by inscribing some fictitious names such as Khacheru Singh, Budh Singh etc but the actual amount goes into the pocket of somebody else. The social structure of this country has helped only a handful

of persons and majority of people are not benefitted by it. I therefore request the labour minister through you that the points raised by me should be given due consideration while taking a decision. If action only on paper will continue the 85% population of this country the suppressed class and the religious minorities will not forgive you. May be Shri Ram Vilas Paswan has some compulsions because his leader is a Thakur, I am also not in favour encouraging casteism in the country but even today the Thakur's hate people of the suppressed classes. Thakur's have hold over most of the land in villages. The incident which took place at Fatehpur, the constituency of the Prime Minister, has not only been discussed in detail in Lok Sabha but has also been discussed in Rajya Sabha, indicates how the Thakur's behaved with the husband of Kuchi Devi, who belonged to suppressed class. If action on paper will continue or if you will keep working under the pressure and direction of Shri V. P. Singh and did nothing practical than it will imply that you had deceived your own people and Bhujan Community will not let you win in the next elections. Therefore you should not yield to pressure but should work in the interest of Bhujan Samaj and Bhujan Samaj will definitely cooperate with you. With these words I conclude and express my thanks to you.

THE MINISTER OF LABOUR AND WELFARE (SHRI RAM VILAS PASWAN):  
Mr. Deputy-Speaker, Sir, I would like to say one thing in response to the statement of the hon. lady Member, Kumari Mayawati that this Government is Government in the real sense. The country should be proud of having for the first time a Prime Minister like Shri V. P. Singh who is committed to the upliftment of exploited, oppressed persons and labour class and he wants to give due rights to them. I would like to say that we should unitedly fight against caste system but if Kumari Mayawati views it from other angle, it will be harmful. Baba Saheb Ambedkar had embraced Buddhism and Mahatma Buddha was a Kashtriya, he did not belong to oppressed and backward caste. We should not fight on the basis of caste but we must fight for equality.

**KUMARI MAYAWATI:** Mr. Deputy-Speaker, Sir, I request you to allow me to raise only one point.

**MR. DEPUTY SPEAKER:** Mayawati ji it is not possible. If we discuss each and every point, how will we discuss other issues? I have already given you enough time. I can not permit you.

**KUMAR MAYAWATI:** The incident that occurred in Fatehpur in the constituency of the Hon. Prime Minister is a living example. They are encouraging casteism. I would like to point out another thing also that on one side compensation of Rs. two or three lakhs is being given to the persons of higher castes whereas on the other side only Rs. 10,000 or Rs. 15,000 are being given to Harijans and poor women's. Not only that they have to go again and again to the office of Shri Mulayam Singh Yadav in order to receive that amount.

**DEPUTY SPEAKER:** Leave it now Please sit down.

**KUMARI MAYAWATI:** She has to go again and again to several places but nobody bothers about her problems (*Interruptions*)

**DEPUTY SPEAKER:** Please take your seat. I have already given you enough time? I cannot give your more time

**KUMARI MAYAWATI:** I would like to raise one more point that the National Front Government is following the policy of encouraging casteism. (*Interruptions*) Otherwise there was no need to raise slogans.

(*Interruptions*)\*

[*English*]

**MR. DEPUTY SPEAKER:** Nothing will go on reactor now

(*Interruptions*)\*

**MR DEPUTY SPEAKER:** Mr. Susanta Chakravorty.

**SHRI SUSANTA CHAKRAVORTY** (Howrah): Thank you, Sir, for giving me this opportunity. The labour front in our country is vibrant with many problems. The agricultural scene is characterized by unemployment, under-employment, poverty, indebtedness; and the industrial scene by lock-outs, closures, sickness etc.

A brief look at the Census reports and the statistics available will go to reveal that the number of agricultural labourers displaced from land is growing. It will go to reveal that there are bonded labourers, child labourers and that there are disparities and distortion in the wage structures.

In agriculture, the best-paid worker earns Rs. 3960/- per year, while the poverty-line income fixed by the 7th five-year Plan is Rs. 6400/- per year. The industrial workers in the tiny sector get something between Rs. 4,000 and Rs. 6000 per year. It is, again, below the poverty line. On the other hand, in the non-departmental undertakings of the Central Government, the worker's average annual income is Rs. 32,239. In the multi-national companies, the wage rate is even higher.

These disparities cannot continue. These disparities impress upon the Government that they should come out with a legislation guaranteeing minimum wages. I expect the Government to come out with a legislation, in consultation with the workers' unions which would fix the parameters, considering their calorie requirement and considering other facilities like fuel and housing.

Taking advantage of the growing unemployment in our country, the private employers are resorting to unilateral lock-outs. In West Bengal, in the jute mills, these things are more visible. There are lock-outs, wage freeze etc. and the jute mills are being closed

day after day. Government should think of taking over these jute mills, in the interest of the workers.

The workers in our country always raise their voice of protest against these evils. But these protests were dealt with by the previous Government, using ESMA, NASA etc. and Article 311(2) of the Constitution which gave it the right to dismiss the employees without assigning any reason.

They even refused to ratify ILO Conventions No 87 and 98 guaranteeing the freedom of association, the right to organise and collective bargaining. Now I request the present Government to think over this and see that these measures of oppression are not practised

The Industrial Relations Bill, which tries to curtail the rights of the trade unions, is still before the Rajya Sabha I request the Government to consider whether a new Industrial Relations Bill in consultation with the trade union can be framed

Regarding labour legislation, the Government should bear this in mind their order to make it effective, the Government should not depend on the market forces of Demand and supply. It was on this point that the mistake was made by the last Government. I would suggest the following steps to come out of this evil.

1. The minimum wage should be guaranteed. I remember in the year 1985 Shri Rajiv Gandhi in the ILO Convention raised a demand for raising the wages of the the workers working in the unorganised sector. But the same Rajiv Gandhi did not even ratify the ILO Convention 131 on minimum wages. So, a legislation on minimum wages should be brought before the House immediately.

2. The National Front Government has come out with many assurances. For example there are assurances like workers' participation in the management, right to work and formation of board construction workers, etc. In the palmy days and Avadi-

ocialism Nehruji spoke on labour participation. But that was reduced to floor level discussion and plant level discussion. There was no representation of workers at the Board level. So, the Government has to consider the aspect of effective participation of workers in the management. I feel this should embrace the following. (i) There should be an effective representation of all sections of employees in the management. (ii) They should have access to all information (iii) Then they should have a full participation in all aspects of the decisions making. Now to make it meaningful the multiplicity of unions must be checked. So, we need a legislation to recognise the trade unions. Thanks to the National Front Government that it has recognised the demand of the working class to give recognition to the trade unions by means of secret ballot. On the basis of that secret ballot itself, the unions will sent their nominees to the participative forums according to the proportion of votes they secure. The private employers have opposed it. We request the Government not to surrender before them.

The right to work is a welcome steps and it must be translated into a reality. In order to do that, surplus land should be acquired and distributed nationally among the landless labourers. That will go a long way in creating employment opportunities in our country.

Regarding workers in the construction works, a board should be set up with powers to recruit workers and regulate the construction work.

In the face to growing unemployment, I request the Government to think of lifting the ban on employment in the concern controlled by the Central Government and public undertakings. I also request the Government to think over the question of victimised railway employees. The Government had given an assurance that they would be reinstated. In spite of this, till today nothing has been done in that regard.

Lastly, amidst the general scene, the

[Sh. Susanta Chakravorty]

Government should come out as an ideal employer. I would have been happy if I could say that during this regime too the role of ideal employer is being followed by the Government. No, that is not the fact. In the case of Neyveli Lignite Corporation in Tamil Nadu we found that the management did not consult the trade unions namely the CIT and the HMS. In the case of IDPL when some workers revealed some corruption cases, and the charges were established by the Inquiry Committee. The management came out with victimisation of the workers who revealed those cases.

In the case of Burn Standard and Company the workers have made deputations to the Minister of Industries and asked him to take action against the parson in charge of management for which the Burn Standard and company was incurring heavy losses, but till date nothing has been done.

There are problems of women labour, bonded labour, child labour, inter-State migrant labour and so on. All these things have been referred many a time. We have been saying these things for a long time. These things have been spoken on the floor of Parliament by our comrades and friends but they were not heeded to. The previous Government did not listen to it. Rip Van Winkle did not wake up. And even if he did succeed in waking up, we would see them repeating the old hymns. So, I urge upon this Government to rise upto the situation and do the needful. Everything is not all right; everything is not quiet on the labour front.

Some 150 years ago, when adult franchise was extended in England Lord Salisbury having opposed it and lost came out with the remark that "We must educate our Masters." the working class of India too want an answer to this question, as to when we are going to educate our masters.

With these words, I support the Demands for Grants for the Labour Ministry.

**SHRI INDRAJIT GUPTA: (Midnapore):**  
Mr. Deputy-Speaker, Sir, this is the first time that the present Labour Minister has had an opportunity of presenting his grants to the House. He is a young man, very receptive and responsive and his sympathy for the exploited and poor of this country is beyond any doubt.

However, the jurisdiction covered by the Ministry of labour is quite wide and he will have to, of course, deal with very many different aspects of relationships both in the organised sector of industry and the unorganised sector which are two quite different worlds, having very little to do with each other.

I would like to ask him one or two questions. First regarding some matters which have cropped up recently and which are very much connected with the question of policy that this Government is going to follow, some of the thing, I refer to may be somewhat overlapping with the Ministry of Industries—it may be concerned—but that cannot be avoided. For example, what is the policy or drill of the Government regarding these closed units which are supposed to be sick?

Recently, the hon. Minister for Industries went on record saying that as far as the closed units are concerned, it is not the policy of the Government to take over any of these units and to re-open them and run them. Later on, recently in Calcutta the Minister slightly modified his earlier statement and said that if any of the closed units is a viable unit and can be put back into profitable production then, ways and means will be explored for seeing that that unit is re-opened. I only want to say one thing. There is the tendency now among many employers to close down their units and to sell off the buildings, lands and all the property of those mills. Only two days back I was in Bombay. And I found that one of the well-established textile mills known as the Indu Mills, which is situated in the heart of Bombay city, is in the process of being close down. It has closed down already. But all the land, buildings and

everything are going to be sold off for the purpose of building expensive apartment houses there. There mill is situated on the sea side. So apartment houses situated there will also fetch a very good price. And this is not the only case. There are many other instances which I am sure, the Minister knows about. My suggestion would be, since no closure actually can take place under the existing law without the permission of the Government—Government has to give its approval; otherwise, nobody can close down a unit—this permission should not be given without first ascertaining what is the purpose of that closure and whether the mill which is being closed down is really viable or not viable, whether it can be put back into production or not and if it is being closed down naturally due to mismanagement due to no other factor but the fact that the management has mismanaged the mill, squandered the funds, eaten up the funds, most of which probably was taken from the bank or from the financial institutions and did not come from their own pockets at all, in such cases where the mill has been closed down due to mismanagement, first of all, permission should not have been given in that case. But if it has been given to close down, then at least two things I would suggest. One, there must be a machinery which is not there at the moment—an adequate machinery. I know that BIFR is there. But it is not an adequate machinery to actually find out which of the closed units can be made viable or not. I know there are many non-viable units also. But at the same time there are a number of units which are viable. The causes of the closure have to be gone into. And if they are viable, even if the land and buildings are to be sold off, there is no reasons why from that money a new factory or new production units cannot be started to give employment to the people who have been thrown out. That line of approach is not being followed. I do not know why. And certainly a running production unit should not be substituted by expensive apartment buildings and houses which will be only afforded by the extremely wealthy and rich people to live in. This is a disgraceful things which is happening. And it is better that the

Government in cooperation with the State Government, with the workers and with other agencies if necessary, find that a mill cannot be re-started, then the land, buildings and all that can be sold off. I do not deny that. You will get good money for that. That money should be invested in starting new production units where the workers who have been thrown out can get employment.

Secondly, there is another question. I had raised this matter recently in the Indian Labour Conference which the Ministry had called. I want to raise it here also. We are now on the eve of the Eighth Five Year Plan. During this coming Plan, I have no doubt in my mind that a major drive will be launched—it has already been launched, but it will be intensified both in the private sector and the public sector—to carry out what may be called a sort of re-structuring re-organisation of the industrial production. It is all right that production in India should be made more efficient, technologically more advanced; the productivity should be increased. We have nothing against this. The point is how it is done, by what method it is done. In the organised sector of industry where this drive of restructuring is taking place and is going to be intensified, we complaint is that the trade unions are being completely by passed and neglected, in the sense that their opinions are not taken. For example, when somebody decides that commodities which are being produced inside the factory should be now passed on to private contractors outside should be allowed to be manufactured by them at a lower cost over cost because we know what kind of wages the contractors pay to their people. It is being done in the public sector also. If the maintenance work in most of the public sector power units, electricity generating units, is being given out to the private contractors, in the railways' maintenance, of the permanent rail track, the erection of the signalling equipment, all these works which used to be done previously by the regular workers is being increasingly handed out to the private contractors....  
*(Interruptions)*

Also Defence Ministry and so many

[Sh. Indrajit Gupta]

others, But, if the trade unions object to this and if their counter suggestions, their proposals are never considered, then what is the use of this participation in management which we are going to have by means of legislation, which we are talking about? No technology is being introduced. We have not anything against new technology, as a matter of principle. No at all. It is an expression of the development of science. But, the question is that in a particular industry or for a particular industry or for a particular operation what technology is to be introduced. Whether it is necessary or not whether it is appropriate or not, whether something which is working well in Japan or West Germany or somewhere else must necessarily be introduced in India. Somewhere or other has to be a discussion and a dialogue on this. The employers are very fond of singing the phrases of the Japanese economy or some other European economy. But, unfortunately or fortunately, we are not living in Japan or West Germany or America. We are living in a country called India which has its own specifics, its own characteristics, its own economic and industrial features. And, therefore, before we introduce a new technology into any particular process, it must be carefully considered as to what is likely to be its impact. We have also a gigantic unemployment problem in this country. If a particular technology is going to lead to further aggravation of that unemployment, if it is going to affect the job security of the workers who are already in the employment if it is going to affect their income, their promotional avenues, their health, their safety, all these must be carefully taken into account before we decide on a particular technology. Otherwise, what is the meaning of participation in Management. I do not understand it. Participation in Management means bargaining for higher wages, bonus, dearness allowance. That is done in another form by the trade unions. But participation in Management means that if changes are to be introduced in production methods which will affect all aspects of the workers' standard of living, their working conditions and so on, then their

representatives must be given full opportunity of discussing all aspects of the problem before these things are introduced. Therefore, I had suggested to the hon. Minister in the recent Indian Labour Conference that co-terminus with the Eight Five Year Plan, there should be evolved a new tripartite code. It cannot be more than a code. It cannot be a law. But, it should be a code to which the Central Government, the public sector undertakings, all the employers, the central organisations of the workers, all of them should be a party to govern the terms and conditions and guidelines for introducing new changes in production. If you want such changes to be brought about in a manner which will cause the least conflict and confrontation and which will really help the economy to advance and to improve, then it cannot be done without a code which is sincerely adhered to by all the parties concerned. If you do it without a code, there will be constant conflicts, confrontations and dislocations which are not going to help the economy in any sense at all. So, I plead very strongly for this kind of a code. For example, in so many cases this leads to a problem of people being declared surplus, surplus to requirement. All right. How do you propose to dispose of those people? Is there any scheme for redeployment, for people being trained for other jobs? If they are no good for the old jobs, they should be trained for new jobs and they should be redeployed and absorbed in new jobs. There should be some scheme worked out for this with the active cooperation of the trade union organisations. Therefore, these are questions which, I think, the Government should take the initiative on. So, it is for the Government to draft a code. That code may not be accepted very easily by all the parties concerned to start with, but that draft code should be initiated by the Government and that should be open for discussion at all levels by the various parties—employers, workers, State Governments, public sector, private sector, everybody. Let them give their opinion. What is the thing they object to, we would like to know. Why they do not want to adhere to a code like this so that the onward advancement and modernisation of the economy can

be done with the least possible conflict, confrontation and dislocation? That is the plea I am making.

Then, Sir, there is one other question that I would like to mention and that is about this vast unorganised sector, which the hon. Minister knows very well about. All these people who are coming within the Schedule of the Minimum Wages Act, or even those people who are not covered by the Schedule, run into millions, crores. Already hon. Members here have spoken about them, about the terrible conditions in which they are working. They do not get the statutory minimum wages, even partly, due to ignorance, I regret to say. Many of them do not even know what are the statutory minimum wages which have been laid down by the Government. And more than that it is due to sheer defrauding by the employers of those people, who do not pay them, the minimum wages. I am not talking only about the contractors, but others also. We have passed many good laws, welfare laws in this House for many years together to benefit one or the other section of this unorganised sector. There is a big law, a comprehensive law regarding bidi workers. Everybody knows that. A law has been promised regarding agricultural workers. There are laws regarding contract labour. The Regulation and Abolition of Contract Labour Act has been passed by this very House, but the whole trouble is that there is a big gap between the law as it exists on paper and its implementation down below. That is, of course, a common malady which affects most of our laws in this country, as a result of which perhaps the credibility of this very institution is going down. We pass good laws but they remain on paper. The beneficiaries do not get what they are supposed to get out of that law. So, I would request the hon. Minister to consider one problem very seriously, as far as unorganised sector is concerned. These people who are working in the organised sector are strong enough to see that their rights are not taken away from them or they are to be defrauded in any way. I do not know how but we must devise some sort of a machinery by which the people for whom

these laws are being made can also participate in the machinery of implementation. If they are not associated with the actual implementation at the grass-roots level, if that is left only to the inspectors and some bureaucrats and so on, or to the employers themselves, then they will go on being defrauded the whole time.

Somebody here has spoken already about the condition of the Inspectorate. I do not blame them. These inspectors are poorly paid people and sometimes they are burdened with heavy duties of inspecting hundreds of establishments and naturally they are not able to do their job seriously. They are open to temptations which the employer does not hesitate to dangle before them. They are always giving reports saying that everything is okay, compliance with the law is going on and so on. We know the number of big units, not unorganised but organised who are defrauding the Government and the workers of their provident fund. It is running into crores of rupees now. This is absolute daylight robbery, the workers' money which is being deducted from their salary is not being deposited in the provident fund accounts. These people are, I think, anti-social crime also. To those who do these things, what is the punishment given? A small fine is imposed. If a case is registered against him then utmost he may have to pay a fine running into Rs. 1000 or Rs. 2000. Where he has defrauded provident fund amount of lakhs of rupees, he can easily afford to pay a small fine. It does not matter to him. He cares too hoots about it. Therefore, some exemplary punishment should be given to people like this. But as far as the unorganised sector people are concerned, please think of some means by which they will be associated with the machinery of implementation. Otherwise, so many good laws which we are passing in this House just remain on paper and do not percolate down to the beneficiaries who are supposed to benefit from them. We have abolished so many things. We have abolished Child labour. The law is there. We cannot do anything about it outside. We know very well. Such is the economic condition of our people. I know that in those match factories in Tamil Nadu,

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in Sivakasi, in places where an attempt was made at one time to see that child labour is really prohibited. The first people to protest and to protest in a massive way were the parents of those children because they are considered as the income for the families and therefore these children who would be hundred times better off as future citizen, if they were able to go to school. Little children of 8 years and 10 years old are working from morning to night in all these types of unorganised industries and the law is here prohibiting all this. But the law might as well not exist for all the good be is doing because we cannot think of any means by which these things can be implemented.

Therefore, Sir, I do not want to take the more time, these are various challenges which are there, challenges which are before all of us, not only before the Minister. We are all concerned with the welfare of the poor sections and the unorganised sections. I really think that it is quite a shameful matter. We have not been able to do anything in the matter.

Lastly, Sir, I want to raise a point. I do not want to embarrass him. But last week when the question of the one-day token strike of the officers in the Petroleum sector came up, it generated some heat in this House. By the way, nowadays, on the international scale, the definition of the working class is not restricted only to people who work with their hands on machines. The modern working class includes technicians; it includes engineers. It may include even officers because they are working on high technology systems, without them the production cannot go on. Here the hon. Minister for Petroleum had stated that the Labour Ministry was consulted before it was decided to use the Essential Services Maintenance Service Act against these petroleum officers for going on strike. I was a bit surprised. I expressed my surprise that they do because I know for a fact that the Labour Ministry, on principle is very much against this ESMA because it is counter-productive, it does not solve any

problem, it does not solve any of the grievances of the workers and the people. It is due to expire anyhow, I think, on the 30th September, this year. I hope at least he can tell us that this year though it is not entirely within his authority, the life of this Act will not be further prolonged; it should be finished. But I would like to know from the Minister, as a matter of interest, whether actually the Ministry has approved the use of the ESMA against these loyal officers. For what purpose? It served no purpose. The strike was carried out. The Minister came here and said that the only purpose was to protect the oil installations which, I think, he was misled by somebody because oil installations are not protected by the use of ESMA. They are protected by the deployment of the Central Industrial Security Force, which is a body specially raised for this purpose, which is already deployed in all the installations during normal times also and it will continue to be deployed, I presume. So, there is no question of its being used to protect anybody. It is just a thing of what is meant. The ESMA when it was devised by the previous Government—you will excuse my saying so—was part of the armuory of repression meant to intimidate people, threaten them and by creating a fear that they will be arrested and they will lose their jobs and all that, try to suppress strikes. So, the sooner this is given up the better, and I hope that the Labour Ministry at least will stick to its own independent judgment in this matter and not be brow-beaten by some of its other colleague Ministries who are employer Ministries—it is not an employee Ministry, the employing Ministries look at these things from a different point of view, and I hope the Labour Ministry will do its best to see that they are kept on the right way.

SHRI P.R. KUMARAMANGALAM (Salem): Mr. Deputy-speaker, Sir, at the outset I would like to apologise on my not being here as soon as the Demands were taken up. I thought that Matter Under Rule 377 will take a little longer and that is why I was not there in time.

Today, with a lot of difficulty we man-

aged to bring up discussion on Demands for Grants of Labour and Welfare Ministries before this House. We had an apprehension that it might be guilitioned without really reaching a discussion. But we are grateful to the Speaker that he has given us an opportunity to bring this matter for discussion.

14.56 hrs.

[DR. THAMBI DURAI *in the Chair*]

Mr. Chairman, Sir, labour is normally divided into two large categories. One is called organised and the other is called unorganised. But I do think that there are two other categories which one is not too sure whether they would fall under either of these two. One of them is bonded labour and the other is child labour. Mr. Indrajit Gupta while speaking mentioned very categorically the problem of child labour and that the law that children below 14 years should not work has become irrelevant especially in places like match industry which flourishes in my State, in Sivakasi, even bidi industry, essentially because the children have become wage earners now, people who contribute to the overall income of the family and parents do feel that banning them from employment is not fair. But what is unfortunate is that even though the law does exist on record, when it comes to children and their employment and their future, the State seems to hesitate, to vacillate. I have found that many a time inspections have taken place and inspectors have come back and given reports that there are no children below 14 working, when it is obvious that more than 80 per cent of those who are working in certain industries happen to be below 14 years and essentially because it is understood between the parent and the employer and the Inspector that it is in everybody's interest that such a report be given. It has almost become irrelevant from the point of view of the child. I wonder whether you could take up these two arenas with almost seriousness, the first being child labour and the second being bonded labour. I have noticed from your report, the figure that you have presented, that only 3,030 bonded labour have been rehabilitated. I

hope the Minister does not think that that is all the figure of bonded labour is, though we have statutes and we have law and we have rules and we have the governmental machinery on which we spend a lot of money. Have we really done substantial amount of work in respect of bonded labour? A lot of publicity has taken place. The Doordarshan has been used very effectively, but when it really comes down to grass-root results, one is shaken to see the figures being almost insignificant.

15.00 hrs.

I think substantial concentration is required in these two arenas. I know there is a lot of contempt in the minds of many in this House for the organised labour. There may not be so much from this side, but from the other side I can see many Members of this House look upon organised labourers as a high-wage island members. In other words, many of them think that all our organised labourers are in high-wage islands. I think, it is very unfair criticism. It is true that there is a section of organised labour who get reasonable wages now. But, if you want to look at it from the point of view of living wages, I would say that it has not been achieved in many a case. The organised labour falls into various classes. I think, the Labour Minister should catch on to what really the organised labour, is. You have organised labour in large scale industries and medium scale industries; you have organised labour in service sector and governmental sector and you have organised labour in small scale industries also. Unfortunately, they are one of the most exploited among the organised labour. Many of the small scale industry organised labour get even lesser than the minimum wage announced in that State and there, the Inspector who is involved under the Factories Act, is openly in collusion with many of these so-called small industries. In fact, there is a new trend today. The trend is: why do you put up a major industry of large investment in one area and why not split up the industry into five or six departments? They may be even at the same place, but call it as five different establishments. One pro-

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duces the first stage of the product, the second—the second stage of the product, the third the third stage of the product, the fourth, the finished product and make investment below Rs. 50 lakhs. Ultimately, the industry may be worth Rs. Two crores or may be a little less than that. But then it is a small scale industry and it gets the protection for it. They are able to exploit. So, it is high time that we bring the law to lift the veil on this, because encouragement must go to the genuine small scale industry. In the name of small scale industry, exploitation of labour is maximum in the organised sector today. I think, it is also relevant to bring to the notice of the Government that in the unorganised arena, it is not sufficient to just have a National Commission on Rural Labour. The demand for a Central law has been voiced unanimously by all sides, all parties and all groups. It is high time that a Central law be brought in and immediate steps taken to consult all concerned who deal with the subjects. It is impossible to organise the unorganised labour, especially the rural labour. If the Minister is under any illusion that the so-called agricultural or kisan organisations deal with rural agricultural labour. I would like to make it clear that not even one per cent of their membership can ever be assigned to the real rural agricultural labour. On the contrary, those organisations, at best, go down to the small peasant. In many cases, they do not even go to that level. They remain at the kulak level. It is necessary for us to realise that agricultural labour does not work in large numbers; they work in small numbers. It is very difficult to get them together to one place and organise them unless the law and the State machinery provide for statutory relief to them. We have the Minimum Wages Act. Under the law, an agricultural labour can go to a court directly and claim the minimum wage today. But does he? Does the system allow him to go to a courts? The issue is, does it allow him to go to court. Even if he does, is that the judge who is sitting there going to be devoid of the social system? It is quite possible that he himself owns some land in that area. I am not

saying that necessarily he will be prejudiced but definitely in his basic fundamental thought, there will be a shift.

What is really necessary for us to understand is that, if we want to tackle the problem where more than 70 percent of the working class is involved, it is necessary for the Government to bring a law and a comprehensive law. There are no medical facilities. There is no ESI benefit for them. There is no provident fund for them. There are no normal privileges that are available to any worker, being made available to these unfortunate producers of the fundamental need of man's food.

We have been assured in the Consultative Committee, if I recollect, that such a law, if coming, we would have in-depth discussion. But mere assurance would not do. We would really like to see the sight of the Bill and serious attempt should be made to expedite it.

We were also assured that in the case of urban unorganised arena, for the construction labour, the Construction Labour Boards would be created for both recruitment as well as from the point of view of deployment of labour. But I wish to bring to the notice of the Minister—I have brought to his notice earlier also—once again that it would not be suffice to deal with only construction labour. The construction labour covers only about 8 percent to 9 percent of the urban unorganised labour. There is a large percentage which comes under contractual labour in the service industry, in the public sector. What Mr. Indrajit Gupta has said is very relevant. Today most of the Public sector chiefs, management experts and consultants advise public sector units—they take decisions while sitting in Executive position in the Public sector—to go in for contractual labour. I know that the Labour Ministry has issued orders after orders that the system of contractual labour should be given up by the public sector. How many public sector units have obeyed this order? They flout openly their own Government order and their Departmental Ministry protects them. It is time

that the Ministers realise that if they continue in this manner of using the Contract Labour (Abolition and Regulation) Act as a weapon against the very contract labour, a time will come when laws will become irrelevant and a real revolution will start in this nation, ultimately starting from the grass root of the contract labour. Today we have the contract labour in public sector where a security guard is paid as little as Rs. 2000 a month for putting in 12 hour shift every day for a month, irrespective of holidays, Sundays, Saturdays etc. It is happening in Delhi. I am not talking of way down in Madras or my own home town, Salem Public sector corporations like State Trading Corporation, Minerals and Metals Trading Corporation, Bharat Heavy Electricals made money hand over fist. They are not sick public sector units. They are public sector units which have made money exploiting, if necessary, through administered price system. But why can they not pay fair wages at least to their security guards. They are in a multi-storey building any they have to have maintenance. Therefore, on a contractual basis, they pay as little as Rs. 150 or Rs. 200 to their security guards. Today you cannot get domestic labour at that rate. But they exploit the unemployment situation that is there is the nation.

I would also like to bring to his notice that the present Act, i.e. Contract Labour (Abolition and Regulation) Act, does not provide for regularisation of the contract labour. What happens? If I am a contract labour, I cannot dare protest against it. It is because, if I protest against it, eventually I am finishing my future. I am putting an end to myself. Whatever money Rs. 150 or Rs. 200 that I get a month, I am putting a full stop; to that. So, I will not protest. It is time that we realise that the law needs to be amended immediately to ensure that in those places where the contract labour system has vouted the law till now and where you are about to abolish, those who have been in employment in contract labour doing those jobs should be automatically regularised. When you nationalise LIC, you find it fit in the statute to protect the terms and conditions of service. When you abolish contract labour,

you do not find it fit to protect the existing contract labour. This is double values and through you, Mr. Chairman, I would like to assure the hon. Minister that the bureaucracy will put all all he hurdles that are there in your way to ensure that you cannot amend. They will tell you that Articles 14 and 15 would be vouted and Article 19 will be violated and Article 21, the right to life, will be volated. In reality, none of this is true. Where you do not have the will, you will not find the way sad that is the basic point of view.

I would also at the same time like to bring to the notice of the hon. Minister for Labour that it is very nice on his part to assure all of us earlier—I am sure the hon. Minister would do it today also—that a Code on workers participation in management will come about. But why are you bringing a Code on workers participation in management? I understand you are going to provide that it would be by secret ballot the representatives would be elected or selected for the various levels of participation. How is it that wen it comes to the question of a worker participating in management, you want him to be elected by secret ballot but when it comes to a worker representing his cause, you want to follow the old discredit method of verification? Why is there double values? When it comes to his interest, you are not worried that he is properly represented. When it comes to your interest, you are worried that he should be properly represented and it should be proper representation. That is the real crux of the issue. Today if people are telling you on the question of recognition of election that it is a very deep matter in which all these central unions are involved, there is a lot of vested interest involved, we must discuss this in depth, we must have a committee to analyse it, when the Industrial Relations Bill came up last time it went into trouble, so let us have another committee and discuss it, this is nothing but atechnique to postpone the evil day. Today the unions which have support among the which have support among the people do not get recognition. It is those unions who do not have support among the workers and who have support among the management, they

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are the ones to get recognition and unless you do away with the system and really bring in a proper secret ballot method of granting recognition of the trade unions, it is impossible for you to have real industrial peace and negotiate with the right person for the right issue. If you think that it suffices this Session to bring in a Bill only with regard to workers participation in Management because of the needs of political interest, let me tell you it will not work until you are capable of ensuring that the trade union angle of recognition by secret ballot is also introduced at the same time. Otherwise, you will have a dichotomy. You will have on one side, a powerfully entrenched trade union with vested interest and, on the other side, insignificant people representing. Or if you do not have any direct elections and it is a secret ballot for a number of nominees, it will be even more amusing, because what you will notice is that those who come represent in the name of recognition are different and those who come to present in terms of workers participation are different and you will say to those who have been elected that "You have no right to raise grievances because grievances of workmen are supposed to be discussed with trade unions. You talk to us about change of technology, you talk to us of new methods of management." That poor fellow if he takes that message down to the workers, that trade union representative who is elected will say "All right. You brought this new technology to us. You want our cooperation. What about my problem, my scale, my DA?.. He will say "I am sorry. I am not authorised to talk to you about it." This dichotomy cannot be allowed to continue and if you recall want peace, it is necessary that these problems are redressed. (*Interruptions*)

[*Translation*]

THE MINISTER OF LABOUR AND WELFARE (SHRI RAM VILAS PASWAN): We want to introduce the system of secret ballot but we will like to formulate guidelines for it. We want to have the views of the hon.

Members for its applicability. There are two issues involved in it. One issue is regarding the number of the members of trade union I feel that all the members would like that membership should be granted according to existing procedure. Then elections should be held on the basis of total strength of different unions. The strength of a trade union will be decided by secret ballot. INTUC says that the number of its member is 50 lakh, CITU says it has 20 lakh members and B.M.S. says that it has 30 lakh members. The Government should have a broad based policy in this regard.

We would like to have suggestion of all the hon. Members in regard to the manner in which the system of secret ballot paper is to be introduced. We want to implement it sincerely. But some problems are arising. If we can get some guidelines through suggestions, that will be good.

SHRI DAU DAYAL JOSHI: The entire country, knows that the present number of the member of INTUC is bogus. (*Interruptions*)

SHRI P.R. KUMARAMANGALAM: It is a gross injustice, This charge is baseless.

[*English*]

I am obliged that the hon. Minister has addressed a particular strength question to me and I am grateful that he has asked for my suggestion. I would like to clarify to him that the overall centre of trade union whether it is INTUC, CITU or AITUC, is born ultimately fortunately from the membership that it has an independent establishment in each industrial unit. Ultimately, if you have an election in each establishment you will know which union has got more strength for the propose of recognition, it is a matter of the arithmetic to come to a conclusion as to how many votes they have got within that period—whichever period you are taking in to assess the final national strength. There is no difficulty about it. I can explain it to you once again. Let us take the example of an engineering industry. There is a federa-

tion of engineering industry. INTUC has got it. CITU has got it. AITUC has got it. All of them have got it. In this federation of an engineering industry, somebody would claim that he has got ten lakh membership. Somebody would claim that he has got two lakh membership.

**MR. CHAIRMAN:** Please conclude.

**SHRI P.R. KUMARAMANGALAM:** I am only answering specifically a question. The point is simple that in each engineering unit, elections took place for the recognition of the union in that unit and an affiliate of INTUC will get so many votes; affiliate of AITUC will get so many votes; affiliate of CITU will get so many votes. Now in the engineering industry as a whole, if all the votes are taken into account, you would know, in that type of industry, how much total votes INTUC has got; how much total votes CITU has got and so on. The real analysis of the strength in an engineering industry, which is a general industry, you would come to know. Similarly, on the other side is the shipping and transport industry and the third would be the contract labour where you can do this exercise. There are various categories. Category-wise, if you take it, you would be able to check up the total. This is the only manner by which the real membership can be verified. Purely verifying my membership is bit of a joke. We know that the membership registers are written by all. One membership registers are written the general guideline is that the overlapping membership is removed. Then sample verification is done. It is never a fool-proof method. Whoever can influence the local labour officer can get away with it. That is the reality. Many a time we find that the real representative is not able to come. The real representative who is capable of coaching the workers' views is not there an ultimately the industrial peace is affected.

We find a third party, non-recognised and non-trade union becoming powerful and individuals coming into existence. All this is because of the fallacy in the system. If you have elections for recognition at unit level and use that as the reference scale to find

out at the national level the general membership, there is no difficulty, it can be done.

Let me make one thing clear. There is nothing called precognition at the national level. Recognition is really a matter of relationship between management and the employee representatives. Therefore it is in that establishment that recognition matters.

**SHRI RAM VILAS PASWAN:** You are talking about only organised sector. What about unorganised sector?

**SHRI P.R. KUMARAMANGALAM:** You touched the question of organised sector and that is why I said this. In the unorganised sector let me make it clear, we have not reached a stage where you can have any elections—secret ballot or even verification. Neither verification nor election can take place there because it is unorganised sector. Otherwise the very term unorganised would have not meaning.

[*Translation*]

**SHRI JANARDAN TIWARI (Siwan):** It will expose you. You are alive on bogus membership.

**SHRI P.R. KUMARAMANGALAM:** The problem is that you do not want to hear. Please listen to me and you will understand the point.

[*English*]

The issue is, in the unorganised sector nobody is claiming membership in reality. What is being claimed is all for the matter of record because it is unorganised. Otherwise it would not come in. In the unorganised sector you will have to have rules depending on development. The moment unorganised sectors get developed, like plantation, you can do it because they have become organised. Plantation labourers are organised, it is possible to do it. Beedi workers are organised, it is possible to do it. Match industry workers are organised, it is possible to do it. They are not really unorganised. Though

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they are not formal industrial labour, non-industrial organised labour is there. There it is possible to implement the rule of secret ballot elections. It is not possible to implement the rules in areas which are really unorganised. Otherwise the term unorganised cannot be applied.

I know what is in the mind of the Minister. He is on one side thinking of industrial labour and on the other side thinking of rural labour or non-industrial labour, service sector labour. Where it is organised, the rule of secret ballot elections can be applied evenly and where it is unorganised, you cannot apply and method of verification because it is unorganised. There all claim are challenges. In that area you will have to bring in the Central law and when you bring in the Central law to handle that arena, you must provide for a method where elections are held on area-wise or blockwise basis within the jurisdiction. If you keep a Mandal level jurisdiction or a Village level jurisdiction or a District level jurisdiction, membership can be double registered. You can have relocations. When you talk of unorganised rural labour becoming organised, I can tell you that those trade unions would become as powerful as governments. We all hope that we come to that date.

I would like to conclude with only one very important point. I am sure it is also very close to your heart. That is the issue of unemployed youth in the country. I don't take much of your time. It deals with the other Department—Welfare.

MR. CHAIRMAN: You have already taken!

SHRI P.R. KUMARAMANGALAM: I was replying to the Minister's questions. I may be forgiven for that extra time.

I would like to mention that all of us are giving slogans about unemployment and are feeling unhappy about it. But when it comes to right to work, even the hon. Minister on the

Doordarshan was questioned as to what would happen if it becomes justifiable or can be brought to court and enforced as a right in the court. All that can happen and the worst that can happen for the Government is that they would be constrained to pay the minimum wage to the person who has approached the court, if they cannot provide him employment. It does not necessarily mean right to work—that you have to provide him the employment which he wants. No. On the contrary, your duty is to ensure that he is capable of earning his living, may not be to his satisfaction, may not be to his qualification. It is not the dole in the normal term, that is unemployment allowance, which I am talking about. I am saying, it is an alternative to the inability of the system to provide employment. It is a penalty on the system. The minimum wage which you will pay for the unemployed youth is a penalty on the system or on the Government, on all of us that we will be incapable or not capable of providing him employment. At least that would ensure, with that money, you would try to use his services for some work. If he refuses, he is not eligible. But, he should be least be given the offer which we are not able to do. If one wants to solve the unemployment problem, the first thing which I think they should do is to, genuinely do man-power survey. I understand that some man-power surveys have been made. I have had a look at those reports; I have had a look at those figures. They are most incorrect. In fact, I think, those surveys are casually done in urban areas or semi-urban areas; never in reality, those surveys gone as to how to analyse the man-power requirement and the man-power ability.

I would like to end only by bringing to the notice of the hon. Minister that the poverty line has become of joke today. Poverty line has become a joke because you talk of Rs. 3000, Rs. 5000 or Rs. 7000, being the poverty line level. You think of the value of the rupee, vis-a-vis, 1960. I have addressed this question only yesterday to the hon. Prime Minister. When he was the Finance Minister—when he was in our party—I had asked him this question straight forward that are

you or are you not playing around these figures. It is not statistics. It is ultimately how much food does he get and what is his standard of living. It is necessary that you draw a minimum calorie requirement; a minimum list of what are the necessities of life that a man requires to lead, at least the bare necessities. On that basis, you work out the poverty line. Rupee no longer has any meaning. I would request you, if you do that, you would find that the figures of those who are below the poverty line will shoot up drastically and it is time that real attention is paid to it from the point of welfare of those who are below the poverty line. Thank you.

[ *Translation* ]

**SHRI HARIBHAU SHANKAR MAHALE**  
(Malegaon): Mr Chairman, Sir I rise to support the Demands for grants of Ministry of Labour and Welfare and express my views in this regard. Everybody says that the country should be as great as Himalayas But by hoarding gold and currency is country cannot become great Labour and labourers are needed for it. the condition of form and mine labourers is worst.

Therefore, I would like to submit that efforts should be made to improve their condition and standard of living. I would like to know as to whether the country can become great with Saraswati, Lakshmi and Labour. I would like to tell that the condition of organised labourer is bad and the condition of organised labourers is stall worse. I would like to give an example of Bombay and Nasik. The big industrialists set up factories there and after two-three months they close down those factories.

The condition of labourers, who are working in the textile mills in Bombay is worst. All of them have gone back to their villages. When the situation in villages was not good they come to the cities for job but because of the wrong policies of the Government and industrialists they are forced to go back to the villages. Their condition is worst. Special Courts should be set up to settle their matters and to provided them justice.

We should make maximum efforts to improve the lot of labourers.

Mr. Chairman, Sir, my colleagues have given very good suggestion on the Demands for grants of the Ministry of Labour and Welfare. I would also like to say something about the unorganised labourers. As long as the conditions of labourers is worse the condition of the country will also remain worst. I would like to say something about their welfare.

I would like to say about social welfare. I was elected for the Lok Sabha in 1977. No discussion had been held on the report of the Commissioner of Scheduled Castes and Scheduled Tribes from 1970 to 1976. How it could be implemented without any discussion. It is against the Constitution and system of the country. Baba Saheb Ambedkar had make provisions of Article 46,47 and 368 to protect the rights of the persons belong will to Scheduled Castes and Scheduled Tribes but inspite of it no discussion was held on the report of the Commissioner of Scheduled Castes and Scheduled Tribes for so many years. The discussion was held on this report during the regime of the Janta Government in 1977. At that time I had made a demand that the problem of Harijans, Girijans, Scheduled Castes and Scheduled Tribes were different. Therefore there should be separate Commissioner for, the Scheduled Castes and Scheduled Tribes. At that time Shri Morarji Bhai had kept most of these issues under the Jurisdiction of the Ministry of Home Affairs and these were attended to sincerely. The post of the Commissioner of the Scheduled Castes and Scheduled Tribes was vacant from the Year 1981 to 1986. It had been filled up only in 1986. This was the policy of the previous Government which is in opposition now. Discussion was not held on he report of the Commissioner. These policies were against the Constitution. The President of the country , the state Governors the Central Government, the State Governments, the higher officers and leaders will have to think over all these issues. As long as there issues are not considered, the condition Girijans will not improve. My point

[Sh. Haribhau Shankar Mahale]

is that the President and the Governors should see as to whether the Central Government and the State Governments are working according to the Constitution. But today the President and the Governors do not think about the Scheduled Castes and Schedules Tribes. They never bother as to what policies are being adopted by the Central Government and the State Governments, and as to whether these policies are being formulated according to the Constitution. They do not fulfill their constitutional obligations. Much is talked about the domestic and foreign policies of the Government, but there was wastage of man power and money in Bangladesh and Sri Lanka. What did we gain from this foreign policy? They never think about the Scheduled Castes and Scheduled Tribes which constitute 12 crore of our population. I would like to suggest that we should think in these terms also.

Government never bother about their social and economic status. These people do not have educational facilities. Rs. 18,000 have been given for digging wells in the areas initiated by Scheduled Tribes, through NABARD but how can the wells be constructed with this meagre amount? How will their economic condition improve? The condition in villages is worst. The people get work only for two months. The Government had formulated the Jawahar Rojgar Yojana and much publicity was given to it on T.V. in the country as well as in other countries. I beg pardon from Mr. Ranga and would like him to tell us sincerely as to how many people got jobs under this Yojana. It was promised that job would be provided throughout the year but a person gets job only for five days in a year. They were not able to fulfill their promise. It is not a beneficial scheme. The persons belonging to Scheduled Castes and Scheduled Tribes are facing hardships.

Mr. Chairman, Sir a news has been published in a monthly newspaper of Maharashtra that even today basic necessities are not available to the persons belonging to Scheduled Tribes, on the other hand we are

talking about entering the 21st Century. I had gone to Chandarpur. The condition of Scheduled Castes and Scheduled Tribes in worst. Neither they have food nor clothes. In Akkalkao and Vamani in Maharashtra 105 persons have met miserable death. The Chief Minister could not go there by road. Instead he had to go Gujarat from where he went to Vamani by helicopter. It is really a matter of shame. Although 43 years have passed since we attained independence, even today primitive villages have not been linked by roads. Education is a distant dream them and as long as they are deprived of education, the very issue of their survival is at stake. Motorable roads and potable water are not available to them. These are among the most important necessities of a human being. Primitive tribes mostly dwell in hill areas. Their condition is really deplorable as even drinking water is not available to them. We all accuse Dronacharya of partisanship in the matter of education, especially with reference to the Eklavya episode (wherein he demanded the letter's thumb as 'Guru Dakshina')

Mr. Chairman, Sir Dronacharya are not an extinct race today, on the contrary, they are in abundance. At that time, Dronacharya demanded the thumb of only one disciple while today the officers in all offices spoil the (confidential Reports) at the Scheduled Castes and Scheduled Tribes people working under them. No one think of recording and promoting the tribals, even when there are vacancies for the post of sepoy (Constables) Only very few people belonging to the Scheduled Castes and Scheduled Tribes can be found working as sepoy's their number is insignificant. It is beyond one's comprehension as to why the people belonging to the higher castes discriminate against those post belonging to lower castes. If one part of the body gets diseased, it is but natural that the other parts of the body will also get diseased in course of time. Therefore, it is necessary on the part of people of higher castes belonging to all the political parties and organisations to think about the Scheduled Castes and Scheduled Tribes people because it is a national issue. The

country will progress, if all the people give a serious thought to this issue and contribute their might towards the upliftment of the Scheduled Castes and the Scheduled Tribes. It is a question involving 16 crores people and not 1 or 2 crores. The Janata Dal has done a commendable work for them. This Government has also taken laudable steps as per as labour welfare is concerned and I would like to thank the Government for its commitment to make labour participation in management, a reality. But just making commitments would not be enough action will have to be taken. I request the National Front Government to pay attention towards their problems. I would like to thank the Government for unveiling the oil portrait of Baba Saheb Ambedkar in the Lenthal Hall of the Parliament House. Earlier also most of the Buddhists were either Scheduled Castes or Scheduled Tribes, but this Government took a laudable step by putting them in the reserved category and thus providing them with more facilities. As amendment should be made in the constitution to this effect, otherwise, some people my cause abstracts in the way by obtaining stay orders from the courts. Therefore, I request the hon. Welfare Minister to make the necessary amendments in the constitution.

As far as the 'Angan wadis, are concerned, my submission is that the anganwadi workers get a meagre salary of 200-250 rupees per month, which is quite inadequate these days. Therefore, the Government should give them adequate salary. The Welfare Ministry has formulated a Special plan for the development of the Scheduled Castes and the Scheduled Tribes. I associate myself with Shri N.G. Ranga, and would like to know as to how this special plan will be implemented. You talk about area development, but, it has generally been observed that development doesn't take place in those areas which are inhabitate by the people belonging to the Scheduled Castes and the Scheduled Tribes. In the name of developing Scheduled Castes and Scheduled Tribes money kept aside for them is utilised for constructing major dams but in the end, it is the other people and had those belonging to

the Scheduled Castes and the Scheduled Tribes, who are benefited by these big project. Rupees ten crore were spent in our area for the construction of the Surya Dam, but these belonging to the Scheduled Castes and Scheduled Tribes did not derive any benefit from it as they are not able to irrigate even one inch of their land. Similarly there crores rupees and five crore rupees were spent for the construction of the Vaitarna Dam and other dams respectively, but no arrangements were made to utilize these waters for the development of those area inhabitate by the people belonging to the Scheduled Castes and the Scheduled Tribes. Therefore such cases should be thoroughly investigated and Money should be taken back from states like Maharashtra, Gujarat and Madhya Pradesh, if it is found that the state Governments were responsible for such acts of negligence. That money should be invested for the upliftment the people belonging to the Scheduled Castes and the Scheduled Tribes.

The labourers used to depend on the Jungle Kamgaon Society, but they have been rendered jobless due to the forest Conservation Act. You should pay attention towards the issue.

Besides, I would like to mention here that at present, there are about 350 Co-operative societies in Maharashtra. Out of them 200 are working very well, but the others belonging to the Scheduled Castes and Scheduled Tribes have failed miserably. They do not have any resources left with them. They are just existing in the name of uplifting the Scheduled Castes and the Scheduled Tribes. Top officials of these organisations have usurped all the money. Therefore, I request the Government to grant more, money to the these institutions, but at the same time, they should regularly elicit information from the State Government as to whether these organisations are properly utilizing the money granted to them or not with this word, I conclude my speech.

DR. RAJENDRA KUMARI BAJPAI  
(Sitapur): Mr. Deputy Speaker, Sir, while

[Dr. Rajendra Kumari Bajpai]

considering the various aspect of the Welfare Minister, it is essential to find out the ways and means to implement all those welfare programmes that could lead us towards the establishment of a welfare society. For the past many years, Representatives of people especially those belonging to the Scheduled Castes and Scheduled Tribes have been repeatable demanding the setting up of a separate Ministry under a Minister to look after welfare matters. The previous Government had set up Welfare Ministry in September, 1985 and thus fulfilled a long-standing demand. Earlier this department was (attached) either to the Home Ministry or the Education Ministry in the name of Department of social Welfare. hence it was not possible to pay due attention to it. Therefore, the then Prime Minister, Shri Rajiv Gandhi pondered over this, matter seriously and took a historic decision on it and thus a Ministry of Welfare was created and this Ministry started working independently. Several department attached to the Home Ministry including the Department of Harijan (Scheduled Castes and Scheduled Tribes) welfare and other departments looking after the welfare of minorities, disabled people and other weaker sections of the society were deatched from the Home Ministry and put under the Ministry of Welfare. Apart from this steps were also taken for the fulfillment of Several Commitments made by the Government as also those tasks which the Government was supposed to do, under the Directive principles incorporated in our constitution and which were left unattended to even after 42 years of independence. Although our constitution calls upon the Governments to take steps so as to make those people belonging weaker sections and also the disabled self-reliant. So that they do not become a burden on the society, it is regrettable that we have not been able to formulate any national policy in this regard. A national policy for children was announced but appropriate steps were not taken in the right direction for the implementation of that policy. The work was taken up but much remains to be done in this direction

because our country has not been able to progress, as much as it should have. We are moving towards that goal. For this purpose, it is necessary to have adequate resources. Today, the situation is such that due to non-availability of resources, we are not able to put in as much money, as we would have liked to allocate for our plants and programmes. Despite seeking assistance from international institutions including UNICEF, we have not been able to make progress up to the expected level. We will have to generate more resources for the future. The previous Government had constituted a committee under the Chairmanship of Justice Bahrul Islam and the committee was entrusted with the job of suggesting a National policy for the handicapped, keeping in mind factors such as the facilities that could be provided to them, ways and means to provide them with equipments, and assistance and also ways and means to provide them with education and training in the cities so that instead of being a burden on the society and depending on their parents, they can make themselves useful and make a place for themselves in the society and even reach a position from where they can help others too. The committee was to give its recommendations on these issues. Our policy should be like that. I would like the present Government to take steps to implement the recommendations made by the said committee and also keep in mind those recommendations while formulating the Bill relating to the handicapped because so far we have not been able to formulate the requisite national policy for the handicapped. Many experts have expressed their views after much discussion and deliberations. The Government should take steps to implement those recommendations. I believe that this House will unanimously agree that there should definitely be a national policy regarding the handicapped so that they need not depend on others. There are many countries in the world where many special laws have been made for the welfare of the handicapped and they are provided with many additional facilities. We too can formulate a national policy for the handicapped on the lines of those formulated by other Governments. Mr.

Chairman, Sir, as I said in the beginning, the rate of infant mortality in our country is very high due to many reasons including poverty malnutrition and undernourishment. Similarly many children are deprived of proper education, as they fall victims of bad habits. We have observed that in many families, the parents are illiterate or they are so busy in their work that they are not able to pay proper attention to this children. Some of these parents work as labourers while some others are engaged in similar menial jobs. Due to these reasons, their children fall victims of bad habits. The previous Government has formulated passed and implemented the, Juvenile Justice Act, I would like Government to make adequate arrangements to oversee that the Act is fully implemented in all the states and that non of its provisions is violated. The children are the future of our country and as such cannot be neglected. Tomorrow, they are going to should the responsibility of the nation and its future, they are the there future builder of our country. Along the industrial development and progress in many fields, we are also witnessing the onset of many services in our country. Ours is a welfare state. It is our responsibility to see to it that there vices are removed so that our children are protected from their clutches. Therefore, it was necessary in invoice some laws.

These regulations may prove to be very useful tools for the welfare of our society and children. I would like the Government to use these tools properly. Our constitution provides for abolition of untouchability Article 17 says that there is no place for untouchability in this country and it, cannot be allowed to be practised in any form. Though it has been abolished by law but mere enactment of law does not help. It continues even today and society has not changed. Atrocities or Harijan and untouchability are still prevalent in various parts of the country, more particularly in rural India. It is a shameful thing. Indiraji had strengthened P.C.R. Act and enforced it strictly. The Abolition of untouchability Act needs to be implemented more

vigorously. The provisions of this Act have not been implemented to the desired extent. As a result, the incidence of atrocities has not fallen as we had wished.

Last year, the Government had passed 'Atrocities Act' during the last Session of the last Lok Sabha. Both the Houses had adopted it no unanimously. All of us had given our suggestions. This Act was passed against a historical background as every body was of the opinion that effective steps ought to be taken to check the atrocities on and exploitation of harijans. We had divided various kinds of atrocities on harijans in rural areas into 15 categories. It was provided that stringent action should be taken against those involved in such incidents.

One of the off heard complaint in this regard is the non-registration of cases of crimes against harijans and the people of weker section in Police Stations. In that Act we had provided for the punishment of defaulting Sub-Inspectors and officials which ranged from imprisonment for 10 years to life-term and for establishment of special courts to try the people who or are involved in such crimes.

Recently there was one such incident in Fatehpur. There a man named Dhanraj who was burnt alive. His wife Kucchi Devi had met me. She narrated to me how her husband had jumped into the pond when set afire and how he was taken out. It was repeatedly suggested that he should be taken to police station but was stopped by those people who had set him afire on the plea that they would take him to hospital while his family members wanted to take him to Police Station. In this way, he was thrice taken out of the tractor. Such cruel and hard-hearted people were there who stopped him from being taken to Police Station. They detained him for a long time. But in the meanwhile his brothers, etc. were able to inform the police which reached the spot after sometime. And then that burning and groaning man was hospitalized in a private nursing home where he died next day.

[Dr. Rajendra Kumari Bajpai]

16.00 hrs.

He has a minor tender bride the very sight of whom filled one's heart with pity for her but the police official were so callous that they did not even recorded the dying declaration of the man. We have made stringent laws but they are not being implemented and this is the reason that his wife is running from pillar to post to seek justice. She has been given Rs. 10 thousand and 3-4 acres of land it is taken that she has been given justice. In this 20th century a harijan is burnt alive and there is no notification of special courts as provided in Atrocities Act. I would like the Government to establish much courts as soon as possible. I would like hon. Minister to spell out in his reply the steps and action taken in this regard, whether special courts have been set up or not, whether those arrested in this case are the real culprits, how many culprits have been arrested and so on.

Apart from it, there are reports of several instances of such atrocities being perpetrated on the harijans of Etawah, Ajamgarh and Etah in Uttar Pradesh. Today, white coming to House. I met a horrified Harijan who gave me an application and a report in which he has said that first, the police was not registering the case and after the registration of the case he was being threatened by the S.I. himself that if he did not withdraw the report he would be killed. This is the position of harijans. They are being tortured and exploited by the people as well as by the Police. The Act provides for very stern action in such cases. I think if this Act is implemented even only in three-four cases, it would deter others from committing crimes against harijans. Therefore, I would like to urge upon the Government to implement the provisions of this Act and give it wide publicity because many of our poor rural harijans do not know that the Government bear the expenses of such litigations. If some cases are tried and persons found guilty are punished with long-imprisonment and, those involved in murder cases with death-pen-

alty, others would not dare commit such crimes. The harijans will also feel that their voice is also heard.

What I am stressing is that no amount of Acts is going to be effective unless the Government has the will power to implement them. We will have to change the mentality of the people to change our society. However, I would not advise anyone to go the extreme as suggested by some lady member that we should abolish the teaching of Vedas and Shastras. I do not agree with her. Our country has got its own Constitution and law and it is no more guided by manusmriti. And we need not refer to Manu in this context as it is no more relevant.

What is contained in Vedas, what is their language, nobody bothers about it. No one reads the language of Vedas. Nevertheless, they contain our culture, wisdom and knowledge. The certain many scientific things which we should know, they are our treasures and heritage. We should have respect for them and we, should not drag them into politics.

As far as the tribals are concerned, we must work for them also. We talk of giving protection to Scheduled Castes and Scheduled Tribes. But I think their first necessity is education. We can make them strong by educating them and then they would not need others help. We should make them self-reliant. As they became economically well off they would be strong enough to stand on their own feet and their dependence on others would end. We have seen that no one bothers about the caste-identity of those Scheduled Caste and Scheduled Tribe people who are economically well off. But the helpless and uneducated people living in hutments often become the victims of various atrocities.

In our country the percentage of literacy is very low and lower among the women. Hence educating women would be much more helpful. Again, I would request the Government to work for job-oriented education. The Government should provide edu-

ational facilities to tribals and harijans at their work site so that they may learn as well as earn. This would provide education to labourers. Therefore, if we introduce both types of education it would help develop the poor people. This would be vary useful.

I think that we should implement welfare programmes in a comprehensive manner. We would not get desired result if we do it in parts. We should ensure all-round development of men, women and children. Only then can we ensure the development of poor.

The Government schemes should be so formulated as would check the migration from villages to cities. We should provide development facilities in the village itself. Now-a-days, we leave our schemes half-way. For example we left our housing schemes after constructing a few houses and our objective was forfeited

The need of hour is to plan and work is keeping with the requirement of specific areas. We cannot apply same yardsticks at every places. All these things need elaborate and detailed planning under the Ministry of Welfare.

This Ministry of Welfare has many areas of responsibility and is divided into several departments. I would not like to go into the details of 15 point programme of the Prime Minister because I have already taken much time. Nevertheless I would like to stress that welfare of minorities is important that their development and education should also be included in the welfare programme.

\*SHRI KANCI PANNEER SELVAM (Chengalpattu): Hon. Chairman, Sir, I wish to say a few words on behalf of the AIADMK on the demands for grants of the Ministry of Labour for 1990-91.

Even after six months of coming to power, the National Front Government is yet to redeem its pledges given to people. I condemn the complacent attitude of the Govt.

Which has not taken any single step towards incorporating the to work in the Constitution, a promise given to unemployed millions. The basic reason for communal disturbances in Kashmir, Punjab and Ahmedabad is the rampant unemployment among the youth. Words are not necessary to explain the ordeals undergone by the educated unemployed in the country. I, therefore, request the Hon. Minister to bring forward the necessary legislation for enshrining the right to work in the Constitution during the current session itself.

The National Front Govt. has long been talking of participation of labour in management. The Hon. Minister has also assured that necessary legislation in this regard would be introduced in Lok Sabha in this session. What do you mean by this idea? In our country, we have the private sector, the public sector and joint sector. Industrial sets up even differ from State to State. Therefore, the Central Govt. Must lay down a general policy how workers can participate in the management. A detailed white paper explaining the idea must be submitted to Parliament, a discussion should ensue and, thereafter, Parliament should approve the policy resolution. Then only, a legislation in this matter should be brought forward.

Sir, in respect of increase in the wages of cement industry workers, the Govt. must change its attitude. Instead of requisitioning the opinion of all the Central trade unions in the matter, the Govt. has chosen to discuss the matter with one Central trade union. This attitude should be changed. All the Central trade unions should be involved in the issue and steps should be taken to increase the wastes of cement industry workers.

This Government which claims that it is deeply interested in labour welfare is closing its eyes to the closure of more than 30 textile mills in Tamil Nadu. Why a directive in this regard is not being issued to the Tamil Nadu Government. The Mettur Textile Mill is under closure for 6 to 7 years. A large number of

[Sh. Kanci Paneer Selvam]

workers are out of employment and their families are wallowing in poverty. I, therefore, request the Govt. To take over the mills.

In the same way, the standard Motors Unit in Tamil Nadu is under closure. A large number of workers have been thrown out of employment. I request the Govt. To reopen the unit and provide relief to the workers.

The Tamil Nadu Transport Minister has stated on the Floor of Tamil Nadu Assembly that a pension scheme proposed by them for transport workers in the State would be implemented as soon as the Central Govt. accords clearance

During the time of late lamented Dr. MGR, the T N Legislature passed a legislation for safeguarding the rights of building and other construction workers in Tamil Nadu. The Central Government has given assent to the Bill. The present Tamil Nadu Government is not implementing the Act on the ground that the Act contains some lacunae. If there are any lacuna, that can be removed by amending the Act. But, let it be first enforced. I request the Central Govt. to impress upon the State Govt. to implement the Act forthwith.

The fact that the Act is not being enforced raises doubts whether the DMK Govt. is colluding with contractors. Time is not far for the DMK Govt. which has lost the support of the people to go and for the Govt. under the dynamic leadership of Puratchi Thalaivi Jayalitha to come in the State. Another law on building and construction workers is pending in Rajya Sabha for one and half years. I request the Govt. to enact the law immediately.

Sir, there are a large number of weavers in my Chinglepat Constituency. If the Govt. is sincere about raising the standards of life of handloom weavers, the Govt. must directly procure the fabrics from the weavers as they do in the case of foodgrains. This would assure them remunerative price for their

textile goods. However, to safeguard the interests of textile merchants, the textile goods so procured by the Govt. from the weavers should be distributed for sale through the textile merchants. A modality in this regard has to be worked out.

The livelihood of fishermen in the country is the most uncertain. The famous versus of our Dr. M.G.R. are still ranging in my ears: "He will go one day; he will come another day; yet everyday, it is agony." while he tries to lay his basis for existence on the water of the sea afar, his family languishes in poverty ashore. This is the pathetic condition of our fishermen. I, therefore, request the Hon. Minister to provide special financial assistance to the family of fishermen during the rainy and stormy seasons when they cannot venture into sea. I also request the Hon. Minister to introduce a Government sponsored special Life Insurance Scheme for fishermen.

Till the time right to work is included as a fundamental right in the Constitution, Unemployment allowance should be provided to all the country. Either the Govt. must provide employment or financial assistance for existence.

I take this opportunity to request the Minister to set up a model industrial training institute either at Kanchipuram or Uttiramerur.

We must reward labour suitably and guarantee employment constitutionally. With this slogan, I conclude.

**SHRI RADHA MOHAN SINGH (Motihari):** Mr. Chairman, Sir, I rise to support the Demand for Grants of the Ministry of Labour. On this occasion, I would like to draw the attention of the Government, through you to the fact that labour constitutes the power of a nation. It is, therefore, said that labour—force is that national power. But for the last few years a cruel mockery of labour—force has been made in India. As nation that provides labour opportunities and where

labour is worshipped becomes prosperous and developed. But I would like to draw the attention of the hon. Minister the happenings of the last few years so that the repetition thereof is avoided. The figures of the last five years stand a testimony in our records to the fact that the opportunities of employment have been lessened in India. The policies that tended to lessen the opportunities of work have been enforced in this country. Two crore and thirty-five lakh educated unemployed youths had registered their names in 1985 in different Employment Exchanges in India. The figures of mid '89 collected after a gap of four and a half years reveal the number of such youths as approximately three crore and fifty lakh. This means an increase of one crore and fifteen lakh in a period of four and a half years. Yet many rural educated youths do not have access to these Exchanges. The then Government stated that the number of educated unemployed, thus would touch five crore if the rural folk were also taken into account. The then Government had also conceded that if rural uneducated youths were also added to this number, there number would be 10 crore youths that is 20 crore hands idling for want of jobs and employment. This is the direct result of the policies adopted for the last seven years in our country. Through you, I would, like to draw the attention of the Government towards this problem. During the last five years, there has been a large scale advent of Foreign companies in India and restriction of manual employment opportunities in the name of computerisation resulting in rampant unemployment. More than 30 crore people are living below the poverty line in India today. One third of them get work for six months only, two third for seven months in a year and only 4% of such people work for nine months in a year. So for a employment opportunities are concerned, there is a very terrible situation in our country.

A new ray of hope has been spread amongst the youth with the assuming of office of Ministry of Labour by the hon. Minister, Shri Ram Vilas Paswan. I would therefore, like to draw his kind attention to the

problems and sufferings of the people of my constituency. Many big industries have been closed down in Bihar. More than 5000 unemployed people have been waiting for years waiting the fore opening of Rohtas Punjab so as to get some work. The gravity of the situation can be judged from the fact that dozens of youths have committed suicide during the last five years there. I had an opportunity of visiting that place recently. The mothers and sisters in the families of such persons are compelled to indulge in flesh trade in order to pacify their hunger for food. All this happening there only due to the wrong policies adopted in the past. 17-18 big industries and approximately 15000 small and medium scale industries are lying closed down in Bihar. More than 25000 other industries are on the verge of closure and the labour force thereof has either been rendered unemployed or is on the verge of being rendered jobless. So far as the rural labour force particularly in Bihar is concerned, the National Rural Employment Programme and Jawahar Rozgar Yojana were implemented, but there is a widespread talk about these programmes in the villages of Bihar that earlier the landlords exploited the people in the villages but another class of landlords is rising in the shape of bureaucracy that consists of Overseas, Block Development officers and Engineers who are collectively looting the poor labourers now. If there is an earthwork scheme of Rs. one lakh for which the labourers are to be paid an amount of Rs. 172 per labourer you will be surprised to know that they are actually paid Rs. 70 only and the balance amount of Rs. 102 is pocketed by the bureaucrats. It is an open secret. The hon. Minister will come to know everything about their plight if only he visits the villages where the labourers do the earthwork on the roadsides, not in the capacity of a Minister but as an ordinary citizen. He will also find for himself as to how the rural labourers are being subjected to rampant exploitation at these places and how does the bureaucracy plunder them of their rightful earnings so as to fill their own coffers. Politicians are also responsible to some extent, because it is under their patronage that this act of looting the poor is being done.

[Sh. Radha Mohan Singh]

I would like to urge upon the hon. Minister that besides drafting schemes and enacting legislations, this should be ensured that in case the State Government or the District Administration is not able to keep a check on such malpractices the Ministry concerned should undertake the tour of every nook and corner of the country so as to conduct surprise audits and examine the situation. Thumb impressions of lakhs of labourers are registered in the master rolls prepared for making payments to them but the fact is that only a few people manipulate the whole job. If you scrutinise the master roll of any of such schemes, you can find the facts for yourself.

When we talk of the rural or unorganised labour, the burning question that arises is that we shall have to stop this loot of the rightful wages of these labourers working along village roads or at wells where the Block Development officers, Overseers and Engineers are able to accumulate wealth. On the one hand, the national coffers are getting emptied in the name of development and on the other these people are filling their own coffers and still on the other hand, we are shedding crocodile tears in the Parliament. Government will have to do something to stop it.

The health and security of the labourers is being put at stake in the name of industrial development. The number of industrial accidents that took place during 1976 was three lakh and they claimed 831 lives at the rate of 61.54 per cent. But in 1986, 2,87,000 such accidents at the rate 58.70 per cent took place with 895 casualties. There are two types of accidents first, the traditional accidents that occur in small scale industries and second type of accidents are those which change with the development of new technology. The detrimental effects of the later are felt not only within the industrial premises, but also outside and the Bhopal gas tragedy is a living example of this. There is need not only for education, training, research and consultancy but also for the enactment of certain stringent laws and their

enforcement with rigidity so that the level of industrial security is improved and ensured.

Lastly I would like to touch the issue of women and child labour present in large quantum in India. Every Indian visualizes a child in the form of God and a woman in the shape of a Goddess. This is the culture of India, but there is large scale exploitation of the women and child labour in our country today. The women are denied equal wages for equal work and other facilities like maternity leave etc. Fortunately, this country has entrusted the portfolio of this Ministry to a lady Minister who is known to me. This lady leader has toured every nook and corner of the country, and now holds the charge of the Department of women and Child Welfare. I wish her to pay special attention to this problem particularly in the context of child labour because children are present in large numbers in different jobs because of their economic and social compulsions. According to the Government policy, employment of the children below 14 years of age goes against the provisions of the Constitution. For the achievement of this basic objective, provision has been made in the Child Labour Act of 1986, but what is the situation today? We can see child labourers in large numbers in the Beedi, Cracker and fire-worked manufacturing units; chimneys, road construction works and hotels. Child labour constitute 5.9% of the country's labour-force. This is a very unfortunate state of affairs. I would therefore, like the hon. Minister to consider thoroughly the issue of large scale exploitation of women and child labourers in this country and take stern measures in this direction. With these words, I conclude.

SHRI JANAK RAJ GUPTA (Jammu):  
Mr. Chairman Sir, workers play a vital role in the development of the country and also contribute in increasing the production of the country. Irrespective of the Sector be it industry, agriculture or construction, the labour has always played a very significant role and will also continue to play an important role in the times to come ahead. Sir, but unfortunately the condition of these workers, who toil hard to take this country towards the

path of progress and perform their work with utmost courage and valour, is not very good. They are deprived of good diet, housing facilities, clothings and moreover their children do not get admissions in schools. It is an irony that despite labouring so hard their economic condition has hardly improved.

Sir, today the need of hour is to pay adequate attention towards improving their lot. The laws enacted to extend facilities to them should be implemented. Many laws are enacted from time to time but what is more important is to see how many such laws are being enforced. Mention regarding unorganised and organised labour was made here. If you analyse the situation you will realise that maximum number of workers are engaged in the agricultural sector. The workers employed in the agricultural sector are totally unorganised. According to the 1981 census 64.4 million workers of were engaged in the agricultural sector the number of workers Jammu and Kashmir and Assam is not included in this figure. Now their numbers must have increased substantially. Sir, their condition is still very deplorable. They are still unorganised. They are not given any kind of facility. The return which they receive does not commensurate with the hard work they put in, and perhaps all these factors contributed to make the Ministry of labour realize that the condition of the unorganised labour of agricultural sector is really bad and in order to improve their lot a committee of the sub consultative committee of the Ministry of Agriculture was set up in January 1987. Shri Gurudas Gupta was made the convenor of this sub committee. It was entrusted with the job to look into their problems; suggest ways and means to ameliorate their condition; specifying the facilities to be provided and the reliefs and assistance be given to them. After assessing the situation in their report they opined that the condition of this class is deplorable and it is deteriorating day by day, in all the states whether it is Bihar, UP or Kerala. I would therefore request that necessary and concrete steps be taken immediately in respect of the unorganised labour so that they are able to get sufficient remuneration of their

labour and are prevented from being exploited and dissuaded. I would like to inform the hon. Minister that..... in my constituency there is segment where the condition of these labourers is so pathetic that they are absolutely at the mercy of the employers. They are inducted or thrown out as per their wish.

In Jammu there is a Chakrohi drug farm, having land measuring thousands of acres, situated at as much distance from Pakistan Border as is between me and the reporters sitting there. Till thirty years ago many labourers stood engaged there but when the Managers of the farm felt abandoning the agricultural operations and allotting the land to some one else they dismissed the labourers and closed the farm, with the result that even after expiry of thirty years they are still stranded. They have no means of livelihood. The Government should pay attention to this side then only the position of unorganised labour of agriculture sector can improve. Some positive steps should be taken then they will feel that the Government is doing something for them. So far as Private and Public sector are concerned, you will find that there is no parity of wages between the two. The public sector employees have advantage of social security too but the private sector employees are deprived of it. Keeping in view the Minimum Wages Act the anomaly in wages should be removed and wages should be refixed. It should be made incumbent for an employer to insure the life of each and every labourer engaged by him. I have come across some cases where the worker died while on duty and his children found difficult to make the both ends meet. The dependents were not given any compensation. It implies that they are not provided with, any sort of security to lead a comfortable life on the country they are to face many difficulties. I want the Government to pay attention immediately towards this.

Sir, as far as the private labourers in the Defence Department are concerned, a large number of private labourers are employed in FCI through the middlemen who are instru-

[Sh. Janak Raj Gupta]

mental in their exploitation. The middlemen earns a large sum of money by exploiting them and become wealthy at their cost but the workers condition remains the same. You conduct a study and see how their problems can be solved because the worker is helpless in seeking a job. He is exploited and the middlemen get away with the money and the worker does not get due return or wages for the work he does.

Sir, with regard to the question pertaining to Jammu & Kashmir I would like to know from the hon. Minister how many labour laws have been enforced in the State of Jammu and Kashmir and how many are still to be enforced and when and whether those enforced have been duly implemented? I want to bring it to the notice of the hon. Minister although labour laws have been applied there they have not been implemented at all. The labour of Jammu and Kashmir gets lesser wages than other workers. The workers working in the State under the "Graph and Beekan" scheme of the Central Government are getting even lesser wages than the local PWD workers. If all the Central laws are enforced there the people of that State would be greatly benefited.

Sir, daily we come across such news items that an employee killed an employer or committed a theft somewhere or robbed some one in this regard I would like to suggest that there should be a Central agency which should look into the matters of private labourers. By constituting such an agency the relation between employers and employees will improve and commitment of crimes will be curbed. In the end I would like to say that in order to improve the condition of labour and solve the problems of agricultural labour there should be a separate Board which should take care of their problems and ensure as to how unorganised labour can get maximum return in the agricultural sector.

**SHRI DASAI CHOWDHARY (Rosera):**  
Mr. Chairman, Sir, the Demands for Grants of the Ministry of Labour and Welfare are being discussed today and the House is taking up the matters of such category and class about whom the people of this country have remained worried since ages.

Mr. Chairman Sir, first of all I would like to say something about the organised labour. These labourers who work in factories are mainly exploited by trade unions. I want to inform you that the elections to these Trade Unions may it be INTEC, CETU or Hindi Mazdoor Sabha are not held in a fair manner and the office bearers are not from the labour community. The labour classes never given an opportunity to hold any senior position in any trade union. As such, Mr. Chairman Sir, I want to inform this august House through you that the biggest exploiting agency in this country is the trade union itself. Thus I demand that such trade unions should be suspended. I demand that an enquiry may be conducted which will reveal that the labourers working in the factories are finding it difficult to earn a square meal a day whereas the office bearers of trade unions are becoming multi millionaire overnight. I want to inform you that the labour which comes from UP and Bihar to work in the factories in Delhi are thrown out of employment after two or two and a half months. They are never regularised. The main reason for doing so is that the office bearers of the trade union being hand in glove with the Management hatch a conspiracy and as a result new labour is inducted also to be dealt with like the previous one requiring no regularisation. Our Labour Minister Shri Ram Vilas Paswan is also aware of one such case.\* I would like to give an example about FCI hundreds of people hailing from Bihar and UP might have met him. Shri Ram Vilas may have received thousands of such representations wherein people were removed from work after two to three months without assigning any reason.\* The office bearers of the trade union in

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\*Not recorded.

collusion with the management get the labour removed and get inducted new workers in their places. I demand the Government first to ensure that as and when a union is formed, its chief is properly elected and whether it has due and proper representation of labourers working in that factory. Another thing I want to say is that the labourers who hail from the rural areas of Bihar, as they do not get employment there and are unorganised are taken to Punjab, Haryana and other places and they are made to work for a year or two and thereafter are sent back without payment of the wages earned. Today the unorganised labour, whether working with farmers or in the sugar mills do not get proper wages. I urge the hon. Minister of Labour that in order to implement the provisions of the Minimum Wages Act a committee should be constituted and it should be vested with powers to take strict action against the person who infringes the provision of the Minimum Wages Act in not paying the labour its due because he is aware of the fact how the labourer in this country are harassed and exploited. A number of laws are enacted but the law makers themselves commit their infringement. As such my submission is that such laws should be strictly enforced. Labour courts are only courts in name as a matter instituted in that court lingers on for two to three years and employers in collusion with the judges of the labour court gets that matter disposed off without any relief to the aggrieved. I therefore suggest that a committee should be constituted in each district. One thing that I would like to tell you that Adivasis and the Adivasi farmers have no rights at all. Cases of atrocities on Harijans and Adivasis are coming before us. We, as member of decision making body, give our verdict but it is never implemented. I would like to know the intentions of the Government in this regard. What does the Government want? I want to inform that to check the atrocities on Harijans there is only one Harijan police station in as many as 5 district's Bihar. Even in this single Harijan Police station there is neither any vehicle nor any other mode of conveyance, so that the police personnel working there could reach the site for inquiry.

[English]

MR. CHAIRMAN: One thing I want to bring to your notice. you have mentioned some names and also made some allegations, here, in your speech. That will not form part of the record.

[Translation]

SHRIDASAI CHOWDHARY: Mr. Chairman, Sir, through you, I would like to tell the Government that if in the true sense it wants to check atrocities on Harijans and Adivasis, Harijan police stations should be set up in each district and they should be fully equipped. All other facilities should also be made available in these police stations. They should be provided with vehicles. You are aware that as many as 4-5 vehicles are placed under the disposal of the S.P. of the district. There are separate vehicles for his wife and children. But not even a motor cycle is available in the Harijan police stations. I would, therefore, request the Government to set up Harijan Police stations in every districts so that atrocities being committed on Harijans could be checked.

Today there are a number of voluntary organisations through which welfare of Harijans and Adivasis could be done. At present there are hundreds of such voluntary organisations in the country which are receiving funds from foreign countries. Enquiry should be conducted into the activities of these voluntary organisations which are receiving foreign funds to ascertain where the foreign fund is being spent.

Aganwadi and child development programmes are being undertaken in our country. I would not like to say anything in respect of other states but shall made a point about Bihar. Fortunately, the Union Deputy Minister of welfare, Shrimati Usha Singh comes from Bihar. I would like to request her to do something in this regard. I further request her to take some steps to strengthen and fully equip the Anganwadi and child development programmes being run in each district of various States. With these words, I would like to thank you very much.

[English]

**DR. ASIM BALA (Nabadwip):** Mr. Chairman, Sir, I thank you for giving me this opportunity. I will just say something about the welfare of the people. Welfare in these sense that welfare or justice to those people who are handicapped—mentally, socially, educationally, economically and physically.

The question here is that welfare to whom? It could be divided into three categories. One is that, those who are only physically handicapped, the second by is that those who have been deprived of given opportunity the social barrier or custom; and the last is that those who are physically, socially, economically, educationally and mentally handicapped. The third category of people are the worst sufferers in this society.

Even after 43 years of our Independence, semi-feudalism and Zamindari influences persist in our country. Due to this, the common poor people are deprived of economical and social benefits. They are the worst sufferers. Zamindars and landlords are exploiting those people. If we go through some of the statistics, we will find that the number of handicapped people, especially those who are physically handicapped, is about one crore and twenty lakh. Now, the Government of India is providing them some facilities.

There are some projects/schemes for training, education and medical facilities. This is good, no doubt about it. But the fund is not very reasonable and that it could not be possible to give full help to those handicapped people. There is a special programme on delinquency control and training is being giving to those persons but it is not up to the standard. I request the Government to train them to an appreciable level. More over Two per cent of our people are mentally retarded due to malnutrition and social repression. For these reasons, they become mentally handicapped. As per the statistics of UNICEF there are 40,000 children who are becoming blind every year due to vitamin A deficiency. Assistance are being given

through voluntary organisations. We should be very careful about foreign agency in this regard. Due to debt crisis and fall of income 40 per cent of our young die every year and mostly they are from India, Pakistan and Bangladesh. I would like to say some thing about the present conditions regarding child labour in India. A study was conducted in Madras where 31.6 per cent child labour is working for 10-11 hours, 22.4 per cent are working for 12-13 hours and 11.6 per cent are working for 14-15 hours per day. They get only Rs. 60 or Rs. 70 per month. This is the condition of child labour in India. People become disabled mainly due to leprosy. This is one of the main diseases by which people become handicapped. At present, there are 4.5 million leprosy patients in India out of which about five lakhs are in West Bengal.

Government should take care of the leprosy cured patients and other disabled persons. There is a programme conducted in the district of Bardwan. The cured patients form an organisation through which they are given production-oriented jobs in social forestry, tannery, poultry, etc. You know that women belonging to SCs and STs are the worst affected by atrocities committed on them. The number of atrocities committed in our country in 1981-1986 were 91,097 and in 1987, 13,529 atrocities were committed. 15,207 atrocities were committed in 1988. These are the number of atrocities committed on people belonging to SCs and STs.

17.00 hrs.

The Government has not succeeded in preventing atrocities on the scheduled castes and scheduled tribes and fulfilling the service quota for them because the instructions and rules framed in this behalf have not been implemented by the enforcing agencies. An all out effort is required to contain this social evil.

Then, there is problem of child labour in certain sectors. They are working in different factories in an unorganized manner. The workers employed in mica, iron ore, manganese ore, chrome ore, limestone and dolomite

mite mines and beedi industry are working in a very inhuman conditions. They do not have proper medical facilities and other welfare scheme. I request the hon. Minister to look into the matter so that they could be provided with educational and medical facilities.

There is a sanctioned proposal for setting up a hospital for beedi workers at Dhuliana in West Bengal. I request the Minister of Welfare of welfare to start the work of the proposed hospital at Dhuliana immediately.

17.03 hrs.

#### DISCUSSION UNDER RULE 193

##### *Rise in Prices Contd.*

[English]

MR. CHAIRMAN: The House will now take up further discussion on the rise in prices in the country raised by Prof. Saifuddin Soz on the 30th April, 1990 Prof Madhu Dandavate to reply

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): Mr. Chairman, Sir at the very outset, let me express my regrets that there is such a delay in replying to the debate on the rise in prices. But as you may recall, when Prof. Soz had initiated the discussion, I was expected to reply on the same day in the evening. But since a number of speakers were to make their speeches, I had my difficulty as I had to go for the meeting of the World Bank and IMF to plead the case of the developing countries, I sought the permission of the House that I might be permitted to reply to the debate on my return and, Sir, the presiding authority and the House were kind enough to permit me to reply to the debate on my return. I propose to give an elaborate reply to the various points of view which were expressed by various Members.

Let me assure this House at the very outset that though I was not present during the speeches of some of the Members of the

House. I have carefully gone through the record of the entire proceedings of this debate and I have taken note of various suggestions and the concern expressed by the Members.

Let me make it clear that I do not propose to undermine and underestimate the problem of the price behaviour of the essential commodities in the country. I also deeply appreciate the serious concern expressed by Members on both sides of the House regarding price behaviour of various commodities. They have made concrete and constructive suggestions to check the rise in prices. I shall take note of it and also try to place before the House the viewpoint regarding various steps that are being taken.

In the beginning, let me point out to the House that before the behaviour of the price manifested itself in a particular form, the House should consider the various constraints that existed while we tried to conduct and manage the economy in a specific direction. On 1st December, 1989 unfortunately the deficit was of the order of Rs. 13790 crores and by the end of December, it was of the order of Rs. 11789 crores. The House may recall that in the last Budget, for the entire period of the financial year, the deficit projected was of the order of Rs. 7337 crores. There was a substantial rise. Even if you take the deficit at the end of December, you will find that the rise was of the order of Rs. 11789 crores minus Rs. 7337 crores, that is almost of the order of Rs. 4452 crores. That was a great constraint. Besides that, there was certain expenditure which we had to face as a result of another important constraint and that was the external debt of Rs. 83,000 crores. If you take the interest liabilities of external debt, as well as all the borrowings inside the country, this liability was of the order of Rs. 17,000 crores. By this year it will be of the order of Rs. 20,850 crores.

Then as far as food stocks are concerned, they have declined to 11 million tonnes. Foreign Exchange reserves when we took over, was only of the order of 1.5 months of import whereas the minimum stable level is of the order of 3 to 4 months or