

12.20 hrs.

DEMANDS FOR GRANTS 1987-88.
MINISTRY OF LABOUR—Contd.

[English]

MR. DEPUTY SPEAKER : The House will now take up further discussion and voting on the Demand for Grant under the control of the Ministry of Labour.

Shri Damodar Pandey will continue his speech.

SHRI DAMODAR PANDEY (Hazari-bagh) : Mr. Deputy Speaker, Sir, I was saying that the Minister of Labour had said that there was comparatively less loss of man-days last year and it was a matter of satisfaction. He hoped that further improvement would be made therein. Many rules have been framed under the Minimum Wages Act passed for the workers of the un-organised sector and decision have also been taken thereunder, but effective steps for the implementation of such decisions have not been taken so far. It is a matter of satisfactions that the Prime Minister has taken a decision to appoint a commission to go into the conditions of rural labourers working in the un-organised sector. We all heartily support this step. I am sure, this step will be implemented as early as possible and the measures, which would be suggested by the commission, would be implemented to improve the lot of rural labourers. We have been hearing about the Industrial Relations Bill since long. In every session of Parliament, an assurance is given by the hon. Minister of Labour to the effect that a Bill is being brought for this purpose soon. Today, I want to draw his attention to the urgency for such a step.

The opposition are bent upon bringing politics into the trade union movement. They instigate the workers to go on strikes that are politically motivated. They are busy all the time in putting the industrial economy out of gear and when they do not succeed there, they make the public sector a target to engineer strikes and to cause loss to the economy. On the one hand, they wish

the public sector a success and on the other, they engineer strikes on all India basis, but keep the private sector out of strike. It speaks of their double standard. The result is that we see mushroom growth of trade unions everywhere. Anybody is able to form a trade union. We are having a law made as far back as in 1926 and we have not been able to change it although the time, the situation and the industrial structure have undergone a drastic change. Today, we rank among the most industrialised countries in the world and if in spite of this we continue with laws as old as of 1926, I just cannot understand it. The National Labour Commission has given suggestions in this regard. The tripartite committee—the Indian Labour Conference—has given its views; the Sanat Mehta Committee has expressed its opinion regarding the basis for the new industrial policy. All these views are now before you. I do not know why this Bill is being delayed. If we want to give impetus to industrial growth in the country, if we want to give a direction to the workers' movement, this is high time to bring forward the Industrial Relations Bill without further delay so that the labour organisations could feel that they have achieved something.

F.S.I. is a very good scheme for the welfare of the workers, but it has certain shortcomings. E.S.I. hospitals are not adequately equipped. There is shortage of doctors and medicines in these hospitals. They do not fill up many posts. They have not lived up to the expectations of the workers in regard to providing them the required health card. It has an annual income of Rs. 600 crores which is too meagre to meet the expenses. We hope the Government would give additional grant for this purpose because the matching contribution from the factory owners is not fully realised. We are of the considered opinion that in addition to spending that money, help should be sought from the I.L.O., if need be. We are all concerned about the occupational diseases but have we ever thought that there should be proper arrangements for detection and treatment of occupational diseases, whether they are afflicted while working in mines or in factories so that the industrial workers do not fall victim to such disease. It cannot be denied that the industrial community, whether they are the industrialists

of the public sector or otherwise, is not doing much work in this direction. The hon. Labour Minister would agree that there is need to set up specialised E.S.I. hospitals in each of the industrial centres to carry out intensive research and investigations in regard to such diseases. He should seek assistance from whatever source for this purpose, but it must be done. Then comes the question of resource mobilization. We agree that had there been enough resources in the country, we could have developed such an infrastructure. The workers have contributed a lot by way of Provident Fund. The day before yesterday, I told that provident fund of the workers to the tune of Rs. 15,000 crores has been invested in developmental activities in the country. The National Labour Commission has suggested a 2 per cent increase in the Provident fund contribution. This suggestion has been welcomed by the workers. Every time we decide to raise the contribution of the workers by 2 per cent, but do not implement this decision. If the Contribution is raised by 2 per cent, the net resource mobilization would be Rs. 400 crores. The plea taken against this decision is that the public sector too will have to make the matching contribution. They will have to contribute to it if it is a non-inflationary expenditure. It is not so that this will lead to price rise or inflation. It will be a firm step towards resource mobilisation. In stead of depending on others we will depend on the workers. I hope that some step will be taken in this direction.

I would like to say one or two things about safety and welfare. We cannot deny that the safety is our responsibility, whether it is of the factory or of the mine. We have not taken that much strong step as we should have taken to make it effective. However it is a matter of satisfaction that there has been improvement in the mine safety agency which is responsible for the safety. Earlier no one wanted to join the service, the posts of officers remained vacant as the salaries were quite less. Now people are coming due to increase in the salaries. Now many vacancies will be filled. But mere appointment of officers does not result in efficiency. Concrete steps have not so far been taken that are necessary to impart training and provide funds. Therefore, I

suggest that prompt steps should be taken to improve the safety measures, whether these relate to the safety of mines or of the factories. Steps are being taken to withdraw mica mines welfare measures. You must have heard that mica mines are being run illegally. The number of authorised mines, both in the public and private sectors, is coming down but the number of workers is not coming down. What will happen if the already lesser welfare activities are further reduced? I want that some steps should be taken in this regard which may benefit not only the mica mine workers but also other mine workers. These steps should be taken by the welfare Committees and Officers. We are the founder member of the ILO and India has played a vital role in it. India has given full assistance to ILO in fulfilling its objectives, whether it is a case of assisting South Africa or any other country. We too take help from it whenever we need it. It is a different thing that we do not take as much help as we can. I am hopeful that we will work in this direction.

SHRI MADAN PANDEY (Gorakhpur) : Mr. Deputy Speaker, Sir; the House is discussing Demands for Grants of the Ministry of Labour but I regret to say that very few Member from the opposition, which boasts of championing the cause of workers, are present here. Their then attendance in the House shows as to how much they are interested in the welfare of the workers. Under these Demands, the Labour Minister has asked for Rs. 166 crores only but even then our friends from the opposition want that one rupee should be reduced from that amount. I would submit that they should shun this tendency and give some concrete suggestions to the Government to bring about improvement in the lives of the labourers. There are no two opinions that more funds have been made available to the Labour Ministry as compared to the last year. It reflects the objective of this Government. I would like to submit that the Opposition Members should withdraw their Cut Motions.

Sir, I can say it with a challenge that the Labour Ministry has shown such a good performance in these years that it has become incomparable. For the sake of argument, the Opposition Members may say

anything but let them compare the present performance of the Ministry with that of the same Ministry during the Janata regime of 2 and a half years. During the last one year we passed 5 labour welfare Bills. 4 Bills are under consideration at present and 9 Bills are under preparation. You can compare this year's performance to any year of the Janata regime and you will yourself know the difference. You give us any such example of the Janata regime and, I will concede that your Cut Motions are justified. I know that they cannot claim any credit for any work. They have presented these Cut Motion just for the sake of opposition. This sum of Rs. 166 crores will be spent on the welfare of the workers and on other works which are to be executed. Hon. Members from the Opposition are aware of this. In spite of this they are opposing the Demands. Recently, we have amended the Factory Act to provide for the safety and welfare of the workers. For that herculean task we need a large sum of money and against that requirement, the amount asked for is negligible. There are crores of workers in our country and our Government is committed to work for their welfare. Recently, the Hon. Prime Minister has announced two measures for the welfare of the workers which, I think, are known to all the Hon. Members. These two measures are quite significant for the workers' welfare. Earlier, the mill owners used to hold crores of rupees of the Provident Fund and no action could be taken against them. This resulted in a heavy loss to the workers. Neither the Janata Government paid any attention towards this aspect nor, unfortunately, we could do anything. Now the credit goes to the hon. Prime Minister and the hon. Labour Minister for moving an amendment to the Act under which the mill owner will have to pay income tax on that amount of Provident Fund which is not deposited by him since that will be considered as income. Not only this, strictest possible action will be taken against him for recovery of that amount. Mr. Datta Samant, your turn will also come; do not be impatient. First listen to me and then give a reply.

Similarly, the Government has paid attention towards gratuity also. Earlier income tax used to be levied on the amount received as gratuity as that was considered as income

but now the Government by passing the law has made it tax free. This Amendment is of special significance for the working class and perhaps people like Shri Datta Samant cannot understand because they are not employees. Therefore, neither he nor people like me will be able to understand the agony of the workers. Earlier, a worker had to pay tax on the gratuity which he used to get after serving the whole of life because it used to be treated as income. But as this tax has been abolished, he will feel much relieved.

Mr. Deputy Speaker, Sir, I would like to say about laws. According to the statistics collected in this regard, there are 24 million workers in the organised sector and 268 million workers in the unorganised sector. Only Shri Datta Samant and I are fighting for the rights of the 24 million workers and nothing was done for the 268 million workers during the Janata regime. There are two important points in the 20 Point Programme, formulated by the Prime Minister. Forgetting all differences, the opposition should help the Congress Government and the Congress Party in implementing these two points. One of the most important points relates to the implementation of the Minimum Wages Act and the other relates to the rehabilitation of the bonded labour. The other points are also for the welfare of these 268 million workers. So I would request that more funds should be allocated for this purpose. The opposition should also extend its support to their demand. They should forget all their differences and make an effort to implement the 20 Point Programme, particularly these two points.

Mr. Deputy Speaker, Sir, I would now like to draw the attention of the hon. Minister to the three Acts namely, (1) the Minimum Wages Act, (2) the Immigration Labour Act and (3) the Contract Labour (Regulation and Abolition) Act. These three Acts apply to the unorganised sector. I agree with the contention of the opposition that these Acts have not been implemented to the extent they should have been. The opposition should note that if we leave everything to the Government, whatever, crocodile tears they may shed, it would not help the workers of the unorganised sector.

There does not exist any security arrangement in the high rise buildings. Although rules and regulations have been framed in this connection, but the number of Inspectors for their implementation is not adequate. They cannot reach everywhere. If you find anyone violating the rules, you should inform the Government and get such persons punished.

Mr. Deputy Speaker, Sir, just now Shri Demodarji has made a very good point. A sum of Rs. 600 crore has been collected under the Labour Welfare Scheme of the E.S.I. A suitable scheme should be formulated with this amount of Rs. 600 crores to construct a hospital in every nook and corner of the country where there does not exist any E.S.I. hospital. If you have some difficulty, we are all here to support you. Although you have ample funds but the number of ESI hospitals is not that much as it should have been. There is dual administration so far as doctors are concerned. You construct hospitals and provide other equipments but the doctors are deputed by the Government of Uttar Pradesh, Maharashtra or other states. This system should be done away with. I would request you to create a separate cadre of doctors and where hospitals are constructed, the doctors should be posted there from this cadre.

Mr. Deputy Speaker, Sir, the other thing which I would like to say is about the provident fund. A sum of Rs. 13,550 crore to Rs. 14,500 crore towards provident fund is outstanding against the employers. Every year this amount will increase. If the employers are penalised for not depositing the provident fund amount, they do not pay the penalty. Realisation of income-tax on the outstanding amount by treating it as income is not enough. I would request the hon. Labour Minister to realise penal interest also from them. You have increased the interest on the deposits of the worker to 11 per cent. It is a good step but this is not sufficient. At least 15 per cent interest should be added in the accounts of the worker. This will help him at the time of his retirement because he will get back sufficient amounts and thus he will not have to face any hardship.

The Government should take initiative in the matter of increasing the contribution to the fund to 10 per cent for workers otherwise the private sector will lag behind. An agreement was concluded between the HINDALCO and the Birlas who are one of the biggest capitalists in the country. The private sector is taking a lead in this matter. The hon. Labour Minister should convey our feelings to the hon. Prime Minister. The public sector should also come forward in this respect. At least the public sector should come equal to the private sector.

We expect from the workers that they should increase the productivity. We are celebrating this year as a Productivity Year. The Prime Minister is also taking interest in this matter. But I would like to say that the worker cannot enhance production only on the strength of his own effort. For this new technology, new equipments and new implements should be introduced. The worker should be imported training to operate new implements. The I.I.T's and I.T.I's, which are very important institutes in the country, should produce new implements and other equipments in large numbers. For this Rs. 75 crores have been demanded. I would request that the Prime Minister should allocate this sum of Rs. 75 crores for this purpose.

[English]

SHRI BASUDEB ACHARJA (Bankura) : This amount is required to be passed by this House for each section of labour. For the Central Government employees there is Joint Consultative Machinery. It looks after the grievances of the Central Government employees. Public Sector have their own organisation to look after their grievances. The claim of the Government that the industrial relation has been improved is not correct. It is a fact that the number of strikes, man days lost been reduced.

SHRI RAM PYARE PANIKA (Robertgang) : It is a contradictory statement.

SHRI BASUDEB ACHARIA : About one lakh small, medium and big units have been closed down. The reasons are well known to this House also. It is due to the economic policy, import liberalisation policy adopted by this Government.

Much has been said in this House about the un-organised section of workers. Crocodile tears have been shed time and again. There are about two million such workers and 25% of the un-organised section belongs to the agricultural workers. Agricultural workers constitute the major work force of this un-organised section of workers.

Minimum Wages Act was passed by Government in the year 1948.

The Government at the Centre, right from 1948, has not been enforcing the laws very strictly and as a result of this the wage varies from State to State. In some States, the agricultural labourers get a minimum wage of Rs. 2 or Rs. 3 per day. In some States like West Bengal, the agricultural labourers get more than Rs. 16 per day. In some districts, they get Rs. 19 or Rs. 20 even.

RAO BIRENDRA SINGH (Mahendragarh) : In Punjab, they are getting Rs. 25 or so.

SHRI BASUDEB ACHARIA : But in some States, in our country, agricultural labourers get Rs. 2 per day, for instance in Bihar they get this amount.

[Translation]

SHRI DAMODAR PANDEY: It is good if they get Rs. 2.

SHRI BASUDEB ACHARIA : It is about the farm of Shri Jagannath Mishra. It has appeared in "Sunday" that the farm pays Rs. 2.

[English]

MR. DEPUTY-SPEAKER: Mr. Acharia, don't reply to his question.

SHRI BASUDEB ACHARIA : So, there is a need for a comprehensive legislation. The Ministry of Labour have appointed a Committee and that Committee also recommended that a comprehensive legislation should be enacted to regulate the wages of the agricultural labourers so that the minimum wage which is now determined by the State Government concerned could at least be given to them. I do not know why this

legislation has not been brought forward by the Central Government. I understand that there is an objection raised by the Ministry of Home Affairs or the Agriculture Ministry, because they do not want this type of legislation to be enacted, though there is a need for land reform because 35% of people are landless agricultural labourers. Unless they get land for agriculture purposes, unless their purchasing power is increased, our basic problem cannot be solved. So, the hon. Labour Minister, Shri P. A. Sangma, will please tell us whether a comprehensive legislation for agricultural labourers will be introduced in this very session.

Sir, during the Budget speech, the hon. Prime Minister also said that a Commission will be constituted for these agricultural labourers. I would like to know from the Government when this Commission will be constituted and who will be the Members of this commission. I plead with the Government that the agricultural labourers Union should be represented in the Commission so that they can look after their interests.

Sir, the other unfortunate section of people are the unorganised labour engaged in construction works. According to 1981 Census, there are about 3.5 millions of workers in this sector and a majority of these workers are at a low wage level and they do not get even the minimum wage. This House is well aware of the fact that the Supreme Court had to interfere for the cause of the workers working in ASIAD who could not get even the minimum wage. So that they might get minimum wage. They are not getting minimum wages. And most of the construction workers are contract workers, they are not getting the minimum wage. The Parliament, Sir, has also enacted the Contract Workers (Regulation and Abolition) Act. It has not been properly implemented. The employing Ministry of the Central Government are engaging contractors after this enactment by Parliament. But the Railways are not complying with the provisions of the Act. The works which were previously done by the Department are now handed over to the contractors. The coal ash handling workers who have been doing the perennial nature of work for years together, say, for the last 20 years, are now losing their jobs. They are contract

workers, they are losing jobs as the Railways have adopted a policy to switch over from steam locomotives to electric and diesel locomotives. These contract workers who have been working for the last 20 years and above and have been doing perennial nature of jobs, instead of being absorbed in the Railways, are now being thrown out of employment.

Sir, in coal industry also where this contract system is strictly prohibited, in the Eastern Coalfields Ltd., the authorities of the subsidiaries of Coal India Limited are engaging contractors even for raising coal.

Sir, now the question of bidi workers is there. This section of workers belong to the poor strata of our society. Most of them belong to scheduled Castes and poor sections of our society. They do not get minimum wage. And the Minister has assured in this very House when a Private Member's Bill was being discussed in the monsoon Session, that a comprehensive Bill will be introduced for Bidi workers. But that is not being introduced now. He has also stated that identity cards have been issued to the 20 lakhs of bidi workers, but in my district, in the district of Purulia, there are more than 30 thousand bidi workers, but not a single identity card has been issued to any of them in my district, and the provident fund accounts, which was also stated by the Minister, have not been opened for them either in the district of Bankura or in the district of Purulia. There is a dispensary in the district of Bankura, but the bidi workers do not get medicines there.

Sir, one hospital for the bidi workers, which was to be set up in Dhulian in Murshidabad district, was suddenly shifted to Aurangabad at the instance of one Union Minister and there is one chest clinic in Dhulian. Now that the hospital has been shifted to Aurangabad, the Chest Clinic that is there in Dhulian can be augmented so that the bidi workers of Dhulian who are in large number can get the benefit from the chest clinic that is there.

Sir, the Child Labour Act was enacted in the last session in this House. But the child labour is still prevalent in our country. This Act is not an improvement on the

previous Act. Only hazardous industries have been included in this Act. Sir, many of them are forced to remain unemployed when the child labours become adults. But this Act will not benefit the child labour because this Act only legalises the child labour. Instead of abolition of the child labour system in our country, this Act will only legalises the child labour system. One Board has to be constituted to regulate the child labour and that Board will determine which industries are hazardous industries and which are not. But the owners of these industries who engage the child labour can pressurise the members of the Board because the Board will be constituted at the district level and any hazardous industry can get a certificate from the Board itself that it is not a hazardous industry. Therefore, this particular Act which was hurriedly enacted in this House will ultimately legalise the child labour system. We are talking of going to the 21 century but we are legalising the child labour system in our country instead of abolishing it.

The most exploitation which our industrial workers face is the lack of safety precautions, particularly in the hazardous industry. At present, the workers' safety has merely remained in paper and there is nothing beyond discussing it in the seminars, meetings and the safety conferences. Nothing towards safety is done by the employers or the agency entrusted with the task of ensuring safety and welfare of the working class. India has one of the highest rates of industrial accidents. Over the last 30 years, nearly 36,000 workers have been killed and 6.4 million workers have been injured in the industrial accidents. Over 7,000 deaths occurred annually in the industrial accidents. There is a National Safety Council but this Council is not effectively functioning, not properly functioning. Even the coal mines which are to be inspected regularly are not being inspected and the incidence of accidents is increasing in the coal mines. The coal mine workers have to work in a very unhygienic condition.

13.00 hrs.

MR. DEPUTY SPEAKER : Your time is over.

SHRI BASUDEB ACHARIA : There are three points more.

SHRI AJIT KUMAR SAHA (Vishnupur) : We can continue after lunch.

MR. DEPUTY SPEAKER : He cannot. He has already taken 15 minutes whereas his party has been allotted only 10 minutes.

Hon. Minister is going to reply today itself.

Shrimati Sheila Dikshit.

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRIMATI SHEILA DIKSHIT) : I would like to propose that we forego the lunch hour.

MR. DEPUTY SPEAKER : You wind up.

SHRI AJIT KUMAR SAHA : Now he can continue. Let him finish within a minute.

SHRI BASUDEB ACHARIA : The Government have decided to amend the labour laws. This was discussed in the Indian Labour Conference last year. Almost all the Central trade unions except INTUC rejected the proposal of the Government to amend the industrial relations as proposed by the Government. Now the Government proposes to set up an Industrial Relations Commission as suggested by Sanat Mehta Committee and also introduce check-up system instead of secret ballot. Majority of trade unions have demanded that secret ballot system should be adopted for recognition of trade unions.

In railways, there are two recognised federations. Why should there be two recognised federations? Why not one, and that should be recognised and that should be elected by secret ballot by the employees?

By amending the industrial Relations Act, the Government wants to control the trade unions.

Much has been said regarding the workers' participation in the management. But

the scheme has been totally shelved.

I want to say one point about unemployment problem. There are about 40 million unemployed youth and there are a number of employment exchanges. But these Employment Exchanges are not being notified even by the Central Government. Once, railway was the biggest employer who used to employ about one lakh unemployed youth. But these Employment Exchanges are neglected. They are not being notified. This should be strictly enforced. (Interruptions). All recruitment should be made through Employment Exchanges.

Let me conclude. I will take one second only. Let me conclude.

These Employment Exchanges should be notified and I urge upon the Minister not to rush through this Trade Union Amendment Bill.

You should convene a meeting of all the trade unions again. Take them into confidence and discuss with them. Then you can take any action, after consulting all the Central trade unions. Without taking them into confidence, you should not rush through such amendments.

With these words, I thank you.

[Translation]

SHRIMATI PRABHAWATI GUPTA (Motihari) : Mr. Deputy Speaker, Sir, I rise to support the Demands of the Labour Ministry presented by the young Labour Minister.

Sir, we have seen the review and the performance Budget of this Ministry pertaining to this year. A number of good and effective welfare schemes have been introduced for women workers, child labour rehabilitation of the bonded labour, safety, in industries and relations between the employer and the worker in every sector. But the allocation made for women workers and child labour is very meagre. The schemes are very attractive but how these can be implemented with this meagre allocation. An Act dealing with the child labour was passed in November, 1986. It provides for award of stringent punishment

to those employers who engage children of 6 to 14 years of age in the hazardous jobs. The hon. Minister while replying should state the number of employers punished, the type of punishment awarded to them and the penalty imposed on them. Then only one will know whether the Acts which are passed here are followed in practice or not.

Mr. Deputy Speaker, Sir, the major responsibility of the labour Department is to provide jobs to the unemployed. There are presently 811 employment exchanges in the whole country, where the names of at least 3 crores of people are registered. This number is one-fourth of the total unemployed in the whole country. There are three-fourth such unemployed persons who are not able to get their names registered due to the lack of information and means. In this way there are a total of 12 crore educated and uneducated unemployed persons in the whole country whereas surprisingly the Government have categorised only 3 crore people as unemployed.

During the First Five Year Plan, it was estimated that there were 70 lakhs persons as unemployed. This number is estimated to have increased to 3 crores after two years of the Seventh Five Year Plan. These are registered with the employment exchanges. Such is a huge number of unemployed persons in the country. In the booklet, which we have received, it has been stated that the Government will provide jobs to 2.75 lakh unemployed. When the number of unemployed persons registered with the employment exchanges is 3 crore, how this problem can be solved by providing jobs to 2.75 lakh out of them ?

A large number of educated persons, engineers and both M.B.B.S. as well as M.D doctors, are on the look out for jobs desperately. Their plight is very miserable. Our Planning Commission has not paid attention towards removing unemployment in the Third, Fourth and Fifth Five Year Plans. Our late Prime Minister Shrimati Indira Gandhi drew the attention of the Planning Commission to this problem in the Sixth Five Year Plan and asked them to pay

special attention in this direction. She said that without removing unemployment we could not bring about social and economic revolution in the country. The Planning Commission paid its attention towards this problem only when they were asked to do so.

I would like to tell you that our Prime Minister has proposed to introduce a special programme for the removal of unemployment in the country and has also said that about 3.4 per cent new jobs would be created. There is a large number of unemployed persons in the country. How will you solve their problem. The main aim of our Planning should be the removal of unemployment when this unemployment is removed, the country will march towards progress speedily.

It is an irony that there is more investment in the organised sector but the potential of employment is less there. I would like to know from the hon. Minister that under this situation how will we be able to provide jobs to the estimated number of 12 crore people and 3 crore people registered with the employment exchanges. So I would suggest that for creating job opportunities you should make investment in the unorganised sector. Only then potential for more employment will be created and more number of persons will get employment. Unless our Government and the Labour Ministry pay their attention towards this problem, nothing concrete will take place.

Another thing, I would like to say about the child labour. The Government have enacted good and stringent laws in this respect but even today atrocities are being committed on the child labour at Shivkashi, Ferozabad, Mirzapur and other places. The innocent children below 14 years are being exploited. No attention is being paid towards their security, education, health and welfare. A large number of small children are working as bidi workers. Schemes for their welfare are only on papers. The allocation made for them is very meagre. This should be increased and more allocation should be made for the welfare of the child labour. The suggestions of the I.L.O., the UNICEF and the World Health Organisation given in

their respective reports should be complied with.

Now, I would like to draw the attention of the hon. Minister towards the condition of women workers. You might be knowing that in America for the first time women left their homes and came out on the streets to claim their rights. Since then every year 8th March is observed as an International Women Day. The United Nations Organisation declared Year 1975 as an International Women Year and the year from 1975 to 1985 was declared as an International Women Decade but inspite of all these measures and efforts of the international organisations and of the Government, the condition of women labour is very pitiable. A number of women are educated. There are 42 per cent women in the administrative services. Women are working in every field be it secretariat or any other place. 30 per cent women are engaged in agriculture. Similarly, a large number of women are working in the construction works. Girls of the age of 10 to 16 years, go upto fifth floor along with cement, mortar and concrete on their heads. They deliver children while working in such conditions. By the time they reach the age of 25 years, they get old. May I know what the Government is doing for such unorganised women and what programmes they have formulated for their welfare. You have provided Rs. 8 lakhs for this purpose but can the problem of women be solved with this meagre amount.

A conference was held in the auditorium of Kanyatta in Nairobi on the conclusion of the International Women Year in which 10,000 women from different countries of the world participated and demanded that a time has come when the international organisations and the Governments should formulate special welfare programmes for women. But the Governments are not paying their attention in this direction. Therefore, women were exhorted to become self-sufficient so that they may be able to solve their problems on their own. There is a women cell constituted in the Government department for which a meagre amount has been allocated. Similarly, there is a consultative committee for the welfare of women but its meetings are few and far between. A development conference on the

New Education Policy was held in our State in November. While speaking in that convention, the hon. Vice President, Shri Venkataraman said that proper arrangements were not being made for the education, and health of women, and for the welfare of women workers and their children. Though Uniform Wage Policy has been adopted in our country, but despite that women are with not being paid equal wages. It is an irony that today women are working shoulder to shoulder with men in every field of life and whether it is the Secretariat or any other difficult job, women are working there, but they are not being paid equal wages. The hon. Minister should take stern administrative action in this regard. Women should be paid equal wage for equal work. The Government has formulated national wage policy and under this policy, the Government should pay more attention towards the workers engaged in Bidi factories, mica mines and other places as also towards the welfare of the women. India is a major participant in the International Labour Organisation and that is why India has got a place in the standing committee. Hon. Prime Minister visited I.L.O. in 1983 and raised the issue of unorganised labour there for the first time. I would like to submit most humbly that I.L.O. can extend a lot of help to the workers of India. A high level training can be imparted to our workers...*(Interruptions)* I may kindly be allowed to submit a few more points. I would like to read what I.L.O. can do for our workers :

[English]

"ILO can help in introducing a new technique in the areas of basic needs planning and employment generation.

ILO can assist India in its skill development programme.

ILO can assist India in developing national occupational, safety and health programme.

ILO can help India in building institutions of excellence in the area of safety, manpower, related research and labour administration.

ILO can assist India in developing norms of work efficiency.

ILO can undertake pilot projects in informal and unorganised sectors.

ILO can contribute to technology of low cost housing for workers."

[Translation]

I would like to submit one more thing. You might be aware that our industrial labourers whether employed by Tatas or by any other industrial house, are working in most unhygienic conditions. They are not provided any accommodation. The Labour Officers, Dy. Commissioner (Labour), Safety Officers or Factory Inspectors work in collusion with mill owners and managers. A strict watch should be kept on their activities. Directions should be issued by the centre in this regard. They also collude with the officers to get jobs for their relatives. If some distant relation of any big officer is given a job or employment, then stern action should be taken against that officer and responsibility should be fixed on him. I would request the hon. Labour Minister to consider the suggestions which I have made about the child labour, the women labour and the unorganised sector and implement them. The allocation made for the Ministry of Labour is very meagre and our Government should increase the allocation. With these words, I conclude my speech.

[English]

SHRI GOPESHWAR (Jamshedpur) : Mr. Deputy Speaker, Sir, I support whatever has been said by Mrs. Prabhawati Gupta. I would like to raise some points. First thing is the public sector. I suggest that there should be some change in the Industrial Relations Law. In all the public sector undertakings of the Government of India wherever there is share-holding beyond 50 per cent the appropriate authority should be the Central Government and not the State Government. It is creating lot of chaos. Take, for example, SAIL. The factories are under the different States and the mines are under the Centre. It would be helpful if there is one appropriate authority for all the Central public sector undertakings. The question is how can we take care of the wage negotiations. Wage negotiations are due in every major factory.

The Bureau of Public Enterprises has come out with a guideline which is very unhelpful. The Labour Ministry should help collective bargaining process. The Labour Ministry should encourage collective bargaining through which certain standards be fixed and there will be industrial peace.

I am thankful to the hon. Minister for raising the rate of interest on Provident Fund to 11 per cent. on Rs. 14,000 crores which you are receiving through Provident Fund, you are getting only 11 per cent. interest. The same amount, if it goes through banks, the banks give 15 per cent or 16 per cent interest. Why should the Labour Minister give this money to the banks? They are earning good profit. So, I would suggest that the Labour Ministry should invest directly the whole amount in the public sector, so that the workers can get 15 per cent or 16 per cent interest as in the case of Fixed Deposits.

The other aspect is that the Standing Labour Committee has decided that the contribution towards PF should be 10 per cent on Basic Salary and Dearness Allowance. This should be expedited. And in the case of Banks, it is only 8.3 per cent on Basic Wage. Everywhere, it is on Basic Salary and Dearness Allowance. As a matter of fact, I suggest that it should be 10 per cent on the total emoluments earned. But in the case of banks, if it is on Basic Pay and Dearness Allowance, it will itself fetch not less than Rs. 200 crores per year. It is a good case of resource utilisation.

Then, there should be full assurance regarding the full payment of Provident Fund amount, even in the defaulting employers.

In the case of Gratuity, the coverage is over 10 persons, but in the case of Provident Fund, it is over 20 persons. Therefore, I suggest that it should be 10 persons here also.

There is one thing more regarding unclaimed wages. I do not know and whether even the Government knows it or not that the unclaimed wage, which is not less than Rs. 50 crores or Rs. 60 crores a year all over the country, goes away. Nobody knows how it is being utilised.

In West Bengal, they have enacted that after three years, the money goes to the State. In no other State, there is any such enactment. I think, the Centre should come out with some type of steps regarding this particular matter.

As has been mentioned in the reports, the term "mandays" lost to very erroneous. The mandays lost is due to strikes or lock-outs. But the mandays lost due to accident, due to mismanagement, due to power failure or due to other things have never been mentioned. This is a very unnecessary statement. It should say, manhours worked instead of manhours lost. The question should be manhours worked. Then, there will be a proper appreciation. All over the world, there has been a reduction in the working hours. So much of technological changes have taken place in this country, but still we are having 48 hours as working hours. So, I suggest, it should be changed. And the Government should come out with some action or with some legislation, so that the working hours should be reduced immediately to 45 hours.

I would again go to the industrial relations machinery. The Government of India should not encourage appeals against awards given by the Industrial Tribunals or the Labour Courts. It is surprising that 92 cases have been referred for higher appeals in the High Courts or the Supreme Court and that has been permitted by the Government—by the Labour Ministry. Out of these 92 cases, 63 cases are from banking only. This is a peculiar situation. The employers can spend so much from the companies' resources, but the workers cannot afford to go to such level. I suggest that there should be an Industrial Committee on Banking.

One question was raised just now regarding the only support given by the INTUC on the Industrial Relations Bill. I would say that practically, everyone supported that there should be a change in the industrial relations law. When they were talking of the secret ballot we were opposing it. Can they agree that there should be no check-off in the banking? All their unions are running on the basis of the check-off. But, if they have accepted the check-off in one place, in such a big and major industry, employing

more than several hundred thousand people, why should they not accept it as a matter of policy, everywhere, in every industry and in every establishment?

So, I would request the Government to come out with Industrial Relations Bill in this Session, if it is possible, rather, it should be possible.

I would again suggest that there should be a law on gratuity, as in the case of Provident Fund. Otherwise, nobody knows, how the amount is allocated? Then comes the question of employment. It is a very serious matter though they are not taking it as seriously as they should have taken. The Planning Commission feels that there will be 49 million people unemployed after the Seventh Plan is completed. This is a very serious matter. But, if the vacancies are not filled by the Government, if the vacancies are not filled up by the Central Public Sector Undertakings for the last three years, how are you generating employment? How are you taking care? This is a very serious matter. And, I would incidentally mention, the Labour Ministry as such in their very Report have shown that out of 8936 employed by the Labour Ministry 25% of them are temporary. And out of this 25%, 1000 are from Scheduled Castes and Scheduled Tribes. This is a very unhappy situation. You have to be a model to others not example of this type. Vacancies must be filled up. There is no proper legislation for casual labour, temporary labour, substitute labour and so on. There should be some legislation over there.

About the contract labour, there is a serious lacuna and that is that the Government has a right to abolish to debar, to ban. But, this law does not give the right to employ the same worker who was working there. The result is employers are taking advantage. Whenever there is a sort of ban those workers lose their employment. So, there should be a provision that besides regulation, those who are working, should be made regular.

I would say the same thing about the apprentices. The Apprenticeship Act, has to be properly amended. Most of the trades that are now going on under the Apprenticeship Scheme are out of date. No employer,

takes them in factories. The Factory Inspectors are not trained in the latest technological development and, therefore, they are in difficulty and it is necessary to up-date this situation.

About Dearness Allowance formula, I would suggest that there should be one formula for all the industry for the whole country. There should be a national formula for the Dearness Allowance. There is a fear that in the Central Government formula, there is 1949 base, 1960 base and there are so many basis. There should be one national formula for everyone for all categories of employees. I would suggest that there should be one authority for Central Board of Workers' Education and Central Labour Institute. There is no justification to have so many authorities. Construction should be declared an industry otherwise thousands of people will suffer.

I would not like to say further.

SHRI THAMPAN THOMAS (Mavelikara): Sir, I am sorry to say that the Labour Ministry have failed to bring out the dignity of the labour. The Labour Ministry has itself failed in bringing out its dignity before the Government when we compare with the other administrative Ministries because the amount shown in the Grant and also the importance which is given to this Ministry by the Government, Cabinet seems to be much less. And, Sir, very important functions are assigned to the Labour Ministry. Unfortunately, the administrative Ministries are practically the masters and the Labour Ministry has a very little role to play. This has been our experience when we analysed Labour Relations in the public sector and other industries which are owned by the Government. Therefore, first, my suggestions and request is that proper dignity should be given by the Government to the Labour Department. That is not yet obtained. Sir, I have an experience which I would like to bring to the notice of this House. In the Tenth Asian Conference, we sent a delegation along with central trade union leaders. But the Finance Ministry refused to give the travel allowances for the other side which they have to do as per the Tripartite Agreement. Finally we sent SOS to see that the representation is forthcoming.

This is just one experience I am pointing out. Last year also, the same thing happened in the ILO Conference, when they wanted proper representation from labour. It was not sanctioned by the Finance Ministry. It is high time that proper dignity for this Ministry is obtained from the Finance Ministry as well as other administrative Ministries in this matter.

The ILO Conference is coming up this time. We have the experience that India has defaulted by not ensuring proper representation in many committees. Proper representation could not be given because there was lack of manpower in the hands of workers' and employers' delegations. Therefore, there should be proper arrangements made to see that proper representatives go there, and that in the ILO there is proper representation of trade unions and workers. This is one aspect I would like to mention.

There is another thing I would like to say, on the whole. It is about Government's view with regard to workers, and the constitutional guarantee given to employees, to uphold the dignity of labour the minimum wage which is required to be given to labour for a decent living and the need-based living wage which is assured to workers in the Constitution. The last is yet a dream.

If we analyze the wage structure of workers in India, the percentage of the wage element in the production cost of a thing is less than 15%, whereas in the developed countries it goes upto 45%. In the other socialistic countries, the requirements of the workers are well taken care of by Government. What happens here, therefore, is that the cost factor of a product which has an element of only 15% in respect of workers, I submit, itself shows that there is no due dignity given, and proper payment made to the workers of this country. This is a constitutional guarantee, but so far we have not achieved it, and we have not worked in that direction, viz. to get the constitutional guarantee for the workers fulfilled.

Then there is the attempt on the part of Government to say that the whole responsibility for retarded progress of this country, or the whole reason for not having proper

progress as envisaged, is the attitude of the labour. All the time this point is harped upon by the persons concerned at the helm of affairs, namely, that the workers are not working, they strike work, they are shouting slogans and, therefore, the country is not progressing.

I had a very strange experience, when I met the Prime Minister in a delegation of the Central trade union leaders in 1985, when the Supreme Court's decision on Article 311 came. The first response of the Prime Minister of this country, to the trade union leaders, in the first meeting which he had with the trade union representatives of this country - Shri Indrajit Gupta and we all were there - and the first question he asked us was whether in this country the worker was working. This is a prejudiced view. Persons who are holding office i.e. who are at the helm of affairs in this country have a prejudiced view about the workers. For the maladies of Government, for the failure of Government, they want a scapegoat; and they have always found a very good scapegoat, to say that the workers are not working, and therefore progress is not there.

13.34 hrs

(SHRI SHARAD DIGHE *in the chair*)

Now, I am very happy to see that many of my friends on the other side have substantiated how the workers in India have cooperated during the last year, to build up the nation. This has been seen in the Economic Survey, viz. that the man-days lost are - much less; the man-days lost on account of strike are practically very few; the man-days lost due to lock-outs and sickness may be quite high. Therefore, if the workers in India have cooperated during the last one year, and if the progress achieved is only 5.5% then the mistake lies somewhere else. But the attempt on the part of Government and the political leaders who are controlling the Government is to say that workers are at fault, for the lack of progress of this country, whereas if you look at things, you will see where the real problem lies. How much employment could be generated for persons who require employment? The names of 30.7 million people are there,

according to the Report given by your Ministry, in the registers of employment exchanges, and they are waiting for jobs. There are employment exchanges, and their experience is like this; Usually; people approach us - MPs, MLAs and others saying: 'Sir, can you lift a card from the employment exchange list for us?' That is the request with which people come to us. 'MERA NAAM BHEJ DO; Plesse see that my name is sent for getting a job,

How many jobs could be given by the employment exchanges in the country? How many Ministries have taken it up seriously that persons who seek employment should come through the employment exchanges and that there should be a regular method where the sincerity should be kept? How much manipulation is taking place in these employment exchanges even for a few jobs which are available there? Which are the Ministries, Public undertakings and sections which have not yet channelised their employment Potentialities through employment exchanges? The figure given here is 3.7 millions, but the actual unemployed in this country is much more. Therefore, the only way is to see that unemployment dole is paid to every one who is unemployed.

As a social security measure, the Labour Department should bring forward a policy, a scheme for paying unemployment dole to the unemployed people. This is something which had happened. You have mentioned in your report that 9.7 millions are the expected unemployed people; whereas it has gone upto 13.7 now. How are you going to cope up with the situation? I suggest there are opportunities available if you want to go ahead. If you are going to forge a contract with other countries where there is a potential to send labour, you can do so. China is facing a problem of highest Population on this score. Now they have entered into the world market with their people and are sending their people to other countries. Philippines are also sending their people to European countries and other developed countries where they require people. In Singapore and Germany, they also require people to work. Just like a commodity, they import People and they want people. Has the Government of India got a Programme

to see that people who can go abroad should go abroad easily and get jobs elsewhere and assist them in this matter? How many countries are there where they could enter into an agreement for labour surplus?

Recently, we are facing a new problem. In answer to one of the questions, the Labour Minister said that about 16,000 people have returned home from Gulf countries recently. So, this is going to be a further problem. Then there is a problem of sickness in industries. 1.19 lakh industries have been closed, according to this Report given to us. This had happened last year. You can imagine how many employed people will be thrown out of their employment on account of this? These are the grave problems where in the Labour Ministry could play only a very little role. According to our Constitution, according to our set up, the Labour Ministry has to look into these things and coordinate these things. There we have failed. There my submission is that the Labour Ministry is not getting a proper recognition, a due recognition on this. In this way, they are escaping the situation.

In the matter of industrial relations, you said that a new law is being put forth. I have my own suspicion. When the government thinks to bring forward a new law, they think rather in terms of regulating free trade union activities. Has any attempt been made on the part of the government not to curb any freedom or of an organised association, the freedom of independent, free, democratic trade union movement in this country? They will always hamper the right which is guaranteed under the Constitution for collective bargaining. Even the proposals which have been made, the laws which are being brought forward in this Parliament, they are always being brought forward with an interest to curb any right of collective bargaining. The approach of the government, has never been in that manner, that is a wage Board and recognition of it. Their attempt is always that trade unions are kept away from bargaining power and also deny the opportunities to have collective bargaining to get their rights. This is what has happened and this is the development which is taking place at present in this country. All the central trade unions in this country have united together

and they told the government to give them the right of collective bargaining; that is what I have heard and Mr. Gopeshwar also heard the same thing. This is also the view of the INTUC; and all the central trade unions have the same feeling that government's approach in this matter is to curb the trade unions' right. When you are framing a new law, I would like to say that the freedom which the trade unions have enjoyed in this country, should be retained. And that should never be taken away.

Sir, there are other aspects which I would like to point out but my time is very short. There are other programmes which you have at hand. There is a training programme. You have an apprenticeship scheme. What is the result? Even public sector undertakings use this opportunity for exploiting. There are apprenticeship schemes and you have taken away the right of an apprentice from a worker. It is distinguished. The apprentice has no right, as a worker. What is happening is many of the companies, which appoint apprentices use them for real production. They are substituted in the place of labour, with a lower and lesser pay and a lesser commission. So, in the matter of Apprenticeship Act, when you say that apprentices are under the Act and they are not having any right like a worker as they are working under the scheme, and subsequently they appoint them for further training and during that further training they call them apprentices. And whenever they call them for production, neither have they got any permanency nor treated as casual workers. They have no right to bonus or any other statutory benefits like provident fund or gratuity, but they will be getting the pay as that of a normal worker. Who gets the benefit? The benefit goes to the employer. The benefit does not go to anybody else and the workers are exploited. Therefore, this Apprenticeship Act and the training schemes will have to be viewed in a different manner. So, where there are vacancies available, people should be regularised in those vacancies because unless people are regularised and they are made permanent they do not get the benefits and they continue to be exploited. So, many of these people are utilised by the employers in that manner. The Supreme Court has said

in many decisions about this thing. Therefore, it should be the duty of the Labour Ministry to see that equal pay is given for equal work. If that basic principle is accepted by the Labour Ministry and this Government it will be better.

THE MINISTER OF STATE IN THE DEPARTMENT OF MINES IN THE MINISTRY OF STEEL AND MINES (SHRIMATI RAM DULARI SINHA) : If it is implemented...

SHRI THAMPAN THOMAS : It has never been implemented and the Supreme Court has said so. Even the court has interfered in this matter. But that has not been done. How do they designate the workers? They do it in a different manner. They call them casual workers, or you say temporary, or you say that they are apprentices, but you have not implemented this. The Supreme Court has interfered in this matter and said in many cases. In the Railway case they have said it, that you should pay, and those cases are pending, about all the catering workers. Therefore, my submission is that this is one of my suggestions which I make in this regard. That is that whenever the highest court in this country makes an observation or gives a decision that should be implemented without further difficulty. What is happening is one catering worker goes to the Supreme Court and gets an order in his favour. If another worker wants to have the same benefit he will also have to follow suit from the bottom. He will have to file a case to get the same benefit. Why?

SHRI NARAYAN CHOUBEY (Midnapore) : Why?

SHRI THAMPAN THOMAS : Why? That is an important question. If it is a policy matter and guidelines are given by the Supreme Court, why should not the Government *ipso facto* implement it? That is one important point which I am suggesting, that the Government should accept it as a policy that the workers should be paid equal pay for equal work. And when the court says something that has to be implemented without any further discussion. And why should there be discrimination between the employees? Everywhere, it is seen and it

has been pointed out, the Labour Ministry will have to interfere and see that there is no discrimination or it is avoided. And that is also one of the constitutional guarantees. We are not getting it. Therefore, once again I submit that the Labour Ministry has not done this properly with proper dignity. That is my feeling. And the workers should be paid, with dignity and the work is also not much appreciated. Therefore, before I conclude, I submit that due recognition should be given to the workers by the Ministry and all the other colleagues also.

[Translation]

SHRI YOGESHWAR PRASAD YOGESH (Chatra) : Mr. Chairman, Sir, I rise to support the demands for grants presented by the hon. Labour Minister, but I do not agree with some of the points raised by Shri Thampanji. I am of the view that after late Shri Anjiahji, our present Labour Minister is conducting the affairs of the Labour Department according to our expectations and the wishes of the poor. (Interruption).

I was saying that the hon. Labour Minister under his Labour Policy has changed the little of the Industrial Disputes Act to the Industrial Relations Act, which shows that the policy of the Government is in the right perspective. This would help in easing the situation of tension between the workers and the management to a great extent, which as against the interest of production and the productivity and this would pave the way for further increase in production. Like Late Smt. Indira Gandhi, Shri Rajiv Gandhi wants to take the country in the right direction and our Government wants to work for the welfare of the workers. In this connection I would like to submit that with a view to achieve increase in production and productivity, the hon. Labour Minister would have to bring about effective communication between the management and the workers. Effective communication is the only way to bring about cordiality between the workers and the management and to establish industrial peace in the country. This can also help in achieving the targetted production in the country and welfare of the workers. In this regard I would also like to

submit that the mentality of the bureaucrats working among the workers and the management should be nationalised. They are also required to be taken to that direction, because the mentality of the person sitting on the chair is quite different from that of the person sitting across the Table. This is also the main reason for industrial unrest in the country. Actually they do not appreciate the difficulties of the workers and this results in many misunderstandings.

I would also like to submit that the Labour Department should look into this aspect and in the course of management study, the persons receiving training as also the persons working as a bridge between the management and the workers should be made aware of the situation of each other and there should be effective communication between them and it needs to be made practicable from the psychological point of view. Both the view points should be co-ordinated and a situation should be created under which production and the productivity is increased in the country in a real sense. I would like to suggest to Shri Sangmaji that it should not be a one way process. Even today wherever there is industrial unrest, it is due to some misunderstanding on the part of the management lacking knowledge of correct things. I would like to submit to the hon. Minister that there are many categories of workers in the unorganised sector in the country, towards whom Government is now paying adequate attention. I had also drawn the attention of the Government towards them. Today the Government is engaged in the task of drafting a law for the child labour. I would like to express my thanks to Shri Sangmaji that he himself has visited many factories and seen for himself the condition of the Child Labour, gone through their difficulties and apprehended some persons also. Keeping in view all those things, the Act has also been amended accordingly, for which I would like to congratulate Shri Sangmaji.

Similarly, there are some unorganised sectors like that in Karnataka where workers in a very large number are engaged in the manufacture of readymade garments worth crores of rupees, which are exported to foreign countries. The tailors, who are engaged in the manufacturing of readymade

garments and our mothers as well sisters and other ladies engaged in this work in their houses are not being paid fair wages. For their proper identification, they should also be issued Identity cards. They should also be provided facilities under E.S.I.

I would also like to draw your attention towards Bidi workers. Sangmaji, Bidi workers in the country are facing a lot of problem and there is no uniformity in their wages. They are facing different problems in Bihar, Bengal and Andhra Pradesh. I have found that in corporate sector the rates of wages are higher. In Bihar, Bidi workers are paid wages between Rs. 11 to Rs. 13, in Bengal Rs. 13.75 to Rs. 18, in Maharashtra, Madhya Pradesh and U.P. Rs. 9.50, in Orissa Rs. 8.50, in Karnataka Rs. 12, in Tamilnadu Rs. 10, in Kerala Rs. 18, in Gujarat Rs. 11 and in Rajasthan Rs. 10. There is no uniformity in the rates of wages through out the country. I would like to suggest that there should be uniformity in their wages throughout the country.

Secondly, the hon. Minister of Labour has stated in Rajya Sabha that a large amount has been provided for welfare activities. I would like to say that it must be spent on constructive works. Facilities of medicines and hospitalisation should be made available to them. Crores of rupees of Provident Fund of Bidi workers remain deposited with the Government as well as with the owners and these are not being paid to the workers. The workers are not sure whether they would be able to get this money back. How would you be able to remedy this situation. I would like to suggest that all this amount should be paid to the workers alongwith their wages. This total amount works out to approx. 19.58 per cent and their wages should be increased accordingly so that they get some immediate relief. All the members of their family work together and they can not be identified separately. In the organised sector, workers employed in coal mines and steel units deposit their money in Provident Fund, but after the death of a worker, a lot of difficulties have to be faced to get back the money. Middlemen pocket the entire money. Therefore, I want to draw the attention of the hon. Minister towards this point.

The accident rate is increasing in the coal mines. The D.G.M.S. of the Labour Department is not so strict now as he used to be earlier. The inspection of the mines by these people is not done strictly according to the rules. Some shortcomings are left unchecked there which result in accidents. It is said that coal mines are like football grounds. This not only poses a threat to the lives of the people, but costly coal is also covered and there is no way to extract it out.

As time is short, I do not want to go into all the issues, but I would like to draw your attention towards the workers employed in Unorganised sector in Maharashtra. The Security staff (guards) are facing a lot of problems. There are approx. 3 lakhs of Security employees who are working through out India. The contractors of these employees in the Private Sector realise a sum of Rs. 1000 to Rs. 1500, but they are not paid anything. They are hardly paid Rs. 250 to Rs. 300 and a large number of ex-servicemen are engaged in this work. They are not provided facilities like, the E.S.I., Provident Fund, Gratuity, etc. I draw the attention of the hon. Minister to remove their difficulties.

There are certain places in Maharashtra where apprentices have been appointed in the Private Sector. Their plight is also pitiable. They are compelled to work as labourers. They are not given any training. Apprentices remain apprentices even after ten years, and they do not get any chance to learn something to enable them to improve their lot.

I want to say something about the aspect of safety. There are several private sector factories where Safety Officer is not appointed. I know of the names of several factories where the workers have died. In spite of this being in the knowledge of the people, Safety Officers have not been appointed there as per the provisions of the law. According to the existing law, the factory owners should have been arrested but they have not been arrested. Because of corruption, the cases are hushed up. In McNalli India, a company in Bihar, two or three workers have died but there is no Safety Officer there. We have come to

know that in Maharashtra in spite of the court orders, the Radha Printing and Dyeing Mill is not lifting the lock out and what sort of this lock out is? Through you, I want to draw the attention of the Maharashtra Government also that how this factory is functioning, only the workers who should have been working there are not working there and some other workers have been engaged. You should pay attention to such things and should take strict action so that welfare activities of the Labour Department are further improved.

With these words I conclude and thank you for giving me an opportunity to speak.

SHRI KAMMODILAL JATAV (Morena) : Mr. Chairman, Sir, I thank you for giving me an opportunity to speak. I also thank the hon. Labour Minister that the Government of India has set the maximum number of industries during the period of 40 years. These industries belong to different sectors like textile, coal, cement, bidi manufacturing etc. These industries have provided employment to a large number of workers.

Further, I submit that for the studies of the children of the workers engaged in these industries, hostels should be opened and for the workers, houses should be built under the Indira Aavas Yojna and other schemes at places of their work. I also want to submit that though most of the workers are organised but a large number of them is without regular employment. They get work for a few days and then remain idle. They just earn Rs. 10 in one day and remain without work for the next four days. I would like to submit to the Labour Minister, Shri Sangma, that in the Chambal Division of Madhya Pradesh there are Adivasis who have neither land nor housing accommodation. Let the Government get this thing surveyed and if it is found incorrect, I will resign. I have been repeatedly asking the Government to pay attention to those labourers who are without any means. In Morena region there are two tehsils, namely, Vijaypur and Karhal where there is no proper arrangement for drinking water. There is neither any hospital nor medicines are available. That is a forest and hill area.

In our region, at least in five tehsils, limestone required for manufacturing cement is available and limestone from Morena is sent outside. We should set up cement factories there. In other places 40 per cent subsidy is provided but in Morena the subsidy given is just 10 per cent. That is why the industrialists are not ready to set up factories in that area. I would request Shri Sangma and the Industry Minister that cement factories should be opened in Morena district. There is scope for setting up such industries in Morena. This will give employment to the people of the area.

With these words I support the Demands for Grants.

*SHRI R. ANNANAMBI (Pollachi): Sir, to on behalf of the AIADMK party, I raise in support of the the demands for grants relating to the Ministry of Labour for the year 1987-88. Workers are the backbone of the nation. If their interest is neglected the nation will suffer.

Sir, Agriculture is the axle in the wheel of all economic activities.

[English]

SHRI NARAYAN CHOUBEY: The concerned Minister is absent. They say that they are collectively responsible (Interruptions).

DR. DATTA SAMANT (Bombay South Central): There are about 26 crores of workers in the country. There is nobody to hear their problem here.

(Interruptions)

SHRI RAM PYARE PANIKA: He has been sitting here from 11 O'clock. He has just now gone out for..... (Interruptions).

[Translation]

*SHRI R. ANNANAMBI: Even, Thiruvalluvar, a celebrated poet of the Tamils, rightly remarked that farmers are the workers in the real sense; all others come next only. Therefore, the Central Govt. must take steps

to improve the lot of millions and millions of agricultural labourers.

14.03 hrs.

Every year, the Tamil Nadu Govt. is distributing free sarees and dhoties to agricultural workers all over Tamil Nadu. Rice and financial assistance are also being provided to those affected by drought and floods. The Tamil Nadu Chief Minister, Hon'ble Dr. M.G. Ramachandran promptly visited Tanjore, recently affected by severe drought and floods and provided necessary relief to the poor farmers. On this occasion, I urge upon the Govt. to come with a permanent solution to the perennial problem of drought and floods. The living standards of the poor agricultural workers must thereby be improved. Even a law should be enacted for fixation of minimum wages for agricultural workers.

Millions of mandays are lost all over the country due to strikes and lock-outs. These should be averted and a majority of these strikes arise out of deteriorating relations between the workers and management.

Sir, 40 long years have passed since our independence. Seven five year plans have been chalked out and executed. These magnificent plans were of no help in abolishing the bonded labour prevailing in villages and hamlets. Laws should be strictly enforced and bonded labour in the country should be abolished forthwith. Their rights should be protected. Their voice must not be allowed to be a cry in the wilderness. A scheme must be formulated to rehabilitate the freed labour.

Further, Sir, many women and children are employed in hazardous industries, tea and coffee plantations. Their future is gloomy. Education of their children is affected and these children grow into a big burden on the society.

Dr. M.G. Ramachandran has, therefore, devised a unique system by which child employment could be eradicated and child education is facilitated. The midday meals scheme not only provides free meals to every school-going child but also free education to it. He is doing a yeoman service to children all over Tamil Nadu. Rs. 300

*The speech was originally delivered in Tamil.

crores are spent on this count. The State Govt. is contemplating to expand the scheme this year. It may require further sums.

If the Central Govt. takes up this scheme on its behalf and implements it as a National Scheme, it would not only benefit children all over the country but also become a potential weapon to fight illiteracy. I, at this juncture, urge upon the Govt. to treat the expenditure incurred by the Tamil Nadu Govt. on the scheme as a Plan expenditure allocated for the State. Govt. must look into this matter for favourable consideration and in the interest of creating a literate and useful generation.

Further, Sir, millions are employed in cotton-ginning industries all over the country. These employees are prone to many incurable diseases by virtue of their employment in this profession. The most dreadful among them is TB. Their health crumbles first and, thereafter, the whole family wallows in poverty. I bring the pathetic condition of these poor workers to the notice of Hon'ble Minister.

The late Prime Minister Smt. Indira Gandhi introduced many schemes for the welfare of the masses. One of the Scheme provided for voluntary retirement by Govt. servants after 20 years of service. 50% of the pecuniary benefits for the rest of the service, which the Govt. servants would have received had they continued in service, was paid in lumpsum to them so that it could be used for the betterment of their family members. I urge upon the Govt. that a scheme on this model may be evolved and implemented in respect of cotton-ginning employees afflicted with TB.

There are also millions employed in Beedi industry in this sub-continent. Beedi making is their mainstay. However, they do not get reasonable remuneration. Beedi workers are also prone to diseases like TB. Steps must be taken to improve their conditions. A lumpsum payment must be made to the beedi workers afflicted by TB by the Government after arriving at a suitable arrangement with the owners of the beedi factories. Besides, I emphasise the need to provide Govt. employment on priority basis to the wards of beedi workers afflicted by TB and other

diseases contacted owing to their occupation.

About the plight of Hotel employees, I need not say much. They are employed in small to big hotels. They do not have job guarantee. They do not have an assured remuneration. The Hotel owners supply concocted figures to the Govt. to show that they are paying their employees well. These Hotel employees, because of their conditions, have no go, except to suffer the situation silently. The Central Govt. must send their Inspectors to these Hotels to find out the real facts so that their lot may be improved.

Next about the plantation labour. In my constituency, in Wallparai, men, women and children are employed in tea and coffee plantations for more than 10 years, however, their services have not been made permanent. The same is the case with plantation labour in Kerala and Karnataka. I request the Govt. to direct the Plantation owners to regularise the services of these employees. If this is done, they will get an assured income and job guarantee. Lastly, about the setting up of labour courts. Sir, we have national tribunals for adjudication of labour disputes in Delhi, Calcutta, Dhanbad, Asansol and Bangalore. I urge upon the Govt. to take necessary steps for setting up a National Tribunal for settlement of labour disputes in Tamil Nadu also.

I once again welcome the demands for grants relating to the Ministry of Labour.

With these words, I conclude.

SHRI ANADI CHARAN DAS (Jaipur):
Mr. Chairman, Sir, supporting the Demands for Grants in respect of the Ministry of Labour, I would like to submit certain things before you. The Hon. Members have been discussing this thing. Earlier we used to have trade unions only but now the owners have also formed their organisations. These owners' organisations are so strong that they swallow the trade unions formed by the workers and our Government maintain better liaison with these organisations.....
(Interruption:). What are we doing for the unorganised labour?.....(Interruptions).
At least some one has got the work. The

number of those who are unemployed is quite large and work is created for them in all the sectors like agriculture, industry or construction. Every contractor has workers for doing work. They are not organised. Even in the institutions like the Construction Corporation or the Bridge Corporation the workers are not permanent. The objective behind setting up of such institutions was to give protection to the workers who were not being taken care of by the contractors. Now if the same contractors and workers are working for the Construction Corporation, then what is the difference from the earlier set up. These corporations were constituted to establish socialism in the country.

SHRI SAIFUDDIN CHOWDHARY (Katwa) : This is incorrect.

SHRI ANADI CHARAN DAS : What is incorrect. Are the Communists functioning properly? Who removed the Rajas? The Congress Party did it. It was the Congress Party who abolished the Zamindari system.....

SHRI NARAYAN CHOUBEY : Who made the Raja a Minister? The Congress Party made him.

SHRI ANADI CHARAN DAS : We are adopting the socialistic programme. Is it not a socialistic programme? I want to give certain suggestions to the Labour Minister. Employment is provided in the rural areas under the RLEGP. The people there get hardly 50 to 60 days' work. My area is a backward area. People there do not get work for 100 days, though you have said that they would get work for 100 days. The officers there get their thumb impressions and include their names in the list. They get some work in the forest but others do not get work even for 50 days. Therefore, you should make arrangements that they may get work at least for 100 days. The Labour Ministry should do something in this direction. The officers of the Labour Ministry monitor the works. They should see whether the people there are getting work for 100 days or not. One thing I want to say about the agriculture sector. I suggest that labourers working with the big farmers;

having 10 acres or more of land, should be made permanent. They should get gratuity and the facility of provident fund. These landlords exploit the agriculture labours. Therefore, the Government should pay attention to them so that these people may also progress. They get work for one day and are not sure whether they will get any work next day or not. Something should be done for them also on the lines you have taken welfare measures for bidi workers.

I would like to say something about rickshaw pullers also. According to my survey only 2 per cent of them are able to progress; the remaining 98 per cent lead a miserable life. They die in this profession. Their rickshaws also get worn out and they too become old while drinking liquor and pulling rickshaws. They are not able to progress, whether they are city rickshaw pullers or those who are doing this work in rural areas. Their condition is miserable. The Government should do something after making proper studies in this regard. As you have done in the case of bidi workers, their children should also get stipends. No man-power planning has been made in our country. Distribution of work earlier in vogue is gradually being done away with. It is a good thing. But you have not been able to strike a balance between man-power planning and distribution of work. The Government has not so far been able to reach upto that point. Now if one person in a family gets service, then his generation gap is reduced. Therefore, I suggest that you should formulate a new policy based on the principle of 'One family, one job'. One more suggestion I would like to give and that is, the service period in the Government as well as semi-Government jobs should be 20 years and after that 10-year pension without interest should be given to the employees so that they may be able to set up their own enterprises, they are able to create some employment opportunities and also the children of other families who have got the education and are sitting unemployed may be provided with employment. This will on the one hand ameliorate their condition and on the other hand there will be lesser generation gap. Presently the situation is such that when a member of any family gets employment, the condition of that family

improves and other members of that family start entering the service but the rural children remain idle and unemployed after getting the education. As they are unable to get employment, a sense of frustration starts haunting them. I would, therefore, request that action should be taken on my suggestion after studying it properly as it is beneficial to all.

As is known to every one, a large number of Adivasis work in coal mines and they are earning so much that they have to pay income tax. But the Government has not thought anything about their next generation. The situation is such that their children are unable to get education; there is no one to look after them. Since the time of nationalisation of coal mines, the Officers of the Government are not at all bothering for the welfare of the Adivasis. At least arrangements for education and health care should be made for their children. They should also get proper amenities so that they are able to march forward on the path of progress along with other people of the country. If they lag behind, our dreams will not be fulfilled and how will they feel when their expectations and aspirations are not fulfilled? Do you want to take the country forward only with the support of the rich, capitalists and affluent people and do not want to pay attention to the poor, the have-nots, Harijans, Adivasis and agricultural labourers. The number of such persons is quite large and without taking them along with you, it will not be possible to take the country forward. Therefore we should pay full attention towards them. You should look towards the poor, Harijans, Adivasis and see as to what is their condition. When you formulate your policies keeping in view their condition, only then the country will be able to march forward speedily on the path of establishing a socialistic society as mentioned in the Preamble of the Constitution.

SHRI RAM PYARE PANIKA (Roberts-ganj) : Mr. Chairman, at the outset I would like to thank the young Labour Minister for providing us such a detailed factual literature regarding the Labour Ministry that it will open the eyes of our hon. Members and the people of the country if they go through it, and also for the five new laws

which were passed during the last one year for the welfare of the working class. They include the Cine Workers Welfare Fund, the Factories Act (security of workers in factories), the Labour Welfare Fund (for the welfare of workers) and four other Bills regarding payment or gratuity. Besides, nine other Bills to amend various Acts are under consideration, out of which the Bills for amending the Industrial Disputes Act, Trade Union Act, Employees Provident Fund Act, Employees State Insurance Act, Contract Labour Act, Plantation Labour Act and the Equal Wage Act are the most important. These Bills will be introduced in the House for consideration shortly. The Labour Ministry deserves congratulations for all these achievements.

Sir, I would like to make one thing very clear in the House that the distribution of work among the various departments is not properly done. The duty of our Labour Ministry is to enact laws for the welfare of the workers. It can enact laws on the Central subjects as well as the State subjects but the implementation of these laws is the responsibility of the State Governments. It would, therefore, be wrong to blame the Central Labour Ministry for those things for which it is not responsible at all. If the West Bengal Government has ruined the jute industry there, what the Central Labour Ministry has to do with it. We are here to be vigilant about the labour-management relations in our country. I can confidently say that the loss of mandays on account of strikes and Call-off has been less and as compared to that due to the mismanagement. So far as mismanagement in West Bengal or in any other State is concerned, the Central Labour Ministry is not at all responsible for it. Other departments are responsible for it. We should, in fact feel proud of the achievement of our Labour Ministry that the loss of mandays during 1985-86 has considerably decreased in comparison to the previous years and due to the untiring labour of our Labour Ministry, it will continuously go on decreasing. But now the time has come when the Central Government, in stead of remaining a silent spectator, should take some concrete steps to see that the State Governments comply with the laws relating to the labour welfare.

The laws enacted for the workers engaged in the unorganised sector are eye openers for us. The Central Government made laws relating to bonded labour and the minimum wages and also tried to publicise them by appointing workers at Block-level on a monthly payment of Rs. 250, but many State Governments, some Congress governed states may also be there, have misused the funds and laws. (Interruptions) I would request the hon. Minister to authorise the Labour Commissioner to supervise this work in his area and, if necessary, suitable amendments be made in these laws and the State Government not copying with these laws should be taken over.

Now the words like the Private Sector, Public Sector, Co-operative Sector, Joint Sector, etc. have lost their significance. Today, even the people in the Public Sector are not complying with the laws. The high officers, bureaucrats and engineers of the public sector do not listen to the Labour Inspector, Shri Choubeyji might be knowing about it that the workers of NTPC, Rihand Nagar have demanded the minimum wage under the existing Contract Act or the Minimum Wages Act. It was the responsibility of the principal employer but the poor workers are not being paid the minimum wage in connivance with the contractors. Whenever there is any agitation for this purpose, the big contractors implicate the labour leaders in false and despicable cases in connivance with the police. To-day, in many states the morale of the labour leaders is being lowered by implicating them in criminal cases. Not only in Project Rihand, but also in any industry situated in any State, you will find that the people demanding more wages are implicated in criminal cases and are put behind the bars. Today the principal employers give less wages to the workers in collusion with the contractors. Not only this, they encourage a quarrel between the workers and the contractor. Therefore, I would like to say that if you determine the minimum wages, you should also share the responsibility along with the State Government in its implementation.

So far as the rural workers are concerned, you have fixed minimum wages for them, but I think, while fixing the minimum wage

for the particular area we should not take decision merely on sentimental basis but per acre production of that area and the income of farmers should also be taken into account. The Government should appoint its own officers to establish cordial relations between the farmers and the agricultural workers. If the farmers' income increases, then there is no reason for not paying them minimum wages to the agricultural workers and if they do not pay, then it is the responsibility of the Government to ensure that minimum wages are paid to them.

Just now the question of bonded labour has been raised. In this regard I would like to say that today the officers are making money. In this connection I would talk about my own constituency. You conduct an inquiry in Mirzapur. The S.D.M. Mirzapur has distributed money among the servants of big people who are neither bonded labour nor living below the poverty line. Half of the amount has been given to them and the other half has been pocketed by the SDM himself and some money has also been given to their employers. Actually there is no one to identify the bonded labour. You should issue guidelines. I can definitely say that such bungling is going on in Mirzapur tehsil in Uttar Pradesh and also in West Bengal. You can conduct an inquiry into it. Under the 20 Points Programme, we have fixed the number of bonded labourers to be got released and after they are got released another number is allotted to them. In this way they are indulging in misappropriation of funds by showing fictitious names. You should be cautious about it.

I would like to point out that there is no much parliamentary constituency where more than five lakhs workers are working. I have the experience of twenty big industries both in the private and public sector. There is a big complex of 10,000 MW. in my area. I would like to tell you that keeping aside your Factories Act, they are running their factories with the help of contract labour. Big factories are also doing so. Even they are taking work from these contract labourers against permanent posts. In this regard you should conduct a survey throughout the country. You have made the laws but who will implement them.

Today 200 to 5,000 contract labourers have been working in the factories for the last 15 to 20 years and they are being exploited. You should definitely establish some effective machinery to check such things. I do not say that other States do not have this problem but it is there in Mirzapur.

[English]

That has been opened for watching the interests of the employers and not the interests of the workers. This is there simply because Centre has nothing to say in State Administration.

[Translation]

Now it should be decided and the hands of the Labour Minister should be strengthened to deal with such cases.

I would like to say one thing about bonus. In 1972, the bonus was raised from 4 per cent to 8.33 per cent but now the time has come when it should be increased to 12 to 15 per cent. You have also put ceiling on the maximum bonus. I want to know as to why? If any company earns more and want to pay 20 per cent or 25 per cent to the workers or the workers have enough bargaining power to get more bonus why the Government should have any objection about it. You should fix the minimum percentage of bonus but no limit should be imposed on the maximum percentage. Today all Government undertakings are inviting or selling bonds on 15 per cent. The interest on provident fund which was ten per cent or so, has been increased to 11 per cent. You should definitely declare in the House that the interest on Provident Fund has been increased to 17 per cent. I am the member of the standing committee on Employees State Insurance. There has definitely been some improvement in this regard but some hon. Members have raised some points. I would like to request you to take over the entire administration. The State Government are controlling the entire administration by merely paying one per cent of the amount. Today the workers in factories get medical certificates on fake grounds in collusion with Doctors. I would like to say that the Chairman of the ESI administration is competent and he can look after the administration

all over the country. You should expand its jurisdiction. In 90 per cent workers belong to rural areas why you do not make the arrangement of ESI in rural areas.

The C.P.I. and the C.P.M. fight for 10 per cent of workers and agitate in the name of public sector. They misguide the people of India with the plea of protecting the public sector. Today an atmosphere has been created under the leadership of Shri Rajiv Gandhi thereby all the public sector industries have started yielding profit. Shri Rajiv Gandhi has cautioned that no one will be forgiven if they do not yield results. But it is unfortunate that the C.P.M. cadre has ruined the Jute Industry in West Bengal and they resort to bribery in collusion with the high officials. I had been to West Bengal. I was told that big leaders have links with their officers. I demand that you may please constitute a special committee to enquire into the Jute Industry. Everyone knows what the C.P.M. Government has done with the Jute Industry. Not only this, you may also take the case of Bombay where Shri Datta Samant has done nothing except inciting the workers. This has been a negative role there and he has not done any constructive work there except inciting the workers. You might have seen that no strike has continued for such a long period. Sometimes people fall prey to his tricks. I know how he has become so popular. If I demand Rs. 10, their demand will be more than that. If Shri Sangma gets Rs. 20/- sanctioned, they will praise him. He puts forth his demand without going through the balance sheet or ascertaining the economic condition of the factory. The Government had to take over 13 factories. Had his demand been accepted, all the factories would have to be taken over. Before putting forth any demand the economic condition, the financial constraints and the social condition should also be taken into account. The history will never excuse him for the grave injustice he has done to the workers.

[English]

I challenge Dr. Datta Samant that his demand was irrational.....(Interruptions)...

DR. DATTA SAMANT : I have got the balance-sheet here. He is talking partially. I raise a point of order.

MR. CHAIRMAN : There is no point of order.

DR. DATTA SAMANT : 6,300 workers are drawing more than Rs. 3,000 because of my movement, not because of your rules & regulations.

MR. CHAIRMAN : We are discussing the Demands of the Labour Department. We are not discussing Datta Samant.

[Translation]

SHRI RAM PYARE PANJKA : Now I come to labour. I would like to submit to the hon. Minister that he should make a law - a stringent law - which should be made uniformly applicable to the public sector, the private sector, the joint sector and the cooperative sector. If somebody commits any crime, you should punish them uniformly.

Secondly, a number of factories do not work in accordance with the Factory Act. They have not been able to provide housing accommodations to those workers who have been working for the last 20 years. They made excuses. The workers should be provided residential accommodation and the facility of education. I have highest regards for Shri Samant. But sir, unless these facilities are made available, there will be no change in the atmosphere there.

Lastly, I express lots of thanks to Shri Rajivji, It is for the first time that attention has been paid towards the labour by the young Prime Minister? He has said about setting up a Commission. I am sure that with the setting up a Commission it will be possible to protect the interests of the crores of agricultural workers in the rural areas to achieve a coordination between the interests of the workers and the farmers. I want that the interests of all the workers in the country be legally protected. Therefore, I demand that you may please make a comprehensive law.

Sir, with these words, I expres my thanks to Shri Sangma, his Ministry for their devotion in discharging their duties with alertness and for supplying this literature. I invite him to my area to see the condition of

5 lakh labourers. He has kindly agreed to go there. I am sure that he will go there and see the condition of the labours there.

SHRI NARAYAN CHOUBEY (Midnapore) : Our Labour Minister, Shri Sangma, is a friend of mine. He is a very good man but has been placed wrongly. Our labour scenerio is very bad. It is bad for labour. 1 lakh 30 thousand factories have been closed. They are not working and their 1-1/2 crore workers have been rendered jobless. 3 crore registered persons are jobless. (Interruptions) There are 44 lakh such persons in Bengal and their number is 53 crores in the whole country. A large number of people do not get their names registered. Thus 10 crores are unemployed. These 10 crore people are jobless even after 40 years of independence. India's position in the matter of unemployment is first in the whole world. It is so when our own Government is in power. Our employment potential should increase. New factories should be set up where workers could get jobs. But we are importing computers and resorting to more and more mechanisation with the result that employment potential is decreasing in India.

In fact, the Central Government imposed a ban on employment three years back. They say that the ban has been lifted. But there are Jakhs of vacancies in the Railways. P & T and Defence which are not being filled up.

As regards the minimum wages, it has been decided time and again that it should, at least, be above the poverty line, not below that. In 1984-85, the poverty line was upto Rs. 7,300/- per year in the urban areas and Rs. 6,400/- in the rural areas. The Standing Committee on labour has decided that the minimum wage should not be below than the poverty line. Unfortunately, in Delhi the minimum wage is Rs. 447 per month and in Punjab it is Rs. 475 per month. You cannot blame somebody else so far Delhi is concerned. In Delhi the minimum wage should be Rs. 608.30 per month but it is Rs. 447/- only. You should fix the minimum wage, keeping this rate in view. Those people who are already employed, do not get full employment. They might be getting employment for 100 days in a year. If you go into it, you will find that the wage we are

paying to the labourers is far less. Our Labourers are living below the poverty line. You should think about it. You are harsh on workers. Whereas you stand before the owners with folded hands:

'NAMASTUBHYAM BIRUPAKSHYA
NAMASTE DIVYE CHAKSHUSE'

We observed a day's strike on 21st January i.e. regarding employment in the public sector. You know that the coal India limited has said that they would deduct 8 day's salary. What a justice is it? "ANDHER NAGARI CHAUPAT RAJA; TAAKE SAIR BHAJI TAAKE SAIR KHAJA". For only one day's strike, these will be a deduction of 8 days, salary. In this connections our trade unions write to all concerned including Shri Sathe. But no action has so far been taken. The Trade Fair Authority has also started victimising, the workers.

Our friend was about to speak but he did not speak. In the HINDALCO while demanding minimum wage our trade Union leader Comrade Shri Dwagika Nath was....

SHRI RAM PYARE PANIKA : Not HINDALCO. It is about Rihand.

SHRI NARAYAN CHOUBY : The contractor filed an F.I.R. and Comrade Dwarika Singh was arrested on the basis of that F.I.R. You should know that when a bail petition was moved after 1-1/2 months, the Government of Uttar Pradesh imprisoned Comrade Dwarika Singh under the National Security Act without any reason. I would also like to request Shri Buta Singh that the National Security Act should not be invoked when a demand for minimum wage is made. The Government of Uttar Pradesh has done so.

DR. DATTA SAMANT : In my case also it was invoked three times.

SHRI NARAYAN CHOUHEY : That is why you have become an M.P. Will he also become an M.P.? I would like to suggest that such things should not happen. It should be looked into.

Sir, now an amendment is being brought forward in the I.D. Act, P.U. Act. It is

not known what is going on secretly. It is not known as to what do you want. It is going to be decided that if anybody wants to form a trade union, there should be 25% membership. It is a very clever trick. What type of democracy is this? We will not allow it to go on like that. If somewhere brokers of the owners have formed a union, and we want to form a union there, then it will be recognised only when it has 25% membership. It means you want to encourage a bagus union or a union of brokers of the management. We have a right to form associations. You are imposing restrictions on it. We have been demanding time and again that unions should be recognised on the basis of secret ballot. Why do not you accept this suggestion? You indulge in tall talks about democracy. India is the biggest democracy where the President is elected through votes. Ministers are elected through votes, similarly Shri Rajiv Gandhi becomes the Prime Minister. Our unions should also be recognised on this basis. There should be a provision of a secret ballot. All these things should be incorporated in the new Bill. This matter should be discussed with the Members of all the Central Trade Unions. This is my suggestion.

In Bengal Rajiviji organised big meetings and we listened to them. He is of the opinion that if Gujarat type settlement is accepted, all problems the chatkal will be solved. We enquired about the Gujarat settlement and came to know that 40 per cent labourers were declared surplus as a results of this settlement arrived at in respect of the textiles industry in Gujarat. What a golden hand shake. It means that the worker gets 5 to 10 thousand rupees and loses his job. Bid farewell and go and resort to farming at home. As regards this scheme, it should be so that.

[English]

an employee must have a certificate from the employer that the factory is closed down permanently.

[Translation]

It is also not available Thousands of people are loitering about in Bombay. It is

a golden hand shake. What is the condition of our CHATKAL. The Government of India released Rs. 250 crores for our CHATKAL. But not a single paisa has been given to the Government of West Bengal. It will be given to the owners. In spite of that it was not given. If they apply, they will get. If this scheme is made applicable to the CHATKAL.

[English]

80,000 will be rendered surplus in the CHATKAL.

[Translation]

Just now, one of our friends, who is a friend of the poor, said that a Committee be formed. I want that a Committee be formed and only that person be taken on the Committee who can travel and see.

[English]

And who is responsible for all those things ?

[Translation]

The owners of the Jute Mills have swallowed Rs. 52 crores of the Provident Fund. Why do not you send them to jails. He will make the payment from the money you have released. You should think about it.

[English]

Don't you feel ashamed of this ?

[Translation]

SHRI SAIFUDDIN CHOWDHARY (Katwa) : It should be analysed.

SHRI NARAYAN CHOUBEY : It is all right, it should be analysed. There is one point regarding the consumer price index also. In Bombay, Kanpur or Delhi, wherever meetings were held between the I.N.T.U.C. and the Regional Labour Committees, the labourers including the INTUC pointed out everywhere that efforts are made to show the price index at a lower scale. I would like to say that they did not supply the facts

and figures as were demanded. The owners are protected and the poor people are exploited. The Government should look into it before the consumer price index is announced as otherwise the mill owners' pocket crores of rupees which should be paid as D.A. to the employees. In Chatkal the industrialists have pocketed Rs. 52 crores and Rs. 100 crores in the whole country. I want to know as to what has the Government done ? The Labour Department will say that it does not possess the necessary powers but the Government has these powers. If 2 or 4 mill owners are imprisoned, we will raise the slogan of 'Zindabad' otherwise we will say, 'Murda-bad'. Kindly look into it. Many of our hon. friends have talked about the unorganised sector.

SHRI JAGDISH AWASTHI (Bilhaur) : Has your Government sent them to prison ?

SHRI NARAYAN CHOUBEY : I can send them to jail but then you might dismiss my Government. Every Member has referred to the unorganised sector and the agricultural labour. The minimum wage which is fixed is not paid. Something should be done to see that it is paid. It also be seen that what else they can get. The construction labourers are exploited to the maximum. The contractors who work around Delhi do not have any labourer from Delhi. The labour is from U.P., Bihar, Madhya Pradesh and Orissa. Where will these people live and sleep ? The police is also in collusion with them. They are bribed by the contractors. If we complain to them, then.—

[English]

They are beaten and assaulted. Even that right they have lost. This is going on in the capital of India and where you are a Minister, in the Ministry of Government of India. You are a gem.

[Translation]

What happens to the casual labourers in the Public Sector ? I will like to submit about the N.B.C.C. You also have been talking about the N.B.C.C. (Interruptions)

SHRI RAM PYARE PANIKA : Today the hon. Minister has assured that as regards the labourers in the N.B.C.C. something will be done by tomorrow...
(Interruptions)

SHRI NARAYAN CHOUBEY : In the N.T.P., laws are there regarding the regularisation of service. But in the N.B.C.C etc. even God does not know what is happening. There is so much of exploitation, people observed hunger strike. You demolished their houses with the assistance of the police.

[English]

Can you do something for them ?

[Translation]

Even the requests made by Shrimati Mohsina Kidwai do not help. Hon. Prof. K.K. Tewary does not pay any attention. They are forcing workers to go to the High Court and the Supreme Court. You are a good man, a gentle person and a friend of the poor. But what is the use of a cow which neither gives milk nor gives birth to a calf. Hence, you should either do something after acquiring some power or bid good-bye life Shri Ashok Sen. You should also do something. Thereby you will be able to maintain your self-respect. We expect that you will take some action after acquiring some power. What is the use of your being a good person, when the poor are dying, casual labourers are dying. Even the wage of one day's strike is being deducted. I want to reiterate that a cow which does not give milk or a calf is of no use. You should take some steps in this regard and with these words I take leave of you.

SHRI JANAK RAJ GUPTA (Jammu) : While supporting the Demands for Grants of the Ministry of Labour. I would like to present some problems to the hon. Minister. There is no doubt about it that our hon. Minister, Shri Sangma is very efficient and take interest in the work of his Department and the Welfare of the labour. There has been enough increase in the production. Labour disputes have lessened and growth rate has also increased. But there are certain points to which I want to draw his attention.

Several Bills were passed in 1986. Our labourers have been benefited thereby to some extent. The labourers are the backbone of the nation. I want to draw his attention to 2 or 3 points regarding the welfare of workers, It is not enough to make laws but you have to ensure that they are implemented. In fact not many workers have been benefited. Undoubtedly there is substantial migration of our labour to the Gulf countries particularly, those countries where roads, hospitals and airports are being constructed and there most of the construction labour is Indian. These people go there for employment because they are unemployed. In Delhi there are some people who indulge in frauds. For example, from my constituency, particularly the backward areas of Poonchh and Rajauri the people come to Delhi and approach these people who promise to arrange employment for them abroad and in this process they take Rs. 15 to 20 thousand from each of them and thereafter deceive them.

15.00 hrs.

In spite of the fact that I have brought it to the notice of the Authority concerned several times. I have also wrote to your Ministry, but there is no respite from this malady. These poor people come here and go back, but there is no one to enquire into their cases. In this way our poor people suffer a loss of lakhs of rupees. Similar is the case in regard to the child-labour. You may see anywhere, in industries, in hotel, in homes and everywhere you will find children working and doing full work in spite of their tender age which affects their health. They become old before time due to working hard. Though there is a law against it, yet in no case punishment has been given to the owners. There is no one to see that they are not employed in industries or in hotels. Nothing has been done for their betterment. These are the things which are required to be looked into.

15.01 hrs.

[SHRI VAKKOM PURUSHOTHAMAN
in the Chair]

Now I will like to submit 2 to 4 points more. In our country men and women both

work as labourers. But a woman is paid less as compared to a man, though she has to do equal work. We should pay attention to this injustice as well. When today on the one hand, we talk about the welfare of women, about their progress and about giving them equal status and on the other they are paid less wages. I cannot understand it. When they are doing equal quantum of work, there is no justification for paying them less wages.

The subject of Provident Fund has extensively been discussed in the House. It is, in fact a very important issue. If the Government has not been successful in achieving its aims, then it should frame a law or simplify the existing procedures to ensure that an employee is able to get his Provident Fund and other dues soon after his retirement from a factory. So long as cases are not settled, their money is used by the mill-owners and the employers. The Government should look into it because it has been a matter of much discussion and the people have to face considerable difficulties as well.

Now I want to draw your attention towards my State. You are aware that the climatic conditions of Jammu and Kashmir are such that the people can get work only for 6 months in a year. When late Shrimati Indira Gandhi was the Prime Minister, a decision was taken by the Ministry that for the artisans, whether they are engaged in embroidery work, or in stitching etc., an air conditioned Centre should be built so that they were able to do work during winter seasons and training, etc. could also be given to them. If this experiment is proved to be successful, many such centres should be opened so that work could be done throughout the year and the trouble of the people was removed as well. But it is a matter of regret that attention has not been paid to it. Apart from this, several people from our State go to Punjab, Delhi and other States in the country to work there. But wherever they go they are not able to get accommodation. I request the hon. Minister to set up some *sarais* for such migratory labour so that they do not have to face any difficulty in getting a roof over their heads and in their smooth working. Finally, regarding the Jammu district, I want to

submit that most of the labourers there do not have any houses to live in. These poor people either live in hired accommodation or in the houses belonging to those people who have left for Pakistan, allotted to them and each room is shared by 2 or 3 families. I would request that such a law should be enacted so that they could feel that the Labour Department is doing something for their welfare. I feel that hon. Shri Sangma and his Department are doing considerable work for the betterment of workers, for increasing production and for better relations between the management and the labour but there is a need to make some more effort in this direction also. So that the labour welfare laws can be implemented fully and the facilities thereunder can be provided to the workers to enable them to work hard for achieving increase in production in the country.

With these words, I support the demands of the Labour Department.

SHRI HARISH RAWAT (Almora) :
Mr. Chairman, Sir, I want to congratulate the hon. Labour Minister for two points. Firstly, the last year was a year of Labour Peace beyond our expectations in the prevailing circumstances. The important reason behind it is that the workers have full faith in the Government and in the leaders. I do not say that the Government or the employers granted whatever they had demanded. In spite of the fact that the employers made efforts to create conditions for labour unrest in the country, relative peace was maintained by the labourers due to their faith in the policies and intentions of the Government and our Labour Ministry also played an important role in it. I hope that next year will also be a year of labour peace as well as a year of increased production, although the Labour Department will have to do a lot of hard work to achieve these objectives. For this purpose strong steps will have to be taken to implement the existing Labour Welfare Laws as well as those framed last year. But the present situation is a matter of great concern. I want to bring it to the knowledge of the hon. Minister that the most of the Labour Laws are not being complied with due to lack of commitment on the part of the machinery responsible for ensuring their compliance.

As a result, the workers are being deprived of the benefits to be accrued there from. The officials apply these laws arbitrarily. It has been often seen that laws are applied for the benefit of the employees instead of the workers and in this way they are misused. Therefore, I will request the hon. Minister that in order to fulfill the responsibility of ensuring compliance of these laws, persons with a sense of commitment to and faith in the policies of the Government should be recruited. Along with it there should be some such bodies or organisations to see that whether these laws are being implemented or not. Proper monitoring should be done by them. The Ministry of Labour accomplishes the task of making laws and giving replies in the Parliament to a considerable extent but as regards the implementation of these laws, it does not have an upto date machinery to see as to how these laws are being implemented. Until effective machinery for this purpose is set up, the hon. Labour Minister will have also to face such a criticism in the years to come.

I want to draw the attention of the hon. Minister to two or three points. There are not enough laws for the unorganised sector and a few laws that we have are ineffective and I do not think that our unorganised labour which forms 90 per cent of the total labour in the country is benefited by these laws. It seems to me that our Ministry of Labour is working under the pressure of the lobby of the organised sector. The voice of the unorganised sector is not heard. They are exploited and we have expressed their anguish inside and outside the House. Whether they are exploited in the agricultural sector, in the bidi manufacturing units or in any other sector, I do not want to go into it but stories of their exploitation are published in the newspapers constantly and are reaching the Government as well. In this connection, the successive Labour Ministers have been giving assurances that steps will be taken to improve their lot but no effective step has been taken so far. I want to urge the hon. Minister that such laws should be framed in the coming years so that the miseries and the difficulties of the unorganised sector are removed.

Mr. Chairman, Sir, our Public Sector Undertaking should serve as a model. But

in matters of complying with the Labour laws, the Public Sector Undertakings violate laws more than the Private Sector. In this connection, our Shri Choubey and hon. Shri Ram Pyare Panika have stated that all the Public Sector Undertakings are not so but most of the Public Undertakings exploit the workers arbitrarily in the name of contract labour. The managers carry on their work in collusion with the contractors, who supply labour. These labourers are unskilled and are suppressed. Sometimes they are dismissed from service and sometimes they are otherwise victimised. Therefore I would like to urge upon you that if the Private Sector complies with these laws, they will have to face some difficulties but these difficulties can be overcome steadily and we should overcome them. Our efforts should be to make the Public Sector a model. If the Central Government is not able to ensure strict compliance of the laws by the Public Sector undertakings, then the people will definitely doubt our honesty. I hope, the hon. Minister will pay attention to this matter in future.

Our I. T. Is are responsible for trained man power. I think, the hon. Minister is aware of their deplorable condition. Instruments are not available there. The training which is imparted there is inadequate. So much so when a person approaches an employer with a certificate from these institutes, he is exploited. It is because he does not possess any practical knowledge and that is why he is fully exploited. Therefore, I will request the hon. Minister that the I.T.I., in whichever State it may be, should be a model and there latest techniques should be provided. Until this is done, and until instructions are given to the State Governments to modernise these institutes and make the latest techniques available to them, we will not be able to benefit the workers at all. I want to request you that the Labour Ministry should not be given the work of issuing guidelines because if they do so they will not be able to have any effective control over the I.T.Is. The Government should pay attention towards streamlining the working of these institutes.

I want to draw your attention towards Employment Exchanges as well. At present there are more than 1 crore people in the country whose names are registered in

Employment Exchanges and there are also a large number of such people who get tired of taking rounds of employment exchanges but their names are not registered. Corruption is rampant in employment exchanges these days. Candidates have to pay fees for getting their names registered in these exchanges. They have to pay money again to get their names sponsored. In major cities, one has to pay Rs. 1000 and in the smaller cities an amount of Rs. 500 has to be paid for getting names sponsored. You can ask for the list and you will find that there is no priority, there is no system for sponsoring names which can give an indication that names are sponsored without making payment. An unemployed young person, who has spent the money of his parents on education and thinks that he has to build the nation, but when he goes to find a job, he has to bribe to get his name registered and also to get his name sponsored and finally to get employment. In this manner, how will he serve the country and the society. He is being perpared to feel that he has to indulge in corrupt practices after getting a job. The management of the employment exchanges was handed over to the State Governments as per recommendations of the Shivaram Committee and the expenditure of which is shared by both Central and State Governments. In this connection I want to submit that the Centre should take them over without bothering about the expenditure or at least some mechanism should be evolved to ensure that they do not become dens of corruption and are not able to mislead people. At present their condition is deplorable and your Ministry is not aware of it. If it had been familiar with it then somewhere at least, some action would have been taken against some or the other Executive Officer at the Centre or in the State. I can challenge that even if an hon. Member of the Parliament recommends someone or even if he goes there himself, the name of that candidate will not be registered. Unless he pays money, his name is not registered or sponsored. You may write to them. You will find the names of people registered 10 to 12 years back. So much so that they are tired and have stopped depending on these employment exchanges and have even forgotten that their names were ever registered there. You try and ask them to sponsor the name of any of the candidates,

you will find that they will not be willing to do so without receiving payment for the same. The condition of the Employment Exchange in Delhi is worse than that of those in States. As the salary is higher in Delhi so the fees is also higher.

I want to make one last submission. The question of bonus should be reconsidered. The limit of bonus should be increased keeping in view the all round increase in prices of commodities. The demands of the employees should not be rejected in this regard. Some organisations are reluctant to pay bonus. I want to request that there should be a clear of national policy and a uniform standard in this regard.

With these words, I support the Demands for Grants of Ministry of Labour and congratulate the Minister for maintaining labour peace and hope that the situation will further improve next year.

[English]

SHRI BHADRESWAR TANTI (Kaliabor): I thank you for giving me this opportunity to participate in the debate on the Demand for Grants pertaining to the Ministry of Labour. As the intention of the Demand is for the working class, I support it. But my apprehension is that the unemployed persons of this country are unhappy by this Budget because there is no commitment for the unemployed people in India.

Everyday, the unemployment situation in the country is getting into an alarming position. I would like to point out that the Government has put a ban on the recruitment of personnel in any category. Sir, I submit that in the North-Eastern region of the country, the working class are suffering more than those in any other part of the country, particularly so for as the Tea Garden labourers in Assam are concerned. It is a well-known fact that Tea earns about 66% of foreign exchange and it helps in nation building. But what is the condition of the tea garden labourers in Assam? They do not have quarters, there is no hospital worth the name for them, they have been denied of ration. They do not get bonus. There is no school for their children. Sir, on 3rd February 1987, I visited one of the tea

gardens, that is, Sonapur Tea Estate near Guwahati. On an enquiry there, I came to know that in lieu of subsidised ration each item, labour is paid 30 paise per day. It is very shameful. What is the value of 30 paise? If you go to the Tea Gardens, you will find some hospitals but there is no doctor, no nurse or medicine in the hospitals. You may find some school buildings in Tea Gardens but there will be no teacher to teach. This is the condition of the Tea Gardens. On the top of it, we claim that ours is a welfare State. I would like to quote here the relevant portion of the Constitution. Part-III and Part-IV of the Constitution refer to leniency towards the working class and that is the commitment of the Constitution and the commitment of the Government. But you are not going to implement it.

If you go to the Tea Gardens and see the condition of the labourers there, you will find the grim picture of the human life in those areas. The poor boys and girls do not get employment. Even if there are about 500 workers employed in tea gardens, there are about 2500 unemployed workers depending on them. There is nobody to look into their problem. The employers there do not engage the adult labour because child labour is available. When the cheaper child labour is available there, why the employer should go in for adult labour. In last February when I went to Govindpur, I came across that 13 children of 9 years of age were working in tea gardens. Why is this happening? Is it because of the anti-labour Act? Part-III of the Constitution, under Article 15(3), under Fundamental Rights, says—

“15(3). Nothing in this article shall prevent the State from making any special provision for women and children.”

Article 24 says as follows :—

“24. No child below the age of 14 years shall be employed to work in any factory or mine or engaged in other hazardous employment.”

But we have given a free licence to the employer to engage child labour. When you

are engaging children to work in the tea gardens and factories, how can you expect them to go to school? At the same time, you are encouraging adult education. That means you are stopping the children from going to school and engage them in the factories and when they grow adult, you send them for adult education. This is a bad policy of the Government, which is a anti-labour policy.

If you are committed to the working class, why have you failed to pay the wages to the workers of the Hindustan Paper Corporation, the Railway workers and Central Government employees and the Petroleum workers—those who joined the Assam agitation? And under the Assam Accord of 1985 you are bound to pay wages to them, but till today the workers have not been paid those wages. After the Independence and before the Independence of the country you have made so many laws—the Workmen's Compensation Act of 1923, the Employees State Insurance Act of 1948, the Employment of Child (Prohibition and Regulation) Act of 1986, the Maternity Benefit Act of 1976, the Equal Remuneration Act of 1976 and Payment of Bonus Act of 1965. So far as the Equal Remuneration Act is concerned, it has been passed in 1976 and till today this Act has not been implemented. Do you think the women are paid wages equal to the male workers? Now they do not pay and then there is no authority to speak for them. The Payment of Gratuity Act, 1972, the Factories Act of 1948, the Plantation Labour Act of 1951, the Mines Act of 1952, the Contract Labour Act of 1971, the Industrial Employment (Standing Order) Act of 1946, the Trade Union Act of 1926, the Industrial Disputes Act of 1947, and the Minimum Wages Act of 1948, have been passed so far. About this Minimum Wages Act of 1948, it is a fiasco. The employers do not pay the minimum wages. Till today the tea garden employers did not pay wages to the workers, not to speak of rations, bonus and other things. They have to pay Rs. 12 a day to the worker, but they pay Rs. 5 or Rs. 10, not even Rs. 10, it is only Rs. 2 or 3 and there is no authority to look into it, and you cannot expect the workers to go to the court. The law and the procedure connected with it is cumbersome. There the Labour Officers

and Labour Inspectors are involved and they are in league with the management. They will never send their report within a stipulated date to the Government and the Government also will never send the recommendations to the Tribunal for adjudication within a stipulated period. For years together the case will go on and it will have a natural death after some time. That is the position of the law now.

Sir, in labour legislation the law seeks to restrain the command power of the management. The law does provide its own sanctions, administrative, official and civil, and their impact should not be underestimated. However, in labour relations the norms cannot often be most effective unless they are backed by social sanctions as well. The law can do very little if the workers are not anxious to complain about the infringement of laws. But how can you expect the illiterate man to complain about the infringement of the law specially when you have kept him in darkness for the last 40 years of Independence? Have you tried to educate the working class who have sacrificed their lives in building the nation—their Motherland? Sir, there can be no real democracy without social and economic justice to the common man. It is high time to create socio-economic conditions in which every citizen would be able to exercise his civil and political rights. Political freedom must include social and economic freedom.

Sir, the International Labour Organisation has considerably influenced the labour legislation in India, as many other countries. Out of the total of 159 Conventions, India has ratified about 30 and they deal with subjects like hours of work, night work, minimum wage, underground work, holidays and rest, workmen's compensation, forced labour, employment services, equal remuneration, freedom of association, labour disputes etc. No doubt you have adopted the above Conventions of the ILO in our country, but you have miserably failed to implement the same in the real sense of the term in so far as the provisions made there under are concerned. Recently you have enacted a law, viz, Child Labour (Regulation and Prohibition) Act, 1986. Although I dissented on it, yet it was passed in this august House because you had the majority.

We must not forget that in a democracy like ours, majority is not only the rule but minority has also its values which cannot be ignored. See the 'Times of India' dt. 4-12-1986 where it appears that 400 children die every hour in our country from preventive diseases like diphtheria, dysentery, tetanus, measles, whooping cough, chest infection and TB. The number of children who are working in India, on a conservative estimate, is 17.31 million. If they are taken out of work force, the jobs will be filled by their idle parents. Pockets of child labour are also found to be pockets of high adult unemployment. It is obvious that employers are not going to employ adults as long as the cheaper and more subservient child labour is available. If we continue to let children be the bread-winners of the family, the message goes out to the illiterate and slow-coach parents to produce more children.

Child labour and family planning cannot go together. It is the urge of the time to train the minds of the innocent children for a better tomorrow as today's children are tomorrow's citizens.

As we know, India is the largest democracy in the world but I must say that ours is the largest illiterate democracy in the world. To be effective, democracy needs literate subjects.

The laws continue to be prolix and uncertain and are not expressed in a simple and clean language which could be understood by the persons sought to be benefited by the legislation. The process is lengthy and the justice is invariably delayed and delayed very much. It is a case of justice delayed is justice denied. I would request the Labour Minister to look into it and to see that the process of law is made easier than what is now at present so that poor people, the working class, can very easily go to the court. You have the Central Government Administrative Tribunal, Central Government Undertakings Administrative Tribunal, State Employees Administrative Tribunal, but you must also have Private Sector Administrative Tribunal as well so that the workers in the private sector can directly go to the administrative tribunal and get rid of their grievances. I would request the hon. Minister to look into it.

SHRI P. R. KUMARAMANGALAM (Salem) : Mr. Chairman, while I rise to support the Demands for Grants of the Ministry of Labour, I wish to make it clear that my support is not because I feel that the Department of Labour has done its best. I am sure the hon. Minister would also have certain reservation about whether it has done its best or not but, undoubtedly, the annual report though brought out in a very impressive form and format, it reveals the fact that the Department of Labour has not done justice to labour in India. I wish to categorically state and put down on record that it is my view that a cartel of vested interests who were in and outside the Department, both in the form of labour organisations and authorities have not only refused justice but they have also succeeded to undo justice that should be given and has been given to labour. I am not just making allegations off the cuff but with a certain amount of experience that I have in Labour though nothing in comparison to other leaders. I would say that I have found that not only in the area of unorganised labour the labours are exploited but even in the area of organised labour, the most sophisticated organised labour, including Banking are exploited. I have found that the Public Sector Banks consciously the Management - in collusion with many recognised Unions who have obvious political affiliation with some of those who have on the other side but who are not present. I note, wave the revolutionary flag very vehemently actually collude to ensure that even the conciliation proceedings do not take place. Managements, the Public Sector Managements violate the law blatantly. They refuse to follow settlements. They refuse to obey any of the directions that are given by the Government of India, unless those Unions which form part of the cartel concede. I have instances where I myself have taken part in the conciliation proceedings representing the Unions, I have found that the Bank Managements are never prosecuted. Why? Why is it that when violations are done by the Unions which do not form part of the large cartel organisations, they are victimised; threatened, and intimidated? Why is it when the Managements, especially the Public Sector and powerful Private Sector Managements openly violate the law and in that event why is it that prosecution proceedings are not taken against them? What is

the use of having a law on paper? Is it not for the Labour Department not to look at the various vested interests but rather to look at the justice from the justice point of view?

Mr. Chairman, Sir, I am pained to state that in the Department of Labour, I have noticed the situation where many of the Conciliation Officers feel found hand and foot because of rigmorole procedures. There is a situation where your Railway employee is aggrieved and he raises a dispute, the Conciliation Officers are helpless because of the circular of the Government of India which States: "that unless you have represented your problems in the Permanent Negotiating Machinery, you would not be heard in conciliation." Who sits on the Permanent Negotiating Machinery? Two organisations, which have got very little to do with the common workers, which have been recognised for years, which enjoy the fruits of recognition and are not interested in the labour to bargain; with the common workmen. They take Rs. 100/- for just representing; a Rs. 1000/- to get a job done-sometimes the rate goes up to Rs. 1000/- for a posting. One notes that the labour Ministry behaves helpless. Is this right? That is the major question which I have raised. It is not that I wish to blame individuals. According to me, the system which was conceived under the Industrial Disputes Act, statutorily looks very nice. On the Statute Book, it look very fair; looks like a system which may be able to solve quite number of problems but in reality what is the position? In reality, I have noticed that in any major negotiations, the powers with the conciliation officer is limited, he can hardly put - let alone a private sector employer but even the public sector employer - in prison. The public sector employer does come to the Labour Ministry during conciliations and refuses adamantly in the face of well-known statutes and laws that they will not obey and they say: "let us see what you can do"... We have noticed that even when there is a failure report by the conciliation officer in matters where public sector and Government are involved, it does not get referred to because the employer sits in a Screening Committee where he screens to ensure that it does not go to any sort of adjudication.

I do not want to go too much on that issue. The Labour Minister should have got the point, Mr. Chairman, Sir. I am aware that he is also aware of these problems, but I do not know what is the solution he has in mind. I hope he suggests some solution. But what surprises me is this. The hon. Minister for Labour himself and the Minister earlier have been speaking from rooftops that the existing labour laws require amendments; multiplicity of Unions is the bane of today's labour relations. What have they done? We have been promised in every Session that the legislation is coming, it is coming, it is on the anvil. But that is all. It is still coming. I wonder when it would come. If one asks the reason, one is told that the existing Central Unions are standing in the way—either this Central Union or that Central Union. It is here that I feel that a cartel of vested interests is there in the field of labour. It consists of a few bureaucrats, it consists of a few politicians, it consists of a few Central organisations. Put together, they are strangulating the labour of this nation. They will not tolerate it. There will be a revolt, and the revolt is round the corner. Dr. Datta Samant, I think, would agree with me because I hope he has not become a part of this cartel. It is possible that he would become slowly....

DR. DATTA SAMANT : Secret voting, with more than 50 per cent majority. I am prepared. Are you?

SHRI P.R. KUMARAMANGALAM (Salem) : I am agreeable.

DR. DATTA SAMANT : In Bombay textiles, your INTUC is having only five per cent and still you are giving them recognition.

SHRI P.R. KUMARAMANGALAM : The INTUC is not willing to give me the banner. Why are you giving me the banner?

MR. CHAIRMAN : You invited the trouble.

SHRI P.R. KUMARAMANGALAM : I am sorry. I accept, I concede.

The issue simply is that it is time the Industrial Disputes Act is amended, the

Trade Union Act is amended. The proposals have been finalised; I understand. Bills have been drafted also, but they are not coming to the House. Let not anybody who wants to be a vested interest get away with this murder. Let the workmen have their representative. I am not worried whether it is by a secret ballot system or a check-off system. Anyway it is better than the existing verification system. It is nothing but, to say the least, a fraud, a fraud on the workmen, a fraud on the Unions. It must go. Bring some change. Let us have genuine trade unions who represent the workmen. Let us not go to see whether it has this political colour or that political colour. All the Central organisations together do not want this in their heart of hearts; they may say 'secret ballot', they may say 'check-off', but their attitude is; let us postpone the evil day when the workmen can choose their leader. I would only plead that, while the Minister gives the reply, he comes forward and assures this House on record when is it that he is going to bring the amendments, the long-standing amendments that we have been expecting for the Industrial Disputes Act and the Trade Union Act.

I would like to go to one more point. There is only one place—in fact, two—where Mr. Sangma, the hon. Minister for Labour can be termed as an employer, and that is, in the Employees Provident Fund organisation. Under the Employees Provident Fund scheme, a suggestion was made to raise the contribution to ten per cent from the present rate of eight per cent and also to reduce the number of people that are required for eligibility to attract the Act. I would be grateful if the Minister does consider it seriously and I would also be grateful if the hon. Minister pays a little more attention as an employer—because he is the Chairman of the Board there—to the problems of the workmen. The problems of the workmen have been outstanding there for many months...

MR. CHAIRMAN : Please try to conclude.

SHRI P. R. KUMARAMANGALAM : I would require five minutes more.

MR. CHAIRMAN : I have already given you more time because you are a trade unionist.

SHRI P. R. KUMARAMANGALAM : Very sensitive issues are there. Labour is becoming a critical issue today in our nation. With your permission, I will take five more minutes.

Mr. Chairman, Sir, in regard to EPF I do not wish to take too much of time. I would only like to say that the issue of settlement of terms and conditions, including wages of the EPF employees is outstanding for quite some time and it is time that a settlement is arrived at between the Union and the Board as soon as possible.

The Contract Labour (Regulation & Abolition) Bill was passed by Parliament recently but then the only amendment that was made was with regard to appropriate Government to bring it in tune with the Industrial Disputes Act. The real situation is that today we have public sector and Government who are supposed to be model employers exploiting labour in the most blatant form by the use of contract labour. If any labour leader tries to organise these workmen together then he finds that the contractor has been changed and the workmen have been changed. The contractor becomes a benami and another benami comes in and this is the racket that is run in collusion between the management and the contractor. Nothing is done by the Labour Ministry on the ground that the Contract Labour (Regulation and Abolition) Act does not empower them to direct the employers to regularise the contract labour. Why is it that this Act has not been amended? Why is it that this power is not given to the authorities? What is the use of having an abolition power when you cannot employ the labour for whom you are abolishing the labour contract system. There it becomes a vicious circle. What happens is that if I become a labour under a contractor engaged then I would like to continue the system because I have to earn my bread because you say if you abolish it you will not be employed. That is for certain whether somebody else is employed or not. Therefore, this Act is working against the interests of the workers rather than working in their favour. The hon. Labour Minister is aware of this. In this speech, I remember, last year he categorically made the statement and said that an amendment will be brought but I am still awaiting

for that amendment. Parliament is awaiting for lot of amendments and lot of laws which the Labour Minister sincerely promised but his sincerity is slowly, as time passes, being questioned.

In Ferozabad because of the Child Welfare (Prohibition) and Regulation) Act nearly 10,000 children are on the streets. It is not that I am for employing child labour. Not at all. But just pulling them out and throwing them on the streets is not the method of solving these problems. The Act itself provides for specific welfare inputs. That has to be insisted upon. Today the situation in this that exploitation of children who are employed illegally is on in full swing and once again it is because of the lacunae in the Act. It is necessary that these statutes which are genuine statutes framed and enacted to implement the directive principles of State policy are plugged to ensure that they can be implemented. It is no use having the statutes for the sake of preparing a report for the ILO or for Parliament. We have reached a stage where the labour are no longer ignorant. These labour will not tolerate any more of these reports printed in volumes and given in statistics with half of them false. If one goes into it in depth one will find that these statistics are a matter of record and not reality in the field.

Mr. Chairman, Sir, I will only like to conclude by saying that it is high time that the Department of Labour wakes up and decides to really be a Department of Labour rather than be a department to ensure that labour does not raise its heads and demand for its just rights.

There is one very important fact. The tripartite and the Labour Conference keep saying that the workers participation scheme is in operation. In fact, I can give instances one after another in Government public sector organisations where the scheme has not been implemented. What is the Department of Labour doing about implementing the scheme? We all speak from rooftops that workers participation is the only answer to bring productivity, is the only answer to motivate the workmen, even that half-hearted, half-baked scheme is not implemented.

SHRI NARAYAN CHOUBEY : Very correct, it is not implemented.

SHRI P.K. KUMARAMANGALAM : With all the criticism that I have brought out, I would still say and congratulate the Hon'ble Minister for making an attempt. He is sincere. I only hope his sincerity can be converted into action and he is not limited because of the vested interest. I would request him to see beyond the usual formal channels of organised central organisations because after all 90 per cent of the work force of this country is not represented. They belong to the unorganised sector..... (Interruptions)...including AITUC. In fact, AITUC has become progressive. CITU and AITUC both have become real vested interests.

SHRI NARAYAN CHOUBEY : He is a Congressman floating a parallel union, Sir....(Interruptions)...It hurts us to float a new union in the name of Congress... (Interruptions).

SHRI P.R. KUMARAMANGALAM : While I support the Demands, I would appeal to the Labour Minister to come forward to take up the problems of labour and really bring in legislation and ensure that his officials are empowered sufficiently under law and not hedged by other departments to see that labour does get justice.

Thank you.

DR. DATTA SAMANT (Bombay South Central) : Before coming to my suggestions and points, a lot of mention has been made regarding my name and my movement. It appears that there is a lot of ignorance. But one thing that my movement has shown in this country is that employer can afford to pay and alongwith the industry, the worker can prosper.

Sir, I have got a number of companies. Firestone ; still I am asking for more wage. But all my 2,000 workers are drawing more than Rs. 3,000 salary per month. Crompton; Rs. 600 rise to 6,000 workers and 50 per cent of the workers are drawing more than Rs. 3,000 salaries. Byer India : 50 per cent workers are in the balance-sheet and they

are drawing more than Rs. 3,000 salary. The Color-Chem, the Pressure Cooker ; the same thing ; German Remedies ; the same thing. I have got about 5,000 small and big factories in my union. Textile is a very small aspect of it. I have brought one balance-sheet of the Premier. I am passing it on to the Hon'ble Minister. Out of 9,300 workers in the Premier, 6,400 are drawing more than Rs. 3,000 salary and their names are in the balance-sheet, Mhatre GT Mazdoor is drawing Rs. 40,203. Mithur AY Mazdoor Rs. 39,386 ; Mohi AP Assistant Driller Rs. 39,400. All of them are illiterate. In the balance-sheet, it is written about 500 people are illiterate-1st standard. 2nd standard-and still 60-70 per cent workers are drawing Rs. 50,000, Rs. 60,000, Rs. 70,000 per year.

In spite of giving such salaries in the Premier Automobiles, the profits last year were Rs. 20 crores. They have also given Rs. 6700 bonus to each of the 9000 workers. Similarly, in the Byre Comdany, they have given Rs. 4000 as bonus and in Rallis Rs. 7000 to Rs. 9000 per worker. All the workers are drawing Rs. 3000 or more as salaries. Dr Datta Samant's movement in Maharashtra has brought transformation for more than ten lakh workers; they are drawing more than Rs. 2000 or Rs. 3000 per month. I have got fifteen to twenty lakh workers in my unions. Each agreement is in respect of 300, 400, 500, 600, 700 workers and so on. In spite of giving such salaries, the factories are running very well. There is a very good industrial discipline and the production is also doing well. I am asking the hon. Minister what the Government is doing in this respect. There are 26 crores workers in this country. Has the Government taken care of the workers. Does any of your law, the Industrial Disputes Act, the Contract Labour Act or any other law, provides that the workers should be given such salaries?

Once the Chief Minister of Maharastra called me Hitler in the Assembly. Then, I took all my agreements in a bullack cart and showed him how my movement has brought about such a transformation. Has any of your judge or tribunal given a decision in the court that the workers should be given a fair share of the prosperity, development of the country?

I do agree that out of 5000 factories, thirty or forty factories are affected by strike at any time. But if somebody tries to break the strike, we have to obstruct it. That only is published by the media. But then, what is the alternative? I have got unorganized labour, the stone-breaking and the thambela workers. They are also drawing Rs. 1500 to Rs. 2000 per month. But why is the Government not implementing the Minimum Labour Act in the country? None of the workers in the unorganized sectors are getting more than Rs. 300 or Rs. 400 per month. What is the solution? I would like to know that from the hon. Minister.

Is there any provision in the Industrial Disputes Act about the share of the workers if the employer makes a profit of Rs. one crore? I am making a categorical statement that none of the employers is showing a correct balance sheet. There is no provision that if you earn Rs. one crore, the workers should be given that much. If that is the fate of workers after forty years of independence, how this Government or this Ministry is going to look after the interests of the workers? For whom are you developing the industries? What is the use of all this industrialization and everything if the workers do not get a share of it? That is the question.

Then, what about the Bonus Act? I have given a compliment to the Minister. But what about the minimum level? The bonus formula of 65 is hypothetical. How are the profits shown by the employers? They deduct development rebate etc., losses of the sister concern, and then they deduct allowable surplus. Unless you change the formula, nothing is going to help the workers. Then, the Contract Labour Abolition Act. Very, very sweet name indeed: But I would ask the hon. Minister whether there is any provision to make the contract labour permanent? There is no such provision in the Act. If the contract is terminated, there is no provision under which you can ask the employer for reinstatement. An hon. Member said that if you form a union, the contract is terminated. If their services are terminated, you have no legal provision in the Contract Labour against that. Can an employer remove all the workmen and have hundred per cent labour as contract

labour? Crores of people are suffering because of unemployment in our country. This is the fate of the workers. Now, the Government is going to change the Labour Law.

Why did the Minister go to Bharat Chamber of Commerce at Calcutta and give guidelines to the labour? I am sorry that you did it. You go to Tata and Birla platforms and try to teach to the workers, and say that the workers must be disciplined and behave properly. It is not fair. Even the Prime Minister said in the Productivity Council that our labour is idle and that the labour is not doing proper work. Why are you changing the law? I agree with one thing that 10, 15 or 20 per cent workers can form the union. But why don't you accept the secret ballot law. I have been insisting on it for the last twenty years. You come and take the secret ballot and I am prepared to go from the Unions if necessary. Why is the Government not prepared to act? now, in the Bombay Textile, RMS is having only five per cent people and it is treated as a recognized union.

16.00 hrs.

I do not know what the Government are now thinking. They want to ban strikes. With all your conciliations, negotiations, compulsory arbitrations, Essential Services Act, etc. with all these criteria any strike in the country is going to be illegal. I am saying here in this House with all honesty that no sincere trade union leader is happy regarding strikes. But what is the alternative in this country? You please tell me. There is no law and there is no provision to protect the workers' interests. There is unemployment and all these capitalist people are exploiting the workers. My strikes, form only one per cent but under the threat of strike, we are able to negotiate better bargain for our workers working in big companies such as Tatas, Birlas and Singhanias. Now if the Government is going to ban strike, it will be a very bad thing and it is nothing but massacre of the organised workers.

I humbly request the hon. Minister that he must first see to it that the employers are disciplined. I will come to the

aspect of how they are behaving. But first I request you not to have such type of a legislation for banning strikes. Further more, the hon. Minister has said in the Employers' Chamber that a union leader is going to be disqualified if he takes recourse to illegal strike. Under your criteria, 99 per cent of the strikes are going to be illegal. If a union leader is convicted for one day, he is disqualified for lifetime to become a union leader again. You have kept me behind the bars for nearly three years and this way, I will be disqualified for hundred life times. Well, I am not talking about me here. But if a person is arrested for just one day, he will be disqualified to become a union leader throughout his life and it is not fair.

16-01 hrs.

[SHRI SHARAD DIGHE *in the chair*]

Now, that about your big houses? According to your ECONOMIC SURVEY, 544 private sector units in this country have done very well in the last one year. Their turnover has gone up by 18 per cent, their assets by 8 per cent and their profits also have gone up. I am giving only the Government's report. If the private sector has done so well in this country, then what about the labour? Are you going to see that the workers in these private sector units also get some benefit? But Dr. Datta Samant has to take care of that factor. And you are going to ban his union; But in this very same private sector economy, according to their report, the employment potential has gone down by 1.5 per cent in the last one year. Your sector is modernising and developing. But employment has gone down by 1.5 per cent. Exports also have gone down by 26 per cent in the last one year and imports have increased. So the private sector is only helping to devaluating the rupee and working against the interests of our nation.

I will now take up the subject of borrowing by private sector. 641 big units belong to 30 big houses. Industries are run by those houses and not by this Government. We only discuss labour them and they run the industries. Their borrowings account for 66 per cent. It means that the private sector is flourishing at the cost of public

and government money. It means that the private sector is increasing imports and reducing exports. It means that it is helping in pushing down the employment potential in the country. How many industries have been rendered sick by such type of companies? The figure is about one lakh and seventeen thousand. Rs. 500 crores of bank money is involved and during the last one year, the number has gone up by 20 per cent. As per the survey of the Reserve Bank of India, only 2 per cent labour is responsible for this state of affairs, while 70 per cent employers are responsible for the same. Is this the way our Government is going to run the country's economy? You are giving money to the private sector. But what are they doing afterwards? They are making the companies sick, changing the industries and so on. Where are they keeping this money? How much black money are they collecting and generating in this way? How are they behaving with the workers? What is the law in this country? Though there is industries development, the workers' share is getting vanished. Industrialists and the private sector are behaving in such a manner. If you are now going to curtail the rights of the workers with some new legislation, it is nothing but sabotaging the interests of the workers. It is going to affect them very badly.

There are 11 crores of textile workers. Two lakh workers are removed in the last three years all over the country. You are from Bombay and you know it Sir that the textile owners are given 30 crores of rupees worth of import duty concessions. I was told that the price of cloth would go down but it went up by 5 per cent. So, the consumer also is suffering. Rs. 750 crores is given for the modernisation of textile industry, with just 6 per cent interest. And the textile owners are literally robbing this country and the Government is accepting their doings. How many workers are removed in Bombay in the last two years? 30,000 workers. It is not because of Datta Samant's strike, but due to the modernisation that is going on in Bombay Dyeing, Khatau, Century Mills, Birlas and so on. Because of the wrong policies of the Government, two lakh workers are affected and their interests were sabotaged and they are removed from their jobs. I am not against any union but what

is your INTUC doing? I am not a political man and I am not against any union and I welcome it if they do something good for the workers. But the INTUC Union in Bombay entered into 502 settlements with the Bombay Mill owners and removed 30,000 workers. This is the type of union. I have got 100 copies of this and I led the morcha and obstructed it last week.

When I raised the issue that the modernisation benefits should pass on to the workers, you told me to leave it to their unions. The unions do not have even 5 per cent majority and they also have underhand dealings with them. In Maharashtra also, 2.5 lakh textile workers will be massacred and deprived of their jobs. When the Textile Policy was discussed in this House, everybody was assuring that if a worker is removed, he would be compensated and rehabilitated. It has been laid down three times in the Textile Policy and I read it. I am asking you this question. Have the Government ever given a single paisa to the textile workers? In Bombay itself 30,000 persons were removed because of modernisation but not a single paisa was given. I raised this issue here but nobody paid any attention. On the other hand you are giving Rs. 750 crores to such men, to such textile owners all over the country. Out of Rs. 5000 crores of bank money, there is still Rs. 1500 crores with the sick units as balance. But you are giving money to such people. You are giving concessions to such people at the cost of which, my workers are suffering. Nobody is paying any attention, One new looms replaces 24 workers. It is simple statistics With one Seltger or water-jet loom, 24 workers are removed. Why don't you monitor all these things? Do not leave it to me. Whatever advantage is accruing to the employers, why don't you see to it that the workers also should get a share of it? You monitor it with your legislations. I do not know what you are going to do with this modernisation.

The hon. Minister is more concerned about the plight of the unorganised workers. I appreciate his efforts and I know that he is young and sincere. How is he going to implement all these laws that are there to

protect the workers? According to the Seventh Plan, if a person gets less than Rs. 6300 per annum, he is considered to be below the poverty line. Out of the 21 crores of unorganised labour in this country, 13 to 14 crores come under the category of people living below the poverty line. The minimum wage notified by you and by the State Government—I blame the State Governments too equally—is less than poverty line income of this country. This is really shocking. What for are we discussing the various labour laws if we cannot implement them? Even in sectors such as sugarcane, tea, coffee, etc. Government has no desire to implement the law effectively. You force the State Governments to implement the laws effectively even by ordinance or by any measure. Otherwise, you take it into your own hands. If you do this, 50 per cent of the population which is below the poverty line will come up. This minimum wage is not linked with any inflationary increase. Inflation went up by 30 per cent in the last three years. Therefore, the minimum wage of the labour is actually going down in real terms. We have to seriously consider those issues. Last time when I raised this issue, the hon. Minister asked me as to what I was doing. Well, I am a simple man and I look after the welfare of my organised labour in Maharashtra. Should I take contract all over the country? You give me your powers and I will do it correctly. You leave it to me and I will implement all these things. The Government has no desire to do these things.

What about the sick industrial units? This is a major crisis in the country. How are the private sector people behaving after getting the money? Government has no control over them. One lakh seventeen thousand units are closed and one crore workers are unemployed. You are hiding the figures. Why don't you give the correct report? 641 big units and one lakh small units are closed. More than one crore of people are unemployed because of the closure of the workers. And according to the Reserve Bank of India's survey, workers are not responsible for this. What is the fate of these workmen? What is this Government doing? As per 25 (O) of the Industrial Disputes Act, in Maharashtra

143 big units are closed by the employers. I am shouting about this everywhere and every day I lead marches. But you are not bothered and the State Government is also not bothered. As per 25 (O), the employers do not have the power to close down the units. But they are not paying the electrical bills.

Last week, two mills were closed in Bombay. I can give you a list 51 factories. The salary is not paid. But one bogus customer approached the High Court by saying that the factory is going in for liquidation. If they could not pay the salaries and other things, the Government should not give them permission for their closure.

I would like to make one very important suggestion. The Sick Industrial Units Bill, which was passed one and a half years back in this House for that we took 20 hours. Where is the implementation? The Board is formed last month, but it is not functioning. It is not acting. Now, the Government say, "we are not concerned with sick units. You manage yourself." I do not know what is our fault. The employer, to whom you have given money had swallowed crores and crores of rupees and closed the unit. You are again giving him more loans to start electronic project. I am really shocked the way in which your Government is planning all these things.

Regarding unemployment, at the moment, it is 2.7 crores. The Hon. Minister had stated in one Conference that it will be five crores and eighty lakhs upto 1990. I think you had also made a statement in the Press sometime ago. According to my figures, it is 7 crores. In the private sector, the employment potential is going down.

As far as modernisation is concerned, we are going in for the 21st Century. It is really a shocking thing. The Seventh Plan target for providing employment was 7 million in five years. Now, I am asking you, what had happened to your plan? Did you even give jobs for 4 crore people? For how many people/you had given job during 1985-86? In the private sector, the employment level has gone down. In the public sector, there is one per cent increase. Therefore, for me, it is a shocking affair. In

another five years, 3.5 crore people will be unemployed. At present, about 6 crore jobs are required.

What is happening in the border and other things, for that the politicians are responsible. The masses, who are unemployed and who are on the roads, we are encouraging them. Now, a days, the public sector has become a target. Something is happening there. Economic policies are failing.

I think, the hon. Energy Minister has talked too much. He was a labour leader once upon a time. In the public sector, the corporate taxes have gone up; the Excise Duties have gone up; the Customs Duties have gone up; and the Exports have gone up.

The Government's revenue-through all such taxes—is much more than the private sector. This House should realise all such things. You have taken over 130 sick units which are about to go to the docks and then blaming the workers are not good.

As far as the private sector is concerned, you compare them with Korea and Japan. In Korea, a worker gets a salary per day—320. In Japan, it is 1200. In America, it is 2,000. I am not asking their salaries.

What is the public sector management? May I know from you, whether it is just consisting of Secretary, B.P.E., Finance Ministry, etc.?

One public sector individual is responsible for 25 people. There is no other answer. You correct, all these things. In the public sector, your top bosses are collecting crores and crores of rupees by awarding contracts. In the public sector, where the orders have to be given, there is a good link with the corporate sector. I would say, it is mainly because of your administration. It is the Government's apathy. It is mainly due to corruption, the bureaucratic system. These are the main causes. Maybe sometimes, partially, due to the fault of the workers also. But it is becoming a fashion. Now, the Government has issued a circular. The increase in the wages of the public sector employees must be linked with the productivity. Upto now 50 settlements regarding

this are pending. Don't hide such thing. So, for such things, the labour laws should be changed.

Sir, in the Bonus Act, you have raised the limit for the higher levels, but what about the lower levels? It should also be raised by 10.30 per cent. Where there is a single worker, you give him bonus; you give him the gratuity; you give him the benefit of Provident Fund. By means of this, poor people, who are working in the shops and establishments may also get some benefit. Why are you having that 20 per cent level? In the higher level, whatever, you have decided, you give them that bonus.

In the sick units, the workers are not getting their gratuity benefit. So, many employers are cheating their workers. My textile workers will not get an amount of more than Rs. 2 crores, Rs. 4 crores, which are collected as Provident Fund by these employers from the workers, they have not been able to pay back the money. So, why not have a gratuity scheme, just like PF Scheme?

The ex-Minister had made a statement even on gratuity that without making more administrative expenses an employer can deposit, by using the same Provident Fund machinery and the Government can also get a lot of money.

Sir, the secret ballot is a need and I think, it is high time that the Government should consider. Now, all your Acts - ID Act, DIR, Industrial Employment Standard Act - let us have one legislation. Of course, there are various things. Mr. Naik is from Goa. There is no industrial court. There is no factory. MRG workers came to me. They wanted 30% turnover. I told them I will not talk with anybody and the Government is just saying that Dr. Datta Samant should not come in the way. I am not interested in any State, what your Govt. is doing. I cannot go to the court. That is the apathy.

Sir, one more thing is regarding Unfair Practices as per Industrial Disputes Act. You made it in 1947. But who is following? What is the punishment? They are just the dead letter and nobody is going to follow.

Sir, the appointment of the judges in the industrial court and tribunal should not be done by the Government. You leave it to compromise with the High Court of the State. I think, that is the humble suggestion. Regarding Central Tribunal, the Supreme Court can do it. Sir, the provident fund, the man who is drawing only one day salary there is very important gap. The industrial worker or union cannot go to the industrial court. This is the law of this country of the 26 crore workers. I cannot go to the industrial court. I have to go to the Commissioner for conciliation. The Commissioner will direct to Secretary and then Government will refer my case to the industrial court. Sir, this is really shocking. This scheme of conciliation and giving discretionary powers to the Conciliator or Government for the economic gains or if you are terminated from the service or if there is a case of murder or assault you can go to any court, but the worker of this mill has no right to go to the court. Therefore, I appeal to the Minister that this law should be amended and changed.

Sir, I have got a lot of suggestions today to make. But you are giving the bell. I think you must be having the limitations. Let us not blame the worker. Whatever is there, we are ready to accept it.

SHRI ASUTOSH LAW (Dum Dum) :
Sir, I stand to support the Grants for the Ministry of Labour. But, I have got, certain suggestions to make, particularly, Sir, regarding the legislation or the radical changes which we need today in the field of the labour law. Sir, in the labour laws we have got certain legislations definitely. Very recently, in 1985 this House had introduced another legislation in connection with industrial sickness, that is Sick Industries Bill.

Sir, one point I would like to emphasise and I humbly submit to Hon. Minister to consider that one of the most acute problems today in this country is sickness of the industry. If that is the problem, and when already we have introduced a Bill in the name of Sick Industries Bill, why should not we change the labour law and not allow the trade union right in case of an industrial unit which becomes sick. Sir, we cannot blow hot and cold at a time. We come from

Eastern India. Where large number of industrial units are sick. Sick or potentially sick industries are still enjoying the same trade union rights as others. Sir, I suggest some different laws should be introduced. So that whenever any industry is declared sick under the Sick Industry Bill, it will not enjoy the same right, like the ones which are the healthy units.

Secondly, in my humble submission, a change is very much necessary. In the trade union field, outsiders should not be allowed to become the office-bearers of the unions. It is one of the most common factors which we find in the eastern sector, namely that in the case of the unions, the President and the General Secretary are outsiders and they indulge in certain anti-industry policies. So, some protection should be given and at least in the case of sick industries, no outsider should be allowed to become an office-bearer of that union. Then those sick units should be protected from the influence of outsiders, because outsiders will never appreciate the difficulties and the agony of the workers of the sick industry. Suppose an outsider becomes the President of the union, of a sick unit and if he comes from a big, healthy unit, he will not understand the agony of the workers where as a worker of that particular unit which is sick, will understand it.

Now about social security for the labourers. In the mechanized sector, we have given a certain social security and social protection to workers but more emphasis should be given to the unorganized sector. No social protection is given to workers in the unorganized sectors. A definite legislation should be made. It should be made very strict, so that in the field of unorganized sector, the workers will get equal social protection like those in the mechanized sectors.

The same thing is happening in the case of bonded labour and child labour. We are introducing various legislations, but not implementing them. So, I request the hon. Minister not only to introduce certain Bills, but also to see that those legislations are implemented properly, particularly in the case of bonded labour and child labour.

I have another suggestion to make, viz. regarding workers' participation in manage-

ment. It is said that most of the public sector undertakings are not functioning properly. It is so, not only in public sector undertakings; it is also the case in the private sector. Unless workers are given proper incentive, and right to participate in management, we will not be able to motivate the workers, and we cannot develop the work culture. The need of the hour is to develop a proper work culture among the workers. In order to develop it or motivate such a work culture among the workers, it is a must that workers participate in management.

When I am talking about the working of public sector, I also say that the management of the public sector is also responsible for the non-proper functioning of the public sector. Managements are not answerable to the people or anybody. So, some legislation has to be introduced to monitor their functioning. The top managements in the public sector should also be made answerable to the people for their functioning. Therefore, I suggest that in the case of public sector, firstly the workers should be given an opportunity to participate in management; and at the same time, the management's functioning should be monitored, under certain legislation so that they will be answerable to the people and to this House also.

There is huge provident fund and ESI arrears. According to this brochure, the figure is Rs. 63. crores. According to Labour Department this is the total arrears. Are these arrears in connection with the cases which are pending or there are other arrears also. In my view or what I have gathered is that there is a huge arrears of the provident fund. Strict measures should be taken to realise provident fund arrears from the employers. It is very strange that the employers are not contributing their shares and also often realising employees shares of contribution and not contributing or depositing that amount with the provident Fund Commissioner. I think there are hundreds of cases pending and no steps have been taken in this regard. I humbly request the hon. Minister to take immediate steps in this matter. Similar is the position in the case of ESI. There is a huge amount lying as arrears in ESI and no steps have been taken in this regard.

Unemployment is a burning problem. It is like as if we are sitting on a volcano and any day, we do not know, this volcano may erupt. The employment exchanges are not functioning properly. I join the issue with the other speakers who have rightly said that there are certain malpractices in these employment exchanges. Years after years, unfortunate unemployed youths are waiting for jobs but they are not getting jobs. Until and unless they pay something for them or pass some consideration, they will never get any calls from employment exchanges. In Eastern India, these employment exchanges are controlled by certain political parties. I feel and submit before you that health, food and right to get work are everybody's primary demand, and there cannot be any political discrimination. But, unfortunately, in the employment exchanges, either calls are given under political motivation or against certain considerations. This is the position of the employment exchanges today.

Regarding child labour, I humbly request the hon. Minister to take very strong steps against employing child labour, particularly in Eivakasi. Although we have got legislation, we have got laws, but unfortunately, thousands of child labourers are employed and they are not paid properly; and they are not given any social security, no protective measures are taken towards health or food or anything else. After almost 40 years of independence, this is not only unfair but also unfortunate that still we are allowing people to employ child labour.

Similarly in the case of bonded labours, after 40 years of independence, we are still having a system of bonded labour; we have not abolished this system, although we have introduced laws.

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

SHRI PIYUS TIRAKY (Alipur duara): Mr. Chairman, Sir. This Labour Ministry is a very important Ministry because its activities touch all the Ministries. But it has no powers to implement the laws that are enacted by Parliament or elsewhere. The Labour Ministry had got so many laws passed which are very important but it lacks the

power to implement them. Dr. Datta Samant has already spoken about the situation of the labour force in India. I fully agree with him.

I would like to confine myself to plantation labour. Plantation is neither an industry nor does it come under agriculture. It is in between. The tea plantation is earning Rs. 725 crores as foreign exchange but the condition of the plantation workers is the worst in the country. They are being paid a daily wage of Rs 11/- only and a little more than that. Lots of legislations have been enacted, consultations have been made about the agricultural labour force. So, I should like to draw the attention of the hon. Minister that the labourers are the main earning force of our country and the GNP is increasing by five per cent but who are the people who are helping for the development of the country. Everywhere it is the labourers only. I would like the Government to come forward to help the Labour Ministry— all the other Ministries should come and help the Labour Ministry to ensure that all the labour laws which have been enacted in Parliament are implemented in both letter and spirit immediately. Because we cannot hope for the development of the country without the implementation of the laws, and then only can our labour force live as human beings. In most of the cases we find that the labourers are working only as bonded labourers and they do not even some times get proper payment for the good work they are doing for the country.

16.31 hrs.

[MR. SPEAKER *in the Chair*]

We are now supposed to be independent, and after independence we are supposed to be having a right to work but still, even after independence and after so many years labour is still subordinate to other people and they are almost treated as bonded labourers. Some of the trade unions are also not very happy because some political parties create trouble for them and they are not organised. There should be no political angle in these trade unions. The Government should come forward and ensure that justice is done to the persons concerned.

Though this is an year forty years after independencs, the labour force is actually developing only now and we are depending upon the labour force for the development of our country in all sectors, whether it is Defence, Agriculture, Industry or anywhere. Without labour you cannot expect anything. So, it is time that the Government came forward and thought of the labourers wherever they are.

I would just like to draw the attention of Govern nent to the provisions contained in the Garden Plantation Labour Act. It should be wholly implemented. There must have been some problem. Why are the laws enacted by Parliament in 1952 still not being implemented? I do not blame the labour Ministry alone. The other Ministries are lagging behing in implementation and what in the poor Labour Ministry do in this respect?

So it is the Government which should come forward to see that everything is done according to the law which has been framed.

In the tea gardens, even now primary

facilities like sanitation, housing, electricity, drinking water, are not provided. Everything is lacking there. They are still treated like bonded labourers working for the good of the masters in the private sector. So I demand that there should be nationalisation of the entire tea industry. With that you can get more money for the development of our country.

Regarding provident fund, the poor labourers earn this money by working throughout their life. The amount of the provident fund goes to the Central Government. But the Central Government fails to return that money to the workers at the time of their retirement. For 10 or 20 years after retirement they do not get this money. It is nothing but injustice and unfair on the part of the Central Government. The Labour Minister should see that the provident fund money is given to the worker immediately after his retirement particularly in the tea gardens.

We have asked for a sub-regional officer nearby because in the tea gardens illiterate persons are employed. They have avoided that area to give any primary education.

They have a fear that if they become educated, they will not work in the tea gardens or they will fight with the management. So I request the Labour Minister to see that facilities like education to the children of tea workers are provided to the entire tea industry.

As and when the question of giving dearness allowance comes, we think of officers and bureaucrats only as to what should be the percentage and all that. Why should DA not be given to the labour, whether it is agricultural labour or domestic labour? Do they not suffer from increasing cost of price index. So some methods should be decided to give DA to all labourers in the country; otherwise, majority of the population will suffer and then it will be difficult to run the Government itself.

Article 43A of our Constitution provides for socialism, living wage, participation in management. Many speakers have spoken on this subject. Why do you not act on the Constitution? That will help you and all the other Ministries. I request the Labour Minister to impress upon all the Ministries of the Government that this Article of the Constitution and all other labour laws which are meant for the welfare of the labour, must be implemented in letter and spirit immediately; otherwise something else will happen in India.

Much has been spoken by other speakers. So I will not take time of the House by repeating all those points again. I will only say that labour force in India has given its blood and life for the development of the country. We, in this House, should recognise the dignity of the labour. And we should do something for their welfare. Labour Ministry is an important Ministry it should come forward with measures for the welfare of the labour class as a whole in India.

[Translation]

SHRI GIRDHARI LAL VYAS (Bhilwara) : Mr. Speaker, Sir, I rise to support the demands of the Ministry of Labour and I would like to draw the attention of the hon. Labour Minister towards our old Labour laws which need to be improved. You have also said time and

again to bring forward new laws to streamline the old laws, but a lot of delay is taking place in bringing forward new laws. I would, therefore, like to know as to for how long would these old and obsolete laws continue in force, which are not proving much beneficial to the workers.

I would like to submit as an example that in R.S.M., Udaipur. 5 workers have been removed from service in the Mineral Corporation under Industrial Disputes Act without any enquiry. It is provided in the law that action would be taken against any worker only after conducting an enquiry, but they were removed from service without holding any enquiry. Their matter was brought before the conciliation officer who tried to sort out the issue, but despite his persuasion the management did not agree to his point. Then the failure report was sent to you. Despite its being sent to you, no reference was made for six months. If your Department, keeps the failure report pending for six months, how could we expect them that the workers would be provided justice and their case would be referred to the tribunal and a decision would be available in the matter. How would the workers get the benefit and the justice in this manner? When you have already taken 6 months; then how much time would it take to make the reference and how much time would the Tribunal take? If low paid worker's case is delayed so much, who can not afford to go in for litigation and then if we say that we are doing justice to the workers, then it is a matter of concern. I would like to submit to you that you should gear up your Department. If of your Department delays the cases in manner and this when the case is considered, a representative of the management is also there and if case is delayed even then, it does not ensure justice to the people.

Secondly, there is the question of recognition. There is majority of our Union in R.S.M. Despite that, Mining Department of the Central Government which is running all these Units does not find out as to who is enjoying the majority. You should verify the claim of majority either by holding secret ballot or through any other method and action should be taken accordingly. Whose ever enjoys the majority, should be recognised. In the case of Udaipur, we are

enjoying a majority. We had once gone on a strike there and the management agreed to our demands, but even then recognition is not being granted. In this way there is mismanagement under various Labour laws and the Industrial Disputes Act and Trade Union Act. Even the Union having the majority is not being recognised. You should take all these things seriously and these issues should be resolved.

There is the Gangapur Cooperative Spinning Mill in our area. We have got the majority there also. Some outside people interfered in its affairs. Some persons are interested in it and that is why State Government also does not take any interest and no action is taken against the persons who interfere there. There was an innocent Managing Director who was working properly there, but some interested people got him transferred so that the Union could be suppressed. When this is the situation, then I would like to say that the Labour Department, whether it belongs to the Centre or to the State, is sleeping. They do not pay attention to these cases. They pay attention only to those cases in which they are interested such wrong things are happening there. Such wrong activities must be checked. Sangniji is a youngman. He should streamline the Labour Department so that it could be helpful to the poor workers and be freed from the clutches of the big capitalists to serve the people. The Labour Department should not be in the pockets of white elephants of the Public Sector. Such an arrangement is most essential. The Members of the opposition criticise us that our top officials are in league with the Public and Private Sectors and as a result, justice is not done to the workers and this is the cause of mismanagement. Therefore, attention must be paid towards this also. Top officers of the Labour Department get their sons appointed at high posts in the Public and Private Sectors and they themselves get higher posts after their retirement and that is why they show favour to them. You should curb this practice and no officer of the Labour Department should get his son or daughter appointed in any Industry and the officer should also not be allowed to seek any post in any Industry after his retirement. That is why we are criticised and it is said that our officers are

working in collusion with them and the people in general are not benefited. There is an urgent need to improve this situation.

Last time when your Department brought forward a legislation regarding the Dolomite and Sand Stone Welfare Activities and Welfare Fund I had then pointed out also that in Udaipur region and in other areas soap stone is available in abundance and there also soap stone Welfare Fund should be created. Shri Bhagwat Jha Azad the then Labour Minister, had also given an assurance in this House that a legislation would be brought forward in regard to soap stone and the workers would also be covered thereunder, but such a legislation has not so far been brought forward. I would therefore, like to submit that this benefit should be extended to the workers there. Soap stone is used in many important industries and like mica soap stone also earns foreign exchange. Therefore, this improvement is absolutely essential.

Mr. Speaker, Sir, I would like to draw your attention towards gratuity. Recently an Act has been enacted, which provides the right of gratuity after 5 years of service, whereas earlier gratuity was available for 240 days work in a year. It is causing a great loss to workers. I would like to submit that this law should be withdrawn and such an arrangement should be made under which benefit of gratuity is available to lakhs of workers.

Similarly, I would like to make a submission regarding the Workers' Education Centre. The first workers' Education Centre was established at Bhilwara in Rajasthan. Even today there are a large number of workers in District Bhilwara. There are a large number of mine workers, Soap Stone workers, chalk stone workers and workers engaged in textiles, Zinc and other industries. Besides, huge Zinc deposits, there is such a huge deposit of cement stones that a cement factory is being established there. When such a large number of workers are there and if Workers' Education Centre is not there, then it is a very unfortunate thing. I had submitted earlier also and the then the hon. Labour Minister gave an assurance that action should be taken in this regard, I would also like to submit to you

that it should be verified as to where are the largest number of workers in Rajasthan and after such a verification, a Workers' Education Centre should be opened there so that workers could unitedly help their colleagues to the maximum extent. Necessary action may kindly be taken in this regard. I would like to submit that minimum wage with regard to all the minerals have been increased, but soap stone has not been included in this list. Minimum wage with regard to soap stone is same which was two or three years back. The workers are facing a lot of difficulty due to this. I had spoken about it in the last session also, but minimum wage has not been increased. As a result, there is great resentment among them. You also said that it would be looked into. But this matter has not been considered so far. I had written a letter to you in this regard and in its reply it was intimated to me that it was being considered. Two years have elapsed, but no decision has been taken in this regard. Thousands of skilled and unskilled workers engaged in soap stone units are far behind than other workers. They are suffering a great loss. A definite arrangement should be made in this regard so that these persons could be benefited. Such an arrangement should be made, which may ensure higher minimum wages to the workers. I would like to make a special submission about E.S.I. also. There are many such employers who pocket the workers' fund as also the funds provided by the Government and they do not deposit it. Similarly I have spoken again and again about the Mewar Textiles, but no action has been taken so far. Eighty lakhs of rupees of Provident Fund has been pocketed by Shri Sampat Mal Lodha and he also misappropriated Rs. 30 lakhs of E.S.I., but no action has been taken against him. It is stated here that action for recovery is being taken, but no action has been taken at all.

Since they are capitalists so your department does not take any action against them. Your department is in league with these big capitalists. No criminal cases are filed whereas a case under section 409 can be filed against them without any difficulty. The capitalists gobble up the contributions made by the workers. So case under section 409 should be filed against them. But this has not been filed to date. The Government

have deposited Rs. 700 crores as security towards ESI but the workers come for medical facilities. How this security money will be utilised? The Government realises Rs. 150 crore from the workers, so provision of doctors, compounders and nurses should be made so that they can look after the workers properly. No medicine is available in the dispensary of E.S.I. There are a number of big industrial centres at different places. Hospitals should be opened there so that the health of the workers is taken care of. This is very essential. With these words I support the demands.

*SHRI C. SAMBU (BAPATLA): Mr Speaker, Sir, although it is 40 years since we have attained independence, the labour in the country do not enjoy social security even to this day. India is a country where many castes and communities live. There are many castes in the country who pursue their own profession or trade. Recent advancement in the industrial sector had also given birth to various classes of labour. But what is significant to note is that few sections of our labour community are enjoying the privileges and benefits. Only certain sections of our workers are untouched by the changes that have taken place in recent years. Workers belonging to unorganised sector are quite a neglected lot. While their brethren in organised sector are deriving every benefit from the Ministry of Labour, the unorganised workers who constitute the majority of the working class, are leading a miserable life. It is a bitter truth which everybody knows. There is no one to redress their grievances. They do not have medical facilities as the ESI hospitals are meant for only the organised class. Sir, ESI centres in the country are too few when compared to other countries. Hence the Govt. owes the responsibility to open ESI centres throughout the country on a larger scale. It is prime need of the hour. Sir, agricultural labour and handloom workers constitute majority of the unorganised sector. Beedi workers are also there in a large number who come under unorganised sector. Fishermen who are living in our coastal areas are also in a sizable number. Let me add at this juncture that no justice

had been done to our fishermen. They are thoroughly neglected by the Govt. in the past. It does not mean that other sections of the unorganised sector are not neglected. Sir, agriculture workers have work for only 3 months in any year. Rest of the period is a slack season for them.

During this slack season, they remain unemployed. It is a miserable period for them. It is starving season for them. As though this is not sufficient the contractors take them to distant places paying them paltry wages. These workers are turning out into contract labour. These workers are exploited to the end by contractors. Compulsion of living force the agriculture labour to play into the hands of contractors. I request the hon. Minister for Labour to come to the rescue of agricultural labour. I request that minimum wages should be notified for these workers and that notified minimum wage should not be less than Rs. 30 per day. Hope hon. Minister would take decision in this regard soon. Handloom workers are the next largest number in the unorganised sector. Their conditions are also as pitiable as the agriculture labour. So far no step was taken to better the lot of handloom workers. No laws have taken care of handloom workers so far. The handloom workers are exploited by the middle men and masterweavers. Master weavers are exploiting the handloom workers to the hilt. Entire handloom industry is in the grip of masterweavers and so far nothing has been done to save the poor handloom workers from their clutches. It is the responsibility of the Ministry of Labour to provide them security. The handloom workers should be issued identity cards. Housing and other facilities should be provided to them. Medical facilities should also be provided to the handloom workers. Free education facilities should be provided to their children.

Sir, one of the bans of industrialisation, is its concentration in a few centres. If the labour in the country are not happy today, it is only due to the concentration of industries in certain areas in the country. Hence there should be decentralisation of industries. Now our industries are confined to only a few metropolitan cities like Bombay Madras and Calcutta. Other places which enjoy same facilities and weather conditions

*The speech was originally delivered in Telugu.

should also be considered for setting up of industries. It is possible to do justice to the workers in all regions of the country if the industries are decentralised. For example, Prakasam and Guntur in Andhra Pradesh are the places where tobacco is grown extensively. The tobacco grown there is sufficient enough to meet the entire requirement of the country. Not only that. It is also being exported to other countries. If a cigarette factory is set up at Prakasam, it will go a long way in doing justice to not only tobacco growers but also many agricultural and other uneducated labour. Thus employment can also be generated for the benefit of the unorganised class in that area.

Similarly all the textile mills in the country are concentrated at Bombay and Ahmedabad. Even the Ministers and Ministries are interested in developing industries in urban areas. Sir, cotton is one of the main produce of my State. Prakasam and Guntur are well known for cotton production in not only Andhra Pradesh but also the entire country. Weather conditions are excellent and highly suitable for setting up textile mills in Prakasam district of Andhra Pradesh. There are many cotton growers also in the area. Hence textile mills should be set up in Prakasam district of my State. It is no use if you go on expanding textile industry in Bombay and Ahmedabad. It should be decentralised and Prakasham district in AP is ideally located and hence future textile mills should come up there. Hope the hon. Minister would take note of it. Farmers, unemployed both educated and uneducated will stand benefited by such a wise decision.

Beedi workers occupy third place in number among the unorganised sector workers. Crores of rupees are being collected through cess for the welfare of beedi workers. But it is unfortunate that they are deprived of basic amenities even today. Though the Govt. has collected crores of rupees, it has failed in providing to the beedi workers the housing medical and other facilities. The amount is not being utilised properly. Hence I request the hon. Minister to see that the amount collected through cess is utilised properly for the welfare of beedi workers. Beedi workers should also be given the

identity cards since they cannot work elsewhere, they should be extended the benefit of pension when they become old and retire from the work.

Sir, there is ITC factory at Chirala. About 7000 workers are employed in that factory 3 years ago. But due to installation of modern equipment for leaf grading etc. about 5000 workers were thrown out of employment. We brought it to the notice of the Ministry of Labour for showing them some alternative employment. So far nothing has been done to rehabilitate them. Justice was not done to them till now. Hence once again I appeal to the hon. Minister to provide employment to the displaced workers.

[MR. DEPUTY SPEAKER *in the Chair*]

17.00 hrs.

Sir, there is one cooperative spinning mill at Chirala. But the mill is starving of funds. Machinery has become outdated and needs to be replaced. About 5 to 6000 workers have already lost their jobs on that account. Hence I request the hon. Minister to come to the rescue of the mills by releasing necessary funds. By installing new machinery thousands of workers who have lost their jobs can be reemployed.

Sir, a word about the fishermen. Thousands of fishermen are living in the coastal areas of Andhra Pradesh and also elsewhere. They are not getting a remunerative price for their catch. Neither their income nor their life is secure. Once they go out to sea for fishing, there is no guarantee that they will return home safe. Braving all the odds, their efforts do not pay them good dividend as there is no remunerative price for their catch. Govt. had failed in providing them market facilities for their catch. Middlemen are ruthlessly exploiting the fishermen. Since they do not come under the purview of our present labour laws, the Govt. should show extra consideration in doing justice to them.

Sir, Telugu Desam Govt. in Andhra Pradesh had taken several steps for the benefit of the labourers. A Kg of rice is being supplied to them at a nominal price of Rs. 2. The Telugu Desam Govt. has also taken

a housing scheme on a large scale to provide shelter for them. Old age pension is also being granted to the agricultural labourers. These are just some of the many welfare measures that we have taken up in our State. Special attention is being bestowed on the poor workers by the Telugu Desam Govt. But the Central Govt. is not extending liberal financial help to the State Govt. to carry out this gigantic task of helping the poor. I appeal to the Central Govt. to release funds liberally to the State Govt. so that it can be taken up and carry out various welfare measures meant for the poor labourers without any hindrance.

I thank you very much for giving me this opportunity and conclude my speech.

DR. CHANDRA SHEKHAR TRIPATHI (Khalilabad): Mr. Deputy Speaker, Sir, I rise to support the demands for grants of the Ministry of Labour. There are no two opinions about it that the workers are the backbone of our economy. Recently, Professor Victor Patron has revealed in his article entitled "India Spotlight on Population" that one-third of the total labour potential of the country remains unutilised even today. Sir, 10 percent of the total labour force in the country is in the unorganised sector whose number comes to about 3 crores. The Government have done an excellent job by bringing new legislation and amendments to the existing Acts to raise their standard of living since independence. I would not like to go in detail of all these things but would only like to say that whereas laws in respect of minimum wages, weekly holidays and working hours, bonded labour, the E.S.I. scheme, Pension Scheme, Provident Fund Scheme; etc. have been formulated for bettering the lot of workers and implemented from time to time, a new scheme has recently been formulated for their welfare under which provisions have been made for better training facilities, opportunities of better employment and social security to workers. All these welfare schemes have been formulated under the Labour Ministry and work is going on there. I share the anxiety of the hon. Members that although a number of laws have been enacted in the country, these are not being implemented in a proper way. Although the Parliament of the country or the Government of India has enacted laws to bring

improvement in the standard of living of the workers, these have not benefited the workers to the desired extent. It is unfortunate that the machinery which is responsible for implementing the schemes has not done its job properly. The hon. Labour Minister will have to think about deputing seriously and make those officers accountable for it who are for this purpose and due to whose carelessness our policies, laws and schemes are not being implemented properly. Unless the person, who is found neglecting his duty, is punished no improvement can be brought about in the whole system.

Sir, it has been our experience that it is not sufficient to make laws in different fields but we will have to ensure whether its benefit is reaching the people or not. For this, we will have to bring a spirit of awareness among the workers. I have seen a report pertaining to the Labour Ministry. I am of the definite view that the Labour Ministry is trying to awaken the workers but we will also have to make the workers aware about those laws which have been enacted for the welfare and security of the workers and for raising their standard of living. Sufficient publicity in this regard should be made and the workers made aware of the objectives of these Acts so that they may know what schemes have been formulated for their welfare and whether they are getting the benefits of those schemes or not.

Sir, a number of points have been dealt with by our hon. Members. I would not like to discuss them. But in Delhi I have seen that a number of agencies are engaged in sending workers abroad. In my opinion if the workers are imparted training before they are sent abroad for undertaking work, their earning will increase many fold. I would like to request the hon. Labour Minister to make a comprehensive law in this respect so that workers are imparted training before they are sent to foreign countries and in this way they will be able to raise their standard of living.

Mr. Deputy Speaker, Sir, the problem of child and women labour has been dominating the whole country. The hon. Labour Minister has recently passed the Child Labour (Prohibition and Regulation) Bill. But under the present condition in the country, crores of children are working in bidi manufacturing, carpet weaving, glass

manufacturing and fire works manufacturing factories. But this is a negligible percentage of our child labour. Crores of children are working in hotels and as domestic servants. The Government has recently passed a law to save these children from exploitation. But still nothing has been done for those large number of small children who have to work as many as 16 to 18 hours and who do not even earn two or three rupees daily and who have to pass through punitive process and who are beaten at the hands of employers and who have to work in rags in shivering cold and who clean utensils in the hotels in a very pitiable condition. So I would request the hon. Labour Minister to take very effective steps under this Act, make the Act comprehensive and do something for the crores of children who have been left untouched.

Sir, there are two schedules in the Act which has just been passed. One is of hazardous jobs and the other is of non-hazardous jobs. So far as non-hazardous jobs are concerned, provision of employment of children upto the age of 14 years has been made but side by side efforts have also been made to make their working conditions better. But the case of the carpet weaving industry of Uttar Pradesh is a unique one. It is the first example of the craftsmanship of high order in India. It has been included in the hazardous industries. I do not deny that it is a hazardous industry. If the children and women workers of the carpet weaving industry can be afflicted with serious diseases and their health can be adversely affected, this industry should be placed under the hazardous schedule. But in this age of science and modern techniques the doctors keep cloth on their nose while performing operation to avoid infection. Similarly methods can be evolved to prevent adverse effects of fibres on health in the carpet industry. The reason is that even after enactment of the law lakhs of parents in the country on account of their being in extreme poverty and due to illiteracy send their children for work in the carpet industry, which is such an industry where job can be done better with tender fingers. Only women and children can do this work in a most efficient manner. Adult can not do this work. I would request the hon. Minister to reconsider this schedule. It will have two advantages. Firstly foreign exchange amounting

to crores of rupees, which we are spending on import of carpets will be saved, secondly, lakhs of poor children who earn their livelihood by working 2 to 4 hours will not be deprived of their jobs and thirdly it will have good effect on the economy of the country. Sir, I will take two minutes more.

Besides this, I would like to give one more important information. Without naming any State, I would like to say to the hon. Labour Minister that workers, particularly those belonging to Uttar Pradesh and Bihar are made to take intoxicants and they are put to work for 10 to 12 hours. The hon. Minister may get it surveyed and put a check on such practice where workers are taken more work by providing them intoxicants.

Last year when we visited Madras Port, the workers there made a complaint that in the event of the death of a worker, the members of his family do not get provident fund amount and a number of objections are raised. This causes unnecessary delay. This matter should be settled in the tribunal without delay. While drawing the attention of the hon. Minister to all these matters, I conclude my speech.

SHRI RAMASHRAY PRASAD SINGH (Jahanabad) : Mr. Deputy speaker, Sir, I would like to place my views in regard to the Demands of the Ministry of Labour. At present there are two types of labour in the country namely, organised labour and skilled one who resist their exploitation, form trade unions and demand their rights from the big employers. The unorganised labourers are those who are exploited economically, physically and socially. They are mostly working in kilns and crushers. Their number runs into lakhs. They are put to work for as long as 16 to 18 hours a day and they are not paid reasonable wages. They are kept as bonded labour for 4 months. The treatment meted out to them is beyond description. They have to suffer humiliation. The hon. Minister should think over it. Such incidents are taking place under his very more.

The minimum wage for an agricultural labour was fixed by the State Government. But even after so many years it has not been implemented. The reason is that a number

of loopholes are left in the laws which we enact. The cases pertaining to the minimum wages are tried like civil cases. As a result the worker can not pursue the case vigorously. The verdict goes against him and he does not get the minimum wage. Amendment should be made in the Act. Unlike civil suit, only one or two witnesses should suffice to settle the case. Unless you make amendment in it to this effect, the labour is not likely to get his right to minimum wages.

Thousands of labours are working with the contractors in the Gaya Loco workshop. But they have not been provided any facility. They have neither the facility of drinking water nor there is any provision for their rest during summer. This I have seen with my own eyes. When it is the responsibility of the Labour Department to save the labour from exploitation and to provide them facilities, then they should look after that labour whose condition is very bad. The labour has to face social boycott in the villages. Similarly their is no importance of the labour in the Labour Department and the Secretariat. This department has been created for name sake only. The wage of a labour is Rs. 17.31 only.

At the time of enactment of the Child Labour Act, when the late Shri Anjiah was incharge of the Labour Department, I had said that Lok Sabha is not only meant to make laws. It is not an agency. But it has to ensure whether laws are being implemented or not. You will have to see what you can do in implementing the laws.

At present the condition of Child Labour is very pitiable. We see their condition with our own eyes at the stations although we make laws for these children. Boys of 10 to 12 years of age carry our luggage. It is an irony that the person, who make laws, take work from them. We should think seriously how to implement this Act. You cannot prevent the child labour from doing work because their economic condition is very bad from the very beginning. Their parents are compelled to send them to work. You should provide at least one time's meal and education to these children. Only by making such arrangements this thing can be prevented without resorting to enactment of a law.

The agricultural labour is not getting any benefit from this Act. The highly paid officers in your department are not doing anything in this respect. As a result the labourers are adopting violent means to get the minimum wage implemented. Everyone has come to know that the law cannot provide any help to them. Labourers are organising themselves. It has been seen that thousand of acres of land is lying fallow where the Minimum Wages Act is not being implemented. The labour work only when the farmer is ready to pay them the minimum wage. Only then they till their land. You will have to see this type of danger. If this Department does not work properly, the reputation of other departments of the Government will also go down and the Government will fall.

A number of workers belonging to Bihar live in Calcutta and work there. They mostly work in lime godown, cement godowns, and iron godowns. I would tell you an incident of 1983. When I asked them what was the condition of the other Government, they told that previously they used to live like dogs but now they were treated as human beings under that Government. Previously when they asked for blankets during winter, they were threatened with the sack order but now they were given blankets and their employers could not remove them from the employment. Now they are living in peace.

Just now an hon. Member said that the Centre should follow the State Government. It is a matter of great shame that previously the States used to follow the Centre but now the Centre is being asked to follow the State. This is a symptom of incompetency. This is the reason why no benefit has reached to the poor labour.

[English]

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI P.A. SANGMA): Mr. Deputy-Speaker, Sir, I am grateful to all the hon. Members who have taken part in the debate on the Demands for Grant of the Ministry of Labour for 1987-88. The keen interest which the hon. Members have shown during the debate really gives an indication

of their commitment to the welfare of the working class in our country.

Many points were raised and most of the points were valid, I must concede that. I do not think, it would be possible for me to reply to each point which has been made by all the hon. Members, but I can assure that each and every point would be replied subsequently, and here, I propose to deal with the main issues, not the specific cases.

I will try to briefly summarise what has been done in 1986-87 and what we propose to do in 1987-88.

If you look at the legislation aspect, the House will remember that in 1986 an five Acts were passed. And those were Dock Workers Safety, Health and Welfare Act, 1986, Child Labour (Prohibition and Regulation) Act, 1986, Apprenticeship (Amendment) Act, 1986, and Contract Labour (Regulation and Abolition) Amendment Act, 1986. One hon. Member pointed out that this was promised but was not done. It has been done, maybe, it escaped his memory. Then, the fifth Act was the Sales Promotion Employees (Condition of Service) Act, 1986, These five Acts were passed in 1986.)

At the moment, we have four Bills under consideration of either this House or the other House. These Bills are the Cine Workers Welfare Fund Bill, 1986, Factories Amendment Bill, 1986, Labour Welfare Fund Law (Amendment), 1986 and the Payment of Gratuity Act (Amendment Bill), 1986. These are the major Bills are pending consideration either here or the other House.

On the top of that, we have on our agenda ten Bills which have yet to come before the House and out of that ten, seven will be amendments and three will be new legislations, The seven amendments that are proposed to be brought in are: Amendment to Employees Provident Fund Act. Some hon. Members have raised the question of raising the contribution by two per cent, upto ten per cent. In the last SLC meeting, it was agreed by the employers and the SLC that it should be raised. It is now under the active consideration of the Government and it will be coming in the form of amendment. I am saying all this

because many hon. Members have raised what has happened to this and that and why amendments are not being brought by the Government. I am just saying how many Bills would be coming up. Then, the next is amendment to Employees State Insurance Act, Amendment to Contract Labour Act, amendment to Plantation Labour Act. This is going to be a very important Bill that would be coming. The Members particularly from this side have been aertated why we have not introduced amendments to Industrial Disputes Act and Tribunal Act. These would also be coming up...*(Interruptions)*.

SHRI NARAYAN CHOUBEY : We are also interested.

SHRI P.A. SANGMA : The 7th Bill that would be coming is regarding the Equal Remuneration Act. On top of that, we have these three new proposals which will be coming in. Among these three new proposals there will be a Bill which set up a grievance-redressal machinery for hospitals, dispensaries educational institutions, scientific research and training institutions which have been taken out of the purview of the Industrial Disputes Act. So, we have to provide an alternative grievance-settlement machinery and that would be coming up before the House very soon.

The second new Bill, which will be coming up before the House is the Bill, which will be a simplification procedure, as far as adherence to various labour laws are concerned for the small scale industries. Today, the small scale industries have to fill up, as many as, 60 forms to adhere to the various requirements under the various laws. We are trying to bring instead of 60 forms, by compressing them to only 3 forms. So this is an attempt to simplify the procedure and this will be quite an important Bill.

Then, we are also coming in with a Bill to provide safety for the workers in the building and construction industries. So, these are the few Bills that would be coming in. But, while discussing about the Bills, hon. Members have made a very right point that mere passing of laws is not going to help the workers. What is more important is the implementation of the laws. I

agree hundred per cent with the hon. Members. In fact, I have myself been making lot of statements to this effect and I can assure the hon. House that except the Bills which are in the offing, which I have mentioned now, I have decided that, in 1987, we will not initiate any new Bill. 1987, will be devoted towards seeing that the existing laws are implemented.

SHRI NARAYAN CHOUBEY : How?

SHRI P. A. SANGMA : Yes Sir. Now here the question is how that most of the labour laws are to be implemented by the respective State Governments? We have very little role to play in the implementation of the existing law, unless some of the laws, where the Central Government is the appropriate Government, we have to deal with directly. But I have no doubt that the respective State Governments will be in a position.....

SHRI PIYUS TIRAKY : The respective Ministry also.

SHRI P. A. SANGMA : The Ministry and the State Governments will be able to implement these laws.

[Translation]

SHRI NARAYAN CHOUBAY : You, have no power.

SHRI P. A. SANGMA : Power is their.

[English]

I can tell you, for example...

(Interruptions)

SHRI P. A. SANGMA : Choubeji, if we want, we can implement the laws. I will not blame the State Governments, saying that it is squarely the responsibility of the State Governments to implement it and Centre has nothing to do with it. I do not accept that proposition. The Central Government has a role to play. If Central Government is closely co-operating with the State Governments, it can be done.

Now, Child Labour (Regulation and Abolition) Act was passed.

[Translation]

DR. DATTA SAMANT : What is the follow action. Nothing.

SHRI P. A. SANGMA : Action has been taken.

[English]

For the implementation of these laws, now the Consultative Committee of the Parliament itself divided into two groups and tried to go to the States. One group went to see the conditions of the agricultural labourers and another group went to see the unorganised sectors, who are the non-agricultural labourers. Now, the non-agricultural labourers, group decided to go to Firozabad first to see the conditions of the children who are working in that Glass and Bangles factory. I must tell you that the U. P. Government fully co-operated and today, all their children, who have been working in the Glass factory are out and Mr. Kumaramangalam ..

(Interruptions).

[Translation]

SHRI NARAYAN CHOUBEY : Very kind of you. They might have earned two leaves of bread.

[English]

SHRI P. A. SANGMA : Now, the problem is this. The Parliament has passed the law that children shall not be employed in hazardous factories and mines. We have implemented this.

(Interruptions)

MR. DEPUTY SPEAKER : Please listen to him.

[Translation]

Don't go on giving running commentary.

SHRI NARAYAN CHOUBEY : They have lost their bread.

[English]

SHRI P. A. SANGMA : We have implemented the law. But there is another problem to this.

The Hon. Member Shri Kumaramangalam has complained on the Floor of the House that all the 10,000 have been rendered jobless. I am only trying to draw a point that if we are really interested in the implementation of the law it can be implemented. But, by implementation of the law what other problems will it lead to is a separate question. But we cannot say that this law cannot be implemented. Shri Choubeyji has raised a question of defaulters of the provident fund for jute industries.

SHRI NARAYAN CHOUBEY : Tea industry also.

SHRI P. A. SANGMA : Now for the last 15 years or so, the jute industries have been evading the payment of provident fund arrears. I have taken a meeting with them, reached to certain agreement. We are getting the money though we have not got much of money. We have started getting the money. Those who have not kept their promise when we met, I sent my Provident Fund Commissioner to Calcutta. He had a meeting with your Home Minister, he had a meeting with IGP of West Bengal and they have started taking action and today 14 people have been arrested and put in jail. I must thank the Government of west Bengal for that. If the west Bengal Government wants to do it, they can do it.

DR. DATTA SAMANT : They have given the bail in the House only.

SHRI P. A. SANGMA : Whatever it may be. They have been arrested. The West Bengal Government has taken action. So far 15 years they thought, they could not be touched by anybody. But they have been touched. This is what I am saying. In the Central Government and the State Government move together laws can be implemented. But one thing we must understand This cannot be done solely by the Central Government, solely by the State Government Centre and State must cooperate. If we jointly move, I do not believe the laws

cannot be implemented. And, therefore, I can assure the House that this year we are going to give importance to the implementation of the laws and I solicit the cooperation and active involvement of the Hon. Members and more so the respective State Governments.

Sir, I do not want to deal elaborately. Next I come to the Industrial Relations.

SHRI NARAYAN CHOUBEY : Minimum Wages Act.

SHRI P. A. SANGMA : You want me to skip this. Sir, among the important laws which needs to be implemented, existing laws which should be implemented and the most important act according to me is the Minimum Wages Act. If the Minimum Wages Act can be sincerely and effectively implemented. I agree with Dr. Datta Samant that the conditions of our working class will change to a great extent. This is what we should try to do. As far as Choubeyji's point of minimum wages versus the poverty line is concerned the minimum wages and the poverty line are two different things. Now, poverty line concept is based on the family income. When the Government calculates the poverty line concept, it takes into account the income salary. Now we have added clothing also but it is based on the income of the family and wage is only a component of that income. Therefore, the wage and the poverty line cannot be treated as same. But, I am only explaining the concept. I am explaining the concept not that what is happening is right.

But I do agree with the hon. Members that we must have a look at it. Whether we should continue with this concept, I do not know. I strongly feel myself that it requires re-examination and a re-look. So, that much I can say. But as it stands today, these minimum wages and the poverty line are two different concepts. (Interruptions) Any other thing you would like me to say ?

Now let me come to the industrial relations situation in the country. I do not say that the industrial relations situation in this country is very good. Mr Choubey does not agree with me, because he has cited

the figures of sickness and all that. I am not going into them. (*Interruptions*).

DR. DATTA SAMANT : There is no alternative. There is the question of unemployment.

SHRI P.A. SANGMA : I am coming to unemployment. I will answer all the major points, including that. But the fact, Mr Choubey, is that if you go by the calculation of man-days lost as a scale to know the industrial relations situation in this country—I am using the word 'if'...

DR. DATTA SAMANT : 1,20,000 industries are closed. So, there is no industrial relations at all. One crore workers are out of job.

[*Translation*]

SHRI NARAYAN CHOUBEY : When the industries are closed where is the question of industrial relation. How can the matrimonial allowance continue when the wife is dead.

SHRI BASUDEB ACHARIA : When the industries are closed there is no industrial relation.

[*English*]

SHRI P.A. SANGMA : If you go by that standard—and I am emphasizing the word 'if'—there is certainly an improvement in the industrial relations situation, because in 1984 the man-days lost were 56.03 million ; in 1985 they were 27.37 million and in 1986 they have come down to 22.1 million man-days. (*Interruptions*)

SHRI NARAYAN CHOUBEY : If you close down more factories, there will be no man-days lost at all. Then your figures will be correct no man-days lost.

DR. DATTA SAMANT : Change these out-dated calculations.

SHRI P.A. SANGMA : Mr. Choubey, please listen to me. The hon. Members from this side have asked : "if we speak about the number of man-day lost due to strikes and lock-outs, have we got the figures about man-day lost due to power failure, due to

failure of the machinery, and due to shortage of raw materials?" We do not have them. I am admitting it. We must go into that aspect also.

SHRI NARAYAN CHOUBEY : Have it done.

SHRI P.A. SANGMA : We must. We have started it. That alone will give a clear picture ; but according to the present norms, i.e. if we take the present norms into account, you cannot deny that there has been improvement. (*Interruptions*)

SHRI BASUDEB ACHARIA : You are not correct.

SHRI P.A. SANGMA : I am not yielding.

SHRI NARAYAN CHOUBEY : Don't yield, but do reply.

SHRI P.A. SANGMA : I have to finish by 6 o'clock ; otherwise we have to come tomorrow.

As far as the central sphere is concerned, the man-days lost here have been the lowest in ten years. They are only 1.04 million, and that figure is the lowest in the last ten years. If I give you all the figures, i.e. for the last ten years, Mr Choubey and other hon. Members may get disappointed with all these good figures. If you take the wage loss, it is the lowest ten years. It is Rs. 21.42 crores. If you go to the figure of industrial disputes... (*Interruptions*)

[*Translation*]

SHRI NARAYAN CHOUBEY : Your record will remain all right.

[*English*]

SHRI BASUDEB ACHARIA : Please tell us the number of industries which were closed.

SHRI P.A. SANGMA : If you look at the figure for industrial disputes, the figures in 1985 was 2095 ; for 1985 it is 1755, and for 1986 it is 1581.

So, there has been a progressive decline in the number of disputes also ; It is not

only in the number of man-days lost but also in the number of disputes. (Interruptions) Of course, one point must be made clear that while the number of man-days lost is coming down every year, if we analyse whether it is because of strikes or because of lock-outs, the number of man-days lost because of strikes is coming down and the number of man-days lost because of lock-outs is going up. That is also in your favour and I do not want to conceal it. (Interruptions)

AN HON. MEMRER : One of the reasons is that Mr. Choubey has denied it.

SHRI P.A. SANGMA : Whatever our national figure in all this respect is, whether it is because of strikes or lock-outs, Mr. Choubey's contribution is always not less than 40 per cent ; that is Bengal's contribution to man-days lost and to strikes and to lock-outs.

Now, I will come to social security because many hon. members have raised this question. I will be very brief. Now, I come to provident fund. I have already answered one part of the point which has been raised. Now, all the hon. members have made a point that though in the last few years there has been a progressive increase in the rate of interest from 9.15 per cent in 1983-86 to 11 per cent in 1986-87, the hon. members have felt that it is not adequate ; it must be raised more. This has been the feeling of the hon. House. I assure the hon. House that this shall be examined and I hope to get a favourable decision on this.

There are so many other points which could be mentioned, but one more point that I would like to add is that there was a huge amount of money to the tune of Rs. 14.68 crores which did not belong to anybody, because nobody claimed that money ; it is unclaimed money-somebody was having Rs.1000/-; somebody was having 2000 and odd ; it was just kept like that. We have taken steps to identify the people to whom money belongs and I am happy to say that we have identified 3.77 lakh people to whom this money belongs, and we will make every effort to see that the money which has been lying for many years and the workers did not know that money belonged to them, will not only

be given that money to them but it will be given with interest.

Coming to ESI, it is a very difficult subject.

SHRI RAM PYARE PANIKA : It is working well.

SHRI P.A. SANGMA : There has been a lot of feeling among the Members of Parliament that ESI is not working properly. Well, there is a lot of improvement requires in the working of the ESI ; I admit that. But the main problem is that partly this is administered by Centre, partly by the Corporation and partly by the State.

DR. DATTA SAMANT : It is a good excuse.

SHRI P.A. SANGMA : No, no, it is not a good excuse. I am telling you. It is a reality. Some way has to be found to improve it. But if it is everybody's business, it is nobody's business. That is the situation today which I do not know whether we should continue like this.

SHRI NARAYAN CHOUBEY : It should not.

SHRI P.A. SANGMA : Some way has to be found out. We have constituted three-committees to go into all this ; and each committee is headed by an hon. Member of Parliament. I have deliberately chosen Members of Parliament to go into all this.

SHRI NARAYAN CHOUBEY : When were they constituted ?

SHRI P.A. SANGMA : They were constituted six months before. But the hon. members have not been able to take a meeting because of the session. I think immediately after the session, they will go on tour.

THE MINISTER OF HOME AFFAIRS (S. BUTA SINGH) : They were busy in the elections.

SHRI P.A. SANGMA : But I will wait for the report of the Members of Parliament. (Interruptions) I think a Telugu Desam MP.

(*Interruptions*) I do not believe in all this. I forget his name. (*Interruptions*) But, anyway, I do not believe in all this.

(*Interruptions*)

MR. DEPUTY-SPEAKER : Listen to him.

SHRI P. A. SANGMA : And we have deliberately requested the Parliamentary Affairs Minister to give a doctor by profession so that they know it better. (*Interruptions*) Listen to me carefully.

SHRI GIRDHARI LAL VYAS : You should follow the Congress policies.

(*Interruptions*)

SHRI P. A. SANGMA : I am a Congressman ; I have to follow.

(*Interruptions*)

Sir, I will only mention about the expansion of the ESI Hospitals because that has been raised by many hon. Members in the House. Some of the new suggestions we will examine. But what has been decided I will just say. We propose to have ten more ESI Hospitals in 1987-88 and these hospitals will be as follows; One in the Bihar in Ranchi, a fifty-bedded hospital; one in Delhi, a 20-bedded hospital in Jhilmil; two in Kerala, one in Faruk and the other in Toda and one... (*Interruptions*)

DR. DATTA SAMANT : In Maharashtra?

SHRI P.A. SANGMA : In Maharashtra in Sholapur, a 144-bedded hospital -- is it your area?

PROF. MADHU DANDAVATE (Rajapur) : Dr. Datta Samant will go into that hospital.

SHRI P.A. SANGMA : We will have one in Madhra Pradesh in Bhopal, an eighty four bedded hospital, and four in Uttar Pradesh -- unfortunately your area is not there. I will examine it.

SHRI SHYAM LAL YADAV (Varanasi) What about Varanasi?

SHRI P.A. SANGMA : Varanasi is not here. I remember your demand.

Four in Uttar Pradesh will be in Bareilly Noiea, Kidwai Nagar and Jag Mau in Kanpur.

SHRI GIRDHARI LAL VYAS : What about Rajasthan.

SHRI P. A. SANGMA : In Rajasthan we have already a few hospitals. I have not able to find time the Chief Minister has been insisting that I should inaugurate. He has a few dispensaries to inaugurate, we are going to augment them.

SHRI NARAYANA CHOUBEY : West Bengal?

SHRI P. A. SANGMA : About West Bangal, you write to me.

(*Interruptions*)

Then, I will come to safety aspects.

SHRI DAMODAR PANDEY (Hazari-bagh) : In this you have not mentioned about the specialised hospitals for occupational diseases.

SHRI P. A. SANGMA : Yes, Paditji has raised this question.

We are immediately going for four hospitals for the occupational diseases which Panditji has mentioned. At the moment we are going in for four places. I did not think that I would get time to reply to individual points.

Now, as far as safety is concerned, the House had an opportunity to discuss the Factories Act (Amendment) Bill where we have recently passed the amendments. This is one major step that the Government had taken after the Bhopal incident by introducing a comprehensive amendment to the Factories Act where we have added one chapter to deal with the safety affairs. There are some more changes.

Recently — last year — we have passed the Dock Workers Safety and Labour Welfare Act. I have also to mention that as far as the construction workers are concerned

and the building workers are concerned, we are now coming up with a new safety act and we have also sent a lot of people for training which I had the occasion to mention on the floor of the House while discussing the Factories Amendment Bill earlier, but one major achievement is that we are going to establish a major accident hazard control system in our country with the assistance of the International Labour Organisation at an estimated cost of 1.6 Million Dollars. This will be a very good institute as far as safety is concerned. We are grateful to the ILO, our relations with the ILO are very good. The Director General of ILO was here in the month of January, I do not want to go into all the details.

SHRI NARAYAN CHOUBEY : What about the public sector strike for a day on the 24th January?

SHRI P.A. SANGMA : I have two more points to make in ten minutes they are important points, Another important point that has been left out on safety is this, which I would like to state as Achariaji has made a points that the number of accidents and deaths has been going up in our country which is not so it is rather static.

If we compare the position of India with the rest of the world, ours is a comparable thing. It is not that we are happy with that. But the position is that it is not going up. It is, more or less, static and it is comparable with the rest of the world. For example, in core area in 1984 India was per 1000 persons 0.32, Belgium 0.97, Czechoslovakia 0.54, Japan was the highest in the world i.e. 3.77, USA 0.64, West Germany 0.40. So it is not that ours was is the highest in the world and it is going to be very much comparable.

Coming to unemployment, most of the hon. Members have quoted the figures of employment exchange. I have, on more than one occasion, clarified this position on the floor of the House that as far as unemployment figure is concerned, we do not depend on the figures of the employment exchanges, because employment exchanges do not reflect the real picture of unemployment. The reason being that once a person

is registered with an employment exchange, his name continues to be there for three years. Only after three years, if he does not come for renewal, then his name is deleted on the presumption that he has got a job. But within these three years, it may so happen that some of them might have already got employment... *(Interruption)*

DR. DATTA SAMANT : How many persons got jobs during the last two years ?

SHRI P.A. SANGMA : A survey was conducted and in that survey it was found that 17 per cent of those whose names were registered in employment exchanges have already got their jobs and about 18 percent or a slightly more are people who are still students in colleges and schools. Therefore, the employment exchanges do not give the correct picture of unemployment.

SHRI NARAYAN CHOUBEY : How many persons, whose names have been stuck off the employment register, did not get jobs in three years?

SHRI P.A. SANGMA : We depend on the figures of the Planning Commission, which Dr. Datta Samant was quoting. According to the Planning Commission, the backlog of unemployment in the Sixth Five Year Plan was about 9 millions. The net addition to the work force during the Seventh plan will be 39 million. Therefore, during the period of Seventh Plan, we have to generate employment for 48 million. The Planning Commission has projected employment for 40 million standard persons during the Seventh Plan, thereby leaving 8 million people still to be unemployed by the end of the Seventh Plan. This is the correct picture, according to the Planning Commission. I am quoting this to show that we do not depend upon the figures of the employment exchange, but we depend on the Plan Document. That is why, I am saying that employment exchange figures cannot be taken as figures which really reflect the unemployment situation in the country.

DR. DATTA SAMANT : In the last two years how many persons got jobs? Many people do not go to the employment exchange for registration.

SHRI P.A. SANGMA : I agree that unemployment is a very big problem for our country. We must pay our attention to unemployment problem. Dr. Datta Samant may be right in saying that in the last few years there is a declining trend in the private sector. This is what I have also been told. I really do not know... (*Interruptions*) We are checking it up.

SHRI NARAYAN CHOUBEY : The Central Government has stopped employment for the last three years.

SHRI BRAJAMOHAN MOHANTY (Puri) : What is this? We are also listening to the Minister here. Why do you not warn them.

MR. DEPUTY SPEAKER : Many times I have given them warning. What action can I take? I have to name them. That is what I can do.

SHRI BRAJAMOHAN MOHANTY : On each and every sentence they are obstructing... (*Interruptions*).

SHRI NARAYAN CHOUBEY : All right, Sir, let him go on.

SHRI P.A. SANGMA : We agree that unemployment is a big problem and we must pay our attention to that. It will be absolutely wrong for us to expect that all these 48 million people can be provided jobs by the Government of India. It is just not possible. We must emphasise, according to me, on creating self-employment for these people, for which we will have to gear up our training centres all over the country, and, therefore, we are emphasising on vocationalisation of education, we are emphasising on the modernisation of the ITIs in the country and we are going towards that... (*Interruptions*).

SHRI THAMPAN THOMAS : Sir, will the Government pay unemployment grant to the unemployed people?

SHRI P.A. SANGMA : Even in the unemployment sector, if we compare our position with the rest of the world,—I am quoting from the World Labour Report of the ILO—it is not that our position is

absolutely bad. If you take the number of unemployed people as a percentage to the total population, ours is very much comparable—in fact, better than many countries—but if you take in absolute numbers, then there comes the problem because of the size of our population. I am quoting the figures of percentage of unemployment in 1985—I have got the figures for 1983 and 1984 also :

Canada—10.5 per cent.

SHRI NARAYAN CHOUBEY : Speak the bulk, Why percentage?

SHRI P.A. SANGMA :

Hong Kong — 3.9 per cent

U.S.A. — 7.2 per cent

Japan — 2.6 per cent

Republic of
Korea — 4.0 per cent

Philippines — 6.1 per cent

Australia — 4.8 per cent

Denmark — 9.2 per cent

Spain — 22.0 per cent

Italy — 10.0 per cent

Germany — 9.0 per cent

Sweden — 2.0 per cent

India — 3.04 per cent

It is very much comparable... (*Interruptions*).

MR. DEPUTY-SPEAKER : If at all he is misleading, you can bring a motion. That is all I can say.

SHRI P.A. SANGMA : If we take that 3.04 per cent in absolute number, because of the size of our population it is a large number, but if you take it as a percentage to the total population, we are comparable. So, you cannot condemn everything that is

happening in the country and say it is bad, and think that everything outside is good. No. We have done much better than many countries in the world and you must be proud of our achievement.

SHRI NARAYAN CHOUBEY : We want to know the figure.

SHRI P.A. SANGMA : Figure I have given as 48 million.

The last point that I would like to make is our emphasis is being given on unorganised sector. I wish I could have dealt with the unorganised sector elaborately—bidi workers, contract workers and what not—but I have had many occasions to speak in the past. Our policy is that we must pay more and more attention to the unorganised labour and that unorganised labour includes agricultural labour, child labour, construction workers, migrant workers and so on. So, all these people have to be looked after. We must do everything possible. I may remind the House that our Prime Minister Shri Rajiv Gandhi himself has announced in his Budget Speech that there will be a National Commission constituted for them, which will be announced on the floor of the House very soon.

As far as child labour is concerned, we have taken some steps. I have had an occasion to refer to my visit to Ferozabad.

With these few words, I once again thank the hon. Members.

18-00 hrs.

MR. DEPUTY-SPEAKER : I shall now put all the cut motions moved to the Demand for Grant relating to the Ministry of Labour to vote together, unless Shri Ramashray Prasad Singh desires that any of his cut motions may be put separately.

Cut Motions Nos. 1 to 3 were put and negatived

MR. DEPUTY-SPEAKER : I shall now put the Demand for Grant relating to the Ministry of Labour to vote.

The question is :

“That the respective sum 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 31st day of March, 1988 in respect of the head of Demand entered in the second column thereof against Demand No. 54 relating to the Ministry of Labour.”

The motion was adopted

Demand for Grant, 1987-88 in respect of the Ministry of Labour
voted by Lok Sabha.

No. of Demand	Name of Demand	Amount of Demand for Grant on account voted by the House on 13th March, 1987	Amount of Demand for Grant to be submitted to the vote of the House		
			Revenue Rs.	Capital Rs.	
1	2	3	4		
		Revenue Rs.	Capital Rs.	Revenue Rs.	Capital Rs.
MINISTRY OF LABOUR					
54.	Ministry of Labour	27,80,00,000	3,00,000	1,38,98,00,000	13,00,000

18.01 hrs.

The Lok Sabha then adjourned till Eleven of the Clock, on Tuesday, March, 31, 1987 Chaitra 10, 1909 (Saka)