

the Government to sympathetically consider the matter and issue necessary instructions to the Railway authorities to remove the track at their cost. I am confident that the Corporation will acquire and hand over 10.25 hectares land somewhere near the railway line near the cement factory. Though it is a hard task, it will fulfil it in the interest of the lakhs of citizens of Vijayawada. So, I request the Government to immediately take necessary steps in this regard.

12.49 hrs

DEMANDS FOR GRANTS
(GENERAL), 1985-86

(i) Ministry of Labour — Contd.

[English]

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

Mr. Ramamurthy.

SHRI K. RAMAMURTHY (Krishnagiri) : Mr. Deputy-Speaker, Sir, I am thankful to you for giving me this opportunity to participate in the discussion on the Demands for Grants of the Ministry of Labour.

I congratulate the hon. Minister for Labour for having efficiently managed the affairs by way of bringing down the mandays lost.

First of all, on behalf of working class of this country, I would like to congratulate the Government, which has been taken over by the young and dynamic Prime Minister, for having announced in the budget proposals about the charge of workers' dues which were all along being neglected. The workers' dues had been given the fourth or fifth priority when an industry or established happened to be closed down. Now the Government has announced that the workers' dues will be

given the first charge on the assets of the company or establishment when it is closed. Also in the budget proposals the Government has announced that upto Rs. 50,000 of the accumulated retirement benefit of gratuity will be free from income-tax. This is also one of the welcoming measures for the working class.

There was also the problem of dearness allowance of the workers of the public sector undertakings. It was fixed some years back at Rs. 1.30. A Tripartite Committee was formed by the then Finance Minister Shri Pratap Mukherjee, but the Committee could not come to a conclusion; there was no unanimity on this issue. So, the Government has taken up this issue and it has announced Rs. 1.65 per point while the politically motivated trade unions have already accepted Rs. 1.50 in West Bengal.

Another welcome feature is the raising of the ceiling amount for bonus. As per the Bonus Act of 1965 the ceiling was Rs. 750. In this year's budget proposals Government has announced that the ceiling has been raised from Rs. 750 to Rs. 1600. Here I would like to point out that already there are two ceilings under the existing Bonus Act of 1965. In the upper House the Government is also moving a Bill for an amendment to the Bonus Act of 1965. Rs. 1600 should not be the lone maximum ceiling. If any worker is getting Rs. 1600 he will be taken away from the purview of the Bonus Act. This is not welcome. I request this and it is the desire of the working class of this country that some higher ceiling as in the existing Bonus Act, say Rs. 1600 and Rs. 2500 should be fixed.

In the recent May Day meeting at Dhanbad our Prime Minister has announced that there will be Shramvir Awards for the working classes of this country. I congratulate him on behalf of the working classes.

Another important feature is that I myself feel sometimes that labour is being given low priority. You are aware the

[Shri K. Ramamurthy]

National Labour Conference was held in early 1980 and in the history of our country it arrived at certain unanimous conclusions over certain matters which are very important in the field of industrial relations. Subsequently after this The Sanat Mehta Committee was formed. Then the views of the State Governments were taken and some of the States were also members of that committee. The committee submitted its report containing certain unanimous conclusions and recommendations. The Government is simply sitting over the matter and they are not prepared to propose some amendments to the Industrial Disputes Act on the basis of those unanimous conclusions. This is very much Painful. I would request that the Government should give its topmost priority to this and come forward with some proposals to amend the existing Industrial Disputes Act or a comprehensive Bill on industrial relations.

The other point is about gratuity. Suppose any worker goes on leave without the permission of the management or absents himself, as per the Gratuity Act if he is punished and for purposes of gratuity that period is not taken as period of continuous service. This is most injurious. This is most undesirable. In the Gratuity Act of 1972 that anomaly should be removed. This is what I would request the hon. Labour Minister to look into.

Sir, another handicap for the people like me who are coming from South is that the Central Government is having lot of Central Government Industrial tribunals only in the northern part of our country. In South also there are lot of establishments coming under the Central Government jurisdiction like mines, Steel, Banks and Railways. Lot of disputes are piling up there. So, I demand that at least 10-15 industrial tribunals should be established in the southern part of the country.

As regards the long pending matter of national wage policy I do not know how

far this matter is seized of by the Government but it is a must. If you look into it for the same work different kind of scales are being fixed. That should be avoided. It should be the endeavour of the Government to see that some national wage policy should be adopted.

There is long neglected sector of agricultural workers. The hon. Minister will remember that when he was the Labour Minister in 1980 he assured that there will be a comprehensive legislation for the agricultural workers and that too on the model of Kerala. This is very important. After that I was told—I am one of the members who is continuing on the Labour Ministry's Consultative Committee for quite a long time that is Since 1977, that the State Governments are not willing to have a Central Act. This is very funny. We are demanding that there must be a Central Act for agricultural workers. It is already there in Kerala. West Bengal has already passed an Act. What has happened to other States! Since they are sleeping over it we want that there should be a Central Act. It is highly essential that this sector which is most neglected is taken care of. So, I demand that immediate Central legislation for governing agricultural workers should be brought about. Agricultural workers from 90 per cent of the working class in our country. So, whatever legislation we pass governs only 5 per cent of the working class in our country. I hope the Labour Minister will give his serious attention to this matter.

Another important matter is about the Employees State Insurance Corporation and the Provident Fund. Previously the board meetings of the ESI used to be presided over by the Labour Minister, State Minister or the Deputy Minister. Now, the bureaucracy has completely caught hold of it. Now, in the ESI board meeting or Standing Committee meetings you can only see the Secretary, Additional Secretary and the Deputy Secretary. I have raised this matter so many times. They must give serious attention to this because it is nothing but lowering down the importance of these

organisations. Elected Members of Parliament represent Parliament in these meetings. So, government should revert to its old position.

13.00 hrs.

Another point which I would like to insist is this. From 1975 onwards, we are having tripartite committees. I think, at the time of emergency we formed so many industrial committees and tripartite committees comprising of the Government, labour and the entrepreneurs. These committees were entrusted with the task of seeing as to how industrial relations can be maintained in particular sectors, like textiles, mines and in different fields. But now I find that these committees have not been revived. The constitution of these committees has been given a go by. Ours is a big country having vast industrial establishments and having vast potentialities. Is it not necessary that we should revive those committees and see that better industrial relations are maintained? I request the Government to revive these industrial committees.

Sir, whenever our Prime Minister is addressing the UN General Assembly or taking the Delegation there. Members of Parliament are included in that Delegation.

International Labour Organisation is also one of the wings of the UNO and also a tripartite body comprising of the Government labour and employer. In In this Government delegation for ILO I find that no MPs are included. I am not saying that I should be included in it. It is not my intention. I have attended some of the General Assembly sessions of the ILO and I find that even the additional private secretaries are taken as observers or advisers in these Government delegations. They have nothing to do either with labour or with the ILO or employer-employee relationship. So I urge upon Government that they should take Parliament into confidence and should include Members of Parliament in the Government delegation to ILO.

Now there is not much of industrial disputes and the mandays lost is also very much reduced and I find that there is not much problems nowadays in the organised sector, particularly in the public sector and in other major industries. I wish that it should continue and industrial harmony should be maintained in the coming years. I wish him success. With these words I conclude. Thank you.

[Translation]

SHRI DAMODAR PANDEY (Hazari-bagh) : Mr. Deputy Speaker, Sir, I rise to support the Demands for Grants of the Ministry of Labour. I know that the hon. Minister of Labour has undertaken a very difficult task. The economy of the entire country depends on his dynamism. It is the manner in which the Labour Ministry functions that determines the direction of our economy. We shall be failing in our duty if we do not evaluate the situation prevailing throughout the country. If we evaluate the success achieved in regard to the creation of employment opportunities, we shall find that the number on the live registers in the employment exchanges is increasing constantly. People do not get employment. The position will not become clear by merely going into the figures. Its other aspect should also be looked into. What is the condition of the so-called employed people? Today, 78,368 small scale industries and 491 big industries are lying closed. Lakhs of people, whose names do not appear in the live registers, are unemployed and have no means of livelihood. Besides closure of industries is also resorted to. What will be the fate of our economy in these circumstances? Who will improve the situation? It is the Labour Department which will have to solve this problem. The Industries lying closed involve a capital investment of more than Rs. 3000 crores. The industrialists take loans from the banks and instead of investing the money in industries, they divert it for other purposes. Instead of curbing this tendency, we are looking the other way. Is it not our duty to take some steps in this direction and ensure reopening of the closed industries? If the industrialists cannot reopen them, then I would like to give a suggestion in this regard.

[Shri Domodar Pandey]

We all know that the workers have a major role to play in our economy. There is an amount of about Rs. 11,000 crores of the Provident Fund of the workers, which gives a fillip to our economy. With one year's interest on this amount, we can take over the entire industry and can run them through the workers. It has become a contract system. Without spending money from their own pockets, other industries are set up. The entire money belongs to the banks. The capitalists become richer and richer and the workers become poorer and poorer. This system will not be helpful. We should improve it.

When we talk about improving the industrial relations or about lockouts, the old industrial disputes come in the way. Our old leaders are sitting here. Some initiative was taken at that time. I would like to tell you that stagnant water is called dirty water. The same situation has arisen in our Labour Ministry. The same old Industrial Disputes Acts are still continuing and no improvement has been effected in them. If at all there has been some improvement, it is just nominal. The same Trade Union Acts are there which were enacted by the Britishers, so that we remained divided. Is it not our duty to do something in this direction? It is the duty of the Labour Department to do something in this regard.

Shri Ramamurthy has said that the people having conservative ideas are dominating the Ministry of Labour. They do not want to do anything. If we want to do something, they come in the way. I would like to give you an example in this regard. Government of India had set up an Enquiry Commission. Lakhs of rupees were spent on it so that further action could be taken, after it had submitted its report. There were many distinguished persons in that Commission. Shri Gajendragadkar was its Chairman. As there was no Government official in it, no action was taken on the report. No action was taken on their suggestions. Had we acted on their suggestions,

we would not have repented now. If we had constituted Industrial tribunals in the South, as was suggested by Shri Ramamurthy, we would not have faced these problems. The first thing which the Janata Party did during their rule was to disrupt legitimate trade union activity in the industrial field. They treated all the trade unions on par, i.e., whether a trade union was desirable, undesirable or had only five members, all of them were given an all India status. The bureaucrats with conservative ideas consider it to be their sovereign right. The same old practice is obtaining in the Labour Ministry. You know where the strength of a trade union lies and you also know which trade union should be given recognition and which should be refused. Last year, a meeting of the Tripartite Committee was held, and all the points raised therein were discussed in the Indian Labour Conference. It was for the first time in the history of the labour movement, in the history of the Government of India that the members of all the parties suggested unanimously that Industrial relations should be improved. But no action has been taken on this suggestion. What was the result? Only the old report, with the oft-repeated points was presented. Only the figures were changed, but the language was the same. We agree that we could not give the desired dynamism in this matter, with the result that our industrial relations could not be improved to the desired extent. We are not able to make progress in our efforts to do better work. The hon. Labour Minister should say plainly before the country what he intends to do in this matter. The Labour department cannot work properly by following the beaten track. It will have to be made dynamic and if the country is to be strengthened then your Ministry should act vigorously to remove all the obstacles coming in the way of implementation. If it is not capable of doing that, then efforts should be made to make it capable. If we do not take this step, the economy of the country will be weakened.

Now I want to submit two or three points. You have brought forward an amendment to the Bonus Act which is

under consideration in the Rajya Sabha. The Finance Minister had said that Government were going to raise the limit for bonus from Rs. 750 to Rs. 1600. But they have made a mistake. Previously, when the limits for bonus was up to Rs. 750/-, it was given to employees drawing a salary upto Rs. 1600 but now when the limit has been raised to Rs. 1600, it will be given to the employees drawing salary upto Rs. 1600. This situation can create an anomaly. I would, therefore, suggest that we have no objection to fixing the ceiling at Rs. 1600 for bonus but the limit for entitlement should be removed. Otherwise it will be difficult to rectify the anomaly created as a result of that. It will be no use rectifying it only when there is an agitation. Whatever is necessary should be done just now. This arrangement will improve the Bonus Act.

A major source of our revenue is the bank deposits of the poor and the provident funds contributed by labour which amount to Rs. 11,000 crores. Several schemes have been envisaged to utilise it. Sometimes it is proposed to utilise it for the Family Welfare Scheme or for a State Insurance Scheme. The labour organisations are also not able to indicate the direction in which it should be utilised. When we concluded agreements with major industries particularly to coal and steel sectors, we often told them that the Provident Fund and the Gratuity which were separate heads could not by themselves contribute in making the lives of the labourers happier and give relief to them in their hard days. So, we told them that an Integrated Social Security Scheme should be formulated and the workers also agreed to make their contribution to it. The workers said that they would contribute two per cent to it. But we have not been able to formulate that scheme till today. Can the Labour Ministry not help us in formulating an Integrated Social Security Scheme in consultation with the workers?

Can we not assure the workers that their families would not face distress in case any mishap occurred? Accidents take place occasionally. The workers

suffer injuries and thus they are put to great distress. This provident fund and gratuity are meant to help them at the time of distress. Why do you not assure them that an Integrated Social Security Scheme would be formulated for all? Can you not assure those workers who work in industries and those who are engaged in hazardous work in mines, where there is no certainty whether one would come out of the mine alive or not, and those who undertake unhygienic and hard work, that their families would not face starvation? This suggestion should be given consideration and the hon. Labour Minister should give his opinion on it.

Regarding provident fund, I have to say that as on December, 1984 a sum of Rs. 48 crores was outstanding against the employers. He has given these figures and some industries have been given exemption. The employers have not transferred the outstanding sum of Rs. 48 crores to the Trustee. In other words, the employers are treating it as their capital. In this way, the hard-earned money of the workers is being misappropriated. I regard it as breach of trust. According to the Indian Penal Code, if anyone commits breach of trust and even misappropriates Rs. 100, he can be awarded a punishment of six months imprisonment. These capitalists are misappropriating crores of rupees but no action is taken against them. These people go to Sweden and England and enjoy there with this money. I want that some policy should be formulated in this respect. The industrialists swindle the hard-earned money of the workers and those who have been exempted from it, do not show such a fund in their Board. In this way, this is a breach of trust and you should take action for such breach of trust. You should act with determination. There should be a clear-cut policy in this respect.

Now I shall say something about safety. Not only our country but the whole world has come to know how casual we are in regard to safety measures. The Bhopal episode has exposed the safety standard and the standard of inspection.

[Shri Domodar Pandey]

You have not been able to give an assurance about the safety of those workers who are working in hazardous industries and jobs. How can we give an assurance of safety when the standard of an inspector, who goes there to inspect their safety measures, is quite low? When that inspector goes to some industry or unit in the public sector for inspection, he is not taken seriously and he does not command respect because his salary is less than that of those whose work he inspects. He belongs to a lower category. No one takes him seriously and the people there behave in an arbitrary manner. Only temporary efficiency is there in the public sector. They get promotion to a higher category and the workers in the lower category are the least concerned about work. The temporary workers are running the industries.

The Labour Ministry should look into all these things. The safety standards which have been laid down would not serve the purpose. Safety standards should be fully observed without any laxity. These are observed neither in the mines nor in the factories. Eighty per cent mines are under the control of Government. Why can you not implement the safety standards there? What comes in your way in implementing these standards there? But there are anomalies in it also. The required safety standards are not observed. This results in the loss of precious lives. Workers die and suffer injuries. You should look into it. This is my suggestion.

Another suggestion of mine is in regard to training. You must be knowing that nearly 2.50 crore names of person who are unemployed are enrolled in the live registers. Half of them are educated. No mention has been made about the trained people who have not got employment till today. You can say that you have trained them. But get your I.T.Is inspected. You will find a lot of mismanagement there. You will say that it is a State Subject and not a Union subject. But these I.T.Is run on your grants. You have purchased machines for them worth crores of rupees but there

is no arrangement for their maintenance, with the result that they remain out of order. What training will you give to the students with these machines? The result is that they do not get training but get the certificates. Having got certificates, they are in a fix in regard to their career because they lack self-confidence. They do not know anything. When such students go for employment, they do not get it because they do not know anything.

You should improve the training facilities in the I.T.Is. The training imparted in I.T.Is should be such as may instil confidence in them and they may be able to start their own unit. I.T.Is should be declared Production Centres and arrangements should be made for the maintenance of the machines kept there. It would then be possible to undertake production there. With the income from this production, it would be possible to ensure maintenance of the machines. You can make such arrangements there.

Advanced training centres are situated only in cosmopolitan cities like Calcutta, Madras, Bombay and Delhi. Is unemployment restricted only to big cities? Opportunities for employment are already there; but it is in small cities that the problem of unemployment is very acute. There are no training facilities for them in these places. The old system of imparting training to them is still in vogue even now. Can you not bring about improvements there? You should improve the training facilities there. There is a provision that you can get international help in this respect. This may enable you to effect improvements in it.

The question of constituting a wage board has also arisen. This practice of appointing wage boards was started in the sixties. You want to appoint a wage board for journalists. Who knows you want to move forward or backward? This trend which started in the sixties was never accepted by the employers. They say that they are not obliged to accept it. Now again we propose to appoint a wage board. But they will not accept it. Then what is the use of appointing

wage Boards? We feel that this should be reconsidered. I think the process of bilateral talks should progress further. There are certain discrepancies in it. By removing them, we can give a new direction to it. If we solve the problems by bilateral talks, we shall not have to repent later on.

My suggestion is that the Labour Minister should consider all these things. He has many problems to attend to. He has to attend to all of them and he is capable of doing so because he has been in touch with the trade unions for quite a long time. He also knows that there are certain elements in the country who weaken the trade unions and in the name of the politics of the opposition parties, they have organised certain trade unions. They have formed certain trade unions to gain political advantage. The Labour Ministry should be wary of them and should think about them also. They will cause setback to our economy. As such, we should be cautious about them. These people do not have any genuine interest in the trade union activity. They are interested in getting the industries closed. Therefore, you will have to see that trade unionism grows *sans* them. You will have to introduce a check-off system and to take concrete steps to ensure workers' participation in the management. This work should be done by responsible people who believe in this system, last the people entrusted with the job should sabotage it from within. You will have to be extra careful about it.

[English]

SHRI AMAL DATTA (Diamond Harbour): Sir, the Grant of the Labour Department which is under discussion is apparently for an amount of Rs. 181.9 crores; it does not sound too bad if we look into it carefully we find that there is a very large amount which the Government of India has to pay towards the workmen's benefit but it is channelised through the Labour Department and therefore comes under the grant of this department. That amount consisting of employees' family pension contribution and deposit linked insurance for workmen in all amounting to Rs.

118.36 crores. So if this is taken out from the the grant, total budget of the department or comes to Rs. 62.5 crores only.

My first submission is that this is too small an amount for the Labour Department of a country like India with a population of 740 million people, where the number of workmen will be at least half of that figure. Because the Labour department's function is not only to intervene when big disputes arise in organised sector industries, where thousands of workers are employed—they do that and some times fail to do that. People recognise that and the department also I hope recognises that as one of its legitimate functions. But its functions do not and should not stop there and should extend in a very big way to the agricultural sector, to the informal sector of industry. The rural industries as well as those in urban industries which are not organised, these activities are practically not being carried on by the Labour Department now. They are not recognising them as one of their main or primary functions. I will come to that a little later. Now one of the reasons which I have found, or which occurs to me as responsible for this kind of irresponsible attitude on the part of the Government of India and of the Labour Department in particular, is I think the frequent changes of Ministers which has taken place since 1980, when Mrs. Gandhi's Government came back triumphantly. After that, between 1980 and December 1984, we had a succession of five Labour Ministers. Mr. Anjiah also was one of them. But apart from the last incumbent of this office all the other ones did not even last for 240 days which is what a casual labourer has to put in before he can claim to become permanent. So with such casual Labour Ministers the Labour Department cannot and could not function with any degree of seriousness and any consistency of policy.

In fact, I would submit that in very vital matters this department has not been able to formulate any policy. And this department is not consulted by the

[Shri Amal Datta]

Government itself or by the public sector of the Government, what policies they are going to adopt which will affect the labour in a big way. For instance, to what extent they will go in for computerisation and mechanisation, the public sector ought to consult the Labour Ministry. But at present, this Annual Report does not say that there is any such consultation. Therefore, I take it that none of the big employing Departments of the Government and the public sector consults the Labour Ministry in formulation of the policies affecting the present conditions and the future of labour. So this Labour Department is a big joke for the Government. They have a Department and they never consult it.

Today, in the organised sector of industry, the public sector has become pre-eminent. It is really because of the policy followed by the Government for the last 30 years giving emphasis to the public sector. As a result today nearly 70 per cent of the people employed in the organised sector are employed in the public sector apart from those who are employed in the directly Government run industries. For this the Labour Department must play a very big role to determine what should be the policy of the Central Government in various matters—matters which are labour saving devices, whether they should be introduced or not; if introduced, that safeguards should be there so far as labour is concerned so that labour complement does not go down. In fact, what has

13.33 hrs.

[SHRIMATI BASAVA RAJESWARI
in the Chair]

been happening over the years is that in the organised sector of industry the wage cost has been going down. It would have been the job of the Labour Department, had there been a consistent policy to prevent that from happening, to see that the labour complement does

not go down; that the wage cost does not go down.

We all talk about India being a country of cheap labour and, therefore, there should be labour intensive industries. But when it comes to practical policy, the public sector itself is deciding upon large scale computerisation, mechanisation, etc. and the Labour Department is a silent spectator to that. This is happening in the banks. The Banks are going in for computerisation in a big way. That will mean that labour will be retrenched. It ought not to mean that because there are many jobs which have to be performed by human beings and cannot be performed by computers. To give just one example, in a bank branch employing 25 persons, I made enquiries as to why certain applications for loans were not being considered for months, they told me that they did not have enough people. I asked: "Do you not have all the people that are there on the roll strength?" They said: "Yes, but most of these 25 people are engaged in writing books and keeping ledgers and only 1 1/2 persons are available to go through the applications of people who want to borrow for investment, to monitor and to keep a track of what these people are doing." It is possible, even if computerisation becomes inevitable, that the people rendered jobless to be engaged elsewhere. But there must be a consistent policy or a policy must be formulated that there can be shift of employment but no redundancy. The Government should formulate such a policy for the sake of allaying apprehension which has already arisen and the Labour Department has a role to play in that, which it does not play at the moment.

Regarding recognition of the bargaining agent, the West Bengal Legislative Assembly has passed a law that it is to be done by a secret ballot. This law is pending for the President's assent for a long time. Is it not the function of the Labour Department to see that the President's assent is obtained, namely they do not have to wait indefinitely?

That Bill is pending for more than two years.

SHRI K. RAMAMURTHY : You are also not interested.

SHRI AMAL DATTA : This interruption has no meaning. You know nothing about it.

In a country like ours where there is so much unemployment, the Government took a policy about one and a half years ago imposing complete ban on recruitment of new hands and that policy was extended up to 31st of March 1985, but it has subsequently been further extended. Has the Labour Minister got to say anything about it? They do not say anything about it in this Annual Report. Why the Government, in a country like India, should impose such a ban when the Government is the largest employer? Both as the Government and as an industrialist, it is the largest employer and it put a ban on new recruitment, both in the Government as well as in the public sector. Of course, we know that for political reasons this ban is being flouted off and on. Irregular appointment are made as have been made in the National Textiles Corporation in Calcutta. We know that 1,000 or more people have been irregularly appointed in the National Textiles Corporation but the Labour Department, in spite of repeated complaints, have done nothing about this.

Then there is the question of Government's attitude towards sick industries. We have seen a change in Government's attitude towards sick industries over the last six months. Since this Government came, they have been saying that there is no use throwing good money after bad money. These industries which have outlived their utility, should be allowed to die. Does that mean that people who are working there, should also be allowed to die or what will happen to these people? I can understand that that particular activity cannot be carried on in the fashion in which it has been carried on over the last fifty years. That is understandable. New machinery may be required ;

diversification may be required ; new products may be manufactured or new methods of manufacture may be adopted, but what has to happen to these workers who are in sick industries? Nobody has spelt out as to what is going to be their future. What is in store for them? Is it not that responsibility of the Labour Department to take a hand in it, to formulate the policy, to tell the various Minister who are making statements like this? The Prime Minister, the Industries Minister, the Finance Minister, whoever is confronted with the problem of sick industry, they always say, "No, we cannot carry on for ever with this sick industry". Who has asked them to carry on for ever or for any length of time with any sick industry? They have been nursing the sick industry in such a fashion that they never get cured. I have myself approached the Labour Minister with such problems. He has been very sympathetic I must confess, but not all the Ministers. They do not understand the fact that even though the management of a sick industry was taken over ten years ago but in that industry only the wages have been paid and no investment has been made. That industry will never get cured its sickness. This is a simple proposition understandable to the man in the street but unfortunately not to the Ministers of the Government of India Particularly if they happen to deal with industry or commerce, then they will say that this a sick industry, it has been making losses for the last few years, the Government had taken over the management five or six or ten years ago, they have still been making losses, so we wash our hands of this. This is the kind of attitude. I say that the Labour Department has a responsibility to formulate the policy towards sick industries, sitting with these Minister, so that people know what is going to happen to the sick industries. Now the Finance Minister has said that if the management of an industry is found to have reduced the net worth of the industry to zero, then action should be taken against the people who are managing that industry by refusing them loan from public financial institutions.

[Shri Amal Datta]

It is a very good idea. But what steps are being taken to put that into practice? How are you going to put that into practice? Are you trying to diagnose only when the industry has lost its worth totally or will you only be awakened when actually the employer closes its doors and says that from that day he is not going to be responsible for paying the employees? What monitoring methods have you adopted to see whether the net worth of an industry is going down? There is no monitoring mechanism in the Labour Ministry. Lot of complaints are being made from various units which have been taken over by the Unions that the Government is not making any investment in their industries. I have personally handed over one or two complaints to the Minister himself. I do not know whether the Ministry is thinking seriously about this or not, but I see the Ministry is unable to do anything or is unwilling to do anything. But the fact is that the investment is not being made. Workers are very conscious and are worried that their future is in jeopardy. There is no security for their future. After some months or one or two years the Government will say, "They were not producing enough; they were not making any profit or were continuously making loss. So we close down that industry." But the warnings which the workers are giving year after year and are asking the Government to make investment in those industries or otherwise they are going to be ruined, those warnings are not heeded by the Government. The Labour Ministry is a silent spectator to this kind of thing.

So many industries have closed down during the last two years. Eighty cotton mills have become sick in Gujarat, in Maharashtra and in Madhya Pradesh. Sixteen jute mills are under closure in West Bengal. Some have even closed down before that. This is the current spurt of closures on the alleged ground of shortage of jute. The administrative Ministries show some interest when the debate on such industry takes place in the House, but they have no sympathy with the labour. All that they have to say is if jute is not available, how that industry can

run, if cotton is not available, how cotton mill can run. If that is the attitude of the administrative Ministries, it is all the more necessary that the Labour Ministry takes a stand as the protector of the labour and compels these Ministries which are in charge of investment in these concerns to make proper investments for the lack of which the industries close down and ultimately the workers become unemployed.

Moreover, recently there has been a phenomenon, that is, where the industries are old and are located in such places that the real estate value is high, owners of those industries are trying to close down under one pretext or other for the purpose of helping themselves with the gains which will accrue to them by selling the real estate or disposing of the real estate in some other fashion. We had a Calling Attention on DCM the other day. A similar thing has happened with regard to the Birla Mills in Delhi and several other mills in Bombay. Similar things have been happening and are bound to happen in all metropolitan towns. Here also the Labour Ministry has a responsibility to formulate a policy. If the real estate development has to take place, then what should happen? To what extent the estate development may be allowed? They must consider all these and formulate a policy. At present there is no policy.

MR. CHAIRMAN : Mr. Datta, you have taken twenty minutes. Please conclude.

SHRI AMAL DATTA : Just one or two minutes more, Madam.

Now, there are certain States where trade unionism is not only frowned upon, but totally prevented by strong arm method by the employers. They go to the Ministry of the particular State, they do not find any redress. The State Labour Ministry tells them, 'You go to the Centre because our hands are tied here, because the owner here has got enough political clout with the State Ministry so that we cannot interfere.' There is such a case like Usha Spinning

Mill in Faridabad, there is Mohan Machines in Delhi, there is another Faridabad Company, namely, Pratap Steel Rolling Mills which has become a virtual police camp because the owner happens to be a good friend of the Chief Minister, therefore the owner has sacked 1000 employees, the employees cannot approach the factory and in the mean time, with the help of police keeping the employees at bay, the employer is recruiting new hands. The Haryana Labour Department say, they cannot help them; they say, 'Go to the Central Government', but the Central Government is also a silent spectator, they are keeping quiet. In the Mohan Machines in Delhi, the whole thing is taking a communal turn. I do not know whether the Labour Minister knows that. The owner is creating such a situation that there will be a clash between the communities very soon because he has brought some men from one community and if the workers try to force their way, then there will be a clash between the two communities. So, the Labour Department should be beware of the situation developing there. Even they were silent spectators when things happened in Delhi where a public utility concern like Britannia Biscuits went on lock out without any notice. Then the Labour Department has issued a notification, but they have not taken any action. Why they cannot take action, I do not know. They have no policy, no money, no action, nothing. Then why does this Department exist?

Madam, there are certain matters regarding mines' safety. I have found out from this Annual Report. Mines safety is of predominant interest to everybody connected with mines. The statistics are very much essential for this purpose, but the Labour Department has created a statistical jugglery introducing a category called reportable accidents. If a worker is absent because of an accident for more than 72 hours, only then the accident becomes reportable. So, the number of accidents goes down. If the worker does not even report within 72 hours, then after about 48 hours he is shown as present and therefore, the statistics of accidents goes down. This is the wonderful method the Labour Department has adopted to show that the number of

accidents is going down. In fact for mines safety the Labour Department is doing very little. Even regarding the implementation of the 20-point programme, Madam, you will be astonished to learn that for the enforcement of minimum wage for agricultural workers which is point No. 5 of the 20-point programme and which is a responsible function of the Labour Department, they have allotted Rs 30 lakhs. In a country like India having 740 million people where 80 per cent are agriculturists and 40 per cent are workers, how Rs. 30 lakhs only are allotted, I do not know. Obviously they have not been able to say anything except collect statistics from different States.

MR. CHAIRMAN: You please conclude. You have exceeded your time.

(Interruptions)

SHRI AMAL DATTA: The E.S.I. has become a total fraud. No worker is getting any redress from the E.S.I.; he has to go to the private doctor. In the mean time what has happened is, they have created a big reserve fund and a part of that reserve fund, at least half of that, is meant to construct dispensaries and hospitals.

They are accumulated over a number of years but not for one or two years. Why has this construction programme not been taken up? The earmarked funds are not less than Rs. 200 crores for the purpose of construction alone. This has accumulated over ten years and they have not gone on construction.

The health hazard is there not only in the organised sector but also in the informal sector. From the various reports that have come out, not from the Labour Department, but from private sources, from private social workers who have gone and done research, that lot of work has to be done. The Labour Department should apply its mind to it to see that the workers working in cottage and small industries are also protected. Their health is also valuable and in many cases, the Inspectorate which is supposed to inspect

[Shri Amal Datta]

the organised sector, has probably given up inspection and the surprising thing is that the National Safety Council which is also a recipient of the grants from the Government gave only two months before the Bhopal incident a certificate to the Union Carbide saying that they are following very good safety procedures in their factory! This is the position. I do not know whether the Government—patronised institutions have either no funds or they are causal. But apparently they are just not functioning.

So I urge upon the Labour Minister and the Government in general that more funds should be there and they should take up seriously all these activities which are enumerated in the Annual Report.

But even a cursory look into the report shows that they are being done in a very very casual manner and in a negligible way. All these are very important activities but they are not being given their due importance.

I urge that proper importance be given to them and proper funds should be allocated and proper personnel should be recruited.

[Translation]

DR. CHANDRA SHEKHAR TRIPATHI (Khalilabad) : Mr. Chairman, Sir, I support the demands of the Ministry of Labour. Two things are mainly required for the progress of the country, i.e. manpower and energy or electric power.

We are all aware of the condition and the problems of the workers before Independence. After Independence, Government have prepared comprehensive programmes in this direction. Government have formulated schemes to deal with all their problems. I would like to congratulate the Labour Minister and Government for the significant success achieved by the workers in every field. For example, earlier they had to work for 18 to 20 hours a day. Now the working hours have been fixed and the

Minimum Wages Act has been enacted. Earlier they did not get pension, gratuity and there was no arrangement for their childrens' education; they had no houses to live in and no medical facilities were available to them. They had no respect in the society. All these facilities have been provided to them in the independent India.

I want to give certain suggestions to the hon. Labour Minister. In this vast country, the labour can be divided into two categories of labours—Organised and unorganised. So far as the problems of organised labour are concerned, much has been done to solve them but still somework to be done for them.

But in the case of the unorganised sector which consists of crores of labourers in India, the requisite thing has not been done. Although the Government of India through various schemes have covered some three to four hundred blocks, considering the fact that in a State like U.P. there are one thousand blocks, this number is quite insufficient. Effective steps should be taken to solve the problems of labours of this category.

The laws passed between 1948 and 1970 concerning contract labour, minimum wages reorganised employment service or the laws passed about bounded labour during the period 1947-48 were found to be inadequate and extensive amendments were made therein. The Bidi Workers Welfare Fund Act was passed in 1976 for the welfare of the large number of the poor bidi workers. The Industrial Disputes Act was amended in 1984. I would like to submit that as compared to the earlier years, industrial unrest during the last year was on a lower scale. Industrial unrest is one factor which affects the production most. The cases of industrial disputes should be monitored carefully. I may submit that in the countries like the USSR, when the workers in pursuance of their demands resort to strikes or express their resentment they do not stop production. For example, the workers of a footwear factory go on strikes, they go on manufacturing footwear for, say, left foot they

do not manufacture footwears for the right foot. The purpose is that the production should not stop and as soon as there is settlement, they start manufacturing footwears for the right foot. Thus, the nation does not lose and there is no loss of production.

13.56 hrs.

[SHRI SOMNATH RATH *in the Chair*]

I would like to submit one thing more and that is that we should enforce the policy of "Give and take" in this country with firmness. If we talk of only one aspect that the workers should be given all the facilities and higher wages but do not insist on better production, then our economy will definitely totter and we shall not make progress. In this context, we shall have to find out some such solution that the workers should get facilities only when they increase the production and for this we should educate and train the workers and the trade unions. If the demands remain confined to only one aspect of the facilities, I think it will not be possible to provide them with the facilities if there is no production.

One more problem which we see in our day-to-day life is that the industrial disputes filed in the labour courts or tribunals take quite a long time. A period of four to five years is taken to decide them and even then the Courts, labour courts or tribunals fail to resolve them. I would request the Labour Minister that concrete steps be taken to ensure that all the pending cases are decided by the labour courts and tribunals at the earliest. In this connection, I would also request that all the labour laws should be implemented effectively and promptly.

I want to draw your attention towards the printing and the spinning mills of my area where the Minimum Wages Act, which has a penal clause, is applicable but the employers exploit the workers by recruiting them on daily wages. If the figures are collected, you will find that out of the total workers employed, 90

per cent workers are still on daily wage basis. They are removed from service after 80 to 85 days and then recruited again. Consequently, their services are not regularised and they do not get the benefits. They do not get all facilities which Government want to give them. Strict action should be taken in this regard and those persons should be punished who flout the Minimum Wages Act or the Factories Act. The employers who are not enforcing them strictly should be dealt with severely.

I consider it necessary to draw your attention towards one thing more and that is the workers medical treatment and safety. Undoubtedly, commendable steps have been taken in this direction after Independence but keeping in view the large number of workers, the safety measures taken for them are inadequate. Even now, most of the coal mine workers suffer from T.B. and bronchitis facilities for the treatment of such patients should be provided separately and expanded.

I want to draw the attention of the Labour Minister towards one very important matter. The workers working in the lead factories become patients of lead-poisoning which can prove fatal for them. I want that safety measures should be taken for these low-paid workers also.

I want to make submission about the labourers working in the unorganised sector. Government have through different State Governments, started schemes which will create more job opportunities for the workers, give them employment and raise their standard of living. These schemes have been implemented through NREP, RLEGP and IRDP and the like. Actually these programmes are not being implemented with the intention with which Government had started them. Most of the works are being done through contract labour system. Consequently, the contractors are earning more profits and the workers are not getting the requisite benefits. I want that all the laws enacted for the welfare of the workers should be implemented very

[Dr. Chandra Shekhar Tripathi]

strictly. They should be provided with medical facilities. Government should pay attention towards the betterment of their family members.

With these words I once again support the Demands for Grants of the Ministry of Labour.

SHRI MOOL CHAND DAGA (Pali) :
Mr. Chairman, Sir, you have given me an opportunity to express my views on the Demands of the Ministry of Labour. I am thankful to you for that.

Many years have passed since our Constitution come into force. Yesterday, we celebrated the Centenary of the Congress. But who will implement the laws? The hon. Minister is concerned about the interests of the workers. Article 43 says :

[English]

“The State shall endeavour to secure, by suitable legislation or economic organisation or in any other way, to all workers, agricultural, industrial or otherwise, work, a living wage conditions of work ensuring a decent standard of life and full enjoyment of leisure and social and cultural opportunities and, in particular, the State shall endeavour to promote cottage industries on an individual or co-operative basis in rural areas.”

[Translation]

It is said that Indians should live with self-respect but the suppression and exploitation have not ended so far. All these big officers who keep servants in their homes are violating the law. They should be prosecuted. Many officers take work from class IV employees, which is not connected with their office work but there is nobody to check them. Moreover, the hon. Member, Shri Indrajit Gupta is their big supporter. You should pay attention towards the pitiable condition of the domestic servants who are subjected to indignities

and atrocities and are exploited beyond description. A domestic has to work from 7 A.M. to 10 P.M. and sometimes upto 12.00 at night and if the employer happens to be a drunkard, the servant has to work up to 3.00 A.M. How pitiable is their condition? How pitiable is the condition of these poor small children, who are the future of India and who are the builders of India? Should it be permitted in a Welfare State?

When you were the Minister of Labour earlier, you had drafted a law for the agricultural labour. I was also a Member of that committee, but after you left that Ministry, that law was consigned to cold storage...

SHRI NARAYAN CHOUBEY (Midnapur) : Revive it now.

SHRI MOOL CHAND DAGA : How can we do it when people like you are there? The question is whether there is somebody to look after the interest of these domestic servants. Does anybody see what treatment is meted out to them? They are also self-respecting citizens. They are a part of India. I have seen many times that atrocities are committed them. The petty officers as the class IV employees working under them to go to their homes and do house hold chores. It is against the labour practice. They get salary from Government exchequer for doing Government work, but they are engaged in domestic chores by the officers. A law should be enacted to check such type of exploitation and suppression.

AN HON. MEMBER : If he lodges a complaint, he will be dismissed.

SHRI MOOL CHAND DAGA : If he lodges a complaint and if we people help turn and the law helps him, then, things can be set right. The Trade Union Act, 1926 should be amended. Under this old Act, any seven persons can get together to form a union.

AN HON. MEMBER : If all the old things are changed, how will it be possible to carry on the work ?

SHRI MOOL CHAND DAGA : I am not talking about all the old things. I am talking about the Trade Union Act only. Nothing will be possible if this Act is repealed because under this Act thousands of trade unions have come up.

[English]

“The number of trade unions registered under the Trade Union Act, 1926 is 35,750.”

[Translation]

The bullies, who do not work in the factories, who have never operated a machine and do not have any skill, become presidents of the trade unions. They collect subscription from the workers. The people who usurp the workers' subscription, become their leaders. Nobody is there to ask them to give account of the subscription money. Bhartiya Mazdoor Sangh, Hind Mazdoor Sangh

SHRI NARAYAN CHOUBEY : Refer to I.N.T.U.C. also.

SHRI MOOL CHAND DAGA : It should be the first to be pronounced. But you cannot utter it because only a pious man can utter its name.

SHRI NARAYAN CHOUBEY : Today Shri Daga is in a fine mood. What is the matter ?

SHRI MOOL CHAND DAGA : What should be done about the CITU and other bodies ? There are 35000 unions and these are under the control of musclemen. A way out should be found to deal with these musclemen.

[English]

The outdated Trade Unions Act of 1926 under which any seven workers can get together to get their union registered

has also contributed to the menace of multiplicity of unions to a large extent. After independence union rivalries based on political considerations had become sharper. Forming of unions after splitting up of the existing unions because of political loyalties have resulted in unions operating at different levels.

[Translation]

After coming into existence, these unions get themselves affiliated with one or the other union. So, this Trade Union Act should be amended. You will have to amend it. The agricultural labour can also form a trade union and they should be given all help in the formation of their trade union.

I would also like to point out that many workers do not want to become members of the trade unions and many workers give subscription out of fear. It also happens that many factory owners help in the formation of trade unions and no action is taken against them by Government. They take 80 per cent of money as loan from the banks and close down the mill at will and do not pay any compensation to the workers. The workers are rendered jobless. A blacklist of such persons who take loans from the banks and resort to closure, should be prepared and they should not be given any loan. A person, who has already taken a loan and has served notice of closure, should not be given any further loan to revive his business.

What for has Section 43(A) been enacted ? It is meant for ensuring the participation of workers in management. Shri Indrajit Gupta says that it is a good thing because the workers will be included in the management. He is a big leader of India. I read this Section :

[English]

The State shall take steps by suitable legislation to secure the participation of workers in the management.

[Translation]

I would like to know the number and the names of the persons who have been

[Shri Mool Chand Daga]

challaned in the Public sector undertakings in this connection. All the Ministers and the Managers should be challaned. There is no participation of workers in the public sector undertakings.

AN HON. MEMBER : Who will challan the Minister ?

SHRI MOOL CHAND DAGA : Parliament will do it. Under section 43(A) a provision has been made for the participation of workers in management, but actually it is not being done. Secondly, it is not known who audits their accounts. Can they establish a Welfare State in this manner? On the one hand in your speeches you ask the workers and the farmers to unite and promise them your support but on the other hand they are being exploited. They should get their due share in the profit. It is their right. In Andhra Pradesh, land has been acquired for the Nagarjunasagar Project but nothing has been done for those whose land has been acquired. Big peoples and the rural rich have become Members of Parliament. The workers are being exploited and their condition is very pitiable.

Mr. Anjiah, please see to it and make efforts to improve their lot. The condition of the workers working in the asbestos sheet factories is very miserable.

I would like to tell you that we, the Indians, have set up a large number of factories which have been discarded by the Western countries. The eyes and lungs of the people working in these factories get damaged. Their health is affected. The people of the Western countries do not want to work in them. In the Western countries people do not work in the asbestos sheet manufacturing factories.

Leave aside the Bhopal Gas Tragedy. I have read about noise pollution. There is a lot of noise pollution in factories. Under the Factories Act, a factory, where more than 10 workers work, will come under this Act. What the people do is that they do not show the number of

workers as ten intentionally. They have engaged more than 10 workers but they will show only 8 workers on the register. These capitalists know all the tactics. They do so in connivance with the personnel of the Labour Department. A lot of things are said about socialism, but nothing is done in practice. Your Labour Commissioner goes to Mt. Abu in a car owned by a capitalist. How will he settle the labour disputes? He has already settled the dispute. A monthly sum of Rs. 10 has been fixed for the people of the Labour Department.

There are a large number of industries in my area. God alone knows about their condition. Your people go there for collecting donations instead of doing real work. This is the only thing they do during the month. Still you want that social welfare activities should be undertaken. In our speeches to the workers, at the time of elections, we say that the workers produce the assets of the country, they build the nation, and the Country is dependent on the workers. We make very good speeches. We exhort the workers to unite as they are the foundation of the country. The Country's progress depends upon them.

You say that it is a State subject. Why do you not bring this very important subject concerning the workers under your control?

I tell you that socialism is bound to come ultimately. If socialism does not come through speeches, it will certainly come through revolution, because man has not closed his eyes. He has got a very sharp eye. No body can escape his eye. These hypocrites can also not escape. If this law is not implemented, you cannot escape the writing on the wall. Mr. Choubey talks much about socialism. This time you have managed to come into Parliament but next time you will not be able to do so. Your party leaders made speeches about socialism, but everybody knows what you have done to the workers in West Bengal.

Mr. Chairman, Sir, I was talking about noise pollution—

[English]

"Noise at work is now recognised as a major hazard to health. Unfortunately, many workers, although aware that intense noise can endanger hearing, do not realise that continual exposure to noise levels which are considered a nuisance but normal in the trade or process, can endanger hearing in a more insidious way."

[Translation]

Here you raise a hue and cry, but there is no body to see the conditions in which the poor workers work. There is noise pollution. There is air pollution. Pollution is everywhere. The workers work in such a polluted atmosphere. Recently, the Haryana and Punjab people committed many atrocities. [Interruptions]

[English]

"Thresher mishaps are a recurring feature on the country's agricultural scene. In fact, the number of accidents has been increasing in recent years. And the uncaring attitude of the government and the farmers has added to the supply of the migrant farm labourers who man the threshers. Nearly, 400 farm labourers in the Punjab and Haryana, the two predominantly agricultural States, lost one of their limbs during the just-concluded wheat harvesting season."

[Translation]

You have enacted a law. There is a great difference in the amount of compensation paid to the victims of air, rail and thresher mishaps. In an air accident a compensation of Rs. 1 lakh is paid, in a rail accident a compensation of Rs. 50000 is paid but the amount paid to the victims of thresher mishaps is very meagre. In thresher mishaps, someone losses his hands, someone losses his feet. You read the full description. There is a lot of difference. It is a great injustice. There are laws but they are not being implemented. You should hold an enquiry and state how many persons have been awarded punishment so far. (Interruptions)

In the end, I would like to say one thing. If you are really interested in safeguarding the interests of the workers, then you should take out this subject from the State List and put the same in the Union List. Labour laws should be enacted for the whole country and they should be implemented strictly. The gap between the employers and the workers has to be bridged in order to bring true socialism in the country. If the Government fail to do so, then the labourers themselves will eliminate this gap by a bloody revolution.

[English]

SHRI THAMPAN THOMAS (Mavelikara): Mr. Chairman, Sir first of all, I would like to know what is the approach of the Government towards the workers in India. I was going through the Prime Minister's declaration as also the policies hitherto declared by the Government from time to time, but I could not find a word about the workers and the basic approach of the Government towards the working class in this country.

The approach of this Government towards the worker is that of master and servant relationship. The worker is not given due dignity and also is not given due place in India. In this context I would like to bring to the notice of the House one of the landmark decision of the Supreme Court. In a case, where the National Textile Corporation of India was a party to the case, the Supreme Court has said :

"It is not only shareholders who have supplied capital who are interested in the enterprise which is being run by a company, but the workers who supply labour are also equally if not more interested because what is produced by the enterprise is the result of labour as well as capital."

This decision of the Supreme gives an equal, if not more, status and dignity to the worker in this country. But, unfortunately, the Government has not given

[Shri Thampan Thomas]

that status to the workers. The worker is still considered as a servant and the relationship between the employer and the worker is that of master and servant as yet.

According to various declarations of the Government, Government want to produce more and always they talk of growth of national income, increase in production, rationalisation etc., but nothing is mentioned about workers and how to raise their standard of living, and how to ensure fair wages to them. The previous speaker has mentioned of Article 43 of the Constitution and the Directive Principles, according to which fair wages are to be given to the workers. But is the worker in India getting that? According to a survey, sponsored by the International Federation of Metal Workers, Association, an Indian industrial worker has to work more than 12 hours as long as his US counterpart to earn enough to buy the same basket of food. A US factory employee can earn enough to buy a kilo of meat, a litre of milk, 500 grammes of bread, plus fish, butter, potatoes, sugar and oranges in one hour 50 minutes, but his Indian equivalent has to work 22 hours 38 minutes to buy the same produce. Where has the declaration of the Directive Principles that a fair wage is to be given to the worker gone? The worker is really living without a fair wage, without a minimum living wage. What is paid to him is far less than the minimum wage. So my first submission is that Government should have a policy to recognise the status of a worker and also to give him an equal share in the production apparatus and recognise the human dignity. There are various charters accepted by the United Nations with regard to labour. Though India is a party to it, the charters are not implemented. I would like to bring to your notice one instance where this human dignity, and dignity of labour is discarded like anything. There is a system in India for supply of labour. If a person is capable of supplying labour, he gets a profit. Is human being a commodity? Is the worker a commodity in this

country? A person who without working, supplies a thousand workers to the Food Corporation of India for carrying loads on their heads, then the supplier gets an income much more than what all those workers as a whole could get. This is the system which is prevailing in this country. There is the Contract Abolition Act. Has it been implemented? Will any nation which gives due dignity to the worker, due dignity to labour, support this attitude? First of all, Government should bring out a law prohibiting supply of labour on contract, and it should give due respect to the worker on a humanitarian consideration.

According to the United Nations accepted norms, the maximum weight which a human being can carry on his head is 50 KGs. In India, the Food Corporation of India, a Government organisation, is loading the backs of workers with 100 kilos of wheat. For carrying 18 to 19 bags of 100 kilos of wheat to load into the godowns, they are paid at a very minimum rate. Thousands of workers are working there in this way. If Government has got any perspective about these people, why cannot it have some regulations? Why cannot the Government supply them such material by which the loading and unloading operations can be made easy? Even an animal cannot carry such weights. People who love animals may go to a court and get a stay, if 100 kilos of weight is put on the back of a donkey. But in the case of human beings, in this country, the United Nations charter in this respect is violated.

My first submission while participating in this debate is that due dignity will have to be given to the Indian Workers. I will come to the basic points now. There is the Bonus Act. The Bonus Act, which has been brought much earlier needs substantial change. What is bonus? According to me, bonus is a depreciation for the working class. The worker is entitled to it as a depreciation, which the management gives to the machinery. For the capital the management invests, they can write it off in the balance sheet, as bad debts. The

management in its balance sheet can give depreciation from 10 to 25 per cent for various types of machinery. A human being, who contributes by way of his labour—and even according to the capitalist theory, production is the result of land and labour—is he given bonus to the required extent? Therefore, all sorts of limitations, all sorts of infringements and all sorts of restrictions on bonus have to be taken away. It has to be given to all sections of workers, whether in government, public sector or private sector. A person who gives his services to the nation, is entitled for bonus. There shall not be any restrictions on bonus for any category of workers.

Recently A Bill was submitted in the Rajya Sabha for raising the limit from Rs. 750 to Rs. 1600. But what is the result? It brings only a very meagre improvement, for those people who are entitled for bonus as the limit is raised from Rs. 750/- to Rs. 1600/-. The only thing is that the amount of bonus, viz. Rs. 750/- will be increased to Rs. 1600/-. This will have no effect at all, because by now the rupee value has gone down. The value of the rupee now is 11.25 paise. The amount of Rs. 750/- was fixed in 1964, and its equivalent now is much more than Rs. 1600/-. So, the amendment made to the Bonus Act is of no consequence.

My submission is that bonus should be accepted and declared as a deferred wage, as a depreciation for the worker. Every worker in this country, irrespective of whether he is in Government service, factories, industrial sectors or in manufacture, since he puts in the labour will have to paid bonus.

There are various other things which Government brings in for the benefit of the workers, but the very basic question is: is there a comprehensive law for the workers in this country? The Industrial Disputes Act which is there since 1947, is a remnant of the old, feudal British society. In 1935, there was a Trade Disputes Act. It is a consequence of that Act. Even in respect of the Industrial Disputes Act, the Supreme Court has

made a number of changes and decisions—in respect of its various provisions. In the Calcutta Gymkhana case, in the Bombay Mill Mazdoor Sabha case, in the Bangalore Water and Sewerage case—in all these cases, the various provisions of the Industrial Disputes Act have been struck down, and new formulations have been made by the Supreme Court. Yet this Government has not brought in a comprehensive industrial relations legislation in this country, accepting the dignity of the workers and providing legitimate, living wages for the working class. Instead of that, what the working class in this country is facing is all sorts of restrictions through ESMA, MISA etc. on collective bargaining. The present trend of Government action is to cut down by all means the right of collective bargaining which is enshrined in the Constitution, and to curtail the trade union movement—and not allowing workers to have their trade union right of joining together for their demands.

Now about the recent proposals to constitute Wage Boards, what is the intention behind them? For the sugar industry, this Government has suggested having a wage board. Can the trade unions bargain for their rights; or do you want a wage board, where the bureaucrats and others give the guiding principles? Will it help the working class in this country?

This is an encroachment and abrogation of the rights of working class in this country in the matter of collective bargaining. You take any of the laws this Government has brought up, including the LIC or GIC Amendment Acts, where the Government proposes to curtail the right of collective bargaining. I do remember that when I participated in that debate, the reply given by the hon. Minister was that they had the massive mandate to bring in such laws, in the name of the poor.

The encroachment on the right of collective bargaining is against free trade union movement in this country. So, my submission is that the right of bipartite negotiations which was in existence, viz.

[Shri Thampan Thomas]

the trade unions' right to bargain for their rights, to bring these things before the Government and get the maximum, has to be accepted. That principle has to be encouraged by all means. But here, the Government is curtailing the free trade union rights of the working class.

There are various other aspects which I would like to bring to the notice of the hon. Minister. Take, for example, the Canteen facilities. There are several welfare measures provided by this Government. Are these welfare measures helping the workers of this country? Regarding canteen facilities, one thing which I have noted is that the canteen, also helps the private sector, and the private contractor. He can collect the coupons without supplying the food at a reduced price, and produce it before the management and get money, i.e. without giving the food. The intention is to give food, but ultimately the contractor gets the money without giving the food. This position can be changed only if there is a proper canteen system, and persons are given that facility—i.e. the workers are given food.

Similarly, the ESI Act is there. What is the purpose of that Act now? Rs. 50/- for five days' or two days' leave? What also do these workers get from the ESI? Of course, there are the family pension and the accident benefits. In spite of the hue and cry by a section of the workers that they did not want the ESI benefits, but that they should be permitted to substitute it by other schemes, there are rigid methods through which this is not agreed to.

The Government may give the sanction. Where there is no existing scheme, the ESI scheme should be implemented, in consultation with the workers. I would submit that all these measures, they are all welfare measures, and they have to be considered by the Government in the total perspective. My submission is about the traditions, because in this country where unorganised labour is there, where

people are employed and underemployed also, in different jobs the Government has to give the proper direction and care. I would like to submit that, as a whole, if you take the workers into confidence, and give them a proper share in the society they would feel better. Now about five per cent of the people are still enjoying 20 per cent of the national income of the country. So, this Government should come forward with proper suggestions for improving the working class of this country. That is my submission.

MR. CHAIRMAN : Prof. K.V. Thomas,

PROF. K.V. THOMAS (Ernakulam) : When we debate on the labour policy of this country, we should have a clear concept about the ideas and view of the founding fathers of our nation. Mahatmaji identified democracy as the Swaraj of the masses. He said, that "in the democracy which I have envisaged, there will be equal freedom for all. Everybody will be his master."

Panditji and Indiraji were closely following the ideals of Mahatmaji and trying to convert these ideas into practical programmes which will be useful to the labour class.

Now, 39 years have passed. Various regulations have come. But when we look into the labour class especially, to the unorganised sector I am very much pained to say that the working class is on the losing side. Their progress is very slow. Now, when we look into the various labour Acts which have been promulgated and implemented, one important point is regarding the I.D. Act of 1947. This is actually an Indian version of the British Act which was formulated years back. There may be amendments, but these amendments could not do justice to the Indian labour. So, my request is, that in consultation with the labour class, their leaders and other classes, the I.D. Act has to be completely changed.

Everybody is speaking about the participation of the workers in management.

But this is only a slogan. Actually, we have to walk a long distance to reach this promised land. But there is one consoling fact, that is, in the last May Day celebrations our beloved Prime Minister has announced that workers' participation will be there in all the public undertakings. My request is, it has to be extended to all the private undertakings.

Now, in the I.D. Act of 1947 there is the participation of the workers in the bi-partite works committees, but when we look into the working of these works committees, we can find out that they are not working all right.

The late President of India, and one-time labour leader Shri V.V. Giri said that whatever may be the reason, the fact remains that the tasks entrusted to the works committee as a means of reducing industrial strife and misunderstanding and of resolving differences have not been fulfilled. Similarly, the joint management council was also a failure. The reason is management think that the works committee as well as the JCM, are substitutes for the trade unions. The trade unions are afraid that these bodies are encroaching into the field of trade unions. So there should be some clear cut concepts about these bodies.

Now, there are workers' directors in the LIC and the nationalised banks. My request is these workers' directors are to be appointed in all the public sector undertakings as well as the private undertakings employing more than five hundred workers. Now, when these workers' directors are appointed it should not be by nomination, but it has to be by election by the workers. Now, there is a multiplicity of trade unions. When you call workers for negotiations, there should be a large number of representatives. You cannot reduce the number. So, when workers are called, it should be only those workers' representatives from the recognised trade unions. And, there should be criteria for giving recognition. Now from State to State the criteria are changed. So, there should be uniform criteria.

Another aspect which may be funny is that in many of the States the Ministers in the Cabinet are office bearers of trade unions. What justice can the people or other workers can get?

In some States the Home Minister or the Labour Minister is the office bearer of some trade union. What justice can the workers get?

So, these Ministers should not be allowed to become the office bearers of the trade unions.

Regarding the time taken for settling trade union disputes, you call us and discuss the matter for one month. If it is settled, it goes to the tribunal, labour court and then to civil court. The time taken is unusually long. There should be a time limit for that. You can have a separate wing to decide labour disputes.

When we look at the mandays lost due to strikes, lock-outs and closures, a developing nation like India cannot afford it. I am talking about the organised sector. Look at the States where the mandays are being lost. In the list, first comes West Bengal and then comes my State, Kerala. It is considered that in West Bengal and Kerala the workers are more organised. So, we have to think about this. In 1981 the mandays lost in Kerala were 23 lakhs. Now, after the present Government headed by Mr. Karunakaran, assumed office, it had come down to 8 lakhs. That shows that the State Governments have to play an important role in settling labour disputes. Some of the States are using workers as weapons to fight against the Centre. It should not be the policy, because it is a nation where we want to produce more.

At the same time, the workers have also to get their due share. So, it is in this perspective that the State Governments have to look into the labour disputes.

[Prof. K. V. Thomas]

Another thing I wanted to say is about the ESI Scheme. It is a labour welfare scheme and should not be forced upon the workers.

With this, I conclude and support the Demands for Grants of the Ministry of Labour.

[Translation]

SHRI RAJ KUMAR RAI (Ghoisi) : Mr. Chairman, Sir, I am very grateful to you that you have given me an opportunity to express my views on the demands for grants of the Ministry of Labour submitted by the hon. Minister. Labour has an important role in the economy of the country. But our Labour Minister, who had been associated with various Trade Unions, has given very little importance to the Department. A marginal increase has been sought for Labour Department in comparison with the funds allocated last year, though there has been a high rate of inflation and there were also other circumstances of the country and the world in which it was expected that more funds would be sought so that there could be more welfare of the workers.

As all of you are aware, industries are very necessary for the progress of any country. That is why keeping in view the condition of Europe of the 19th century, the leader of our nation, the late Jawahar Lal Nehru had immediately after independence had taken a Firm decision that unless there was complete industrialisation of the country, it would not be developed properly. He had laid great emphasis on this and he had planned to take vigorous action for industrialisation of the country along with other programmes. No industry can be run without manpower and energy. Manpower or labour is the most useful and most important aspect for the growth of industries and their smooth functioning. But I am very sorry to say that many things have already been said about the workers and the workers have been neglected earlier also the same neglect is being perpetuated even now. Long back comments were made about them :—

[English]

The manhood is being destroyed, womanhood is being dishonoured and childhood is being poisoned in industrial sectors since many years back.

[Translation]

Even in the present perspective, if we see properly, the same situation is continuing, though we have made many claims of marching ahead and also of having taken measures for public welfare. Therefore, what is required at present is this that while sitting here, we should deliberate how we can ensure the welfare of the workers, provide protection to humanity and provide facilities to the worker which may meet his minimum needs after he has put in a full day's work. Educational facilities, medical facilities and facilities of residential accommodation which are the minimum requirements of a labourer of this country, are not being provided to him. It is, therefore, high time and the need of the hour that a Government which wants to do something for the poor, should first consider steps in this direction and should guarantee the minimum needs of the workers.

We were talking of Europe of the 19th century. When the 20th century is almost coming to an end. Our young Prime Minister has talked of taking the country into the 21st century and he has given a call that we would make our country so much prosperous, develop all the resources and facilities to such an extent that in the 21st century our country would become an example for others and India would be a prosperous, progressive and developed country. I would, therefore, like to say that we may have development to any extent, but if the worker is neglected, then all our development would be meaningless. Labour, skilled or unskilled, is the focal point of all our activities, whether it is industry, trade or agriculture. All of them are in a similar position. I would, therefore, request Government, through you, to consider this point. Many laws have been enacted for our workers, like the Industrial Disputes Act

and the Bonded Labour System (Abolition) Act, but these Acts did not benefit them. Our former Prime Minister the Late Indira Gandhi had laid emphasis on their implementation under the 20-Point Programme. After that, the Government promised time and again that they would follow those policies, but no steps have been taken in this regard. If we look at the current situation, the bonded labour system can be found even today in the country. The minimum Wages Act is being ridiculed, our State Governments and various other institutions are openly flouting this law. I belong to the eastern districts of U.P. Azamgarh is my district. If you conduct a survey in this regard, you will come to know about the factual position. In the Primary Schools and Junior Schools under Government, the people are working on Rs. 10 or Rs. 20 per month even after so many years of Independence. We have passed the Minimum Wages Act and it has come into force, but no work is being done according to that Act. Even now peons are working on a salary of Rs. 10 or 20 per month. When we raise this issue in the Assemblies or in Parliament, no attention is paid towards this. I would like to remind the Government that our own Government are openly violating this Act. It is said on behalf of the Government that he is a casual worker or a part-time worker. In my view it is unparalleled in the world. It is a matter of great surprise that a lady peon or a male peon working in a Junior High School should get only Rs. 10 even in 1985. If attention is not paid towards this issue and such things are not attended to at lower level, all of us would have to bear the brunt of the resentment of the poor. For how long will the poor remain silent? After all, one day he would rise in support of his demands. He thinks that if he gets a little higher income, he would wash his clothes in the evening. He would be able to get a cake of laundry soap. That is why he goes to work.

The condition of the bidi workers is quite deplorable. They are working on

very meager wages. That only is this situation prevalent not in the private sector, but Government also have turned a blind eye to this situation. I would like to draw your attention towards Mirzapur, where work is being done both in the private sector as well as in the Public Sector. I have personal experience in this regard. Labour is perennial, but the workers are not regularised. There is one factory of Birlas and there are other factories as well. There the workers are always kept as casual labour. These workers are kept on wages of Rs. 10 or Rs. 12 and they work in this capacity for years together. These workers do not protest because they are apprehensive that if they are expelled from work, they would not be able to earn their daily bread. I would demand that a survey should be conducted especially about units in Mirzapur, whether these units be in the Private Sector or the Public Sector, to find out the number of perennial workers who are required and the number of workers who have been engaged there.

I belong to Azamgarh. There are cotton mills in Mau. There is a Sugar Mill in Ghosi which has been shown to be working for one year, but not even a single worker is permanent there, and the mill is in the co-operative sector. No worker is kept continuously for more than a four days. For how long will this continue? Where labour is organised, people like Mr. Datta Samant get the things done, but where labour is not organised as in the case of agricultural labour, domestic labour and bonded labour, such problems continue. I want that there should be monitoring in this regard and a survey should be conducted and their problems should be solved.

With these words, I support the Demands for Grants of this Ministry and oppose all the cut motions which have been moved.

*SHRI C.K. KUPPUSWAMY (Coimbatore): Hon. Mr. Chairman, Sir, I would like to say a few words on

*The speech was originally delivered in Tamil.

[Shri C. K. Kuppaswamy]

the Demands for Grants of the Ministry of Labour for 1985-86.

In the whole of India Coimbatore is the biggest industrial city and I have the honour to represent it in this august House. There are more than 100 textile mills, spinning mills etc. and that is why it has earned the distinction of being called the Manchester of India. In Tiruppur, which is adjacent to Coimbatore, we have hundreds of hosiery units. In these twin industrial towns, there are nearly 10 lakhs of industrial workers. The hon. Minister of Labour is fully conversant with the problems of labour in Coimbatore and in Tiruppur.

In the textile mills, spinning mills, ginning mills, women workers predominate. But they do not get even 5% of wages that are given to male workers. We have the Equal Remuneration Act in force. I am afraid that there is wide gap between what is on the statute book and what is being implemented. The glaring example is that the women workers do not get equal wages like their male counterparts. I demand the effective implementation of Equal Remuneration Act. I also demand that the women workers should be given minimum basic amenities in the places of work. They are being denied even the primary amenities. I want the hon. Minister to take personal interest and ensure that women workers get their legitimate dues and they are not deprived of elementary facilities.

I demand the setting up of a National Labour Institute in Coimbatore. Similarly, I want that the zonal Office of Central Board for Workers Education should be located at Coimbatore. Sir, I take this opportunity to apprise the House of the pitiable condition of textile workers in Coimbatore. They have become beggars on the streets because of the long closure of textile mills. I suggest that a Textile Mill Workers Rehabilitation Centre should be opened in Coimbatore and a meaningful rehabilitation scheme should be implemented

so that the textile workers are saved from decimation.

As on 31.3.1984 the industrial undertakings are in arrears of insurance amount under the ESI scheme to the tune of Rs. 52.32 crores. Out of this, a sum of Rs. 12.75 crores is due from public sector undertakings, Rs. 6 crores are due from textile mills. These are the figures found in the Annual Report of the Ministry. I want to know what steps have been taken to recover these long standing arrears.

Similarly, a sum of Rs. 48.41 crores is due from industrial undertakings under the Provident Fund Act. I would be thankful if the hon. Minister enumerates the steps taken to recover this money. The Insurance amount and the PF money been collected from the workers and the industrialists have not deposited in the PF account and the ESI account. It is very difficult to recover these arrears after the textile mills turn sick. The ESI authorities and PF authorities should not allow such accumulation of arrears. I am afraid that these two organisations are functioning in a lethargic manner. I demand the constitution of a high-level committee to go into the working of ESI organisation and PF authority and suggest radical revamping of these two organisations meant for the welfare of workers.

On the May Day, our hon. Prime Minister, Shri Rajiv Gandhi announced five national awards for workers. This has been universally welcomed by the entire labour class in the country. I am sure that the working class will be enthused to give their best for the country's industrial growth.

15.00 hrs.

The Chief Labour Commissioner is conducting inspection of the industrial units to find out how far the central labour laws are being implemented. During January-December, '84 4.80 lakhs of irregularities were found out in the process of implementation of

labour laws. But only in the case of 7470 irregularities prosecution has been launched. Probably because these irregularities have been located in the central public sector undertakings, the Chief Labour Commissioner has not launched prosecution in all such irregularities. If the central labour welfare laws are not implemented effectively, then the workers are the sufferers. There are several irregularities in the implementation of Payment of Wages Act, the Minimum Wages Act and the Equal Remuneration Act. Some of these laws are being implemented by the State Governments. The agricultural labour is not getting minimum wages though there is this Act. The women workers do not get minimum wages. They do not get equal wages though there is a specific Act. I suggest that there should be an independent Cell in the Labour Ministry or an autonomous body to supervise the implementation of Central Labour Laws and also the State Labour Laws. Unless the working class is kept contented, the country cannot make any progress. Bearing this in mind, the hon. Labour Minister, who hails from labour class, should ensure the effective implementation of labour laws. He should use his good offices in the reopening of textile mills in Coimbatore for the sake of saving thousands of workers from starvation. With these words I conclude my speech.

*SHRI R. ANNANAMBI (Pollachi) : Mr. Chairman, Sir, I am grateful to you for giving me this opportunity to say a few words on the Demands for Grants of the Ministry of Labour for 1985-86.

Sir, the three basic requirements for industrial growth are capital, technical knowhow and the work force. There will be no industrial development even in the modern days of sophisticated machinery and equipment without skilled labour force. In Chicago in 1886 there was the World Congregation of Labour and this Congregation advocated strongly 8 hours work and 8 hours rest for the workers. The industrial monopolists did not hesitate to shoot at close range the

workers who were engaged in this struggle for survival and for betterment. This sacrifice in blood of the working class is being celebrated as May Day every year. Our hon. Prime Minister Shri Rajiv Gandhi, who has identified himself with the woes of workers, announced on this year's May Day five national awards for the workers. This has been universally hailed by the entire working class of the country. The Indian Labour force has reposed its faith in our dynamic Prime Minister, who in turn has unshakable and immense faith in the labour force with whose sweat and blood alone we can build India of 21st century.

Sir, all these years we have been talking about labour participation in management. It is really a matter of regret that we have not made progress in this direction even in central public sector undertakings. We have scrapped 1975 scheme and 1977 scheme formulated for labour participation in management. We have formulated a new scheme for labour participation in management. I want that this scheme should be implemented effective with statutory sanctions so that in reality the labour gets a share in management. I am sure that our hon. Labour Minister will ensure this.

Sir, it is also alarming that 90% of industrial disputes arises in central and State sector undertakings. The public sector undertakings should be model institutions for industrial harmony. We should take steps to eliminate industrial disputes in public sector undertakings. This can be done only when the central labour laws are implemented purposefully in central undertakings.

Mr. Chairman, the Plantation Labour Act was enacted in 1951. In 1984 a survey was conducted in Southern Plantations to find out how effectively this Act is being implemented. A report with constructive suggestions has been prepared. But these suggestions are not implemented in the plantations. I am intimately aware of the plight of plant-

[Shri R. Annanambi]

ation labour in Valparai, which is a part of my parliamentary constituency, Pollachi. I know that there has been no significant impact on account the implementation of these suggestions. Firstly it is clear that the Plantation Act, 1951 is not being implemented effectively. Secondly, the Report of this Survey has not seen the light of the day and the lot of plantation workers has not improved. I want the hon. Labour Minister to look into this and ensure the implementation of the reports suggesting improvements in the living standard of working class.

We have been talking about National Wage Policy for several years now. Every year the National Labour Conference meets and makes recommendations in this matter. In 1982 the National Labour Conference recommended the constitution of a Tripartite Wage Committee for formulating a national Wage Policy. I regret that so far the Labour Ministry has not constituted this Tripartite Wage Committee. Sir, our Labour Minister embodies in himself the hopes and aspirations of working class. It is the good fortune of the labour force that today he is the Minister of Labour entrusted with the implementation of programmes for labour welfare. I am sure that his dedication to the working class will ensure during his term of office the formulation of National Wage Policy and its effective implementation. Then only our country will be able to make rapid strides in industrial development.

We have the Workmen's Compensation Act, the Employees State Insurance Act, the Maternity Benefit Act, the Payment of Gratuity Act and endless list of labour welfare programmes for the urban labour. But our callous approach to the problems of 22 crores of unorganised labour in rural areas is substantiated by the absence of a single labour law for their good. There is no labour welfare scheme for fishermen, for leather industry workers, for workers in powerloom and handloom sectors. Every year the Central Standing Committee on Rural Unorganised Labour meets and make manifold recommendations, which are

not implemented at all. I do not know the problems in declaring agriculture as industry. Unless agriculture is declared as industry, the rural agricultural labour's lot will see no improvement. I demand that agriculture should be declared as industry.

I take this opportunity to refer to the ceaseless endeavours, both administrative and legislative, of our beloved leader and Chief Minister of Tamil Nadu, Puratchi Thalaivar Dr. M.G.R. to alleviate the misery of handloom industry workers. He has formed cooperative institutions for marketing their produce. The industry was running at a loss some fifteen years ago and today handloom goods worth Rs. 30 Rs. 40 crores are being exported. I demand active support for his efforts from the Labour Minister.

Sir, I would take this opportunity to refer to tardy implementation of industrial safety laws. In our 11 major ports and in several docks the industrial safety measures are not implemented at all. The workers succumb to serious injuries in the absence of such safety measures. There are manifold safety laws and I want that they all should be codified and published at one place. I would go to the extent of suggesting a comprehensive enactment for ensuring safety measures in industries.

The Central Labour Bureau is doing splendid work. It has researched in the working conditions of beedi industry. It has prepared a report about the working Conditions of women workers in plantations and in factories and in mines. Similarly, the Central Labour Bureau has prepared a report about the workers in sugar industry. I am sorry that all these reports are hibernating in the bureaus of the Labour Ministry. I want the Labour Minister to get the suggestions contained in these reported implemented for the good of the concerned workers.

I would also demand that all the labour laws should be translated into regional languages so that the working

class is enabled to understand the intricacies of these laws. They can save themselves from being exploited by the unscrupulous trade unions also.

I take this opportunity to refer again to the suffering of several hundreds of workers on account of the continued closure of Alexander Thread Mill in Mettur, Tamil Nadu. I have referred to this earlier three, four times. I want the good offices of the Labour Minister in the reopening of this Mill so that the hardships of the labour can be mitigated. Similarly, the Mettur Cloth Mill is also facing problems, which may lead to indefinite closure. This will result in the displacement of several hundreds of workers. I want the hon. Minister of Labour to take preemptive steps to prevent the closure of this Mill. Many textile mills in Coimbatore have remained closed for several months. The workers have been reduced to the level of street beggars, without clothes to wear, without any means to appease their hunger. The good office of the Labour Minister is required to save these workers from being exterminated. The Labour Minister endowed with motherly instincts towards the labour force will do everything to get these mills re-opened.

Our benevolent Chief Minister, who has dedicated his life to the cause of workers, has proposed several alternatives for the opening of these closed textile mills. He has also forwarded several industrial propositions for the employment of the working class and also for the growth of eternally backward areas in Tamil Nadu.

I seek the instinctive cooperation of the hon. Minister of Labour in getting these industrial propositions accepted and also in allocating more funds for the industrial growth of the State of Tamil Nadu so that the labour force in the State ultimately derives the maximum benefits.

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

15.16 hrs.

[SHRI N. VENKATA RATNAM *In the Chair*]

SHRI NANDLAL CHOUDHARY (Sagar): Mr, Chairman, Sir, I would like to draw the attention of the hon. Labour Minister towards the condition of the bidi workers and the agricultural labour. The condition of the bidi workers in Madhya Pradesh has become very pitiable. Some years back, the condition of the bidi workers was a bit better, but it is appalling now. I would request the hon. Minister that he must conduct an enquiry in this regard as their condition has deteriorated to such an extent that they are below the poverty line now. Raw material like tobacco, zarda or leaves, etc., which should be given to the bidi workers is also not being given to them. They remain idle for 10 to 15 days in a month. They are unable to get any other job also. The bidi workers are also not being paid the wages which have been prescribed for them. They are also being paid very low wages in the rural areas. Even for weekly wages, the workers have to wait for as long as three to four weeks. The wages paid to them are so meagre that they cannot offered even a square meal and as a result they are facing starvation. I have seen that minor children of bidi workers work till mid-night, rather upto 2 A.M. The children who should go to schools, spend their entire time in doing bidi work. If you conduct a survey, you will find that the children of most of the bidi workers fail in examinations. After passing the primary classes, these children do not reach even upto the higher Secondary classes and it is very unfortunate that they are unable to get higher education. They fall a victim to all sorts of diseases also. The use of tobacco causes various diseases.

The facilities to which the bidi workers are entitled under the Bidi and Cigar workers (conditions of Employment) Act, 1966 are being denied to them. The bidi workers are being exploited very much. You will find that the owners of the bidi factories are becoming million-

[Shri Nandlal Chaudhary]

aires, and billionaires but the plight of the bidi workers is getting miserable and they are being pushed below the poverty line.

I would like to refer to my own area, i.e., the Sagar division where there are lakhs of bidi workers and it is very unfortunate that there is not even a single community Centre or entertainment Centre for the entertainment of these lakhs of workers. The workers do not have any facility there. I would, therefore, like to request you that at a place where there are lakhs of bidi workers; there should at least be some Centre or Community Centre for their entertainment.

I invite the hon. Minister to visit my area to see for himself the condition of the bidi workers and if he accepts my invitation to visit the area, as would be virtually in tears after seeing their plight. Their condition is very pitiable.

In other states, the bidi industry has been provided with many facilities, but such facilities have not been provided in Madhya Pradesh. The taxes on the bidi industry in Madhya Pradesh are relatively higher than the taxes on the bidi industry in other States, especially the Southern States, as a result of which the bidi industry of Madhya Pradesh is facing a crisis. The plea of the bidi factory-owners of Madhya Pradesh is that many types of taxes have been levied on the bidi industry in Madhya Pradesh in comparison with other States. As a result thereof, the bidi-factory-owners want to shift their units to the Southern States and they have reduced their work to a considerable extent in Madhya Pradesh. This has led to unemployment among the bidi workers in Madhya Pradesh.

There is a bidi Worker Welfare Fund for Bidi workers for which money was collected by levying cess on tobacco. With the money collected by levying cess on tobacco, a fund used to be created for the welfare of the bidi workers and welfare activities for them were under taken with that fund. But now, under a

new arrangement, tax is being levied on the bidis. It is not a proper arrangement. The earlier arrangement of levying cess on tobacco was a good arrangement and more money was collected in the fund under that arrangement. Now, so much money would be collected by levying tax on bidis and it would also pose accounting difficulties. Earlier, the account of the cess imposed on tobacco was well maintained and the money collected in the Bidi Workers Welfare Fund was utilised for their welfare. I would, therefore, request that the earlier system should be restored and money collected by levying tax on tobacco should be utilised for the welfare of the workers. The arrangement for the utilisation of this fund is also not proper. More members should be co-opted on the committee formed to check the misuse of this fund which is going on at present.

I request that a fund should be created for the welfare of agricultural labourers on the lines of the fund created for the welfare of the bidi workers. A cess or tax of atleast 25 to 50 paise per bag should be imposed with which a fund for the welfare of agricultural labour may be created and spent on their welfare. With these words, I conclude my speech and support the demands of the Ministry of Labour and express my thanks to you for providing me with an opportunity to express my views.

[*English*]

SHRI SRIBALLAV PANIGRAHI (Deogarh) : Mr. Chairman, Sir, I rise to support the Demands of the Labour Ministry. At the very outset, I would like to congratulate the Labour Ministry for the better atmosphere that is now prevailing in the country in the field of Industrial relations. Comparatively, the industrial relation situation is much better now with less of mandays lost and less number of strikes and lockouts. This has been brought home in the Performance Budget circulated by the Ministry of Labour and in paragraph 2 figures are there and it is mentioned how the number of strikes and lockouts has been brought down and the mandays loss

has also been reduced. It is a welcome feature.

At the same time, in this years' Budget there are also some provisions relating to the welfare of the labour community, which also is quite welcome. For example, the maximum bonus qualifying Salary has been increased, the minimum compensation amount in certain respects has also been enhanced. These are all welcome features and for which the Government deserves to be congratulated.

Labour Ministry is an important Ministry ; labour force is very important from the view point of our national economy. Labour in its broader sense is the source of all productive activity in an economy. Efficient use of this prime factor of production is an imperative task of Government that desires to manage the economy efficiently. An economy, a State may be full of natural resources, forest, minerals, wealth and the requisite capital, tools and implements, yet if the prime factor, that is labour, is absent, no productive activity is possible. Productive capacity is determined by effective labour force of a country.

There is a lot of labour force in our country. There is no dearth. We are the second highest populated country in the whole of world. Availability of labours is not a problem, but the problem is unemployment, non-utilisation or less utilisation of its labour force. The question is, how to keep the labour force engaged, how to keep it active, effective and how to inspire them so that they can work to the utmost capacity and they can remain content also. For that, so many rules, regulations and laws are there. India is quite advanced in the field of enactment of labour law and industrial laws. I think, we are more advanced, much better, than many so-called advanced countries. But to me it seems, it is not a question of making laws that is lacking in this country, but what is lacking is seriousness in real implementation of all the labour laws, industrial laws, implementation in right earnest and

in proper perspective so as to fulfil the objectives in view. Of course Government at the highest level is quite serious, quite sincere, but this sincerity and seriousness unfortunately, due to different reasons, is not reflected at the field level where it should be implemented.

This seriousness of the Ministry, of our leaders, does not percolate downwards in the field, where it should be implemented. Therefore Sir, I would urge upon the Minister to carefully examine the existing lacunae and loopholes and try to plug all the loopholes. He should enforce strict monitoring of the laws and regulations which are meant to bring about a whole lot of change and improvement in the lives of the labour, which is neglected, ill-paid or underpaid. The workers especially in the unorganised sector, do not have an existence worth the name, that is human existence.

We have two types of labour—organised and unorganised. Our organised labour is just about one tenth of the entire unorganised labour. Though in the field of organised labour, they are getting some benefits, as I said a little earlier. Even there due to non-implementation or lack of proper implementation of laws, even those benefits which should normally accrue to them do not accrue to them fully. But in the field of unorganised labour, their sufferings are awful and beyond description. This calls for immediate attention of the Government. Of course, Government is trying. They have appointed some people like field inspectors. I will give an example of Orissa. In Orissa, they have appointed 65 field inspectors. Orissa is an agricultural State and lakhs of agricultural labourers are there. Their sufferings and their problems cannot be looked into by the small number of 65 field inspectors. It is a huge task, gigantic task, Himalayan task and coordinated efforts should be made in this direction.

Again, we are an agricultural country and in the field of economics, it is a question of demand and supply. In

[Shri Sriballav Panigrahi]

drought-prone areas, many people who own small holdings of two or three acres are cultivators themselves and they are labourers as well. Most of the time, they have to depend on the wages they receive by working as labourers in some organisation. This is their plight. So, in our agricultural country, to get them some wholesome food and to bring improvement in their lives, we have to go in for more and more irrigation. In some irrigated areas, in certain pockets, a labourer gets even Rs. 20 or Rs. 25 per day in the busy season. On the contrary, in the drought-prone and dry areas, even Rs. 5 is not paid to the labourer and this is the real situation, a contradictory situation.

About labour laws, I said that more seriousness should be paid for their implementation. Public undertakings or contractors who are working in government projects are supposed to be ideal employers. I am very constrained and extremely sorry to say that sometimes even they do not pay wages to labourers—casual and contract labourers—at the rate prescribed. This is very objectionable and really shameful. You may see that in some tenders for construction of bridges, buildings or roads, the daily labour wage rate is quoted at Rs. 5. Although they see to it that they do not pay beyond that rate. They take the contract with 50 per cent or 60 per cent above the Schedule the rate as the rate entered in the tender is Rs. 5, they do not pay beyond that. In the Rourkela steel plant which is a public sector undertaking, it is complained that some contractors who are charging more from the management for loading and unloading, pay the workers much less. These are all serious things, and should be attend to by our officers. The contract labour system and the N.M.R. System should be done away with forthwith.

The number of our officers may be less, but I find that many of them are also not sincere. Most of them are pro-management. While they go to look into the labourers' sufferings, the complaints received they stay in the bungalows and

enjoy the hospitality of the private managements, that is of the industrialists. There should be a ban on officers doing so.

The *bidli* workers and Sal Seed workers are not paid wages in terms of time spent, but in terms of the number of leaves and seed they collect. If a family of 4 or 5 persons work in these fields, they earn hardly Rs. 10/- or Rs. 15/- a day. This aspect should also be looked into by the Ministry.

I would like to bring to your notice 2 or 3 more points. The ESI hospital scheme is good, but all the areas in Orissa are not covered by it. There are only 3 or 4 hospitals. They are not adequate and well equipped also. Experts are not there and the medicines and drugs available are also not sufficient. As a result, there is discontent among the workers.

There is another matter to which I would like to draw the attention of the hon. Minister, *viz.* the closure of the Bhaskar Textile Mills in Jharsugda in my constituency. We had this textile mill where 2,000 workers were working. It has been closed by the proprietor without paying any heed to the request of the Government, the labour union and the general public of the place. It has been closed; and secretly, they have moved their machinery outside that is to Calcutta and other places. As a result, 2,000 workers have turned beggars, and are on the streets now. The Government of Orissa has decided on the taking-over of this mill. This closure is a sat-back not only for the workers, but also for the entire economy of the place. I would request the Minister to take immediate action for the re-opening of this textile mill, which will not only benefit the 2,000 workers but also boost the economy of this backward locality.

This Government is for the labourers. The Congress Party is wedded to democratic socialism. So many pro-labour legislations are being enacted. I would request the hon. Minister to make a good gesture and decide that no appeal

would be preferred against a tribunal's decisions which go in favour of the labourers. If the Government goes to the High Court and the Supreme Court and involves labourers' organizations, how can the poor labourers fight Government in the Supreme Court and the High Courts? In many cases, they are not able to rise to the occasion, and fight for their genuine demands. Government should consider this request with all sympathy and decide that they will not challenge the pro-labour decisions of tribunals in High Courts and the Supreme Court. Conflicts between capital and labour are always there, and the role of the Ministry of Labour is that of a fire brigade, i.e. to bring about harmony between the two.

There are many things which can be said. We have a lot of good pro-labour legislation. If they are properly implemented, there will be little scope for complaints. But because they are not being implemented properly, and there is no seriousness on the part of the implementing machinery, the machinery which is entrusted with this implementation. I think there is a lot of discontent everywhere in the labour field unless labour force is really contented it cannot deliver the goods. It is the Labourer who is labouring so much and struggling hard and sometimes sacrificing blood for the sake of prosperity of the nation. If they are not contented, and not involved in the working, in the management of the factories and the public sector undertakings, we cannot expect them to work satisfactorily. Therefore a meaningful participation of the workers in the management should be ensured without delay. With these words I support the Demands for Grants of the Ministry of Labour which is thus very important from the point of view of nation's economy and the welfare of the people. human labour that is the Labour Department, I thank you for giving me this opportunity.

SHRI INDRAJIT GUPTA (Basirhat) : Mr. Chairman, Sir, the case of labour in this country has been powerfully advocated by many Members speaking here

irrespective of party affiliations. And, I know that the hon. Minister himself who, at one time was a labourer himself long long ago, has come up to this present position through a life of hard experience and some suffering also. I know that he is personally very sympathetic to labour and he is a good man, an honest man, who would like to help labour. So, anything I have to say which is critical should not be—definitely—taken as something against him as an individual. If I am criticising anything in the present set up it is the Ministry. Rather, I would like him to come forward and try to rescue this Ministry from its present position of impotence. It is an impotent Ministry, if I may say so, for which he is not responsible. It is something which has developed over so many years. The fact of the matter is that.

AN HON. MEMBER : That is not parliamentary.

SHRI INDRAJIT GUPTA (Basirhat) : I do not know that much English. You better ask the Chairman whether the word 'impotent' is unparliamentary or not. I think it is a respectable word.

AN HON. MEMBER : It may be expunged

SHRI INDRAJIT GUPTA : He is only thinking of one aspect of impotence. I do not know why he is worried about it.

MR. CHAIRMAN : Do not bother about the language. You continue.

SHRI INDRAJIT GUPTA : Why is that so? Why do I call it impotent? Because it is in such a position that this Ministry is supposed to draft and initiate various labour laws, labour legislations, but for the major part of it, it is not responsible directly for the implementation of these laws. The scheme of thing is such that either the implementation is left entirely to the State Governments or even where the Centre itself is directly responsible, the implementation

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machinery is such that it is hopelessly inadequate, under-staffed, not properly trained, under paid and, therefore, unfortunately, very often, it is also susceptible to corruption and temptation. Secondly, in my experience I do not find this Ministry capable of enforcing anything on the private sector. I am not talking now about the unorganised small scale sector. I will come to that later. Many Members have spoken about that sector very correctly. But in the organised sector where there are well established companies and all that, they do not bother one hoot about the Labour Ministry or any labour administration for that matter. If they want to do something or not to do something, they will do it, because the penalties laid down in the appropriate laws mean nothing as far as these companies are concerned. There may be Rs. 1000/- fine or something like that which does not mean anything to them. Today, as you know, crores of rupees worth of our workers' wages, which should be deposited by the employers in the provident fund account and Employees State Insurance Fund, have just been stolen. This is daylight highway robbery going on and there seems to be no means to check it at all. It is admitted in the Report of the Labour Ministry on pages 16 to 18 that the arrears in the provident fund i.e. the money which is being deducted from the workers' wages but is not being deposited in the provident fund account of the employees, amount to Rs. 48 41 crores. This money has just been stolen like this out of the workers' wages. What action has been taken; what action can be taken; what action is the Government capable of taking against these defaulting employers? Even two news agencies here which were started with the encouragement of the Government—Hindustan Samachar and Samachar Bharati—do not pay their provident fund contributions. These news agencies are in a thoroughly bad way now. They may close down any day. Financially they are in a bad way because they do not get that support which the other agencies like PTI and UNI get from the Television or Radio and they

may close down any day. Even there the provident fund is not contributed by the employers which they are legally bound to do. In the ESI the arrears amount to Rs. 52.32 crores, according to the Labour Ministry's own Report. What better proof can there be that in the present scheme of things at least the Government is powerless? If some people do not like the word impotent, I use the word powerless. It does not have any bad implications as the Member over there seems to be suffering from or is having complex about. Unfortunately, the Ministry—the Minister knows it very well and I have every sympathy for him—is virtually not allowed to do anything as far as the public sector establishments are concerned. The employing Ministries or administering Ministries are there. They also do not allow the entry of the Labour Ministry into those sectors. They are their own masters in determining what will be the industrial relations, what will be wage structure and so on in their respective fields under the respective Ministries. The Labour Ministry can only advise them. Sometimes, it can make some recommendations, but it has no power to enforce it.

One Cabinet Minister who is presently holding a very important portfolio in the public sector, Steel Mines and Coal, has written a book a few months ago—he was good enough to present me with a complimentary copy; I very foolishly forgot to bring it with me; I left it in my house; I would have quoted from that—in which he has very forcefully argued the case for two things—one is workers meaningful participation in management. That means not just putting one trade union representative in the Board of Directors and leaving it at that. He has said that from the shop level upto the plant level and higher up, there must be workers' participation in management, otherwise, in the public sector at least, you cannot bring about any change. I do not expect private management to agree to this. But let us make a start in the public sector at least. He has argued it so forcefully there that I am tempted to ask him why, now when he is incharge of Steel Mines

and Coal, that thing, which he has argued so much in that book, is not being implemented in that sector where he is the presiding Minister now. I do not understand it. He has said that he is convinced on the basis of his experience of other countries also that without workers' participation there can never be a change in the whole work ethos and in the consciousness of the people who are running the public sector. Nothing has been done. In 1983, the scheme had been prepared and that scheme was supposed to be sent to every administrative Ministry and they were asked to submit a time-bound programme to implement it. But since then nothing has happened. I am quite sure that it is these employing Ministries, the bureaucrats and the Ministers in these employing Ministries, who are basically opposed to the idea of workers' participation and, therefore, nothing is coming back to the Labour Ministry from them. Similarly, this Minister in his book has argued very strongly. I was glad to find that he has argued that the only way to determine which is the representative majority union, where there are a number of unions, is by the method of secret ballot. He said there was no other way to do it. And our hon. Labour Minister who is sitting here, has been the Labour Minister of Andhra Pradesh for a number of years. That is the one State in which he, as a Labour Minister, has introduced and implemented this method of secret ballot. It is in general vogue there. I hope my friends from Andhra Pradesh know that. It is by secret ballot that the bargaining agent, the representative union is determined. So, I have been asking Mr. Anjiah in a joking way that "If you could do this in Andhra Pradesh when you were Labour Minister there, then now that you are presiding over this important Central Ministry, why don't you exert all your strength and efforts to see that similar type of legislation and scheme is introduced throughout the country? Let us begin at least with the public sector." But I do not know what the difficulties are. He does not tell us. I think perhaps there is some opposition. We know there is opposition from some trade unions. At least one Central trade

union, that is, the INTUC, is opposed to this idea of secret ballot. Secret ballot is considered good enough for every other type of election in this country. Beginning from Panchayat to municipalities and corporations to Assemblies and Parliament, secret ballot is the accepted method by which people are chosen but only when it comes to the question of selecting the majority union or the bargaining agent from a number of unions, there is this unreasoning opposition to the idea of secret ballot and then the multiplicity of unions is continuing which I do not like at all though I also... (*Interruptions*).

SHRI DAMODAR PANDEY : May I interrupt you ?

SHRI INDRAJIT GUPTA : Yes, certainly.

SHRI DAMODAR PANDEY : INTUC have never opposed secret ballot, INTUC has simply said that only the members of any union can elect their representative union. How can the persons who do not believe in unionism, who are not members of any union, decide the fate of a union? So, INTUC simply says you determine whether a person is a member of any union or not. If he is a member, he has every right to elect a union. The persons who do not believe in unionism, who are not members of any union, how can they elect a union?

SHRI INDRAJIT GUPTA : The interruption is longer than my speech. Anyway... (*Interruptions*).

SHRI DAMODAR PANDEY : As a Secretary of INTUC it was my duty... (*Interruptions*).

SHRI INDRAJIT GUPTA : Yes, it is your duty and I leave it to the Labour Minister to tell you. He does not belong to my party, I leave it to him to explain... (*Interruptions*). Oh! I did not interrupt you when you were speaking. And let me tell you that if the workers know that such a scheme of secret ballot is seriously

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going to be implemented everywhere, you will not find this phenomenon of people who are not members of unions. Everybody will join some union. At present, it does not matter whether there are half a dozen unions, they do not care. This is not helping trade unionism in the country at all.

The other point which has been mentioned here is regarding the huge volume of unemployment which is being caused directly by closures and lock-outs. At the moment, according to this Report, there are 491 large units which are supposed to be sick, 1256 medium scale units which are supposed to be sick and 78,363 small units which are supposed to be sick. All these units are lying closed in our country. I do not know if such a phenomenon exists in any other country, even in an under-developed or a developing country. But here, in our country, on such a big scale, nearly 80,000 units are being kept closed by the employers on the ground that they are sick. And how much bank credit is tied up? Apart from the question of unemployment, outstanding bank credit is tied up to the extent of over Rs. 3,000 crores because of this closure. I know the Labour Ministry by itself cannot do anything on it. It is a question which is tied up with the industrial policy and the financial policy of the Government.

The Prime Minister and the Finance Minister have made some very brave utterances that they are not going to allow bad managements which declare industries to be sick and close them down. They said that they will not allow such state of affairs to continue. Bad management should be driven out of circulation. But we have yet to see any concrete steps taken in that direction. Things have come to such a pass now that sixteen jute mills are lying closed in West Bengal. This question has been debated in this House. All that we have asked for is for a high-level conference of the State Governments, the Central Government, the employers and the trade unions to sit together and find some way

for getting these mills into operation again. It was agreed to, not by this Minister, but by the Minister of the Supply and Textiles that such a conference would be called on an urgent basis. One month has passed and we do not know anything further about it.

Now, workers in the jute industry, including the Union affiliated to the INTUC, have jointly decided—I do not know whether it will help them—that on 17th of this month, in ten days' time, they are going to observe a one-day general strike in West Bengal as a mark of protest against this continued closure and against the deliberate design of the employers to ruin this industry completely. Even before that strike takes place on the 17th I appeal to the Government that at least it should announce that it is really going to hold that conference. It should also announce when it is going to hold it and where it is going to hold it. If the Government is not prepared to sit down with the parties concerned to discuss the crisis, what can Mr. Anjiah do by it? Anyway.

One thing I would say to Mr. Anjiah, if he does not mind, There has been a lot of talk that we have to take the country from the 20th century to the 21st century. We must march to the 21st century. It is very good. I do not quarrel with that. In any case history will take us to the 21st century, whether we like it or not. But as far as the wage policy is concerned, at least we should not go back from the 20th century to the 19th century. I think Mr. Anjiah has been wrongly advised if he is deciding that the main method of wage determination in future should be wage boards again. We have overcome that phase and period of wage boards. There was a period when we had wage boards in practically all the major industries, but the experience of that was such that all the trade unions unanimously agreed that we should go in for collective bargaining and bipartite negotiations and settlements. And such settlement have taken place over the last three or four years and successfully in many indus-

tries, including many public sector industries. Mr. Damodar Pandey knows it. He was a participant in those negotiations, collective bargainings, bipartite negotiations and collective agreements. This is nearer to the 21st century than the wage boards. Wage boards can be set up in such industries where there is an un-organised type of industry, which is scattered all over the country with small number of workers in each unit and where it is difficult for them to combine. In such particular cases the wage boards can be considered, say, if the employees themselves want a wage board as, I am told, the journalists themselves want them. If they want it, I do not mind, but in general principle the option for a wage board is a retrograde step compared to the method which is followed all over the country, in the advanced countries with whom we are trying to catch up. That is why wage boards or tribunals or adjudication or compulsory arbitration are a retrograde step compared to the bipartite negotiations and collective agreements. Therefore, I would beg the hon. Minister not to go back from this method which has proved quite successful and which is the best method of getting industrial peace.

16.00 hrs.

I think there is one law which should be repealed because it is proved useless. Apart from being, in my opinion, a reactionary law and anti-labour law, it is proved to be quite useless and that is the Essential Services Maintenance Act. According to that, any strike can be declared illegal. Any industry, any type of occupation or profession can be defined in that law as an essential service and automatically strikes in that become illegal and if anybody participates in that so-called illegal strike, then he will be subject to so many types of penalties including imprisonment, fines, dismissal from service and so on. The idea at that time that was said to us when that Bill was brought here was that this will be a very effective deterrent to strikes. It has not been a deterrent to strikes at all. If you don't remove the basic causes of discontent in this country, you can

legislate a hundred laws which are very repressive and stiff and strong laws, but workers won't bother about those things. They are prepared to go to jail, they are prepared to lose their jobs, but if their discontent is not removed, then this is not the way by which strikes can be penalised and suppressed. So, I would say, and even by the National Security Act which we were told here at the time of passing, which we opposed tooth and nail, that it will never be used against labour unions; it is meant for those people who are damaging the security of our country and it will never be used against trade unions. It is being used, it has been used. The latest example I can give you is, the General Secretary of the Tata Oil Mills Union (TOMCO Union) in Bombay, Michael D'Souza, who was arrested and detained without trial under this NSA and locked up with the whole lot of criminals in Nasik jail. I made representations about it, then after a couple of months he has been released, but what business was there of anybody of the Administration to use this National Security Act powers against a legitimate trade unionist? He was not doing anything against the security of the country. They could not bring any charges against him also. Just because some employer—in this case the Tatas were complaining against him, they will complain against any trade union leader who opposes them, and the police were in collusion, they got him locked up on a false charge. This kind of thing should not be permitted to go on.

Sir, I have only two or three points to make. One is the gap between the general wage level in our country and the wage level in the advanced countries which we wanted to narrow, to bridge, by raising our standards and wages in fact has got widened. The gap has got widened. That is why India is now regarded by so many foreign investors, so many multinational companies abroad, as an ideal place to come and invest because it is a paradise of cheap labour. Where will they get cheap labour? They cannot get it in USA or West Germany or Japan or Britain or anywhere else, and that is why those companies are rushing here. They want to come and invest and

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be able to make more profits and then take out their profits and also export from here. The basic cause of the cheap labour conditions in India—we talk a lot about high wage islands. There is not so much talk about this nowadays, but a few years ago there was a lot of talk about the public sector workers who are living in high wage islands and enjoying benefits and all that. Of course, nobody gave it to them as an act of generosity. They got it through their organisation and their struggle. But what about this huge unorganised sector? I do not want to repeat what many Members here have described in harrowing terms the condition of those people. In this Report it is admitted that even in the building and construction industry there is no law. You see the worst exploited people who live on the footpaths of Delhi and if you take a walk in Delhi, you cannot avoid seeing all these poor people who have come from Rajasthan and Madhya Pradesh and villages around, their women, their children and everybody on the footpaths because some big five-star hotel or some big building is built there, they are working there, carrying stones and mud on their heads from morning to night, they have not any kind of laws to protect them, they have no security of any kind, they have no medical care, they have no housing, they are sleeping on footpaths at night with their little children and women. The crushing weight of unemployment in our country is the primary factor responsible for keeping the wages down. You can never improve the wage level in our country if there are so many millions of unemployed people who are willing to work for a pittance. So, when children below the statutorily permissible age are working in the factories in Sivakasi in Tamil Nadu making fireworks and matches, an attempt was made by the Government there to ban them and to say, 'No, the law will be strictly enforced, children below a certain age will not be allowed to do this work.'

What happened? The mothers and fathers came out in a protest demonstration saying that if these children are prevented from working there, the little

money which they earn and which is a supplement for the family income, would be stopped. They insisted that they should be allowed to work. One hon. Member said just now that these children should be in schools. These little children should be in schools. They should be educated to become citizens for the future. They are working like this!

Shri Mool Chand Daga spoke about the children working in hotels and as domestic servants in houses and all that. It is quite right. It is very difficult to organise them because of the huge volume of unemployment. An employer can get rid of one child or one woman and there will be ten others waiting to work, even for lower wages! This is a horrible condition which is prevailing and if the Labour Ministry is not able to do very much with the big organised employers or with the public sector managements because they do not bother about the Labour Ministry, please at least see for the welfare and uplift of the unorganised labour. We will be grateful and we will help you in every possible way to do something in this regard. These agricultural labourers are agitating for so many years for a comprehensive legislation for them. A comprehensive law governing the broad conditions of agricultural labour should be passed by Parliament. Then we will see how the State Governments fail to take it up. But no comprehensive legislation exists. There are some good State laws governing the conditions of agricultural labour. In Kerala State, there is the relative law which gives them social security fixing their wages and all that, statutory leave and social security and all that. But we should have some Central guidelines, some Central pressure should come in the form of a comprehensive legislation. Otherwise, these people are living below the poverty line for years and years. The Government itself admits that nearly 48% of the population is living below the poverty line. How can the country progress? You are seeing only some progress on the surface, that we have got big factories and science and technology. Yes. We are proud of our growth in science and technology. Surely and technicians and so on. But the fact we are proud we have very good engineers

of the matter is that millions and millions of people in this country who cannot get two square meals a day are acting as a dead weight on our entire economy.

Even the domestic market in India cannot develop because the people have no purchasing power. Many factories are closed down for that reason. They cannot sell their goods. Who will buy them? People do not have money to buy one pair of shoes in a year. The poor people in the countryside cannot buy one sari for their women in their houses. How can the industries in this country survive? Are they going to survive only on the basis of export? Export has become a magical slogan. "Produce everything for export"! But you cannot export as much as you want because the markets are closed to you.

You are fighting against a hostile environment also where protectionism and trade barriers and tariffs are imposed against countries like India, where you cannot sell your goods and textiles because those advanced countries have closed down their markets and they are not allowing you to go there. What will you do?

You cannot sell in your country because your people are too poor to buy!

Shri Datta Samant was speaking the other day about the textile strike and he very correctly said that the Bombay Industrial Relations Act which has, of course, later been extended to Madhya Pradesh and Gujarat also, is the primary factor which was responsible for that strike because you would not accept secret ballot. You would not accept any democratic method of allowing the workers to choose which union they want. One Union is the rubber stamp of the Government and of the employers and that union is imposed on the workers and you saw what happened in Bombay. People revolted against that after a time. Of course, Mr. Datta Samant, I am sure, has also pondered over the question as to how when a strike took place in the

biggest textile centre of India and when 62 mills were closed for one and a half years, why there was no shortage of cloth in the market.

I wrote some letters during the strike, not to Shri Datta Samant, but to one of his lieutenants. Perhaps Mr. Samant was too big a man to reply to me.

But the lieutenant and I carried on some correspondence because we were supporting the strike. I am not bothered about anything else; I am only bothered about the workers. How could that strike possibly succeed? If the effect of the strike is this that there is no shortage of cloth in the market, how could the strike succeed? It was a question of the powerlooms as far as I have understood, the powerlooms which have expanded on such a huge scale that many of them are being run from behind by the big millowners; they are making the cloth in the powerlooms and the mill-stamp is put and sold in the market. This growth of the powerlooms, where the workers are not so organized, led to the defeat—he may resent my using the word 'defeat'—led to the fizzling out of the strike which is a painful thing for any trade union in this country. If a big strike like the textile strike in Bombay is broken like that by the employers—and you have heard what they were doing after the strike to the workers—it will inevitably affect the textile industry in the other major textile centres.

I may tell the Minister that this drive which is going on in the name of rationalisation, reducing the number of workers, increasing the workload and all these things may be very good for the profits of the employers, but it will add to the volume of unemployment in this country. And with the huge backlog of unemployment which is growing from year to year, it is not possible even to keep the economy growing on a stable basis, and you will not be able to raise the level of wages; you will be inviting the multinationals and foreign companies to come here and mint money out of the cheap labour. It all becomes a vicious circle.

MR. CHAIRMAN : Please conclude.

SHRI INDRAJIT GUPTA : Two or three more points only.

Why not give up the Bill which you are proposing to bring? I find that you are still proposing to bring at some time or the other a Bill whose effect is to remove the employees working in hospitals, educational institutions and other institutions from the purview of the Industrial Disputes Act. Why should you do that? They are employees, they are workmen. Why should they be deprived of the benefits which are available to them under the Industrial Disputes Act—the machinery of conciliation, arbitration and all that? Why should they be deprived of these, I do not understand. Automatically, any strike or stoppage of work by them is to be banned. It had created a big agitation throughout the country at the time when the Bill was pending here in the last Lok Sabha. Then it was not passed because the Lok Sabha's life came to an end. I would humbly request the hon. Minister not to revive that Bill. It will not help to improve matters at all.

Secondly, do away with the salary ceiling on bonus. You have improved the Bonus Act, no doubt, by saying that people receiving upto Rs. 1600/- will qualify for bonus. Previously they were getting it on the basis of Rs. 750/-. But now above Rs. 1600/- nobody will get any bonus. I say that all those people who come under the definition of 'workmen' or 'employees' should get bonus. I am not pleading for the management people; not at all. But any worker or employee who comes within the purview of the definition should get it. Many come within the purview of Rs. 1600. But some of them are earning much more, they are earning Rs. 2,000/- or Rs. 2,500/-. Why do you grudge it to people who are skilled workers, who are highly skilled workers now. You are trying to modernise your industry. Therefore, you are bound to get more and more of this type of people now who are going through various types

of training, improving their skills and all that, and who are working with very sophisticated machinery. They are bound to earn more. Why do you grudge it to them? Why, in the case of bonus only, should they be cut off? Therefore, I would request him to remove the ceiling of Rs. 1,600/-. Everybody who is a workman or an employee should be eligible to get bonus.

Thirdly, as far as I know, you have got no office of the Regional Labour Commissioner in Goa. We are getting lot of representations from them. Goa is a big mining centre; it is a port and dock centre. It is essential that there should be a functioning office of the Regional Labour Commissioner directly under the Labour Ministry there because these sectors are sectors they are supposed to look after directly.

Lastly, I have one suggestion to make. It is good that the consciousness of the country and the people has been shaken to a great extent by the Bhopal disaster. Before that nobody cared a hoot about it—the pollutions, hazards and dangers of chemicals and gases and all that. But this horror that took place in Bhopal has awakened the people and people are more anxious and aware of these things now. I say to the Government—this is the proper time when in all factories which are manufacturing chemicals, gases or other harmful toxic substances you should levy by law as you have done in the case of other industries a cess. That cess should be levied on such type of hazardous factories and the money collected from that cess should go into a fund which should be used to enforce the provision of adequate safety measures and adequate precautionary measures in this type of industries so that in future this kind of so-called accident does not occur bringing in death on a large scale not only to the workers employed there but also to the people living around. So I plead for a cess on the chemical and poisonous gases and other toxic substances factories and use that money to enforce anti-pollution measures and safety measures

so that people can be safe in future.

[Translation]

SHRI MADAN PANDEY (Gorakhpur) : Mr. Chairman, Sir, just now my colleague Shri Gupta has raised many points before the House on which we shall have to do rethinking. He has emphasised the point that the question about the representative union or the bargaining agent for collective bargaining should be determined through secret ballot. In theory, the point made by Shri Gupta looks cent percent plausible if a person is to be chosen as a bargaining agent, but if an organisation is to be made the bargaining agent, even Shri Gupta will have to think how a person who is not a member of an organisation can choose that organisation. It does not seem to be proper if persons like you justify it. The method of secret ballot should never be adopted for collective bargaining. The I.N.T.U.C. has taken the stand that it should be done through verification. There is also the check off system which should be adopted. There is no other method to elicit the wishes of the worker in the real sense.

The worker will fill up a form and the mill owner will deduct the membership fee from his wages and give it to the union. There cannot be a better method than this. I would request Shri Gupta not to insist on election through secret ballot but instead think of some other method in the interest of the workers.

Our learned friend, who has just now spoken, finds impotency everywhere. But an effort has been made in the Department of Labour to do whatever is possible, under the law. It is of course true that hindrances are likely to occur when we try to do many things some people, but which we start doing which may not be desired by according to our wishes at some places.

Does Shri Gupta not feel that the step to raise the limit for bonus from Rs. 750 to Rs. 1600 is a measure aimed at bene-

fitting the workers through labour legislation? Is it a matter of potency or impotency? Both you and we should think over it unitedly as to why, should this limit be raised from Rs. 750 to Rs. 1600. Our Government and this House as also the Labour Minister, who is present in the House should think of removing this limit. Similarly, other provisions which have been made are simply being repeated here in this House. I do not want to waste the time of the House by repeating them, but, at the same time, I certainly want to draw the attention of the House to some specific issues.

A basic lacuna that I see in the labour legislation which we enacted in 1947 after attaining Independence is that the centre enacts a legislation and the same legislation is also enacted by the States and I feel in this duplication there are two enforcement machineries which work one at the level State another at the central level for the same job. It leads to difference of opinion in many matters resulting in difficulties in the implementation of laws relating to labour.

I want to give some examples in this regard and I hope the hon. Labour Minister will certainly pay attention to them. Sir, the Artificial Limb Manufacturing Factory is located in Kanpur. The workers of that factory raised some demands and an agreement was reached with them, but that agreement was not honoured. This is a very bad practice. The hon. Labour Minister should find a solution to it. As that agreement was not honoured, the workers again raised their demands and a lock out was declared on 22nd March. According to the rules and regulations, the permission opinion of the Regional Labour Commissioner should have been sought before declaring a lock out, as the Factory is owned by the Central Government. What to talk of seeking the opinion of the Regional Labour Commissioner, his opinion was ignored when given. The Labour Department and the Regional Labour Commissioner have informed me that a number of meetings were called to

[Shri Madan Pandey]

settle this dispute, but the officers did not attend those meetings.

Today, all factories are in similar condition and we are facing a lot of difficulties in this regard. We do not know how to cater to the whims of the private sector people or those of the public sector officers. I am unable to understand it.

When the proprietor of a private sector Company receives a strike notice he tries to hold negotiations. He would either overawl us or would yield ultimately. But the executive of the public sector sitting on the top does not bother about how many mandays are being lost, or the loss in production and he is least bothered about the extent of loss which may run into crores. I have experience of it. I want to submit to the hon. Labour Minister and my hon. colleagues of this House that notice of a strike was given by some trade unions on 19th January 1984 in the big public sector industry located in the southern part of Mirzapur where some big private sector industry are also located. The private sector people created such conditions for this 19th January strike that one of the unions which had given the strike notice held a dialogue with the proprietor and the workers on their own and withdrew the notice, but when we talked to the executives of the public sector industries regarding the strike and asked what were they doing, they replied that those who wanted to go on strike might go ahead with it. If people with this attitude are to run the public sector what would be its future? They themselves are the biggest enemies of this sector. This House is of the view that the public sector should continue, it should grow and flourish, and it should run efficiently in all fields. We are its supporters. But, if no corrective measure is taken to improve the public sector, the very economy of this country is in jeopardy, leave aside our industrial relations. We have an admirable person in our hon. Labour Minister, we praise his policies and steps, but if these policies

are not implemented correctly, the industries which are now running will be closed down. Therefore, if you are thinking of enacting laws, do not go in for this patch work. The Industrial Disputes Act and the Factories Act which were enacted in 1948 or before, need to be enacted a fresh.

Secondly, there should be coordination between our Labour Minister and the various departments under which industries are being set up in the public sector as also between the Labour Minister and the Department of Industries. He should issue a directive to the effect that Industries Ministry in the capacity of owner, should issue instructions to their personnel that the labour laws should not be flouted in any way.

I have many things to say, but since the bell is ringing, I support these Demands with these words and urge the hon., Labour Minister, that on the line of the steps already taken by him, stern measures should once again be taken against those who violate the law.

****SHRI C. SAMBU (Bapatla):** Mr. Chairman, Sir, We are discussing the Demands for grants pertaining to the Ministry of Labour. Ours is an agricultural country. More than 60% of our population depends on agriculture. The percentage of agricultural labourers is also more than 60. Though they constitute more than 60% these agricultural labourers have not been getting any attention sofar. No justice has been done to these people. The Government says that it is extending every help to the people. But, in reality, no help extended by the Government is reaching them. To this day, to their misfortune, they remain as unorganised labour. No effort has been made so far either to organise them or to recognise them as organised labour. These people do not have even the minimum basic facilities needed for human beings. They have no medical facilities. They have no educational facilities for their children. Sir, you know very well, that these agricultural

****The speech was originally delivered in Telugu.**

labourers will be out of employment for 6 months in an year. During the lean months, when there are no agricultural activities they lead a very miserable life. It is very difficult for them to make both ends meet during this lean period. Hence I suggest that efforts should be made to encourage them to start small scale and cottage industries. Banks must come forward to grant loans liberally so as to enable them to pursue other occupations, so that they stand on their own feet. I request the Hon. Labour Minister, through you Sir, to provide them alternate employment during the period when there are no agricultural activities. Sir, on Telugu Desam party after coming to power tried its best to help these people in every possible way. Their children are being provided with Midday meals. Cloth is being supplied to them at subsidised rates. Houses are being built to provide shelter. The centre should implement these welfare measures throughout the country. This is my request to our Hon. Labour Minister.

Sir, Handloom industry is next only to agriculture in our country. Our Hon. Minister T. Anjiah was the Chief Minister of Andhra Pradesh. He knows only too well pitiable conditions of the handloom makers. They are leading a very miserable life. Sir, these people have no facilities whatsoever. They do not get the required raw materials like dyes and yarn at reasonable price. Even after facing all these difficulties they produce cloth, but they do not get remunerative price for it. It is most unfortunate. They sell the cloth for a very low price. They do not get fair wages for their labour. They are completely in the hands of Master weavers who employ them. They do not get proper wages and what is more, even these paltry wages are not paid to them in time. They do not get a proper price for the cloth weaved with so much labour and dedication. Due to the encouragement given to the Mills cloth, no one prefers these days to buy handloom cloth. As a result these poor weavers do not get buyers to purchase their cloth and thus they are facing starvation. In prakasham District of Andhra Pradesh, there are lakhs of

weavers. All these weavers are starving now. These weavers produce quality jacquards. Unfortunately the jacquards are no more exported now. Thus they are thrown out of employment. I take this opportunity to request the Hon. Minister to start exporting once again these jacquards and save the weaving community. It will go a long way in helping these people.

Sir, the ITD factory at Chirala, which happens to be in my constituency has been closed down. As a result of it, nearly 5,000 persons have been thrown out of their employment. It is surprising to see that the policy of Hire and Fire is still being practiced by many unscrupulous industrialists in this country. These 5,000 workers are on the street now. They are at the mercy of the management. It appears that this factory is being shifted to some other place now. This is gross injustice. These workers are on the verge of starvation now. I hope the Hon. Minister, who knows the difficulties of poor labourers, would not allow such a thing to happen. I hope that he would take steps to see that this Company functions once again and all the persons are taken back. In case this does not happen, these 5,000 displaced workers must be given alternative employment. I hope the Hon. Minister will attend to this problem without any further delay.

Sir, beedi industry is an important industry in this country, for it provides employment to lakhs of people. In Andhra Pradesh, Karnataka and Tamil Nadu, there are a large number of workers engaged in this industry. The poor beedi workers are at the mercy of middle men. They have no identity cards. They work day and night only to get a paltry wage. Government should not allow such a thing to continue any more. These workers have no facilities whatsoever. Though the Government is collecting crores of rupees through Cess levied on this industry, it is practically doing nothing for the welfare of the beedi workers. The Government should take up welfare measures like providing them medical and educational facilities. The Government should also take up the construction of houses for these workers.

[Shri C. Sambu]

Sir, the conditions of fishermen are no less miserable. Andhra Pradesh has got a vast coastal line and hundreds and thousands of persons are engaged in this industry. These fisher men are not getting a remunerative price for their catch. It is one of the reasons why even after working so hard, they hardly can afford a square meal a day. Middle men make their pressure felt in this industry also. Middle men are exploiting fishermen in every manner. They supply boats and nets to the fishermen and later compel the fishermen to sell their catch to a throwaway price to them. This kind of exploitation should not be allowed to continue any more. For that, it is necessary to supply to them boats, and nets in time. Financial institutions and other corporations must come forward and lend the money liberally to fishermen so that they can have boats, nets etc. of their own instead of depending on the middlemen. Also, it is necessary that the Government should see to it that they get a good price for the fish. Sir, I want to mention one more thing here. At present the fishermen are being allowed to fish within 5 Kms range. Though this range of 5 Kms is exclusively reserved for them, quite often it so happens that the mechanised boats enter these waters and fish in it, destroying the country boats etc. used by the small fishermen. Hence I request the Hon. Minister to see that mechanised boats do not enter the 5 Kms range exclusively reserved for small fishermen. It is very much necessary to protect the interests of small fishermen. Mechanised boats should not be permitted to fish within 5 Kms from the coast at any cost. Arrangements must be made to provide security to small fishermen to catch fish within their range.

Sir, 'Gramodaya' is a programme devised to benefit the educated unemployed in our village. Now this programme is confined only to the educated youth who are unemployed. Thus the benefit accruing from it is very much limited. This scheme must have to be extended to others who are ITI trained, or skilled workers. If it is to be really meaningful. This programme should cover all the

persons who are trained in various occupations such as masonry, carpentry etc. Banks must come forward to extend loans to all the persons who wants to pursue their own trade or skill and start small or cottage industries. It will help in the rejuvenation of cottage and small scale industries in our villages. It will also reduce the burden of unemployment to a considerable extent. The Gramodaya programme will really become meaningful then.

Betal nut industry is another small scale industry in which thousands of persons are engaged. The conditions of the workers of this industry are very pitiable. These persons have no identity cards. While traders and other middlemen are earning crores of rupees by exploiting these people, the persons who work round the clock are starving. The conditions of the persons who are engaged in this industry must improve. The identity cards for these must be issued and they must be saved from the exploitation of the middlemen. I hope, the Hon. Minister would do it.

Sir, unless the industries in this country are decentralised, it is very difficult to solve the unemployment problem of the labour. All the industries are located in and around major cities like Calcutta, Bombay and Madras. This over concentration of industries is causing many problem. If the industries are shifted to backward states like Orissa and Andhra Pradesh, it will contribute not only for the development of backward regions but also considerably lessen the unemployment. Bombay is known for its textile industry. The main reason for that is its climatic conditions and the availability of cotton etc. Sir, in my own State, Prakashan District is very congenial to cotton growth. Cotton is being grown there in large quantity. Since it happens to be on the east coast, the weather conditions, are very favourable for the development of textile industry in that area. Hence I request the Hon. Minister to shift some of the cotton Mills to that area. I also request that all the textile industries be located here in future. With the uniform distribution of industries throughout country, there will a uniform

development of all the regions. It will also contribute towards easing the unemployment problem among the labour of various regions.

Sir, before I conclude, I once again request our Hon. Minister to take steps to export jacquards once more in order to save our weavers and handloom industry. I also appeal that Gramodaya Programme be extended to all the artisans, skilled workers and ITI trained persons. With these words, Sir, thanking you for giving me this opportunity, I conclude.

SHRI AZIZ QURESHI (Satna) : Mr. Chairman, Sir, I rise to support the Demands of the Ministry of Labour. No amount of appreciation will suffice for the work done by the Labour Ministry and the Government of India for the welfare and good of the workers throughout the country. At present this Ministry is headed by a very competent person who himself is aware of the problems being faced by the workers. This is a matter of good fortune for the workers of the country.

But, Mr. Chairman Sir, there are some historical aspects in this country, there are some unfortunate workers in this country who have not been touched upon by any of the Members here and I want to draw the attention of the hon. Minister, through you, specifically to them. Sir, I represent the Satna Constituency of Madhya Pradesh in this House. In Satna a number of cement factories are located besides hundreds of lime stone factories where the owners are playing with the lives of the workers. All the cement factories are controlled by the Birlas and the Tatas or their subsidiary companies, but no anti-dust measures have so far been adopted by these companies. Thousands of maunds of dust are raised from these factories round the clock, as a result of which this dust remains overcast as a shadow of death in the surrounding areas mainly inhabited by the workers and the other poor people.

Mr. Chairman Sir, the crops, the water, the people and even the cattle in that area are affected by dust but it is unfortunate that till today no effort has

been made by anyone to pay attention to it. We speak of a clean environment, are prevention of pollution but I would like to tell you that we are putting to death thousands of innocent people by slow poisoning in this manner. The dust and smoke of those factories engulf the whole of Satna all the time, whether it is the Mehar Cement factory, or the Kamor Cement factory or for that matter the Satna Cement factory, it has created hell for the lives of the local people. Not only this, apart from the cement factories owned by the Tatas and the Birlas, there are hundreds of small lime stone factories where the labourers are being exploited. Would you believe that the workers are hired at Rs. 4 and Rs. 5 per day and they are made to work and there is no one to listen to their grievances? I would like to point out that through this slow poisoning, we are deliberately pushing thousands of innocent people and workers of that area into the jaws of death. The hon Minister of Labour should pay attention to it and should initiate immediate action in this regard. The question that would arise is that it is a State subject. I would like to say that the constitutional provisions should be amended so as to resolve this issue. The subject of 'Labour' should be included in the Union List and should be removed from the State List. If you cannot do so, at least include 'Labour' under the Concurrent List so that your hands are not tied and you do not look to the States.

The story does not end here. The Second point that I am going to make is very important. Thousands of workers of this area work in factories whether it is Satna Cements or Mehar Cements or Kamor Cements or Asbestos or Satna Cables. The factories that are owned by the Tatas and the Birlas do not provide employment to the local people and even the labourers are hired through contractors on commission basis from outside. This has led to discontent among the youth in that area. I warn you that, if you are not able to end this feeling of resentment, the consequences thereof may not be good and if a democratic and peaceful agitation is started against it, I would be the first person to lead it and raise my voice. We talk of social-

[Shri Aziz Qureshi]

ism, of quality in the country but if this is the socialism and equality and we remain mute spectators while the Birlas are filling their coffers through exploitation, then how can there be revolution and progress in the country? We shall fight it out and we shall end this exploitation in every nook and corner of the country. I would like the hon. Minister to examine it and to provide employment as labourers to at least 75 per cent of the local population, i.e., the people who were born there or whose parents were born there. I do not mean that you close the doors on outsiders, but at least ensure unskilled jobs to 75 per cent of the local population otherwise you will have to face lots of difficulties. Not only this, I would also like to bring to your notice that the labourers who work in these factories are not provided even with the basic necessities of life. They do not get even drinking water. It is unfortunate that in case any worker dies while working in the mines, his dead body is disposed of to avoid payment of compensation or an enquiry.

I would like to tell you that after winning the elections when I went for the first time to Mahir Nagar in my area, an old lady came to me during a meeting and pleaded that they did not want anything except that in case any worker died in any of the stone quarries owned by the Birlas, his dead body should be handed over to his relatives so that they might arrange for his cremation. You cannot talk of principles where there is so much of injustice and so much of atrocity. In view of such atrocities and injustice, we cannot talk of any ideology on behalf of the Centre. Therefore, I would like you to pay immediate attention to these matters and take steps to prevent it by implementing the laws effectively.

A unit is being run by the Ministry of Steel in my area. It is surprising to note that in this unit being run by the Ministry of Steel, the workers are recruited in two ways—one by the management and the other through the Contractor. Those who are recruited by the contractor get one-

third of the wages received by those who are recruited by the management, though all these workers are doing similar and equal work. I would like that these two types of workers should get equal wages since they do equal amount of work. You look into this matter and see to it that the local people get more jobs in the factories. Those who are unemployed and those who are the educated unemployed should be given jobs on a priority basis.

The pollution caused by smoke and dust has created an intolerable situation there. Mr, Chairman, Sir, the condition today is such that if we go to any corner of the city, we shall find clouds of smoke and dust, emitted by those cement factories over the city which are causing slow poisoning in our bodies. Under such circumstances, if any citizen asks me how independence has benefited them, it will not be possible for me to give any reply. I would like the hon. Minister to find a solution to this problem which is posing a big question mark before the country and the nation.

I would suggest one thing as my friend has also suggested.

[*English*]

There is a complaint from the Opposition side that the labour Ministry has become impotent. I request the Minister of Labour to put in more life into the working of the Labour Ministry and make it more potent, so that he may satisfy friends like Mr. Indrajit Guptas.

[*Translation*]

SHRI DILEEP SINGH BHURIA (Jhabua): Mr. Chairman, Sir, I rise to support the Demands for Grants of the Ministry of Labour which have been presented here.

Our Government and our party have done a lot for workers. We have enacted many laws for the workers, whether they are agricultural labour or engaged in industries; we have done a lot for them. Our young Prime Minister,

Shri Rajiv Gandhi, is taking all possible steps for the welfare of the workers. He constantly exhorts us to enlighten the workers about their rights so that they may make proper use of them.

Just now, some of our friends and Shri Gupta were suggesting that the office-bearers of the Trade Unions should be elected through secret ballot. Mr. Chairman, Sir, I would like to point out that when we are elected, we go back to our areas and work for five years but during elections our visits to the area are more frequent; similarly, there are many such trade union leaders- I am not criticising them-who speak of the poor but when it is time to do something worthwhile for them they stay in five-star hotels and such other places. We would like that the manpower and the labour force in the country is properly utilised. If we do so then the country can become strong and powerful, otherwise we shall have to face difficulties. If in any industry, whether it be the Railways or any private sector organisation, the office-bearers of the trade union are elected through ballot, from among the workers working there, for a period of two or three years, they would feel the responsibility and more work would be done in the industry. If you will not do this, then outsiders would infiltrate their ranks and use the uneducated workers to meet their political ends. We have many such examples before us where crores of rupees have been lost.

(Interruptions)

PROF. SAIFUDDIN SOZ (Baramulla) : You are not to be blamed as you have just come after the Centenary Celebrations.

SHRI DILEEP SINGH BHURIA : We shall celebrate the Centenary because 70 crore people of this country have elected us and they have faith in us. We shall celebrate another Centenary too, you need not bother about it.

These are the problems faced by the workers and all of us have to join hands

to find a solution to them. We shall have to strive provide them with employment and a proper environment for work. The Labour Department has enacted the law for the abolition of the bonded labour system but all the powers have been vested in the State Government. Some bonded labourers had been liberated in my Constituency but even after two years, there is no scheme to rehabilitate them. They have not been given any assistance whatsoever till today. It is as if you rescue a goat from a lion and then leave it to its fate. This should not happen. If you wish to help them then I would request the hon. Minister to help them directly without bringing in the State Government. Under the State Government, the labourer has to run from one court to the other i.e. from the district Court to the labour court and then to the high court. How can a labourer who does not even have enough to feed his children, think of going to the court? Therefore, it is my submission that the bonded labourer should be liberated and also provided with money and employment for subsistence. If he is freed and left at the mercy of zamindars and jagirdars, it would not do any good to him. The hon. Minister should give thought to it and make a law and only then the situation can improve.

I would like to add one more point. There is need to change the system itself in the prevailing conditions when the country is progressing fast and we are ready to enter into the 21st century. Just now, an hon. Member pointed out that in America a worker get Rs. 200 by working for one or two hours a day while here he had to labour throughout the day. You make a law that a worker will get wages according to the hours he has put in. A labourer gets only Rs. 4 to 5 per day for working throughout the day. How can he feed his children when this much is spent on tea and snacks alone?

You should think about the welfare of the unorganised agricultural labour who played a major role in the production foodgrains. The labourers came

[Shri Dileep Singh Bhuria]

from Chatisgarh, Madhya Pradesh and Bihar. The condition in which they have to travel is appalling. They do not get place to sit in trains. They somehow manage to come along with their children and many of them die during the journey. (*Interruptions*) You would not have pity on them, because you live in Calcutta and are used to all such things, but we are moved by their plight. You should think about them. Many workers die during the journey.

16.54 hrs.

[MR. DEPUTY SPEAKER *in the Chair*]

The provident fund facility is also meant for the organised labour. The workers in the villages, backward workers, the unorganised workers or the workers who build fine star hotels or big buildings in Delhi have no house to live in. Laws have been passed but are not being implemented. I want that the poor people, who construct railway lines and buildings, in which meetings are held and other activities take place, should also get some benefits of their hard work. The hon. Minister had done all such things in Andhra Pradesh, strict laws should be passed to ensure that the poor who work hard get the fruits of their labour. They must at least get a square meal a day. When he comes back to his house after six months, he should at least have a roof over his head. At present the tradition is that if the father is a labourer, his son and the future generations would also be labourers. His children do not get education also. I want that you should make arrangements for their education. Their children would make efforts to rise in life only if they are educated. I would request the hon. Minister that laws for this purpose should be enacted so that these laws are enforced strictly. You have not fixed the minimum wages for the miners. You should consider their case also. Just now Dagaji had said and I would also like to say that minor children work in small hotels. Their parents should be

given some incentive so that their children could get education. When we go to hotels, we see such children working there. The contractors who engage them, should be forced to enter into an agreement with them so that their children could get their wages. In all the labour organisations, the condition of the tribals and Harijans is the worst. They are ignored everywhere. When they go to one group, they are sent to another group. A law has also been passed in this regard, I want that talks should be held with their organisations so that the law could be enforced. In all the Departments, laws are not being enforced. The hon. Minister should always keep this point in mind that this country is a country of workers and labourers. Our party and our government want to encourage these people. The hon. Minister is a co-ordinator between us and the workers. Our party wants to make the workers strong. You should provide protection to them. I would like to thank you for giving me an opportunity to speak on the subject and with these words, I support these demands.

[*English*]

PROF. SAIFUDDIN SOZ (Bara-mulla): Perhaps, everything that needed to be said with regard to the Demands for Grants relating to the Ministry of Labour as also for the welfare of labour as a class, has been said by my colleagues in a better way. Therefore, I do not take the time of the House by repeating what has been said. But I would like to say one or two things about my State.

17.00 hrs.

As far as the problems of labour are concerned, I was very happy to know that Mr. Indrajit Gupta, while he was speaking a short while ago, paid a tribute to the Minister Shri Anjiab, calling him a good man, and if I heard it correctly, he called him an honest man. Therefore, my hope is that whatever the hon. Minister has heard from us, since he has a personal experience of dealing with the problems of labour, he

must respond favourably and sympathetically—and I hope he has prepared notes also—and while he replies, he must say a few words about the suggestions that we have made.

I am not going to discuss any problem of the labour which belongs to the organised sector and which is only 10 per cent, but as far as the 90 per cent of the labour force in this country is concerned, which is unorganised, they have hundreds of problems. I think the hon. Minister knows it far better than myself that Minimum Wages Act is not implemented in States and Jammu and Kashmir State is one Such State. If it is a Union Ministry of Labour, then it has not to leave labour problems to the whims of any Chief Minister, any Governor, any Commissioner ; it is the Labour Ministry's problem. This Ministry should satisfy itself that labour receives a better deal. I assert here, on the floor of the House, that Minimum Wages Act is not being implemented in the States. The Ministry is bogged down to some major problems of labour and it does not care to assess the situation in States. Workers get a wage which is a subsistence wage but at a very low level, they are even under the cover of a roof. They determine their own level of subsistence. That means it is not only below the poverty line, it is below the starvation level even. So, the Ministry has to understand the dimensions of that starvation level. When we come to women labourer we find that they receive, unfortunately, less than what males receive, in the unorganised sector. Then there is exploitation of the child labour, as Mr Daga earlier said. So, there are hundreds of problems which come to my mind and I would like to discuss those, but it will be a repetition because from both sides we are one on this issue. If I have heard the discussions properly on various demands, here is a day when both sides have arrived at a consensus that labour should receive a better deal. As far as my State is concerned, I have said that Minimum Wages Act is not being implemented and the Ministry should take notice of this

fact that nowhere it is being implemented. But one or two sectors I want to bring to your notice which you have not perhaps known so far. One such sector is the sector of handicrafts, production of carpets, shawls, embroidery, etc. There the child labour is involved, and I have very serious objection in the involvement of children in the production of carpet, any handicrafts, shawls etc. It may be any *khwaja*, any *Musalman* or *Hindu* who employs child labour exploits them because when you came to the exploitation of labour, you forget about your religion. So, I have one serious objection to the employment of child labour in Jammu and Kashmir State in the production of these commodities. This objection arises from my belief that education is a great leveller. They get into the romance of earning some wages, some money, a currency note, and that romance spoils their life and they do not receive any education. There was a controversy in my State. Perhaps that controversy must have sprung up at the national level at some point of time. Some people believe that India is a backward country and it must economically progress. I have been a student of economics, but economics is not the basic thing, education is the basic thing to development. If we have illiterate people, they would not have any conception of development. So, these children, who are as a class and on preference, on in employment there—even in Government mills, their exploitation goes on because they feel they would determine a very low wage for the children. Therefore, that romance of earning money at a lower age spoils their life and they do not receive any education. So, their education should be the concern of the Labour Ministry. Therefore, I suggest that this problem may kindly be taken note of and some effective measures should be taken to liberate them and also to ensure their education. This should be the concern of union Labour Minister. The Ministry should take special measures in this direction.

Second problem relates to the employment of labour in the defence sector. In the Jammu and Kashmir State —I

[Prof. Saifuddin Soz]

have said about it earlier also—there is a very cordial relationship between the Army personnel and the local population. There is effective coordination between the two. People must help Army wherever that help is required. But as far as the labour is concerned, the Minister should be conscious of the fact that labour employed by the defence Department is worst exploited. You cannot leave it to the whim of any Brigadier or a Colonel as to what amount of money he will pay as wages. Not only that, I have received two telegrams which I will present to you. I forgot to bring them today. Sometimes these things bring in colour and heat in the zero hour, but since that is a very serious problem, I wanted to discuss it with the hon. Minister. Tomorrow I shall show you these telegrams. The wages paid to the labour employed by the Defence Services are not only very low, but there is also an inordinate delay in the payment of those wages. One telegram I have received is from Uri sector and another is from Bunyar. The e telgrams say that upto 15th of April this year, they had not received wages for the past five months. On the one hand wages paid are very meagre and on the other hand payment is not made for several months. In such conditions how will the labour live ?

PROF. N.G. RANGA (Guntur) :
Are they employed directly or through contractors ?

PROF. SAIFUDDIN SOZ : That is immaterial because money has to come from the Ministry of Defence. Otherwise the telegram would not come to Delhi. They are people who are not trained in trickery. They are honest people ; they are poor people. They do not know politics. They sent telegrams here for they did not get wages for the past five months. The position in respect of Gurez, Tulail, Keran and Karnah is the same. I do not know whether the hon. Minister will be able to ensure adequate wages to them. But I would request him to see at least that whatever wage has already been fixed, it must be

paid promptly and every month at least, if not on weekly basis. Payment to the labour class should be on the weekly basis because it is a class which subsists below the poverty line. But if you cannot make it weekly, at least see that they must receive wages every month as they live in far-flung areas.

Lastly one more point. In my State you have not yet established an Office of the Regional Labour Commissioner. It is needed very much because we have an organised banking sector, we have an organised insurance sector. We also have mines—coal mines—in the Nichhana area. Therefore, an institution of the Labour Commissioner is necessary for the J & K State.

I have made only two or three suggestions. I hope your response will be very sympathetic and very favourable.

[Translation]

SHRI K.D. SULTANPURI (Simla) :
Mr. Deputy Speaker, Sir, I rise to support the Demands for Grants of the Labour Department put forward by the hon. Minister.

It would be a commendable thing if we make efforts to provide employment to all those persons whose names are registered in the employment exchanges, of the country at present, but what is happening in actual practice ? Today, injustice is being done to the workers even in the employment exchanges. I have been told that there are persons in the employment exchanges who recommend the names of persons of their choice for interview after taking illegal gratification. It is a great injustice and government should look into it. The registers should be maintained properly so that those poor people could get employment who are in need of it.

I belong to Himachal and my constituency is Simla which is a very large area. Shri Namgyal ji has been elected

firm Ladakh which is also a very large constituency. All the industries being set up in Himachal Pradesh are located on its border, Punjab Haryana and U.P. are at the borders of Himachal Pradesh. Lakhs of people in Himachal Pradesh are unemployed and they are not getting any benefit of these new industries. I would like to request the hon. Minister that the people of the state should get jobs at least in the factories in the central sector whether these factories be cement units or any other big industrial units. Hotels should be constructed for the workers so that they could stay there. The state has been affected by drought and the people of the entire hill area are facing the problem of unemployment.

The farmers have to incur a lot of expenditure to bring their produce from the interior to the road. For one quintal of potatoes he has to spend at least Rs. 9 or Rs. 10 and he has to pay extra freight to send it to Delhi. All the people in the area have to face such problems and the people are not benefited in any way. The government of India should look into this problem.

In the hill areas, whether they are in Kashmir, Nagaland, Mizoram or Sikkim or U.P., the road facilities are inadequate. The length of railway lines is also minimal and the persons working there are from outside the states. These people come to us almost daily for getting themselves transferred. Some of them belong to Bihar or to Bengal, but there is no person in the Railways, belonging to hill areas. If there are some persons, their number is very small and they might be one or two per cent. I would request that for border areas, an arrangement should be devised, under which the persons of that particular state should only be employed there.

Our government have taken very good steps. The agricultural labourers have been allotted five bighas of land, and the bonded labour system has been abolished. Our government have taken very good steps for the expansion of education. The children of the rich people get

education in very good schools. I would request that the children born in poor families should also get education in good schools and government should make arrangements for their education, so that the children of the labourers could become high officers and could be appointed to high posts. All the persons should get such an opportunity.

So far as the banks are concerned, there also the people of our state are not appointed the persons from the hill areas are ignored there also. Keeping in view the climate of the state, government should think of appointing the people of the hilly region there so that they could be benefited. There should be a separate board for them so that the maximum number of people belonging the hill areas could be appointed in the banks.

Who are the people who stay in the five star hotels these days? The people who try to pose as the trade union leaders stay there. These people have suggested the method of electing the office bearers. I know that the sympathy exhibited by these leaders to the workers is fast skin deep. They simply shed crocodile tears.

Sir, if you want to develop the country, you should advise the workers to desist from the path of agitation and they should be apprised of the harmful effects of their agitation. I have seen that when an agitation is launched at any place, there is no leader to guide them. They are incited against the State government and they start making the demand that government is not working properly and it should, therefore, be dissolved. I would like to tell them that no other government can help them in achieving their rights except the congress government. This government believes in socialism. All the leaders of the older generation had raised their voice for their upliftment. The result is that they have got respect in society and they are leading a good life. The workers have been provided with all sorts of facilities and their children are getting good education.

[Shri K. D. Sultanpuri]

I was surprised to listen to the speech of Guptajee when he said this Department was impotent. I would like to say that if it had been an impotent Department, so much work for the welfare of the workers would not have been done. He has misused this parliamentary word. It is unbecoming of a learned person like him to have used such a word.

Our hon. Minister is fully seized of the interest of the workers. He has always wished for the betterment of the workers. The Members from the Opposition are not aware of the suffering of the workers. The stay in Five Star hotels.

Sir, if you want that the workers should participate in nation—building, you will have to do something for their upliftment. I listened to what Mr. Daga had said. He reads newspapers too much. He might have read some anti-Government news in the newspapers.

I admit that injustice has been done to Vishva Bharati. It should get funds. Efforts should be made in this regard. The reason for loss in all the public sector undertakings is that the workers are not allowed to participate in the management. You should ensure their participation in the management. You appoint I.A.S. Officers there who do not know about the distress of the workers. You should pay attention towards this. The names of crores of people seeking employment may be there in the registers maintained in the employment exchanges, but at the same time there are a large number of unemployed people in the villages who have not got their names registered with the employment exchanges. Today, a regular worker gets more wage than a casual worker. The casual worker gets Rs. 10 per day whereas a regular worker gets Rs. 700 to 800 per month. There should not be such discrimination. A railway labourer, a bank employee, a gardener or a class III employee gets more pay than a person on daily wages. A uniform policy should be followed in

this respect so that there is no discrimination in the matter of employment. A clerk on daily wages gets Rs. 14.50 P. per day whereas a regular clerk gets Rs. 900 to 1200 per month. There is no difference in their qualifications. The Qualifications are the same. A Matriculate regular teacher gets a salary of Rs. 1100-1200 per month, whereas a graduate, who wants to become a teacher, gets Rs. 14.50 per day on a daily wage basis. Uniformity should be brought about in this respect also so that the people may not feel that injustice is being inflicted on them.

Many of our colleagues raised very good points. The linemen of the Telephone Department in the hill areas have to attend to telephone poles within a stipulated area of 5 to 9 kms. Whenever there is snow fall, the lineman finds it difficult to attend to his work because of the high altitude. They are not in a position to keep the telephone system in order. You have to augment their strength. The Labour Department should ensure regular supply of winter uniforms to these employees so that they could do their work efficiently. The same is the position on the Railways. The Railway employees of the Kalka-Simla line or the other N.G. lines, mostly constructed by the Britishers in the hill areas, are not supplied with suitable uniforms due to which they are not able to work efficiently in winter. Attention should be paid to all these points raised by me. With these words, I support the Demands for Grants of the Ministry of Labour.

SHRI C. JANGA REDDY (Hanamkonda) : Sir, I am grateful to you for permitting me to speak. I would like to place before you 2 or 3 points. The hon Member, sitting in front of me has just now said clearly that the local people are not provided with employment. It is true. The management or the Personnel Managers of all the industries, whether NTPC or any other industry, run by the Central Government or the State Governments or any private sector industry employ persons of their respective States or other villages and the local people are

not provided with employment due to which they feel agitated.

An agitation is going on in Nagaram Thapar Company, Kamla Nagar of Andhra Pradesh. No goods are being supplied from the factory w.e.f. the 9th instant. The State Government provide land and water at concessional rates in order to promote industries so that the local people could get employment there. But the management bring their own persons and provide them with employment due to which the local people are suffering great hardships. I submit to you that at least one person from each family should get employment. The persons, whose lands have been acquired, are suffering great hardships. Hence, it is essential to provide employment to them.

I also submit that these should have only one union in one industry. The management takes advantage of the existence of various unions and their mutual rivalries.

SHRI RAM PYARE PANIKA : You should speak in respect of the Ministry concerned.

...(Interruptions)...

SHRI C. JANGA REDDY : Whenever I speak, Mr. Panika tries to interrupt me.

I was submitting that there should be only one union in one industry. You should enact a law to provide for only one union in one industry and after a period of 2 to 3 years Government should get it verified and then accord the recognition.

The condition of the beedi workers is very pitiable not only in Andhra Pradesh but in the entire country. Under the Act the beedi workers should be given identity cards. You should take some action in respect of the twctile industry also. I suggest that the workers should be involved in the management of the

industries. It will help in increasing production.

Sir, I am grateful to you for allowing me to speak.

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI T. ANJIAH) : Mr. Deputy Speaker, Sir, I thank all my friends who have given a large number of suggestions.

You know that some of the industries in the country are being run by the big capitalists. The local capitalists have got industries here. It is the big industries which brought about the industrial revolution in the European and Asian Countries. We have been establishing industries both in the public sector and in the private sector for the last 25 to 30 years. I believe that in the public sector the problems of the workers are being settled through collective bargaining. A large number of facilities are being provided there and there is no problem. So far as the question of casual workers and contract labour is concerned, we shall insist and endeavour that this system should be abolished.

I do not accept that injustice is being done to the workers in the public sector. It is true that there is some mismanagement due to which the production is not up to the required level. I feel sorry when I hear that many public sector undertakings are suffering losses. The problems are largely due to the private sector industries. There are many industries which have been earning crores of rupees. Natural resources are there in India in abundance. These companies are engaged in earning huge profits through exploitation of natural resources. The coal industry has been nationalised, but not the cement industry. The cement industries are cutting hills indiscriminately and the coming generations will not be able to see hills. Moreover, the production of cement will also stop. The country should have been benefited by this natural wealth but instead of the nation the benefit is going into the hands of the capitalists and these capitalists are utilising it to further their own

[Shri T. Anjiah]

interests. Similarly, the mica mines are also being exploited indiscriminately and we shall have to make a reference in geography for posterity that the mica mines used to be located at such and such place. Such things are happening in the country. It has been the practice with these people to pay minimum wages. In India no difference is made between the industrial workers and other workers. The workers are treated like bonded labour. Because of the efforts of Shrimati Indira Gandhi's Government, we could rehabilitate the bonded labour to some extent but the problems of the workers of the private sector remain still unsolved. As some of our friends were just now saying, many of the problems are due to multinational companies. For example, certain tobacco factories have been closed down. It is just like this that if the company makes profit, they will own it but the moment it faces any problem, they will disown it like the fabled Shakuntala's son.

The position in the private sector is that if they open a factory at place and the next day, of the find that labour is cheap in a certain area, say in Bihar, they will try to shift it to that place. It is quite a painful situation for us. Shri Indrajit Gupta said something... Kindly try to understand that the late Jawahar Lal Nehru had brought a peaceful revolution in this country...

SHRI INDRAJIT GUPTA : I did not say it.

SHRI T. ANJIAH : It is we who are saying it. That peaceful revolution is connected with the freedom of India. With that peaceful revolution we removed princes and kings, landlords and feudals. Now in this country the capitalist—I do not have any personal enmity with them—are sucking the blood of the poor and that is how the capitalism prospers. Our fight is now with them. It will take a little time. It is not that with a magic wand, I shall solve the problems overnight but I have seen in the socialist countries that by nationalisation of the industries, their standard of living has

risen and I congratulate them for this. I have seen it in the Soviet Union and East Germany, but the conditions there are different from those in our country. You know we had to get rid of an army of kings, princes, landlords and feudals. It was not an easy task. Today we are marching towards industrialisation. There are countries which do not like to see India progressing and they create all sorts of difficulties in our way.

These private sector people are not going to understand things easily because we know they are sucking our blood. You know how the late Jawahar Lal Nehru and Indira Gandhi worked. Now our young Prime Minister, I have talked to him, also does not like that there should be any lock out or closure of any mill. To check these things we shall amend the laws. It will take some time and we shall have to see in what way we can do this.

As you know, we have good officers as well as officers who are conservative. You know these officers remain unattached and non-committed. We repeatedly ask the good officers to improve the situation. Take the case of provident fund. We know that Rs. 11,000 crores have been deposited in it, out of which there is a bungling of about Rs. 100 crores. Who are these people who indulge in such things? In this 99 per cent people belong to the private sector, who are well known. They do not give money for constructing hospitals or schools; they construct big temples. I also worship God but they create a shaw before the people.

In the matter of wage policy, it has been suggested that there should be collective bargaining. That is all right and we are not interfering in it, but, in this country to what extent is collective bargaining going on and how much has it been successful? Our Government, have in collaboration with and with the co-operation of the friendly countries, established factories and you know there are no disputes in those factories. I am talking of the textile industry and the handloom industry. Do you want that

the wage policy should differ from State to State so that the country may not benefit and they may go on shifting industry from one place to another and they may get opportunity to profiteer? We want that the workers should get adequate wages. That is why we want that there should be a wage revision once in three years. You say that we are interfering in collective bargaining. Where are we interfering? You negotiate with the coal authorities, with the Railways and there is a settlement, we thank you. There is no trouble in Government run factories but there are wage disputes in the private industries. And in the disputes over wages, what is the outcome? At one place, an agreement is entered into for payment of Rs. 50 but at another place the payment of Rs. 40 is agreed to. It is the labour leaders who should think why it is so. In this country, the price of a ticket is the same for every one, the prices of watches and almirahs are the same for every one. Regarding wages, the trade union leaders say, leave this matter to us what does this mean? Are you so holy that the matter may be left to you? Now if any board or commission is constituted, it will consist of a Supreme Court Judge, employers, employees and experts and they will decide the wages. The good industries will have to pay salaries keeping in view their assets and revenues but if the matter is left to you, will there be industrial peace? If we want industrial peace then the workers should know how much wages they will get. He is not aware of how much he is going to get. The farmers and the workers are the backbone of India. An effort should be made to understand problems.

Rao Birendra Singh says that there is a policy for rice 'jowar' and wheat. Then should we leave the matters relating to the workers to the employers, so that they may go on fighting with each other and the factories may close down and the factories are into liquidation and gratuity and other dues of the workers may also not paid? This is no way to solve the problems.

There are industries which are unable to pay gratuity. They have gone into liquidation, and gratuity has not been paid. We are thinking that a scheme for gratuity may be introduced on the lines of the provident Fund deposits. Gratuity may also be deposited every year so that even if a factory goes into liquidation, gratuity may be paid. We want your cooperation in this regard.

There are many shortcomings in the insurance scheme. We have studied them. Now the doctors of the State Governments are not under our control. If someone suffers from Cancer or T.B. or requires kidney transplantation, the doctors ask him to go to the hospital. When he goes to the hospital, they do not admit him. In this connection, we are asking them to formulate a fully independent patient scheme in which there should be provision to make medicines available even after retirement. Before retirement, the medicines are given but after retirement also medical aid is needed. At that time, they do not get even salaries. We want that a scheme should be formulated wherein medical aid may be provided after retirement also.

Similarly, we are thinking of children also. We have asked our new secretary, Shri Bhatnagar, to provide for full amount for the children's insurance scheme. We want to bring a law which would provide that there is no need to make any payment. We are also thinking that if the fall ill, they may get the medicines and at the same time the worker may get his salary also.

We are thinking of women also. We can give exemption in the case of women also.

We want to enact a law for the welfare of the working class in which provision may be made for the Provident Fund and other facilities, on the lines of the system prevailing in the socialist countries.

I had convened a meeting of the private sector people. According to them

[Shri T. Anjiah]

there are certain 'goondas' who harass the labour, but they have good people also. But they also say that there is no need for indulging in violence in their factories. I am not saying this thing with Shri Datta Samant or anybody else in view. Actually, there is no need for any violence in our country. Violence is not going to do any good to us. On the plea of violence, they dismiss the office bearers of the union. After the dismissal of the office bearers, they are taken back if they tender their apologies. The result is that the demands of the workers go into the background and a new issue crops up. When the General Secretary or any other office-bearer of a union is dismissed, how can an agreement be entered into? In such a situation, no agreement is entered into the question of entering into any agreement does not arise. Therefore, I want that there should not be any violence,

[*English*]

DR. DATTA SAMANT (Bombay South Central) : Sir, I have a point of order. Sir, in this House, day before yesterday and today's discussion, we have raised specific issues, not only myself but other Members also from the Opposition benches have raised specific issues that there are three lakh textile workers who are unemployed. There are about 50 factories which have been closed down in Bombay. There is no agitation at all from the workers' side. But there is misappropriation by the managements. I have mentioned that there is no labour legislation being applied to help these people. He is sympathetic and saying that the private sector is doing a lot of bad things. There are about 4.5 crores of people unemployed all over the country. (*Interruptions*).

MR. DEPUTY-SPEAKER : It is not a point of order.

DR. DATTA SAMANT : I raised specific issues during my speech which you have noted down. I said that there are 50% contract labourers in this country. (*Interruptions*).

MR. DEPUTY SPEAKER : Please sit down. There is no point of order. The Minister may please continue.

[*Translation*]

SHRI T. ANJIAH : I was speaking specifically about you (*Interruptions*). As far as possible, we are trying to see that the problems may be solved without violence and strikes. The people have said that we are going to snatch the right to strike. I want to assure you that a Bill of that sort is neither being brought and nor would it be brought in future. Do not expect these things. We are marching ahead in a certain direction where the question of supporting the capitalists does not arise. From the very beginning, I have been trying to impress this thing. The industrialists will have to run their industries and in the same way in which these are run in other countries. There is, of course, need to do something about the wage policy. We shall not interfere in collective bargaining but a wage policy should be formulated. Without any wage policy, there will be disputes everyday and the problems will not be solved. We want your cooperation regarding the wage policy. There is need to consider whether a statutory wage board should be constituted or the managements should be prosecuted. The managements escape strict action by paying a penalty of Rs. 500, 1000, 2000 or 3000. We are ready to bring forward a legislation which will provide for imprisonment for 6 months or one year. Presently, when a prosecution case is filed against any management, it escapes by paying Rs. 500 or Rs. 1000. It is not going to solve the problems. Therefore, the punishment should be such as may prove to be deterrent.

At the moment, the total amount deposited in the workers' provident fund works out to be Rs. 11000 crores. We can take over the closed industries of the entire India with the interest accruing on that amount. This interest comes to Rs. 1000 crores. Undoubtedly, we can run the industries with this amount. When 'Hind Cycles' was closed down, I had told the late Prime Minister Indira

Gandhi that the capitalists had pocketed that amount also which the workers had contributed to the National Development Fund, Rs. 11000 crores for the National Development.....

DR. DATTA SAMANT : That amount has been swallowed by your officers. All that has been wiped out... (Interruptions)...

SHRI T. ANJIAH : Kindly listen to me. You should believe us. You should think about non-violence. Right to strike work is available to all. We are not going to interfere with it. We not going to enact any law in that behalf.

SHRI NARAYAN CHOUBEY : Is strike violence ?

SHRI T. ANJIAH : How can I say whether there would be violence or not ?

So far as sick industries are concerned, the Government have declared their policy. An enquiry will be made about this. An Enquiry Committee will be appointed which will go into all aspects. We are thinking of enquiring into the causes of the industries going sick in the country. We want to make a detailed study in this regard. Mere tall talk would not do. The labour problems are not so simple. The labour leaders should act patiently and peacefully and should acquaint themselves with all the facts. The textile mills are facing the same problem everywhere. One mill is lying closed in my constituency also. In spite of repeated requests, no action is being taken. Similarly, many industries are facing problem at different places. Government have to take all these things into consideration. If the workers are starving, it is the duty of the concerned Chief Minister, the labour Minister, and the Industry Minister to take interest in their problems.

If the Jute and the textile mills have closed down then for whom do you run the Government ? If you cannot run

industries then what can you do ? You should have courage to take over the jute mills. The financial institutions are ready to advance funds. If you are ready, we can start a joint sector or be a promoter. You neither wish to do anything nor try to find a way out. The Government of West Bengal say that the jute mills should be taken over. Can they not handle them ? Two crore people are registered with the employment exchanges or in other words so many persons are unemployed. People generally ask what the employment exchanges are doing. Unemployment is posing a big challenge to every State Government. Someone had asked what the utility of an employment exchange was. The private sector wants exemption from this law. The public sector wants to fill up the vacancies through advertisements. Similar is the case of the Banks and the Postal Department. The employment exchange is now an office merely recruiting peons... (Interruptions)

SHRI JITENDRA PRASADA (Shahjahanpur) : If they not serve any purpose then close them down.

SHRI T. ANJIAH : We would close them down and open them also and if we feel the necessity we would enact legislation... (Interruptions)...

SHRI HARISH RAWAT (Almora) : We shall have to put a lock on them... (Interruptions)

SHRI T. ANJIAH : The Railways, Posts and Telegraph and other departments are not covered by it. A few public sector undertakings, where the strength is less than twelve hundred, can be covered under it. You are suggesting that that should be closed and opened in the same breath, but that will not happen... (Interruptions)

SHRI ZULFIQUAR ALI KHAN : You may open or close at your will... (Interruptions)

SHRI T. ANJIAH : You try to understand. The employment exchange was named as such during the British rule. In fact it should be known as employment sponsoring exchange. Its work is not to provide employment...*(Interruptions)*

SHRI JITENDRA PRASADA : Then what is its function ?...*(Interruptions)*

SHRI T. ANJIAH : Its function is only to sponsor. It does not provide employment...*(Interruptions)*

17.52 hrs.

[MR. SPEAKER *in the Chair*]

SHRI JITENDRA PRASADA : Then close them down *(Interruptions)*

SHRI T. ANJIAH : We are considering a scheme under which we could provide employment to young men. Our hon. Prime Minister gave away awards on the 'May Day'. Many workers welcomed this move. Just as we award *Bharat Ratna* and *Padma Bhushan*, in the same way, the workers would also be honoured. The hon. Prime Minister made an announcement to this effect. We do not bother about the problems that the owners of the industry face due to closure. Yesterday, someone said that in Patna the Dalmia industry had closed down. If anyone swindles money, what can we do ? This Government not going to help them. This does not mean, as Shri Datta Samant has suggested, that they should resort to violence. We would not allow them to do so. You must have seen that there are many people who try to find excuses to close down their factories. At the slightest pretext, they close down their factories. There are many mill-owners who engineer strikes in case they do not have raw material or enough orders to handle. The millowners are benefited by it. Today, most of the Insurance Scheme funds are being misused either to engineer strikes or to benefit the mill owners. I have been told that in Kanpur, about Rs. 9 crores have been with-drawn

from the Insurance Scheme funds. It can be asked why they withdraw the amount or how are allowed to do so. You referred to Rohtas mill where the workers are starving and many have fallen sick; when they give application for withdrawing the money, they are allowed to do so. Under such circumstances, the question of prosecuting them for withdrawing money does not arise at all...*(Interruptions)*

We want to have a uniform wage policy in the country and the temporary contractor system will also continue and it will not be made permanent. We are thinking of increasing the wages also. As regards the question of D.A., we have recently raised it in the public sector and all the labour leaders have agreed to it. We would bring before you all these policies within a few days.

So far as the agricultural labour is concerned, as far as possible, we have given Rs. 2000 to Rs. 4000 to the bonded labour and loan could also be arranged to the tune of Rs. 30,000 to Rs 40,000 from the banks on interest which may help in their further rehabilitation. We are giving thought to this policy too. So far as the payment of wages and equal remuneration to women is concerned, it is under our active consideration and we are working out the details. As far as the bidi workers are concerned, we have made a provision for cess on bidi and apart from this we are contemplating other measures also. If you think that everything should change all at once, then I would like to remind you that our country is a developing country and not Europe or Germany and here everything takes time. In the case of Europe, the industries were already there and, therefore, do not compare us with them. It will take time for us to make progress. We are trying our best and we would like that you also cooperate with us in our endeavour and give us suggestions.

If there is any complaint against any employer, rest assured, he will not go scot-free. Therefore, you support the

Government's new industrial policy which shall take us ahead.

As regards the policy regarding textile mills, as our Minister had also stated, the setting up of a committee is under our active consideration. We have full hope, if you are not hopeful we cannot help it... (*Interruptions*). We are trying our level best to remove unemployment in the country. As Shri Indrajit Gupta has said... (*Interruptions*)

MR. SPEAKER : It is all right as for as unemployment is concerned, but do not gain weight...

SHRI T. ANJIAH : We are trying our best to find solution to the problems faced by the workers in the country at present. Our hon. Prime Minister is also seized of the problem. I assure you that the irregularities that have been brought to our notice regarding the provident fund and E.S.I., would be dealt with firmly and you leave it to us to initiate action against the guilty. Every effort would be made to ensure the security of workers, their property and money. We are not saying these words merely to please you or the workers but the fact is that those who are running away and those who are acquiring more property would not be allowed to go scot-free; you may rest assured on that account. (*Interruptions*)

With these words I thank you all and assure you that we are doing our best to ensure that the country's labour policy is based on socialist principles... (*Interruptions*)... Besides, I am always prepared for discussion and I have kept a record of all those points that have been raised here and I am always available for discussion.

[*English*]

MR. SPEAKER : I shall now put the Demands for Grants relating to the Ministry of Labour to vote. The question is :

“That the respective sums not exceeding the amounts on Revenue Account and Capital Account shown in the fourth column of the Order Paper be granted to the President out of the Consolidated Fund of India to complete the sums necessary to defray the charges that will come in course of payment during the year ending 31st day of March, 1986 in respect, of the heads of Demands entered in the second column thereof against Demand No. 65 and 66 relating to the Ministry of Labour.”

The Motion was adopted.

Demands for Grants for 1985-86 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 25th March, 1985	Amount of Demand for Grant voted by the House.
1	2	3	4
MINISTRY OF LABOUR			
65	Ministry of Labour	30,31,000	1,51,58,000
66	Labour and Employment	29,99,40,000	1,49,97,05,000
		18,66,000	...
			93,35,000