

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the Indian Penal Code."

*The motion was adopted*

SHRI HAROOBHAI MEHTA: I introduce the Bill.

15.32 hrs.

ABOLITION OF CAPITAL PUNISHMENT  
BILL\*

SHRI THAMPAN THOMAS (Mavelikara): Sir, I beg to move for leave to introduce a Bill to provide for abolition of capital punishment in India.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill to provide for abolition of capital punishment in India."

*The motion was adopted*

SHRI THAMPAN THOMAS: I introduce the Bill.

15.33 hrs.

CONSTITUTION (AMENDMENT) BILL\*

[English]

*(Amendment of article 101, etc.)*

SHRI SHANTARAM NAIK (Panaji): Sir, I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. DEPUTY-SPEAKER: The question is:

That leave be granted to introduce a Bill further to amend the Constitution of India."

*The motion was adopted*

SHRI SHANTARAM NAIK: I introduce the Bill.

15.34 hrs.

CONSTITUTION (AMENDMENT) BILL\*

[English]

*(Insertion of new article 350A)*

SHRI SHANTARAM NAIK (Panaji): Sir, I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

*The motion was adopted*

SHRI SHANTARAM NAIK: I introduce the Bill.

15.35 hrs.

UNORGANISED LABOUR WELFARE  
FUND BILL—*CONTD.*

[English]

MR. DEPUTY-SPEAKER: Now we take up further consideration of the Unorganised Labour Welfare Fund Bill moved by Shri Balasaheb Vikhe Patil on 25 November, 1988.

PROF. SAIFUDDIN SOZ (Baramulla): I am on a point of order. The discussion on this

Bill which was moved by Shri Balasaheb Vikhe Patil has spread over three sessions. I want your ruling. It is a mockery. (*Interruptions*)

MR. DEPUTY-SPEAKER: I am not allowing. How can you say mockery?

PROF. SAIFUDDIN SOZ: Whatever ruling you give I will accept. But I am telling you that this is the third session of Parliament...

MR. DEPUTY-SPEAKER: That is immaterial.

PROF. SAIFUDDIN SOZ: There are other Bills. There should be some time limit. We cannot waste the time of Parliament on this. I want you to see the record. More than 100 Members have already spoken on this and you have extended it for the third session of Parliament. Is there any time limit for any Bill or not? That way, other Bills will never come. I want your ruling. (*Interruptions*)

MR. DEPUTY-SPEAKER: First you take your seat. The time fixed for each Bill is two hours. That is there. But it is left to the House to extend it. When the House had extended the time, you did not say anything. Now you are coming with the criticism and saying that it is a mockery. That means, you are making a mockery of the whole House. How can you say that it is a mockery? That cannot be allowed. I have over-ruled your point of order. You people are deciding and then you are telling that this is a mockery. What does this mean? The House decides; I do not decide. And you are part of the House. You should have objected to it at that time.

SHRI MAHABIR PRASAD YADAV (Madhepura): Once again, I thank Mr. Patil for bringing forward this Bill before the House. It shows his kind-heartedness and good gesture for the unorganised labour class. It is a fact that in India unorganised labour class is not being given the due that they should get. We are living at the dawn of

a new era of universal humanity. There is a thrill of hope, a flutter of expectation as when the first dreamer of dawn awakened the earth. We live in one world and require to be educated to summon some section of human purpose and destiny. If one section is happy and another section is not happy, then the society in totality cannot be said to be happy. In the words of our philosopher President, Shri Radhakrishnan: "whatever happiness is in the world, it arises from your wish for the welfare of others; whatever misery is in the world, it arise from your wish for your own welfare." In that way, the Bill brought forward by Mr. Patil deserves appreciation and it should be taken into consideration by the House in right earnest. But I want to say one thing. There is scope of pragmatism. How far will this Fund be executed in the interest of the unorganised labour? There are so many welfare funds as for example Mica Welfare Fund. In Bihar that fund is being operated. There are so many things in that, so many loopholes that the desirable ones are not getting what they should get. I will appeal to Mr. Patil to first let us know how far this Bill will be in the interest of the persons for whom he has brought this Bill. Mica Welfare Fund is not duly being brought into execution for their welfare.

Another thing that I want to say is this. Will the fund be available? The Government is just telling that every Department of the Government is under constraint of funds. So, for this unorganised class of labourers, will the Fund be available? Will the Government be in a position to provide Funds for this class? I think there is a doubt that the Government can be in a position to provide any source for this great Bill that has been brought here.

Another thing that I want to bring to the notice of this hon. House is that the Indian population is going up day and night. There is no country on earth which has so big a population, so huge a population and, side by side, so many limitations. External danger, internal problems, population hike, all these things create so much problems for the unorganised labour that they should be

[Sh. Mahabir Prasad Yadav]

helped. I hold the view that the Government should come forward with the Fund for which this Bill has been brought.

Indian population is rising in geometrical progression whereas the economic growth is in arithmetical progression. The story of Malthus is very much applicable in this country. Taking that into consideration, I have the reservation that this Bill which has been brought before the House, will have so many practical difficulties in being applied.

Another fact that I want to mention is that social environment presupposes interaction between organism and environment. Let us take it for granted that everything is moving. Social evolution is taking place but in India, organism and environment are having their interaction. The country is one but the environment so far created is so much diversified that India as a whole cannot have that kind of development as it is expected to have. Let us take one example. In Bihar, there was the Rohtas Industries. That could not be run successfully because of the role played by the Opposition parties. Now, what is the intention of the Government? The Government wants that every class, every section, every sector should be given a say, but the hon. Opposition Members do not allow the Government to work. I can quote so many examples. In Bihar if you go, you will see what kind of problems they want to create. Take, for example, the unorganised labour. There are so many youths in our country who are loitering from street to street, from pillar to post for having a small quantity of money as a source of their livelihood, but they are not getting it. So, I hold the view that not only the unorganised labour but also the other class, the young people, are not getting the source of their livelihood which they should get. But why are they not getting it? I am giving one example though it does not concern this matter. In Bihar, 72-day strike of the teachers is going on and there is no hope of having an amicable settlement.

The whole student community is suffering and I know who are behind this strike. I do not want to name that particular Opposition Party which is taking the lead in this. Because of the Teachers' Strike, the whole student community is suffering. Sir, I do not want to take the time of the House. But one thing I would like to say is that Shri Patil has brought forward this Bill in this House which is well-drafted in the eyes of the people. The Members on the Opposite should play a constructive role, national role, not a chauvinistic role, not partisan role, not any kind of role that goes against the interests of the nation.

Sir, the nation is great, the individual is a part. The nation is whole, the party is a part. Therefore, national interest should be taken in the right earnest and if the funds are available, I support this Bill.

[*Translation*]

THE MINISTER OF LABOUR (SHRI BINDESHWARI DUBEY): Mr. Deputy Speaker, Sir, hon. Member Shri Bala Saheb Vikhe Patil has moved Private Members' Bill called Unorganised Labour Welfare Fund Bill 1989 to set up a Fund for the welfare of unorganised labour.

I feel that the purpose of this Bill moved by the hon. Member Shri Bala Saheb Vikhe Patil, even if it is adopted, will not be served. There are many draw-backs in this Bill. Funds required for social security measures in connection with labourers which are in force at present in our country are created through the contribution of labourers and owners of different sectors. Shri Bala Saheb Vikhe Patil has totally exonerated the owners of unorganised labourers under this Bill as if it is none of their responsibility. There is no provision in the Bill for compulsory contribution for social security by the persons who take maximum direct advantage of the labour put in by the workers although the society is also benefited. Therefore, I feel that it will not be correct to exonerate the owners of unorganised labourers and agree that they do not have any responsibility.

I respect the feelings of Bala Saheb Vikhe Patil in moving this Bill. He has good intention behind it and this has provided an opportunity to several hon. Members to discuss the deplorable condition of unorganised labourers and he has drawn the attention of the Government towards difficulties and hardships of these people. I feel that the main achievement of this Bill is that Shri Bala Saheb Vikhe Patil has received full support for his good intention behind moving the Bill. In fact, Government is also much worried about unorganised labourers. The Hon. Prime Minister of our country has also expressed his concern about the welfare of unorganised labourers. It is also clear from the fact that this question was raised forcefully for the first time by our popular leader and the Prime Minister of our country in the conference of International Labour Organisation held in 1985. International Labour Organisation has been considering the case of only organised labourers till now and has taken decisions to protect their rights and to provide security to them through different measures. The time has now come when International Labour Organisation should also pay its attention to unorganised labour specially in developing countries where the number of unorganised labourers is very high. Developing countries should also think about their welfare. International Labour Organisation should not only pay attention to it but monitor the situation constantly with follow up actions. It clearly indicates that the Prime Minister of our country is worried about unorganised labourers.

Mr. Deputy Speaker, Sir, many laws have been formulated about the unorganised labourer and all of them aim at social security and non-exploitation of labourers who get employment on daily wages. The basic question is that the definition given by Shri Vikhe Saheb Patil includes the unorganised labourers working in villages also. The greatest problem of all the unorganised workers whether they are engaged in rural areas, agriculture or cattle breeding professions, is their employment throughout the year. Labourers employed in agriculture at such places where modern methods of agri-

culture have not been developed and where the farmers get one or two crops in a year where they depend on rain only get employment hardly for 4-5 months in a year. Keeping this thing in view, Government formulated many schemes to provide employment to the labourers employed in agriculture when they are free from their seasonal work. In fact, the greatest need is to provide employment around the year to the workers employed in agriculture in rural areas and as you are aware, the Government is doing her best in this regard. Agriculture labour or labour employed in the rural areas has such a deep relationship with agriculture that they cannot be separated from it. You are aware that the Minimum Wages Act is in force in respect of the labour employed in organised sector but it will be observed that the labourers get more than the minimum wages in the areas where agriculture has properly developed but at the places where the agriculture has not been developed, the minimum wages are proportionately less, of course, against our wishes. Even though decision was taken in 1980 and again in 1987 that the question of minimum wages should be reviewed after every two years and when there is increase in price index by 50 points, then minimum wages should also be revised but it could not be done. A decision was taken in the Labour Minister's conference held in 1987 that wages of Rs. 11 should be given to every labourer employed in agriculture and it was again stated that the situation should be reviewed after every two years and when the consumer price index rises by 50 points, even if it happens in less than two years, the wages should be revised but this could not be done. Again, I called a conference of Labour Ministers in 1988 where this matter was reviewed and studied in depth. Only now minimum wages have been fixed at Rs. 11 and now no one will get less than Rs. 11 anywhere. This has happened because a decision was taken in Labour Ministers' conference in 1987 and complete two years have passed in April, 1989. Therefore, with the consent of all the Labour Ministers, it was decided to increase the minimum wages by according full neutralisation. I also made a suggestion that whatever the minimum

[Sh. Bindeshwari Dubey]

wages are fixed, they should be protected keeping in view the rise in prices. There should be some provision of dearness allowance or some other mechanism by which the minimum wages are not decreased in any way. There was no consensus on this point but it was stated that it would be considered because there are some States like Punjab and Haryana where the wages are more than the minimum wages of Rs. 11.

A study group of the consultative committee of the Ministry of Labour toured the entire country and talked to the labourers employed in agriculture in many States, who complained that even minimum wages of Rs. 11 are not being paid to many people. Obviously, in practice, minimum wages are being paid proportionate to the development of agriculture.

16.00 hrs.

You may fix anything but the labour engaged in agriculture get their wages proportionate to the development of agriculture. Therefore, real necessity is that the agriculture should be developed fast. There is a necessity to provide employment to the rural labour around the year. After this situation, the question of their social security will arise. By the way, the Government have formulated law in 1987-88 for social security also. But the aim of the Bill will be achieved only when they will start getting work for the whole year.

About funding Shri Vikhe has said that one percent of the total wages received by the organised labour should be collected. The total emoluments include basic salary and D.A, etc. The payments made by him and his other deductions come to 20 percent approximately. The number of unskilled labourers is maximum among the people employed in the organised sector. They have come above the poverty line with great difficulty, how one percent can be charged if there total wages come to Rs. 1000. They have not the capacity to pay more than what

they have already been contributing for their own and at the same time they will also not like to pay. They cannot be compelled also.

There are many schemes under which we take money from the owners only just as Bidi Welfare Fund. We do not take anything from the labourers for that fund. We take 20 paise per thousand bidies. All our welfare schemes are run through this fund for which we take more from the owners and nominal from the labourers.

What I mean to say is that no purpose is served by simply passing a legislation. We get so many complaints about the laws already formulated to the effect that they are not being implemented.

The maximum importance of the Minimum Wages Act is in the agricultural sector. Complaints are received that labour does not get minimum wages even where work is available. I had called a meeting of Labour Ministers where we discussed the need to increase the mobility of inspectors, organise publicity campaigns and keep the people informed. The machinery for recovery should be made effective in order to ensure that at least minimum wages are paid to the labour. Thereafter the Centre has formulated a Centrally sponsored scheme. Under this scheme, the Central Government sends Inspectors to many states to assist the State Governments in implementing the Minimum Wages Act.

As it has been provided in the Bill that there should be an agency of the Centre which should make arrangements for social security of un-organised labour. I have, however, calculated that if implemented, the figure comes to hardly Rs. 25/- per annum per person. This would not suffice if we are to run a sound social scheme. And in a large country like India with a federal system, to what extent will it be feasible to run a social scheme through an agency? Presently medical cover is being provided through the E.S.I. scheme. Every State has been given the responsibility. Even though employers and employees contribute 5% and 2.25%

respectively with no contributions from the Centre, we have not been able to run it through a Central agency although there is Central rule. We take cess for which 7/8th of the expenditure is paid by the Corporation and 1/8th by the State Government. But the entire responsibility of its administration financial administration has been handed over to the State Government. Still we receive complaints from the people that they are insured persons and medical facilities, dispensaries and hospitals are inadequate. So making a Social Security Fund is not enough. The objective cannot be achieved without a substantial fund. I mentioned that arrangement for their employment would be made. According to the State Government document "Standard Man-Year", it is estimated that if employment is provided for 273 days at the rate of 8 hours a day during a year' although unemployment in urban areas has slightly increased, then for the first time during the seventh Five Year Plan, the creation of employment opportunities will be more than the people available for getting employment, especially, in rural areas. It is estimated that if the rate of economic development is maintained at 5%, then employment opportunities would be available for 40.28 million people and 39.2 million persons would be available for employment. In this way a backlog of nearly one million would be cleared out of a total of 9.28 million. The strategy being formulated in the Eighth Five Year Plan lays emphasis on provision of productive employment to the maximum people which will ultimately strengthen the economic structure. As Shri Bhajan Lal said, benefits intended for rural labour should reach them direct and middlemen should be eliminated from the scene. The N.R.E.P. and the R.L.E.G.P. were combined to make the Integrated Rural Development Programme. An additional sum of Rs. 500 crores have been put in and the Jawahar Rozgar Yojana has thus been formulated. It was proposed that in the entire Seventh Five Year Plan Rs. 4900 crores would be spent on providing employment in rural areas but now the Government is planning to spend nearly Rs. 6900 crores. So, it is clear that Government wants to solve the problem of

unemployment in future and every effort is being made to do so. Many laws have been framed for unorganised labour like the Minimum Wages Act, 1948. In the course of the implementation of the Minimum Wages Act, 1948 Workmen Compensation Act, Equal Remuneration Act and the Bonded Labour System Abolition Act it has been found that the identification process cannot be completed through the Government. Some hon. Members had complained about this. Then the Government decided to seek the involvement of voluntary organisations. Seven voluntary organisations are being involved to identify bonded labour. If more than 20 bonded labourers are identified, Rs. 100/- would be paid for every identification over 20. This will be in addition to the Rs. 6250/- that are paid. Under the Conditions of Service Act, 1979 efforts are made to check exploitation of labour who are taken from one State to another by contractors. We get complaints of exploitation despite the existence of a law. A have discussed this point with Labour Ministers of various States in the Labour Ministers Conference. A decision has been taken that an official from the State be posted in the State to which the labour has migrated. If any rules are violated, Minimum Wages Act or any other Act, that official should take up the matter with his counterpart in that State. Apart from this, a standing Committee has been set up at Chandigarh and Bombay. Regional Labour Commissioners of both places and Labour Commissioners of States from where labour migrates are members of that committee. All complaints are dealt with by the Members. Unorganised labour is covered by Contract Labour Regulation and Abolition Act it provides that if in an organisation the nature of work done by contract labour is similar to that of the directly employed labour the salary of the former should be the same as that of the latter, I am discussing the main points. They should get first-aid, medicine and drinking water facility, along with creches for women working there. Minimum Wages should be paid failing which there is a system that officer of the principal employer should certify that payment be made in his presence. If payment is still not make the responsibility

[Sh. Bindeshwari Dubey]

shifts to the principal employer so that he should deduct their amount and make payment to the labour of the contractor. In that same manner, many welfare measures have been taken for unorganised labour. For beedi workers, there is the Beedi Welfare Cess Act and the Beedi Welfare Act. 0.30 paise is charged as cess per thousand bidis. That 0.30 paise goes towards welfare of beedi workers. An 'Own-Your-House' scheme has been introduced for them. If the State Government constructs houses for weaker sections it earmarks houses for beedi workers. Rs. 6000 is given as subsidy by the centre for as many houses as built for beedi workers. Similarly, if those people want to construct their own house we give them Rs. 5000 as loan and Rs. 1000 as development charges. This loan is recovered in easy instalments and no interest is charged. Medical facilities like dispensaries and treatment for occupational diseases like T.B. are available. Arrangements exist for bearing all medical expenses and paying subsistence allowance to the family during the course of treatment. Educational facilities for beedi workers include scholarships ranging from Rs. 25/- to Rs. 125/- to dependents of workers. Under the Beedi and Cigar Act, their working hours have been fixed. A provision has been made for leave and holidays and rate of over time has also been fixed. A machinery has been set up to go into violations of these rules. The State Government declares the authority. Although we are making slow progress in the unorganised sector, it is hard to say whether this sector will remain unorganised in future also. Unorganised labour is gradually becoming organised. Certain Sectors which were unorganised a year ago are becoming organised. As they become aware of their rights they organised making it easier to implement laws related to them I would like to discuss laws related to the unorganised labour. As mentioned in connection with the Minimum Wages Act, a pilot project has been launched under the Central sponsored scheme for Enforcement of Minimum Wages.

About two hundred labour inspectors have been appointed by the Central Government in those areas of Orissa, Madhya Pradesh, Rajasthan and Manipur where 70 percent of the total population constitutes scheduled castes and scheduled tribes. This strength is being further increased so that the Minimum Wages Act may be enforced effectively. Similarly we have started another scheme is, x Central Sponsored Scheme for Organizing Rural Workers under which an honorary organiser from rural area is appointed for each block and he is paid Rs. 200/- as honorarium, Rs. 50/- as conveyance allowance for extending his help to the workers and making them aware of their rights and duties. He has to motivate them to bring unity among them so that they may fight for their rights through this organisation. This scheme has been introduced in 14 states and in 9 union territories and about 1500 honorary rural organisers have been appointed. Similarly a Group Insurance Scheme for Landless Agriculture Labourers has been formulated by Insurance Division, Ministry of the Finance under which LIC in consultation with the State Government operates the group insurance scheme. It has been introduced on August 15, 1987. Under this scheme Rs. 1000/- are paid by the LIC to the families of those landless labourers who die between the age group of 18 to 60 years and no premium is charged for that. The Central Government bears the total expenditure of programme at the initial stage. Similarly there is a Group Life Insurance Scheme for IRDP beneficiaries. Beneficiaries of IRDP from Rural Development Development Department are covered under DRDA. A scheme has been formulated in cooperation with of LIC under which an amount of Rs. 3000/- is instantly paid in the event of the death of a person who dies in the age group between 18 to 60 years. An amount upto Rs. 6000/- can be paid in the event of death of person who dies due to some accident. In these schemes labourers are not required to pay any premium, the State Government has to bear the entire expenditure at the initial coverage. Initially the scheme has been introduced for three years and 3-4 million IRDP beneficiaries are

being covered under it every year.

Besides, LIC has formulated another scheme known as social Security Fund. As a reference to the problems of Handloom workers rickshaw pullers, auto rickshaw pullers etc. has been made in this discussion, I would like to inform the House in this regard that we have formulated a scheme known as social security Fund scheme in the cooperation of LIC under which beneficiary contributes 50 per cent and the rest 50 per cent is contributed by LIC. LIC immediately pays Rs. 3000/- to the family members of the person who dies before the age of 60 years and more compensation can be paid if he dies in an accident.

[English]

MR. DEPUTY SPEAKER: The time allowed for this Bill is already over. By how much time do we extend?

SHRI BINDESHWARI DUBEY: I will take only 15 minutes.

MR. DEPUTY SPEAKER: Afterwards the hon. Member has to reply. Then, shall we extend the time by another half an hour?

SEVERAL HON. MEMBERS: Yes.

MR. DEPUTY SPEAKER: I think the House agrees. The time is extended by another half an hour.

[Translation]

SHRI BINDESHWARI DUBEY: Mr. Deputy Speaker, Sir, similarly we have implemented a Hut Insurance Scheme from May 1, 1988. It has been introduced initially for two years. Under this scheme the entire expenditure towards full compensation to a person whose hut has been gutted in fire has to be borne by the Centre. An amount of Rs. 1000/- for the hut and Rs. 500 more his belongings which have also been destroyed in fire is paid immediately.

So far as old age pension is concerned,

different states have introduced different schemes under which Rs. 30/- to Rs. 100/- are paid as old age pension to the labourers above 60 years of age. Similarly there is another scheme known as Personal Accident Scheme under which about 3000/- are paid to the bereaved family whose annual income is below Rs. 72,000 and whose earning member dies.

In short, the Central Government is making every possible effort in this regard. We feel concerned about the interests of unorganised labour and taking effective measures for their welfare. The first priority is to be given to provide employment to them. After that comes their protection or social protection. We have limited resources and we are to make best use of them. It is not so that we do not have the will. We have recently made an additional allocation of Rs. 500 crores under Jawahar Rozgar Yojana and as you know, for that we were bound to levy 5 per cent tax on those whose income exceed Rs. 50,000/- . Funds have to be raised by various means in order to implement the schemes. but, it is not the appropriate time for that. Keeping all the factors in new, Government is taking all the possible measures in the interest of the unorganised labour. As regards the question that the labourers engaged in building construction work in the country are being exploited, I would like to submit that the Government propose to introduce a Bill in the House to safeguard the interests of the construction workers, for their safety and good health and to provide other facilities to them. The Members will have the opportunity to express their views when the Bill is introduced in the House.

A question has been raised under Immigration Act. It has been said that certain provisions are creating difficulties. As regards exploitation of the labourers through man power contractors, I would like to submit that the Government has strictly enforced the law in the absence of which labourers were subjected to exploitation.

So far as the employers in foreign coun-



[Sh. Bindeshwari Dubey]

tries are concerned, they will have to fill a form to give full details in order to employ labourers from India. I would like to make it clear that we want to send our labourers with full dignity and on settled terms and conditions so that they may not be exploited there. We would not like to send them as slaves even if we get some more money for it. We would like to send our citizens with full dignity. It is because of this fact that these provisions have been made, laws are there in foreign countries also. If an employer is interested in employing laborers from India, he is supposed to sign an agreement paper in the Indian mission there and provide the information about the number of labourers required, the total duration of work and the terms and conditions of employment etc. They are supposed to pay at least that much of the minimum wage which the Government of India has paid in its missions in different countries abroad. Besides they will have to provide accommodation and medical facilities. Most of the facilities have been specified. Moreover the provision to send pre-paid ticket for the journey from India to the concerned country or deposit money in foreign exchange towards the fare charges of both the sides. Most of the contractors do not send pre-paid tickets. The documents sent by the foreign embassy contain an undertaking to send pre-paid ticket. But the contractors pocket the money given by the employer for the tickets. Besides, they force the poor labourers to sell their land and houses and devour that money also. As a rule they are supposed to get only Rs. 2000/- as commission while in reality they grab not less than Rs. 10,000/- to 20,000. We have directed the employers to complete the required papers and follow the rules in letter and spirit. Otherwise we would not give clearance for the immigration. In this way we have taken measures to check such exploitation. But they are making publicity that it would decrease the export of manpower to foreign countries. But I know that this would not happen. Various laws have been amended to provide safety to the labourers whether it is a factory law or minimum wages

act or act relating to the Bidi workers or maternity act. We propose to bring further modifications in the laws. The provisions of the penalty code have been made more stern so that law is obeyed fully and those who violate, they can be penalised with stern punishment and may not repeat the same mistake.

With these words, I would like to submit that the hon. Members should understand the feelings of the Government in this regard. I would like to submit one more thing. Hon. Prime Minister has constituted a National Commission on Rural workers with very broad terms of reference. It is minutely studying the matter. The Prime Minister has assured full implementation of its recommendations and said that future strategy would be prepared accordingly. On the basis of recommendations, laws will be amended and if necessary, new laws will be enacted.

We hope that if completed report is not submitted, the commission would submit its interim report to enable the Government to go ahead. The recommendations of the National commission on Rural worker. Will be very beneficial to the rural workers. It will definitely recommend the steps to be taken for providing social security to the rural workers.

Prof. range has pointed out that there was a tripartite Standing Committee to look into the problems of unorganised labourers. The Government had made all efforts to implement the recommendation of this committee. But for quite some time now the committee is not holding its meeting and it has become inactive and defunct. In this regard, I would like to assure that the earlier standing committee will be revived so that the problem of workers of unorganised sector can be discussed from time to time.

While appreciating the spirit of the Bill, I request the hon. Member Shri Balasaheb Vikhe Patil to withdraw his bill keeping in view on the difficulties faced by the Government and not press this Bill.

**SHRI BALASAHEB VIKHE PATIL** (Kopargaon): Mr. Deputy-Speaker, Sir, just now the hon. Minister has said a few things and I do agree that Government is concerned about the unorganised labourers. The hon. Minister has told that a National Commission on Rural workers has been set up and after going through the problems of workers, it will submit its report. In this regard I would say only this much that the commission should immediately submit its interim report so that some improvements can be brought about in the law relating to the unorganised labourers.

The organised labourers do not think about the unorganised labourers. If the employers and the employees contribute something a welfare fund can be set up which will enhance the bargaining capacity of the workers. The hon. Minister also told that a Bill relating to construction workers had been introduced in the Rajya Sabha. I also know about this Bill there is a provision of welfare fund in Bidi industry and if such facility is also provided to construction workers, they can also be benefited. At present different laws are there for the workers of different sectors. So long as any concrete suggestion or report of the commission does not come before us, the law should be suitably amended to provide more security to the unorganised worker. These should be a provision to check the exploitation. The Commission will take time to submit its final report, therefore, it should be asked to submit its interim report immediately.

I also want that a group insurance scheme for them should be introduced and it can be publicised through the media. If a worker makes any demand, he is thrown out of the job to face starvation. You have admitted that there is a sharp fall in the wages of unorganised labourers. The Government is introducing modern technology in the industries in urban and rural areas. Industries are no more labour intensive. They are becoming capital intensive. Consequently, there is more unemployment among the unorganised labour. Therefore, I would request the Government to look into it.

At certain places free legal aid is given to the unorganised workers and the Government has agreed to the recommendations of the Standing Committee to make some improvement in it. In the ocean of papers, no attention is paid to the application. Neither anybody wants to go through them nor any reply is given. Therefore, if free legal aid is given to them, they will get justice. We do not have any objection if the employers are asked to contribute to the fund, but the organised labourers should also think something about the unorganised labourers. What I mean to say is that one who is getting something should contribute something to help others. There are a handful of people who own the capital and have become the privileged class and the rest are being exploited. We want that they should not be exploited. Both the employers and the employees should contribute for the exploited class. The hon. Minister has assured that a comprehensive Bill would be brought about by the Government on the basis of the recommendations Commission. I also want that a comprehensive Bill should be brought about but till then there is need to make some improvements in the welfare fund for Bidi workers, for which some suggestions have already been given and I am also sending some suggestions to you through a special memorandum. I do not want to go into details of these suggestion here and will talk to you later in this regard. The Government should set up a welfare fund for agricultural workers and other workers on the pattern of Employment Guarantee Scheme started in Maharashtra. Maternity benefits are given there to the workers but in other States they do not have such benefits. The Agricultural labourers are not getting maternity benefits. You are saying that they are organising themselves, but due to large scale unemployment they do not have sustaining power and bargaining capacity. The Government should make efforts to increase their sustaining power and bargaining power so that they are not exploited and are liberated from the clutches of the greedy people.

My suggestion is that the Commission should be asked to submit the interim report

[Sh. Balasaheb Vikhe Patil]

as early as possible and a Bill should be brought before the House, which may organise the unorganised labourers. Though the Government is taking keen interest in it, yet it needs to step up its efforts.

Mr. Deputy-Speaker, Sir, with these words, I request you to allow me to withdraw the Bill.

[English]

I beg to move for leave to withdraw the Bill to provide for setting up a fund for the welfare of unorganised labour.

MR. DEPUTY SPEAKER: The Question is:

"That leave be granted to withdraw the Bill to provide for setting up a fund for the welfare of unorganised labour."

*The Motion was adopted*

SHRI BALASAHEB VIKHE PATIL: I withdraw the Bill.

MR. DEPUTY SPEAKER: Now, we will take up the next Bill. Shri G.S. Basavaraju.

16.37 hrs.

FAIR PRICE SHOPS (REGULATION)  
BILL

[Translation]

\*SHRI G. S. BASAVARAJU (Tumkur): Mr. Deputy Speaker Sir, I am glad to move that the Bill to regulate the functioning of fair price shop and for matters connected therewith, be taken into consideration. While speaking on the Bill, let me first of all deal with the functioning of the Fair Price shops in the country.

Our country's population is more than 80 crores and majority of them depend upon the Fair Price Shops for their essential commodities. But our main objective should be to cater to the needs of those 50 crores of people, majority of whom are below the poverty line. At present more than four lakhs of Fair Price Shops are functioning in the country which are spread from cities like Delhi upto the remote villages. Fair price shop facility is available in the nook and corner of the country. But unfortunately the functioning of these Fair Price Shops is not at all satisfactory. Misbehaviour of officials and the manipulations of vested interests have made working of these shops a failure and the automatic sufferers are the common people of the country. Hence I say that the Government has failed in making Fair Price Shops to work satisfactorily.

The concept of Public Distribution System is not new in our country. First it was introduced in the year 1939 by the British Regime. There was a severe famine in Bombay and Public Distribution System started functioning there to provide ration to the people. There was a more serious famine in Calcutta and other parts of West Bengal in the year 1943. Since then Public Distribution System began to function in West Bengal.

The Centre has provided 2000 crores of rupees in the form of subsidy to the Public Distribution System. The share of this subsidy is not reaching the common man. The intervention of politicians has vitiated the working of the system. The middle men and other vested interest are taking the undue advantage of this subsidy. The aim of our Prime Minister, Shri Rajiv Gandhi is to see that the poorest people get the essential commodities at cheaper rates. The main intention is to help the people belonging to remote villages, hilly areas and the poorest section of the society. But our Government has not succeeded so far to see that the essential commodities reach poor people of this country directly.

\*Translation of the speech Originally delivered in Kannada.