

Due to the green revolution, our country has achieved more than its target during the last few years and there are chances to achieve more. Perhaps it will not be difficult for us to solve the problem of foodgrains in this drought situation due to the aforesaid achievements but there is a big challenge before us to save our livestock. Our cows, buffalows etc. go on roaming in search of grass and water but they find only desert and the mirage for miles. We cannot feel the pinch of such pitiable condition sitting in these buildings.

The challenge of drinking water has also wide dimensions. At present many towns are getting water just for half-an-hour a day just from the month of August and the women-folk in the villages have to walk for ten kilometers in search of drinking water. In a year it is more than 3500 kilometers. On one side there is such a crisis and on the other, crores of gallons of river-water falls in the sea daily and becomes saltish. The scientists have invented various methods by which we can utilize this water but we do not find sufficient time to come out of our parochial feeling and vested interests and think of difficulties faced by the common man

About ten months ago, the Chief Minister of Gujarat had been apprised of the methods to solve the crisis of drinking water in the whole Saurashtra and Kutch, which were cheap, instant result oriented and without investment. No encouraging response has been received so far. The period to implement the scheme of filling up the waters of Narmade in collapsible containers and sending it by sea to coastal belt of Saurashtra and Kutch had been given as two months and it has been stated that the expenditure on it will be just half in comparison to any other scheme for the purpose. The only lacunae of this scheme is that the officers are not going to get any advantage from this scheme. Drought is a season of bonus for them. This is the most unfortunate chapter of our democracy which is based on the narrow feelings of caste, creed and religion. The influence of the officers and the bureaucracy on

politics is increasing day by day. The officers behave in arbitrary manner and it affects important things like drinking water adversely. The influence of the bureaucracy on the basic necessities of common man should be reduced and the responsibility and the participation of the people should be increased and the people should be given an opportunity to find the solution of their problems.

I would like to express my thanks to you for listening to me calmly. In the end, I would like to submit to the Central Government and the State Governments that if anybody is affected most by the drought, it is the farmer. Therefore, the farmers should be provided all possible help so that the farmers—the sons of the soil—may maintain their morale high during this crisis.

[English]

MR. DEPUTY SPEAKER Now, we will take Half-an-hour Discussion.

17.30 hrs.

#### HALF-AN-HOUR DISCUSSION

##### Beedi Workers

[Translation]

SHRI DAL CHANDER JAIN (Damoh): Mr. Deputy Speaker Sir, I would like to express my thanks to you for allowing time for Half-an-Hour discussion in connection with Question No. 890 regarding Beedi workers. This time has been allowed keeping in view the serious condition of Beedi workers. In reply to the aforesaid question, it has been stated that 32,75,000 workers are engaged in Beedi manufacturing work and out of them 7,62,000 workers are members of Provident Fund Scheme.

In this connection, I would like to draw your attention specially to one thing. Beedi manufacturing work is undertaken in two ways. In Southern States, workers

[Shri Dal Chander Jain]

manufacture beedis in the factories. In Eastern, Northern and Central States, workers bring raw material for manufacturing beedis to their houses where their wives and children also help them. In Madhya Pradesh, Uttar Pradesh, Bihar, Orissa, Gujarat and Bengal, this work is being done as a cottage industry. The workers of these states do not work permanently at one place. The workers do not work regularly. These workers are unorganised workers. Their family members also help them in their work. Therefore, they finish full day's work in half a day and as a result they complain that they do not have full day's work.

The Beedi manufacturing workers are more in comparison to the consumption of beedis. Therefore, the workers have to tolerate the arbitrary behaviour of the contractors. An arrangement should be made under which the workers get full work and they are not subjected to arbitrary behaviour of the contractors. It is possible only when the entire production of the manufacturer is sold in the market. As the manufactured beedis can not be stored, therefore, it is for the Government to find a way out as to how it could be possible that the workers get full work. 30 or 35 years back, there was a situation that the number of beedi workers used to be less and production was also used to be less and the sale of beedi's was more. At that time, beedi workers used to get full work. Now there is totally a different situation. Many rules, laws and the schemes have been formulated for the welfare of these workers.

According to the Beedi Cigar Act, the workers manufacturing beedis in their houses should get the same facilities which are available to the factory workers, but we find that they do not get those facilities. There are many practical difficulties coming in the way.

I have thrown light on their working conditions. I would like to draw the

attention of the hon. Labour Minister specially towards the situation regarding leave with pay in Madhya Pradesh. It was a very difficult task to maintain its account. It was even more difficult for the workers to get benefit of this provision. The Beedi manufacturers put forward a proposal before the Madhya Pradesh Government that they were prepared to pay 1/20 of leave salary in lieu of leave, along-with weekly wages - irrespective of the number of days for which a worker has worked. After due consideration, the Government of Madhya Pradesh accepted the proposal and issued the notification. That scheme was enforced and the workers have started getting benefit of the scheme. Later on, similar benefit was given in other states also, but despite other facilities being available to the workers, the workers are not getting these facilities, because practically it is not possible. Provident Fund scheme was introduced in Beedi industry in 1977, difficulties are being experienced to provide benefits of this scheme to the workers. Both the parties had opposed it. A writ was filed in the Supreme Court, but it was rejected by it. Regarding Provident fund, I would like to draw your attention to the fact that there are 3,50,000 Beedi workers in Bihar, but only 2651 workers are members of this scheme, in Gujarat, 409 workers out of 50,000, in Madhya Pradesh 28,344 out of 5,65,000, in Orissa 50 out of 1,60,000, in Rajasthan 90 out of 1,00,000, in U.P. none out of 4,00,000, in Bengal, Meghalaya and Tripura only 841 workers out of 4,50,000 Beedi workers are members of this scheme. It is a very serious matter. It is happening, because there are many practical difficulties in the scheme. The workers find it very difficult to get the money credited in their Provident Fund Account. Therefore, question arises as to what should be done? All of us should put our heads together to consider this issue. The workers who are enrolled as members of this scheme and from whose pay money is deducted under this scheme, feel that money is being collected from them forcibly and as if some sort of fine is being imposed on them. I am talking of Madhya Pradesh.

The Beedi workers in Madhya Pradesh do not want to be covered under this scheme under any circumstances. Benefits of the scheme have not been explained to them. They have nowhere been regularised. They are unorganised and they are spread at all places like the workers in the cottage industries.

I would like to put forward certain suggestions in this regard, because ours is a welfare state and this is a welfare scheme. The security of the worker's future must be ensured through Provident Fund. I would, therefore, like to suggest that Workers' GPF Account may be opened in the Bank and worker's share of contribution as also that of the factory owner may be deposited in his Account in the Bank and the Pass Book should be handed over to the worker. A condition may be imposed on him that he will not be allowed to withdraw money before completion of 5 years. Whether a worker works for one month or through-out the year, contribution must be deposited regularly. A worker is brought under Provident Fund Scheme when he has worked at least for 60 days. I would like to suggest that if a worker has worked even for a single day, he should be given the benefit of this scheme as 1/20 leave salary is paid to a worker in lieu of leave alongwith his wages. My second suggestion is that this facility may be extended to the workers by issuing a debenture or a saving certificate for a fixed period of five years so that the saving certificate could not be encashed for a period of five years. The workers could be provided this benefit through some sort of Travellers cheque etc. The easiest way is that the worker's share of contribution and 6.5 percent contribution of the factory owners may be paid to the worker alongwith his wages, but in this way security of his future cannot be ensured. Therefore, a conference of the Labour Ministers was held in the month of May to consider this issue and it has been reported that a committee has been

formed under the Chairmanship of the Director General, Labour welfare. Hundreds of crores of rupees is being received by the Government from Beedi industry by way of taxes and crores of rupees are also received by the Government from Beedi manufacturers by way of contribution towards Beedi workers welfare fund, but Beedi workers are not being benefited from it and workers in a very limited way are getting the benefit. This area should be enlarged. From time to time reports are published in newspapers also, and there might be some exaggeration in it, but even then there is some truth behind it. I would like to quote certain references in this regard. In 'Nai Duria' Indore, a report under the caption 'Beedi Mazdoor Aur Bebas Kalyan Yojanayen' has been published in its edition of 20th July, 1984. In 'Aaj' Varanasi, dated 27th December, 1985 it was published under the heading 'Bidi Mazdooron Ka Kalyan filon mein. In the edition of 27th October, 1986 of 'Aryavarta' a report under the caption 'Beedi Mazdoor Bhukhmari Ke Kagar Par was published. Similarly in its edition of 12th May, 1987, a news item under the caption 'Kanoon Hai to thenge se' was published. In Rajasthan Patrika, Jaipur, a news item under the caption 'Beedi Mazdooron Ka Shoshan' was published in its edition of 27th May, 1987, and its edition of 14th July, 1987, a news item under the caption 'Sonthal Pargana Mein Beedi Mazdooron Ka Shoshan' was published.

In the end, I would like to submit that factory owners' contribution towards Provident Fund may be paid to the workers alongwith their wages even if a worker has worked for one day. As under Beedi Cigar Act, the amount of compensation for leave with pay is paid to the worker alongwith his wages or as an alternative, the contribution of both worker as well as factory owner may be deposited in a term deposit of five years in Bank or a savings certificate or in a personal account of the worker in a Bank from which withdrawals should not be allowed for a period of three years or five years and thereafter the worker should be

[Shri Dal Chander Jain]

allowed to operate the Account himself. This is my suggestion regarding Beedi workers and I hope the hon. Labour Minister would consider it seriously.

[English]

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI P.A. SANGMA) : Sir, Mr. Jain has been raising these points for a number of years. The very basic decision as to whether the Provident Fund Act should be made applicable to the Beedi workers. The difficulty is that the manufacturers have been taking this Beedi industry as an unorganised industry...Registers are not available and what not and their Provident Fund should not be made applicable to them. As we have always been saying Government's policy has been now to give more benefit to the unorganised sector. The benefit of social security like ESI, Provident Fund, Gratuity and all these goes to the organised sector only. We want to extend this benefit more and more to the unorganised sector and beedi industry is one of those industries where the industry is unorganised, but we would like to extend social security to that kind of people.

Therefore, on 1 June, 1977 a Notification was issued making the Provident Fund Act applicable to the beedi workers. Some of the manufacturers went to the Supreme Court pleading that it is an unorganised sector and it should not be made applicable. They got a Stay Order. On 1.10.1985, the Supreme Court gave a final judgement saying that the application of Provident Fund was absolutely legal and absolutely correct and it should be continued. Now the question was settled with the judgement of the Supreme Court that Provident Fund has to be made applicable to the beedi workers. The industry expressed their inability to give the money—the arrears—because it would be quite a large sum of money. I called a

meeting of the industries the State Governments and the workers. A tripartite meeting was convened on the 20 June, 1986. In that meeting it was agreed that from the date of the judgement of the Supreme Court the industry must comply with the payment of their contribution and the workers' contribution to the Provident Fund.

As far as the pre-judgement period from the date of the notification is concerned, that is from 1.6.77 to 30.9.85 (just for that period)...according to the judgement how this arrear has to be recovered should be discussed in a tripartite Committee and accordingly a tripartite Committee was established to find out ways and means as to how to recover that money

The Tripartite Committee has constituted a study group which has now submitted its reports. The final meeting of the Tripartite Committee is to be held soon and I hope to get the report of the Tripartite Committee very soon

In the Starred Question out of which today's discussion has arisen, Mr. Jain's contention was that since this is not being complied with in the State of Uttar Pradesh and in the State of West Bengal why other States should be made to comply with it? It is true that, according to the statement which I had made, there are 32.75 lakh beedi workers in our country, and by the time the question was answered, we had just started implementing the Provident Fund Act. We have done much in West Bengal and in Uttar Pradesh by that time. But as the position stands now, that is as on 31st March, 1987 or a few months back, we have made certain progress and 3,568 establishments have been covered and have been made applicable; 9.18 lakh workers have been brought under the coverage of the provident fund and the total amount of money that we have realised comes to the tune of Rs. 46.51 crores. So, we are making progress in collecting the provident fund money, the benefit of which will go to the workers. I can assure the House that *beedi* workers are

not only the workers in the factory, it also includes home workers.

One of the Points which was the contention of the manufacturers was that the home workers should not be treated as *beedi* workers because they have no connection with the factory and the manufacturers. The Supreme Court rejected their plea and said that the *beedi* workers also include home workers. We are also applying this provident fund to the home workers. It is not correct to say that the *beedi* workers in Madhya Pradesh have not welcomed it and they are not willing to come under the purview of the Provident Fund Act, as has been stated by Mr. Jain just now. In fact, in Madhya Pradesh, we have covered 212 establishments and 3,1679 workers have already been covered, as the study made on 31st March, 1987, shows. Therefore, things have been settled and there is no question of withdrawing the government's Notification from the application of provident fund to the *beedi* workers. We are trying to implement it very sincerely and are trying to cover more and more workers.

[Translation]

DR G S RAJHANS (Jhanjharpur) Mr Deputy Speaker, Sir, the House has discussed the plight of the bidi workers a number of times and every time the Government has said that efforts are being made to improve their condition. But the fact is that there is no definite improvement in their condition. It is an industry which makes the people rich. People become millionaire, if not multi-millionaires, in the trade. I know such industrialists who are earning Rupees forty to fifty lakhs in this bidi trade. I have been told that in Madhya Pradesh and other places persons dealing in this trade have become multi-millionaires. When they are asked to give reasonable and minimum wages to their workers, leave aside the question of provident fund and gratuity, they shot back that they do not engage workers but these workers belong to the contractors and

they purchase bidis from the contractors and serve the nation. Those contractors purchase bidis from the workers. If any one tried to raise any objection, the workers may lose their job. So people become silent. Very few States try to know the number of bidi workers working with the bidi industrialists. There is no two opinions about the fact that there is collusion among inspectors and bidi industrialists. If one try to find out honestly, he can find out the number of bidi workers working in this industry and he would also know as to what sort of miserable life they are leading. Diseases like lungs cancer, lungs T.B. or Spondylitis are common among the workers in this industry. They get meagre wages which are insufficient to make their both ends meet. In these circumstances, they are compelled to put their children aged 7 to 10 years in bidi industry because they have no other means to earn livelihood. Not only this, the bidi industrialists appoint their own men and relatives as contractors and those contractors distribute bidi material among the workers in their houses. When the women, men and children, manufacturing bidis, take them to the contractor or bidi industrialist, he rejects 50 percent bidis on the plea that they have not been manufactured properly. In this way they get only 50 percent of their wages and the rest 50 percent are gobbled up by the bidi industrialists or contractors. He pretends to sell bidis at cheaper rates to other brokers sitting there which is just to show and to deceive them. One has to remain a silent spectator to the whole drama. We become helpless. A man who openly misappropriates the amount of provident fund and gratuity of the workers and does not pay excise and income tax, is making black money without any fear. Such person is respected in the society. The Government also regards him as a respectable person. On the other hand, a worker who earns his livelihood by doing hard work, does not get even reasonable wages. When such thing is going on, I fail to understand what would be the fate of this country in such circumstances. We speak a lot in the Parliament and the

[Dr. G.S. Rajhans]

people think that we have done our duty but can we say sincerely that we have acted according to the dictates of our conscience. But have we ever done justice to our unfortunate brothers and sisters and small children who are exploited by the bidi manufacturers or contractors. If so, we should say emphatically that we would not allow injustice from today because we know that injustice is being done to them and they are being exploited.

Therefore, I would like to request the hon. Minister that as he is an effective Minister so he should pull up the State Government. Only writing letters will not have any effect. You should warn the State Government that the Central Government will not tolerate the exploitation of the bidi workers. If the State Government does not pay heed to the warning, it should be exposed irrespective of the party in power in the State so that the country may know that the State Government is also a party to the exploitation of workers and it allows such injustice to the workers in its state. Unless strong public opinion is mobilised against it, exploitation of the bidi workers will continue. If this exploitation is not curbed, the coming generation will not forgive us and they may also charge us having some sort of interest in the exploitation of workers. Therefore the hon. Minister should give assurance that effective steps will be taken to prevent this exploitation.

SHRI HARISH RAWAT (Almora): Mr. Deputy Speaker, Sir, discussion on the exploitation of bidi workers took place in the last session also and a Bill was also introduced in the House. At that time also, Members expressed their concern with regard to the problem of the bidi workers. The Government as well as the hon. Minister are very much concerned. But it has come to the notice that whatever programmes are chalked out for the welfare of the workers, they do not bring any improvement in the life of the workers in the absence of effective implementation.

I would like to give three suggestions to the hon. Minister. As my colleague Shri Rajhans has said that, the bidi workers mostly suffer from diseases particularly T.B. disease. Therefore I would suggest that medical examination of a worker should be conducted after every six months invariably and an effective programme should be chalked out with the State Government for this purpose.

My second suggestion is with regard to the education because the number of children working in the Bidi industry is very high who have to work because of poverty. Some arrangement for their education should be made by your Ministry in consultation with the State Government so that they may be able to study after doing work. My third suggestion is that in some areas housing programmes should be launched for them because they come from far off places for manufacturing bidis and live in huts. Therefore, some arrangements should be made for their housing as well.

DR. CHANDRA SHEKHAR TRIPATHI (Khalilabad): Sir, my colleagues have drawn the attention of the hon. Minister to all the important aspects of the problem of bidi workers. While drawing the attention of the hon. Minister to a few important points, I would like to ask whether the Government is going to take any step in that direction and if so, in what way. Some time back the Labour Ministry had appointed G.K. Pannikar, who is the Chairman of Kerala Dinesh Bidi Workers, Central Cooperative Society, to study the conditions of bidi workers and he had suggested that the bidi workers in India are exploited in a number of ways and therefore, a cooperative society should be formed to curb their exploitation. The hon. Labour Minister has appointed a Commission and the Commission has submitted its report also. I would like to know in how many States, such societies have been formed which have proved effective to curb this exploitation and ill and control the under payment. If such societies have not been formed, the reason thereof?

Secondly, I would like to know that in the original question it was asked that what is the number of bidi workers in every State on 31.3.1987. The hon Minister had given the figures upto 1986 and not upto 31 March 1987. I would like to know the reasons for not giving figures of Bidi workers upto 31 March 1987 and also about their provident fund.

Thirdly, Shri Dal Chander who himself is a renowned trader and employer in the field of bidis, has said that Uttar Pradesh and West - Bengal top the list of those States where the number of Child Labour is high. According to the figures submitted by the Government, about 4.5 lakh workers are engaged in the manufacturing of bidis but in Andhra Pradesh where total number of bidi workers is 2.5 lakh, about 180014 workers are getting the benefit of provident fund or are in the category of getting benefit. In Bihar, the number of workers is 3,50,000 and out of them only 2651 workers are covered. In Karnataka, the number of workers is 3 lakh and out of them 2,83,540 workers are getting benefit of provident fund scheme. But in West Bengal and Uttar Pradesh where the number of bidi workers is 4.5 lakh, not a single worker is covered under provident fund scheme. Will the hon Minister issue directions for conducting analysis and survey of this situation.

As my colleagues Dr Rajhans and Shri Rawat has stated that in the trade of bidi, actually middleman exploits the situation who rejects good quality bidi by terming as of bad quality but charges bidi industrialist the price fixed for good quality. In this way the middleman resorts to underhand dealings. May I know whether the hon. Minister will take step to this aspect examined so that the poor workers get the benefit of their labour?

18.01 hrs.

PAPERS LAID ON THE TABLE—Contd.

[English]

#### Notification under Customs Act 1962

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI JANARDHANA POOJARY): I beg to lay on the Table a copy each of the following Notifications (Hindi and English versions) under section 159 of the Customs Act, 1962:-

- (1) Notification No. 292/87-Customs published in Gazette of India dated the 12th August, 1987 together with an explanatory memorandum seeking to grant partial exemption to iron on non-alloy steel hot rolled coils of carbon content less than 0.6 per cent and equate the rate of basic customs duty on HR coils and coils for re-rolling at the rate of 15 per cent *ad valorem* plus Rs. 1100/- per metric tonne.
- (2) Notification No. 293/87-Customs published in Gazette of India dated the 12th August, 1987 together with an explanatory memorandum seeking to delete the entry for coils for re-rolling from Notification No. 86/86-Customs dated the 17th February, 1986.

[Placed in Library. See No. LT-4600/87]

18.02 hrs.

HALF-AN-HOUR DISCUSSION

[English]

**Beedi Workers**

SHRI AJIT KUMAR SAHA (Vishnupur):