

15.35 hrs.

ERADICATION OF UNEMPLOYMENT BILL*

[*English*]

SHRI HANNAN MOLLAH (Uluberia): I beg to move for leave to introduce a Bill to provide for a scheme for eradication of unemployment from the country and to utilise the work force for the nation building activities especially in rural areas.

MR. DEPUTY-SPEAKER : The question is :

"That leave be granted to introduce a Bill to provide for a scheme for eradication of unemployment from the country and to utilise the work force for the nation building activities especially in rural areas."

The motion was adopted.

SHRI HANNAN MOLLAH : I introduce the Bill.

MR. DEPUTY-SPEAKER : Shri Amil Basu-not present.

15.36 hrs.

BEEDI AND CIGAR WORKERS (CONDITIONS OF EMPLOYMENT) AMENDMENT BILL, 1985—Contd.

[*English*]

MR. DEPUTY-SPEAKER : Before we take up further consideration of the Bill further to amend the Beedi and Cigar Workers (Condition of Employment) Act, 1966 moved by Shri Ajit Kumar Saha on 4 April, 1986, I would like to remind the House that 5 hours and 20 minutes have already been taken on this Bill i.e. the time allotted to this Bill has been exhausted. The House has now to decide whether to extend the time.

Is it the pleasure of the House to extend the time on this Bill by one hour ?

SOME HON. MEMBERS : Yes.

MR. DEPUTY-SPEAKER : The time is extended by one hour.

Mr. Harish Rawat.

[*Translation*]

SHRI HARISH RAWAT (Almora) : Mr. Deputy Speaker, Sir Beedi industry is a major industry of our country in which at least 10 lakhs of people are employed. To my mind, there are several States such as, Andhra Pradesh, Madhya Pradesh etc. where Beedi industry has a great contribution in the economy of those States. Thousands of families are earning their livelihood from this industry, but the conditions of work in which the Bidi workers are compelled to work and the type of facilities available in this industry are such that one can be moved with pity on their critical condition. Some laws have

15.37 hrs.

[SHRI N. VENKATA RATNAM
In the Chair]

been made by the Centre and concerned State Governments, but they are insufficient as the contractors, who are actually running the industry take a lot of advantages from these laws. Their agents employ the people for the job and whenever there is a question of paying compensation and taking any responsibility, the actual owner of the industry who enjoys the profits, saves himself by saying that he is not the one who has employed them. Therefore, there should be some law which may control the one who derives all the profits and enjoys them. So that, whenever there is a question of giving rights to the labourers or any accident happens to a labourer for which he should be given compensation, the owner should be compelled to do so. I do not think there is any such provision in the existing law.

We have also made a law that child labourer will not be employed in any industry, but women and children are generally employed in Bidi industry. This section of our society is the most exploited

[*Sh. Harish Rawat*]

one. The condition of women workers is pitiable and worse than that is the condition of Child Labourers. I request the hon. Minister to have a discussion on this problem with State Governments so that the child labourers are not exploited. Where such children are employed, at least they should get prescribed wages and their working hours should be fixed. Where women are employed, a law should be made in this regard so that if such a situation arises, then their health could be protected. They should be given prescribed wages. Unless you consider the interests of the people employed in the industry keeping in view their large number, you would not be able to solve this problem.

The Bill, brought forward by my colleague, Mr. Saha, may contain some technical deficiencies, on the basis of which its passage may not be possible, but the Hon. Members through this Bill have expressed their feelings in the House and the deficiencies, which we feel, should be removed, must be checked somehow. I hope, hon. Minister will consider these points.

SHRI C. SAMBU (Bapatla) : Mr. Chairman, Sir, we attained independence 38 years ago but even after these 38 years of independence it is very unfortunate to note that nothing has been done for the betterment of lakhs of workers who are engaged in beedi industry. Even to this day they remain unorganised. They come under the unorganised sector. I am sorry to point out this that the Government have not taken any step to organise these hapless beedi workers and do justice to them. No efforts have been made either to organise them or to provide any facility which is being extended to the workers in the organised sector. Now, I take this opportunity to request the hon. Labour Minister to take necessary steps to organise these workers. Sir, there are at least 50 to 60 lakhs of workers who are at present engaged in this industry. These workers are scattered all over the country. So it is high time that the Government takes steps to organise these 50 to 60 lakhs of workers and does something for their emancipation. Now they are leading a

miserable life. Since they are unorganised they are ruthlessly exploited by the contractors. Several welfare measures which are meant for the benefit of the industrial sector workers are not being extended to these people just because they are not organised. So it is essential to make an effort to organise them. It is the first and foremost thing that the Government should do for their welfare. The Government should recognise them on par with the workers in industrial establishments and extend all the facilities applicable to them. This is my humble request to the hon. Minister.

Sir, neither medical nor educational facilities are being provided to these beedi workers. The workers in milis and factories enjoy this facility. I request the hon. Minister to provide the medical and educational facilities to all the workers who are engaged in the beedi industry. This disparity has to be removed between these two class of workers. I hope the Central Government will take immediate steps to provide these facilities to the beedi workers.

Sir, the Government at present is collecting crores of rupees through cess. No body knows how much amount has been collected through cess and how much amount has been really spent on the welfare measures. Though the amount is being collected for the welfare of these people nothing significant has been done to improve the living conditions of these workers. I request the hon. Minister to let this august House know about the amount collected through cess and the actual amount spent for the welfare measures.

Sir, many of the beedi workers belong to the rural areas in fact beedi industry is the back bone of our rural economy. If the Government is really interested in improving the living conditions of the people living in rural areas they have to do something substantial to improve the living conditions of the beedi workers. All the welfare schemes must have to be extended to the beedi workers as well then only we can find some improvement in the living conditions of beedi workers. Needless to

*The speech was originally delivered in Telugu.

add that the rural economy also improves automatically.

Sir, Andhra Pradesh is one of the States in the country where the tobacco is grown extensively. There are several lakhs of people who are dependent on beedi and cigar industry and the industries connected with tobacco for their livelihood. I request the hon. Minister to establish more industries connected with tobacco in Andhra Pradesh to provide employment to millions of unemployed in the State. It will go a long way in solving the unemployment problem in the State. Sir, about 50 to 60 lakhs of people are now engaged in these industries throughout the country. They have to be organised. They should be provided with identity cards. Several welfare measures have to be initiated for their betterment.

Sir, this is one industry where the child labour is very much prevalent. Not only children but also women and old people are extensively engaged in this industry. It is the desire of the Government to abolish the child labour in the country. So in order to achieve that goal, first they have to take care of the millions children who are engaged in this industry. If the children who are engaged in this industry are taken care of properly it will go a long way in attaining the cherished goal of abolishing child labour in the country. Sir, at present beedi workers are completely at the mercy of the middle man. They are not getting even the minimum wages. Hence I request the hon. Minister to see to it that these workers get minimum wages which are applicable to the workers in other industries. Sir, there is one ITC factory at Chirala. The modern machinery has been imported and many workers have been thrown out of employment in that factory recently. Nearly 7 to 8 thousand workers have lost their jobs due to modernisation. Now I take this opportunity to request the hon. Minister to take up the matter with the management and see that these workers who were thrown out of jobs are reinstated or at least they be given alternative employment.

Sir, on behalf of 50 lakhs of beedi workers I once again request the hon. Minister to take necessary steps to bring

them under organised sector and extend all the facilities that are provided to their counterparts in all other industries.

I conclude my speech thank you for giving me the opportunity to speak.

[English]

SHRI NITYANANDA MISRA (Bolangir) : We all know that more than thirty lakh workers-bidi workers-in our country belong to unorganised sector who are subject to exploitation. The wages that they get are abnormally low i.e. much less than the lowest prescribed rate. A large number of children and women are in this industry. They get much lower wages than the men. Though there is a provision for minimum wage, still they are not getting the prescribed minimum wage. The State Governments are not particular about ensuring minimum wages to the bidi workers and these bidi workers are being completely neglected.

A large chunk of bidi workers-nearly 30 lakhs are living in-deplorable condition. They do not get the benefits, advantages, facilities, which are extended to organised labour. Minimum facilities like education for their children and medical treatment, etc., are denied to them. Though there are labour laws to take care of the welfare of the bidi workers, still the implementation of such laws is very haphazard, as a result of which these bidi workers are neglected and they do not enjoy the facilities and advantages which are meant for them. If such large chunks of labour population whose economic condition is very deplorable are brought to the cooperative sphere, large number of cooperatives can be organised, and we can provide better facilities for the bidi workers, minimum wage can be assured to the bidi workers. All the various advantages which are being enjoyed by the organised labour can also be extended to them if only they are organised on cooperative lines. So, this is my submission ; and I request the Government to explore the possibility of organising these bidi workers in the cooperative sphere so that we can eliminate the exploitation of these people which is now taking place.

There are various incidents of TB

[*Sh. Nityananda Misra*]

among these bidi workers. Government hospitals, dispensaries and Health Centres do not provide the special treatment which is required for TB patients, to give such attention which these dreaded diseases require. Bidi workers, when they suffer from time to time, do not have opportunities to get such medical facilities from these Government hospitals. I think that Government has got the moral responsibility to provide medical facilities to the bidi workers, especially when they suffer from diseases like TB which require special attention, treatment and care.

ESI Hospitals and medical units can be established in these areas where you have concentration of bidi workers and where there are large numbers of bidi manufacturing units. I wish to suggest that there should be a survey conducted in the whole of the country identifying those areas where there are large chunks of bidi working population. Necessary ESI Medical units should be established there. This will help these bidi workers to a considerable extent and it will provide them with the necessary medical facilities which they are in need of.

We are exporting some quantities of kendu leaves to countries like Bangla Desh, Pakistan and some of the South-East Asian countries. Now, instead of exporting these kendu leaves, if we can use them for the manufacture of better-quality bidis and export them, we can provide more employment to these people, because, this industry is labour-intensive. It has got a great potential to provide employment to large labour population. So, the possibility of using these kendu leaves for making better-quality bidis and exporting them can be explored by the Government. Kendu leaves are grown in some hilly and mountainous areas. There is not much scope for irrigation facilities or development of agriculture. Also, the areas where these kendu leaves are grown, do not have much of employment opportunity. Sometimes, these areas are drought-prone, where the people have to undergo lot of hardship and suffering due to recurrence of droughts. Our Prime Minister visited two districts in our State, Phulbani and Kalahandi where kendu leaves are grown. The people there

were passing through terrible economic hardship and suffering because of drought condition. These are all hilly and mountainous areas where there is not much scope for agricultural development.

Employment opportunities are very much limited, are very much restricted. If the Government can establish beedi manufacturing units in those areas which are employment intensive, which are labour intensive, then the difficulties that the people of these areas face can be solved to a certain extent and this industry should be accepted as a cottage industry and Government's attention should be drawn to this industry because it is employing a large number of people, just as sufficient importance is given to handloom industry where a large number of weavers get employment and just as sufficient amount of finance is also invested in these cottage industries, beedi manufacturing industries should also be considered as a cottage industry and its potentiality to provide employment should be realised and if that can be organised in the cooperative sector, then it will benefit the people. The rural people may benefit to a large extent. Beedi has a got a rural character. People who consume beedi belong to rural areas and the beedi workers also live in rural areas. So, manufacturing units may be established in urban or semi-urban areas. Beedi is very much rural in character and since Government wants to provide employment opportunities in the rural areas, it is essential that Government should pay adequate attention to this area and try to promote this industry by paying more attention, by providing more of resources and by organising them on a cooperative basis so that the economic exploitation of the beedi workers can be put an end.

With these suggestions I hope these beedi workers will receive the importance that they deserve and the Government will pay adequate attention to them.

[*Translation*]

*SHRI A.J.V.B. MAHESWARA RAO (Amalapuram) : Mr. Chairman, Sir. I wholeheartedly support the Beedi and Cigar Workers (Conditions of Employment)

*The speech was originally delivered in Telugu.

Amendment Bill 1985. I welcome this Bill, because it is meant for the benefit of lakhs of workers who are engaged in this industry.

Sir, the middle men are sucking the blood of the poor beedi workers. They are being exploited mercilessly by the middle men as these poor and hapless workers are not an organised labour force even to this day. There are about 50 to 60 lakhs of workers scattered all over the country whose bread and butter is the rolling of beedis. It is strange that though they are in such large number, no effort, has so far been made to organise them. The time has now come to organise them under the cooperative sector and the Government should see that all the benefits which are now being provided to the workers in public sector are extended to these workers also.

Sir, the beedi industry is a hazardous industry. Workers engaged in this industry are prone to various types of diseases. Hence there is an urgent need to provide medical facilities to these workers. It may please be noted that majority of the workers engaged in this industry are tribals and the middle men exploit these tribals very much. Sky is the limit for the exploitation. The middle men do not pay to the tribals for their work. Even the land belonging to them is being snatched away by the middlemen. This is the sad story of tribals everywhere in the country. This exploitation should not be allowed any more. It is necessary that these workers are organised so that the exploitation is put to an end. Several other welfare schemes which are now being implemented to better the lot of the workers in other industries must also be extended to these workers. Once again I repeat that the main cause for their exploitation is that they belong to an unorganised sector. Time should not be wasted any more to organise them and to bring them under the cooperative sector. Sir, the Government servants get salary regularly. Workers in public and private sector get minimum wages. But these poor and hapless beedi workers do not get minimum wages. There is no regular income for them. The Government should

provide salaries to these beedi workers on par with their counterparts in other industries. It is strange even to this day, the beedi workers are being treated as bonded labourers. They have to accept whatever amount the contractor or the middlemen pay in return to their hard labour. They have no voice to raise against the powerful middle men. Hence the situation must come to an end and the Government should leave no stone unturned to end their exploitation. I hope the hon. Minister would take steps to improve the lot of the beedi workers.

Sir, I conclude my speech. Thanking you for giving me the opportunity to speak.

*SHRIMATI JAYANTI PATNAIK (Cuttack) : Mr. Chairman, Sir, the main objective of the Bill introduced by Shri Ajit Kumar Saha is to put an end to the exploitation of Beedi workers and also to protect their interests. I welcome the noble sentiments inherent in the Bill that has been brought before the House. An identical Bill was passed in the year 1966. But there were many loopholes in that Bill. Therefore, it cannot protect the interest of the workers. Due to these loopholes the principal employers evade their responsibilities and talk shelter of the court to deprive the workers of all the benefits. The workers were not getting minimum wages. The employers deny that those workers were working under him.

Mr. Chairman Sir, on an average 130 crores of beedi are manufactured daily. As many as 40 lakh workers are employed in the beedi industry in our country 3.5 lakh tonnes of beedi leaves and 80,000 tonnes of tobacco required per year for this industry.

Workers are engaged in two stages in this vocation. At the first stage they pluck kendu leaves, then at the second stage make beedi by rolling tobacco into the leaf. Unfortunately, no correct assessment of the number of workers engaged in this industry has so far been made. If we make a correct survey from plucking of leaves to the rolling of leaves, we will find that their number is much more than

*The speech was originally delivered in Oriya.

[*Smt. Jayanti Patnaik*]

estimated 40 lakhs. These workers are very poor and basically come from S.C. and S.T. and other weaker section of the society and many of them are women. They are in the unorganised sector. Therefore, they are deprived of the facilities given to the workers engaged in the organised sector. It is revealed from a survey that 22% of the total number of workers engaged in the beedi industry are women and 1% of the total number comprise of child labourer. They are not able to earn their livelihood from some other means and so they have no option but to work in this industry. The existing laws are not able to provide justice to the beedi workers. A Committee was set up to go into the problems of the beedi workers. The Committee has opened that "the condition of the workers is very miserable. They are passing their days in great hardship. They do not have adequate job security. They do not get employment throughout the year. Most of the workers including the child workers suffer from some fatal disease like T.B. It is unfortunate that the labour legislations do not protect these workers in earning their livelihood with the minimum security they need." Had the hon. Member brought a comprehensive Bill the male and female workers interest could have been protected and the exploitation would have come to an end. I feel that there is a need to bring forward a comprehensive Bill fully ensuring the welfare of the beedi workers. Such a comprehensive bill should guarantee the payment of minimum wages, proper medical aid to the family members including the children of these workers. At the same time there should be a distinct provision in the Bill to ban the employment of child workers. While speaking about the welfare of the workers I am reminded of the recent statement made by the hon. Labour Minister. He has said that he is planning to bring a comprehensive bill for the welfare of the child labour. As a good number of child workers are engaged in this industry I am sure that the proposed legislation will certainly cover the child workers employed in the beedi industry. I welcome the statement of the Minister as the proposed legislation will protect the interests of the child labour engaged in the beedi industry to a great extent. In this context,

I request the Minister to make a comprehensive survey of the conditions of the beedi workers all over the country before bringing the comprehensive legislation. I say so because in another survey it is revealed that the workers are mostly exploited by the contractors. Their working hours have not been fixed. They work for 10 to 12 hours. At night they are made to work under the dim light of lantern. When the head of the family falls ill the other members fail to provide him proper medical care for want of money. Hardly they are able to maintain their family. It is reported that there is a welfare fund for the beedi workers where 16 lakh of rupees remain unutilised. I suggest to the Minister to prepare specific project for each State for the welfare of the workers engaged in beedi industry. Some money should be allocated from out of that 16 lakhs to each State. That amount should be spent exclusively for the welfare of the beedi workers.

As you know, Sir, adequate medical facilities are not available in the rural areas particularly where the beedi workers are mainly concentrated. Under the existing Act there is provision for setting up hospitals for these workers. But actually the number of such hospitals are very few. I request to the hon. Minister to set up hospitals for these workers under ESI scheme. We find only one bed hospital is there for the beedi workers in the country. Adequate number of beds should be reserved in general hospitals. Under the present rules the workers should undergo operation and have the X ray done free of cost. But actually they are not given these facilities. I request to the hon. Minister to see that all such medical facility are provided to the beedi workers free of cost.

Sir, there is a welfare scheme for the workers of the lime stone and dolomite workers. Similarly welfare schemes should be introduced for the beedi workers. I also request to the hon. Minister to introduce a leprosy relief scheme. More mobile dispensaries should be set for them.

The tragedy is that the beedi workers are in the unorganised sector. Therefore, these workers do not get housing facilities. There is no provision of water supply in the colony or bustees where they live. They

live in an unhygienic condition in the congested areas. Really speaking the dwelling units of these workers are not fit for habitation. It is a pitiable site to see their living condition. In this context I would like to suggest to the hon. Minister to implement "build your own house" scheme effectively. This scheme is unfortunately not implemented properly. The Govt. as well as the principal employer should provide necessary finance to the beedi workers to construct their houses under the above said scheme. Some subsidy should be given to the workers on the loans they take from the bank for this purpose. Scholarships and other facilities like nutrition should be given to the children of the beedi workers to help them continue their study.

Mr. Chairman, Sir, the beedi industry should be treated as cottage industry. The financial assistance provided by the Govt. to the cottage industry should also be extended to the beedi industry.

Sir, under rules 40 (2) of the beedi worker's welfare fund 1978, instructions were issued to each gram panchayat, municipality and the district board to maintain a register and to enter the name of the beedi industry, its employer, the number of workers employed by him in that register. On the basis of the certificate issued by these local self government to the welfare fund necessary assistance should be provided to the beedi workers but these rules are not strictly enforced at all places and hence the beedi workers are suffering.

Mr. Chairman, Sir, the textile and handloom workers have their cooperative societies. They are very much benefitted by these societies. The beedi workers should also be brought under the cooperative fold. At some places efforts have been made to form such societies but such cooperative movement has not gained firm routes yet. Every effort should be made to form cooperative society for these workers and to enthuse them to forge ahead through these organisations. In 1982 Panniker Committee had said that about 5 lakh workers can be brought into the cooperative fold. I hope that the Govt. will examine the report and take all possible steps to help the beedi workers.

Lastly, Sir, I would like to say a word about the modernisation of beedi industry. All industries are in the process of modernisation. The beedi industry is a small industry if we modernise this industry we will not have to spend more as the implements for this industry will cost very little. When we are implementing the modernisation programme in almost all industries why not we modernise the beedi industry? The modernised beedi industry can provide employment to a larger number of people perhaps next to what agriculture and textiles industry do.

Sir, once again I request the hon. Minister to bring a comprehensive bill for the welfare of the beedi workers. With this I conclude my speech.

[English]

SHRI SRIBALLAV PANIGRAHI
(Deogarh): Mr. Chairman, Sir, I thank you for having given me this opportunity to express my views on this amending Bill. Already for more than five hours we have deliberated on this issue.

I thank the mover of this Bill, Shri Saha. This Bill has provided an opportunity to this House to discuss about the miserable conditions of lakhs and lakhs of beedi workers throughout the country.

Sir, while supporting the very laudable objective of this Bill I would appeal to the hon. Minister to kindly realise the miserable conditions of the beedi workers and come with a comprehensive Bill before the House. There is no dearth of progressive labour law in our country but what is really lacking is the implementation of such laws. There is already Beedi and Cigar workers (conditions of employment) Act, 1966 and presently we are discussing an amendment to that Act. The provisions of this 1966 Act are not being properly implemented in the field in various States and, as such, the benefits which should normally accrue to the beedi workers are not accuring to them. On the contrary in some of the States their condition is further deteriorating.

This is the primary industry and in fact it can be called a cottage industry engaging father, mother and children of a family, in

[*Sh. Sriballav Panigrahi*]

rolling beedi or manufacturing beedi and giving them a wage of Rs. 10 or Rs. 12 per day for the entire family. There is no minimum wage fixed in this small industry in many States. They get a very meagre wage according to piece rate, that is, for rolling 100 beedis, they get a small amount and in this way a worker hardly gets Rs. 5 or Rs. 6 a day. In these days it is very difficult for a worker to maintain his family with this small amount of wage. Again in this industry, a worker does not have any fixed time of working, say for seven hours or eight hours, as is the practice in other industries. A worker in beedi manufacture has to work for 12 hours or even more to earn a small amount of Rs. 5 or Rs. 6 a day. They are exposed to health hazards. All of us know that tobacco is put on kendu leaves or beedi leaves and they roll them. So, all the time they smell tobacco or they inhale tobacco flavour which is injurious to the health. This to make them suffer from chest diseases and other diseases like TB, asthma, etc. So, we should consider their cases with all sympathy, with humanitarian approach and all efforts should be made to see that their working conditions are improved and also they are paid a reasonable wage.

Another point is that they are exploited by their employers. I would like to remind this House that in some of the States, among other things, in order to put an end or in a bid to end exploitation of the kendu leave workers, kendu leave trade has been nationalised. Similarly, why can't the Government nationalise 'beedi' making trade also? If it is not possible to nationalise it now, at least it can be brought under cooperative sector. Sir, I may submit in this connection that there are many anti-poverty schemes for the weaker and poor sections of the people. There are many schemes under 20-Point programme. It only requires some sincerity and will to bring these people to the fold of 20-Point Programmes or anti-poverty programmes so that they can be given bank loans and other help. If these facilities and kendu leaves are provided to them, they can manufacture beedi and sell them through cooperative outlets and they would be saved from being exploited by their present employers. If these poor and hapless people are given

encouragement and brought under cooperative sector, as is the case in the textile sector, in some cottage industries, handloom sector, etc. their living standard would definitely improve. The government should also fix uniform minimum wage for beedi workers as in the case of other workers. There was a Memorandum presented to the Prime Minister some time back and that Memorandum was discussed and examined in detail in a Tripartite Conference.

However, at that time it was not found feasible due to some factors. Of course, there was an agreement on the fixation of regional minimum wage. I would like to know from the hon. Minister what has happened to that, whether that regional minimum wage has been fixed or not, and if so, whether that is being followed in different states. As far as my information and knowledge go, there is no minimum wage paid in different States.

The workers are given kendu leaves and tobacco, they take these to their homes, they prepare beedis, they roll beedis in their factories or in their houses in very unhealthy conditions. Sometimes, they are also penalised for shortage because of the mischief played by the contractor or the munshis and consequently, these poor people suffer. Therefore, a study should be made into the working conditions of these people and all the loopholes in the Beedi and Cigar Workers Act of 1966 plugged suitably.

All these workers are below the poverty line ; they are below the subsistence level ; they are all rotting in poverty, though working very hard in unhealthy conditions. They are exposed to all sorts of health hazards. Some arrangements have been made for their health care, but those are not adequate. The arrangement of having dispensaries for beedi workers should be extended to different areas. ESI hospitals should be set up in central places where there is concentration of beedi workers.

The children of these workers who should normally be in schools, because of poverty, are also engaged in beedi rolling. So many schemes are there for their benefit and we should see and ensure that these children receive proper education and they do not remain neglected. If they get proper

education, they would come to know the world around them and this would ultimately lead to improvement in their conditions, and would also solve various problems to a great extent.

Then, there is the problem of drinking water for these people. There are certain obligations to be fulfilled by the beedi manufacturers, the beedi traders, but they are not fulfilling those, they are shirking their responsibilities in the name of contractors and munshies. A careful study should therefore, be made and a comprehensive Bill brought forward by the Government to save these people from the miserable and awful conditions, and to improve their condition.

Before I conclude, I would make a request. Now-a-days there are many avenues open for the poor people to improve their economic condition under the various anti-poverty programmes that are being implemented for the benefit of these people, the down-trodden people. Why don't we cover these people under the programmes in the 20-Point Programme. Also, we should bring these people under the cooperatives. These beedi workers can form cooperatives and the work of beedi manufacturing could be entrusted to them by giving them facilities like supply of tobacco, kendu leaves etc.

[*Translation*]

SHRI KALI PRASAD PANDEY (Gopalganj) : Mr. Chairman. Sir, I rise to support the Amending Bill presented by my colleague, Mr. Saha.

16. 24 hrs

[SHRI VAKKOM PURUSHOTHAMAN
in the Chair]

When Shri Sangma had brought forward the Child Labour (Amendment) Bill in this House, several Hon. Members had expressed their feelings about all the labourers at that time. The question is that the innocent children of the labourers working in bidi industry, have been compelled to work in bidi industry in search of bread. Just now, one of my colleagues had said, during the discussion that Bidi industry gives such a burning definition to the mind that the

innocent child, who may contribute to build a better future of the country, suffers from several diseases while working in it. You have not made any arrangements for the welfare of the innocent child, who is compelled to work in Bidi industry in search of bread. In the absence of such arrangements, he falls victim to various diseases in his youth.

Today, the child labour and women working in Bidi industry have a very dark future ahead. You have not so far made any definite arrangements for them. I have a suggestion in this regard that wherever labourers are working in bidi industries, you should set up labour-courts there for their welfare so that they could demand their rights there. If such an arrangement is made, it will protect their rights and they will also be able to get justice at a minimum cost.

Today, every child labour has been forced to work in Bidi industry in order to earn his bread, but he falls victim to various diseases due to tobacco. Therefore, it is necessary that medical facilities are provided to them.

It is very painful to see such a condition of Child Labour in independent India. When India attained freedom, we thought that justice would be done to child labour and women employees. But it is a matter of sorrow that it has not happened.

Today, the labourers working in Bidi industry in Bihar are working like bonded labourers. The innocent child is given work on the condition of bringing a certain number of bidi leaves and making bidis out of them. The State Government has never made any efforts to know the real condition of these bidi labourers. The minimum wages is applicable in many States, but if you make a survey in this regard, you will find that this arrangement is only on papers.

My colleague, Mr. Saha has brought forward a commendable Amending Bill as a Private Member's Bill. But if you really want the welfare of the labourers, then you should very soon bring forward a comprehensive Bill in this regard, on which everybody should get a chance for having a

[*Sh. Kali Prasad Pandey*]

detailed discussion on it. This only can help the labourers, working in bidi industry.

With these words, I support this Bill.

SHRI GIRDHARI LAL VYAS (Bhilwara) : Mr. Chairman, Sir, Shri Saha has brought forward the Beedi and Cigar Workers (Amendment) Bill and though the facts deserve support, yet as a comprehensive Bill has not been brought forward, it cannot be supported.

[*English*]

MR. CHAIRMAN: Mr. Vyas, I am told that you have already spoken on this. I am sorry you cannot continue. Now the Minister will reply.

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI P.A. SANGMA) : Sir : I am grateful to Mr Saha for having brought this Private Member's Bill, for the reason that it has given an opportunity for the House to discuss the problems of bidi workers all over the country. I am grateful to hon. Members for having pointed out many problems, and I can assure the House that all the points that have been made by the hon. Members have been noted, and we shall see what can be done about them.

There are about 32.75 lakh bidi workers all over the country, spread over mainly 12 States. It is a fact that bidi workers are in an unorganized sector. Therefore, in 1966, in order to bring some relief to these bidi workers, Government of India enacted a law called the Bidi and Cigar Workers (Employment and Conditions of Service) Bill, to improve their conditions of work and for measures connected therewith. But this Act was to be implemented by the State Governments, and there were many complaints that the provisions of this Act were not being implemented or enforced effectively. Even on the floor of this House, many hon. Members in the previous Lok Sabha were voicing the problems of the bidi workers, and therefore Government of India, in 1981 i.e. on 21st January that year, convened a tripartite meeting, to look into the problems of these bidi workers. This tripartite committee decided to constitute a compact Standing Committee to monitor the imple-

mentation of the various provisions of this Act ; and the Standing Committee had several meetings-on the 2nd February 1982, and December 1982, 27th September 1984 and the last meeting on 3rd January this year. One of the recommendations of this Standing Committee itself is that the existing law has some loopholes, and therefore some amendments should be brought in, in order to plug those loopholes. We have examined those proposals, and we in the Ministry of Labour are convinced that an amendment to this Act is necessary. We shall be coming up with a proposal for amendments to this Bill.

There are various issues on which we may require amendments, e.g. we may have to enlarge the definition of 'employee' in order to include those people who are working in godowns and others. We may have to enhance the power of the Inspectors. We may have to take the assistance of Inspectors of the Central Government and, therefore, we may have to empower the State Governments to notify the Central Government officers as Inspectors. These workers are not entitled to holidays. Even legally, they are not entitled to holiday on the 15th August, and may be on 26th January, which are national holidays. All this have to be examined, and we are examining them. I hope that if not during this Session, by the next Session of Parliament, we should be able to bring in amendments to this Act.

One most important point to understand about the conditions of the bidi workers, is that because work is confined to families, because work is done at the respective homes, sometimes it becomes difficult to establish the relationship between the employer and the employee. I had taken a meeting of the employers, and there, they themselves admitted that they did not know who were the employees. Then you can image the extent of the difficulty. Therefore, what is more important is that we have first to identify who are these bidi workers, and then to establish the relationship with their employers. This is a very important thing. Therefore, when I took over in January, I had instructed our Welfare Commissioners and requested the State Government and trade union leaders to help us in identifying the bidi workers. I am glad to inform the House that out of 32.75 lakh bidi workers,

we have been able to identify, by the end of last month, 20 lakh workers and issue identity cards to them.

This will go a long way in trying to help the bidi workers. The other provisions of the law could not be applied to them because they were not known. That is why I am emphasising on the identity cards and the identification and the establishment of relationship.

Now under the Act, we also have bidi workers welfare fund and we try to do some welfare activities. I am not going to elaborate on them. We give them medical facilities. In fact, throughout the country, at the moment, we have 113 static-cum-mobile dispensaries. We have nine in Andhra Pradesh; we have 11 in Bihar; we have five in Gujarat; we have 15 in Karnataka; we have seven in Kerala; we have 11 in Madhya Pradesh; we have six in Maharashtra; we have 11 in Orissa; we have 10 in Rajasthan, nine in Tamilnadu and eight in U.P.; we have nine in West Bengal; we also have one 10-bed hospital in Karnataka and a chest clinic in West Bengal. I am happy to inform the House that another 18 static-cum-mobile dispensaries will be established all over the country. Sanction orders have already been issued and these will be located one in Assam, one in Karnataka, five in Madhya Pradesh, seven in Maharashtra, two in Orissa, one in Tamil Nadu and one in West Bengal.

DR. CHINTA MOHAN (Tirupati) : What about Andhra Pradesh ?

SHRI P.A. SANGMA : In Andhra Pradesh, at the moment, I do not have it in the list. (*Interruptions*) Andhra Pradesh is already having nine. Well you can give your suggestions. I can always examine them. But, I think, normally, it is the State Government and the Welfare Commissioner who give proposals, and accordingly we do. But this is the sanction which they have given in 1985-86. We have to issue the sanction.

DR. CHINTA MOHAN : What about Kerala? (*Interruptions*)

SHRI P.A. SANGMA : I can certainly do it. In Kerala, we are already having

seven; I have already said about it. There are many activities on which I would not like to elaborate. For example, we also look after the children of the bidi workers. We try to give them medical facilities.

SHRI BALASAHEB VIKHE PATIL (Kopargaon) : There is nothing. There are about 15,000 workers in my constituency and no care of the children is done.

SHRI P.A. SANGMA : Which is the place ?

SHRI BALASAHEB VIKHE PATIL : Ahmed Nagar District and Nasik District. Children get nothing. Even your hospital facilities are not there.

SHRI P.A. SANGMA : Well, I will not claim that these dispensaries and hospitals are running well; I only said that these are in existence. I would not certify that they are good because I have not gone there and seen them. All these are being done by the respective State Governments. We only finance them. It is the responsibility of the State Government to run them; we only give them money.

DR. CHINTA MOHAN : You should accept the responsibility.

SHRI P.A. SANGMA : Well, in Hyderabad, we would not have done so much. As far as educational facilities are concerned, the information that I have on the file is that in 1984-85 Rs. 51.5 lakhs were spent; we spent to the tune of Rs. 51.5 lakhs only for awarding scholarships to the children of the bidi workers; in 1985-86, Rs. 16.7 lakhs have been spent. (*Interruptions*)

SHRI BALASAHEB VIKHE PATIL : If you kindly examine them again you will find that there is nothing.

SHRI P.A. SANGMA : I will certainly visit those places. In fact, I have visited West Bengal; I have also visited some portion of Karnataka along with the Labour Minister of Karnataka. I have not been able to go to Maharashtra. You know for how many months I have been here. So, I have already visited those States. I will certainly do that and I will try to go to as many places as possible. These are the few points I would like to state and I would

[*Sh. P.A. Sangma*]

request the hon. members to withdraw this Bill because I have myself said that we ourselves are coming up with a comprehensive amendment to the Bill.

SHRI AJIT KUMAR SAHA (Vishnupur) : What about the new comprehensive Bill ?

SHRI P.A. SANGMA : Not new Bill ? I am bringing an amendment to the present Act.

[*Translation*]

***SHRI AJIT KUMAR SAHA** (Vishnupur) : Mr. Chairman, Sir, the hon. Minister has just said that in the coming Winter session of Parliament he will bring forth a comprehensive amendment Bill in this connection. In view of that I am withdrawing my Bill. I also thank all the hon. Members, belonging to both sides of the House, who have lent support to my Bill. The objective and purpose with which I brought forth this Beedi and Cigar workers condition of Employment amendment Bill before this House has been fulfilled to a great extent. This is because all the hon. Members who spoke on this Bill have agreed that the 40 lakh beedi workers of our country and their families live in very miserable conditions. The beedi workers have no job security and no benefits of provident fund, gratuity etc. Their names are not even registered with the real employers. All these have been accepted by practically all the hon. Members, I am glad that the hon. Minister has said that he is looking into problems. It is a very happy thing that he has issued identity cards to 20 lakh workers. I hope the remaining beedi workers will also be issued with identity cards at the earliest. The conditions and environment in which these beedi workers have to work, is responsible for making them easy victims of dreaded diseases like Asthma, T.B. etc. Some hospitals and dispensaries have been opened for their treatment no doubt, but they are not adequate in number. Many more such hospitals and dispensaries shall have to be opened for the treatment and proper medical care of the vast number of beedi workers of our country. All the benefits and facilities that are available to the industrial workers

in the organised sector like job security, gratuity provident fund, minimum wages, leave etc. must also be made available to the beedi workers. The hon. Minister himself admitted that these poor workers do not get a day off even on the 26th January i.e. our Republic Day. Proper steps must be taken at the earliest to see that these benefits are also made available to them. Prolonged and detailed discussions have been held with the trade union leaders over these issues. I hope the suggestions given by them as also the suggestions made by the hon. Members of this House from both the sides would be accepted by the Government and they would be incorporated in the comprehensive amendment Bill which will be brought forth in the Winter session Parliament, as assured by the hon. Minister.

With this hope, Sir, I withdraw my Bill.

[*English*]

I beg to move for leave to withdraw the Bill further to amend the Beedi and Cigar Workers (Conditions of Employment) Act, 1966.

MR. CHAIRMAN : The question is : "That leave be granted to withdraw the Bill further to amend the Beedi and Cigar Workers (Conditions of Employment) Act, 1966."

The motion was adopted.

SRI AJIT KUMAR SAHA : I withdraw the Bill.

MR. CHAIRMAN : Now we go to the next item.

16.43 hrs.

**AUTO-BASED INDUSTRIES RESERVED
FOR THE PRODUCERS AND
WORKERS COOPERATIVES
BILL**

[*English*]

SHRI BALASAHEB VIKHE PATIL (Kopargaon) : I beg to move :

*The speech was originally delivered in Bengali.