

15. 08 hrs

adjourned to the next day allotted for Private Members' Bills."

SHRI SRIBALLAV PANIGARHI (Deogarh): Sir, last time I was speaking on this Bill.

The motion was adopted.

RAILWAY PROTECTION FORCE
(AMENDMENT) BILL

15.10 hrs.

AGRICULTURAL WORKERS (MINIMUM
WAGES AND WELFARE BILL)

(Substitution of new Long Title for Long Title, etc.)

[Translation]

MOTION RE: ADJOURNMENT OF
DEBATE

SHRI CHANDUBHAI DESHMUKH (Baruch): Mr. Chairman, Sir, I beg to move*

[English]

"that the Bill to provide for the payment of minimum wages and for welfare of agricultural workers be taken into consideration."

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF YOUTH AFFAIRS AND SPORTS) AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI MUKUL BALKRISHNA WASNIK): Sir, I want to make a submission that the discussion going on this Railway protection Force (Amendment) Bill, moved by hon. member, Shri Basudeb Acharia, may be deferred for some other date because the hon. Minister has been holding some discussion. I, therefore, beg to move:

Mr. Chairman, Sir, the most backward and most distressed person of the country who feeds millions of his fellow countrymen by growing crops with his hard labour and leads a life of misery is known as agricultural worker. I have brought forward this Bill in the House so as to do his welfare and share his sufferings.

"That the debate on the Railway Protection Force (Amendment) Bill, 1991 (Substitution of new long Title for long Title, etc.) by Shri Basudeb Acharia be adjourned to the next day allotted for Private members' Bills."

The agricultural labourers and their entire families are burdened with debt throughout their life. Agricultural workers reel under debt throughout their life and die in the same condition. Their entire life is full of sufferings and wants. The labourers who grow crops and feed millions of people themselves starve.

MR. CHAIRMAN: The question is:

Even after so many years of independence, their condition has not improved at all. These agricultural workers reel under illiteracy, indebtedness and poverty and their problem remains unresolved still.

"That the debate on the Railway Protection Force (Amendment) Bill, 1991 (Substitution of new Long Title for Long Title, etc.) by Shri Basudeb Acharia be

Their number was 3 crore in 1961 which increased to 4 crore and 75 lakh in 1971 and 5 crore and 40 lakh in 1981. Their number

*Moved with the recommendation of the President.

is continuously increasing and has reached 7 crore today.

The land holdings of the country are being divided continuously. Every fragment of land is turning uneconomic from economic. These small fragments of land have ceased to provide work or bread to farmers throughout the year.

Farmers grow some crops during rainy season on lands which are not irrigated and thus they get foodgrains of very less quantity. They get work for 90 to 120 days only a year. They have to run from pillar to post for employment.

Out of 365 days in a year an agricultural labourer gets work for 243 days in Uttar Pradesh, 165 days in Bihar, 188 days in West Bengal, 150 days in Tamil Nadu, 145 days in Maharashtra, 181 days in Madhya Pradesh, 131 days in Rajasthan, 270 days in Punjab, 127 days in Orissa and Karnataka and 144 days in Andhra Pradesh. They remain jobless for the rest of the year and wander from place to place. In Madhya Pradesh alone there are 50 lakh agricultural labourers. Their number is more than 32 lakh in Gujarat.

Mr. Chairman, Sir, the Government has enacted many laws for the factory workers and they are being implemented to a great extent, because these workers are organised. They have their own organisations and unions. Labour courts have been set up where their grievances are entertained and justice is done. But the agriculture labourers have no such organisation.

15.14 hrs.

(SHRI SHARAD DIGHE *in the Chair*)

Mr. Chairman, Sir, the work performed in fields is more labourious than the work done in factories. Agricultural workers have to struggle with soil under scorching sunlight, rains and cold while working in fields. They are compelled to work under the scorch-

ing sunlight, rains and smogs. They do not get proper facilities like clean drinking water, shaded work sites, fixed working hours and leisure at suitable intervals during work. They should be provided cassocks and masks while spraying pesticides and the provision of such facilities should be compulsory legally.

Different States have fixed different wages for agricultural labourers. The rate of daily wages per day in Andhra Pradesh, Madhya Pradesh, Rajasthan and Goa, is Rs. 12 in Gujarat and Bihar Rs. 15, Rs. 14 in Tamilnadu, Rs. 25, in Assam, Rs. 35 in Haryana and Punjab. The Ministry of Labour in the Government of India has fixed daily wages at the rate of 15 in 1989 for an agricultural labourer.

People of America are given food packets and various facilities are provided to them old age. But what have we done in our country? In our country a person killed in air cash is paid a compensation of Rs. 4 to 5 lakh, if one is killed in train accident amount of compensation is Rs. 50 thousand to one lakh and the compensation for a communal riot victim is upto Rs. 2 lakh. But no such compensation is paid to agricultural workers. They have to go their fields even in hard times at night, midnight. Sometimes they die of snake-bite in fields and barns, but no compensation is paid on their death. No guarantee is given for their public and private security. In spite of hard work, the agricultural labourers get nothing and on the contrary, they are exploited.

In order to solve this problem, I have introduced this Bill. They should be given Rs. 30 as minimum daily wages and this amount should be increased with the rise in prices. Some arrangements should be made to enable them to get pension or some other compensation for future. The Government of India should make arrangements for their education and an Advisory Committee should be appointed for them. Though there are several laws for them, but they remain confined to papers only. A separate machinery or department should be set up for their implementation.

[Sh. Chandubhai Deshmubhai]

Finally, I would like to say:

"Jo jag ko anna pradan kare,

Jag usko hee thukrata hai,

Uskee haddi ko noch noch,

Jag Vaibhav-bhavan banata hai.

Wah chamon Ko mastak rakhta,

Jag thukrakarr itrata hai.

Uske cheeth or on mein ag laga,

Jag hansta hai muskarata hai".

With these words I conclude and hope that the Government will accept this Bill. With this submission I seek permission to take my seat.

MR. CHAIRMAN: Motion moved:

"that the Bill to provide for the payment of minimum wages and for welfare of the agricultural workers, be taken into consideration."

[English]

SHRI HANNAN MOLLAH (Uluberia): Mr. Chairman Sir, I congratulate Shri Deshmukh for bringing this Bill as a Private member's Bill before this House. I support the provisions contained in this draft.

As you know, agricultural labour is the biggest workforce in rural India. Since Independence, the Government is talking of giving priority to agriculture because agriculture is one of the most important aspects of our economy. But the policy of the Congress Government, from the very beginning, is only to help those sections of the rural population who are landlords and big land-holders as also rich peasants. This is the class attitude of this Government. As

the landlords are the backbone of the Party in rural India, those very landlords who were the supporters of foreign rule in India and who were the betrayers of our Freedom Struggle, suddenly became patriots after Independence. To keep their hold on land, they conceal their ownership. Though the government has passed some land laws to bring about land reforms, these are followed more in breach than in practice. Because of the loopholes in these land reform laws, landlords and big land holders in a position to keep their hold on land and a major part of the agricultural land is still owned by them. Just 5 per cent of the upper strata in rural India own 40 per cent of the land in our country. On the other hand, nearly 70 per cent of small land holders possess only 20 per cent of land. so, this is the real situation.

This Government talks of land reforms. But it is only a lip service. They do not have the necessary political will to execute the laws relating to land reforms properly. As a result, poverty in rural India is increasing and it is manifested in the large number of people in the country living below the poverty line. About 50 per cent of our people live below poverty line. And, out of this 50 per cent population large percentage of rural poor are agricultural labour. We do not have any proper law for them. Some State laws are there but there is no Central legislation with regard to the minimum wages of the agricultural labour. Except in some parts of the country, where green revolution has taken place and the areas which have good irrigation facilities, the agricultural labour are paid a very paltry sum which is not sufficient for their survival. These people are very agitated.

Ever since Independence, all the peasant Organisations, agricultural labour organisations and trade unions are continuously demanding for a Central Legislation on minimum wages. Only in the State of Kerala a full fledged Act was passed to its effect and it was implemented also. The agricultural labour all over the country are demanding that based on the pattern of an Act passed in Kerala Assembly a Central Act should be passed in which provision should

be made for the minimum wages, provident fund, medical pension, insurance and other such facilities. Such Central law is very necessary. But the Congress Government has refused to pass a law in this regard. It is passing the buck to the State Government by saying that it is responsibility of State Governments as it is a State subject.

During Janata Dal regime, a proposal was mooted in this regard and a meeting was organised by the then Government in which all agricultural labour organisations, trade unions had long deliberations. They unanimously recommended that a Central legislation should be passed. They even prepared a draft which was discussed also. But the Congress Government which came after the National Front Government is sitting over it. Since there is no fixed minimum wages for the labour class, these people are migrating from their native places and are going to Punjab where they fell victims to the bullets of the extremists for no fault of theirs.

You will be surprised to know that even the State Laws are not implemented properly. The law enforcing machinery is not there to see that they are properly implemented.

But such laws, in most part of the country, are violated. In West Bengal, law regarding minimum wages is there. That is implemented properly. It is because the Government has a will. They see to it that the agricultural labour gets the minimum wage. It is not only the will of the Government but also because of the movement of peasants. Wherever there is any violation, they organise movement. All the peasantries and agricultural labour force the land owners to pay a minimum wage. So, it is a combination of law and proper implementation of the law by the Government. In other words, on the one hand, it is the law enforcement authority and on the other hand, the strong movement of agricultural labourers and the peasantries that make it possible to enable the agricultural labour to get minimum wages. But, in most part of the country, the agricultural labour is not

properly organised because of which, the big land owners are taking advantage of the situation. In that situation, it is the responsibility of the Government to see that these vulnerable sections get proper attention and are not deprived. They should also not be exploited. I would mention here that it is the agricultural labour which is being exploited most in the country.

You will be surprised to know this. The Government is talking of providing employment under Jawahar Rozgar Yojana. It was a very widely propagated programme for the proper sections. Do you know how was it implemented? It was a solemn declaration that at least each agricultural labourer will get a job for 100 days in a year but my information is that only one agricultural labourer, out of the many, got a job for 15 days in a year under the Jawahar Rozgar Yojana and Eighty five days were lost. In this year's Budget also, they are talking about this. They said that they have increased the provision. But why the guarantee which was given in the last four or five years had not been implemented? You know, when this scheme was introduced, the then Prime Minister had himself said that out of Centrally attracted money Rs. 100 proposing for a particular individual, only Rs. 15 or Rs. 16 will reach him. There is also a problem in this scheme viz. component expenditure and so on will be there. They are anomalies. Because of these anomalies, in most part of the country, that programme is not being properly implemented. In many parts of the country, the programme is being implemented by the contractors. They also take a large chunk of money and it does not percolate to the agricultural labour. So, out of 100 days that was promised by the Government, he got only 15 days employment so far under Jawahar Razgar Yojana. So the prospects of creation of jobs under Jawahar Razgor Yojana is not very bright in rural India. It is because, it is not being properly implemented. So, if we want to sincerely remove poverty from rural India, then we will have to first see that these agricultural labourers and the poor peasants get land. And all the lands that are illegally occupied by the big land owners

[Sh. Hannan Mollah]

should be taken over by the Government without any compensation and they should be distributed among the landless labourers and poor peasants.

Secondly, Sir, waste land should be developed. There also, the agricultural labourers should be given land. You know a large number of agricultural labourers have no homes. They have no place to live. Some land should also be ensured to them so that a larger section of our country can avail of their benefits. Actually, they are the back-bone of our country. We are now taking credit—sometimes because of Nature and sometimes because of hard labour of the agricultural labourers—that our production is going up. Because of absence of any law or non-implementation of whatever law that is there, the agricultural labourers are not getting minimum wages all over the country.

So, because of that, the Minimum Wages Act for the agricultural labour is essential. Maybe the Minister of Agriculture is personally sympathetic towards the agricultural labour. Whenever I go to him and talk, he also agrees that those poor sections of the people should get their dues. But by saying so will not solve the problem. The Government should come forward with a comprehensive legislation on the lines of Kerala Agricultural Labour Minimum Wages Act; that is the only Act in the country which has taken of all the aspects of the life of the agricultural labour.

On that pattern, the Tripura Government has also passed a law; and accordingly, they have framed certain rules; but, that law is not still implemented in Tripura. We request the Government to take Kerala Law as a model and on that pattern a national legislation should be brought.

There are problems of land; there are problems of a home; there are problems of minimum wages; there are problems of pension; there are problems of insurance cover. All over the country, LIC has a

scheme of insurance. But nobody knows about it. They are unorganised people. If some money is sanctioned for them, brokers take advantage of it and take away half of their money. If those schemes are properly propagated and implemented, certainly benefits of those schemes would reach them.

Whether it is a question of insurance, whether it is a question of provident fund, whether it is a question of other facilities like housing, medical facilities. None of all these are provided to them. There are no medical facilities for them. If there is any discussion by which they are suffering from, they have no alternative but to die. Where will they get treatment from? And you know the conditions of our rural hospitals and health centres. That these points should be incorporated in a comprehensive Agricultural Labour Law, which is necessary for them.

Centre in provisions are being made here. And Mr. Chitta Basu has introduced another Bill on the pattern of Kerala Bill; that is a comprehensive Bill in which all aspects of the agricultural labour's life have been incorporated in a national perspective. If on those lines, if on the basis of the discussion among all the organisations during the National Front Government's regime a draft Bill is prepared and placed before the Parliament, then this assurance of the Government will be taken seriously by the people. Otherwise, these vulnerable sections will continue to live in inhuman conditions; and you know, because of their unorganised nature, they are forced to work under oppressed conditions.

A majority of the agricultural labour are SC & ST; at least 90 per cent of the agricultural labour are SC & ST. Our caste system in our society is such that most of the so-called lower castes belong to the agricultural labour. So, they are oppressed economically, socially and culturally. They have no life; they live like animals; they have no opportunities to live like human beings. In that situation, a comprehensive Bill should be brought so that a larger section of the masses, the oppressed sec-

tion of our Indian population can survive; they can live a human life; then only our Indian society will flourish. Their purchasing power will help our economy to flourish. When crores of those people will have the purchasing power, only then our domestic market expand.

Then our industry also in that way can be developed compensated. I, therefore, request the hon. Members to bring a comprehensive legislation, keeping the Act of Kerala as a model and if you bring such a lay in this Session that will be the best service to the poorest sections of the country.

The Finance Minister and the Labour Minister are here, I have request for them because they have love for the poor people and we hope that this Government will bring a comprehensive Bill. With these words I support the Bill and I congratulate the hon. Member for bringing this bill.

SHRI RAMESH CHENNITHALA (Kottayam): Mr. Chairman, Sir, at the outset I am congratulating the hon. Member, who moved this Private Members' Bill.

Sir, our country is an agricultural country. This is our prime sector. Agriculture is the main occupation of the people of our country but unfortunately the problems of the workers working in the paddy fields are always neglected. The vulnerable section of the society, who is producing food for the nation, for our people, its problems were not at all attended to, its issues were sidelined and its welfare measures were completely dropped.

Sir, in certain States, for example as Shri Hannan Mollah has rightly pointed out, in the State of Kerala the Congress Government initiated this process. When Shri R. Shanker was the Chief Minister and P.T. Chacko was the Minister for Revenue, that was the first time we enacted the popular land reforms Act. That land reforms Act has definitely given a boost to the agrarian society in the State of Kerala. That is a land mark in the Indian history.

The situation which was prevailing in the society was changed. A sense of security was generated among the common and poor people of the State and the entire thinking of the society was changed by the land reforms Act. After that lot of discussions were held, lot of workers' movements were started for a common law for the agricultural labourers.

In 1977 the former Member of Parliament and former Speaker of Kerala Assembly Shri Vakkon Purushothaman, then Agriculture Minister moved one Bill and it was passed. That was the Agricultural Labourers Act in Kerala. It is a model, definitely it is a model and this Act is giving security to the agricultural labourers. Now the pension scheme is also there in Kerala. Those agricultural labourers who cannot work in the paddy fields and who are over 60 years of age will get pension. There is no need for them even to go to the offices to get their pension. Every year now it is increasing. In the last budget also the Government of Kerala has increased it. So, my point is, the vulnerable sections of the society, which were oppressed and suppressed, for years and years are given ample opportunity to come up and develop. The Government of Kerala, by enacting this Agricultural Workers' Bill and the Pension Scheme and by giving other assistance, have helped them. Now their situation is definitely improving.

In the State of Kerala there are two areas, one is Kuttanad and the other Palakkad which can be called the granaries of Kerala. We have to study the problems of the agricultural workers. They are quite different from the other sections of workers. This is a seasonal occupation. In some areas when we are sowing paddy they will be harvesting in the other areas. Thus, it is a seasonal work. The workers who are engaged in the seasonal work should get all the assistance from the Government. So, welfare measures are necessary and one of the most important points is the time of the work. Earlier they were working in the paddy fields for hours and hours, for 12 hours or 15 hours. But now a specific time

[Sh. Ramesh Chennithala]

limit is fixed. Beyond that time limit nobody will be allowed to work.

And, what about minimum wages? Earlier, wages were given to the agricultural labourers in kind. They used to be given some quantum of the paddy which they were producing. They were not paid wages. They were only given a portion of the produce, that means, paddy. In some areas they used to get more and in some areas less. So, the landlords were exploiting the poor workers and they were not paying proper attention to the welfare measures. So, for years and years this exploitation was going on, this oppression was going on. Then the workers in the agricultural sector united and fought for minimum wages.

Ultimately, as I said, this Act came into existence. They are getting the benefit of all these welfare measures. So, considering that as a model bill, my request to the hon. Labour Minister is to think of welfare measures. Definitely, the situation in Kerala is not like that in the other parts of the country. There will be different situations, different climatic conditions or different types of occupation. There will be differences. But it is high time that we thought about the welfare measures.

Now we can say that we are giving some allocation for them. The Finance Minister is here. I am congratulating him for giving more allocation for the agrarian sector. For example the Jawahar Rozgar Yojana scheme is very good. But in reality what is happening? No worker is getting a job. The contractors are in the field. They are engaging their own workers. They are building roads. They are creating permanent assets in the agrarian sector. The poor people, the vulnerable sections of the society, oppressed and depressed are not getting the chance; the unemployed youths are not getting the chance. When NREP and RLEGP were there that lacuna was there. Now, these two schemes are put together and that is J.R.Y. But the fact is that neither the unemployed youth nor the agricultural

labourers in the agrarian sector are getting the employment opportunities and they are not getting the jobs. So, we have to think very seriously about this matter. The poor people are suffering a lot due to the insurance scheme and other welfare measures. Most of the people are Scheduled Castes and Scheduled Tribes or from backward communities due to their backwardness. So, we have to give a specific attention to these problems.

I do not want to take much of the time of the House. I would humbly request to the hon. Labour Minister for attending this problem and a comprehensive Bill should be brought before the House so that these problems can be settled. We should be able to give welfare measures to the poor people who are working in the agricultural sector.

15.45 hrs

[English]

MR. CHAIRMAN : Before I call the next speaker, I will allow the Minister of State in the Ministry of Parliamentary Affairs to move a small procedural Motion with respect to Shri Basudeb Acharia's Bill which has been postponed.

MOTION RE SUSPENSION OF DEBATE ON RAILWAY PROTECTION FORCE (AMENDMENT) BILL, 1991 (SUBSTITUTION OF NEW LONG TITLE FOR LONG TITLE, ETC. BY SHRI BARUDEV ACHARIA

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF YOUTH AFFAIRS AND SPORTS) AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENT AFFAIRS (SHRI BALKRISHNA WASNIK): Sir, I beg to move:

"That provisions of sub-rule (1) of rule 30 and the proviso to rule 29 of the Rules of Procedure and conduct of Business in Lok Sabha in