

इन शब्दों के साथ मैं समझता हूँ कि इस बिल को पास न करवा कर इसको सिलेक्ट कमेटी के सुपुर्दे कर दिया जाए जहाँ इस पर विस्तार से विचार हो और वह अपनी रिपोर्ट सदन को दे।

SHRI G.M. BANATWALLA : The time is over.

MR. DEPUTY-SPEAKER : The BAC has already decided and it has been made plain in the Committee that in order to ensure timely completion of the Government business, the House may sit beyond 6 p.m. 'whenever necessary' ?

SHRI G.M. BANATWALLA : Who is deciding 'whenever necessary' ?

MR. DEPUTY-SPEAKER : I am in the middle of this Bill now. I will complete this Bill.

SHRI NIHAR RANJAN LASKAR : I have replied to all the points. And no new points have been raised now. About consulting the Members, we have consulted our Members of Parliament in between who were interested in this subject. We have discussed this Bill thoroughly in the last four hours. So, there is nothing new for me to add.

MR. DEPUTY-SPEAKER : The question is :

"That the Bill, as amended, be passed."

The motion was adopted.

SHRI BUTA SINGH : I want to request the Hon. House through you what we have to send all the Bills passed by this House to the other House for their consideration. As agreed by the BAC you were also kind enough to remark from the Chair that we will sit extra upto 7 o'clock—I request the House to agree to sit upto 7 o'clock in order to complete Government business.

MR. DEPUTY-SPEAKER : So, it is decided that we will sit upto 7 o'clock.

18.05 hrs.

EMIGRATION BILL

MR. DEPUTY-SPEAKER : The House will now take up the Emigration Bill. Shri Veerendra Patil.

THE MINISTER OF LABOUR AND REHABILITATION (SHRI VEERENDRA PATIL) : Sir, the Emigration Bill, 1983 is before this august House. The Bill seeks to replace the existing Emigration Act, 1922, which was tailored to meet the requirements of a different era. A new era in emigration began with the oil boom of 1973. With that came the realisation that any law on emigration: in order to be effective, has to take into consideration the two clearly related factors : exploitation of overseas labour market, yet protect Indian workers from exploitation. The unorganised and unregulated recruitment of workers had led to their exploitation both at the hands of unscrupulous recruiting agents in India, and some not so reliable foreign employers on whose behalf they were recruited. A policy decision was, therefore, taken by Government in June, 1976, to regulate the employment of workers abroad. Despite the efforts to regulate deployment of Indian workers overseas, complaints about unauthorised recruitment and exploitation of workers continued to be received. The Labour Ministry appointed a small official committee in February, 1978, to look into the question of overseas job seekers in all its aspects, and to suggest measures for reorganising its work on sound lines. The Committee recommended that the existing Emigration Act, 1922 should be replaced by a fresh enactment. In March, 1979, the regulatory and administrative measures devised by the Government to

regulate the emigration of Indian overseas workers were challenged in the Supreme Court who, while setting aside the regulatory provisions as not having statutory backing of the law, laid-down guidelines for conducting the work of emigration by government. The Court ruled that the guidelines would remain valid until Parliament enacted a law on the subject. The first step in the direction of preparing a comprehensive Bill was then taken early, but in view of the procedural difficulties and care and time needed to work out the economic and social consequences of emigration and to induct them into the legislation process, the Bill has taken rather long time to materialise in its present form. It is certainly a long time but considering the magnitude of its impact and the causes it will serve, our intension and not the time taken is the essence of things at the present moment.

Hon'ble Members are aware of the objects and reasons for which the legislation is being enacted. I shall, however, emphasise a few salient features of the Bill to emphasise the basic philosophy of Government in enacting the legislation. The main approach has been to protect the emigrant workers from exploitation both in India and abroad, but at the same time not to have the cumbersome or complicated a procedure which will reduce or adversely affect the competitiveness of Indian labour in the overseas labour market. The Bill seeks to achieve procedural simplicity, effective control over exploitation through an appropriate regulatory machinery, and provides the necessary scope for increasing the flow of Indian workers to the available job markets of the world.

I will now give a brief synopsis of the Bill for ready appreciation of the intentions of the Bill.

No Indian citizen (unless exempted) can leave India for taking up an employment abroad without obtaining the certificate of emigration clearance from the protector of Emigrants. An emigrant worker can be recruited for a job in the

foreign country either by a registered recruiting agent or by an employer directly. An intending recruiting agent can obtain a registration certificate from an authority specified for the purpose on the basis of an application after depositing the necessary security. There shall be no prior scrutiny of the application for consideration as the intention is to introduce in automatic system of registration based on the conditions stipulated in the Act. The applicant shall be required to swear an affidavit declaring his financial standing, and give an undertaking that in the event of any false or incorrect information having been furnished the registration certificate is liable to be cancelled. This is also linked with the offence under clause 24(1) (c) for intentionally supplying any false information. When a certificate issued to any person has been cancelled, such person shall not be eligible to make any application for another certificate until the expiry of a period of two years from the date of such cancellation. In case an employer, either Indian or foreign, wishes to recruit Indian workers without the help of the registered recruiting agents, then the employer will have to obtain a permit from the competent authority. The permit can be cancelled or suspended in the same manner as applicable to registration certificate. To facilitate the grant of such permits to foreign employers in the foreign countries, certain Government Officers outside India can be authorised to discharge the function of the competent authority. Provision has been made to reckon cheating of emigrants as a cognizable offence under the Act. The punishment for various offences is made deterrent, as would be seen from the proviso to clause 24 of the Bill. In order to curb illegal emigration, powers of search, seizure and detention have been given to certain authorities. Powers of court under the Code of Civil Procedure in respect of certain matters have been vested in the emigration authorities. The decision of the specified authorities in regard to cancellation, suspension and rejection of permits and registration and other matters as provided in the Act, has been made appealable to the Central Govern-

[Shri Virendra Patil]

ment. The crucial concept being protection of emigrants, the chief emigration authority has been designated as the Protector-General of Emigrants. The authority at the field level has been designated as the Protector of Emigrants.

Summing up, I can very well say that this long awaited Bill, when passed, will serve a major objective. The day of enactment of this Bill will be a momentous day in the lives of over 7 lakhs of Indian workers abroad and lakhs of other Indian workers who are proceeding to the foreign countries for employment every year. Central Government does not intend at present to participate in the field of recruitment for overseas employment, as it is felt that a system governed by specific regulatory parameters will be adequate to serve the purpose. Some States Governments have also entered the field in a big way with their overseas employment recruiting agencies in the public sectors and they can complete with private recruiting agencies in the open labour market.

I will also like to add Government's appreciation and also admiration for the Indian emigrant workers, who leave their homes and hearth to go to foreign lands. These workers do need help in safeguarding their interests here and also to protect them from exploitation by unscrupulous persons. They are not only earning a good name for the quality of Indian labour; but they are also helping the economy of their mother country by sending a huge amount of foreign exchange, which is badly needed for the development of the country. The present Emigration Bill is a token of our gratitude to them and should be passed urgently

With these words, I move* :

"That the Bill to consolidate and amend the law relating to emigration of citizens of India be taken into consideration."

MR. DEPUTY-SPEAKER : Motion moved:

"That the Bill to consolidate and amend the law relating to emigration of citizens of India, be taken into consideration."

SHRI R.L.P. VERMA (Koderma) : I beg to move :

That the Bill be circulated for the purpose of eliciting public opinion thereon by the 30th November, 1983.(2)

SHRI E. BALANANDAN (Mukandapuram) : I beg to move :

That the Bill to consolidate and amend the law relating to emigration of citizens of India, be referred to a Select Committee consisting of 14 members, namely :

- (1) Shri Satish Agarwal
- (2) Shri Xavier Arakal
- (3) Shri H. N. Bahuguna
- (4) Shri E. Balanandan
- (5) Shri G.M. Banatwalla
- (6) Shrimati Usha Prakash Choudhuri
- (7) Shri Mool Chand Daga
- (8) Prof. Madhu Dandavate
- (9) Shri C.T. Dhandapani
- (10) Shri Dharmvir
- (11) Shri Jagan Nath Kaushal
- (12) Shri Geeta Mukherjee
- (13) Shri A.A. Rahim
- (14) Shri Rasheed Masood

With instructions to report by the first day of the next session.(3)

SHRI G.M. BANATWALLA (Ponnani) : I beg to move :

That the Bill to consolidate and amend the law relating to emigration of citizens of India to referred to a Joint Committee of the Houses consisting of

*Moved with the recommendation of the President.

21 Members, 14 from this House, namely :—

- (1) Shri Abdul Samad
- (2) Shri Xavier Arakal
- (3) Shri E. Balanandan
- (4) Prof. Madhu Dandavate
- (5) Shrimati Suseela Gopalan
- (6) Prof. P.J. Kurien
- (7) Shri George Joseph Mundakal
- (8) Shri Veerendra Patil
- (9) Shri K.A. Rajan
- (10) Shri Ratansinh Rajda
- (11) Shri Ebrahim Sulaiman Sait
- (12) Shri R.P. Unnikrishnan
- (13) Shri V.S. Vijayaraghavan
- (14) Shri G.M. Banatwalla

and 7 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee, the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the first day of the next session;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 7 members to be appointed by Rajya Sabha to the Joint Committee.(4)

I beg to move :

That the Bill to consolidate and amend the law relating to emigration of citizens of India, be referred to a Select Committee consisting of 14 members, namely :—

- (1) Shri Xavier Arakal
- (2) Shri E. Balanandan
- (3) Shri G.M. Banatwalla
- (4) Shri Mool Chand Daga
- (5) Prof. Madhu Dandavate
- (6) Shrimati Suseela Gopalan
- (7) Shri K. Kunhambu
- (8) Prof. S.J. Kurien
- (9) Shri Veerendra Patil
- (10) Shri A.A. Rahim
- (11) Shri K.A. Rajan
- (12) Shri Ebrahim Sulaiman Sait
- (13) Shri V.S. Vijayaragaavan; and
- (14) Shri George Joseph Mundackal

with instructions to report by the first day of the next session.(5)

SHRI M M. LAWRENCE (Idukki) :
I beg to move :

That the Bill to consolidate and amend the law relating to emigration of citizens of India, be referred to a Joint Committee of the Houses, consisting of 19 members, 13 from this House, namely :

- (1) Shri Xavier Arakal
- (2) Shri E. Balanandan
- (3) Shrimati Suseela Gopalan
- (4) Shri E.K. Imbichibava
- (5) Shri P.K. Kodiyan
- (6) Dr. V. Kulandaivelu
- (7) Shri A. Neelalohithadasan Nadar
- (8) Prof. Rupchand Pal
- (9) Shri Veerendra Patil
- (10) Shri K.A. Rajan
- (11) Shri Ebrahim Sulaiman Sait
- (12) Shri K.P. Unnikrishnan
- (13) Shri H.M. Lawrence

and 6 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee, the quorum shall be one-third of the total number of members of the Joint Committee;

[Shri M.M. Lawrence]

that the Committee shall make a report to this House by the first day of the next session;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 6 members to be appointed by Rajya Sabha to the Joint Committee.(39)

SHRI E. BALANANDAN : First of all, I support the measure brought by the Government in the form of this Bill, though belated. It is better late than never, this Bill, brought forward by the Government, stipulates so many conditions. Before going through the conditions as such, I want to say a few words about the condition of the workers going abroad for seeking employment.

In India, because of the conditions prevailing today, people are going abroad for earning daily bread.

Utilising this situation many agents are cropping up. Many agents many times take money from the workers by giving them assurance that they will be given employment elsewhere. Rs. 50,000 or Rs. 20,000 are being taken from each worker by the agent and from Kerala so many people were sent there. You know, the Minister has stated in reply to a query in the Parliament that nearly nine lakhs workers are employed in Gulf countries. I must submit that a majority of them would be from Kerala. So, the experience of this exploitation is with us very much. Those workers who pay so much for getting employment elsewhere are brought to Delhi. They will be asked to stay here for some time and in many cases they stay here for months together and nothing is done. One fine morning we find that the agent has also disappeared. Then what

happens? These people come and stay here flock to the M. Ps.' residences especially those Kerala M. Ps. and they go to the other M. Ps. also. They tell the story that 'we have given so much money' etc. I have brought this matter to the notice of the Ministers concerned stating that 'this state of affairs is going on, you should intervene.' But they plead their helplessness. The citizens of the country who have been cheated by somebody offering something, come to Delhi, stay for months together without even food, and they come to M. Ps. and the M. Ps. will take up the matter with the concerned Minister. Then the Minister says, 'Mr. Balanandan what can I do? Nothing can be done'. This is the story that goes on. Another part of the story is the philosophy that people should not take bribe, the people should live in this way or that way. All sorts of such philosophies are there. But to understand the philosophy, the people should live and for living, the people should eat. For that, the basic condition should be guaranteed. Then only your philosophy will help. (Interruptions). To understand the philosophy you must be alive. Therefore, in this country of ours, after we had freedom, for 31 years there were many things that happened. In our country the employment rate and ratio is going up. Therefore any arrangement by which the Government wants to regulate employment of Indian workers abroad must not forget this.

We should also understand the international environment prevailing at this time of bringing this legislation by the Government of India. What is the situation today? To start from the Gulf countries, what is their position now? Their position is that because of glut that is prevailing in the oil market they are compelled to cut down their construction activities. Naturally, what will happen is that the employment market in those countries will also go down. And what is the result today? The effect today is that many of those people who go for work in these Gulf countries, are told that there is no work now. Naturally, the man has to come

back. And you and I, parliamentarians, who know the law may always say that they should come back to India, Kerala. What for ?

SHRI CHITTA BASU (Barasat) : To know the philosophy ?

SHRI E. BALANANDAN : Yes, to know the philosophy they have to do so. Therefore, these people in those countries search for another job, they are getting some job too. But what happened ?

Recently those workers who work without working permit, Government of those countries are taking strict measures against them. Many of them are being taken to jail. I will deal with what our Ministers say later on.

They bring foreign exchange. We are in deficient state, we are in dwindling state of foreign exchange; these people are bringing that. I will deal with this also later on.

Many of them are in jail. Because they have no work, they will try to do some job. They have no work permit. Therefore, they are in jail. Some relative of theirs will go to the great Indian Embassy for help. What happens then ? I must say with humility. Our Ambassadors are not bad people. I do not want to say anything against those people as such. Suppose a lady goes to the Embassy and tells that my husband is in jail; please do something. These Ambassadors are not helping, I must tell you. This is the position.

Let us forget this Ambassador thing for the time being. Our great Ministers from India go abroad. Our Government's high ups go there. They address gatherings of big people. Big lectures are delivered by them. While returning they bring something, which I do not want to narrate.

SOME HON. MEMBERS : What things are they ?

SHRI E. BALANANDAN : If I say our Deputy Speaker may say something.

(Interruptions) I know, you know: our Customs people cannot do anything.

Let me leave this also here.

The statements they make after coming over here, is that they are having heavenly conveniences in these States. This is the kind of statements that are made by the Ministers.

I take objection to this kind of statement that is made. They must tell us the truth. The workers of India are having lot of troubles over there. Government of India may not be able to help them for the time being, I quite understand that. But they should not give incorrect statement.

Workers may come back to their houses, because our people go abroad not to live there but to earn something and come back home. If they come to India they come with proper ticket. They come to Bombay or Trivandrum. The treatment meted out to them by the Custom people is nothing short of an enemy. Sir, you go to Bombay and see yourself what is happening in Customs Office.

SHRI SUNIL MAITRA (Calcutta North-East) : I have seen myself.

SHRI E. BALANANDAN : They must search properly. We do not want to violate law. But they must treat them as human beings. They are harassed. The type of harassment is indescribable. I do not want to describe that.

They come home through all this kind of harassment. Now, the Government of India is coming with a legislation to stop the malpractices or Corrupt practices. All right. The embodiment of corruption, if you want to see the corruption as a whole in its true form, please go the Customs Department at Bombay or Trivandrum. Whatever things these people bring by their sweat and labour and risking their life, something, say 50% or . 25%, as the case may be, is taken away by them. The percentages may vary. It may be, 0 to

[Shri Sunil Maitra]

100. This is being taken like that. That is the treatment given to these people by the "great" Customs officials of this country, I want that our Minister should take note of this.

I would like to mention another thing about the Air India people. These people come here, with an OK return ticket as they want to go back. When they want to go back, immediately they find the Air India people saying, "No, your ticket is not OK." OK ticket has gone to the hell or heaven. Then, suddenly the ticket becomes OK. How? That is through the usual Indian way?

SHRI NARAYAN CHOUBEY :
How does it become OK ?

SHRI E. BALANANDAN : Once he gives something it becomes OK. This is the process under which those people who go for employment elsewhere are treated by our Government and Departments. This should be changed and must be changed. I would like the Hon. Labour Minister to assure us that these points will be checked and some steps will be taken.

Sir, you may take note of the international environment. What is that? I told you about the plight of petroleum oil. Take Great Britain. One of the famous ladies, courageous ladies...

SHRI SUNIL MAITRA : Iron lady.

SHRI NARAYAN CHOUBEY :
Cast-Iron lady.

SHRI E. BALANANDAN : She is ruling Great Britain. The unemployment position in Great Britain is 14%. That is one of the greatest ever records. What is happening now? Our people from Punjab and the Northern belt go there and do valuable service in Great Britain for the prosperity of that country. The Indian workers contribute very much and in a big way. Now, what is going on? We have discussed in this august House about the latest

technique being employed by the British hierarchy. That is, some kind of testing.

SHRI NARAYAN CHOUBEY :
Virginity test.

SHRI E. BALANANDAN : That is insisted on by them. Now, what are they doing? Now, they are saying that British unemployment is because of Indian workers, South African workers and some other workers who are working there are taking away the employment opportunities. The local workers are told by the Government indirectly to attack the Indian workers. So many kinds of injustice are now being done to the Indian workers who are working in Great Britain. We are having good relations with Britain. Therefore, while we discuss this Bill in this august House I would request the Minister and the Government through you to see that the Indian workers working in Britain are given adequate protection and decent treatment. That should be assured. Not only that. I do not wish to make any kind of accusation against Britain. What are the developed countries all over the world doing today?

For their own people even they are cutting out all the welfare facilities. Therefore, the situation is such that the objective of bringing such a measure should not be restrictive. It should be done in such a way that this should not be a lever for restricting our people from getting employment abroad. The restrictive element should not come in this Bill for getting employment abroad for the Indian workers.

This point is to be noted by the Hon. Minister, of course, while explaining the objective of the Bill he said that all these factors have been taken note of, specially when he said that in the total situation, there will come in because of this Bill.

If you go through the Bill, clause 15(2) reads :

"Notwithstanding anything contained in sub-section (1), the

central Government may, by notification, authorise any person who is employed under that Government in any country or place outside India to exercise the powers of the competent authority, and issue permits under this chapter to employers who are not citizens of India for the purpose of recruiting any citizen of India for employment in such country or place and a person so authorised shall endorse a duly certified copy of every permit issued by him under this chapter to the Protector General of Emigrants."

That is all right. But you read clause 19 :

"Any permit obtained from a person authorised under sub-section (2) of section 15 shall not be valid unless a certified copy thereof is filed in the prescribed manner with the protector General of Emigrants."

This is to be done by whom ? According to the stipulation in clause 15(2), the Government of India authorises some person to issue a permit to the foreign employer to recruit Indian workers.

Mr. DEPUTY-SPEAKER : Please try to conclude.

SHRI E. BALANANDAN : I have only started.

Mr. DEPUTY-SPEAKER : I have to stick to time if you are not prepared to sit longer. You do not want to sit longer. If you are prepared to sit after 7 O'clock, I will allow everybody. But you do not want to do that. I am prepared to sit. I can allow Mr. Balanandan half an hour. But he must be prepared to sit after 7 O'Clock. You are not prepared to do that. What can I do ?

SHRI E. BALANANDAN : The point that I am bringing to the notice of the Hon. Minister is that if our

Government official fails to endorse a duly certified copy of the permit or a certified copy is not filed, then the permit will be cancelled. In that case, what will be the fate of the worker who sought employment according to this permit ? The point is that the authorised person in a foreign country is allowed to issue permit to recruit workers and the duty of the person concerned is to file a certified copy in the prescribed manner with the protector General of Emigrants. If he fails to do that, what will be the fate of the worker who sought employment abroad ? Who is to be penalised and for what ? According to me, this is an anomaly in the Bill.

SHRI G.M. BANATWALLA (Pon-nani) : It is ridiculous.

SHRI E. BALANANDAN : It can be said to be ridiculous and irrelevant. Therefore, I say that this is to be looked into. The intention of the Government is not to bring in any kind of restrictive element by putting a provision like this in the Bill.

In the environments which I talked of earlier brings keen competition today ? From Philippines people come to any country. They will come and work for a song. And, the attraction of Indian workers has as you know, is the cheapness of our labour and so many are competing with us now. Therefore, this kind of restrictions which we impose may result in some kind of a restriction for getting employment for Indian workers. So this element may also be looked into.

Finally, I generally agree with the Hon. Minister in respect of the Clauses of the Bill except one or two. It will be better, if it is processed by a Select Committee. This is a very important legislation. And we have had the 1922 act hanging on us till date even though the Supreme Court had intervened and said something in 1979. As the Hon. Minister himself admitted, we had lost much time.

[Shri E. Balanandan]

So my submission to the Hon. Minister through you is that a Select Committee may be appointed from this House to go through this Bill. Perhaps much changes will not be made. But this is a piece of legislation which will have a wider bearing on our economy. Therefore, it has to be very very properly scrutinised. I do not think that the Hon. Minister will have any objection for allowing it for the scrutiny of a Select Committee. Because it is urgent, the Committee should report back before the next session of Parliament.

That way, anything which will have restrictive impact on the recruitment of Indian workers has to be gone through properly, by a Select Committee.

With this submission, I support this Bill.

* Dr. V. KULANDAIVELU (Chidambaram) : Hon. Mr. Deputy Speaker, Sir, on behalf of my party the Dravida Murnetra Kazhagam I wish to place my views on the Emigration Bill before the House.

Sir, I would at the very outset say that this Bill is a very important Bill in the sense that it concerns the workers going to foreign countries for employment purposes, since they have in no employment opportunities here with the country. The Government has not been able to generate enough employment opportunities to absorb all the unemployed in the country. Naturally emigration has become the best chance for their survival. When it has become a question of life or death for our Indian workers, naturally it has become a matter of concern both for the Government and the public in general. That is why the Hon. Minister in his introductory remarks has referred to the laudable objectives of this Bill, which ensure

security to the workers who go abroad, at the same time protecting their interests within the country. Sir, here we have to bear in mind that the unscrupulous recruiting agents are exploiting the misery of such workers. They are thriving on their misplaced hopes and aspirations. They are exploiting their eagerness to expand the chances of their livelihood abroad. It is common knowledge that these workers often become the victims of the avarice of such recruiting agents. This Bill seeks to save the workers from the clutches of these agents.

If you look at the provisions of this Bill from this angle, I am compelled to say that this is a half-baked measure, formulated in a slipshod manner. The loopholes and the deficiencies contained in this Bill will defeat the very purpose that the Hon. Minister has in his mind. As I stated earlier, a Bill concerned with human problems should receive greater attention in the hands of the Government and it should also be looked into by this House with verve and vigour. All of us should apply our mind in all earnestness and seriousness about the provisions of this Bill. That cannot be done through a cursory discussion on the floor of this House. The constraints of time will prevent us from giving full consideration to the provisions of this Bill. Hence, as has been demanded by my predecessor, Shri Balanandan, I suggest that this Bill should be referred to a Select Committee where the various facets of this Bill will be assessed, analysed and argued in great depth. I am sure that the final shape of the Bill from the Select Committee will reflect in true sense the objectives of the Government and also suggest considered media for achieving them. Hence I reiterate that this Bill should be referred to a Select committee of this House.

Sir, the poor unemployed in the country who have bleak future within the country, who do not have two square

meals a day and who cannot cover themselves from sun, showers and shame, will naturally like to seek employment outside the country for their livelihood. It is not just a question of temptation to earn more money. It is a necessity for survival. A poor villager or a poor artisan in a rural area sells his small plot of land measuring an acre or two and disposes of his hutment in order to pay for the recruiting agent who has assured him some job outside the country. They want to go abroad not only for livelihood but also come back to the country in affluence. We cannot blame them for their human desires. The recruitment agent is paid Rs. 10,000, 15,000 and in some cases even 20,000. They are all lured by the possibilities abroad and they succumb to the enticement of the recruitment agents. My Hon. friend was talking about the workers having OK Air tickets and yet not being able to travel. He was narrating the endless malpractices in this human business. I will give here the example of what had happened in Tamil Nadu. A recruiting agent put the emigrant workers in a ship in Madras port. After some time the ship got berthed in Nagapattinam, another port in Tamil Nadu. All the workers were allowed to land in Nagapattinam port. They felt so happy that their arduous journey was over so quickly. They were also glad to find Tamil speaking people around. They thought that they had really come to place in a foreign country where Tamilians were living. After a while when the reality dawned upon them; they came to know that they had been deceived by the recruiting agent. Originally they did not know the topography of Tamil Nadu. Now they realised that they have come from one part of Tamil Nadu to another part of Tamil Nadu. Here it is necessary to draw the attention of the House that workers who have permanent jobs in public enterprises like Neiveli Lignite Corporation, resign their jobs in the hope of going abroad and making some money in their life time. The recruitment agent takes them to Bombay from where they are also taken to some foreign country. There they are dropped by these people.

Without assured jobs they become beggars in that foreign land. Their misery becomes a handy tool for the foreign companies. They employ them at minimum of wages. They are compelled to accept whatever is available so that keep their skin and bones together. I would like to know what provisions are there in this Bill which can prevent such malpractices. Are there any deterrent punishment awarded to such recruitment agents? The punishment suggested is two years' imprisonment and two thousand rupees fine. Do you mean to say, Sir, that this is a deterrent punishment? Sir, I demand that the registration of recruiting agent should be repealed and their security of Rs. 1 lakh should be forfeited. What is the use of putting them in the prison? They should be debarred for ever from this trade. Then only there can be a permanent solution to such malpractices.

I would like to make another suggestion, if the Government want to subserve the interests of these workers who mortgage their life in the hands of unscrupulous recruitment agent. Sir, we have got Employment Exchanges all over the country. The Government should create a separate cell in these Employment Exchanges which should be empowered to recruit workers for jobs outside. Otherwise, there is no chance for eradicating the evil of recruitment agents. I suggest that the system of private recruiting agent should be done away with.

My Hon. friend, Shri Balanandan was talking about the plight of Indian workers in the United Kingdom. Under the plea that there is growing unemployment in the U.K., there is an attempt to repatriate Indian workers, who have given their sweat and blood for the prosperity of Britain. Now, the fate of some 10,000 Indian Doctors is hanging fire. Their registration is going to lapse in February 1984; after which they cannot stay in England. What is their future if they come to India? There is unemployment among Medical

[Dr. V. Kulandaivelu]

Graduates here within the country. We are talking about cordial relations with Great Britain. We say that our relations with the U.K. are on firm footing. I would like our Hon. Prime Minister to take up this matter of Indian Doctors with Mrs. Thatcher, the P.M. of the U.K. and ensure that their registration period is extended so that the Indian Doctors are enabled to stay permanent in England.

While we are on the emigrant workers, I would like to draw the attention of the House about the migrant workers within the country, about whom the Labour Minister has not taken any interest so far. Sir, the workers from Tamil Nadu due to the appalling drought conditions had migrated to Vidhisha and Raison areas in Madhya Pradesh and also in some parts of Andhra Pradesh. Thousands of them were actually bonded labour in these places. I raised it on the floor of this House and I wrote a letter to the Hon. Minister about this. The Madhya Pradesh denied the existence of bonded labour. But it was found out later on that the Tamil workers here were the bonded labour.

MR. DEPUTY-SPEAKER : Dr. Kulandaivelu wants another Bill.

DR. V. KULANDAIVELU : When we are concerned with this Bill relating to emigrant workers, I wanted to draw the attention of the House to the migrant workers within the country.

MR. DEPUTY-SPEAKER : This Bill concerns with emigration. You cannot bring the topic of migration under this Bill. The problem of workers going from one State to the other State within the country cannot be discussed under this Bill. You can ask for a separate Bill.

DR. V. KULANDAIVELU : Sir, I want the Hon. Minister to pay some

attention to the problems of migrant workers also within the country. As I mentioned earlier, the laudable objectives of this Bill can be achieved in their full perspective, if it gets the considered views of a Select Committee. I suggest that this Bill be referred to the Select Committee. If that is done, then the question of protecting the interests of workers who are taken outside India by our public sector enterprises can also be considered in depth. With these words I conclude my speech.

श्री राजेश कुमार सिंह (फिरोजाबाद):
उपाध्यक्ष महोदय, इस बिल के उद्देश्यों तथा कारणों के विवरण में 1922 के एमीग्रेशन एक्ट का उल्लेख किया गया है। एक लम्बे अरसे से यह शिकायत की जाती रही है कि यह कानून बहुत ढीला है, मजबूत नहीं है। वर्तमान व्यवस्था में आमूल परिवर्तन करने की जरूरत है। मैं समझता हूँ कि मंत्री महोदय को इतनी परेशानी न उठानी पड़ती, यदि वह एक आदानोमस बाड़ी बनाते और उसी के माध्यम से यहां से मजदूर विदेशों में काम करने के लिए भेजे जाते। लेकिन बुनियादी बात पर मंत्री महोदय ने विशेष गौर नहीं किया है। मंत्री महोदय ने कानून में कुछ हेर-फेर कर के उन रिट्रूटिंग एजेन्ट्स को छूट दे दी है, जो विदेशों को मजदूर भेजते हैं। इस तरह के एजेन्ट उत्तर प्रदेश, दिल्ली, पंजाब और राजस्थान में भी पहुँच गए हैं, जहां लोगों को विदेशों में ले जाने और काम देने का प्रलोभन दिया जाता है। मेरे पास अभी कुछ दिन पहले राजस्थान से कुछ मजदूर आए थे। उनको ईराक भेजा गया था। जिन्होंने भेजा था उनका उल्लेख मैं अभी यहां पर नहीं करना चाहता क्योंकि मैंने आपसे इस सम्बन्ध में पर्मीशन नहीं ली है। 120 लोग वहां से लौट कर आए।

इससे अधिक लोग भेजे गए होंगे जिनमें से 120 लोग लौट कर आए। उनमें प्रत्येक से 12 हजार रुपया लिया गया था और सिजके माध्यम से रेक्यूटमेंट हुआ उसे 2 हजार रुपया प्रति व्यक्ति कमीशन के तौर पर दिया गया। आपने इसमें बताया है कि सिक्वोरिटी लेंगे एक लाख रुपए की। मेरा निवेदन है 12 हजार रुपए के हिसाब से आप जोड़ लीजिए कि कितने लाख बने? दो हजार प्रति व्यक्ति का हिसाब आप जाने दीजिए। तो एक लाख की सिक्वोरिटी देने में उनको क्या दिक्कत होगी? वे यह पैसा इसी में से दे देंगे। (व्यवधान) यदि इस कानून की सही मायनों में यह मंशा है कि जो मेल प्रैक्टिस चलती है, और जो गलत तरीके से लोग लाते हैं, उसको रोकना है तो यह स्वागत योग्य है।...

(व्यवधान)

मैन पावर एक्सपोर्ट कार्पोरेशन की बात भी थी। आप स्टेट ट्रेडिंग कार्पोरेशन के माध्यम से व्यापार करते हैं। लेकिन हमारी जो मैनपावर है, जो हमारे स्किल्ड और अनस्किल्ड श्रमिक हैं उनको काम देने की बात है जो आपके वर्क्स की परिभाषा दी है, उसमें कुछ और मुद्दे भी हैं। आपने कई बार उल्लेख किया है कि ऐसे कार्य करने की अनुमति नहीं दी जाएगी जिससे देश के सम्मान को ठेस पहुंचे। डोमेस्टिक सर्विस का भी आपने उल्लेख किया है लेकिन डोमेस्टिक सर्विस का क्या मतलब है? इसमें आपने एक कंटेगरी भी बनाई है। यूरोप और गल्फ कंट्रीज में हमारे लोग जाकर काम करते हैं। उनकी शिकायतें

लगातार आ रही हैं। मन्त्री जी कहेंगे कि बहुत कम शिकायतें आई हैं। विदेशों में हमारे स्किल्ड और अनस्किल्ड 9 लाख लोग काम कर रहे हैं जिनमें से सिर्फ हजार दो हजार लोगों की शिकायतें आई हैं, जोकि मन्त्री जी कहेंगे कम हैं। लेकिन मैंने उन लोगों से बात की तो मुझे पता चला कि उनमें बहुत सारे लोग शिक्षित नहीं थे। वे यह भी नहीं जानते थे कि कहां हमारा मिशन है और हमारा राजदूत रहता है। ऐसे लोगों को प्रचार के माध्यम से वहां ले जाया गया, यह प्रलोभन देकर कि उनको बहुत बड़ा वेतन मिलेगा। अधिक उपार्जन करने की लालसा लोगों को इसके लिए उत्साहित करती है। वहां उनके साथ जो व्यवहार होता है उसके बारे में उनको कोई जानकारी नहीं रहती। फिर वे आपके पास कंप्लेंट क्या करेंगे?

इसमें आप प्रोटेक्टर बनाने जा रहे हैं, पता नहीं उनका क्या फंक्शन होगा, ओनली टु इश्यु सर्टिफिकेट्स?

19.00 hrs.

MR. DEPUTY-SPEAKER : Tomorrow, he will not be in Delhi. I think that is why he wants to conclude to-day.

SHRI RAJESH KUMAR SINGH : I will be in Delhi tomorrow. There is a conference.

MR. DEPUTY-SPEAKER : Mr. Singh, how much time do you want to complete? Another five minutes? You can attend the conference tomorrow.

SHRI RAJESH KUMAR SINGH : 19.01 hrs.
No, Sir; I want more time.

MR. DEPUTY-SPEAKER : In that
case, you can continue tomorrow.

The House now stands adjourned to
meet tomorrow at 11 a.m.

*The Lok Sabha then adjourned till
Eleven of the Clock on Thursday
August 11, 1983/Sravana 20,
1905 (Saka)*
