AUGUST 1, 1984

is no subject under discussion. If you want to raise a point of order at the time of vacuum, you have to take the permission of the Chair. I am not giving you the permission. You give in writing whatever you want to raise, and then, with the permission of the Chair, you can raise it.

Now, we go to the legislative business.

12.54 hrs.

EMPLOYEES STATE INSURANCE AMENDMENT BILL

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND REHABI-LITATION (SHRI DHARMA VIR)~: On behalf of Shri Veerendra Patil, I beg to move*:

> "That the Bill further to amend the Employees' State Insurance Act, 1948, as passed by Rajya Sabha, be taken into consideration."

The Employees' State Insurance Act provides *inter-alia* for grant of cash benefits to the employees in recognised contingencies of sickness, maternity and employment injury. In addition, medical benefit is provided to the insured person and his family in kind. The Act, which was applicable in the first instance to non-seasonal factories employing 20 or more persons and using power in the manufacturing process, is now being gradually extended, area-wise, to certain new classes of establishments.

As on 31-12-1983, the Act covered about 63 lakhs employees in 486 centres in the country. The total number of beneficiaries including family members was about 2.81 crores.

The Act was last amended in 1975. Since then, the provisions of the Act were reviewed by a Sub-Committee of the ESI Corporation, which is a tripartite body and a number of recommendations for amendment were made The working of the ESI Scheme has also been reviewed by a Committee under the Chairmanship of Shri V. R. Hoshing of the INTUC and this Committee has also made a number of recommendations for amendment of the Act. The implementation of the various recommendations made by the two Committees will call for a comprehensive Bill, the drafting of which may take some time more. Meanwhile, I am placing before you for enactment a few proposals of urgent nature.

The coverage under the Act is at present restricted to employees drawing wages not exceeding Rs. 1000/- per month. This limit is considered very low in the context of current wage levels in various industries. The situation has become worse, as fresh increases in wages are being made There are instances where most of the labour working in a factory fall outside the scope of the Act and are losing the valuable benefits conferred by it. The Employees' Unions have, therefore, been demanding enhancement of the wage limit for coverage under the Act. The ESI Corporation has recommended the raising of the wage limit to Rs. 1600/- per month for the present. It is accordingly proposed to increase the wage limit for coverage under the Act from Rs. 1000/- to Rs. 1600/- per month. This will bring the wage limit for coverage at par with the wage limit for coverage under the EPF & MP Act, 1952 and the Payment of Gratuity Act. 1972.

Section 39 of the Act provides for payment of contribution by employers and employees at the rate specified in the first Schedule of the Act. The existing rate of employee's contribution vary according to the wages and the employer's contribution is exactly double the employee's contribution. It is now proposed to delink the employer's contribution from employee's contribution and to provide for recovery of employer's as well as employee's contribution at a fixed percentage of wages. The proposed revised rates of employer's contribution will be 5 per cent of the wages of an employee, while the employee's contribution will be 2.25 percent of his wages. The proposed provision for recovery of contribution on percentage basis is expected to reduce the clerical work for employers as well as for

*Moved with the recommendations of the President.

the ESI Corporation and thereby facilitate quick and correct assessment of amounts of contributors.

With a view to give relief to the lowpaid employees, the Bill seeks to raise the exemption limit for payment of employee's contribution from below Rs. 2 to below Rs 6 per day. In other words, the employees drawing wages below Rs. 6 per day will not be required to pay any contribution under the Act. The existing list of occupational diseases specified in the 1 hird Schedule of the Act is being replaced by a revised and up-to-date list of occupational diseases.

Some of the other amendments proposed in the Bill are :---

- (i) The unit of contribution specified in the Act is being changed from a "week" to a "wage period". Thus the unit of contribution in respect of an employee shall be the period for which wages are ordinarily payable.
- (ii) The wage limit for creation of posts by the Employees' State Insurance Corporation is being raised from maximum monthly salary of Rs. 1200/- to Rs 2250/-.
- (iii) Provision is being made for obtaining of prior approval of the Central Government for framing of regulations by the Corporation and laying of the regulations framed by the Corporation before the Parliament.

These are in short the important amendments proposed through this Bill. The proposed amendments are of non-controversial nature. I, therefore, hope that the Members will welcome the Bill. As I mentioned earlier, there are number of other recommendations for amendment. We will bring forward a more comprehensive Bill for carrying out these amendments soon. With these words, I commend the Bill for consideration of the House.

MR. DEPUTY SPEAKER : Motion moved :

"That the Bill further to amend the Employees, State Insurance Act, 1948, as passed by Rajya Sabha, be taken into consideration."

Mr. Lawrence.

13.00 brs.

SHRI M. M. LAWRENCE (Idukki): Mr. Deputy Speaker, Sir, I welcome this amendment. As the Hon, Minister of State has just stated here it is generally noncontroversial but at the same time I have to request the Hon. Minister as to why they are delaying bringing forward a comprehensive amendment bill for amending the provisions which have come under the criticism of all the Central trade unions of the country.

Sir, the ceiling on the amount has now been enhanced to Rs. 1,600/-. When we consider the cost of living index of working class in the context of the general price hike this amount becomes meagre. In so many industries through bipartite and other means the salary of the employees has gone upto Rs. 2,000/- or perhaps more more than that. So, this Rs. 1603/- is not enough. So, I, request to the Hon. Minister to enhance this amount to atleast Rs. 2,000/-.

Sir, more than Rs. 400 crores have been amassed in the hands of the Corporation by way of contributions from the workers and employers but at the same time the facilities available in most of the hospitals are very meagre. At so many places the space available is not sufficient, there are not enough beds, medicines, etc. Even the required number of doctors have not been appointed. There is need of INT specialists, skin specialists and cardiologists in almost all the hospitals but the Corporation is not taking any measures to appoint such doctors in ESI hospitals.

Sir, so many grievous diseases have to be treated, for example, TB, etc. but the amount which is being spent is not at all sufficient to meet all these expenditure.

When there is enough fund in the hands of the Corporation why are they so miserely and not spending this amount for the wellbeing of the workers? The Employees' State Insurance Scheme itself was formulated for the well-being of the workers. This is one of the social welfare measures. It has

290

a long history behind. This welfare measure was started before Independence, during the British period, by following the law made in this regard in England But after the independence when we go into the details of the working as well as the provisions of the Bill, we can see that not so much has been done by the Government. Only about 30% to 40% of the workers are covered by this Act, Lakhs and lakhs of construction workers, lakhs and lakhs of casual workerslegally they are casual but in actual practice they are not casual workers-are working continuously for 10, 15, 20 and 25 years. But they are not covered by this Act. If the Government is willing to give social security ty implementing social welfare measures for the workers, why should the Government hesitate to cover all the sectors of the working class under this Act? T cannot understand the reason behind this. The aim of the Government is, as far as possible, to be an hindrance to the benefits being extended to most of the workers in the This kind of insincere attitude of country the Government should go. It has to be changed. The Constitution of the Corporais: Chairman, Vice-Chairman, tion representatives of the State Government, about 20 or 21 representatives from the Union and the Union Territories, from Employees Side 5, 5 representatives from the Workers' side, 3 representatives from the Members of Parliament and the Director General. So, from this it is clear that there are only 5 representatives from the workers' side. When this scheme is in vogue, I do not know why the Government is reluctant to give representation to all the Central Trade Unions. Time and again all the Central Trade Unions have submitted Memoranda to the Government and during the discussion which was held in Committees also, they had asked for the representation of all the Unions. I would therefore request the Hon. Minister to take steps to give Trade representation to all the Central Unions.

Now, what do the Government do? They pick and choose 5 Trade Union representatives at their pleasure. They are not giving proper representation to the working class. This practice should be changed immediately. So also, the salary of doctors working in ESI Hospitals, should be

Generally, the doctors posted in revised the ESI Hospitals are not willing to work in those hospitals. They do not want to work in those hospitals? Why? It is because the salary is very low. Not only that. Due to this low salary corrupt practices are also going on there. So, my request is to enhance the salary of these doctors so that the doctors willingly come forward and work in those hospitals. Necessary steps should also be taken to prevent the corrupt practices rampant in the ESI Hospitals. The doctors, in that case, will also be willing to go to the ESI Hospitals.

Then, the payment of contribution by the employees, in my opinion, should also be done away with. Now, the employee's contribution is 2.25 per cent of his wages, while the rate of employer's contribution is 5 per cent. If the employers are paying 5 per cent, they are amassing wealth and making profits, but the employees have to give this much contribution out of their meagre wages. If it is a social measure for the well being of the working class of our country, contribution from the side of the workers should be given up.

If the Government is not willing to accept this at present, my request is that at least the obligation of making this contribution by those workers who are below the poverty line should be dispensed with Of course, we do not know, where the Government is drawing this line for considering certain workers below the poverty line.

THE MINISTER OF LABOUR AND REHABILITATION (SHRI VEERENDRA PATIL): These workers do not come under that...

(Interruptions)

SHRI M. M. LAWRENCE : You have not gone through the life of these working class people; you may have seen some wellpaid workers.

SHRI VEERENDRA PATIL: Under the existing Act, employees who are earning Rs. 2/- or less per day need not pay any contribution. Now, we are raising that limit from Rs. 2/- to Rs. 6/-. Those

employees who earn Rs. 6/- or below need not pay any contribution hereafter.

SHRI M. M. LAWRENCE : That is not enough. What is the value of Rs. 6/today; it is not even 20 per cent of what it used to be. Can you get a worker for a wage of Rs. 6/- per day? This limit for exemption should be raised to Rs. 12/instead of Rs. 6/- as proposed. That is my appeal. The idea is that those who are below the poverty line should be exempted from making this contribution.

Sir, the management is resorting to so many fraudulent practices in matters like provident fund and other measures etc. So many times it has been raised in this House, but the Government have failed to prevent these malpractices. In the matter of contribution to Employees' State Insurance, they resort to fraudulent means. Not only they use their own contribution, but also the share of the workers, for their own purposes. Stringent measures needs to be taken against such people. The penal provisions should be invoked; it is under the powers of the Government, not the Board of Corporation, but it is not being done.

Then, the existing list of occupational diseases in the Third Schedule to the Act is being substituted by a revised list which is based on the revised list of occupational disease adopted by the International Labour The diseases caused Organisation in 1980 by benzene or its toxic homoluges have also been included. There is an accepted ILO Convention that particular safety measures should be taken wherever this benzene is being used. But that convention is not agreed to by the Government of India. I do not think that any purpose will be served by including it in the schedule without the acceptance of the ILO convention regarding the use of benzene as well as other social measures recommended by ILO. The CITU representatives have asked the Government many times to accept it, but still Government are not willing to heed to them. Why is the Government not willing ? It is only because the Government is serving the interests of the capitalists of the country. Sir, we are a backward country. But at the same time, our capitalists are not backward. They are

making profit as any other big capitalists of any other capitalist country in the world and in some cases, even more than that. For this, all sort of help is being given to them from the part of the Government.

But when the case of the working class comes, they put forward so many arguments like, we are a poor country, we are a backward country, we cannot implement the ILO conventions, the time has not come for it, This is not fair Sir. The working class etc. is the prime mover of this country and they who are taking this country forward, and not the capitalists, not the exploiters. This aspect has to be accepted by the Government. They are working in the steel industry, in the jute industry and in the textile industry. They spheres for the are working in all the development of the country. The vast majority of the population of our country, working class as well as peasantry, it is they who are working hard to create wealth for our country. So in these two spheres, for working class as well as the peasants, the Government is not doing anything sincerely.

So, my request is : bring forward a comprehensive Employees State Insurance Bill; give proper representation for the Central Trade Union; prevent the fraud of the management; take away the liability of the working class, at least of those who are below the poverty line, to give contribution; raise the amount of ceiling from Rs, 1600/to Rs. 2000/-; and enhance the amount of Rs. 6/- to Rs. 12/-. With this request, I support this amendment.

SHRI XAVIER ARAKAL (Ernakulam): Thank you very much for calling my name. I also welcome this Amendment Bill which is basically centered on two major issues-(1) raising of wage ceiling for coverage of the employees and (2) rate of employees' contribution. Auxiliary to these, six other amendments are also incorporated in this Bill, which is a welcome move. This should have been done a long time back. It should be implemented on the date it is signed by the President. Clause 2 says-' It shall come into force on such date as the Central Government may, by notification in the Official Gazette appoint and different dates may be appointed for different provisions...

etc.² I only wish that it is implemented immediately.

Sir, the object of the Bill, of the Act of 19'8 is for (1) sickness, (2) maternity and (3) employment insurance.

At present, there are 63 lakh employees covered, in 486 centres. But the total beneficiaries are around 2.81 crores. It means that this Corporation is doing a great service to the working class as such.

But as far as maternity benefit is concerned. I suggest that it should be restricted especially in the context of the family planning schemes adopted by Government. So I suggest that this area should be utilized by the Corporation only for giving, or rather limiting them to a certain number of times, probably twice. I think the Corporation should take note of this

I happened to go through the Audit Report for 1982-83 which has highlighted many of the problems besieging this Corporation; e.g. tardy inspection, unrealized discretal amount of Rs. 30.99 lakhs and unrealized damages of Rs. 1296.13 lakhs. These are substantial amounts.

As Mr. Lawrence just now mentioned, administration and management of this Corporation and the benefits given by it are all subject matters of discussion among the public, especially its beneficiaries. I would like to knew from the Minister what action Government has taken based on the Audit Report for 1982-83, because that is a vital information which will be extremely helpful to the public at large.

A point in the Financial Memorandum says :

"The departmental undertakings under the Central Government are, however, generally exempted from the operation of the Act on the ground that the medical and other benefits available to their employees under the Government rules are more favourable than the benefits available under the Act and they are, therefore, not required to pay any contributions." In this context, I would like to make an appeal to the Government : the employees of the Rare Earths Ltd., of Udyogamandal at Eloor, Kerala have submitted a memoran. dum and requested Government to exempt them from this scheme, because as mentioned in the Financial Memorandum, the benefits which otherwise they would have received are much greater, and the services rendered by this Corporation are nominal. They do not cover many of the radio-active illness or sicknesses, whatever you may call them. Of course, in the Third Schedule (Parts A, B and C), you have enumerated certain diseases. But I submit that that does not cover the totality of exposure in that unit. The employees have been demanding exemption from the ESI Scheme. I think it must be taken note of. I hope the Ministry will take a lenient view and give exemption, as requested by the Federation of the Employees Unions of Rare Earths Ltd. at Eloor, Udyogmandal.

SHRIK, A. RAJAN (Trichur): Has the management agreed to this?

SHRI XAVIER ARAKAL: Let the Minister say that. Are you not supporting this?

SHRI K. A. RAJAN : Yes, but I want to know.

SHRI XAVIER ARAKAL : This is what I want to emphasize. Those employees who will otherwise get better benefits under Central or State Government's rules, should be exempted. As the earlier speaker has mentioned, the benefits actually given in the medical dispensaries, hospitals and institution of this Corporation are not commensurate with the contribution which they make, and there are quite a large number of irregularities committed there.

Apart from that, the services which they get from the Corporation are not commensurate with the needs of the employees. Therefore, those categories of employees should be exempted. I hope the Hon. Minister will bring forward, as he mentioned, a comprehensive Bill probably in the next Parliament. I support this Bill.

SHRI K. A. RAJAN (Trichur) : Mr. Deputy Speaker, this major social security is the one which covers our working class as a whole in the country. This scheme has been working for the last so many years. If you go through the working of the scheme you will find that only the employers and the workers are the contributors for the scheme. But there are other social security schemes in other countries. If you go through them you will find that some contribution is also made by the Government. But, unfortunately, this is the only scheme of a major nature covering lakhs of industrial workers where the Centre is not contributing even a single pie.

In strengthening the financial position of this Corporation-Government as a guardian to look after the security of the working class-Government has to take a decision for bringing forward necessary amendment in the statute so that they should also contribute towards that scheme. If you go through various schemes that have been enacted in various other countries, in Europe and other places, you will find that some portion of the contribution is also made by the Government. But, as I mentioned earlier, unfortunately, this is the only scheme where not a single pie has been contributed by the government.

Some Hon. members have pointed out about the financial position of the Corporation. It was far better earlier, as I understand. But, now, it is not so bright because of various reasons.

MR.DEPUTY SPEAKER : Do you want that Governmeat should also contribute in additton to the contribution made by the employer?

SHRI K. A. RAJAN : Yes. Fortunately, the scheme is good in intention, but it has earned a bad name because it would not have been worked out well; if it had worked out well, it would have received the blessings of the workers. If you take an opinion poll among the workers-whether you like to be opted out of the scheme or have a scheme of your own establishment or you want to be in the scheme-you will find that the reply will be in the negative.

It is not because of the ESI scheme itself. the real drawback of the scheme is that of the administration of the medical side. According to the Act, it is being run by the State. Every State has to run its administration and they have to share it. The running of the scheme is so bad. ESI has got a General Purposes Committee. It goes around the States to study how far its implementation has taken place, what is the progress of the scheme and how it works. During 1982-83, this committee had visited so many States, Southern States as also 3-4-5 Northern States and submitted a report. The ESI Corporation has gone through its report and has passed it. If you go through the report of the sub-committee you will find that crores and crores of rupees are being spent on building hospitals with all modern equipments and facilities, whether it is in Karnataka or Tamilnadu or, wherever it is, but they are not being utilized for the better treatment of the workers.

beautiful operation very There are theatres, with all modern facilities but all are defunct. There are ambulance vans in those dispensaries and hospitals but because of not appointing drivers the ambulance vans are lying idle. These are all mentioned General Purpose sub-committee in the reports. It is not my story. The Minister knows about it. This is the case with so many items of imported equipment in those hospitals. No one cares to employ people to handle all those things. Even on the Ayurvedic and Homoeopathic side this is What I am trying to say is, you the case. streamline the arrangements on the medical side

There are two or three States in this country which could not even constitute regional boards for the last so many years. I do not want to mention them here. because who is to look after all those things, and who is to see whether it is being implemented on the medical side? The whole question is, unfortunately, there is no follow up action. The recommendations of the G.P.C. have not been implemented, and unless it is done nothing will go on.

One more important point I want to mention, about the administration on the

medical side. In Delhi it is being administered in a particular way. In certain other areas there are panels of doctors and all those things. Unless the ESI corporation has some all-India medical cadre of its own, I think this problem of this medical side cannot be solved. I have seen that in some States no doctor is ready to serve the ESI. In Kerala we made it clear that a doctor should serve at least three years in the ESI, otherwise they will not be entitled to the other benefits and all those things But it is not working. Competent doctors do not go, specialists do not go and renowned doctors do not go. They go elsewhere. They go to medical colleges and other places. In some ESI hospitals there is dearth of doctors, and there are no experienced doctors, if I may put it humbly. What is left to the worker? The worker is now very much concerned with the sick leave benefits. The racket of certificates is there. We know how crores of rupees are spent for the sick leave benefits. I know at least seven cases where medicines were procured from outside and the reimbursement is not made to them so far. There are many-many cases. You can see the reports of the subcommittee which have been submitted. Either there should be specialists, or the ESI should have an all-India cadre of doctors so that there will be proper doctors and all these things, and also there is also lack of coordination between one hospital and another. If the equipment in a hospital breaks down, the procedure-which is zigzag-is to inform the CPWD or PWD, they do the estimation of cost and all those things, and they take their own time, In the meantime the equipment is lying idle. Unless you take some steps on an all India basis, to have a cadre of doctors, there is not going to be any improvement. The Corporation takes it easy and the workers also take it easy. But the workers should not be blamed for all these things. Unless you streamline the administration of the Corporation especially on the medical side, which is now hopelessly bad, nothing is going to happen. So many committees have gone into all these things. A review committee has gone into this.

It has made certain recommendations and the ESI Corporation has also taken those things into consideration and they have also made some recommendations. But whatever measure is to be taken, it should be taken with all earnestness. This is a major scheme. This covers all seasonal and non-seasonal factories, private and public sector employees. So, the workers are very much concerned about this scheme. These are the lacune which we notice in the working of the Scheme.

Regarding the amendments which have been brought these are improvements in the existing scheme. Regarding the ceiling, earlier it was 500, then it was raised to 1000 and now it is proposed to be raised to 1500. This ceiling of 1600 is not only applicable here, but it is applicable in the case of all labour laws like the Wages Act, Gratuity Act, Workmen Compensation Act and all that. I cannot understand the sanctity of this ceiling of 1600. Out of the whole working class in the country in the organised sector, how many workers are there in the bracket of 500-1000, 1000-1500 and 1500-2000 ? If you see the recent wage agreement reached in the major public sector undertakings you will find that most of the workers would be out of this scheme In such cases my humble submission is that in case the benefits that are being enjoyed by those workers are better or they are having more facilities or having more amenities than what is being given in ESI, that establishment should be put out of this scheme. There is such a request in so many factories If they have got better facilities than what is being envisaged in ESI, then why should the ESI come and take the burden ? Let it go to the weaker sections of the country These things should also be taken into consideration.

The minimum amount of Rs. 2/- has been raised to Rs. 6/-. It is a very good thing. I welcome this move. On the contributory part of the whole thing also. by this method which has now been adopted, a lot of time and clerical job could be saved. There will be 2.25 per cent contribution from the employee's side and 2.5 per cent from the other side. With all these things I request the Hop. Minister to see that the medical and administrative side of the whole thing should be streamlined. Unless you make an all India cadre of doctors or make some sort of an adjustment in the respective States with their State cadre or each State should recommend that each doctor should work at least three years in ESI hospital or some such thing, this scheme will not be blessed by the workers. This scheme has been brought for the welfare of the workers. Money is being pumped into this scheme. But unfortunately, the workers are still having bad impression about this scheme. That is why, the workers go to the ESI only for leave certificate, because they do not get other medical facilities there.

With these words, I support the Bill.

श्री गिरधारी लाल व्यास (भीलवाड़ा) : उपाध्यक्ष महोदय, मैं एंप्लाई स्टेट इंशोरेंस अमेंडमेंट बिल का समर्थन करता हूं। जिन भाव-नाओं को लेकर यह बिल प्रस्तुत किया गया है, वे स्वागत योग्य हैं । आक्यूपेशनल सिकनेस और एक्सीडेंट्स में जो नुकसान होता है, उसके लिए जो कंपंसेशन की व्यवम्था की गई है, यह भी स्वागत योग्य है। नान सीजनल फैक्ट्रीज को भी इसमें कबर किया जा रहा है, यह भी स्वागत योग्य कदम है। एक हजार से 1600 तक लिमिट बढ़ाई गई है, यह भी अच्छा कदम है। मैं समफता हूं कि सरकार ज्यों-ज्यों इस स्कीम को बढ़ाएगी त्यों-त्यों मजदूरों को ज्यादा लाभ होगा। एग्ज़म्शन लिमिट दो रुपए से 6 रुपये प्रतिदिन कर दी गई है, यह भी स्वागत योग्य है। मेरा सुभाव है कि आपने जो मिनिमम वेज तय कर लिया है, उस मिनिमम वेज तक और इस लिमिट को ले जाएं तो ज्यादा बेहतर होगा। इस संबंध में आप आवश्यक कदम उठाएं । आक्यूपेशनल डिसीसेज के संबंध में भी प्रावधान किया गया है। अगर इसकी वजह से मजदूर बीमार होता है तो उसको भी इससे कंपसेशन मिलता है। इससे मजदूर को बहुत बड़ा लाभ होता है। कुछ आइटम्स इसमें रह गई हैं, उनको भी आपको देखने की जरूरत है और उनके संबंध में विचार करने की जरूरत है। बाकी सुफाव मैं बाद में दूंगा। पहले इसके संबंध में निवेदन करना चाहता हूं।

स्टेट एंश्योरेंस कांट्रीब्यूशन स्कीम जो है, वह आप किस तरह से लागू कर रहे हैं । इसको लागू करने की क्या व्यवस्था हो रही है। मैं निवेदन करना चाहता हूं कि जो स्टेट एंप्लाएज इंश्योरेंस में जो फैक्ट्रीज कवर होती हैं, उन फैक्ट्रीज के मजदूरों की तरफ से जो कांट्रीव्यू शन काटा जाता है, उसके बारे में भी आपने जिक किया है। एंप्लायर की तरफ से 5 परसेंट और एंप्लाई की तरफ से 2.25 परसेंट दिया जाएगा । यह कांट्रीब्यूशन जमा भी होता है या नहीं ? इस व्यवस्था को ठीक तरह से लागू नहीं किया 'जा रहा है । बहुत-सी जगह मजदूर के कांट्री-ब्यू शन को भी जमा नहीं कराया जाता है। हमारे यहां मेवाड़ टैक्सटाइल मिल भीलवाड़ा में 8-10 लाख रुपया जमा नहीं कराया है। उनके खिलाफ आप कोई कार्यवाही नहीं करते हैं। अपना कांट्रीब्यु शन भी उन्होंने जमा नहीं किया है ग्रौर मजदूर का जो कांट्रीब्यू शन लिया, उसको भी खा गए हैं। हालांकि 100 परसेंट पेनल्टी का प्रावधान है लेकिन पेनल्टी तो **दूर** आपने तो उनसे मूल राशि भी वसूल नहीं की है। मेरा निवेदन है कि आप इस बारे में सख्त-स-सख्त कार्यवाही करें ताकि भविष्य में इस प्रकार की बेईमानी का अवसर न मिले । इसका एक नुकसाने यह भी होता है कि मजदूर जब ई.एस.आई. की डिस्पेंसरी में इलाज के लिए जाता है तो उसका इलाज यह कहकर नहीं किया जाता कि तुम्हारी फैक्ट्री की तरफ से कांट्री-ब्यू शन नहीं आया है। इसलिए इस ओर ध्यान देने की ग्रावश्यकता है ।

इसी प्रकार सिक इंडस्ट्रीज के जो मजदूर बेकार हो रहे हैं, उनके बारे में भी इसमें कोई व्यवस्था नहीं की गईं है। बेईमानी से जिन इंडस्ट्रीज को सिक कर दिया जाता है और इंडस्ट्रीज बंद होती हैं, उनके लिए भी निश्चित तरीके से कोई-न-कोई प्रावधान किया जाना चाहिए जिससे मजदूरों को फायदा मिल सके। दूसरा आप कांट्रोब्यूशन जमा करने के लिए जो नोटिस भेजते हैं, उसका भी कोई असर नहीं होता है । इसकी वजह से मजदूरों का नुकसान होता है और डिस्पेंसरी की सुविधा भी उसको नहीं मिल पाती है ।

इस तरीके से मजदूर परेशान है क्योंकि उनको दवाइयां उपलब्ध नहीं हो रही हैं। कंपन्सेशन और छुट्टिया भी उनको नहीं मिलती हैं। इसलिए ऐसी व्यवस्था होनी चाहिए जिससे सारी सहूलियतें उनको उपलब्ध हो सकें। श्री राजन ने भी अभी कहा कि अस्पताल में डाक्टर्स उपलब्ध नहीं होते। उनको प्राईवेट प्रैक्टिस करने की इजाजत नहीं दी जाती है और वेतन भी थोड़ा मिलता है। इसलिए वे अस्पताल में जाने की कोशिश नहीं करते हैं और जो चले जाते हैं, वे अपना कत्त्तंव्य नहीं समऋते। हर मजदूर के साथ ऋगड़ा करने की कोशिश करते हैं। उनकी नीयत मजदूरों को परेशान करने की रहती है।

MR. DEPUTY SPEAKER : As a Member of Parliament, have you visited any ESI Hospital ?

श्री गिरधारी लाल व्यास : मैं तो अपने क्षेत्र में मजदूर संगठन का अध्यक्ष हूं। इसलिए मेरा रोजमर्रा का उनके साथ ताल्लुक पड़ता है। मैं यह निवेदन करना चाहता हूं कि डिस्पेंसरीज में डाक्टर्स और नर्सेस की व्यवस्था ठीक नहीं है।

MR. DEPUTY SPEAKER : The labour are doing their work well and only the doctors are not doing their work well ?

श्री गिरधारी लाल व्यास : दवाइयां एवे-लेबल नहीं होती हैं । दो-दो चार-चार मील की दूरी से मजदूरों को आना पड़ता है । मरीजों को लाने-ले-जाने के लिए एम्बुलेंस भी उपलब्ध नहीं हैं जबकि आपके पास करोड़ों रुपया पड़ा हआ है । उस पैसे को ज्यादा-से-ज्यादा खर्च करना चाहिए ताकि जो सुविधाएं आप दे सकते हैं, वह उनको मिल सकें । बहुत-सी ऐसी बीमारियां हैं जिनका ई.एस.आई.सी. की डिस्पेंसरीज में इलाज नहीं हो सकता । वे लोग हास्पिटल्स के लिए रैफर कर देते हैं। हास्पिटल वाले कीमती दवाई लिखा देते हैं। ये दवाइयां भी डिस्पेंसरी में उपलब्ध नहीं होती हैं। मजदूरों को कहा जाता है कि बाजार से खरीद लो। जिसके पास पैसा नहीं है, उसको बाजार से दवाई खरीदनी पड़ती है। उसके बाद उसका पेमेन्ट दो-दो साल तक नहीं होता है। इसलिए इस व्यवस्था को माकुल करना चाहिए । टी.बी. जैसी बीमारी के लिए खुराक और दवाई के लिए काफी खर्चा करना पड़ता है। बाजार से दवाइयां लेनी पड़ती हैं, जिनका पेमेन्ट उनको नहीं होता है। सैक्शन-6 के श्रन्दर आपने कानून में प्रावधान किया है। उसको मैं आपको पढकर सूना देता हूं ।

Section 47 says :

"A person shall be qualified to claim sickness benefit for sickness occuring during any benefit period if the contribution in respect of him were payable for no less than half the number of days of the corresponding contribution period."

इस प्रकार के मामले हैं, जिसमें कांट्रीब्यू शन ही आपके पास जमा नहीं हुआ हो । जो इंडस्ट्रीज आपके पास जमा नहीं कराती हैं, ऐसी हालत में इन लोगों को कहां से पैसा उपलब्ध होगा ? सैक्शन-7 के सब-सैक्शन-ए में मॅंटरनिटी बेनिफिट की बात कही गई है । जब कांट्रीब्यू शन जमा नहीं होता है तो मेंटरनिटी बेनिफिट कहां से मिलेगा? इस मामले में आपको अपने विभाग को सब्ती से काम करने के लिए आदेश देने पड़ेंगे । पूंजीपतियों का लिहाज रखने से व्यवस्था ठीक नहीं हो पायेगी । उसका नुकसान ही होगा और उससे बहुत बड़ा नुकसान होगा।

अब मैं आपसे आक्यूपेशनल डिसीजिज के बारे में थोड़ा-सा निवेदन करना चाहता हूं। इसमें दो-तीन खास चीजों का समावेश नहीं किया गया है और मैं चाहता हूं कि आप उनको भी इसमें समाविष्ट करें। हमारे यहां माइका की इंडस्ट्री है, माइका की फ<mark>्र</mark>ेक्टरी भी है और खानें भी हैं, परन्तु इस बिल में फैक्ट्रीज तो कवर हो जाती हैं परन्तु माइका की खानें कवर नहीं होतीं। उनके कारण जो आक्यूपेशनल डिसीजिज होती हैं, उसके सम्बन्ध में आपने इस बिल में कोई प्रावधान नहीं किया । वहां मजदूरों को टी बी या दूसरी इसी किस्म की कई बीमारियां हो जाती हैं। उनकी रोक-थाम के लिए इस बिल में व्यवस्था का होना बहुत जरूरी है। इसी तरह से सौफ्ट स्टोन को भी आपने इस बिल में शामिल नहीं किया है। सौफट स्टोन फैक्ट्रीज में भी जब मजदूर पावडर आदि बनाते हैं तो उसके घूल आदि उड़ने के कारण उनमें आक्यूपेशनल डिसीजिज पैदा हो जाती हैं। माइका और सौफ्ट स्टोन निकालने का काम हमारे यहां बहुत बड़ी मात्रा में होता है । परन्तु उनको आपने आक्यूपेशनल डिसीजिज में नहीं लिया । कम-से-कम मेरे जिले में 20-25 हजार मजदूर इनके श्रंदर काम करते हैं। इसलिए आपको इसे भी इस बिल की परिधि में कवर करना चाहिए ताकि वहां पर भी व्यवस्था ठीक प्रकार से हो सके ।

एक मेरा सुभाव और है, आपने इस विल को फैक्ट्रीज के ऊपर तो लागू कर दिया, परन्तु माइन्स में भी इसी प्रकार की व्यवस्था लागू होनी चाहिए । उन खानों में काम करने वाले बेचारे गरीब मजदूरों को किसी जगह भी इन्क्लूड नहीं किया गया है । मैं चाहता हूं कि माइन्स के लिए भी इसी तरह की व्यवस्था होनी चाहिए । खानों के लिए आपने एम्पलाईज

स्टेट इन्क्योरेंस स्कीम लागू नहीं की है। इसलिए मेरा सुफाव है कि माइन्स में भी इस स्कीम को लागू किया जाना चाहिए ताकि उन मजदूरों को भी इस स्कीम का लाभ मिल सके और वे तमाम सुविघाएं उनको भी उपलब्ध हो सकें जो फैक्ट्रीज में काम करने वाले मजदूरों को उपलब्ध हैं। मेरे जिले में माइका की माइन्स हैं, सौफ्ट स्टोन की माइन्स हैं, एस्बैस्टोज की खानें हैं, खड़िया की खानें हैं, सैंड स्टोन, जिंक की माइन्स हैं, संगमरमर की खानें हैं और अन्य कई प्रकार की खानें हैं। इन माइन्स में हजारों की संख्या में मजदूर काम करते हैं। सिर्फ मेरे जिले में ही इनकी संख्या 50 हजार से अधिक है। लेकिन इतने बड़े चंक को आपने बिल्कुल छोड़ रखा है । उनके बेनिफिट के लिए आपने इस बिल में कोई प्रावधान नहीं रखा है। इसलिए मेरा निवेदन है कि मंत्री महोदय, आप उनके लिए भी इसमें कुछ व्यवस्था करवाइये, जिससे इन मजदूरों को भी इस स्कीम का लाभ मिल सके।

मैं चाहता हूं कि आप इस स्कीम को ग्रच्छी तरह से चलाईये । आपने स्टेट गवर्नमेंट्स के ऊपर इनकी इम्पलीमेंटेशन का कार्य सौंप रखा है। लेकिन वे उसकी व्यवस्था ठीक से नहीं चला पा रही हैं। न समय पर वहां दवाइयां पहुंचती हैं, न पैसा पहुंचता है और न वहां डाक्टर उपलब्ध होते हैं। इसलिए मेरा सुफाव है कि आप इस व्यवस्था को आल इण्डिय⊺ लेवल पर कैंडर बनाकर चलायें, आल इण्डिया लेवल पर अपनी व्यवस्था बनाइये ताकि उसके जरिए से स्कीम को सही तरीके से इम्पलीमेंट किया जा सके । यदि आपने इस स्कीम को स्टेट गवर्नमेंटस के पास ही रखना है तो इसके लिए वहां अलग डिपार्टमेंट कायम किया जाना चाहिए ताकि वह इसको सही रूप से चला सकें। इन्हीं शब्दों के साथ मैं इस बिल का समर्थन करता हूं।

श्वी राजेश कुमार सिंह (फिरोजाबाद): माननीय उपाध्यक्ष महोदय, जिस उद्देश्य को लेकर यह बिल इस सदन में पेश किया गया है, मैं उसका स्वागत करता हूं। लेकिन एक प्रश्न जरूर है कि सरकार बहुत दिनों के बाद कभी-कभी होश में आती है, सोते से जागती है और फिर कुछ अमेंडमेंटस लेकर आती है। एकबारगी में ही सारा काम नहीं करती है, कुछ अमेंडमेंटस लेकर एक बार आती है तो उसके बाद फिर कुछ समय बाद, जब श्रमिकों की चिन्ता हुई या इलैक्शन्स के दिन नजदीक आये तो कुछ दूसरे अमेंडमेंटस लेकर आती है। लेकिन इस बिल की मंशा सही है।

मान्यवर, आप अच्छी तरह से जानते हैं क्योंकि आप भी ट्रेड यूनियन नेता हैं कि यूरोप के अनंदर सोश्यल सीक्यूरिटी जैसी बहुत बड़ी व्यवस्था बनी हुई है। वहां की सरकार इस पर काफी पैसा खर्च करती है। लेकिन हम जानते हैं कि हमारी अर्थ-व्यवस्था उतनी अच्छी नहीं है कि हम लोगों को सोश्यल सीक्यूरिटी की गारंटी दे सकें। वहां किसी भी बुढ़े आदमी को इस बात की कोई चिन्ता नहीं होती कि उसका बुढ़ापा कैसे कटेगा। कोई-न-कोई उसकी व्यवस्था बन जाती है। लेकिन हमारे यहां मजदूर ऐसी परिस्थितियों में काम करते हैं, कुछ तो फैक्टरियों में काम करते हैं, कुछ खानों में काम करते हैं, जहां कई तरह की आक्यूपेशनल डिसीज हो जाती हैं। फिर आपकी चिकित्सा व्यवस्था भी बड़ी विचित्र है। जैसा अभी माननीय राजन साहब कह रहे थे, मैं उससे पूरी तरह सहमत हूं। यदि आप किसी ई.एस.आई. की डिस्पैंसरी में जाकर देखें तो वहां बड़ी भारी दुव्यं वस्था आपको मिलेगी। कहीं डाक्टर नहीं हैं तो कहीं दवाई नहीं है। परन्तु उसको ठीक करने के लिए कोई व्यवस्था नहीं है, कोई कार्यवाही नहीं की जाती। जब तक इन कमियों को दूर नहीं किया जाएगा, इन डिस्पैंसरियों की

व्यवस्था में सुधार नहीं आ पाएगा। मैं चाहता हूं कि सरकार को कोई ऐसा कानून बनाना चाहिए ताकि आपका सीधा सुपरवीजन उन पर बने । सिर्फ राज्यों के ऊपर छोड़ देने से व्यवस्था ठीक नहीं चल सकती । यदि आप सही मायनों में चाहते हैं कि इनकी व्यवस्था ठीक हो तो आपको कोई ऐसा कानून बनाना पड़ेगा जिसके परब्यू में आकर वे अपने कर्त्तव्य के प्रति वफादार बने रहें ।

अन्त में मैं एक-दो सुफाव देता हू । एक तो सरकार को इस योजना के अन्दर अपना कांग्रीब्यूशन करना चाहिए ताकि सुचारू रूप से इसका संचालन हो सके । दूसरे जहां तक कांट्रीब्यूशन की बात है, जैसा व्यास जी ने कहा कि मान लीजिए किसी फैक्ट्री मालिक ने अपना कांट्रीब्यूशन नहीं दिया तो अभी कानून में यह है कि यदि एक सर्टेन पीरियड म रक्म जमा नहीं की गई तो आप मालिक पर पैनल्टी लगा देंगे । मेरा कहना है कि मोनीटरी क्षति पहुचाकर आप मालिकों को काबू नहीं कर पायेंगे । उनके खिलाफ सरूत कायवाही करने की बात सोचनी चाहिये ।

हमारे यहां बहुत सी छोटी-बड़ी फैक्ट्रीज हैं उनके दवाखानों की हालत यह है कि मालिक और उनमें मिलकर वहां की ऐसी व्यवस्था चलती है जिससे मजदूर परेशान हो जाता है और दवाखानों का काम केवल मैडिकल सटिफिकेट देना रह गया है मजदूर को, और इसमें भी भ्रष्टाचार है। इसको आपको रोकना चाहिए तभी स्कीम का लाभ मजदूरों को मिल पायेगा, अन्यथा नहीं। जो व्यवस्था इस वक्त है उससे आप अपना मकसद अचीव नहीं कर सकेंगे। यदि इस योजना का लाभ मजदूरों को पहुंचाना है तो इसका इम्प्लीमेंटेशन सही तरीके से हो, तभी काम बनेगा। बस मुफ्ते यही निवेदन करना है।

310

श्री मूल चन्द डागा (पाली) : उपाध्यक्ष महोदय, मैं इस बिल का समर्थन करता हूं। 16 जुलाई, 1984 को मंत्री जी ने कन्सल्टेटिव कमेटी की मीटिंग में जो कहा है वह मैं पढ़कर सुनाना चाहता हं :

> "Comprehensive amendments to the Workmen's Compensation Act as well as ESI Act are being finalised and the relevant Bills are expected to be introduced soon in this Parliament."

Giving this information to the members of the Consultative Committee attached to his Ministry, the Union Minister of Labour Shri Veerendra Pat'l said that the amended Act of gratuity and mines have already been enforced.

In connection with the amendment to the ESI Act the Minister said that there were proposals to increase the representation of workers and employers from the present limit of 5 to 10, providing medical care to the premature retired persons due to permanent disability till actual age of retirement and preventing establisments to opt out of the scheme.

यह बात आपने कन्सल्टेटिव कमेटी की मीटिंग में कही। और आज जो बिल ला रहे हैं, इस सैशन में जो आप बिल यह ला रहे हैं, इसके बाद क्या दूसरा बिल आ पायेगा ? आपने एश्योरेंस दिया था। कंसल्टेटिव कमेटी के सामने कि इस सदन में जो बिल आयेगा उसमें यह बातें होंगी, और वह मैं आपके सामने पेश कर रहा हं। लेकिन वह वातें इसमें नहीं हैं। जो भी चीजें आप अभी लाये है, ठीक है। लेकिन इसमें वह चीजें मौजूद नहीं हैं जो कि होनी चाहिये।

इस एकट के लाभ क्या क्या हैं ?

These are:— (1) Sickness benefit (2) Disablement benefit (3) Dependence benefit (4) Maternity benefit (5) Funeral benefit.

लेकिन कितने लोग जानते हैं इसको ? सबसे बड़ा सवाल यह है एक स्टडी टीम ने इसको रिव्यू किया, उन्होंने यह बताया कि लोग केवल दो बातें जानते हैं अभी...

इन चीजों को आप नहीं जानते। कुछ लोग तो इग्नोरेंट हैं कि हमें यह मदद मिलती है।

This is "Working of the Employees" Insurance Scheme in Delhi, Ghaziabad and Faridabad Regions." An evaluation report on this has been published recently. The report says that those who do not know these benefits are 19.63 per cent. Those who know only two benefits are 33.64 per cent.

आज पहला सवाल यह है कि आपकी इस स्कीम को जानने वाले कौन हैं ? जब तक आप इसे सरल भाषा में, जिस प्रांत से आप आये हैं, उस भाषा में, अलग-अलग भाषाओं में इसका भनुवाद कराकर मजदूरों में नहीं बंटवाएंगे, प्रचार नहीं करवाएंगे तब तक लोग इसका लाभ नहीं उठा सकते । लोगों को मालूम नहीं है कि यह स्कीम है और इससे ये-ये लाभ हैं। यह बात लेबर लीडर्स को भी मालूम नहीं है।

It is regarding the knowledge of benefit where the IPs and respondents were asked to indicate how many benefits they know that are offered to them. They said, only one.

मैनी ग्राफ दैम की जब आप बात कर रहे हैं, मजदूरों को मालूम ही नहीं है कि परसेंटेज में क्या-क्या लाभ इस स्कीम के अन्तर्गत मिलने चाहिये और क्या-क्या उनके हक हैं । मैं दरख्वास्त करूंगा कि आप इन बातों को प्रांतीय भाषाओं में ट्रांस्लेशन करा के वर्कर्स में इस स्कीम को बांटें तब वह लाभान्वित होंगे।

एक सवाल यह आता है कि लोगों की क्या राय है इसके पीछे ?

3/4th of the IPs were satisfied from the benefits offered under the Scheme. About 50 per cent IPs were not satisfied with the doctors' treatment and only 1/3rd of IPs were satisfied from the food and assistance given to them in E.S.I. Hospitals. IPs said, they were not satisfied from the benefits.

14.03 hrs.

[SHRI CHINTAMANI PANIGRAHI in the Chair.]

आजन तो डाक्टरों से उनको लाभ है और न खाना मिलता है। ई. एस. आई के हस्पतालों में डाक्टर्स की सविसेज कितनी पूअर हैं, यह इवैल्यूएशन रिपोर्ट में ग्रापके आंकड़े हैं।

मैं तो मंत्रो जी से निवेदन करू गा कि वह एक बार मेरे क्षेत्र पाली में चलें, वहां बहुत बड़ा मिल है और बहुत से मजदूर हैं। आपने एलान किया है कि गांव में जो अन-आर्गेनाइज्ड लेवर है उसके लिए भी आप लागू करेंगे। आप अन-आर्गेनाइज्ड लेबर की बात करते हैं, आर्गेनाइज्ड के लिए ही आप नहीं कर पाते हैं। हमारे वहां तो यह हालत है कि उड़ीसा के डाक्टरों को यहां पर लगा रखा है जो कि वहां पर काम नहीं कर सकते हैं। तो यहां पर मन लगाकर काम करने का सवाल नहीं है।

जैसा बताया गया है कि वहां 17 परसैंट दवाएं एवेलेवल हैं। जब दवाइयां नहीं हैं तो जो स्कीम आप चलाते हैं, यह क्या पेपर पर है ? इस तरह की स्कीम किस काम के लिए हैं ? न दवाएं हैं, न डाक्टरों का ट्रीटमेंट है तो इस स्कीम का लोगों को कहां क्या लाभ होता है ?

इस स्कीम का उद्देश्य ही लाभ पहुंचाना है। इससे पांच बेनिफिट्स उठाए जा सकते हैं: सिकनेस बेनिफिट, डिसएवलमेंट वेनिफिट, डिपेंडेंट्स बेनिफिट, मेटर्निटी बेनिफिट और फ्यूनरल बेनिफिट, मगर लोगों को इनमें से एक या दो बेनिफिट्स का ही पता है।

यह भी बताया गया है कि दादा लोग, गुंडा एलिमेंट्स, ई. एस. आई. के डाक्टरों पर हावी हो जाते हैं, डाक्टर लोग उनसे डरते हैं और वही सब लाभ उठाते हैं। यह भी कहा गया है कि कुछ लोग डाक्टरों की सहायता से सिकनेस के आधार पर ज्यादा छुट्टी लेते हैं।

श्री राम प्यारे पनिकाः डाक्टर पैसा लेकर सटिफिकेट देते हैं।

श्रीं मूल चन्द डागा : इसका मतलब है कि उत्तर प्रदेश में काफी तरक्की हुई है । गरीब लोग क्यू में खड़े रहते हैं और दादा लोग सारा फायदा उठाते हैं । मैं कहना चाहता हूं कि ई. एस. आई. की व्यवस्था बहुत खराब है । मंत्री महोदय को इन सारी बातों का पता होगा । उन्होंने जगह-जगह कहा है कि इस स्कीम का विस्तार किया जाएगा, ताकि अधिक-से-अधिक लोगों को इसका लाभ हो । लेकिन इसके साथ ही उन्होंने यह भी कहा है कि मिसयूज को रोकने के लिए ई. एस. आई. के बेनिफिट्स में कमी की जाएगी ।

जहां तक इस बिल का सम्बन्ध है, यह बिल्कुल ठीक है। मंत्री महोदय ने ग्राश्वासन दिया है कि वह इस बारे में एक काम्प्रिहेंसिव बिल लाएंगे। इसलिए उन्हें एक काम्प्रिहेंसिव बिल लाना चाहिए और इस स्कीम को माईन्स वगैरह सब जगह लागू करना चाहिए।

*SHRI ERA MOHAN (Coimbatore): Mr. Chairman, Sir, on behalf of my party the Dravida Munnetra Kazhagm, I rise to make a few suggestions on the Employees State Insurance (Amendment) Bill which has been introduced by my Hon. friend, the Minister of State for Labour.

This is an innocuous piece of legislation without any controversial provisions for any heated discussion. The Hon. Members who preceded me were unanimous in the viewpoint that a comprehensive amendment to the parent Act should have been brought by the Minister of Labour and I share this view point. But I should not hesitate to commend the amending bill which seeks to do some good to the working class.

The Employees State Insurance scheme is benefiting nearly 2.6 crore people and it is being implemented in 486 centres. 163 lakhs of workers have been brought under the umbrage of this scheme. Through this amendment the Government is enhancing the monthly wage limit of Rs. 1000 to Rs. 1600 in order to ensure that more number of workers are enabled to derive benefit from this scheme. This is to be welcomed. At the same time, we have to bear in mind the prevailing value of money. This decision to enhance the monthly wage limit from Rs. 1000 to Rs. 1600 must have been taken a year or two ago. This was in conformity with the then value of money. This enhancement should reflect the present value of our currency. Then only some real benefit will accrue to the working class. I humbly submit that this monthly wage limit should be increased to Rs 2000/-. I am sure that our Hon. Minister of Labour, given to pragmatic approach to the labour problems, will do the needful in this 🏄 matter.

There is a provision in this Bill through which the percentage system for workers' contribution and the employers' contribution has been introduced. I welcome this. The employers will contribute 5%, while the workers will contribute 2.5%. A little while ago in his intervention the Hon Minister of Labour stated that those who get Rs. 6 as daily wage need not pay their contribution of 2.5%. This will no doubt help the But I am keen to know workers greatly. the basis on which this basis of Rs. 6 has

been arrived at. I personally feel that this also needs enhancement. I request the Hon. Minister to look into this and raise this amount of Rs. 6/-.

As I stated just now, there is reference to the employers' contribution and also to the employees' contribution. But there is no reference to the Government's contribution to the ESI Insurance scheme. If the Government wants to expand the ESI scheme for the benefit of workers throughout the length and breadth of the country, then the Government should also contribute something for the success of this scheme. I want the Hon. Minister of Labour to announce Government's contribution to ESI scheme at the time of his reply to the debate.

About the need for a comprehensive amending bill, I have to draw the attention of the House that the Government constituted the Hoshing Committee, which has given its report. Similarly. the ESI Corporation set up a Sub committee to study the problems confronting the organisation and that Sub committee has also submitted its report. But the recommendations of these two bodies have not been given legislative sanction. What is the use of constituting a committee, spending money on it and shelving its report for ever? It is a Government's Committee, yet the recommendations have not seen the light of the day, I cannot appreciate the inordinate delay in formulating legislative proposals incorporating these recommendations. Who is after all Mr. Hoshing? He is a representative of INTUC, the labour wing of the ruling party at the Centre. I want that soon a comprehenrive legislation incorporating the recommendations of Hoshing Committee and the Subcommittee of ESI Corporation should be got passed by the Government.

I am happy that the list of occupational hazards has been widened and made broadbased. This will consequently help more workers. If the Hon. Minister of Labour initiates endeavours for widespread implementation of ESI scheme, he will definitely meet with success. The working of ESI hospitals should be made more purposeful and effective. We have huge ESI hospitals with sophisticated and modern equipment. The medicines are also supplied by the Government. Yet their working is not satisfactory. If a machine breaks down, for months together nobody attends to it. If there is something wrong in the Operation Theatre, it not used for months together. This prevents the workers from getting the maximum benefit from these ESI hospitals. I suggest that competent and qualified Doctors should be appointed and the working of ESI hospitals should be thoroughly reorganised. Before I conclude, I would like to appeal to the Hon. Minister of Labour that such labour welfare measures should be got enacted for the good of working class by our Minister of Labour, Shri Veerendra Patil. With these words I conclude my speech.

श्री राम प्यारे पनिका (राबर्ट सगंज) : सभापति महोदय, माननीय श्रम मंत्री जी द्वारा इस सदन में जो कर्मचारी राज्य बीमा (संशोधन) विधेयक, 1984 प्रस्तुत किया गया है और जिसको राज्य सभा ने पहले ही पास कर दिया है उसका मैं समर्थन करने के लिए खड़ा हुआ हूं। यह बात सही है कि जिन उद्देश्यों से यह बिल प्रस्तुत किया गया है उससे सभी लोगों ने---चाहे विरोध पक्ष के माननीय सदस्य हों या सरकारी पक्ष के----सहमति व्यक्त की है। हमारे श्रम मंत्री सन् 1980 के बाद इस सदन में कई संशोधन बिल लाए हैं जिनसे खुशी हुई है और इस बिल को प्रस्तूत करते समय तो श्रम मंत्री ने कहा कि वे एक बहुत विस्तृत काम्प्रिहेसिव बिल लाने जा रहे हैं। यह हमारी सरकार की नीतियों का ही प्रदर्शन है। यदि आप विश्लेषण करें तो पायेंगे कि 1980 के बाद देश में श्रम तथा आद्योगिक सम्बन्धों में काफी सुधार हुआ है और मैनडेज का जो नुकसान हुआ है, हड़तालों की वजह से या लेबर अनरेस्ट की वजह से, उनमें भी निष्चित तरीके से कम्परेटिवली कमी आई है, हालांकि विभिन्न अवसरों पर हमारे

उघर बैठने वाले भाइयों ने, जोकि **औद्योगिक** अशांति में विश्वास करते हैं, उन्होंने कई बार आल इंडिया स्तर की हड़तालों का काल दिया।

हमारी श्रम हितकारी नीतियों का ही यह परिणाम है कि हम सफल होते रहे हैं । हमारे उत्पादन में निश्चित तौर से वृद्धि हुई है ।

मैं दो-तीन बातों का और उल्लेख करना चाहता हूं। यह बात सही है, हमारी ज़रूरतों को पूरा करने के लिए श्रम मंत्रालय कारगर कदम उठा रहा है। जहां तक अस्पतालों का सवाल है, चाहे इघर के बोलने वाले हों या उधर के बोलने वाले हों, ई.एस.आई. डिस्पेंसरीज में जो दवायें उपलब्ध होनी चाहिए, वह नहीं हैं। जिस तरह से ट्रिटमेंट की सुविघाएं होनी चाहिएं, वह नहीं हैं । कहीं-कहीं पर तो एम्बूलेंस तक नहीं हैं। सबसे बड़ी कठिनाई तो यह है कि आपने डाक्टरों की अस्पतालों में व्यवस्था स्टेट में गवर्नमेंट्स को देदी है। हमारा क्षेत्र इन्डस्ट्रियल बैल्ट होने जा रहा है । उत्तर प्रदेश में दो-तीन सुपर थर्मल पावर स्टेशन्स हैं—-सिंगरौली, रिहन्द और उनपरा आदि । तीन सीमेंट फैक्ट्रीज---चुनार, चुरक व डाला आदि हैं। जब हम यह देखते हैं कि माननीय श्रम मंत्री जी चाहते हैं और श्रम मंत्रालय चाहता है तो सारी सुविघायें मौके पर क्यों उपलब्ध नहीं होती हैं। मैं आपको बताना चाहता हूं कि दो साल पहले माननीय श्रम मंत्री जी ने हम लोगों के निवेदन पर मेरे निर्वाचन क्षेत्र रेनुकोट में ई.एस.आई. अस्पताल का शिलान्यास किया । उस वक्त हम लोगों ने कहा कि इसको कम-से-कम साल भर के अन्दर बना दीजिए । तो वहां पर स्वास्थ्य मंत्री जी ने कहा कि इसको इतनी देर में नहीं हम जल्दी बना रहे हैं। लेकिन आपको जानकर आक्ष्ययं होगा कि उस अस्पताल की आज तक नींव तक नहीं डाली गई है। इसलिए मेरा सुफाव है कि

ई एस.आई. अस्पताल वगैरह की सारी सुविधा आपको अपने हाथ में ले लेनी चाहिए। यदि आवश्यक पड़े तो इजीनियरिंग स्टाफ, बिल्डिंग कन्स्ट्रक्शन स्टाफ सब अपने यहां अलग से रख लें। यदि स्टेट गवनंमेंट के लोग, वहां का पी.डब्ल्यू.डी. का विभाग, निर्माण विभाग हमारी आशाओं के अनुरूप काम नहीं करते हैं, तो कोई जरूरत उनसे कहने की नहीं है। मैं मांग करता हूं कि स्टेट गवर्नमेंट को सख्ती के साथ लिखें कि वह जल्दी-से-जल्दी उन अस्पतालों का निर्माण कराए। वहां पर इस तरह की परिस्थिति होने से बहुत असंतोष है।

मान्यवर, अभी जो लेबर समभौता हुआ है. उसमें 1600 रुपये से अधिक की सीमा नहीं रखी गई है। हम यह आशा रखते हैं कि काम्प्रिहैंसिव बिल आ रहा है, उसमें इस सीमा को बढ़ायेंगे। आपको इस सुविधा को नीचे के तबके तक ले जाना चाहिए । जैसे ईंट-भट्टे में काम करने वाले मजदूर, एग्रो-लेबर, इन तक **अापको** इस सुविघा का लाभ पहुंचाना चाहिए । अनआर्गेनाइजड लेबर में काफी असतीष है। जो आर्गेनाइजड लेवर है, वह तो वोकल होती है। अनआर्गेनाइजड लेबर के लिए आपने तमाम एक्ट्स क्नाए हैं और उनको आप कार्यान्वित करने जा रहे हैं । बिचौलिए जो बेचारे देहातों में काग करते हैं, चाहे इधर के बैठने वाले हों या उघर के बैठने वाले हों हम लोग नेता हो गए हैं। इसलिए हमारी मांग है कि जो अमूक है, जो बोल नहीं सकता है, जिनमें नेतृत्व का अभाव है, उनके लिए आपको कदम उठाना चाहिए । बड़ी खुशी की बात है कि आप व्यावसायिक वीमारियों के लिए पहली बार व्यवस्था करने जा रहे हैं । हमारे यहां पर सीमेंट फैक्ट्री, एल्यूमिनियम फैक्ट्री है, जहां पर टी.बी. की शिकायत रहती है, आप वहां पर क्यों टी.बी. का क्लीनिक नहीं खोलते हैं। होता क्या है, जब वह बीमारी होती है तो

लोगों को दूसरी जगह रेफर कर दिया जाता है, जिसप्ते उनको बहुत कठिनाई होती है। इसलिये हम चाहते हैं कि टी.वी. के लिये भी अलग से क्लिनिक की व्यवस्था की जाय।

हमारे यहां कई तरह की माइन्ज हैं। जैसे लाइम-स्टोन की माइन्स है, उसमें जो मजदूर काम करते हैं वे इन सुविधाओं से वंचित है, उनको भी इसमें शामिल करना चाहिये । हमारे यहां कुछ इण्डस्ट्रीज़ हैं, जैसे रिहन्द पावर हाउस है, वहां के लोगों ने मांग की है कि हम को इन सुविधाओं से अलग किया जाय, इसलिये कि ई.एस.आई. के दवाखानों में उनको समय से दवा नहीं मिलती है तथा अन्य सुविधायें भी नहीं मिल पाती हैं। जो उत्पादन वाली फैक्ट्रीज हैं, चाहे वे प्राइ<mark>वेट</mark> सेक्टर में हों या पब्लि<mark>क</mark> सैक्टर में हों, उनके बारे में हमको कई शिकायतें मिली हैं। अभी डागा जी भी इसका उल्लेख कर रहे थे—वहां डाक्टर मजदूरों से मिल जाते हैं और शादी-ब्याह के मौके पर कुठे मैडिकल सर्टिफिकेट दे देते हैं। अभी जैसा सुफाव दिया गया है, मैं भी उससे सहमत हूं कि वहाँ सी.एम.ओ. के कैंडर के अफसर से काउन्टर सिंगनेचर करवाना अनिवार्य हो ताकि कूठे सर्टिफिकेट देने वाले डाक्टरों पर अंकुश लग सके । कई जगहों पर जहां प्राइवेट इण्डस्ट्रीज होती हैं, वहां डाक्टर्स यह कोशिश करते है कि हम उसी जगह पर बने रहें, चूं कि वहां पैसा चलता है और हजारों की आमदनी डाक्टरों को अलग से होती है, इसलिये वे वहां से जाना नहीं चाहते ।

इन सब बातों की ओर आपका घ्यान दिलाते हुए मैं मंत्री महोदय से कहना चाहता हूं कि आप जो काम्प्रीहैन्सिव बिल ला रहे हैं उसमें इन सारी कमियों को दूर करें और अस्पतालों की संख्या को बढ़ायें। जैसे हमारे यहां मिर्जापुर जिले में 18 फैक्ट्रीज हैं लेकिन ई.एस.आई का AUGUST 1, 1984

E.S.I. (Amdtt.) Bill 320

अस्पताल केवल एक जगह चुर्क में है। वहां दो साल से डाक्टर नहीं है। इस काम को कौन करेगा ? स्टेट गवर्नमेंट वाले इसमें कुछ नहीं करते हैं। मेरा अनुरोध है कि आप डाक्टरों का एक आल इण्डिया कैंडर बनायें। मैं चाहता हूं कि मंत्री जी आज ही घोषणा करें कि वे डाक्टरों और इन्जीनियरों का आल इण्डिया कैंडर बनायेंगे।

सभापति महोदय, मैं इन्टक की उत्तर प्रदेश शाखा का उपाध्यक्ष हूं। मैं देखता हूं कि आपने लेबर से सम्बन्धित जितने कानून बनाये हैं **उनका आमतौर पर कार्यान्वयन** नहीं किया जाता है। राज्य सरकार उनका सही तौर से कार्यान्वयन नहीं कर रही है । केन्द्रीय सरकार की जो मंशा है, हमारी प्रधानमंत्री जी की जो मंशा है, हमारे श्रम मंत्री जी की जो मंशा है उसके अनुसार कार्यान्वयन नहीं करते हैं। इसलिये मैं चाहता हूं कि हर राज्य में एक मोनिटरिंग सेल कायम किया जाना चाहिये। आप हर राज्य में एक डायरेक्टर नियुक्त करें जो वहां देखे कि कानूनों का सही तरीके से कार्यान्वयन हो रहा है या नहीं हो रहा है। जो कानून आप बनाते हैं उनका पालन नहीं होता है, राज्य सरकारें और औद्योगिक संस्थान दोनों पालन नहीं करते हैं।

हमारे यहां सैकड़ों पब्लिक अण्डरटेकिंग्ज हैं जिनमें सरकार का 30 हजार करोड़ रुपया लगा हुआ है। लेकिन जो बुनियादी सवाल है, लेबर की जो कठिनाइयां हैं और उनसे सम्बन्धित जो कानून हैं उनको सही तरीके से लागू किया जाय। मजदूरों का प्राविडेन्ट फण्ड का पैसा, इंशोरेंश का पैसा जमा होता रहता है और समय पर जमा नहीं कराया जाता है। अगर आप द्वारा नियुक्त अधिकारी सही तरीके से काम करें और वह पैसा समय से जमा हो तो उस पर सूद भी बढ़ेगा और पैसा भी सुरक्षित रहेगा । जैसे हमारे यहां हिण्डालको में इस मद से बहुत पैसा जमा होता है । हमें देखना चाहिए कि वह समय से जमा हो, साथ ही हमें वहां पर कुछ अधिक रुपया खर्च करना चाहिये । अस्पताल की वहां पर बहुत ज्यादा कठिनाई है । जिस इण्डस्ट्री से हमें ज्यादा पैसा आये वहां लेबर की दवादारू के लिये तथा अन्य सुविधाओं के लिये अधिक पैसा खर्च करना चाहिये । डागा जी इवैल्यूएशन कमेटी का सारा रिकार्ड बतला रहे थे, मैं उसमें नहीं जाना चाहता हूं लेकिन मैं यह अवश्य चाहता हूं कि वहां पर अधिकारियों को नियुक्त किया जाय जो सही तरीके से मानिटरिंग करें और लेबर लाज के सही कार्यान्वयन के लिये जिम्मेदार हों ।

श्री बाबूराव परांजपे (जबलपुर) : सभापति महोदय, यह जो संशोधन विघेयक लाया गया है, यह सन् 1948 का जो बिल है, उसका संशोधन करने के लिए रुाया गया है । बीच में एक मर्तबा सन् 1975 में, जब भ्रापात्तकालीन स्थिति चल रही थी, तब भी मामूली संशोधन लाए गये थे और 1975 में भी श्रम मंत्री जी ने इसके उत्तर में कहा था कि एक सम्यक् विघेयक इस संबंध में अतिशोघ्र लाया जाएगा । आज उस आक्ष्वासन को 9 वर्ष हो गये हैं और आज भी हम यह बात सुन रहे हैं कि एक सम्यक् विघेयक सब बातों पर विचार करते हुए शीघ्र लाया जाने वाला है सन् 1984 में और आज सन् 1984 में जमीन आसमान का अन्तर हो गया है सब प्रकार की बातों में चांहे श्रमिक जगत हो और चाहे आर्थिक ढांचा हो । मुभने याद आता है कि विक्टोरिया रानी छाप का रुपया सन् 1947, 1948 में एक रुपये मूल्य का था लेकिन आज वह 42 रुपये में बिकता है।

सभापति महोदय : कहां मिलता है ?

श्री बाबूराव परांजपे : सराफा मार्केट में सब जगह मिलता है । मैं आपको बता रहा था कि कितना बड़ा अन्तर हो गया है । एक रुपये की कीमत 42 रुपये हो गई है । अब इसमें 1 हजार रुपये से बढ़ाकर 1600 रुपये करने का प्रस्ताव है और कुछ लोग कहते हैं कि इसको 2000 रुपये होना चाहिए, तो मेरा कहना यह है कि इस पर इस बात को घ्यान में रखकर विचार करना चाहिए कि सन् 1948 में हालात क्या थे और आज क्या हैं ।

एक बात यह और कहना चाहता हूं कि वैसे तो मजदूरों और श्रमिकों के कल्याण के लिये यह विघेयक और संशोधन लाये जाते हैं परन्तु वास्तविकता यह है कि इसका सारे का सारा लाभ कारखाने के मालिकों को मिलता है। मैं मध्य प्रदेश से आया हूं और मध्य प्रदेश में बीड़ी उद्योग एक बड़ा उद्योग है, जिसमें प्रति वर्ष करोड़ों रुपया बीड़ी मालिक वसूल करते हैं मजदूरों से परन्तु उसका 15 परसेन्ट पैसा भी सरकारी खजाने में जमा नहीं होता है। यह मध्य प्रदेश शासन में मानी हुई चीज है। मजदूरों के हित के लिए पैसा लिया जाता है लेकिन बीड़ी मालिक मजदूर की गाढ़ी कमाई का पैसा खींच लेते हैं और मजदूर अपने अधिकार से वंचित रह जाता है। सारे कानून जो मजदूरों के लाभ के लिए बनते हैं, उन का लाभ मालिक उठा ले जाते हैं। एक बात यह भी कहना चाहूंगा कि अगर मालिक किसी प्रकार की कोई गलती करता है या कानून का उल्लंघन करता है, तो उसके लिये उसको 6 महीने सजा का प्रावधान है। मैं मंत्री महोदय से कहूंगा कि जब वे ज<mark>वा</mark>ब दें तो कृपया यह बताएं कि आज तक कितने मालिकों को कानून के अन्तर्गत सजा मिली है और कितनों को हथकड़ी लगाकर जेल भेजा गया है। आज तो एक नई प्रयाबन गई है कि किसी आदमी को मैनेजर के रूप में रख लेते हैं और खुदा-न-

ख्वास्ते अगर कोई गलत बात हो जाती है और उस के लिये सजा देने की बात आती है, तो मैंनेजर को हथकड़ी लगेगी और वह जेल जाएगा और जो मैंनेजिंग डाइरेक्टर कम्पनी का है या जो मालिक है, वह बचा रहेगा । इस प्रकार के कानून बने हुए हैं ।

श्री विजय कुमार यादव (नालन्दा) : बीड़ी मजदूरों पर तो यह कानून लागू ही नहीं होता है ।

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND REHABI-LITATION (SHRI DHARMAVIR) : It is not applicable to 'bidi' workers because separate arrangements have been made for them.

श्री बाबूराव परांजपे : मैंने तो सिर्फ इसका उदाहरण दिया है । मध्य प्रदेश में यह लागू है, इसलिए वहां की बात मैंने कही है। कुल मिलाकर श्रमिक कितना परेशान है और गरीवी से कितना पिस रहा है, इसका एक उदाहरण मैं आपको देना चाहता हूं । एक मजदूर ने अपनी एक उंगली काट ली और इस बात के लिए काट ली कि एक स्कीम के अन्तगंत उसको 6 हजार रुपया मिलेगा । इससे आप कल्पना कीजिए कि गरीबी से आज मजदूर कितना टूट रहा है कि अपने ग्रंग को भी खंडित करना पसन्द करता है । वह अपने पेट के लिए, अपनी रोटी की समस्या को पूरा करने के लिए अपना अंग भी काट लेता है। इससे आग अन्दाजा लगा सकते हैं कि मजदूर कितना परेशान है ।

I can give you those details if you want Ranganji.

C 12 1 1 1 1 1 1 1

इस स्कीम के अन्तर्गत एक और बात है। डाक्टर और दवाई विक्रेताओं, कैमिस्ट्स में आपस में सांठ-गांठ है। अभी चार महीने पहले इस प्रकार के अनेक काण्ड पकड़े गये हैं। ये दोनों मिलकर के मजदूर के नामु से लम्बा-चौड़ा बिल बनाकर रुपया व सूल कर लेते थे। इसमें कुछ दादा लोग भी शामिल हो सकते हैं, इसमें सन्देह नहीं है। जो मजदूरों के दादा होंगे वे इस प्रकार से गलत कार्य करते होंगे। इस प्रकार से यह योजना गलत हाथों में जा रही है।

सरकारी आंकड़ों के अनुसार इस योजना के अन्तर्गत 4 सौ करोड़ रुपया इकट्ठा हुआ है। परन्तु वास्तविकता क्या है ? जैसा कि प्रवक्ताओं ने बताया कि ग्रगर कहीं अस्पताल की बिल्डिंग है तो उसमें फाडू लगाने वाला नहीं है। अगर कहीं प्रसूतिगृह है तो उसमें लेडी डाक्टर नहीं है। अगर प्रसूतिगृह बना हो और उसमें लेडी डाक्टर न हो ता उसका क्या उपयोग हो सकता है और किस तरह से उन प्रसूतिगृहों ढारा हम औरतों और बच्चों का कल्याण कर सकते हैं। अगर कहीं डाक्टर हैं तो दवाइयां नहीं हैं।

आप योजना तो बना रहे हैं परन्तु उसका उपयोग मजदूरों को नहीं हो पा रहा है। आजकल मजदूर की क्या हालत है? ग्राज उसकी हालत पांच पांडवों के बीच में फसी दोपदी की तरह की है। पहला पांडव तो हमारा श्रम मंत्रालय है। दूसरा पांडव वह कारपोरेशन है जो कि श्रम मंत्रालय ने बनाया है। तीसरा पांडव कौंसिल है। ये तीन पांडव हुए। चौथा पांडव राज्य शासन का श्रम विभाग और पांचवां पांडव राज्य शासन का स्वास्थ्य विभाग है जिसके अघीन डाक्टर आते हैं। पैसा केन्द्रीय शासन से आता है और राज्य शासन उसको खर्च करते है। इन पांच पांडवों के बीच में द्रोपदी का चौरहरण हो रहा है। मैं तो श्रम मंत्री जी से कहूंगा, जैसा कि सुफाव भी आया है कि डाक्टरों का एक अखिल भारतीय कैंडर हो जो कि राज्य शासन के पचड़े में न हो । डावटरों को वहां से निकालिये । मैं यह भी चाहूंगा कि वर्षों से जो मजदूरों की भलाई की योजनाओं में देर हो रही है, आने वाले वर्षों में आप एक बिल लाकर श्रमिकों का पूरा कल्याण करें । इन शब्दों के साथ मैं अपना भाषण समाप्त करता हूं ।

श्री वृद्धि चन्द्र जैन (बाड़मेर) : सभापति जी, यह जो कर्मचारी राज्य बीमा संशोधन विधेयक 1984 प्रस्तुत हुआ है, इसका मैं समर्थन करता हूं । इस विधेयक में विशेष तौर से श्रमिकों के कल्याण के लिए संशोधन लाये गये हैं । इस बिल के द्वारा 1000 रुपये मासिक प्राप्त करने वालों की सीमा बढ़ाकर 1600 रुपये मासिक कर दी गई है । वास्तव में यह एक सराहनीय कदम है । यह जो इस बिल में प्रावधान किये गये हैं और सीमा बढ़ाई गई है, उसके लिए पूरा परिपालन होना चाहिए । तभी मजदूरों के हित में एक बहुत बड़ी बात हो सकती है ।

हम मजदूरों को लाभ पहुंचाना चाहते हैं, श्रमिकों को लाभ पहुंचाना चाहते हैं। परन्तु वास्तव में ये लाभ उन तक पहुंचते हैं या नहीं यह एक महत्वपूर्ण प्रक्ष्न है। हम जिस उद्देश्य से कानून बनाते हैं, उन कानूनों के द्वारा उस उद्देश्य की पूर्ति होती है या नहीं, उसको देखना भी बहुत जरूरी होता है। यह भी जरूरी होता है कि जो सुविधाएं हम मजदूरों के लिए जुटाते हैं वे उनको मिलनी चाहिएं और उन सुविधाओं की मजदूरों को जानकारी भी होनी चाहिए कि उनके लिए क्या-क्या सुविधाएं हैं।

अभी डागा साहब कह रहे थे। वास्तव में उनका कहना सही है। सरल भाषा में और

स्थानीय भाषा में इस कानून का प्रचार करके मजदूरों को बतलाया जाए कि उनको बीमारी में, प्रसव के समय और दुर्घटना के समय इस-इस प्रकार से लाभ मिल सकता है।

इसी प्रकार 6 रुपये मजदूरी पाने वाले को एग्जम्झन दिया गया है। यह तो एक मजाक-सा लगता है। जबकि मिनिमम वेजेज 9 रुपये तय कर दिया गया है और कई प्राविसेस में तो 10 रुपए तक कर दिया गया है। 6 रुपये में तो हमारे रेगिस्तानी क्षेत्र में भी कोई मजदूरी करने को तैयार नहीं होता । इसलिए इसका लाभ अगर आप वास्तव में देना चाहते हैं तो इस 6 रुपये को बढ़ाकर 12 रुपये कीजिये। तभी मजदूरों को इसका लाभ मिल सकता है। इसी प्रकार आप 5 परसेंट एम्प्लायर से कांट्री-ब्यूशन लेते हैं और मजदूर से 2.25 परसेंट लेते * हैं । इस 2.25 परसेंट यह तय किया जाना चाहिये कि इतनी मजदूरी पाने वाले का इतना परसेन्ट कांट्रीब्यूशन होगा, 1000 पाने वाले का इतना परसेन्ट कांट्रीब्यूशन होगा और 1600 रुपये पाने वाले के लिए 2.25 परसेन्ट कांट्रीब्यू शन होना चाहिये ।

इसी प्रकार जो अस्पताल हैं, उनका लाभ तभी मजदूरों को मिल सकता है जब उसमें आघुनिक युग के सभी प्रकार के इन्वेस्टीगेशन की सुविधाएं हों । मास्टर आफ सर्जरी, मास्टर आफ मेडीसन और अन्य सभी प्रकार के प्रबन्ध हों तभी उसका लाभ मजदूरों को वास्तविक रूप से मिल सकता है। इनकी व्यवस्थाओं को सुधारने का प्रयत्न किया जाना चाहिए । जैसे जोघपुर में, जयपुर में अस्पताल हैं। इसी प्रकार अन्य जगहों पर भी अच्छे अस्पतालों की व्यवस्या की जानी चाहिये । इस तरह से हम इस कल्याणकारी राज्य को आगे बढ़ा सकेंगे। इसी प्रकार से आपने बताया है कि इसको कुछ आगे

बढ़ाकर और कानून लाना चाहते हैं। मैं जानना चाहता हूं कि यह तो सम्भवतः लास्ट सेशन है वर्तमान लोकसभा का 10 जनवरी तक यह लोकसभा स्टेंड कर सकती है। इसलिए हम चाहते हैं कि आप इसी सेशन में उसको लाइए। तभी उसका लाभ आप मजदूरों को दे पायेंगे। तभी मजदूरों का कल्याण होगा।

SHRI CHITTA BASU (Barasat) : I am glad that such a Bill has been presented for our consideration. Members from all the sides of the House have already expressed their approval of or support for the Bill.

It is an accepted fact that with the growing industrialization, any Government which wants to work for the welfare of the weaker sections of the people should increasingly pay greater attention to social security measures for workers. With this in view, this ESI scheme was introduced. But though this scheme is meant for providing social security to workers, its implementation has not at all beea satisfactory.

(Interruptions)

The services rendered are not satisfactory, e.g. the management of hospitals run by ESI. As many Members have pointed out, experts' services are not available.

As has been quoted from the evaluation report by Mr. Daga, even the quality of medicines is not satisfactory. Many instances can be cited about the unsatisfactory conditions in hospitals. There are umpteen instances of corruption also So, there should be a well-considered drive for the improvement of the administration of this scheme.

The question of paucity of funds does not arise for the purpose of improvement, because the Corporation is not suffering from dearth of funds. But since this scheme also provides a social security service, the Central Government should contribute to this, and this contribution can come in the form of improving the scheme.

Why are medical experts not being made available? The reason might be that doctors and others are not attracted by the pay-scales and benefits offered to them. If we are really to create conditions to wherein experts are attracted ESI Service, more incentives should be given to them. In that case, a Central contribution might be necessary. If you accept the proposition that the conditions of service in the Scheme should be improved the Central Government has also got the responsibility for ensuring it. If that involves some expenditure, it is the Central Government which should provide for it, so that the services can be improved and the objectives of this scheme can be fulfilled.

Another point : although there is an increasing tempo of industrialization, the number of workers engaged in the unorganized industry is also quite large. I think Prof. Ranga would be happy if I say that the agricultural workers are the hardest hitso also the lowest strata of our society.

The minimum wages which are being fixed by the State Governments are in most cases not implemented. While fixing the minimum wages of the agricultural workers, I think, the element of medical expenditure is not taken into account. Therefore, a large segment of our population who belongs to the lowest strata of our society is being denied this benefit; whereas in this country, every citizen has got the right to get the benefit of the medical care. By denying this right to the agricultural workers, you are denying them some of the fundamental rights. If you have the mind to accept this proposition that they are being denied that right, then it can be extended to all the sections of the organised sector. May I have this assurance from the Government that when the coverage is being extended for seasonal workers, then agricultural workers should get priority. If the government proposes to increase it further, then it should be extended to agricultural workers of our country also.

We have been demanding all the time that there should be a central legislation for the agricultural workers. The idea is that the central law for agricultural workers may provide some social security benefits and it should not be left with the State Governments. Therefore, I would say that the government should think extending it to the agricultural workers also and a central law for agricultural workers can provide certain benefits.

Lastly, I would say that the evaluation report is to be processed. Some sorded facts have been quoted from the evaluation report. Does any machinery exist to process the report of the evaluation committee? Is the necessary follow up action taken? Whether any such follow up action is yet to be taken.

So far as bringing forward a comprehensive Bill is concerned, I do not know whether this Government can give us an assurance that the present Lok Sabha will have the benefit of passing it.

श्री पी. नामग्याल (लद्दाख) : माननीय सभापति जी, मैं आपका ज्यादा वक्त नहीं लूंगा। इस समय जो एम्प्लाईज स्टेट इन्क्योरेंस एक्ट, 1948 में कुछ और अमेंडमेंट लाने के वास्ते बिल पेश है, उसके तहत मजदूरों को मिलने वाले बैनिफिट्स को बढ़ाया जा रहा है। मैं उसका समर्थन करता हूं लेकिन सरकार के सामने एक सुफाव देना चाहूंगा।

आपने 1975 से पहले क्लाज 2 के अन्तर्गत (0 रुपए तक की जो सीलिंग हुआ करती थी, उसको 1975 के बाद बढ़ाकर एक हजार रुपये कर दिया गया और वर्तमान बिल के तहत उसी सीलिंग को एक हजार छः सौ रुपये कर देने का

प्रावधान किया है । वैसे तो यह अमेंडमेंट श्रमिकों के हित में है, लेकिन मैं यहां एक गुजारिश करना चाहता हूं। क्या ऐसा नहीं हो सकता कि जिस तरह से सेन्ट्रल गवर्नमेंट के एम्प्लाईज को मिलने वाला डीयरनैस एलाउन्स प्राइस इन्डैक्स के साथ लिंकड किया हुआ है, प्राइस इंडैक्स में आठ प्वाइंट की बढ़ोत्तरी होने पर उनको एक किश्त ड्यू हो जाती है, उसी तरह सेक्लाज 2 में आपने जो 16:0 रुपये की सीलिंग रखी है · · तो कोई स्टेज आयेगी जब इसको दूसरे बिल से बढ़ाना पड़ेगा। इसलिए मेरा कहना यही है कि आपको इसकी प्राईस इंडैक्स से लिंक करना चाहिये। जिस तरह सैक्शन 39 में डी-लिंक किया है एम्प्लायर कांट्रीब्यूशन फाम एम्प्लाईज कांट्रीब्यूशन, उस पर आपने परसेंटेज फिक्स किया है, इसलिये ऐसा कोई तरीका निकाल लें जिससे बार-बार अमेंडमेंट लेकरन आना पड़े। बाकी यह बिल ठीक है और इसका मैं समर्थन करता हूं।

شرى يى نام كَنبال (لداخ) ما يت سبحا يتى جى . میں آب کا زیادہ وقت تہیں لوں گا۔ اسوقنت بوايميلا تراميط التورس ايحط ٢٩ ٩١ من كيوا در الميندميث لان كي د اسط ل يش سے اس کے تحت مز ورد ک كوملغ والح بينفش كوجرها باجاد اب یں اس کا سم تقن کریا ہوں ۔ لیکن سرکا دکے مناميخ ايك شجها و ديناچا يون كا -آب في ١٩٤٥ ٢ ٢ ٢ ٢ .. ۵ رویے تک کی جو بینگ پواکرتی تقی اس کوہ، ۱۹ کے بعد برصا کر ایک ہزار رويي كودياكيا - ادر ورتمان بل تحت

اس سيلنگ كو ايك بترار جي سورو بيه تو دين کا پرا در قطن کیا ہے ۔ ویسے جو یہ امنیڈ مینط شرکوں کے همت میں سے لیکن میں یہاں ایک تمزارش کرنا جا بتیا ہوں کیا السانهين يوسكتاكر حس طرحت سنطرل من کے ایمیلامزکو ملخ والاڈینیں ایلاؤن شانس انڈیکس کے متسا تھ لنگڑ کیا مواسع برائس انتريكس من أعظ يوامَن ا کی بڑھوتری ہونے پر ان کو ایک قوط مرد بموجان سے - اس طرح سے کلار r یں آپ سے جو ۲۰۱۰ رویے کی سلنگ دکھی ہے۔ ترکوئ الشیج آئے گی جب اس کو دومرے بل سے بڑھاتا بڑے گا۔اس لے مراکبنا ہی ہے کہ پکواس کو برائس الأمكس مع لنك كرناجا يوجب طرح ميكتن ۳۹ يس دى نىك كياب ابميلائركندرى بيوس ، فرام ایمیلائز تنظری بیوشن اسپیر آب نے ير في عكس كياب اس ليه اب تون الع تکال لی حب سے بار پارا مینڈ میسٹ فے کو الأملي مسمرتكن كر مايون-

प्रो॰ सत्यदेव सिंह (छपरा) : सभापति महोदय, मैं कर्मचारी रक्षा बीमा संशोधन विघेयक 1984 का हार्दिक समर्थन करता हूं। इसके अन्दर 2.6 करोड़ लोगों को लाभ मिलेगा, जब कि 8 करोड़ श्रमिक हैं। इसलिये ऐसी व्यवस्था होनी चाहिये जिससे अघिक-से-अधिक श्रमिकों को लाभ मिल सके।

एक माननीय सदस्य ने कहा कि 15 प्रतिशत बसूल किया जाता है मजदूरों से लेकिन मिल मालिक जमा नहीं करते । यह गलत बात है जो श्रमिकों के लिये हानिकारक है। अस्पताल की वात जो बताई गई कि यहां पर प्रशिक्षित डाक्टर नहीं होते और विशेषज्ञ नहीं होते. यह भी विचारणीय विषय है और इसके लिये जैसा माननीय राम प्यारे पनिका ने सुभाव दिया है कि अखिल भारतीय सेवा होनी चाहिये, यह परमावश्यक है। क्योंकि लेडी डाक्टर का न होना और विशेषज्ञ का न होना यह एक अभाव है, इसको दूर करने का प्रयास होना चाहिये । अस्पताल संतोषप्रद ढंग से काम नहीं करते हैं। हमारे डालमिया नगर में अस्पताल है ई०एस०आई० का जहाँपर बिजली की कोई व्यवस्था नहीं है 3-4-5 साल से । इसलिये यदि केन्द्रीय सरकार इसको अपने संरक्षण में ले ले, प्रान्तीय सरकार से ऐसे अस्पतालों को अपने हाथ में ले ले तो सुव्यवस्था हो सकेगी और काम ढंग से हो सकेगा। वहां पर अच्छे कुशल चिकित्सक होंगे और श्रमिकों को अधिकाधिक लाभ होगा।

इन्हीं शब्दों के साथ मैं इस विघेयक का समर्थन करता हूं।

THE MINISTER OF LABOUR AND REHABILITATION (SHRI VEERENDRA PATIL): In all twelve Hon. Members have participated in the discussion on the Bill. I am happy that, without exception all the Hon. Members have welcomed this Bill and while welcoming the Bill they have made certain suggestions and they have complained about the unsatisfactory conditions of the hospitals meant for the employees.

Almost all the Members suggested that a comprehensive Bill should be brought as early as possible.

PROF. N.G. RANGA (Guntur) : That is a perennial suggestion.

SHRI VEERENDRA PATIL: It is true that a sub-committee was appointed to review the working of the ESI Corporation and in 1981, I believe, a Committee under the Chairmanship of Mr. Hoshing was also constituted to study the working of the Corporation and to make recommendations for further improvement in the working of the Corporation. We have received the recommendations of both the Sub-Committee and the Hoshing Committee.

15.00 hrs.

The recommendations have been processed. I can only tell the Hon. Members that on the basis of the recommendations that have been processed a comprehensive Bill is being drafted. I hope that the Bill will be ready very shortly. I feel and it shall be my endeavour to see, if possible, that the Bill is introduced in the current session itself.

The Hon. Member Mr. Lawrence, who is not here now, suggested that the ceiling limit of Rs. 1600/- having regard to the fast erosion of the value of the rupee is not adequate and that it should be at least Rs. 2000/-. I, can only tell the Hon. Members that this Rs. 1600 is not permanent. This we have provided because in other labour laws also the ceiling limit is Rs. 1600. For instance, in Gratuity Act, Industrial Disputes Act, Bonus Act and other Acts, it is Rs. 1600.

I know the wage level is increasing and there is a need to increase the ceiling whether I want it or not. I think, very soon we have to raise it to 2000 or 2500. Only for the sake of uniformity, we have put this ceiling of 1600 here also. That does not mean that we are going to stop at that. In course of time, it will be increased as it will be increased in other labour laws.

With regard to facilities that are provided, many Hon. Members genuinely feel that the services are not satisfactory. I agree with Mr. Chitta Basu that the medical facilities that are made available by the Corporation are not satisfactory. Doctors are not there; Specialists are not there. Accommodation is not there or medicines are not available or quality

medicines are not available. As she Hon. Members are receiving complaints, we also do receive such complaints. Under this Act, a Corporation has been constituted and this is a tripartite body. I want to make it very clear that so far as the administration of the Corporation is concerned, Government has very little say. In the Corporation there are representatives employees, employers, State from the Governments and the Central Government. Under the Corporation there is a standing committee. That is also a tripartite body There is a Medical Benefit Council. So. the administration of the Corporation is the responsibility of the Corporation and the Standing Committee, which is 8 tripartite body in nature. So far as the programme of this organisation is concerned, there are two programmes-one is medical benefit programme and the other is cash benefit programme. Cash benefit programme is operated by the Corporation directly.

Under the Cash Benefit Programme, there are several other programmes like sickness benefit, maternity benefit, disablement benefit, dependants benefit. and funeral expenses So far as Cash Benefit Programme is concerned, it is administered directly by the Corporation and so far as medical benefits, such as providing hospital facilities, dispensaries, doctors, para-medical staff, medicines and all that are concerned, Hon. Members are aware that it is the responsibility of the State Governments and if in a particular State a particular ESI hospital is not functioning satifactorily, I do not think any Hon. Member can blame the Government of India because we have no voice there.

SHRI RAM PYARE PANIKA : But we want that you should take care of it and, if necessary, you may bring amendment in this Bill.

SHRI VEERENDRA PATIL : I am coming to that. That is why I have said that medical benefit is the responsibility of the State Governments. Whatever expenditure is incurred on medical benefits—on running the dispensaries, staff, medicines and everything the pattern is that one-eighth of the

guin

total expenditure is met by the State Government and seven-eighth is met by the ESI Corporation. Now, the question is whether a particular ESI hospital is functioning properly and satisfactorily or not, whether the services are satisfactory or not? In the entire country, there is only one hospital in Delhi which is directly under the Corporation, all the rest of the hospitals, dispensaries, etc. are under the administrative control of the State Governments. It is the responsibility of the State Governments to see that all those hospitals run efficiently, and to the satisfaction of the workers for whom these hospitals are meant

Now, we know that complaints are being received about these hospitals. So, in the Corporation there is a committee-again it is tripartite in nature-Mr. Rajan knows it much better-called the General Purposes Committee. That Committee visits the States periodically and finds out whether the ESI hospitals are functioning effectively and satisfactorily, whether medicines are being provided properly and whether standard medicines are being given to the workers. If there are any deficiencies or other irregularities, that Committee makes recommendations to the Corporation. The Corporation sends its suggestions or reports to the Government or to our Ministry and on receipt of those receipts, if any deficiencies are found on the part of a particular State Government, we take up the matter with that State Government and request them to remove those deficiencies and give efficient and satisfactory service to the workers through the ES[hospitals. That is the procedure.

One Hon. Member mentioned that the representation that is being given to the employees and the employers is not adequate and that more representation should be given to both on the Corporation and on the Standing Committee. So far as this suggestion is concerned, I think this is one of the recommendations of the Hoshing Committee and we have accepted this recommendation. So, we have included the proposal in the comprehensive Bill to raise the number of representatives of both the employees and the employers from five to ten. Under the existing Act the number of representatives is five each. From five we are doubling it. In the comprehensive Bill that is being prepared, we are increasing this number from five to ten. Once that Bill is passed, then on this Corporation there will be ten representatives of employers and ten of employees.

An Hon. Member said, and even Shri Chitta Basu is under the impression that there is no dearth of funds in the E.S.). They feel that E.S.I. has got lot of funds. I must take the House into confidence and tell the financial position of E.S.I. The financial position of E.S.I.C. is not satisfactory.

Its income during 1983-84 was Rs. 181 crores. This income is by way of contributions. But the expenditure during 1983-84 was Rs. 229.68 crores. As against the income, the expenditure is much more. During 1984-85 the anticipated income is Rs. 180 crores and the expenditure is likely to go to Rs. 241.48 crores.

The Hon. Members may now ask how this deficit is being met. This deficit is being met from certain reserve funds. The Corporation has fortunately got Reserve Fund. The accumulation of the fund in the Corporation is of the order of Rs. 381 crores. This Rs. 381 crores is kept partly in Government securities and most of the money is kept in fixed deposit. The Corporation is earning interest and from this they are meeting the expenditure.

SHRI CHITTA BASU: So, the Corporation is better than many State Governments.

SHRI VEERENDRA PATIL : Because of the financial constraints, the per capita expenditure on medical benefit is fixed. There is demand from all the State Governments that it should be increased We could not increase it because of the financial constraints.

Shri Daga is not here. He wanted to know how many Members know about these benefits. I can only tell the Hon. Member, it is not correct to say that the members do not know about these benefits because under cash benefit the expenditure is mounting. It goes directly to the workers. If they do not know, how can they take so much money? By way of cash benefit the Corporation is spending a lot. Last year i.e. in 1983-84 it has spent Rs. 98.88 crores. This year the provision is Rs. 100.54 crores. That means that everybody knows what are the benefits under the scheme. Not only they are taking benefit, even Shri Chitta Basu will agree, they are taking undue benefit of this. So, there is no question of publicity at all.

I come to the point that has been made by my friend Shri Arakal - that if the establishment is in receipt of superior medical benefit, why not those establishments be exempted. I think everybody knows that there is already sufficient provision under the existing Act, that if the factories or establishments or any class of employees, if they are receiving better benefits from their establishments and if they are having better facilities, the appropriate Government is empowered to grant exemption to such establishments and They can go and convince them factories. and take exemption. There is no difficulty.

SHRI XAVIER ARAKAL: I have one point for clarification. Assume that the Government is willing but the management is not willing, as I cited, then the problem comes.

SHRI VEERENDRA PATIL : In order to get exemption not only should management agree but also workers have to agree. There are certain cases where the management agree but the workers do not agree. They say, "We are not satisfied with the facility". That is why, if both of them agree, there is no difficulty for the Government to give exemption.

Then, one Hon Member mentioned about the All India cadre of these doctors. One Hon. Member said that the doctors in the E.S.I. Hospitals were not getting sufficient salary. I do not know what he meant by this because the doctors in the E.S.1. Hospitals are Government ductors belonging to the State Government. It is only in Delhi that we have got one hospital under us. But they are getting the scale of Central Government. So, wherever doctors are there, they are not at all being treated as inferior or anything like that. On the other hand, they get additional E.S.I. allowance of Rs. 200 plus non-practising allowance and

other allowances also. But there is a suggestion that, why don't we have an All-India medical cadre for the E.S.I. Hospitals? I am told that the E.S.I. Review Committee also made a recommendation to this effect. This will be considered in consultation with the State Government.

Hon. Member, Mr. Vyas was very particular about the benefit to the mine workers, scft-stone mine workers or something like that and he was under the impression that the treatment was given for the workers only for 10 or 15 days. The position is, patients under the E.S.I. scheme are entitled to sickness benefit for a period of 91 days in a year. In addition, those suffering from TB are entitled to extended sickness benefit for 309 days. So, it is not correct to say that they get benefit only for 10 or 15 days. But they are getting benefits depending upon the ailment from which they are suffering I can tell my Hon. friend, Mr. Vyas, who is not here, that the ES.I. scheme is not. at present, applicable to mines. Medical facilities under welfare funds are, however, applicable to the workers in mines.

Lastly, Mr. Panika made a complaint that one hospital in his constituency was not completed.

SHRI RAM PYARE PANIKA : Even the work has not yet started.

SHRI VEERENDRA PATIL: The E.S.I. Corporation get the hospital constructed either through the C.P.W.D. or State P.W.D. or the State Housing Board. We do not have the agency of our own. We have to depend upon the State P W D. or the Central P W.D. These agencies generally give low priority to the construction work of E.S.I.C. This is the main reason for the delay. The case of Renukoot hospital is being pursued with the State Government at the highest level. It is understood that the construction of this hospital is likely to start shortly.

In brief, these are the few points that have been made by the Hon. Members and to the extent possible, I have tried my best to meet those points. On the whole, I am very happy that all the Members have welcomed this measure and I am once again grateful to the Members who have participated in the debate.

MR. CHAIRMAN : The question is :

"That the Bill further to amend the Employees' State Insurance Act, 1948, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN: The House will now take up clause-by-clause consideration of the Bill.

MR. CHAIRMAN : The question is :

"That Clauses 2 to 15 stand part of the Bill".

The motion was adopted

Clauses 2 to 15 were added to the Bill.

MR. CHAIRMAN : The question is :

"That Clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI VEERENDRA PATIL : Sir, I beg to move :

"That the Bill be passed."

MR. CHAIRMAN : Motion moved :

"That the Bill be passed."

Prof. Ranga.

PROF. N.G. RANGA : Mr. Chairman, Sir, I am glad that my Hon. friend has to his credit that this Bill is being passed unanimously by the House under his leadership and, I hope, he would soon be able to succeed in introducing what has offered and what Mr. Chitta Basu and several other friends have asked for, a more comprehensive Bill before the end of the session.

From the manner in which the speeches have been made from different sides of this House, it is quite clear and I hope the Opposition also would be able to join me in saying that so far as the industrial workers are concerned, this Government has been wholeheartedly supporting whatever welfare measures are needed for their benefit. The only other thing is that their attitude towards agricultural labour has not been Regarding the agriquite so satisfactory cultural labour, I have been pleading for all these years, over decades, that this kind of welfare legislation that we are having for industrial labour should be suitably adjusted and extended to agricultural labour also. No serious effort has been made in that direction either by the State Governments or by the Central Govenment so far, whether it is the Congress Government or the non-Congress Government. Now, it is high time that the labour administration cooperates with the Ministries concerned to see that this lacuna is overcome.

Secondly, in regard to the administration, I am glad that at every stage there are tripartite committees My Hon, friend, the Labour Minister was justified in saying that it is not proper on our part to go on complaining when these tripartite committees are there to look after the interests of workers and also to see that the employers too discharge their duties-and, if there is any defect at all, it is on the part of labour. That is where I agree with my Hon. friend the Minister of State who was in-charge of labour sometime ago that our labour is not satisfactorily organised. There are some advisers for labour. But these advisers also are not effective. The agricultural labour is not organised at all in most parts of the country. That is one of the reasons why I made the suggestion that there should be a chain of honorary labour organisers appointed all over the country, at least one for every Samiti whose duty would be to help the workers to be wide awake to whatever labour welfare is available and to plead for them at all levels, governmental as well as semi-governmental bodies, and help them to organise themselves. I am glad that the Planning Commission adopted that suggestion and the Government has also accepted it. If I am not wrong, I think, for nearly onethird of the Samitis in the country, the Government has got a plan now to appoint these honorary labour organisers. But these people should not be Government officers. They should be entitled to be ex-officio members of all the local bodies and various other organisations which are there in the country to look after labour.

Thirdly, I want the Workmen's Compensation Act to be extended to agricultural labour also. Then there is a very good suggestion made by my friend Namgyal from Ladakh that it is not enough that Government should be coming from time to time in order to increase the total quantum of the income of workers to entitle them to claim these benefits in proportion to the inflationary mischief that afflicts us. It would be a good thing if in the next Bill that is to come, a Clause would be introduced that once in every five years, the Ministry of Labour would be entitled to increase it in accordance with the rise in prices and the fall in the value of money and that would help the same authority to change the ceiling as if it is a statutory decision made by the Government. Let such decision be placed on the floor of the House before Parliament so that if any change would be needed, any alteration would be demanded, it could be taken up by Parliament.

My Hon. friend Shri Ram Pyare Panika has made a very good suggestion which I had, therefore, supported it and it is a suggestion that once good in a year or three years, a pamphlet should be published by Government to enlighten the workers through their local languages what all legislation there is for their benefit and for their protection. All the various social welfare benefits are being made available to them according to different conditions so that workers would not be entirely at the mercy of their so called friends either official or un-official, organised or unorganised and they can be self-reliant so far as the need for them to make their demands for obtaining these various benefits that are being offered is concerned.

Lastly, I would like to say that it goes to the credit of this Government and of the Congress that in this country, what all the Labour Party had been doing in England for the benefit of the workers, our Congress Government has been doing for the welfare of our workers.

SHRI VEERENDRA PATIL: Hon. our senior colleague Prof. N. G. Ranga has suggested that this ESI Scheme should be extended to agricultural labour and unorganised labour. No doubt, it is a very good suggestion because whatever legislations we have and social security measures we have for the workers, the benefit of those legislations and social security measures are going only to the organised labour and very little banefit goes to the unorganised labour and in our country out of total work force, it is only 10% of the work force which is in organised sector and 90% of the work force is in unorganised sector. There are practical difficulties in extending this Scheme to the agricultural sector and unorganised sector.

In 1972, the Corporation had set up a perspective planning committee to go into this programme and to prepare a phased programme for the Corporation for giving medical and other benefits under this Scheme and they prepared a programme in three phases.

The first phase, according to the programme prepared by that Committee, is to extend these facilities to the factories run with power and employing 10 to 19 workers, factories run without power, shops, cinemas, including preview theatres, road motor transport and newspaper establishments, hotels and restaurants employing 20 or more workers. In the second phase, the Committee wanted the organized mines and plantations to be covered. In the third phase, they wanted the scheme to be extended to unorganized or semi-organized sector about which accurate statistical data is not available.

So far as these three phases of programmes prepared by that Committee are concerned, the Corporation has not covered even the first phase, let alone the question of going to the second and the third phases. That stage has not been reached. So far as the third phase is concerned, about extending the scheme to the workers in the unorganized sector and mostly in the agricultural sector, this was considered by the Government, this was examined by the Government, and it is recognised that there is need to extend the social security benefit to the workers in the unorganized sector. But at the same time it is realised that the ESI Corporation may not be in a position to enter the unorganized sector. It is, therefore, felt that we may have to leave it to the State Governments to provide the social security benefit to the workers in this sector by setting up appropriate departmental undertakings. That is the view of the Government because the unorganized sector is spread over and we cannot have such a big and huge organization; there are practical difficulties.

Hon. Member Prof. Ranga has suggested why not publicise whatever we have been doing for the workers by printing pamphlets and all that? I want to tell the Hon. Member that we have got another programme also; there is an organization for creating consciousness and awareness among the workers, that is, the Central Board for Workers' Education. A labour leader is the Chairman of that Board and it is a society registered under the Societies Act. The entire expenditure of educating the workers, training the workers, creating awareness and consciousness among the workers, is being met by the Government. So, on an average, every year, we are spending Rs. 3 crores on workers. So, sufficient educating programmes are there to create consciouness, to publicise what we have been doing for the workers. Therefore, the suggestion made by the Hon Member is well taken care of.

MR. CHAIRMAN : The question is :

"That the Bill be passed."

The motion was adopted.

.....

15 34 hrs.

DISCUSSION ON REPORT OF EIGHTH FINANCE COMMISSION AND MEMORANDUM OF ACTION TAKEN THEREON

THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE) : Sir, with your permission, I beg to move :

> "That this House takes note of the Report of the Eighth Finance Commission together with Memorandum showing action taken thereon,