

my question is regarding the rehabilitation of the tribal people. There are guidelines from the World Bank also for the rehabilitation and they should be rehabilitated at the place of their choice. But the Government has not given any forest land and that is the problem. So, I would like to ask the Minister how he is going to rehabilitate these oustees by giving forest land.

SHRI MANUBHAI KOTADIA: Sir, let us assure the Member concerned that this relates to Maharashtra only and that too only 100 and odd families. Sir, this issue is under consideration of the Government and it will be settled soon.

### Central Legislation for Agricultural Labour

\*45. SHRIMATI GEETA MUKHERJEE: Will the Minister of LABOUR AND WELFARE be pleased to state:

(a) whether there is long pending demand for enactment of a central legislation on agricultural workers;

(b) whether any legislation in this regard is under contemplation; and

(c) if so, the details thereof?

[*Translation*]

THE MINISTER OF LABOUR AND WELFARE (SHRI RAM VILAS PASWAN):

(a) Yes, Sir.

(b) No, Sir.

(c) Does not arise.

[*English*]

SHRIMATI GEETA MUKHERJEE: Sir, I am sure that since our *lok priya* Minister has come in the Department of Labour and since he knows that there is a long pending demand for a Central legislation for Agricultural Labour, in answer to the next question. I think, probably he will have to rethink about

the main Question. In any case, I would like to ask the hon. Minister whether he is aware of the fact that all the trade union organisations belonging to all trade-unions are of the opinion that there should be such a legislation. And also in the Labour Ministers Conference which was held in 1988, all the Labour Ministers from the non-Congress Governments have agreed but unfortunately some of the State Labour Ministers from the Congress-ruled States could not agree though the Congress-led INTUC agrees with the proposal for central legislation for agricultural labour.

Therefore, in view of the above fact, instead of giving a reply "it does not arise". whether the hon. Minister will consider it and come out with such a proposal in future?

[*Translation*]

SHRI RAM VILAS PASWAN: Mr. Speaker, Sir, I agree with the views expressed by hon. Shrimati Geeta Mukherjee. She, herself being a labour leader knows the limitations of Central Government's jurisdiction in these matters and discussions have been held in this regard from time to time. In 1978, a Central Standing Committee was constituted by the Labour Ministry. A sub-committee was formed to recommend a legislation for agricultural labourers. This sub-committee recommended that a legislation be enacted on the lines of the Agricultural Labour Act which is in force in Kerala. Then that proposal was sent to the State Governments as well as the Union territories. Later, in 1981, a conference of Labour Ministers was held. The matter was considered but no consensus emerged. After that, another conference was held in which it was decided that a committee would be formed comprising the Secretary of the Agriculture Ministry and Labour Ministers of all States. This committee also discussed the matter and again there was no consensus. In September, 1982, the Labour Ministry wrote to all State Governments to look into the matter and enact a legislation for agricultural labour. Thereafter, in September, 1986, a sub-committee was formed by the Consultative

Committee of Parliament. The report was submitted in 1987. This report was sent to the State Governments and a discussion was held on it on November 7, 1988 in a conference of State Labour Ministers. It was concluded that there was no defect in the existing legislation. The lacunae lie in the implementation process. The main problem is that farm labourers in Bihar and Eastern Uttar Pradesh get employment for a period of four months only and remain idle for the remaining eight months at the mercy of their masters. So the law is not being enforced. In 1987 the National Commission on Rural Labour was constituted to go into matters related with agricultural labour. All these aspects are under the consideration of the commission. I appreciate the feelings of the hon. Member about the exploitation of agricultural labour. I shall ask the National Commission on Rural Labour, whose term is three years, to submit its report and then the Government will see what can be done.

[*English*]

SHRIMATI GEETA MUKHERJEE: In view of the fact that the hon. Minister has assured me that he would go into it, I withdraw my second supplementary.

[*Translation*]

SHRI SUDAM DATTATRYA DESHMUKH: Mr. Speaker, Sir, the question asked by hon. Shrimati Geeta Mukherjee has two aspects. One relates to the demand for a Central Legislation for agricultural labour. The hon. Minister says that difficulties are being faced as it is a State subject, and hence, other relevant laws will also be taken into account while considering this matter. If the hon. Minister feels that there are law at the State level that would be beneficial to agricultural labour, they should be consolidated and a comprehensive Central Legislation enacted, which should be enforced throughout the country. None of the laws meant for agricultural labour are being implemented by the states. So a Central Legislation is essential. I demand that the Government should come forward with a comprehensive Legislation in this regard. May I know if the Government intends to introduce a Central Legislation for agricultural labour?

SHRI RAM VILAS PASWAN: The House is aware that this is a State subject and the Centre will take a step only if a general consensus is arrived at because the

wage-rates for labour differ from State to State. As regards the provision for punishment, section 22 of the Minimum Wages Act, 1948 provides for imprisonment for a period of six months or a fine of Rs. 500/-. Laws are already there but their implementation is the responsibility of the State Government. The Central Government does not have any role to play in it.

[*English*]

SHRI S. BENJAMAN: There is no uniformity in laws. There is no proper implementation of the laws also. Therefore, a directive must be given by the Central Government to all the States to enact agricultural labour law and an effective implementation process also must be adopted. Laws will not get implemented by themselves. An effective implementation organisation must also be there. Discrimination is made between agricultural labour and industrial labour and there is no Government machinery to implement the laws which were made in the States also. Laws are inadequate and the laws that were made are not being implemented because there is no proper machinery. A process must be evolved by the Central Government to make laws for agricultural labour and to implement them on par with industrial labour.

[*Translation*]

SHRI RAM VILAS PASWAN: Mr. Speaker Sir, so far as State Governments are concerned, our Ministry co-operates with them. I assure the hon. Member that I shall again write to the Chief Ministers of all the States not only about the minimum wages but also about the overall interest of the labourers and would impress upon them to strictly implement the laws relating to agricultural labour.

SHRI CHHEDI PASWAN: During the last two years of the Congress rule, nearly 7 lakh agricultural labourers have migrated from North Bihar. May I know from the hon. Minister whether the Central Government is taking any concrete steps to check the migration of agricultural labour and whether anything of this sort is being considered by the National Commission on Rural Labour?

SHRI RAM VILAS PASWAN: The National Commission on Rural Labour will definitely look into these matters?

MR. SPEAKER: Question-hour is over.