

BONDED LABOUR SYSTEM (ABOLITION) BILL

THE MINISTER OF LABOUR (SRI RAGUNATHA REDDY):
This House is aware that the Rajya Sabha have already passed the Bonded Labour System (Abolition) Bill, 1976.

The system of bonded labour is the most anomalous remnant of feudalism still vitiating our society. It is a moral duty of the nation to abolish the system. Freedom can never endure with enclaves of bondage; a civilization with an army of exiles never lasts.

By emphasising in the 20-point programme the necessity of the immediate abolition of bonded labour, the Prime Minister voiced the aspirations of the mute and toiling minority of our compatriots that had been condemned to live as exiles from our civilization.

The mechanics of the system is well-known. A poor peasant or an agricultural worker takes a small loan; his dues accumulate very fast under exorbitantly high rates of interest; soon he finds it impossible to extinguish his debts; he disposes of his property but still continues to be in the red; he then begins to work for the creditor at absurdly low wages and hopes to repay the debt by the fruits of his labour; but the cruel logic of usury defeats him. His children and grand-children also begin to work for nominal wages to liquidate the debt. Generations after generations become virtual slaves to the creditor. The entire future of the family becomes mortgaged to a small loan taken in the remote past; the debt becomes the destiny.

That is how this system based on usury and feudal exploitation perpetuates unequal exchange for ages. The bonded labour has no access to any commodity or capital market; he ceases to be a free economic agent; he is reduced to an appendage of feudal

property. The debt thus dehumanize him; he lives like a sub-man; he lives like a "thing". The system, therefore, not only dispossesses the labourer but also divests him of his human essence. The Prime Minister has rightly said that it is a barbarous system.

No civilisation can endure half-free, half-bonded. Freedom that co-exists with servitude is illusory. So, the Prime Minister decided that the system must end.

This House is aware that feudal relations of production, coupled with the mercantilism fostered by colonialism, gave rise to this mode of exploitation in different parts of the country. The colonisers were interested in impeding the development of indigenous market-forces in the country. They, therefore, aided and abetted the perpetuation of pro-feudal economic structures in this country of which the system of bonded labour is one of the glaring examples.

I may take this opportunity to bring to the notice of the House some examples of the system existing in different parts of the country. The practice of bonded labour was found to be prevalent in the scheduled areas of Srikakulam, Visakhapatnam, West Godavari and East Godavari in 1965-66. The report of the Commissioner for Scheduled Castes and Scheduled Tribes, 1971-72 and 1972-73, says:

"It is suggested that a detailed study on the subject may be carried out by the State Tribal Research Institute as it is difficult to believe that the economic condition of bonded labourers has improved to such an extent that during a period of eight years, this practice has completely disappeared."

The system is prevalent in some areas of Bihar. The report of the Commissioner for Scheduled Castes and Scheduled Tribes gives the names of the villages in which this system is

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prevalent in the State of Bihar. The report also indicates the socio-economic factors that help the perpetuation of this mode of exploitation. The system of labour called *Hali* that existed in Gujarat is a type of bonded labour. According to the latest communication received from the Gujarat Government, the practice of bonded labour is not prevalent in the State at present. The Commissioner for Scheduled Castes and Scheduled Tribes, however, states that more schemes are necessary for the economic rehabilitation of *Helpatis*. In Karnataka, the *jeetha* system that existed in Dharwar District comes under the purview of the system of bonded labour. In Kerala, the practice existed in the North Wynad and South Wynad and in Malapuram District. The State Government have abolished the system by promulgating a Bill. But we have a feeling that the economic rehabilitation of the bonded labourers may take more time. The report of the Commissioner for Scheduled Castes and Scheduled Tribes also indicated that, in Madhya Pradesh, the system existed in the districts of Ratlam, Morena, Jhabua and Mandsur. The *Gothis* system in Orissa amounts to bonded labour. It is reported that, in some backward areas of Rajasthan, particularly in the Bhimbarpur District, the *Sagri* system was prevalent. In Tamil Nadu, the State Government stated that the system of bonded labour was not prevalent. But the Charity Ryots of Gudalur Taluk employ the hill tribals belonging to Panl-yas and Kattunyakans as labourers to work in their paddy fields. Those who are employed for paddy cultivation are fed and clothed by them in addition to wages given in kind. The tribals who are employed for cultivation are at liberty to go anywhere else if they are not pleased with their masters. Whether really the persons who have made some contract can go and work with other landlords so easily is doubtful, but without having any detailed survey, nothing can be concluded. Some surveys have shown

that the system exists in some areas of Uttar Pradesh also.

Sir, it is not necessary to give more details to the House. This House has already stood for the dignity of human labour and for economic and moral freedom. I am confident that hon. Members will agree with me if I say that the abolition of bonded labour is a political and moral duty that we cannot palter with.

The President promulgated an Ordinance on October 24, 1975, abolishing the system. It has been laid down in the Ordinance that all debts incurred by bonded labourers shall be deemed to have been liquidated. Any act that can, in any way, perpetuate this system or stand in the way of the abolition of this system has been made a punishable offence under the Ordinance. The Ordinance also provides that there shall be vigilance committees at the District and sub-divisional levels consisting of officials dealing with developmental projects and non-officials concerned with rural development. The vigilance committees will advise the Government machinery and will evolve suitable methods of canalising credit and other production—inputs to the bonded labourer. Officers of the State Governments can be vested, under the Ordinance, with adequate powers in respect of inquiry, cognizance, prosecution and trial. State Governments have already been told that the eradication of bonded labour cannot consist in legislation only; it is a complex administrative problem the solution of which will require the concerted efforts of the developmental machinery of the Government, nationalised banks, rural banks and social workers working in the agrarian sector. State Governments have been requested to utilise the Plan schemes for the rehabilitation of freed bonded labourers. We cannot be tardy in bringing back to the mainstream of national life these creatures that once were men and that is not a very easy job. We have to transform not only the economic situ-

ation of the freed bonded labourer but also his ethos. Years of servility generates not only professional inefficiency but also psychological inertia. The bonded labour got used only to poverty but also to domination. Our task is to extricate him from his economic squalor and moral pallor—to restore him from thralldom to freedom.

Appropriate agencies are making arrangements for the collection of statistics on the earnings of freed bonded labourers. The State Governments have been asked to impart necessary vocational training to these labourers to enable them to pursue independent professions. If land is not available, these labourers may be supplied with the inputs for Khadi industries like bee-keeping, handicraft, weaving or sericulture.

A feat of oratory is not necessary to convince the Hon. Members that this Bill must be enacted immediately. The country is experiencing a radical transformation under the 20-Point Programme announced by our beloved Prime Minister. This programme is not only a strategy for progress but also a chapter of emancipation. The abolition of out-moded and iniquitous economic structures like the system of bonded labour is a *sine qua non* for the success of 20-Point Programme. Exploitation is immoral and immorality breeds decay. We shall increase the durability of our civilization by rehabilitating bonded labourers—the poor victims of pre-history that never lived like men.

With these words, I beg to move:

“That the Bill to provide for the abolition of bonded labour system with a view to preventing the economic and physical exploitation of the weaker sections of the people and for matters connected therewith or incidental thereto, as passed by Rajya Sabha, be taken into consideration.”

MR. DEPUTY-SPEAKER: Motion made:

“That the Bill to provide for the abolition of bonded labour system with a view to preventing the economic and physical exploitation of the weaker sections of the people and for matters connected therewith or incidental thereto, as passed by Rajya Sabha, be taken into consideration.”

Shri Biren Dutta.

SHRI BIREN DUTTA (Tripura West): Mr. Deputy-Speaker, Sir, this is really surprising that the system of bonded labour has been allowed to perpetuate in this country though it was prohibited under the Constitution adopted as early as 1950. If the Government would have taken action according to the provisions of the Constitution against the money-lenders who exploited the rural labourers in a most inhumane manner there would have been no need for such a Bill to be discussed here.

Then hon. Minister has stated that the abolition of bonded labour has been included as one of the items of the 20-Point Programme enunciated by the Prime Minister, but the Government has not the modesty to explain as to what prevented them so far to take action against the money-lenders and landlords. The power was given to the Government under the Constitution, but no action was taken by them. Now it has been made a matter of propaganda. While we are discussing this Bill here, the landlords and money-lenders are at large and they are exploiting the labourers. Since the policy of this government is to encourage in the village the landlords and the rich people, they cannot abolish the bonded labour system. It will continue even if this Bill is adopted. The Scheduled Castes Commissioner has already submitted 20 reports to government wherein it is clearly stated that this system very much persists. What has prevented this government from taking action against those persons whose names were included in

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the report of the Commissioner? The Labour Minister himself presided over a Seminar organised by the National Labour Institute. In that report also I find the existence of this evil system in U.P., Rajasthan, Bihar and other States....

AN HON. MEMBER: Andhra Pradesh also.

SHRI BIREN DUTTA: We have no information whether any action has been taken against the persons whose names, addresses, etc. have been given in the report itself. Even after the promulgation of the Ordinance and even when we are discussing this Bill, it is really surprising that in some areas just after the declaration of the ordinance, when some peasants organization tried to organize against the money-lenders, at once the government came with a heavy hand and many have been put into the prison as MISA detenus. Is it the way to abolish the bonded labour system?

The bonded labour system is very old in India which is there over centuries. It is inherent in the village frame-work itself and unless you change it, you cannot abolish the bonded labour system. If you continue your support to the landlords and the rich people, this system will persist. The first and foremost question is: whether this Government really intends to abolish this system. Unemployment in the village areas is so high; about 4 crores of unemployed are reported in the Press and it is growing more and more and where will these unemployed go if you abolish this bonded labour system? They will go to the same money-lender and the usurer because that way they can have at least one full meal a day, if not two. The number of unemployed is quite large in the rural areas and this will be biggest hindrance to implement any measure on abolition of the bonded labour system. By this Act, you cannot even touch the fringe of the problem. So long

as you do not give land to the landless and cheap credit, they are bound to go to the usurers. The Minister himself has said that now the Government will try. If land is available, he will not get the land. Then where will they go? How will they live? So, it is meaningless to pass the Bill without guaranteeing them land and assistance. The most difficult problem is that the members of the Congress party are the landlords and or they form the vote catching machinery of the Congress Party. That is why this thing is still persisting. Even if you pass this Bill this practice will continue.

A serious drawback of the present situation is that the bonded labourers are un-organised and, therefore, they cannot assert their right. If any attempt on the part of the agricultural workers organisations is made to help the bonded labourers to free themselves at once, it is seen that the goondas, landlords, usurers and money lenders throw the poor villagers who help the labourers in difficulty.

May I know from the honourable Minister whether there is any written document?

You have said, generation after generation, this system has been persisting. Now, the Central Government has authorised the State Governments to implement this law. It is a very funny thing. The Central Government is taking the credit of passing a law for abolishing the bonded labour system in the Bill there is no Financial Memorandum. The Central Government will not take any responsibility to implement this Act. That is why, I conclude by saying that this Bill is more for the purpose of serving as a favourable propaganda for the ruling party than for the liberation of the bonded labour.

SHRI CHINTAMANI PANIGRAHI (Bhubaneswar), Honourable, Deputy-Speaker, Sir, this is the most welcome

measure. The hon. Minister for Labour has put before us that this system has been continuing for ages together in a feudal society like ours. In the twenty point programme, one of the points that has been included is about the transformation of a society of a feudal order to a society free from feudal exploitation, all kinds of exploitations, through democratic and peaceful means. I must say that this is one of the most remarkable achievements for which we are striving for. The Prime Minister has described the bonded labour system as the most barbarous system prevailing in this country. We have taken a right step and this is in the right direction.

This is a kind of remnant of medieval feudalism. The more we try to organise the rural masses, the more we bring them into a kind of mass action for achieving this objective. Then, we shall succeed.

In this connection I would like to bring to the notice of the hon. Minister that the Indian National Congress was seized of this matter for a long period. For the last two years i.e. from 1974, in order to organise the rural poor the landless, the artisans and the small farmers, the Indian National Congress, the Indian National Trade Union Congress, jointly thought of organising the rural masses into the Indian National Rural Workers Federation. For the last one year this Indian National Workers Federation with the blessing of the Indian National Congress and the INTUC have gone in a big way to organise the rural masses so that by whatever legislation we are bringing to ameliorate the condition of the rural people they can organise themselves and get the benefit out of it. Whatever measures were given to industrial workers by way of various legislations during the last 26 years by this Government, because the industrial labour could organise themselves, they could wrest rights from the employer and also from the Government and the

employer and Government had to accept many of their demands. Since independence we must have passed hundreds of land reform measures but the rural people could not derive much benefit from them because they were not organised. As somebody has suggested this lacuna was there and the workers were not benefited. I hope that the hon. Minister will take these things into account. Mere abolition of bonded labour by legislation is not going to really free all those people who are still in bondage. We had abolished bonded labour system which was called *Gothi* as early as in 1956 which was there in Koraput district in Orissa. Mere abolition by legislation alone is not going to solve this problem.

I want to offer a few suggestions to the hon. Minister. We know that there are many cases of these labourers who have taken loans from *sahukars* and money lenders, they have mortgaged their lands, they are working for them, but they are not included as bonded labour. I am citing only one instance. In the year 1943 one tribal in Navagarh sub division of Puri district in Orissa took Rs. 550 by way of loan from one money-lender and he had 2 1/2 acres of land. It is surprising to note that this tribal gave his own labour, his own bullock, his own plough, and yet cultivating this 2 1/2 acres of land which he mortgaged to the money lender, and the crop was being taken away by the money lender. This has been calculated that by way of giving the crops to the money-lender, he would have repaid more than Rs. 2500 to the moneylender and still the debt continues. But, Sir, at last he has been saved from this year's crop. I would ask the Minister as to how to include these kinds of people because he is sufferer in both ways. In a sense he is a bonded labourer and in the other sense he is in debted to the moneylender and he is a category belonging to both sides. Therefore I want to know as to how you are going to solve this problem.

[Shri Chintamani Panigrahi]

Unless you try to coordinate the activities of all the commercial banks and rural banks, all the cooperative and the credit institutions, you will not be able to supply them the necessary inputs, credit etc. Even last month, one fellow who was freed from this indebtedness from moneylender had again gone to another moneylender. In Orissa poor and small farmers, artisans need more than 100 crores of credit every year. This has to be met through credit institutions. He must get some loan for his crops. Therefore, the Government should immediately go in a big way to identify the areas where they are going to free these people and should immediately set up credit institutions so that they get the loans from them immediately.

With regard to Vigilance Committee, I would like to suggest that this is not going to work. Therefore, if you are going to set up vigilance committees, the Minister of Labour of the Central Government or any representative of the Central Government should be involved in all these implementation Committees which would be set up for implementing this. Unless the Central Government gets itself involved directly, whatever legislation we may pass here, we will simply pass the back to the State Governments. I do not think the State Governments will be able to implement these programmes alone seriously. So, I hope that you will consider this suggestion of mine. Over and above the Member of Parliament or M.L.A. of that area and the elected Panchayat Samiti Chairmen Members should also find a place in the Committee and Committed non-officials should Chair these Committees.

*SHRI M. KATHAMUTHU (Nagapattinam): Mr. Deputy Speaker Sir, on behalf of the Communist Party of India to which I have the honour to

belong and on my personal behalf as the President of the All India Agricultural Workers' Union, I wholeheartedly extend my welcome to the Bonded Labour System (Abolition) Bill, 1976. In the past on numerous occasions movements were launched by the All India Agricultural Workers' Union for the abolition of this barbarous and heinous system of bonded labour in our country. This legislation abolishing the bonded labour system should have been brought many years before. It has come belatedly yet it is such a welcome measure that everyone in this house should heartily welcome it. As one personally engaged actively for many years in the abolition of bonded labour and other kinds of feudal exploitation in the countryside, I unreservedly welcome this Bill.

In his introductory speech, the hon. Minister of Labour stated that the bonded labourers were virtually slaves for generations. The agricultural labourer who took a petty loan from a landlord could not clear the loan for years and years. He was made to toil and sweat for extremely low wages for decades. His entire family slogged on with him. Yet that petty loan could not be cleared. They were bonded labour for generations. They could not go to any other place for their livelihood. They were completely dehumanised. In this situation, they could not have been able to enjoy any fundamental rights guaranteed to them in our Constitution. They had neither any fundamental rights nor any human rights. The House will be surprised to know that, in the Tanjore District of Tamil Nadu from where I come, the bonded labourers used to be punished by the landlord, they were whipped and they were compelled to sip rowdung mixture. The bonded labourers were not only slaves but also treated worse than animals.

If a thorough survey is made, it will be revealed that the bonded labour

system, is still prevalent in all the States in one form or the other. This Bill seeks to emancipate the slaves of centuries and to make them breathe the pure air of freedom. Naturally all of us who have devoted their lives for the noble cause of freeing the bonded agricultural labourers for generations welcome this legislative measure heartily.

Sir, though this is a good legislative measure, yet I find that there are certain deficiencies which will impede the effective implementation of the salutary provisions of the Bill. I will enumerate a few of such deficiencies. You know, Sir, that most of the 22 State Governments and 9 Union Territories have declared that there is no bonded labour system in their regions. I feel that this is an indirect way of not only denying the existence of bonded labour system but also refusing to implement one important aspect of the 20-point economic programme acumbrated by the Prime Minister. The Chief Minister of Tamil Nadu has declared that there is no bonded labour system in Tamil Nadu. But, Sir, in Tamil Nadu in Bihar and in many other areas of the country, this hated system of slavery is still prevalent. The hon. Minister of Labour in his introductory speech referred to the existence of bonded labour system in the Nilgiris District. It looked as though that this system existing only in the Nilgiris District. The fact is that this system is widely prevalent in other areas also. For example, there is one form of forced labour system known as Subaship in Tamil Nadu. Similar other systems of forced labour are prevalent in other parts of the country. Besides the 31 forms of forced labour enumerated in the Bill, there are many more other systems of forced labour prevalent throughout the length and breadth of the country. In 1969 the Mayaparammal Committee had given a detailed list of this kind of forced labour systems prevalent in the country. The Commissions for Scheduled Castes and Scheduled Tribes has been persistently and continuously

mentioning in his annual Reports for the past 21 years about different forms of forced labour prevalent in the country. I would appeal to the hon. Minister of Labour that all such forms of forced labour prevalent in different parts of the country should be incorporated in this Bill. If that is not done, I am afraid that an anomalous situation will arise in future if any dispute is taken to a court of law. The court will the well within its right to reject certain complaints of bonded labour on the ground that the form of forced labour mentioned in the complaint does not find a place in the law. Naturally the laudable objective and the noble purpose of the Bill will be defeated. In fact the legislative effort of abolishing the system of centuries of bondage will be nullified. That is why I would like to reiterate that all the forms of forced labour prevalent in the country, besides the 31 forms enumerated in the Bill, should be incorporated in the Bill.

Sir, as has been pointed out earlier, mere legislation is not going to emancipate these slaves of generations, I regret to point out that there is no provision in this Bill for rehabilitating the freed bonded labourers. I have to say that there must be a statutory provision for rehabilitating these people freed from their perpetual bondage. The hon. Minister of Labour has stated in the other House that directives would be issued to the State Governments and that they would include programmes of rehabilitation in the State Plans and that financial provisions would be made for these programmes in the State Plans. I am afraid that this is not going to help these people in their rehabilitation. I have to emphasise the need for the Central Government taking a direct responsibility for their rehabilitation programmes. There must be specific provision for this purpose in the Bill.

In this connection, I have to refer to the fact that the suggestion for

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giving consumption loans to agricultural workers and the weaker sections of our society by the Regional Rural Banks was not accepted by the Government and it is really a matter of regret that such a specific provision also does not find a place in the Regional Rural Banks Bill. If this situation obtains at the Centre, we can well imagine how the State Governments are going to implement the rehabilitation programmes for the upliftment of these oppressed people. I request the hon. Minister of Labour to accept the amendment that I have proposed in this regard.

Sir, it is proposed in the Bill that Vigilance Committees would be set up at the District level and at the Sub-Divisional level. When the State Governments have already declared that there is no bonded labour system in their regions, I wonder how they are going to implement this Bill. Sir, you know how the Land Reforms Acts are now being implemented by the State Governments. I do not want that this Bill also should receive a similar fate in the hands of the State Governments. Sir, the system of bonded labour has inexorable links with the land-lords who have great influence with the State Governments and who will have the ultimate say in such matters. I am afraid that the Vigilance Committees at the District level and at the Sub-Divisional level will not be of much avail. A Vigilance Committee should be set up at the Central level. Then only the Central Government will have a direct say in the matter. Vigilance Committees should also be set up at the State level. Sir, I have proposed some amendments in this regard. I request the hon. Labour Minister to accept them so that the Bill will have wholesome effect in abolishing the bonded labour system. The laudable objectives of the Bill should not be allowed to be defeated by these deficiencies which I have mentioned. I appeal to

the hon. Minister of Labour to accept the amendments that I have proposed in this regard.

With these words, I conclude my speech.

SHRI DHARN'DHAR DAS (Mangaladai): Mr. Deputy Speaker, Sir, I congratulate the Minister for having brought this Bill. I should say this is a death warrant for the Indian kulaks who have been ruining the rural economy of India for the last so many years. They had put a break to the advancement of the whole Indian national economy and because of this we are finding today appalling poverty everywhere.

These kulaks have been the mainstay of right reactionary forces and the fascist forces particularly the communal forces like RSS and Anand Marga who have been exploiting people's religious prejudices. They are having their nest in the rural areas taking advantage of the ignorance of peasants and the slavery which we are now calling bonded labour. To end the system of slavery which survives in different forms, such as serfdom and debt-slavery, now are have taken up as bonded labour, we have now to see how deeply it is embedded in the feudal pattern of the agrarian economy in the country. Sir, this matter was taken up long ago. Forty years ago it was discussed exhaustively by Pandit Jawahar Lad Nehru. He said: "The agrarian economy has already collapsed and a new organisation of society is already inevitable." He said these words in the year 1933. So, it is not a propaganda stunt now. It was felt so many years ago that the feudal system must be changed and this must be changed in the direction of socialism. Even a non-political man like Professor Radhakamal Mukerjee had said in 1933 in a book named "Problems of India" about the agrarian economy as having collapsed and suggested that 'unless the Indian vil-

lage is converted from a collection of small isolated individual holdings into a single co-operative farm and agriculture is treated as a collective service, there is no possibility of improvement of Indian agriculture and salvation of Indian peasants

MR. DEPUTY-SPEAKER Mr Das, five minutes of your time are over. In the next five minutes, come to the Bill

SHRI DHARNIDHAR DAS I am suggesting there is no possibility of the improvement of Indian peasants under the existing land system

MR. DEPUTY-SPEAKER Please listen. I said five minutes of the ten minutes are over. So please come to the Bill in the next five minutes

SHRI DHARNIDHAR DAS I am just speaking on the object of the Bill which is to abolish the bonded labour system. But who are the bonded labourers? The landless agricultural labourers are mostly the bonded labourers. The census of agricultural labour in 1934 in UP had disclosed that they had an earning of 3 annas per day. According to the 25th round of National Sample Survey, they are now earning 68 P per day. This is the earning per day of agricultural labour. In West Bengal for 1972-73, some figure was given that they are earning 26 P per day.

There is an element of economic compulsion in this bonded labour system

MR. DEPUTY-SPEAKER Bonded labour gets this payment?

SHRI DHARNIDHAR DAS They get into bonded labour because as Radhakamal Mukherjee has said, 'The landlord or rich cultivators contrive their servants to get into debt this obtaining a hold over them which extend to their posterity'. They are not paid anything afterwards. This system is rooted in the agrarian economy

based on private land ownership and unless we change the agrarian economy along socialist line, it cannot be eradicated

There is provision in the Bill for rehabilitation of bonded labour. But how can they be rehabilitated in a feudal economy? This economy is throwing up landless every day. Every day the number of the landless is increasing. Their *per capita* income is falling. Therefore, this calls for a revolutionary change in the agrarian economy. That was the demand of the Indian National Congress when it passed the resolution in 1959 on co-operative farming. By leaving the bonded labourers to themselves individually to eke out a living, this bondage or poverty cannot be removed.

Another very important point to be discussed that is provided in the Bill is about the Vigilance Committee. The main thing is implementation. We have passed so many progressive pieces of legislation, but they have remained unimplemented. Therefore, after 28 years of independence, this emergency has come and in the wake of it also the twenty-point economic programme. Abolition of bonded labour is one of the items of this programme. It is not the bureaucracy that will be competent to implement or that will sincerely work for the implementation of this twenty-point programme. Even the President has in his Address expressed doubts about it and said that the bureaucracy alone cannot implement this twenty-point programme. Therefore there should be mass involvement of the agricultural workers and the general mass of the people, the exploited people to fight against the vested interests. This is very important. Instead of Vigilance Committees, there should be Committees for Implementation with non-official mass organisations involved in that.

MR. DEPUTY-SPEAKER: Shri Onkarlal Berwa.

SHRI DHARNIDHAR DAS: Thank you. I could not finish because of lack of time.

श्री धर्मांतराल बेरवा (कोटा) : मैं इस विधेयक का हृदय से समर्थन करता हूँ। लेकिन अफसोस की बात यह है कि जिस समय हमें आ आदी मिलीं तबसे आ तक यह कहां तो रहे थे जो आज इनको लेकर आये हैं। अगर 25-26 साल पहले यह लागू होता तो आज चारों तरफ डरा भरा नजर आना। जैसा कि इन्होंने इसके अन्दर कहा है कि बंधित श्रमिकों की प्रथा का हटाना चाहते हैं और उनका कर्जा माफ करवाना चाहते हैं। शेड्यूल्ड कास्ट्स और शेड्यूल्ड ट्राइब्स की रिपोर्ट से इनकी आँखें खुली है कि हर जगह हर राज्य में अलग अलग तरह से उन मजदूरों को बंधक करके उनसे मजदूरी करवाई जाती है लेकिन यह प्रथा किस तरह से खत्म होगी? अभी कल ही सरकार ने ग्रामीण बैंकों का बिल पास किया है जिसमें केवल 14 जगह बैंक खोला गया है तो फिर वह हर गांव में किस तरह से पहुंचेंगे। इन रफार से तो हजारों साल लगे जायेंगे तब जाकर श्रमिक आजाद हो सकेंगे। मान लीजिए आपने ऋण माफ करवा दिया, वह माफ हो जाएगा, मजदूरी से भी उसको हटवा देंगे, ठीक है लेकिन आपके पास उसको फिर से रोखार देने का क्या साधन है? गांवों में 6 आदमी एंभ होने हैं जिनके पास जमीन होती है लेकिन 94 आदमी एंभे हैं जिनके पास जमीन नहीं है। वह लोग सिर्फ मजदूरी का काम करते हैं। उन खेतिहार मजदूरों के लिए आपने कौन सी योजना बनाई है कि फलों फेक्ट्री में वह चले जायें जहां उन्हें मजदूरी मिल जायगी? फिर गरीबों कैसे हटेंगे? आप ने बक की योजना बना दी कि ग्रामीण बक से कर्जा लेंगे। मान लीजिए आज मेरा बंप मर गया और तीन दिन की छुट्टी आ गई तो क्या वह मर गया हुआ आदमी वहीं पड़ा रहेगा? उस के लिए कौन सा बैंक कर्जा देगा? या फिर

आ। शादी के लिए जरूरत है तो रुपया वहां से मिलेगा? गवर्नमेंट तो कहेगी कि शादी मत करो। बचने पैदा हो रहे हैं तो उनके लिए पैसा कहां से मिलेगा? उनके उसी धनवान, उसी जमींदार के पास जाना पड़ेगा जहां उस को पैसा तत्काल मिलेगा। इसलिए मजदूर ही कर ही वह बन्धक मजदूरी करते हैं। अब आप बनाएं उस की कैसे उस से छुड़ाये? आप ने सहकारी समितियां बनाई हैं। क्या उन के पास खजाना रखा हुआ है। हम ने सहकारी समितियों को भी देख लिया, दिवालिया हो रही है। वही से पैसा बटोरती है और वही ब्या जाती है। खाद तो मिलती नहीं है, कर्जा कहां से मिलेगा? आप ने प्रावधान रखा है कि समितियां और उप समितियां गठित करेग जिस में तीन सदस्य अनुसूचित जाति और जनजाति के रहेंगे। अब सात के प्रागे उन तीन की कौन सुनेगा? बंधित श्रमिक शेड्यूल्ड कास्ट के ही होते हैं। जनरल जाति के होते नहीं हैं। क्योंकि वह तो दुगान लगा कर भी दस रुपया कमा लेते हैं। वह मजदूर तो शेड्यूल्ड कास्ट और शेड्यूल्ड ट्राइब्स के ही हैं; जिन के आप ने केवल तीन मेंबर रखे है। मेरा सुझाव है कि दोनों समितियों में उनके पांच पांच मेंबर होने चाहिए और इस बात की व्यवस्था होनी चाहिए कि उनको तत्काल पैसा मिल सके।

आपने इसमें लिखा है कि तीन साल की सजा और दो हजार रुपए तक जुर्माना हो सकता है लेकिन आजतक किसी को सजा भी किया है? आने छुप्राछुप रीतने के लिए बिल पास किया हुआ है लेकिन उसके अन्तमें क्या आतक किसी एक को भी कोई सजा दी गई है? उस कानून को पास हुए आज 8 साल हो गए हैं लेकिन ए. को भी सजा नहीं मिली है। इसके अलावा आप सबूत कैसे देंगे। कोई इसका बही खा त तो रखता नहीं है। फिर आपने रेट लगाया है पांच रुपए लेकिन क्या किसी का पेट पांच में भरता है?

ऐसी हालत में यह दास प्रथा, बंधक मजदूरी प्रथा किते समाप्त होंगी ? खेतिहर मजदूर का रेट उनसे अलग 7-8 रूपर होना चाहिए । आपने बारामासी मजदूरों का नाम भी लिख दिया है, कल की रेलवे के बारामासी भी काम छोड़ सकते हैं । इसलिए जबतक आपके पास संशोधन न हो, आप उनको मत हटाये वरना बेकार होकर वह बैठ जायेंगे और आपकी जान खायेंगे । आप ऐसा प्रबन्ध करें जिससे उनको राम मिल सके न कि वह बेरोजगारी के मर्घट पर पहुंच जाये ।

जी जगन्नाथ मिश्र (मधुवनी) : श्रीमन्, आज का यह विधेयक जो इस सदन में विचारार्थ आया है, मैं नहीं जानता कि मैं किन शब्दों में इस के प्रति अपनी प्रमत्तता व्यक्त करूं । मैं इस के लिए किस की तारीफ करूं ? मेरी नजर में तो हमारी प्रधान मंत्री जी ही इस की तारीफ के लिए हकदार हैं, जो बहुत ही प्रगतिशील हैं और जिन का प्रशासन बहुत चुस्त और दुरुस्त है—इस अवसर पर उनकी प्रशंसा किये बिना मैं नहीं रह सकता । जो काम हम आज तक नहीं कर पाये, आज इस विधेयक के द्वारा हम वह कार्य करने जा रहे हैं । हम को काफी पहले आजादी मिली, लेकिन हमारे विचारको और चिन्तको के मन में यह शंका थी कि क्या यही वास्तविक आजादी है? यह तो थोड़ा मे लागो के लिए है, सब के लिए नहीं है । मैं इस अवसर पर आप का ध्यान डा० अम्बेदकर की तरफ ले जाना चाहता हूँ, जब आ गयी मिल गई और देश का संविधान बन रहा था, उस समय उन्होंने यह शंका व्यक्त की थी कि इन संविधान से सम्पन्न भावता का कल्याण नहीं हो सकता, अभी भी मानव मानव का शोषण करना है । और यह शोषण आगे भी चलेगा । आज यदि संविधान होते तो उन को कितने खुशी होनी, आज वह दिन है जब कि देश को वास्तविक स्वतन्त्रता मिलने जा रही है । यह कहां का इनाम है कि मनुष्य मनुष्य का शोषण करे ।

इस सम्बन्ध में यदि मैं उन कुरीतियों का वर्णन करना शरू कर दू, तो 6 बजे जायेंगे लेकिन मेरा भाषण समाप्त नहीं होगा और आप मुझे उतना समय नहीं देंगे । फिर भी मैं एक-दो बातों की चर्चा करूंगा—हम लोगों के यहां कुछ ऐसी परिपाटियां थी—जैसे कहार पालकी को उठा कर चलते थे और उन पालकी में लोग बैठते थे । कलकत्ता में तो आज भी ऐसी रिवाज चलती है जिन को मनुष्य खींचता है—यह कितनी अपमानित करने वाली चीज है । आज जब हम समाजवाद की बात करते हैं, देश के विकास की बात करते हैं । सब को समान अवसर देने की बात करते हैं तो इन चीजों की तरफ भी अपनी नजर दौडानी होगी और ऐसी परिपाटियों को समाप्त करना होगा । इस दृष्टि से यह विधेयक वास्तव में एक प्रगतिशील विधेयक है, मैं बार बार अपनी प्रसन्नता इस के प्रति व्यक्त करता हूँ ।

परन्तु इस समस्या का समाधान केवल उन को छूट दे देने मात्र में नहीं होगा, आप ने उनको आजादी तो दे दी, लेकिन उन की आवाहारिक कठिनाइयों की तरफ भी आप को ध्यान देना होगा । हमें अब यह भी सोचना होगा कि उन लोगों का जीवन-निर्वाह कैसे होगा । कल जब मैं इस सदन में प्रार्थना बैठकों के सम्बन्ध में अपने विचार व्यक्त कर रहा था, तब यह भावना मेरे मन में चक्कर काट रही थी कि यदि उन की जेबिका का हम उचित समाधान नहीं करते हैं, उन को अपने पैरों पर खड़े होने का अवसर नहीं देने हैं तो यह विधेयक एक व्यावहारिक दृष्टि से ठीक नहीं कर सकेगा, और कांग्रेस के पत्रों में ही पड़ा रह जायेगा । मेरी प्रार्थना है कि इस पर कारगर कदम उठाये और जो भी नियम बनाये उन में इस बात का ध्यान रखें कि उन के साथ कोई अन्याय न हो, उन को रोजी और रोटी कमाने के उचित अवसर मिलें, नीकरियों में

[श्री जगन्नाथ मिश्र]

पश्चात् अक्सर मिले और मानवता का अधिकार मिले ।

साथ ही विजिलेंस कमेटी में इन का प्रतिनिधित्व अवश्य रहना चाहिए, इस में कोई भी अग्र-मगर की बात नहीं होनी चाहिए जब वे वहाँ बैठेंगे तो अपनी बात रख सकेंगे और इस तरह से उन की समस्याओं का समाधान हो सकेगा ।

बैक्स इस सम्बन्ध में बहुत बड़ा पात्र अदा कर सकते हैं । जिन ग्रामों बैंकों की चर्चा हमने कल की थी—मेरा सुझाव है कि हमारे ये बैंक इतने सक्षम हों, उन में काम करने वाले इतने सुहृदय व्यक्ति हों, ईमानदार तो हों ही, जो इन लोगों को जीवन-यापन के लिए बिना किसी ब्याज के ऋण दे दें ताकि ये लोग अपनी जीविका चलाने में समर्थ हो सकें । अगर इन बातों का ध्यान रखा गया तो यह विधेयक सफल होगा । इस के लिए मैं सत्री महोदय को पुनः धन्यवाद देता हूँ और इस का समर्थन करता हूँ ।

SHRI K. MAYATHEVAR (Dindigul): Sir, I welcome the Bill on behalf of the Anna DMK of Tamilnadu. While the minister was speaking, he said that there was absolutely no bonded labour system prevalent in Tamilnadu. This is one side of the information given by the Tamilnadu Government led by the DMK. On the other side, I am happy the minister could provide certain information that the bonded labour system was prevalent in certain places in Cuddalore, Nilgiri district and some other districts. I would like to say that bonded labour is cent per cent prevalent throughout Thanjavur district and also in some places in Madurai, Ramnad, Tirunelveli, Tiruchi and Chingleput districts. Therefore, I request the Government of India to appoint a commission once again to en-

quire into the prevalence of this system in Tamilnadu. I charge the Tamilnadu Government with absolutely misleading the Central Government by not giving the correct data about the prevalence of the bonded labour there. The Father of the Nation, Mahatma Gandhi, worked hard for the abolition of this system not only in India but in South Africa also. In the 20 point programme, this is one of the important; points for implementation as propounded by the Prime Minister and supported by my party.

What are the reasons for the prevalence of this system? We have been pleading many time before this House and outside that the Government of India should introduce and enact and All India Agricultural Rural Indebtedness Relief Act. Only then we can give relief to the rural people, especially the scheduled castes and scheduled tribes and other backward communities throughout India. Unless rural indebtedness is removed, this evil system cannot be eradicated from the country. Therefore, the minister should introduce a Bill abolishing rural indebtedness throughout India.

Although I am a practising lawyer of the Madras High Court I come from a rural peasant family. Prices of certain essential commodities have come down in Tamilnadu. The prices of paddy and grains produced by the farmers have come down but not the prices of agricultural inputs. For example, prices of urea and other things are not coming down. Therefore, you must protect the poor peasants.

15 hrs.

Regarding casteism, it is in the worst form in India and particularly in Tamil Nadu.

Over and above the provisions laid down under articles 16 and 17, we

must make policies at all India level to avoid poverty and backwardness.

SHRI S. M. SIDDAYYA (Chamarajaganagar): I heartily welcome this measure which was long over-due. This problem of bonded labour has been discussed several times during the last 20 years while discussing the report of the Commissioner of Scheduled Castes and Scheduled Tribes. But what was the reaction of the Central Government then? They said that this problem was to be tackled by the State Governments. We know that State Governments have also passed legislations on this subject. Gujarat abolished this system in 1948; Maharashtra has got the General Labour Laws by which this practice is prohibited; Rajasthan has got Sagri System Abolition Act 1961; Lakshadweep had got Revenue & Tehaney Regulation Act, 1965; Kerala has got Bonded Labour System Act, 1972 and Orissa abolished this system in 1956. Therefore, it is not due to want of a legislation that this system was continuing. This point I want to make clear. When we suggested that this matter had to be taken up by the Centre by enacting a Central Law, the Government turned a deaf ear towards it. Fortunately, the emergency has come and our Prime Minister has taken it very seriously.

There are certain lacunae in the Bill which are to be removed. Perhaps, the Central Government feel that by passing a legislation the problem is solved. The problem will not be solved if you leave it to the States to implement it. Therefore, the Central Government should take the responsibility of implementing this Act. Unless the people who are victims of the system are taken care of properly, the system will persist.

Nothing is said about the rehabilitation of the bonded labour. There is one article 35 which says that this is a matter which requires to be taken up by the Centre. What is the financial provision made for the rehabilitation? Nothing, at all. The Minister

says that the present plan scheme can be made use of for rehabilitation. I think, this is not sufficient. I suggest, the Government of India should involve itself by appointing at least a review committee.

Secondly, there are some systems which have been mentioned by the Commissioner in his report but they are not included in the list of Bonded Labour System. Therefore, I suggest that these systems should be incorporated in this Bill also. Unless the economic position of bonded labour is improved, I think there is no solution. Therefore, I want the Government to make special provisions to improve the economic conditions of these people, particularly the bonded labour who mostly come from the scheduled castes, scheduled tribes and other backward classes.

SHRI GIRIDHAR GOMANGO (Koraput): I welcome this bill because the system is mainly prevalent in the tribal communities; and the system is still prevalent in different parts of the country. The Minister had once replied that it is in the Fifth Schedule and not in the Sixth Schedule. I think that in the eastern States, viz. Assam and Nagaland also, this system is prevalent; but due to lack of survey by Government, the fact is yet to come to its notice. I want to give some suggestions. No doubt the Labour Minister drafts the bill; but it concerns different Ministries. The Ministry of Home Affairs is mainly responsible for the tribes; and the Finance Ministry is responsible for the allocation of resources for developmental work; and the Labour Ministry is concerned only with minimum wages. It is not a question only of minimum wages; it is also one of exploitation of tribals as human beings. The area can develop if it is given help; but in the tribal areas, the human beings are exploited, rather than Nature, because the tribals are innocent. When the survey is conducted, the tribals are unable to express their viewpoint, because they have different languages. It is also due to fear sometimes that

[Shri Giridhar Gomango]

they cannot indicate that they were serving as bonded labour under either the landlord or the money-lender. We can rehabilitate them and develop their areas if we make some provisions in the Plan budget or if we take some serious action against exploiters. But it is not possible to do this unless there is a special rule to catch these exploiters and punish them. There is a different kind of a provision here, but there should be a separate legislation to catch hold of the exploiter in any form. Then only can the problem be solved. This is a human problem. But it is related to the economic problem. Who will tackle the social problem? The tribes are in the interior of the State and the officers are in the capital and the investigating officer goes to the tribal areas and brings in a report. But there is no common provision. The job is done in a different manner in different departments. We can constitute a committee, and the committee can look into the matter in detail. But about the action taken after the committee's report is available I am very doubtful. Government of India have set up commissions like the Scheduled Castes and Tribes Commission, and different States have passed different Acts. But till to day the system is still prevalent in different parts of the country.

Lastly I would request the Labour Minister to see that in regard to the part of the work relating to his Ministry, he should take serious action. Other parts of the work relating to the Ministries of Home Affairs and Finance should be tackled by these Ministries.

I conclude my submission by saying that I welcome this because the age old system of bonded labour is sought to be abolished. It was prevalent and it is still prevalent. It is being abolished by this Act but we should see to it that it is abolished in practice.

श्री गाधुराम अहिरवार (टीकमगढ़)
उपाध्यक्ष महोदय, मैं इन बिल का समर्थन

करते हुए मंत्री महोदय को धन्यवाद देना चाहता हूँ। कहा जाता है कि सदियों पहले जब हमारा देश बसा होगा, उस समय जो बाहर से आये, उन्होंने यहाँ के मूल निवासियों को गुलाम बनाया था। तब से यह प्रथा हमारे देश में चालू है। आगे चलकर बड़े-बड़े राजा-पहाराजाओं, जमींदारों और मनी-नैडरों ने इस प्रथा को अपना लिया। हरिजन आदिवासियों का एक दास की तरह रखा गया। वे लोग खेती में काम करते थे, उनकी औरतें गोबर-पानी का काम करती थीं और बच्चे मवेशियों को चराते थे। यह प्रथा आज भी चालू है।

मध्य प्रदेश में बघेल खंड में बड़े लोगों की जमीन में हरिजन आदिवासी बसे हुए हैं। वहाँ उनको एक झोपड़ी बनाकर दे दी जाती है। बहू ग कहते हैं कि चूकि रामचन्द्र जी इस इलाके से निकले थे इसलिए हरिजन और आदिवासी वहाँ हल नहीं चला सकते हैं और अगर वह चलाने हैं तो उनको जाति से निकाल दिया जाता है। इसलिए वे बेचारे शोली लेकर भीख मागने के लिए बिचारा होते हैं।

इस विधेयक में यह प्रावधान किया गया है कि बान्डेड लेबर प्रथा को खत्म करने के बाद उन लोगों को मकान से वंचित नहीं किया जायेगा। लेकिन उनको जमीन की कोई व्यवस्था नहीं की गई है। अगर उनको मकान मिल भी गया तो खेती के लिए जमीन कहाँ से मिलेगी, इसकी व्यवस्था करना आवश्यक है। कल उसकी लड़की की शादी होगी और अन्य आवश्यक कार्य करने होंगे। अगर उन लोगों के लिए वैकल्पिक रोजगार की व्यवस्था नहीं की जायेगी तो उनको भीख मागने के लिए चौराहे पर खड़ा होना पड़ेगा। इसलिए यह आवश्यक है कि उनको खेती के लिए जमीन हल, बील और जरूरी औजार देने की व्यवस्था की जाये। उन्हें अपनी आजीविका चलाने के लिए आवश्यक सुविधाएँ देनी चाहिए, ताकि वे आगे चलकर अपने पैरों पर खड़े हो सकें।

मध्य प्रदेश में छत्तीसगढ़ इलाक़े में हरिजन आदिवासी 50,100 रुपये लेकर अपने 8,10 साल के लड़कों को साहूकार के यहाँ रख देते हैं। वह बच्चा जिन्दगी भर वहीं रहता है और अपने घर नहीं आ सकता है। अगर वह अपने घर आता है, तो घर वाले उसको मारते हैं, क्योंकि उन्हें डर रहता है कि ऐसा करने पर, दूसरे लड़कों को साहूकार अपने यहाँ नहीं बुलायेंगा। यदि साहूकार या जमींदार को उस बच्चे की सेवा की जरूरत नहीं है, तो यह किसी दूसरे जमींदार को बेच देता है।

हाल ही में छत्तीसगढ़ का एक हरिजन मेरे पास आया। उसने कहा कि मेरा बाप मेरी शादी के लिए साहूकार से 400 रुपये लाया था। वह साहूकार के पास 12 साल काम करता रहा और उसके बाद मैंने वहाँ पर 16 साल काम किया। हमें काम करते हुए 28 साल हो गये, लेकिन आज भी हम पर 1600 रुपये और 50 मन गल्ला बकाया है।

कानून तो बनाये जाते हैं, लेकिन उनका इम्प्लीमेंटेशन नहीं होता है। छुआछूत के सम्बन्ध में जो कानून बनाया गया है, उसकी भी यही स्थिति है।

इस बिल को कार्यान्वित करने में पुलिस क्या सहायता करेगी, इसका प्रावधान नहीं किया गया? बिजिलेंस कमिटी में क्लैक्टर और मजिस्ट्रेट को बेयरमैन बनाया गया है। वे लोग बड़े जमींदारों के लड़के होते हैं; वे हरिजन और आदिवासियों के लड़के नहीं होते हैं। मैं प्रायः कहूँगा कि इन कमिटीयों का बेयरमैन किसी नान-आफिशियल को बनाइये और मजिस्ट्रेट या क्लैक्टर को उसका सैक्रेटरी बनाया जाये। तभी इन कानून का अच्छी तरह से पालन हो सकेगा।

इन कमिटीयों के पास पुलिस का पावरलें भी चाहिए। अगर कोई व्यक्ति किसी से

जबरदस्ती काम करवाता है या जमीन छीनता है, तो कमिटी को उसका खिलाफ कार्यवाही करने का अधिकार होना चाहिए। यह भी देखा गया है कि अगर किसी गरीब ने अपनी कोई चीज किसी साहूकार या जमींदार के पास गिरवी रखी है, तो वह साहूकार हमेशा उससे काम करवाता है। खेत में पैदा वह गरीब आदमी करता है, लेकिन उसका पैसा सारा साहूकार के घर में आता है। इसी तरह बड़े-बड़े जमींदारों ने हलवाहो के नाम जमीन के पट्टे बनवाये हुए हैं, लेकिन उस जमीन की उपज जमींदारों के घर से जाती है, जबकि वह हलवाहों से नौकरी भी करवाता है।

यह बड़े अफसोस की बात है कि इस प्रथा को खत्म करने के लिए अभी तक कोई कानूनी कदम नहीं उठाया गया है। लेकिन देर आयद दुल्स्त आयद। अगर सरकार चाहती है कि इस प्रथा से जो लोग मुक्त हों, वे अपने पैरों पर खड़े हो सकें, तो सहकारी बैंकों की शाखाओं द्वारा इतने साधन उपलब्ध किए जायें कि हरेक मजदूर को खेती और मकान के लिए जमीन मिल जाये और उसमें बच्चों के पढ़ने-लिखने का प्रबन्ध हो जाए, तभी उनका भला होगा।

श्री अनादि चरण दास (जाजपुर) : उपाध्यक्ष महोदय, सदन में बान्डेड लेबर सिस्टम को समाप्त करने के लिए जो विधेयक पेश हुआ है, वह बहुत सराहनीय है और उसमें लिए मैं संत्री महोदय को धन्यवाद देना चाहता हूँ। बान्डेड लेबर खासतौर पर हरिजनों और आदिवासियों के बर्गों में देखी जाती है। इस बारे में बहुत से माननीय सदस्य अपने विचार प्रकट कर चुके हैं। हरिजन और आदिवासी इलाकों में यह भयंकर प्रथा खास तौर से मौजूद रही है। भगवान ने उन लोगों को जीवन दिया है, लेकिन ऐसा जीवन नहीं देना चाहिए था। वे तो पशुओं से भी हीन जीवन व्यतीत करते हैं। समाज के उच्च वर्ग के लोगों की बचह के यह प्रथा अभी तक चली आ रही है।

[श्री अनादि चरण दास]

अमेरिका की दास प्रथा की तरह उड़ीसा में गोथी प्रथा है। हम लोग उस प्रथा को समाप्त कराने के लिए लड़ें हैं, कई बार जेल में भी गये हैं और साहूकारों से हमने मार खाई है यहां पर 1956 में एक गोथी भ्रमालिशन रैग्यूलेशन लागू था। इसके बावजूद इस प्रथा को समाप्त करने में सफलता नहीं मिली। इस देश में ब्यूरोक्रेट्स और उच्च वर्ग के प्रोत्साहन के कारण यह प्रथा अभी तक चालू है। सरकार ने यह जो कदम उठाया है, उसके लिए हम उससे आभारी हैं।

गोथी या बान्डेड लेबर सबसे गरीब होते हैं। यह कानून पास कर के हम उनको राहत देना चाहते हैं। इसके लिए यह जरूरी है कि हम इस दिशा में उचित और प्रभावशाली कदम उठाएँ। केन्द्रीय सरकार यह कानून पास करने जा रही है, यह बड़ी अच्छी बात है। लेकिन उसका इम्प्लीमेंटेशन कैसे किया जायेगा, इस बारे में मैं कुछ मर्जिसन्स देना चाहता हूँ, क्योंकि मुझे इस बारे में कुछ अनुभव हैं।

जो गोथी बान्डेड लेबर इस कानून के द्वारा मुक्त किये जायेंगे, उनको 5 साल के लिये एक सर्टिफिकेट देना चाहिए, जिससे यह प्रकट हो कि यह बान्डेड लेबर था। गांव गांव जाकर इसको लिये कैम्पेन करना चाहिये और जहाँ जहाँ बान्डेड लेबर है, उनको तुरन्त मुक्त कर देना चाहिये। कोर्ट में जाकर दरखास्त देकर उन लोगों को मुक्त करना असान नहीं है। हम लोगों ने और हमारी सरकार ने इसको लिये बहुत कोशिश की, लेकिन यह नहीं हो पाया। मजिस्ट्रेट और सहायकदार गांव में जाकर बान्डेड लेबर को मुक्त करने के लिये कदम उठाएँ सरकार को तरफ से सुप्रोमोटो यह कार्य करना जरूरी है।

जो लोग मुक्त हों, उनको काम के उचित भवसर देना बहुत जरूरी है। उनको तुरन्त नौकरी या कोई अन्य काम करने की सुविधा देनी चाहिये। बान्डेड लेबर का घर साहूकार की जमीन पर होता है। उनके पास कोई जमीन नहीं है। बान्डेड लेबर, जहाँ कंसट्रिक्ट हो, वहाँ उनको रिहबिलिटेड करना चाहिये। इस बात की भी व्यवस्था करनी चाहिये कि साहूकार और उनके गुंड या पुलिस तथा अन्य सरकारी अधिकारी उन लोगों को तंग न कर सके।

जहाँ तक हो सके, इस काम को बालन्टरी अगोनाइजेशन को सौंप देना चाहिये, क्योंकि सरकार में जो लोग होते हैं उनका क्लास करक्टर, दूसरा होता है। वे बड़े बड़े साहूकारों और जमींदारों के लड़के होते हैं। इसीलिये उनके द्वारा यह काम ठीक तरह से नहीं हो पाता है। हमारी पोलिटिकल पार्टीज को भी यह काम सौंपना चाहिये।

इन शब्दों के साथ मैं इस विधेयक का समर्थन करता हूँ।

श्री मूल बन्द डायंग (पासी)। मैं आप बहुत बड़ा धन्यावाद तो आप को देता हूँ। लेकिन मैंने एक पिक्चर देखी थी पाकीजा जिसमें एक गाना सुना था कि इन्हीं लोगों ने मे लिया बप्टाइस मारा। यह गंगेबी जो है यही सारे पाप की जड़ है। कानून मत बनाइए, गरीबों को दूर कर दीजिए। कानून बनाने से क्या लाभ होगा? वह जो कानून आप ने बनाया है इसमें डिस्ट्रिक्ट मैजिस्ट्रेट खुदा है। जो सौ काम डिस्ट्रिक्ट मैजिस्ट्रेट के जिम्मे है। जो कोई कानून बनेगा उसमें डिस्ट्रिक्ट मैजिस्ट्रेट जरूर रहेगा। मैं नहीं समझ पाता कि वह डिस्ट्रिक्ट मैजिस्ट्रेट किसका काम करेगा। दूसरे, सुप्रीम-डिवीजनल मैजिस्ट्रेट या ब्याक बैकलपमेंट ऑफिसरों

विलेज लबेन वर्कर्स के बड़ा है ? फिर इस आफेंस को कामिनजेल, बनाने के बाद आप बलेबल क्यों बनाते हैं ? यह नानवेनेबल होना चाहिए। तीसरी बात यह है—ग्रवेटमेंट क्या होता है ? ग्रवेटमेंट में कौन आएगा ? एक भ्रादमी लेबर रखता है तो क्या उस की श्रगत प्राणी ग्रवेटमेंट में ? मैं अभी तक नहीं समझा इस का क्या मतलब है—हूमोएवर ग्रवेटस गैल बी पतिशैबल अंडर दिस ऐक्ट—इसका क्या मतलब है ? ये कानून सारे आप के किताबों में ही रहेंगे जरूर तारीफ आप की होगी कि आप ने बड़ा अच्छा कानून बनाया। लेकिन उस से कुछ होगा नहीं। आप गरीबी मिटाइए। यही एक तरीका उसका है। लेकिन हम लोग श्रांसू पोंछना बहुत जानते हैं। यह बुद्धिजीवी जो है यह बड़ा स्वार्थी होता है। यह कहेगा हम ने वह कानून बना दिया, गरीबी मिटा दी। लेकिन वास्तव में कुछ भी होगा नहीं। कहीं भी इस तरह का पिक्कर देहातो में नहीं दिखाई जाती। मैं कहेगा कि सारे सिनेमाघर गांवों में बनाइए और उन को बताइए कि हिन्दुस्तान में करीब भ्रादमी राष्ट्रपति हो सकता है। लेकिन वह बन कैसे मंगा, उस के लिए हम पाम साधन चाहिए। वह साधन उसको उपलब्ध होने चाहिए। इन प्राविजन्स में कहा है कि जब उस को भूख लगेगी, रोटी की जरूरत होगी क्यों कि पेट है तो उस को भरने का तरीका क्या होगा ? कौन देगा उस को रोटी ? कौन देगा उसको पैसे ? उस के लिए आप बैंक खोलिए और उन की जरूरत पर उन को पैसा दीजिए। छोटे छोटे सिनेमाघर गांवों में बनाइए और वहाँ इन्काल पैदा कीजिए। आप इन्काल करेंगे ट्रेंडियों पर कि हम ने ऐसा कानून बना दिया। लेकिन उस से कुछ नहीं होगा। आप गरीबी मिटाइए। बाकी सब अपने आप हो जायगा।

आप नें कमेटी बनाई है। उस के मेम्बर, कौन होंगे और यह कमेटी करेगी क्या

यह कमेटी क्यों बना रहे है ? कमेटी बनाने का मतलब गांव को बंटाघार करना। गांवों में जो गूंडे लोग होने हैं उन के खिलाफ कोई गवाही नहीं देता और यह देखिए आप कि हमारे सरपंच कहां जाना है खाना खाने बड़े भ्रादमी के यहां, धनवान के यहां। प्रधान कहां जाना है, मंत्री कहा जाते हैं ? गरीब के यहां कोई नहीं जाता उन के श्रांसू पोछने, उस के घर पर कभी कोई नहीं जाता रहने के लिए। तो मेरा यह कहना है कि आप गरीबी मिटाइए अन्यथा ये कानून जितने है उनको सजा कर किताबों में रखिए और शहद लगाकर चाटिए इनको। अगर उनका भला करना है तो सिर्फ गरीबी दूर कर दीजिए, बड़े-बड़े पंजीपतियों से धना लेकर उनको दे दीजिए, तब जा कर सब अपने आप ठीक हो जायगा।

श्रीमती सहोबरा बाई राय (सागर) :
उपाध्यक्ष महोदय, मैं इस बिल का स्वागत करती हूं और साथ साथ कहना चाहती हूं कि मजदूर जो है वह अंग्रेजी राज के जमाने से दबा हुआ है। सन् 47 के बाद राजाजी जो मिली तो उस से हरिजनों को राहत तो मिली है, पहले से बहुत अच्छी तरह हम लोग हैं लेकिन देहात के अंदर जैसी समस्या पहले की वैसी ही पड़ी है क्यों कि पुराने जमींदार, जागीरदार और राजा लोग हम से वासता का काम कराने रहे हैं। वही वास्तव उन की भाव भी पड़ी हुई है। अगर गांवों में उन के खेत में काम करने न जाय तो हमारे भाई पिता या बहनें तो सबेरे चौगल पर सा दरवाजे पर बुला कर बांध कर मरवाते हैं और जबवैस्ती काम लेते हैं। नहीं करें तो कहेंगे कि गांव से निकल जायें, हमारे खेत में से नहीं निकलना, हमारे खेत में मत जाना। ऐसी स्थिति से मजदूर की हालत बहुत खराब है।

आप ने मजदूरी निर्धारित की है वो तरह की। लेकिन देहात में तीन तरह की मजदूरी है। एक तो जो बीसी बनाने वाले

[श्रीमती सहोदरा बाई राय]

हैं उन की भ्रमण है, जो खेतिहर मजदूर हैं उनकी भ्रमण है और जो रोजमर्रा काम करते हैं घर बनाने का या शहरों में जा कर रिक्सा चगा रहा चलाने का उन की भ्रमण है। एक मादमी बीस रुपए भी कमाता है और सौ रुपए भी कमाता है और देहात में किसान जो हैं वह 8-10 रुपए मजदूर को नहीं दे सकता है। देहात में 12 महीने में 6 महीने खेती होती है, 8 ६० वह अगर मजदूरी देवे तो दे नहीं सकता है क्यों कि उसनी आमदनी नहीं है। कोई और जरिया वहां पर आमदनी का है नहीं इसलिए 5-6 रुपया भी वह मुश्किल से देते हैं नहीं तो लगाते ही नहीं हैं। फिर आखिर मजदूर कहां जायें ? वहां पर कोई उद्योग धंधे भी नहीं है जहां जाकर वह मजदूरी कर सकें। ऐसी हालत में वहां पर दगा बहुत खराब है।

औरतों की दशा और भी खराब है। सारे भाई लोग तो खेत में हल चलाने के लिए चले गए लेकिन जो औरतें हैं वह सारे दिन गोबर इकट्ठा करती हैं, फिर धोपती हैं, फिर बर्तन मलती हैं और उसके बाद दूसरे सारे घर के काम करती हैं। उसके बाद कहीं मालकिन ने उसको दो रोटी दे दी या प्राया किलो भनाज दे दिया। ऐसी हालत में मजदूरी को निर्धारित करना बड़ा कठिन काम है। अभी मैं अपने क्षेत्र में गई थी, वहां खेरिया लड़कियों की शादी थी, और जो लेन देन था लेकिन किसी ने कर्जा नहीं दिया। जब लेकर मालिकों के घर गए लेकिन किसी ने उसको नहीं रखा क्योंकि उनको पता है इस तरह का कर्जा छूट जायेगा आज कोई भी कर्जा नहीं देता है। सोनार जबर नहीं रखता है। मजदूर दल को आज बड़ी दिक्कत हो गई है।

महिलाओं को भी आज बड़ी दिक्कत आ रही है। उनके लिए भी खेतों में मजदूरी निर्धारित होनी चाहिये। कोई भी खेती

बिना महिलाओं के चल नहीं सकती है। और मजदूर दल के बिना यह देश नहीं चल सकता है। मिलिट्री, सड़क और प्रायः घर में, कहीं भी मजदूर दल के बिना काम नहीं चल सकता है। एक बमटी में मैं नागालैंड और दूसरी जगह गई तो देखा हर जगह हरिजनो की वही हालत है। उनको पीने का पानी नहीं मिलता, उनको मारा जाता है। बैकर्स एरियाज की भी वही हालत है। तो इस लिए सरकार को जल्दी से जल्दी कदम उठाने चाहिये।

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): Mr. Deputy-Speaker, Sir, I am extremely thankful to all the hon. Members who have participated in the debate on the various provisions of this Bill. They have made some very valuable points in relation to vigilance committees and, mainly, to the rehabilitation problem of the bonded labour who by virtue of this Bill will be liberated from the bondage. These are some of the issues which have been raised by the hon. Members from all sides and it will be my endeavour to deal with these questions and the various points that have been made out by them.

With respect to the rehabilitation problem, it is not that the Central Government is feeling either shy or wants to be silent about it. The fact remains that this is a problem that has to be dealt with by the State Governments by their active participation.

MR. DEPUTY SPEAKER: He may continue the next day. We now take up the Private Members Business.

MR. DEPUTY SPEAKER: Bill to be introduced.

Shri Yamuna Prasad Mandal....not here,

Bill for withdrawal. Shri Nawal Kishore Sharma....not here.