

16.33 hrs.

RAILWAYS (ABOLITION OF CASUAL LABOUR) BILL

MR CHAIRMAN: We now take up the next Bill, the Railways (Abolition of Casual Labour) Bill.

Mr. Hukam Chand Kachwai

श्री हुकम चन्द कच्छवाय (भुरना) : सभापति जी, मैं प्रस्ताव करता हूँ कि रेलवे में आकस्मिक श्रमिकों के नियोजन की प्रथा समाप्त करने का उपबंध करने वाले विधेयक पर विचार किया जाए।

श्रीमती टी. लक्ष्मीकन्तमा (खम्मम) : हाउस में कार्रम नहीं है।

श्री हुकम चन्द कच्छवाय : मुझे कोई आपत्ति नहीं है लेकिन फिर आप देख लीजिये।

MR CHAIRMAN It is a convention that during Private Members' Business the point of quorum should not be raised

SHRIMATI T LAKSHMIKANTHAM-MA He has raised in the past

MR CHAIRMAN You should not do the same mistake

श्री हुकम चन्द कच्छवाय : हमारे देश में रेलवे एक बहुत बड़ा उद्योग है और इसमें काम करने वाले बहुत बड़ी संख्या में लोग हैं। इस में जो कंज्यूअल नाम से पुकारे जाते हैं उनकी संख्या लगभग साढ़े पांच लाख है। आप रेलवे के कर्मचारियों की स्थिति से भली भांति परिचित हैं और इसलिए आप मुझे काफी सहयोग देंगे। रेलवे में सबसे अधिक संख्या गैंगमैनों की है जो लगभग चार लाख हैं। फिर कंटीन में काम करने वाले हैं। रेलवे में ट्रेनिंग स्कूल हैं उनमें काम करने वाले हैं। भोजनालयों में काम करने वाले, ट्राली चलाने वाले, ड्राइविंग कार में काम करने वाले, क्ली पॉटर आदि सब मिला कर लगभग साढ़े पांच लाख लोग ऐसे हैं जो कंज्यूअल हैं। उन्हें कब निकाला जाएगा, कब रखा जाएगा इसका कोई भरोसा नहीं होता।

में गैंगमैनों से शुरु करता हूँ। इनकी दशा बहुत खराब है। वे जिनके मातहत काम करते हैं वे हैं पी डब्ल्यू आई, डब्ल्यू आई, डब्ल्यू टी आई एस आर। 180 दिन इनका काम करते हैं जो जाए तो इनको पक्का कर देना चाहिए। लेकिन आपके रेलवे के गोपनीय आदेश हैं कि 180 दिन पूरे किसी के न होने पायें, उनकी सर्विस को बूक करो और चार पांच दिन बाद फिर काम पर लाओ। सारी रेलों में इस प्रकार की प्रैक्टिस है और यदि किसी को पक्का करना है तो उसका रेट बढ़ा हुआ है। जो इनके ऊपर के अधिकारी हैं वे पांच सौ रुपये ले कर उनको पक्का करते हैं। सारे देश में यह रेट बढ़ा हुआ है। इस राशि के दिये बिना वे पकड़े नहीं हो सकते। इतना भ्रष्टाचार इतनी घसखोरी इतने बड़े पैमाने पर इसमें होती है। एक गैंग में बीस व्यक्ति होते हैं। टैम्पोरेरी एक महीने की भर्ती की जाती है। अफसर जो इन्हें रखता है वह प्रत्येक से दस रुपये लेता है। इस तरह एक महीने में दो सौ रुपये वह कमाता है। एक महीने के बाद बँटल देता है फिर काम पर लेगा तो दस रुपये लेगा। इस प्रकार की दशा इसके अन्दर है। कंटीनो में देखो। जो बँटे लोग हैं वे एक हजार से पंद्रह सौ रुपये देते हैं ऊपर के आफिसर को तब परमानेंट होते हैं। आखिर ऐसी स्थिति क्यों है? गैंगमैनो का वेतन देखो क्या है? वह जिस जिले में काम करते हैं उस जिले का जिलाधीश तय करता है कि इनको रोजाना क्या देना है? ये ढाई रुपये से ले कर 5 रुपये रोज का वेतन पाते हैं जिलाधीश के आदेश पर। क्या कभी आपने सोचा है कि जिलाधीश के आदेश पर उनका वेतन तय करते हैं तो उससे पूछ कर गरीबों का रेल का किराया भी तय किया करे? वह बाल बच्चों वाले होते हैं, परिवार वाले होते हैं। आज के युग में ढाई रुपये और पांच रुपये में अपना पेट भर पाएंगे यह असंभव है। वह शारीरिक श्रम करते हैं और शारीरिक श्रम करते हैं तो खुराक भी ज्यादा खाएंगे और बच्चे भी ज्यादा पैदा करेंगे। तो इस ढाई रुपये के अंदर उनका गुजारा कैसे हो सकता है? इसलिए मेरा निवेदन है कि इनके वेतन में सुधार कीजिए। यह वेतन इनका बहुत रोजाजमक

हैं। अभी रेल के एक्सीडेंट में मरने वाले व्यक्ति का 50 हजार रुपये देने का निश्चय आपने किया है। यह संसद ने पास किया है, हमने पास किया है, बहुत अच्छी बात है। लेकिन जो बीस-बीस साल तक आपके यहां गैंगमैन के रूप में काम करके अपनी सारी जकनी गंवा देता है, अपना जीवन खपा देता है उसको आप क्या देते हैं? इसलिए मेरा कहना है कि इनके बतन स्तर ठीक कीजिए और इनको स्थायी कीजिए। आपको इन्हें स्थायी करने में कौन सी तकलीफ है? स्थायी काफी लम्बे समय के बाद होते हैं। बहुत से काम आपके चल रहे हैं। चाहे वर्कशाप का काम हो चाहे और कोई काम हो, बहुत से काम आप के चलते रहते हैं। गैंगमैन का काम वहाँ चलता है। आपको पता है कि पांच छः साल में वह पूरा होने वाला नहीं है, लेकिन यह पता होने के बाद भी आप उसकी सर्विस को बूक करते हैं जिसमें वह स्थायी न हो सके। जब आपको पता है कि काम लम्बा चलने वाला है। तो उसमें इस प्रकार का गड़बड़ मत कीजिए। उसको पक्का कीजिए। इसके साथ-साथ मेरा एक और कहना है कि आज जो लो काम करते हैं 40 दिन पक्का होने पर जो पेंसा लिया जाता है वह उधार लेकर आते हैं लोगों से। कर्जा लेता है और उसका काफी ब्याज देता है, बड़ी मुश्किल से धीरे-धीरे उस कर्ज को पाटता है, बड़ी मुश्किल से अपने बाल-बच्चों का पेट पालता है। आप उसका इस कर्ज से मुक्ति दीजिये। यदि आप ऐसा नहीं कर सकते हैं तो ऐसा कीजिए—रेलवे की पट्टी के आस-पास बहुत जमीन पड़ी हुई है, आप उसको खेती के लिए बे दीजिये। वह उससे अनाज पैदा करेगा, खुद खाएगा और देश को भी खिलायेगा। आप इस पर गम्भीरता से विचार करें—आपके सामने चार लाख लोगों की समस्या है। इस जमीन को खेती के लिए देने से उनका भी लाभ होगा और साथ ही देश की जनता का भी भला होगा।

आपके स्टेशनों पर जो ठेलें चलती हैं, खोमचे लगाते हैं, इनकी हालत बड़ी दुखनीय है। ठेका एक व्यक्ति को मिलता है, वह उससे पेंसा कमाता है, 6 साल के बाद जब उसकी टर्न

समाप्त होती है, फिर आप के अफसरों से मिल कर उसका रिन्यू कराता है। लेकिन जो व्यक्ति उसके यहां काम करते हैं उनको 30 या 40 रुपये माहवार बतन मिलता है। अगर मंहगाई की मांग करते हैं तो वह उनको अपने यहां नहीं रखता, भगा देता है। कहता है कि जो कम पेंसा लेंगा उसको रखूंगा। ऐसे लोगों को बीस-बीस और तीस-तीस साल काम करते हुए हो गये हैं, आप उनके नाम में लाइसेंस क्यों नहीं देते हैं, आप इनको लाइसेंस दें, वे स्वयं माल बचें।

आपने नियम बनाया है कि एक प्लेटफार्म पर एक व्यक्ति 6 ठेलें चला सकता है—आप इसको बांट कर दीजिये। आपने एक सक्लर निकाला है कि हरिजनों को लाइसेंस दिए जाएंगे लेकिन कितने हरिजनों को मिला। बहुत से गैंगमैन हैं जिनके बच्चे पढ़-लिखे हैं, उनके बच्चों को यह काम दिया जा सकता है, लेकिन आप देते नहीं हैं, हरिजनों का तो नाम-नाम का हप्पा बना रखा है। हरिजनों के लिए आप के यहां कोई रिजर्वेशन नहीं है, पता नहीं क्यों रिजर्वेशन नहीं है। भारत सरकार ने संविधान में उनके लिए रिजर्वेशन रखा है, उनमें योग्य व्यक्ति भी हैं, लेकिन आपको नहीं मिलते, सिफारिश के बाद भी नहीं मिलते। किसको दंगे—जो खिलाता-पीलाता है, अफसरों को खुश रखता है। सारे रेलवे विभाग में धार भ्रष्टाचार फैला हुआ है, घूसखोरी है—जिसका कोई हिसाब नहीं है। मैंने अभी बताया था पक्का होने के लिये 500 रुपये देना पड़ता है। इस तरह के कई कसे आपके यहां विजिलेंस में चल रहे हैं, लेकिन अब तक किसी को निकाला नहीं गया है। मैं चाहता हूँ कि आप इस पर गम्भीरता से विचार करें।

मैंने जो बातें बिल में कही हैं, वे बहुत आवश्यक हैं। ये लोग बहुत वहाँ से काम कर रहे हैं, उनको पक्का करने का आश्वासन दीजिये और इस बिल को पास कीजिये। मैं जम्मा हूँ अब मजदूरों के प्रति बहुत हमदर्द हूँ, दुःख हूँ, मजदूरों की खराब दशा देख कर आप का हृदय पसीन जाता है। चूँकि आप इस समय प्रहां बैठे हुए हैं, इस लिए मैं अस्ता करता हूँ कि आप इस प्रकार का

[श्री हुकम चन्द कछवाह]

आवकाशन होंगे। आपके वरिष्ठ मंत्री जी से मैं ऐसा नहीं कह सकता था, क्योंकि उनकी वक्ता और प्रकार की हैं। मैंने पी. डब्ल्यू. आर्च. बरौट से बात की, उनसे कहा कि आप 500 रुपया लेते हैं। उन्होंने जवाब दिया—क्या कर, हमारे मंत्री जी जब पैसा लेते हैं, आप उनको नहीं कहते, वे तो सातों डकार जाते हैं। आम रेलवे कर्मचारियों में यह चर्चा है, लेकिन आप से लोग खुश हैं और इस बिल की तरफ आसा लगाते बैठे हैं। उम्मीद है आप इसका अवश्य पास करेंगे।

MR. CHAIRMAN: Motion moved:

"That the Bill to provide for the abolition of the practice of employing casual labour in the Railways be taken into consideration".

SHRI S. P. BHATTACHARYYA (Ulu-beria): Mr. Chairman, Sir, I fully support this Bill brought forward by Shri Kachwai. Casual labour are suffering for a long time. And the issue has been before the Government. Repeatedly it has been brought to the notice of the Government. It seems no solution has been found till today. In Shri Kachwai's tone, the suffering such as cheating and exploitation of the casual labour throughout India is almost similar. Money is taken by gang men or head of the group. And the P.W.I. also shares the money because the casual labour are repeatedly to be appointed and dismissed; because they are casual, the money is reaching the hands of these people. I find that the casual labour are in extreme difficulty and they are working for years together without being made permanent. There was a memorandum given to government as also by our friend, Shri Samar Mukherjee to the Prime Minister about the difficulties caused to the casual labour. In Bezwada, for example, thousands of women labourers are working for more than 10 years and their wage is less than the minimum wage prescribed under the Minimum Wages Act. They are paid Rs. 2.70 per day instead of Rs. 3 per day under the Minimum Wages Act prevailing in Bezwada (Andhra Pradesh). How long are you going to allow

these things? When you call this Government as a democratic socialist Government, do you seriously and sincerely mean it? You cannot keep so many lakhs of workers in Government on contract basis and in such a suffering condition. What you say really is nothing. If you sincerely want your policy to be executed, then these casual labourers must be made permanent as soon as possible. Otherwise they will compel you to do it. You do not want to end their sufferings. That is why I say they have given repeated representations to the highest officers. I do not know what is the internal circular issued by the Railway Board or the Minister but their appeals are not granted. That is the situation. They will be compelled to follow the locomen if you do not do this now. You think that the casual labourers are distributed throughout India and so you are unable to hear their grievances. If you go on allowing them to be casual labourers for ever, I am sure their capacity of tolerance is bound to come to an end. This you must understand.

Before such a situation comes about, with his rationality and reasonableness and his proposed and declared policy, the hon. Minister must give permanency of service to the casual labourers and thereby set an example to the other industries. Otherwise, how can we stop this system in other industries, such as the jute industry, for example? There are about 2.50 lakhs of jute workers in West Bengal, and about 50,000 in UP, Bihar and Andhra, making a total of about three lakhs. The jute millowners are utilising badiwalas and not permanent workers. If the railways keep badiwalas or casual labourers, how can we compel the jute millowners to give them permanency of service? So, Government must set an example and give these casual labourers permanent service after they have worked for some specified time, if they are found capable. I hope Government would take this up seriously. Otherwise, it will only prove the insincerity on the part of the Government in regard to their declared policy.

With these words, I support this Bill.

DR. RANEN SEN (Barasat): I support this Bill which has been moved by Shri Kachwai. He has very eloquently and sometimes irrelevantly spoken on this Bill, but I accept the underlying spirit and principle behind the Bill.

PROF. MADHU DANDAVATE (Rajapur): Is he supporting him relevantly or irrelevantly?

DR. RANEN SEN: Both the relevant and irrelevant things.

MR. CHAIRMAN: Irrelevance will be out of order. Let him stick only to relevant things.

DR. RANEN SEN: Irrelevancy was not out of order when he was speaking.

MR. CHAIRMAN: It would not be unparliamentary but out of order. So, let him stick to relevance.

DR. RANEN SEN: The railways employ nearly 15 lakhs of workers, and out of them, as far as I am aware, four lakhs, and not five lakhs as the hon. Mover has said, are casual labourers. In 1968 there was a Bill in this House called the Contract Labour (Abolition and Regulation) Bill, and it was referred to a Joint Committee. As a member of the Joint Committee I had the opportunity to visit several places including several railway centres. Along with contract labour we found employment of a large number of casual labourers also, throughout the railways. The abolition of casual labour has been debated upon in this House already and all the railway trade unions have appealed since a long time to the Railway Ministry to abolish this casual labour system.

The casual labour system has several facets, one of which is that their salaries or wages are guided by the Minimum Wages Act. The Minimum wages differs from place to place, and even inside a State it differs from area to area. As the hon. Mover has said, it

is left to the district administration to determine what the minimum wage in a particular area should be. The salary of these hapless workers, the casual labourers, is guided or determined by the Minimum wages that prevails in a particular area.

We find in the railways a uniformity of wage scales. I am not discussing the question whether it is good, bad or indifferent, but there is uniformity of grade and scale whether a worker is working in the Western Railway, Eastern Railway, Southern Railway, or NEF Railway. But in regard to casual labour, there is no uniformity of wages which is apprehensible thing. The Railways have not considered it fit to see that the casual labourers are paid uniformly throughout the country.

The second facet of it, as Shri Kachwai has told us—and the Minister himself knows probably much better than many of us about it—is that this casual labour system is a breeding ground for corruption. Absolutely, corruption in two senses. Just a day or two before the six-month period is over, they are sacked, and then after a few days again admitted. This is a sort of corruption. The Ministry evidently encourages it among the officers.

Secondly, it is also known to the Minister that while appointing them afresh, a certain amount of bribe is taken by the concerned officers who recruit them. This goes on. I met some casual labourers in Bombay who claimed that they have been working as casual labourers for the last 20 years. One of them had become a little old. He said that probably he would never become a permanent labour in the railways. After death, I do not know what is the permanency left. So he would die as a man without a permanent employment though he has served over 20 years in the railways as a casual labourer.

There is another aspect. We have seen that casual labourers are employed in certain jobs which are of a perennial nature. I would not have pleaded for certain types of workers who are doing a job which

[Dr. Ranen Sen]

can be finished in 15 days or six months or a year. As an MP and a member of the PAC, I had the advantage of going and inspecting the DBK Railway line, beginning from Waltair, going through Bailadilla through one of the most difficult tracks, through mountains, crossing rivers, going through ravines, through jungles infested with wild animals. The whole railway line was built for years together. A major portion of the workers employed were casual labour. Sometime after the line was constructed, many of these casual labourers were transferred from the DBK railway line to somewhere else and for a pretty longer time.

That is why I say they are doing a job which is more or less of a permanent or perennial nature. So from the point of natural and social justice, the system of casual labour must go. If the railways spend a few more lakhs and employ these workers who have acquired some experience, specially when the railways are expanding, these workers can be fruitfully utilised in the service of the railways.

Therefore, I would plead with the Minister; Shri Qureshi, to have a little human approach and look into these cases with an attitude of social justice.

17.00 hrs.

Sir, once, when I was a Member here of the Railway Consultative Committee, this question was raised and before that, this question was raised in the Labour Consultative Committee. I think the Labour Minister—I forget the name of the then Labour Minister—had in principle agreed that this system of casual labour should go, but then he said that since this casual labour system is prevalent in the railways, he must consult the Railway Minister and then make some recommendation. What consultation took place between the two Ministers, we are not aware of. But it so transpired that nothing happened in regard to this question of casual labour. Therefore, I would plead again with the Minister to take into consideration this

question of casual labour in a humane way and with a sense of natural justice to these poor people.

With these words, I support Mr. Kachwai's Bill.

SHRI P. G. MAVALANKAR (Ahmedabad): Mr. Chairman, Sir, let me at the outset congratulate my friend, Shri Hukam Chand Kachwai, for bringing this Bill—The Railways (Abolition of Casual Labour) Bill, 1972. I am glad that he has got the opportunity to move this Bill and speak today, and I am equally sorry that such a Bill though brought in 1972, is still being discussed in 1974, and still it may not find a place in the Statute-Book, and the Government may not accept this proposal as part of the Government Act in an appreciable or foreseeable future.

Sir, one of the interesting sidelights of this debate today has been the fact that the Bill brought forward by a Member of the Jansangh Party has been supported by two leftist parties, the CPM and CPI, rightly because they find in this particular Bill some of the basic socialist stance for which obviously these two parties and some of us, although Independents, also stand.

This debate incidentally also gives us an insight into the valuable Friday that we enjoy in terms of the Private Members' Bills and Resolutions, in the sense that although hon. Members of this House belong to different parties—and some of them may not belong to any party—and they hold different views, yet, in the midst of those differences, there are areas of agreement, and this Bill is one such example for an area of broad agreement. I am glad that Shri Hukam Chand Kachwai is finding support from different sections of the House.

I do hope that my esteemed and knowledgeable friend, the Deputy Minister of Railways, will not take this debate as one more such debate on a Private Members' day wherein in a thinly attended House,

Members who are interested speak with knowledge and with competence and with concern for the subject on which they are talking, and then leave it at that. I hope he will see to it that these ideas expressed in this august House, which carry weight behind those ideas of millions of people whom we have the honour and responsibility to represent here, are implemented. Simply because some of these views and some of these opinions and comments are reflected on the floor of the House on a day like this, it should not make the Government treat these views and comments in a light manner or in a not serious manner. I hope the Government will look into this question as well.

While I say, so, I am speaking not only with regard to this Bill but in regard to many such Bills which inevitably spotlight some of the pressing issues affecting our public life and to which pointed attention is drawn on the floor of the House, so that the Government may sooner or later—and we hope sometimes sooner than later—put those ideas into legislative enactments.

This Bill is simple enough. It is short and clear and it brings out in a pointed way one unfortunate phenomenon that we see in our country, especially since Independence. So many ideas have been put into the Preamble and Directive Principles of our Constitution. We say we are loyal and faithful to the Constitution, but when it comes to implementing them we do not seem to go into the direction of implementation with the speed and sincerity with which we ought to go. When you want to do a certain thing which involves a lot of financial expenditure by Government, even the most progressive Government would think twice or three times or even four times, because it means finding more revenue. A developing country is bound to have a limited revenues. So there is always a question of choosing among the different alternatives, and there is always the possibility of saying that one should do this first and that afterwards. Can the hon. Minister say that all the projects,

prestigious and non-prestigious, useful and the not so useful, in the railways, are so necessary and worthwhile and that they bring welfare to the people? In other words, my point is that it is no use saying that, because of financial implications we will not do something which is good. Unfortunately, this idea does bother not only the Minister of Railways but many other Ministries of the Government. They want to have prestigious projects. For instance, why should they have so many five-star hotels in the country in the name of development of Tourism? A developing country must use its resources in a judicious way and there should be some kind of priority. This is one such area which should get priority and the casual labour in the Railways must get his legitimate dues.

When one looks at the condition of these casual labourers and the manner in which they are employed and the kind of corruption that goes into it to which a reference was made by Shri Kachwai and Dr. Ranen Sen, we should really call it condemned labour instead of casual labour. They are condemned in more than one sense. You are asking them to do work which you know is of a permanent nature, while you still call them casual labour. This is a travesty of the situation. You deny them their legitimate due of gratuity, Provident Fund, security of service and other benefits to which confirmed employees are entitled. This is an example of the subtle and open form of exploitation by a Government which talks in terms of socialism. I am one of those who support the Government when it goes in the socialist way, the progressive way. Why should they tolerate this kind of exploitation? This is a very bad and ugly form of exploitation. You call them casual with the full knowledge that they are not casual.

But you call them casual labour merely because you want to avoid certain responsibility which will arise, which you ought to fulfil. Therefore, I would suggest that the practice of employing casual labour for years together with the full

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knowledge that they are going to be continuously there, till they retire or die, is a system which is hundred per cent out of tune with the idea of a welfare state.

I am not suggesting the welfare state idea of the good old days, of the pre-second world war days, when Lord Beveridge in England talked about a welfare state in the famous Beveridge Report of every Briton being looked after from "the cradle to the grave". I realise that we in this country, at this stage of our development, cannot afford such a security being given from the cradle to the grave. But people who are employed for years together in the same job should at least get permanency, as they are getting permanency in other employments.

I feel that we must not look at this problem only from the human angle and the humanitarian angle, which are of course important. But I want to ask: is it morally justifiable, politically pardonable for a government which says in one election manifesto after another that it is striving for the removal of poverty and inequality to continue this practice? Therefore, if you want to do what you talk, this is one area where you can really exemplify it. To begin with, you can say that those who have put in ten years of service and more would be made permanent, because it would be difficult to make all of them permanent at the same time.

Moreover, this practice of casual labour is bad because government becomes responsible for providing a bad example to others. We find in so many schools, colleges, universities, even in textile mills and other factories, etc., a tendency to employ people casually to avoid and escape giving benefits to them. Should government give a good lead or a bad lead by themselves indulging in this kind of unfair practice and exploitation which will be followed by the industries in the private sector?

Finally, if we want fair play and social justice to be the hallmark of our legislation, of our thinking and our doing, then such a Bill should not be the effort on the part of a private Member, a non-governmental member, but should be the endeavour of Government themselves. They should come forward and say that they are going to do away with some of these practices.

With these words, I wish to congratulate once again Shri Kachwai. I hope that this House will pass this Bill unanimously if only to show that all sections of the House consider such practice as both unfair and unjust. Finally, I am thankful to the Chair for not ringing the bell.

MR. CHAIRMAN: He can have all the time he wants.

SHRI P. G. MAVALANKAR: Then, Sir, with sincere thanks for allowing me to continue, may I say one or two more things before I sit down.

I am very grateful to you for giving me some more time.

In the Financial Memorandum, it has been estimated that a recurring expenditure of about Rs. 50 lakhs annually is likely to be involved for this purpose. I would like to ask: Is this a big amount? When the Railways are spending crores of rupees . . .

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): According to him, there are about 5 lakh casual labourers and the yearly expenditure on them will be about Rs. 50 lakhs. That means, he will pay them Rs. 10 each. If this is the scale he has in his mind, then it is all right.

SHRI P. G. MAVALANKAR: What is the total amount involved?

SHRI MOHD. SHAFI QURESHI: If it is 5 lakh casual labourers, it will be about Rs. 50 crores.

DR. RANEN SEN: The Railways are paying some amount of money to the workers. Why does he not take that into account? He simply says, Rs. 50 crores.

MR. CHAIRMAN: He means, additional to what they are already getting.

SHRI MOHD. SHAFI QURESHI: If these persons are permanently absorbed in the Railways, they will be governed by different sets of rules under which Dearness Allowance and other allowances will be payable to them. We have to provide them medical facilities, etc.

MR. CHAIRMAN: If they were to be made regular employees, what will be the financial implications? That is what they want to know.

SHRI MOHD SHAFI QURESHI: I think about Rs. 40 crores.

SHRI P. G. MAVALANKAR: I am not asking him to reply immediately. Let him give the facts when he replies to the debate later on.

How much money are the Railways spending every year on all kinds of projects? Why can't you at least start reducing the number of casual labourers in a phased manner? You start with taking those who have put in 10 years' service or more and later on you do it in a progressive manner.

With the railways growing and coming into shape, each time, I am afraid, the number of casual labourers will grow ultimately and your argument today that there are no funds will become a more weighty argument five years later, 10 years later. Therefore, my fear is that this casual labour will be condemned for all their life time, for all time to come. Do you want that? We do not want that surely. While the problem is still somewhat manageable, while the casual labour is still not that big in number, while you can have a phased programme, taking first those who have been casual labour for

more than a stipulated period and those who are doing the type of work which is not of a casual nature—that is more important—you can do something now. When you know that the type of work is of a permanent nature, why do you not take such people first and start giving them the benefits?

How do you expect these poor people with a sword of insecurity hanging on them to do work in a dedicated manner?

MR. CHAIRMAN: They circumvent the industrial law provision by not allowing these people to complete 240 days.

SHRI P. G. MAVALANKAR: I am glad, you have mentioned this. This is exactly my point. They are taking advantage of that; they are resorting to legal points so that they escape the responsibility involved. My point is that if you expect these poor people to work in a dedicated manner, then it is not enough that you give them good salary but what is equally important, what is more important, is that you give them a sense of security and that sense of security will come only when they are given all the benefits. Then, you can expect an involvement of these lakhs of workers with the administration and the working of the railways.

The Railways are a national organisation. We do not look at this organisation as one additional department of the Government. Therefore, I want the national organisation of Railways to do certain things which will be a good example to others. Unfortunately, instead of giving a good example to others, they are giving a bad example to others. It is from this angle that the Deputy Minister of Railways should be good enough to reply to the points made by us and give us some assurance.

Each Minister tells us every time whenever we ask for something which involves expenditure that he has no money. They are hopefully and prayerfully looking to the Finance Minister. And these last few

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days of this month are difficult days because nobody knows what is going to happen and what will be the government allotments. But certainly a socialist government, a government which talks in terms of socialism, which has before it the Constitution of India where we have, in the Directive principles of State policy, a clear directive that there should not be exploitation, that people must be given fair treatment and justice, must do this. I suggest that the Railway Ministry should, before long, start with this phased programme so that they will not only earn the blessings and gratitude of the unfortunate but devoted workers in the Railways and their families but it will also mean indirectly showing the way to other areas also where employers are having the same kind of employment, on the basis of casual labour.

I thank you, Mr. Chairman, once again for giving me more time. I hope the House will support this Bill put forwarded House will support this Bill put forward by Shri Hukam Chand Kachwai.

SHRI B. V. NAIK (Kanara): Hon. Chairman, Sir, I have gone through this brief Bill. Some of the interruptions which I had to make when hon. Member, Shri Mavalankar, was speaking were motivated by the fact that neither this House nor the hon. members there have been in a position, whether during the course of discussion of Private Members' Bills or even during the course of more intense discussion of Railway Budget or the Railways,—I consider myself as a part and parcel of that guilt—to give to those in authority clear and unambiguous decisions ourselves. And one such case is this. I have repeatedly asked this question; it is on record; I wanted the Railway Ministry to define whether the Railways are run in this country as a public utility concern or they are run in this country as a commercial enterprise. And I must, regretfully, admit that I have not been able to get a categorical reply. Because, as was stated, I suppose, the calculations in re-

gard to the additional burden on the railway administration will be asked, whether it is Rs. 40 crores or Rs. 50 crores; and then it comes to the question of Railway Budget. We again take the Ministry as well as the people involved therein to task and ask, 'Why have you been incurring a loss?'. Is it our clear direction in which we say, 'Loss or no loss, go ahead with this and see to it that the socialistic pattern is enforced first and foremost in the public sector? One of the oldest public sector undertakings in this country is the Railways. Are we going to tell them, 'We do not mind whether you incur a loss or profit; go ahead with it; we do not mind whether you increase the freight or increase the cost of ticket'? We have been told by the hon. Deputy Minister himself that the Indian Railways—I am sure he will include China also—are one of the cheapest railway transportation systems in the entire world.

But when there is a slight price hike in regard to the ticket price, we again say that the common man is being fleeced. When they incur a loss because of their socialist measures, we say, 'Well, here is an inefficient railway administration. It is not able to make a profit.' Now, I put all of us to blame for this. I would categorically request the Railway Ministry and the Railway administration, for heaven's sake, at least in the 120th year of the railways, consider the railways in our country as a public utility concern and have no bones about it thereafter, come out with a definite decision and say it so and be answerable to some of the charges that will be levelled.

I am saying that this system of ambivalence we want to have is no good. You want profits and you want utility. In this case I have also an opportunity to ask Prof. Mavalankar whether we are interested that as a country we shall pursue and the pursuit shall be on excellence or shall there be a pursuit of beauty in this country? Then somebody criticised, 'Why should we have these five star hotels and

such other things? But if it is our intention—whether it is a five-star hotel or whether it be the Rajdhani Express against which certain criticisms have been levelled and which is running between Delhi and Bombay and Delhi and Calcutta—or whether it be the jumbo jets against which also we have been hearing some criticisms, can you say that we do not want an excellent hotel in our country, can any one say that we do not want a fast-running train and can any one say, 'I do not want a jumbo jet in the country? When we take a look at the foremost socialist countries of the world—China or USSR, leave aside the rotten capitalist societies about which we have no ambivalence, why do they invest so much in their atomic experiments? Why do they try to put their cosmonauts or spacemen into space? Why do they try to develop their Aeroflot? Can this money not be utilised in the socialist society to put one more chicken into the pot of the comrade who is working in the mines or the comrade who is working in the steel plants? Why do they pursue these things, these extravaganzas which are typical and the characteristic of the capitalist society? Because they want to lay down certain norms. Even the socialist society wants to lay down certain norms to which one would like a common citizen to reach for a better opportunity. I think it is possible even in a socialist society to take an interest not only in regard to consumer's satisfaction but also in regard to performance and in regard to achievements and in regard to excellence and in regard to doing something purely outside the material existence. In that way, the socialist society is more idealistic than a half-socialist or a capitalist society. I hope Prof. Mavalankar...

SHRI P.G. MAVALANKAR : I did not suggest that prestigious and important projects in various fields of public activity should not be taken up. All I was saying was : why do we do it at a time when more urgent things needed to be done first? I am talking more in terms of priorities than in terms of not having any prestigi-

ous or important projects. Certainly you can have them, you can have the five-star hotels but not at a time when people are dying and starving and at the cost of basic things. My point was that a right order of priorities needs to be followed.

SHRI B. V. NAIK : I see there is a greater amount of agreement than disagreement between the hon. Member and myself. I may inform the hon. member that five-star hotels have been banned now. Then, leave aside the five-star hotels ...

MR CHAIRMAN : While putting a man in the space, the socialist countries also ensure minimum wage to their working people. Please do not forget that.

SHRI B. V. NAIK : I was still on the pursuit of goals of the society as a whole. It is a sort of macro-socialist concept that I was trying to submit to the Chair.

Sir, I will now come from the 'macro' to the 'micro' socialistic decisions which we will have to take. Sir, it is possible to put a curb on the consumption of Indian nationals; we know, black millionaires go to these places of luxury; stop Indians; keep it only and exclusively for the foreigners as it is being done in some other countries. There will be no harm. But there again you might come up against a sort of old British and racial prejudice or a certain complex. Then we will say : Look, in our own country we are not permitting our own nationals to enter. But, that is a matter which would amount to a deviation.

I now come back to the essential content of the Bill. The Bill presented by my hon. friend Shri Kachwai ji is plainly acceptable.

AN HON. MEMBER : By Whom ?

SHRI B. V. NAIK : By the Government of India, in the Ministry of Railways, by our own Government who are running the whole Railway system in this country. There should be no objection in principle

[Shri B. V. Naik]

I would say this with one qualification. Casual labour is not only there in the Railways. Today casual labour is there in almost every plantation work. It is there in almost every construction work. It is there in every building contractor's work. It is there in road construction. It is there in irrigation projects; it is there in abundance accounting for some 6-1/2 crores in the field of agricultural labour. Why should we pick up only the Railways for the purpose of making them permanent? Is it because it is a handy instrument which we can debate, and at the cost of Government, which has to subsidise many things including our food prices, agricultural commodities, movement, distribution, etc? At this time you are asking the Railway Administration to take up another big burden like this. I would seek the indulgence of the hon Member, Prof. Mavalankar: let him fix up the priorities; let us have priorities for the areas where tonnes of rupees, tonnes of money are being paid. For example, there is the case which I want to mention. I have nothing against it as such. In the case of an industry like the paper industry, in which case, as much as 40 per cent of them have been on casual labour since the inception of it, just nothing can be done about it. It was in this spirit that many times we have asked the Minister of Labour why he cannot have a comprehensive legislation, what are the difficulties of implementing it, etc. What I have to say is this: If you have to bring in a Bill, for Heaven's sake, please don't make it applicable to half a million people only in this country. Make it applicable to 65 million people in this country. Today casual labourers do not have security, they do not have permanency, they do not have even fair wage being given to them.

SHRI S. P. BHATTACHARYYA: Where the work is not permanent then you may not have permanent worker as for example the agricultural labourers. There may be cases where the work is temporary for a period of time. But, in places where the work is permanent, from

one place to another the worker can be shifted. Why do you think job will not be found? That is the main thing.

SHRI B. V. NAIK: What I want to say is this. The need of progressive legislation is going to be felt most by the least-privileged labourer-classes of this country. Who are the people today who are the most organised in the matter of organising themselves and agitating for the purpose of the improvement of their living conditions? You see the LIC, you see the Indian Airlines, you see the Power Engineers, the Junior Doctors, etc. But, what have you done?

Sir, I think something will have to be done against the emergence of the very powerful organised labour aristocracy in this country.

MR. CHAIRMAN: Are you putting the railway casual labour on par with the Labour that you have just now said?

SHRI B. V. NAIK: Exactly contrary I am saying. The railway administration today has to pay greater attention to the casual labour. This is one of the sectors of the economy. Thereafter comes the loco staff; hereafter comes the A.S.Ms and thereafter comes the higher and higher hierarchy either in the Railways or in any other organised sector. Who catches the imagination in this House or in the Press or Radio? It is this privileged organised union which catches the imagination of everybody. I must submit that if Karl Marx were to be born in this country, he would not have started his revolution with the industrial labour in this country. He would have gone to the agricultural masses; he would have gone to the agricultural labour and he would have called them as proletariat of this country. Unfortunately, we just take the ideas from the West. I do not know whether the Marxist's jargon—marxists' philosophy, is understood correctly or not. It started at the wrong end of the labour field. I would therefore say that if we want to have a socialist society or if we have to follow the *Garibi Hatao* programme we

have to begin at the right end in our society. In fact, even before unionisation, socialisation should precede. Unionisation will succeed and not precede the socialisation. The first and foremost is: why should it not be possible to organise the casual labour in almost every field? You should make them collectively accountable and you should make them organised into bodies. I think in all these things, the question of priorities is not only to be decided by the Ministry of Railways but also by the Ministry of Labour. We have to be less backward looking when it comes to dealing with the less privileged sections of the society. I therefore submit through you to the Ministry that labour is the poorer section of the society in this country. It amounts to this thing. Today, we are talking in terms of public distribution system. If you cannot give them adequate commodities at a fair price, at least establish the purchasing power. Now, the entire public distribution system is built up even in the well organised sector on the basis of rations which are being distributed once a fortnight or once a month. I would like to know in the weaker sections of our society, how many people earn enough to buy their provisions in a month? Particularly, the agricultural labourer is so poor. The people earn their daily wages. They have to come and make their purchases from the fair price shops. If they have no buying power how can they do this? In these circumstances, I would request you to do one thing. The moot point is whether the public sector will give the lead/or somebody else in the matter of labour legislation or labour welfare? In all progressive societies of the welfare State, as Prof. Mavalankar said, it would be the responsibility of the public sector to give a lead in the matter of labour welfare. To the weaker sections of the labour, that is the duty cast upon us by the population of this country. This is the commitment to the political ideology which we have taken up. I request the hon. Minister at least to accede to this and to examine it in its totality by way of bringing in a comprehensive legislation, if the present

Bill, for the reasons best known to him, is not acceptable.

SHRI RAGHUNANDAN LAL BHATIA (Amritsar): As we all know, the railways are the biggest employing agency in India. Every industry including agriculture has to have casual labour for jobs which are not of a regular nature. Suppose a new railway line is to be laid; after the work is over, naturally the casual labour has to go, because the work is of a temporary nature.

SHRI S. P. BHATTACHARYYA: That is so for project works. But even for permanent works, casual labour is there.

SHRI RAGHUNANDAN LAL BHATIA: Similarly, in summer casual labour is employed for supplying drinking water at the railway stations, but when the summer comes to an end, their job is over and they have to go. Similarly at the time of harvesting, casual labour is employed in agriculture; their job is temporary and when the job is over, they have to go. But we have to see whether in the railways there are some people who work regularly but who are treated as casual labour and are not being made permanent. I am in favour of the suggestion that those who work in jobs of a permanent nature should be absorbed if they can be absorbed. There is no question of their being treated as casual labour on such jobs. I do not know whether the total number of casual labour on the railways is four or five or six lakhs; it is for the hon. Minister to tell us the exact figure; out of them, whatever proportion can be absorbed permanently must be absorbed. I am all in favour of that suggestion. There is no question of our denying to them the benefits which the workers in other industries are having, when they have been working for so long in the railways. So, we must provide them with permanent service. But if it is said that we should abolish casual labour totally and we should not employ these people at all, then it raises a very important question, namely the question of employment.

[Shri Raghunandan Lal Bhatia]

We are very keen that more and more people should be employed, and if we cannot absorb them permanently at least we should employ them casually so that we may be able to perform our normal functions better wherever they are of a casual nature. I am not against the object of the Bill. The object is good namely that casual labour should be made permanent and more and more people should be absorbed in the regular employment of Government. But it is not possible to absorb all the people, because casual work will always be there. When a project is started, or even for normal functioning sometimes, there will be some jobs which will require additional hands. Suppose a coal rake comes we have to employ casual labour in order to unload it, and the labour has to be casual because the rake does not come every day. In the railway workshops also sometimes we find that additional jobs have to be done for which more people are called for such as turners, weight-lifters, and so on.

If the demand is that we should make them all permanent even when they are employed for small jobs only for a temporary period, it would be very difficult, because apart from the railways being a service organisation, we have also to see whether it functions economically. If we go on loading them with more and more jobs like this, the result would be that they will not be able to function properly and a day may come when we shall have to consider how to make it function economically or we may have to stop new lines which are not working economically and dispense with the services of those employees who are working there on a permanent basis or whether we should take casual labour only for that purpose. I feel that casual labour should be accommodated in casual jobs, so that we have more and more people under employment. I think the object is very clear. I would like the hon. Minister to assure us that the maximum number of casual labour who could be accommodated on permanent works in new vacancies which a rise are

so accommodated and they are given first preference when new vacancies arise.

Secondly, out of the present number, if it is possible to accommodate the maximum number of people, it should be done.

SHRIINDER J. MALHOTRA (Jammu): I am glad my good and old friend, Shri Kachwai, has for a change tried to focus the attention of this House on a very important and basic issue which is before the nation. This problem of casual labour, either to be made permanent or given better wages or other amenities available to other permanent government employees, is not a new one. It is as old as this country. In the past also, we have made efforts to solve this problem of casual labour, whether it is in the field of railways, agriculture or any other.

As far as casual labour in the Indian Railways is concerned, I would request the Ministry of Railways to categorise the jobs which are available to be handled by casual labour. From my personal experience, I have seen casual labourers working as peons in offices. If a casual labourer is to do the work of a peon, I think there is no justification for keeping him casual. If a particular job is purely of a casual nature, let us say that a person is required to do a particular job for a month or two in a year, I can understand the plea that there is no justification for paying him for the rest of the 10 months for working two months a year. But as I said, it is very necessary for the Railways to categorise the jobs and say that such and such jobs will be on a casual basis for which only casual labour will be employed. By this means, it will be possible for the railways to eliminate certain jobs which even today are done on the basis of daily wages and put them in the category of permanent jobs and engage permanent labour for doing them.

Then it also happens that labour is employed for two or three months, but his services are required for a further two months for which sanction is not immediately available. Thus he is laid off for

a week or ten days. This creates a great hardship for that poor labourer. If a labourer has been engaged for two or three months and if his services are again required after a gap of ten days when the regular sanction for the further employment is available from the concerned authorities, for these ten days Ministry should consider compensating him. He should not suffer on that account.

There is no quarrel as far as the objective is concerned. There is no quarrel over the nobility of the principle of making the conditions of casual labour better. As my hon. friend Shri Naik was saying, this is not a problem confined to the Indian Railways. Casual labour is working in other sectors of our economy and is in a worse condition compared to the Indian Railways. Therefore, as some other friends have suggested, I would also like that Government should bring forward a comprehensive labour Bill to take care of all the problems which all kinds of casual labour has been suffering from for a number of years in this country. Whatever limited resources are available with us today, we should try to give priority to solving these problems, one by one. We should gradually proceed towards that aim and goal which we want to achieve, to give better working conditions and better wages to all kinds of labourers working in this country.

In the end, I would, however, make another suggestion to the hon. Minister. As far as possible, the employment of casual labour should be limited to the local people. If casual labour is to be imported from one State to another, and if the poor fellow is to be given work just for 15 days after which he is no longer required, he is again on the streets. This should not be encouraged. Therefore, I would very humbly request the hon. Minister that he may kindly give his attention to the immediate problems and solve those problems by which immediate relief and benefit can be given to the casual labourers who are working in the Indian Railways.

SHRI K. LAKKAPPA: Mr. Chairman, Sir, Mr. Kachwai is always conservative and now he thought that inevitably his mind has to be changed towards a human aspect of this problem. Of course, everyone is accepting the human aspect of the stand taken by him. The problem that he is posing today is very human, because he has brought forward a Bill which, even though it is not comprehensive and does not touch all sections of casual labour who are working in the various public undertakings in the country, the railway is the biggest public utility service wherein several casual labourers are involved. At the same time, this aspect of the matter has to be seen from a humane point of view, and the human labour has to be respected. Whether it is skilled or unskilled, wherever this human power is involved in a public undertaking, it has to be disciplined in such a way that no casualty occurs and the system of living is improved and not impaired.

Even today, the tremendous manpower is not respected by the public undertakings because of the fact that the casual labourers who are working in the various spheres of the railways have not been recognised, whether they are skilled or unskilled, and they have not been consolidated by the Ministry, and that is why there is a tremendous unrest and also there is no co-ordination and co-operation in respect of the human power involved in this great organisation.

Therefore, the tremendous task done by the casual labourers is another great contribution to the railways and so it has to be respected ultimately. I know that difficulties of the Government because of the embarrassing situation. I do not want to mention it. If in a particular railway or in the railways as a whole, the casual labourers are recognised, again there will be the casual labourers and others in the public undertaking who will agitate in the matter. I do not say that they should not agitate, but it has to be taken at a national level, and it has to be consolidated, and the labour laws have to be enacted in a consolidated way.

Iran-

[Shri K. Lakkappa]

Therefore, before taking any steps, let the Railway Ministry appoint a commission of inquiry to go into the question of casual labourers who are working in various categories and see what the financial involvement will be, so that they can ease the situation in this respect.

I would cite the Southern Railways an example. There the tremendous manpower has not been respected, because many of the contractors who are directly involved in the construction and other activities of the railways have engaged many unskilled labourers

In Karnataka they are working in stone-quarries, and undertaking various activities for the Railways but they are thrown out of employment without any respect being shown to them; their family life is disturbed and many persons move from one place to another like nomadic tribes. They are employed for a few days and then thrown out of employment. A public undertaking like the Railways should make an effort to see that the jobs are categorised and they should be made permanent. There should not be retrenchment of labour after the work is over, because you know that they will be re-employed. This should be the proper approach. The labour laws have not been implemented because the Railway Board thinks that the employees are not the backbone of the Railway Administration.

MR. CHAIRMAN: Mr. Lakkappa may continue his speech next time. This debate also will continue next time. Now, the hon. Minister of External Affairs wants to make a statement.

17.56 hrs.

STATEMENT RE. FOURTH MEETING
OF THE INDO-IRAN JOINT
COMMISSION

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH): I was

in Tehran from 20th to 22nd February for the Fourth Meeting of the Indo-Iran Joint Commission for Economic and Technical Cooperation. Our meeting concluded in the early hours of this morning and I am taking this opportunity on my return to convey to this House the results of these discussions which I had conducted with my counterpart on the Joint Commission, H.E. Dr. Hushang Ansari, the Minister of Economy in the Government of Iran.

Iran is the most important supplier of crude oil to India and I am glad to inform Honourable Members that agreement has been reached to enable the Madras Refinery to expand its capacity from 2.8 million tons to 3.5 million tons per annum, an increase of approximately 25 per cent. The crude for this expansion will be supplied by Iran.

In addition to the expansion of the Madras Refinery, Iran has also agreed to provide on a fairly long term basis additional crude to help supplement present availability to us.

It gives me great satisfaction to inform the House that Iran has also agreed to extend financial facilities which would cover existing supplies to Madras Refinery as also the additional supplies of crude.

It has become necessary to step up our exports in order to meet the much heavier foreign exchange bill to enable us to import crude. It has been agreed that India will supply Iran Pellet-feed to the extent of 2.5 million tons per annum. To achieve this target, it will be necessary to develop the mining facilities at Kudremukh Iron ore deposits. The project envisages the construction of a Pipeline to carry the slurry; development of the Port of Mangalore is proposed to be undertaken to handle bigger vessels. Pelletization facilities will have to be set up. Iran will receive supplies for a period of about 20 years and has agreed to extend a credit of upto U.S. \$ 300 million for this project. The repayment would be spread over a period