

Government is satisfied that the agreement executed by the person concerned and the Government or the agency which employs him is satisfactory and the necessary guarantees are given so that his salary is protected and remittances to his family are assured. Only when all these things are assured a skilled person is allowed to emigrate. We do not have any problem as far as skilled labour, technicians or trained persons are concerned. The difficulty is only with regard to unskilled labour or illicit emigrants.

For instance, the House will remember, sometime ago we had a reference to the way our female labour is treated in Kuwait. There we find that there are gangs operating which take these people by air saying that they could be or were employed as servants. There is no provision to check them when they go by air. Now, this amending Bill enables us to take sufficiently strict measures to see that people are not taken by air under such false pretexts.

So, Sir, the scope of the Bill is very limited. The fact that no amendment has been moved shows that nothing objectionable or anything adverse is there to the amendments that are proposed by the Government in the amending Bill. It is true that we can make a more effective Bill, as suggested by the Members, by having more deterrent punishments. We will have to see how the amended Bill works, and if more changes have to be brought about, of course, it can be done.

Mention was made about emigration of labour from one region to another. That is not covered by this Bill. One hon. Member mentioned about the British Immigration Act and wanted to know how that would affect our emigration problem. As regards the effect of the United Kingdom Commonwealth Immigration Act is concerned, the Act is generally designed to control and restrict entry into the United Kingdom of Commonwealth citizens who seek employment

there. So it really is not a problem of emigration for us, and when Indian nationals go there, of course, they have to conform to certain procedures laid down under the Immigration Act. We are watching to see whether it will affect our nationals adversely, and if anything affects our nationals adversely certainly we will take adequate measures to see that it does not affect our nationals adversely.

Sir, there is nothing more to add except that I am very grateful to all the hon. Members for supporting this Bill.

Mr. Deputy-Speaker: The question is:

"That the Bill further to amend the Indian Emigration Act, 1922, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: There are no amendments. The question is:

"That clauses 2 to 17 stand part of the Bill."

The motion was adopted.

Clauses 2 to 17 were added to the Bill.

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

Shrimati Lakshmi Menon: Sir, I move:

"That the Bill be passed".

Mr. Deputy-Speaker: The question is:

"That the Bill be passed".

The motion was adopted.

14.18 hrs.

IRON ORE MINES LABOUR
WELFARE CESS (AMENDMENT)
BILL

The Deputy Minister in the Ministry of Labour and Employment (Shri

R. K. Malviya): Mr. Deputy-Speaker, Sir, I beg to move:

“That the Bill to amend the Iron Ore Mines Labour Welfare Cess Act, 1961, as passed by Rajya Sabha, be taken into consideration.”

The Iron Ore Mines Labour Welfare Cess Act, 1961, was one of the social welfare measures passed in December, 1961. It provides for the levy and collection of a cess on iron ore for the financing of activities to promote the welfare of labour employed in the iron ore mining industry on similar lines as in the case of coal and mica mine workers under the Coal and Mica Mines Labour Welfare Fund Act. Broadly speaking, the welfare amenities envisaged relate to improvement of public health, sanitation, prevention of diseases and provision and improvement of medical facilities, water supply and facilities for washing, provision and improvement of educational facilities, improvement of standard of living including housing and nutrition, amelioration of social conditions, provision of recreational facilities and transport to and from place of work. The Act also provides for the payment of grants-in-aid to a State Government, or a local authority, or the owner of an iron ore mine, for purposes connected with the welfare of labour employed in the iron ore mining industry. Unfortunately, the Act could not be brought into force so far because of a legal difficulty that has arisen in the case of Orissa. The main purpose of the Bill is to take power to enforce the Act on different dates in different States.

Section 6 of the Act provides that if the Central Government is satisfied that there is in force in any State or part thereof a law making adequate provision for the financing of activities to promote the welfare of labour employed in iron ore mining industry, it may, by notification in the Official Gazette, direct that all or any of the provisions of the Act shall not apply,

or shall apply to such State or part thereof, subject to such exceptions and modifications as may be specified in the notification. The difficulty has been that the Government of Orissa had moved the Central Government for exemption from the purview of the Act on the ground that there was a State Act, namely, the Orissa Mining Areas Development Fund Act, 1952, which also provided for the financing of activities to promote the welfare of labour in iron ore mining industry. Though on principle there is no objection to granting the exemption, such exemption could not be granted as the Orissa High Court had declared that the State Act had ceased to be operative from the commencement of the Mines and Minerals (Regulation and Development) Act 1957 (Central Act No. 67 of 1957). The Government of Orissa have filed an appeal in the Supreme Court against the decision of the Orissa High Court, and the same is still pending. We considered the suggestion made by the Government of Orissa that the Central Act may be brought into force in all other States except the State of Orissa pending the disposal of the appeal by the Supreme Court.

Section 1(3) of the Act, however, does not provide for bringing the Act into force in different States on different dates. It is, therefore, proposed to amend this section to provide that this Act shall come into force on such date or dates as the Central Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different States. On such amendment the Act can be brought into force without further delay in other States except the State of Orissa where it can be done after the disposal of the appeal by the Supreme Court.

I would like to say a few words about the applicability of the Act in regard to Jammu and Kashmir and the Union territory of Goa. The Iron Ore Mines Labour Welfare Cess Act,

1961, as enacted, extends to the whole of India except the State of Jammu and Kashmir. In Jammu and Kashmir, so far as we know, there are no iron ore mines. The question of extending the provisions of the Act to the Union territory of Goa, where about 25,000 workers are employed, producing about six million tons of iron ore is separately under consideration in consultation with the Goa administration. In view of the considerable labour force employed there, Goa assumes some importance in the context of the present legislation providing labour welfare amenities to the iron ore workers there. All the same, the extension of the Iron Ore Mines Labour Welfare Cess Act, 1961 to the Union territory of Goa has to be examined with due regard to the conditions of the iron ore mining industry there and the effect of the cess on exports. The administration is of the opinion that the time is not ripe yet for an extension of the cess during the present period of slump in the Goa iron ore industry.

Leaving the State of Orissa and the Union territory of Goa, the Act will, for the present, cover about 34,000 workers producing about 7½ million tons of iron ore. Although the maximum rate of cess permissible under the Act is 50 nP. per metric ton, it is proposed that the initial rate of cess may be fixed at a rate not exceeding 25 nP. per metric ton.

We also propose to provide for rules to be framed under the Act. As in the case of coal and mica funds, the welfare measures are to be administered in consultation with the tripartite advisory committee. It is also proposed to have a Central Co-ordinating Committee.

This is one of the important social welfare measures long overdue. So, without taking further time of the House, I commend it for the consideration of the House.

Mr. Deputy-Speaker: Motion moved:

“That the Bill to amend the

Iron Ore Mines Labour Welfare Cess Act, 1961, as passed by Rajya Sabha, be taken into consideration.”

Shrimati Renu Chakravartty (Barrackpore): Mr. Deputy-Speaker, Sir, this amending Bill which has been brought almost three years after the original Act was passed, sounds very innocent. It seems that we have just tried to circumvent what has happened in Orissa, arising out of the State of Orissa appeal to the Supreme Court against the decision of the Orissa High Court, but it is very clear that it took three long years for us even to get an amendment. If we now amend this to say that the Central Government may, by notification in the Official Gazette, appoint different dates for different dates, I have a fear—and I think my fear is very well-founded—that under pressure from certain States who may say that they have got legislation which takes care of labour welfare, the Central Government may defer applying this Act to these States.

Now, with all due deference to the State of Orissa, I know iron ore mines both in Orissa and in the adjoining territories of Bihar. If there is any State which is very backward, living in the dark ages, it is none other than the State of Orissa, I think it will not be an exaggeration for me to say that labour laws and civilised forms of life are unknown in those dark jungles of Singbhum and adjoining territories of Orissa. It may be so in Madhya Pradesh also, but I have no personal knowledge of those areas. It is a fact that a very large percentage of these labour are Adibasis and women. It is amazing that the biggest monopoly concerns in the steel industry like Tatas and Indian Iron and Steel Co. run by Martin Burn and Company in the private sector have such worse working conditions for the labour. Of course, now the monopoly of the private sector has been broken and we have some public sector mines in Kiriburu and Baila Dilla. But, in the private sector mines owned by

[Shrimati Renu Chakravartty]

such big industrialists we find that the conditions of service of labour are deplorable. We still have Gorakhpuri labour and contract labour in iron ore mines.

Mr. Deputy-Speaker: We have to take up Private Members' Bills now. So, the hon. Minister might continue her speech tomorrow.

PRIVATE MEMBERS' BILLS AND RESOLUTIONS

TWENTY-SECOND REPORT

Mr. Deputy-Speaker: The House will now take up Private Members' Bills. Shri Hem Raj.

Shri Hem Raj: Sir, I beg to move:

"That this House agrees with the Twenty-second Report of the Committee on Private Members' Bills and Resolutions, presented to the House on the 14th August, 1963."

Mr. Deputy-Speaker: The question is:

"That this House agrees with the Twenty-second Report of the Committee on Private Members' Bills and Resolutions, presented to the House on the 14th August, 1963."

The motion was adopted.

14.30 hrs.

ANANDA MARGA MARRIAGE BILL* by Shri Shashi Ranjan

Shri Shashi Ranjan (Pupri): Sir, I beg to move for leave to introduce a Bill to remove doubts as to the validity of the marriage ceremony common among the "Ananda Margies".

Shri S. M. Banerjee: Sir, what is this Ananda Marga marriage?

Mr. Deputy-Speaker: He will explain it when the Bill comes up.

The question is:

"That leave be granted to introduce a Bill to remove doubts as to the validity of the marriage ceremony common among the 'Ananda Margies'."

The motion was adopted.

Shri Shashi Ranjan: I introduce the Bill.

DELHI PANCHAYAT RAJ (AMENDMENT) BILL*

(Amendment of sections 15, 29, 30 etc.) by Shri Naval Prabhakar.

श्री नवल प्रभाकर (दिल्ली-करोलबाग): श्रीमान, मैं प्रस्ताव करता हूँ कि दिल्ली पंचायत राज एक्ट, १९५४ में आगे संशोधन करने वाले बिल को पेश करने की अनुमति दी जाए।

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Delhi Panchayat Raj Act, 1954."

The motion was adopted.

श्री नवल प्रभाकर : मैं इस बिल को पेश करता हूँ।

DELHI CORNEAL GRAFTING BILL by Shri Naval Prabhakar

श्री नवल प्रभाकर : श्रीमान, मैं प्रस्ताव करता हूँ कि मृत व्यक्तियों की आँखों का चिकित्सा के लिए प्रयोग करने के सम्बन्ध में उपबन्ध करने वाले बिल को पेश करने की अनुमति दी जावे।

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill to make provision

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