

DEMAND No. 60—TRIPURA

"That a sum not exceeding Rs. 5,49,86,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1963, in respect of 'Tripura'."

DEMAND No. 61—LACCADIVE, MINICOY AND AMINDIVI ISLANDS

"That a sum not exceeding Rs. 26,18,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1963, in respect of 'Laccadive, Minicoy and Amindivi Islands'."

DEMAND No. 62—OTHER REVENUE EXPENDITURE OF THE MINISTRY OF HOME AFFAIRS

"That a sum not exceeding Rs. 83,50,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1963, in respect of 'Other Revenue Expenditure of the Ministry of Home Affairs'."

DEMAND No. 128—CAPITAL OUTLAY OF THE MINISTRY OF HOME AFFAIRS

"That a sum not exceeding Rs. 83,21,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1963, in respect of 'Capital Outlay of the Ministry of Home Affairs'."

MINISTRY OF LABOUR AND EMPLOYMENT

Mr. Speaker: The House will now take up discussion and voting on the

Demands for Grants under the control of the Ministry of Labour and Employment.

DEMAND No. 69—MINISTRY OF LABOUR AND EMPLOYMENT

Mr. Speaker: Motion moved:

"That a sum not exceeding Rs. 20,80,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1963, in respect of 'Ministry of Labour and Employment'."

DEMAND No. 70—CHIEF INSPECTOR OF MINES

Mr. Speaker: Motion moved:

"That a sum not exceeding Rs. 18,32,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1963, in respect of 'Chief Inspector of Mines'."

DEMAND No. 71—LABOUR AND EMPLOYMENT

Mr. Speaker: Motion moved:

"That a sum not exceeding Rs. 6,40,19,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1963, in respect of 'Labour and Employment'."

DEMAND No. 72—OTHER REVENUE EXPENDITURE OF THE MINISTRY OF LABOUR AND EMPLOYMENT

Mr. Speaker: Motion moved:

"That a sum not exceeding Rs. 81,000 be granted to the President to complete the sum necessary to defray the charges

which will come in course of payment during the year ending the 31st day of March, 1963, in respect of 'Other Revenue Expenditure of the Ministry of Labour and Employment'."

DEMAND NO. 132—CAPITAL OUTLAY OF THE MINISTRY OF LABOUR AND EMPLOYMENT

Mr. Speaker: Motion moved:

"That a sum not exceeding Rs. 1,06,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1963, in respect of 'Capital Outlay of the Ministry of Labour and Employment'."

Hon. Members who are desirous of moving cut motions may hand over at the Table within fifteen minutes the numbers of the selected cut motions which they wish to move.

The Minister of Planning and Labour and Employment (Shri Nanda): Mr. Speaker, Sir, may I, with your permission, say a few words to initiate the discussion on the Demands of the Ministry of Labour and Employment? My purpose in doing so is that in a very brief compass I should provide some background and some basis for a consideration of the policy of the Ministry and its activities in some of their major aspects. Of course, the House will examine and assess that policy and the performance of the Ministry.

So far as the policy is concerned, I do not lay any exclusive claim to it, because labour policy is a product of tripartite deliberations; and in all its essentials it belongs to the participants with whose help, the policy has been evolving from year to year. But, so far as the record of performance is concerned, in all humility, I would venture to say that the record of performance during the year under review does yield a certain measure

of satisfaction. I do not claim that it is so in all fields, but in many fields of the activities of this Ministry, that is so.

The primary aim of the labour policy and its administration would be, in the first place, to establish industrial peace in the country, and no less important than that is to ensure that there is a continuous amelioration in the lot of the workers. It has also to be ensured that industry and economy progress and grow. And what is a matter of common interest and is linked with all these things is to see that fuller employment is made available in the country from year to year.

I have not stated these things in any order of priority or preference. I would first take up the question of industrial peace. We have made advance in the course of the last year, and during several years previously, in all these directions. But during the period intervening since the time of the last debate, I believe that progress has occurred in all those directions, to a substantial extent.

With regard to the question of industrial relations, I shall first take up the recent experience. During the year 1961, the time lost due to strikes and lock-outs, which has been stated in the annual report of the Ministry which is in the hands of hon. Members, was 48.5 lakhs man-days. But when we take the series for the earlier years, the comparable figure is 42 lakhs man-days. During the previous year, that is, during the year 1960, the time lost owing to such stoppages was 65.15 lakhs man-days. But allowance has to be made for the special feature of that year, namely the strike of the Central Government employees, and some other strikes which synchronised with it, which cost us about 13 lakhs man-days. So, the rest was 52 lakhs man-days. Between these two figures, we notice an improvement of 10 lakhs man-days, which is about 19 per cent. If we take the peak period, that is, 1958,

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this improvement will be to the extent of 46 per cent. This is not uniform for all industries.

In the case of coal mining, this improvement has been continuous, and has been very remarkable. So far as the year 1961 is concerned, the largest share of the benefit goes to manufacturing industries which had not done particularly well in the earlier years in this respect. The reduction is to the extent of 20 per cent as compared to the previous year.

At this stage, I would also like to refer to some other important features of the situation in respect of industrial relations during this particular year. The machinery of industrial relations has been working somewhat better. There are one or two aspects of it to which I would like to invite the attention of the House, and these are in regard to various matters which come up before this machinery, the disputes which are handled by it, the complaint which has been there for years that these matters get delayed and on that account the workers are subjected to a lot of hardship and inconvenience, etc.

So far as disposal of these cases is concerned, owing to a number of reforms introduced, improvements in procedures which have occurred, disposal within two months is now to the extent of 95 per cent as against 71 per cent in the previous year. Of course, it is very much better if we take the earlier years also. As regards matters finally settled through conciliation and mediation last year, the figure is 82 per cent as compared to 75 per cent in 1960 and 57 per cent in 1959-60. Vigorous action is being taken to detect irregularities, and wherever it becomes necessary, prosecutions are launched. The number has increased in a very large measure, 2,299 prosecutions in the course of 1961 as against 188 in 1960. Similarly,

the number of claims filed in the course of the period is 404 compared to 100 in the previous year.

There was one particular feature of the year which, I think, should be a matter of gratification to all of us, to me certainly. That is about this very vexed question of the abolition of the contract system. There was a court of inquiry and a settlement has been reached. The decision is in terms of the agreement between the parties. It is a very heartening thing. I hope that this practice will extend to other matters also where differences have not been resolved so far.

I may also mention about a recent conference with regard to the coal mining industry. We were receiving reports of a situation prevailing in that area which could not by any means be considered quite peaceful. There were violations of law, the problem of law and order arose, and there were stoppages also. This conference examined in a very dispassionate way the situation in the coal industry and reached very significant decisions. We have all come to this understanding that the parties concerned will take steps to rectify all deficiencies, remove the defects, lapses, and failings on all sides in the course of six months, earlier, as early as possible, and will bring about a normal situation in that area. Let them know that if that does not happen, we will have to take a much graver view of the situation and a high-power commission will be appointed so that we may be able to explose, probe into the situation more fully, and then some more action might follow from that. But I feel very confident that that stage is not going to be reached.

In the same period, extension of the code of discipline to other industries, areas of employment, has progressed satisfactorily. I might mention that although during this year, 1961, there were 42 lakh man days

loss in stoppages, it is the lowest on record for several years. But it is not an isolated occurrence. It is not something sporadic. There is a trend which has been noticed over a period of 3—4 years. I should think it started in the middle of 1958. That coincided with the introduction of the code of discipline. In that year, 1958, the loss was 78 lakh man days, in the first half 47 lakhs and in the second half 31 lakhs. The factor may also be taken into consideration that just before that year, for several years there was a rising curve of industrial unrest. Incidence of stoppages was increasing over a period of three years or so. That has some significance to the decline later on. These figures do not take into account the increase in employment which has occurred in the same period—it may be of the order of about 8 per cent.

Now, no single factor has led to this very good outcome. We can certainly consider that the introduction of the code of discipline has an important bearing on it, directly and indirectly, in creating a kind of more congenial climate and environment for industrial relations. There are other factors also, and I think the Wage Boards have had their own share in it, because they have taken up one after the other of the important industries and resolved for the time being, for a period, the most important question concerning workers, the question of wages.

I dealt with the year and the trend, so far as man days lost are concerned. But in other respects also, the general situation in the matter of industrial relations has been improving. There is, for example, the question of expeditious disposal of cases before conciliators and others. Here also the trend has improved. In regard to enforcement, there is much more vigorous enforcement of labour laws. Now there are more prosecutions etc. References to adjudication have caused a certain amount of agitation and concern to some of our friends

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who are interested in this aspect. In the Indian Labour Conference at Madras, we took a certain decision that it should not remain a matter of uncertainty as to what kind of cases could be taken up in adjudication and what could not be. So that it does not remain only a matter of discretion. Some kind of discretion may be inevitable, but largely, a person who comes for reference to adjudication should know that he would be able to justify it and will be able to secure it. In this matter, the policy has become more liberal during these years. .

One thing which will certainly be considered a very satisfactory feature is mutual agreement that is becoming more and more an important factor, and government intervention is declining. Things are moving in the direction of a more stable situation in respect of industrial relations; possibly the various new policies and new factors which have been brought into play are having their effect. In the course of 1956-61, cases of mutual agreement have increased from 16 per cent to 29 per cent, and government intervention declined from 53 per cent to 40 per cent.

16 hrs.

Very often we hear complaints that very good decisions are taken, laws are passed and policies adopted, but their implementation lags behind very much. To a certain extent it is true that implementation has not always been perfect, and I confess that in some cases it has been such that it causes me also very serious dissatisfaction and concern, but I believe that in several respects, in many fields, implementation has been improving. I would cite the case of wage boards for example. Even when there is an adjudication award, 100 per cent implementation is very rare because when large numbers of units are concerned, there are some places where it becomes very difficult to secure compliance, but the position is that wage board recommendations have been implemented to the extent of 96 per cent in the case of the cotton

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textile industry, 89 per cent in the sugar industry and fully in the cement industry. Delays occur, and one very great reason or cause for that is that matters do not end in conciliation. They go to courts and litigation is, as everybody knows, a very protracted process. To combat that, and to improve that position somewhat, our central implementation machinery and also the implementation committees in the States have been trying to do whatever is possible to see that litigation is reduced. Fiftyone cases pending in High Courts have been settled out of court through the implementation machinery. This may not be a very good number, but it is a very good start, I should say, in the course of this period to have arrived at this measure of success.

Screening committees have been appointed. That is a part of our agreement with the employers and the workers that before a case goes, is allowed to go to court—because some people might take up a matter which can otherwise be settled by other means; they are not of such importance that they should go to courts, but still they go, that has been our experience—the screening committees examine the cases. I do not think the success in this matter has been of a very high order, but the position is that in about 60 cases the employers and unions were dissuaded from filing appeals. In 40 cases, strikes and other explosive situations were averted as a result of preventive action taken by the central implementation machinery.

There is one particular matter which is always uppermost in the minds of trade unionists, which is of very vital concern and importance to them, and that is the question of recognition of trade unions. This is one of the elements in the code of discipline, and this particular concession had a great deal to do with the acceptance of the code of discipline. Therefore, the

workers' unions are certainly entitled to ask how far that part of it has been implemented. The position so far is that in 59 cases, recognition of unions was secured under the code of discipline.

I would not be quite justified if I create the impression that all is well in the matter of industrial relations. There are deficiencies of which I am fully aware. There are blemishes also in the picture. We want to make disposal of cases more expeditious still, and we are trying to arrange for a review of cases periodically so that better results may be secured.

There is one other aspect of adjudications, of settlements in courts, which is being brought up again and again by both the workers and the employers. It is the personnel of these tribunals. The demand is always that we should have serving High Court Judges, not retired High Court Judges, not anybody lower than that rank. I would certainly agree with that demand and that approach, but the difficulty is that we do not have as many people to serve in that capacity. There is one way of getting that result. It is to have fewer cases to go to courts. If the number of cases going to court is very large, naturally the quality is going to be diluted, and there will be practical difficulties which it is not easy to overcome, and the best way is the prevention of it, internal settlement rather than going to courts.

In this connection I may refer to one thing about which I personally feel very sore and disturbed, and that is a particular provision in the code of discipline about arbitration. Arbitration may not be acceptable in all types of cases. There may be some types of cases where it may be difficult for the employer to seek arbitration. The distance between the two positions is so wide, the interests are so vital, the stake is so high. But the bulk of the cases is not of that kind, but I am still not able to

understand why there is that resistance, a reluctance on the part of the employer, because it is chiefly on the part of the employers that this difficulty arises. This is coming in the way of the general improvement in the matter of industrial relations and also the quality of the decisions if we may say so. This provision in the code of discipline is being neglected and ignored very much. I have pleaded with them. They do not seem to have much faith in it, and I wish to go somewhat deeper into this matter. I would like to have a kind of enquiry soon into cases arising in a certain period, say the last few months, and have a sample enquiry. Then I would like to have the matter looked into by a committee in which I would like to associate Members of Parliament. Let us see whose fault it is, because this is a very vital matter. The whole approach should be that instead of trying to beat each other, we will try to have harmonious relations and mutual settlements. This is coming in the way. That is one thing which I would like to bring to the notice of the House.

Grievance procedures also have made progress in the various units, but still some of them have not yet adopted it. There is another approach to it also, which may not have a very direct relationship to this question but which has a very large bearing on it, and that is certain measures which, if adopted, would create a better atmosphere even for the purpose of industrial relations and industrial peace. I refer particularly to the joint management councils, the very elementary experiment in workers' participation in about 30 units now I believe.

Shri Hari Vishnu Kamath: This morning we had a question on that.

Shri Nanda: We have had seminars which have gone into the working of these units, we have had evaluation periodically about how things are going on, what kind of results are being secured, and from all the reports, practically without exception, it is clear that the results are very good. Pro-

duction has improved, productivity has gone up, quality of production is better, accidents are less, all these things are there. These are the reports. I am culling from the reports the impression that has been created, and yet this difficulty is arising, the number is not moving up.

In this connection, I might refer to a mis-conception which has been created and assiduously spread about a statement made by my friend and colleague Shri K. C. Reddy that in some place he said that these are failures and, therefore, they are no good. He has written to me and has made it clear that he did say nothing of that sort. He says that he never made a statement that the scheme has not been successful and that he is all in favour of implementing the programme of workers' participation in management.

The programme of workers' education has also something to do with that. We have made some headway. I think much more could be done with the co-operation of the employers and the workers.

The loss of man-days of which I made mention is 42 lakhs. I think it is very large still. It means a loss of production of about Rs. 16 crores. It means that the workers were deprived of their wages to the extent of about Rs. 2 crores. These are very rough figures. But, it is not simply the number of days lost. The damage is very much more than that. Every strike that occurs, every stoppage that takes place, to my mind, is the summation of some kind of pathological condition in the industrial system. I have got this in mind that we should place before ourselves some kind of a target. It will be very difficult to think in terms of a target in these matters. But, why cannot we conceive of measures which will help us to bring down this time loss to a much lower figure? I have got this in my mind that in the course of the Third Five Year Plan, we should, at least, reach a stage when the maximum loss does not exceed half that figure—about 21 lakh man-days. And, towards that

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end, various steps have to be considered.

I would like to see in the current year that every stoppage that takes place is examined in regard to its origin, its causes etc. so that we can fix the responsibility and try to remove the factors in the situation. This is one side of it. Of course, the positive approach regarding improving the working of the Works Committees and Joint Councils and various other things should be thought of.

I would now take up another question which is equally important, the scale of remuneration of the workers. This is a matter of day to day concern to both sides of the industry. There are several mis-conceptions about the situation. Extreme views are being expressed. On the one side, I have heard the employers say, in their meetings and in various statements and pamphlets that the burden of wages is excessive, and the workers are getting a wage which is very much more than they deserve, considering the various factors that they are urging.

This is one side of it. They are dinning this into our ears day in and day out. On the other side, the representatives of the workers and their sympathisers clamour that the wages are too low compared to productivity, compared to every other thing, that the workers are being badly exploited and grossly under paid. This is their complaint.

We have to find out what the objective situation is, considering the facts and figures. My own view is that the true position does not correspond to either of the two extremes. Since this matter has been talked about and written about in the Press and everywhere, I thought I should give some kind of a connected account of it so that we might not be talking at cross purposes.

I wish, first, to take up recent developments. When we discussed this matter last year, we had with us the

figures for 1959. Now, we have got the figures for 1960. And the overall position is that the money earnings rose by 4.5 per cent during that year. The consumer price index rose by 2.6 per cent; and, therefore, the net increase was 1 per cent. When we take the manufacturing industries, which is being broadly talked about, the increase in money earnings is 8.5 per cent, the consumer price index rose 2.6 per cent, and, therefore, the real earnings have gone up by 5.4 per cent.

Shri Nambiar: Compared to the pre-war standard?

Shri Nanda: In the course of one year.

Shri Nambiar: Compared to pre-war what will be the position?

Shri Nanda: I shall give the position, pre-war, post-war, pre-Plan and after that.

Shri Nambiar: Very good, Sir.

Shri Nanda: Pre-independence, post-independence, everything.

Benefit has also been secured by large numbers through Wage Boards. There were interim awards in the jute industry and the plantation, which raised the wages for jute workers by 4 to 7 per cent, and for workers in tea plantations by 9 to 12 per cent. The emoluments of workers in sugar industry have risen by 25 to 61 per cent as a result of Wage Board Award. In the course of the year, there were 3400 awards; and, in about 40 per cent of the cases, the question of wages was considered. These effected an increase of about 4 to 36 per cent in some industries. This is for the particular year.

When I am dealing with this year, this intervening period, I may mention the appointment of a Bonus Commission. I say this for this reason. Possibly, the Members may be aware of it that very severe complications arose about the appointment of the Chairman of the Commission. Those have

been happily resolved and the Commission is functioning. Eight Wage Boards have been set up so far, covering about 25 lakh workers. A Steel Wage Board was set up recently. A Coal Wage Board is in the offing; we shall have it soon.

I shall now come to the question which was asked by the hon. Member, about wage movements over a period. Here conflicting interpretations are offered; and there is a reason for that. The basis which you choose for the purpose of comparison will determine what kind of results you are going to get. There are periodical variations and the variations are not uniform in the matter of cost of living index and in the matter of money earnings.

Take the year 1939. It is very far away; but still it is relevant. In between 1939 and 1947 the workers in manufacturing industries lost ground heavily. Their position, in terms of real wages, was 22 per cent worse than the pre-war standard. It was not only the workers who suffered; but the whole economy suffered.

Shri Nath Pai: Except a very small class.

Shri Nanda: Except a very small class who were the black-marketeers, the profiteers and that kind of people. They benefited at the cost of the rest of us. Therefore, the suffering of the bulk of the people was more widespread in that period.

Shri Hari Vishnu Kamath: Who allowed them to benefit?

Shri Nanda: We are talking of the war years.

Shri Hari Vishnu Kamath: Even then.

Shri Nanda: Possibly you were on that side, then.

Shri Hari Vishnu Kamath: No. 1 was on your side; we were on the same side of the freedom struggle.

Mr. Speaker: Order, order.

Shri Nanda: I come to the years 1947-50, the years after independence and just before the First Plan. The overall position is that the money earnings rose by 25 per cent and the cost of living index by 16 per cent; and a little over 8 per cent was the net gain to the workers. In 1951-55, the period roughly corresponding to the First Plan the money earnings rose by 28 per cent, the cost of living index went down by 9 points and therefore there was an increase in real earnings by 41 per cent. In 1956-60, roughly corresponding to the Second Plan, the position got reversed. Money earnings rose by 15 per cent, cost of living index went up by 18 per cent and therefore real earnings decreased by 3 per cent. When the prices are going up the workers usually suffer; when the prices are stable, they gain. The year 1953 is sometimes taken as the base; it was in that year when the pre-war situation was restored and the workers in the manufacturing industries got the level of standard which prevailed before the war. After that, it has not been uniform; in some industries they gained much more since 1953 and in some they have lost. The real earnings in mines increased by 53 per cent in 1960 over 1953 while in manufacturing industries they rose by about 5 per cent.

Wages are not only the money paid to the worker. There are what we call fringe benefits and there has been an improvement in this respect over the years. The *per capita* money value of these benefits was 1.9 per cent of the *per capita* wages in 1951 and in 1958 it was 6.5 per cent. I do not know whether it has been made known that a decision has been taken that the employees' provident fund rate will be increased from 6.25 per cent to 8 per cent in the case of four industries which were subjected to scrutiny by a special committee. . . . (*An Hon. Member:* A decision has been taken?) Yes. The rate of employees' contribution in the Employee's State Insurance Scheme has also been raised recently from 1.25 to 2.50 per cent in implemented

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areas. These are just figures and I am sure the hon. Members will apply their minds and draw their conclusions. But the assertion that wages have increased to an excessive extent is wrong and to say that they are doing well is not correct. Often the increased wages of the workers are compared with those of the agricultural labourer or a person in the rural area or the *per capita* income, and in relation to productivity and so on. But the other thing also is not correct: because productivity has risen to a certain extent so the whole of it must go to workers. That is not possible and productivity does not increase because of the contribution of the worker only; it also increases because of modernisation more investment and other improvements. Therefore, the gains of productivity have to be shared by the worker, by the community and by the industry for larger investments which will go for the expansion of the industry. But it is not correct also to say that the wage rates have gone up beyond the output or productivity. The information which I have is to the contrary. There are two sets of figures: an index of a very general kind making some kind of overall relationship to output and the number of workers; that is one. That gives the increase of 34 per cent in 1960 over 1953. There is another index based on the figures from the Census of Manufacturing Industries, according to which the figure in 1958 was 31 per cent higher over 1953. The question also arises that. What is the relationship of wages to the cost of production, cost of manufacturing? Is it rising? Is the proportion going up? It is not so. The proportion of wage costs to the total output, to the cost of production has not gone up and that is something on which we can congratulate the workers.

The other thing they do is to compare the *per capita* income in the country to that of the worker in an industry. The *per capita* income is calculated taking into account all the unemployed and under employed in

the rural as well as urban areas. To compare it with the worker's wage is not correct. There is absolutely no basis for comparison if they take the *per capita* income and compare it with the wage of the skilled or semi skilled worker.

Shri Nath Pai: That is what you did during the employees' strike; they compared them with the unemployed and the agricultural labourers. You were a notable exception, I remember.

Shri Nanda: I do not think I am an exception. The others also, I do not think, made the comparison in this particular way. Of course the *per capita* wages are there and you compare the wages of the industrial worker with the wage of the blacksmith or a carpenter or a mason in the rural area. There you will find that the minimum rates do not differ very much. As I look at it, I believe the labour's contribution is a plus factor in the economy and not a drag on it. The increases which have been obtained by the workers are taken and compared with the *per capita* income increases. I do not think, as I said before, it is very fair. It cannot be said that they are making an inroad into the economy of the country. I have been saying that the wages are low and I have been sharply rebuked in some of the commercial magazines for saying that. I say it again. When I say that, I mean as compared to the needs of the workers and the much condemned decision of the Indian Labour Conference about the need-based wage, to which I adhere. They have not reached that standard. Therefore, they are low compared to that. How do we help the worker then? How are these wages to be raised? They cannot just be raised like that. The hon. Members who cheered me should bear in mind what the implications of the situation are. There is a strike, they bring pressure and get a little more. All these excess profits will not give to the workers or to the country much; it may give a very small rise. If there is to be a real improvement, consider-

able improvement in the standard of living of the workers, it has to be brought about by greater productivity. Therefore, all those things which are of bad odour to the trade unions in the past, rationalisation, etc. have to be viewed in a different light. You cannot simply sit outside and blame the employer and the industry. They have to co-operate in getting better results by increasing productivity. There is no other way in which it can be easily established. Savings have to accrue in the economy, and in order that modernisation can take place the equipment is to be improved for all the workers and it has to be made available to them. On the side of workers, much better use has to be made of whatever resources are placed at their disposal. I believe the co-operative movement must be very much in the minds of the trade unions now. They must see that the co-operative movements are established so that whatever wages are there the very best use will be made of those resources.

I will then deal with one other aspect which is of high importance. It has been a matter of constant concern and anxiety to everybody in this House and outside. That is the question of employment. Now I do not know how long I have spoken.

Mr. Speaker: About an hour.

श्री नाथपाई : आप से बातें सुनना बहुत दिलचस्प रहा है। लेकिन समय की तरफ भी ध्यान कर लें। एक घंटा होने वाला है।

Shri Nanda: I have another innings, and so perhaps I may deal with the question of employment later on in the course of the reply that I have to make.

Shri Warior (Trichur): We wish to know about the unemployment position also.

Shri Nanda: I was going to refer to employment and unemployment—both

the things. Shall I take a few minutes, Sir?

Mr. Speaker: I have no objection. He may proceed as he likes.

Shri Nath Pai: We would certainly like to hear you.

Shri Hari Vishnu Kamath: It may be debited to the Congress Party's time.

Shri Nanda: The position is that this problem is being aggravated from year to year in consequence of the acceleration in the rate of increase and the result is that over the period of five years the number of new entrants in the labour force is increasing. One has to see the figures in order to consider all the staggering implications. In the first Plan it was 9 million; in the second Plan it was 12 million and in the third Plan it is estimated to be 17 million and later on, in the fourth and the fifth Plans, the figure is going to be 23 million and 30 million respectively. That is the magnitude or the size of the task or the problem that we are facing. Of course, we are trying to meet that challenge. Investments are increasing and the capacity of the economy is developing. We gave employment to seven million in the first Plan; eight million in the second Plan and in the third Plan the estimate is 14 million; still it is gathering momentum and the volume of employment has increased at the rate of about 2.8 per cent during 1951-60. In the second Plan, in the public sector, the rate of increase was 6.9 per cent. But here too we are not able to catch up with it, and the reason is that the investment per worker provided with employment which was about Rs. 5,000 in the first Plan are now about Rs. 7,000 to 8,000 because of the structure of the Plan. Therefore, the backlog is increasing. The live register is mounting; and what are the special measures that we have to take in addition to the Plan? We are thinking of special programmes indeed. One is about the rural works programme. I need not give details about it; 2½ million workers may be getting employment in the

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slack season wherever unemployment is high. A Rural Industries Planning Committee has been set up which had recommended taking up of 40 projects in the year 1962-63. In the year 1961, there has been some improvement which has occurred. Now, the situation is, registration is higher by 18 per cent and placements are higher by 29.5 per cent. That is a very good feature, and the employment market information is a new development of very great significance. It covers the whole public sector. There are 190 labour market areas in the private sector, and they are able to watch the situation, see what is going to happen and then try to provide for development.

Then there is the question of closures. In 1961 there were 12 closed textile mills as against 39 in 1959 and 27 in 1960. The position in the jute industry has improved, as hon. Members know. In the course of this year, a special feature was that the Notification of Vacancies Act came into force and the vacancies notified have now doubled.

I would like in passing to mention the very good work being done by our machinery for deployment of surplus technical and other personnel for a much better utilisation. The number of craftsmen trained would increase from 50,000 to one lakh in the Third Plan period. Then the Apprenticeship Act will be a very welcome feature.

Finally I would turn to the question of implementation. I have this in mind apart from various other things we do. We cannot attain 100 per cent implementation, but it can be as high as possible; particularly in the industrial relations side and the efficiency of the workers. I am thinking of setting apart Rs. 10 lakhs every year which will be distributed and utilised for the purpose of rewards to groups of workers and individuals, where absenteeism goes down and efficiency goes up. I need not refer to the details,

but I think a special committee may be appointed to work out a scheme. Take, for instance, holiday homes. There was a question about this, and I am giving a definite answer. I believe, and I hope some important residential place may be offered for this purpose, or may be made available. So, this is one of the measures which we have thought of in this connection.

I am very sorry I have taken much time. I am full of figures which I have placed before this House and that has taken a good deal of time. I request hon. Members to look into all this and give us their advice, their assessment about the situation, and give us their subjective and objective views about the task that lies ahead, so that all of us together may try to perform the duty and meet the challenge of the times adequately.

Mr. Speaker: It may appear a little odd, but I want to accommodate Shri K. N. Pande because he is leaving just at 5 O'clock. Shri K. N. Pande.

Shri K. N. Pande (Hata): Mr. Speaker, Sir, first of all, I want to congratulate the hon. Labour Minister for evolving the code of discipline which has helped industrial peace to be maintained to a large extent. It was he who could manage to get the code of discipline approved by all the parties concerned. There is no doubt about it. The code of discipline has reduced the man-days lost to a considerable extent, but, in my opinion, the whole policy of industrial relations requires to be changed.

As I come from the field of labour—I work among the workers—I can realise what their difficulties are in solving their disputes. The idea of evolving this code of discipline was born because there was great unrest in the industrial field, and then there was an atmosphere created so that the workers may follow constitutional means in order to redress their grievances. To that extent, this code of discipline has brought them on the right lines. But

the purpose was that opportunities and facilities should be given to them so that they may get their grievances redressed as early as possible. That object has failed. The time taken by the Government in making a reference of the dispute to adjudication is taxing the patience of everyone. Apart from that, if a case is referred to adjudication, the time taken by the courts in order to come to a decision is such, and the proceedings are so lengthy, that the workers are, in my opinion, going back, or thinking differently, so far as this code is concerned. Since the hon. Minister knows the psychology of workers very well, my suggestion to him is that he should find out some ways so that the workers are satisfied and they adhere to the constitutional means in order to serve their purpose.

Then I come to the implementation of awards. I find that the Ministry has created an implementation machinery both at the Central and State level. Taking into consideration the size of the problem and the awards and agreements, this machinery is not doing as much work as can be taken as satisfactory. So, instead of creating one cell at the Central level and another at the State level, I would suggest that the Conciliation Officer and the Assistant Labour Commissioner be given powers so that they may see that the awards and agreements are implemented as early as possible.

16.41 hrs.

[SHRI MULCHAND DUBE in the Chair]

Then I want to make one suggestion regarding the reference of disputes. Previously, in many of the States the procedure was first to constitute a conciliation board, to which all disputes are referred. The board consists of one representative of the employer and one representative of the workers with the Government nominee or representative as the chairman. In the first stage, the conciliation board tries to conciliate the issues. In case any party is found adamant, the board had power to adjudicate on those disputes. So,

matters used to be settled or decided expeditiously. I think there is no harm if these machineries are revived.

Then I come to the question of compensation to be given to injured persons. Now if a person is injured while working in the factory, the amount of compensation has to be decided by the district commissioner, which takes too much of time. So, will there be any harm if the Conciliation Officers and Assistant Labour Commissioners are given magisterial power in order to decide those matters?

Apart from that, I feel the time has come when the Workmen's Compensation Act should be revised so that other employees also, if they are injured while working, may be able to get compensation for that. Further, the rate of compensation to be paid on death was fixed long long ago. Now, taking into consideration the increase in the cost of living, I think the time has come when that amount requires to be revised. I hope proper action will be taken in this regard.

Then I come to the question of unemployment. I am thankful to the hon. Minister for throwing light on several matters when we need his guidance. In a speech that he made at Bangalore about unemployment he said:

"It is a very well-known fact of Indian economic situation that vast masses of the people are without any means for the satisfaction of their basic needs of life and that the number of those who are without gainful employment or are very inadequately employed is very large."

As the hon. Minister has just now stated, the figure of unemployed persons may now come to 17 million. But my reading of the situation takes me to a different conclusion. When the figure of unemployed was considered, it had some background. Then, according to the experience of the previous decade, the population was

[Shri K. N. Pande.]

expected to rise at the rate of 1.25 per cent per year; that is to say, 4.5 million every year. Assuming the population as 360 million at the beginning of the First Plan, it was reckoned that the net addition to the labour force during the First and Second Plan would be 40 per cent of the annual increase in population, that is, 1.8 million. It was expected that the employment potential of the First and Second Plans would aggregate to 14 million. This means that by the end of the Second Plan there would be only an addition of 4 million to the number of unemployed at the beginning of the Third Plan. But let us now see what is the actual position. The 1961 census proves that the rate of increase of population has risen from 1.25 per cent to 2.1 per cent per year. On this basis, the new entrants to the labour force during the ten-year period works out to 22 million, as against 18 million anticipated in the Plan. The employment thus created swells the backlog of unemployment at the end of the Second Plan to 9 million. The new entrants to the labour force during the Third Plan period are expected to aggregate to 17 million. So, if unemployment is to be completely wiped out, the Third Plan must have an employment potential of 36 million, about the double of the employment potential of the First and Second Plan.

Here I have got some figures about the number of persons employed in the factories. Since the Plan started in 1952, the average daily employment in the factories was 32,04,000. Now, in the year 1959 it is 36,35,000 only. Taking into consideration the rate of employment that is being provided to the unemployed persons at present, personally I am not so hopeful that this problem would be solved in a better way.

There is another point which I want to bring to the notice of the hon. Labour Minister. I am glad that the hon. Minister raised this point in the

last budget session. Here I am referring to the pay-scales of Labour Inspectors which have been revised. I am sorry to say here that while revising their pay-scales the length of service has not been taken into consideration.

The result is that the new and the old are getting the same salary. I think some attention should be paid to this problem also.

Really it is a matter of happiness that one enactment was passed in every State—the Shops and Commercial Establishments Act—in order to regularise the working hours of the workers working in shops. But there is no provision to protect their services. They may be dismissed without any notice and as their disputes cannot be referred to any adjudication machinery, those people are unprotected even after some Act has been passed here in order to protect their interests. I think the hon. Labour Minister will advise the States and also the Dehli State—it is under him—to make such a provision or to bring a new Act, so that security of service may be given to them.

About the contract system, I want to bring to the notice of the hon. Minister that the contract system is a source of exploitation, wherever this system is working. When contract labour are employed in a factory, even the minimum decided wage is not given to them. If a complaint is made and if the factory inspector comes, their names are not to be found in the factory register. How can it be rectified and corrected? If some factory inspector comes and makes enquiries over the matter, the next day the employer dismisses him and there is no protection to these workers. They have no machinery before whom they can put their grievances. I am thankful to the hon. Minister that one enquiry

committee was formed, which enquired into the contract system in coal mines and I heard that some agreement has been arrived at between the parties there. Maybe if a separate machinery is formed in order to enquire into the defects of this system, something may be done or the parties may come to some agreement, so that these workers will also be protected.

I want to say a few words about industrial peace in the public sector. So far as the private industries are concerned, there is a machinery and even if the matters are decided very lately, those people have got some machinery. But in the public sector, they can form only works committees. Moreover, in the works committees, they cannot decide any matter of an economic nature. How can the grievances of the workers in the public sector be redressed in this way? If you cannot send them to adjudication, I suggest that some machinery may be evolved, because it is under your hands. After all, under the Industrial Disputes Act, reference of the disputes to adjudication is in the hands of the Government. If they think that it may create some difficulty, they may not refer it to adjudication, but my suggestion is, some machinery over and above that works committee should be created, so that any matters which remain unsettled in the works committee may be referred to that machinery and some agreement may be arrived at between the parties.

There is another thing. We put some question in order to know how many factories in the sugar industry, textile industry and cement industry have implemented the awards. Although the figure is very small, I see that there are so many factories which have not implemented the recommendations of the wage board so far. The Minister while replying told me that because of difficulties in fitting in, they have not so far implemented the award. I want to say

that similar difficulties were before those factories which have implemented the awards. After all, how long can this thing help the factories? As I have suggested in the beginning, the implementation machinery should be effective and it requires more implementation machinery, so that these awards and recommendations may be implemented as early as possible.

Then, as regards the sugar industry, queries come from every part of the country about the interpretation of the recommendations made by the wage boards. There is no machinery which can interpret as to what the wage boards meant by all those things. Previously I put this matter, before the Minister and he also promised to consider this problem. My suggestion in this regard is that a tripartite committee be formed here which may at least interpret the queries coming from other parts of the country, so that the implementation may be made as early as possible. Because if the queries are not replied to, the parties will say, "Our queries have not been replied to by the Ministry. How can we implement the award?" So, I hope the Minister will consider this matter and try to create a tripartite machinery in order to clarify the points being sought by the parties.

Shri Prabhat Kar: Mr. Chairman, Sir, we are thankful to the hon. Minister for opening the debate on this Ministry's demands. It is a good thing that the Minister for Labour is also Minister for Employment and Planning also. There is another thing. Recently he has become the leader of the forum of Socialist action.

Shri Daji: Minister for Socialism also.

Shri M. K. Kumaran (Chirayinkil): It was in that capacity that he spoke.

Shri Prabhat Kar: So far as he is concerned, we have got great respect for him as an old trade union leader and his sympathies are with the working class. Whether inside the House or outside, whenever he makes any speech, he always manifests his sympathy towards the working class. But that is where he stops. I do not know. Whenever you go and meet him for discussion, he will be fully in agreement that the employers are creating difficulties. When you come out, you will come with this idea that everything will be settled. But once the file is sent to the secretariat, it remains where it was. Perhaps after a few days, you think that something will be done. But whenever he comes over here, he will say he has got full sympathy for the workers. It is not that I doubt his *bona fide*.

Shri Nanda: I do not say hundred per cent. compliance with his wishes, but at least 85 per cent.

Shri Prabhat Kar: I have got no doubt about his intention.

Mr. Chairman: He is talking of that 15 per cent. only.

Shri Prabhat Kar: Take, for instance, has opening speech today.

17 hrs.

Frankly speaking, I was wondering whether we had got anything left now to be said. He has admitted increase in production, he has admitted increase in productivity, he has admitted low standard of wages. But he has not said how the solution can be had. He simply placed the problem that we wanted to place. He admits the problem is there. He always agrees with us on that. But the question is not simply one of placing the problem or knowing it, how it is to be solved is the main thing so far as the Labour Ministry is concerned. That is where, I am sorry to say, we do not often get anything from him.

Shri Nanda: You make the suggestions and I will deal with them at the end.

Shri Prabhat Kar: Now, I do not want to go into this matter, that the wages are low. Over his speech, I think, to the Manufacturers' Association, there was too much of hullabaloo by no less a person than Mr. Tata that all these things are wrong. I think he said that the wages are high in comparison to all those persons whether they be even agricultural labourers. He talked about wages being linked with productivity. Here is one Mr. Sinha—of course, he is not a labour leader—who have no love for socialism, a spokesman of the Tata group, forum of free enterprise, who says in an article that the output per employee in 1951 was 121.5 and in 1958 it was 219.7.

Shri Nanda: Do you prefer his figures to mine?

Shri Prabhat Kar: What I am saying is, this is what his counterpart, the spokesman of the Tatas, is saying. He has given the figures showing the productivity of the workers. What about the wages?

I need not go into this matter of the Wage Board. I am quite sure that the concept of the 15th Indian Labour Conference about the need-based wage is still only a dream, a remote dream. I do not know whether in the Third Plan it is going to be achieved, because so far as the need is concerned it has to run with the taxation policy of the Finance Ministry as a result of which the prices will go up. I am quite sure that today, tomorrow or the day after the tribunals working under the present conditions will not grant any need-based wage. Therefore, all the wishes contained in this unanimous decision of the 15th Indian Labour Conference will continue to be a dream for years together.

Apart from the wages, it has been stated in the report that the wage board as a machinery for settling wage disputes and allied matters has come to stay and will be extended to new industries. If that be the position, I do not know why the wage boards are not granting the need-based wages. Still we are fighting for minimum wages. There are tribunals set up where we are discussing the minimum wage which is less than the need-based wage.

Even on the question of setting up of wage boards, when demands are made they are not accepted. With all the wishes expressed by the hon. Minister, I expected that at least the wage boards will be appointed because they are not going to make any immediate change as the wage boards, as far as my knowledge goes, give their awards usually after three years. But that will create a psychological effect. The engineering workers have been asking for a wage board. That has not been granted. Same is the case with newspaper workers, bidi workers, iron ore workers and others. You agree with the proposition that wage boards should be appointed. You agree that the wages are low. You admit that production has increased. What is the reason that you do not accept the demand of the employees for the appointment of wage boards.

As I said, awards are delayed by the wage boards. If you look into the history you will find that the Textile Board was appointed on 30th March 1957 and it gave its award on 2nd March, 1960, after a period of three years. The Pay Commission took three years to give its recommendations. The Cement Wage Board was appointed on 2nd April, 1958 and it gave its award on 1st March, 1960, after two years. In the case of sugar they took three years. The Jute Board was appointed in December, 1959. I do not know where they are. Hon. Members sitting over there may be able to tell

us the position. Similar is the case with tea and coffee. Take, for instance, the Industrial Tribunal which was to give its award expeditiously. On the wake of the strike by the employees of the State Bank of India it was appointed. It was foisted against the will of the employees in March, 1960. We are in June 1962 and we do not know where we are. I am quite sure the Government have not yet received the copy of the award from the Judge. This is the way industrial peace is tried to be maintained.

You judge by the man-days lost. In spite of oppression by the management the workers do not think in terms of strike. Simply because they do not launch upon strikes man-days are not lost and you feel that everything is all right so far as industrial relation is concerned. This state of affairs, if it is allowed to continue, in spite of all the sympathy of the hon. Minister, will prevent us from finding a solution to the problem.

On the question of implementation, just now it has been said that even today the award of the Textile Wage Board has not been implemented in many of the factories.

Shri Nanda: 96 per cent.

Shri Prabhat Kar: Even if it is 4 per cent. you can take steps against them. How long has it taken for the last 15 per cent? The same thing happens with every award or agreement. On this question of implementation of awards and agreements I must say that in spite of the Implementation Committee nothing has been done. Things are going on as they are. I do not know what is the position about the hotel workers in Delhi who are on strike for the implementation of the award. The Punjab National Bank case went on for two years and at last an agreement had to be reached after the judgment of the Supreme Court came. Then nothing could be done. When workers go on strike and man-

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days are lost, you say it is an illegal strike. When after 2½ or 3 years the award of the Wage Board comes and yet the implementation does not take place, are not the workers justified in going on strike in spite of our liking or not liking it? Do you think the workers will continue to agree to this type of administration which is weak against the management? These things, Sir, require to be taken up.

On this question of implementation, I do not know what stands in the way of the Government prosecuting the employer for not implementing the award. The hon. Minister just now gave some figure about prosecutions. I do not know how many of them are against the management. I do not know whether it represents the total number including the management and others.

Shri Nanda: Which figure?

Shri Prabhat Kar: Figure about prosecutions. You have given the figure for prosecutions. Some prosecutions have been launched. I do not know whether they are against the employers or the employees or both. It is found that generally no steps are taken against the employers.

That is how we have felt. If we try to find out, we will find that this is the state of affairs which needs to be changed because wage is the most important thing. If wages do not commensurate with the rising cost of living, you cannot maintain industrial peace simply by extending your lip-sympathy inside the House or outside.

Then I would ask another question on this question of cost of living. Why has no new inquiry been made as was agreed upon during the Second Five Year Plan period that there will be an inquiry into the family budgets of the working class and a new working class cost of living index will be constructed? All these figures have got no meaning today. The 1939 base was

converted into 1944; the 1944 base was converted into 1949 and the 1949 base was converted into 1951. This has got no basis of reality. And on this the hon. Finance Minister comes and tells us that there is no rise in the cost of living! For the last seven years by magic you continue to have 128 as a figure for the consumers' price index although, so far as the ordinary people are concerned, they find that the difference is there. This thing must not be allowed. No doubt, dearness allowance is continuing only in India and Pakistan. This dearness allowance is linked up with the cost of living. Unless the cost of living index has got a rational basis, all these dearness allowance and wages will be a misnomer, pure and simple, because they will never compensate for the rise in the cost of living.

So far as the real wage is concerned, the hon. Minister has given a figure. He has said that there has been a rise of 5.4 per cent. during 1959-60. But what is the actual position if it is linked up with 1949 as the base? We find that in 1955 it was 144.9 and in 1959 it has come down to 123.9. Even if there is an increase of 5.4 per cent., the real wages of the worker have not gone up to the standard. The real wages of the worker are still low in spite of the fact that there is increase in production, dividends and profits. It is not necessary to go into this because the Reserve Bank statistics will give you how exactly the profits and dividends are increasing. There has been nearly 69 per cent. profit during 1953. The index of gross profit including depreciation in 1958 was 168.7 taking 1950 as the base. So far as dividend and production are concerned, if you will look into the Reserve Bank statistics, you will get all these things. In 1955 the index number of industrial production was 122.4 and in 1961 it was 182.1. The hon. Minister has said that they are not to get the full benefit of the profit. I agree. But what percentage will they get?

Even today you cannot dream of the need-based wage. We are thinking in terms of the minimum wage. For that we have to go on strike. If, in spite of the increase in production, nothing is done, simply agreeing will not solve the problem. Here is the paper cutting which says:

"Child workers of Delhi—
15 nP. for ten hours a day."

Here is another saying:

"Timur's blood in his veins.
The blood of Timur flows in his
veins, only his name strikes no
terror: Bhisti's 14-hour day for
Rs. 1.50 to Rs. 2."

This is the state of affairs so far as the minimum wage is concerned. Even for the minimum wage the cinema workers in West Bengal had to go on strike. You know that the notification under the Cinema Wages Act was held invalid. I would like the hon. Minister to take note of it. It has been held that the Labour Commissioner and the Deputy Labour Commissioners are not independent persons. This is a matter which is creating a very serious situation.

Coming again to the question of reference to the tribunal, I do not know when the hon. Minister said that in the Sixteenth Indian Labour Conference there was a certain understanding. I do not know whether it has been circulated to all or whether it is simply for the information of the Labour Ministry that that decision has been taken. But so far as we are concerned, we do not know exactly which are the norms under which the cases are to be referred. What do we find today? Here you want that production should continue, that the workers should not go on strike. We agree the workers should not go on strike. Therefore, when there are problems, how are they to be solved? You say, conciliation officer. The conciliation officer sends you a report. If at the conciliation stage it is settled, it is all right. But

if it is not settled, how is it going to be settled? Arbitration. The management do not agree to it. Not only the management, but even Government do not agree. Government do not agree in their own Departments for reference to arbitration.

The next procedure is tribunal. There you screen. What you screen I do not know.

Shri Nanda: Screening is not with reference to adjudication but with reference to recourse—by employers, particularly—to courts.

Shri Prabhat Kar: In that case, naturally, we expect that after conciliation, in order to resolve the dispute, in order to see that no strikes take place and that no man-day is lost, it is essential that the matter should be referred to adjudication, and the matter ends there. But we do not know why references are not made. You refer case 'A' but do not refer case 'B' which is similar to case 'A'. In the case of 'A' you say it is a fit case for adjudication, but in the case of 'B' you do not say so. It is strange.

This has happened in many cases. I can tell you that in dealing with banks I have seen cases which have been refused. In one case—I do not know—the pressure of the employer might have worked there. In another case, where we have won in the Supreme Court, in spite of that no reference has been made. In the case of a bank, where there are two cases, one is referred and the other is not referred, although both are of the same nature. Not only in the banks, everywhere these things are going on. I do not know whether it is the pressure of the management which worked. I would say it works in some cases.

I would draw attention to one case, the Andhra Bank, where an agreement was reached. It was violated. We met the Labour Ministry. They agreed. A letter was written to the

[Shri Prabhat Kar]

conciliation officer to meet the management. Then there is a telegram:

"Bank management received some communication from conciliation officer on Wednesday and is feeling panicky. Details of communication or reply of management are not known. Management seems to be trying to influence Labour Minister. Please take expeditious steps regarding our case."

This is on one day. The next day comes another telegram that the Assistant Manager, R. V. Narasimha Rao is coming to Delhi with the brother of a Member of Parliament belonging to the ruling party—I am not reading his name, it is not necessary—to influence the Labour Ministry.

Shri D. C. Sharma (Gurdaspur): I think you should not make such allegations.

Shri Prabhat Kar: I am not giving his name.

Dr. Melkote (Hyderabad): Those documents are emanating from the members of your own party, not from the Government.

Shri Prabhat Kar: I am prepared to place it before the House. And it is a document of the Posts and Telegraphs Department. There is no meaning in making an insinuation. And the net result is that the reference was not made. I am prepared to give the time and place when this meeting had taken place. And after that the reference was not made. It is no good making an insinuation.

I do not know why the references are not made. Making a reference means an attempt to resolve the dispute. But these references are not made. This is nothing very peculiar. It should be done because....

Shri Nanda: I would like to deal with all those cases which hon. Member has in mind regarding refusal to refer to adjudication, and the grounds for that. I am prepared to do it. The principles which govern the reference, whether to agree or not to agree, are the same for all. If they have not been disclosed to the hon. Member, I am prepared to read them out in the House.

Shri Prabhat Kar: I am not dealing with any individual case. But I am just bringing these things to the hon. Minister's notice. Today the hon. Minister is interested in resolving disputes. We are interested in seeing that manpower is not lost. Conciliation fails. The other way is adjudication, arbitration.

Shri Nanda: Here is the offer to examine each case where reference has been refused and see whether it is properly refused or not.

Shri Prabhat Kar: I have said that. What I am putting up is a question of policy: not individual cases. I shall deal with them outside the House, with you. I am just putting it up that the policy should be that more and more cases should be referred to adjudication. It has been stated that we are successful in screening. I do not know how many cases are pending before the Supreme Court. Even these days, in the Vacation Bench of the Supreme Court, 50 per cent. of the cases that are admitted deal with industrial matters. You talk of screening. You talk of discipline. You say all these persons are agreeing. Today, if you go and see, in the Supreme Court, even in the Vacation,—they sat day before yesterday; again they will be sitting on the 12th—50 per cent. of the cases are industrial disputes. Conciliation, adjudication, Supreme Court, delay of the wage board, in the mean time, some writ applications in the High Court: is this the solution for industrial disputes particularly regarding wages when, today, you are racing

with—I do not know whether we will be able to catch up—high prices? This is the problem before us. I am quite sure the hon. Minister is really sympathetic, who admits the fact and is still trying to find out exactly how these problems are to be solved. That is more important. Because, today, you cannot keep the workers simply by saying, any way leave it, all the prosperity should not go to you. This cannot be done. On the other hand,—excuse me—because of high prices, even furniture allowances have been increased. Here, in the *Hindustan Times*, it has been said that for Cabinet Ministers and Ministers of State, the allocation has been raised from Rs. 28,000 to Rs. 32,000 and this is presumably done in view of high prices. If for furniture, there is increase, I think it is legitimate on the part of the workers to claim increase as early as possible in their wages, to which the hon. Minister agrees. For that, the procedure will have to be taken.

Coming to the next point. I will only touch the employment position. He admits that so far as the employment position is concerned, it is not so rosy. He has said that and here is the report about the problem of unemployment among educated persons—it is in the report part II—it is admitted. What is to be done? What has the hon. Minister got to say? Simply this increase in population. I may just remind him that those who are workers today, were all born before India was Independent. Those who were born after 1947 have not yet joined that band of unemployed persons. They are yet to come. All these persons were there. It is not simply after Independence, the population problem has developed. That will have to be tackled. Today, along with unemployment, rationalisation and retrenchment is coming up. You are giving some employment. At the same time, rationalisation is there. Retrenchment is there, on one plea or the other. You give employment to one; at the same time, you un-

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employ two persons. This is the problem which is facing us. We want a proper answer from the hon. Minister as to what is to be done about this.

I would end up with one remark about a very serious thing which has happened. A worker appeared before the Wage board—Jute wage board. On the next day, he was called by the Labour officer and for 15 days his trace could not be found out.

Shri Nanda: Labour officer?

Shri Prabhat Kar: This worker who appeared before the Jute wage board.

Shri Nanda: Who kidnapped him?

Shri Prabhat Kar: He was called by the Labour officer. Since then he was not traced.

Shri Nanda: Labour officer of the mill or the Government?

Shri Prabhat Kar: Labour officer of the company. After 15 days, his body was found in a railway compartment in a trunk, both hands and feet tied. I do not know if this be the fate of workers who appear before Wage boards and give certain things about the management, if this state of things continue in the year 1962, what is to be done.

Shri N. Sreekantan Nair (Quilon): Year of grace.

Shri Nambiar: God alone can save.

Shri Prabhat Kar: We do not know what can be done, what should be done, whether the workers can expect any justice now at the cost of their life.

I have dealt with the wage structure position and the position regarding tribunals. I hope that in regard to this basic problem, with which the workers are faced today, the hon. Minister will give us a suitable reply, not simply a reply just expressing sympathies, but a reply which will

[Shri Prabhat Kar]

give a practical solution. He has referred to man days lost and said that the code should be observed and all that. So far as we on this side are concerned, we can guarantee that, provided the employees and workers are given their proper wages and a speedy settlement of their disputes is assured.

Mr. Chairman: Hon. Member may now move their cut motions relating to the Demands under the Ministry of Labour and Employment subject to their being otherwise admissible.

Superannuation of skilled workers in engineering and heavy industries

Shri Warrior: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced to Re. 1. (48).

Need for security of employment while effecting modernisation and rationalisation in industries

Shri Warrior: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced to Re. 1. (49)

Introduction of secret ballot system to ascertain majority support of workers to recognise a Trade Union

Shri Warrior: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced to Re. 1. (50)

Policy towards I.N.T.U.C.

Shri Warrior: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced to Re. 1. (51)

Adjudication of disputes in Industries

Shri Warrior: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced to Re. 1. (52)

Application of Code of Conduct to employees

Shri Warrior: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100. (53)

Utility of the Gorakhpur Labour Organisation

Shri Warrior: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced to Re. 1. (54)

Nomination of representatives to International Bodies and Conferences like I.L.O.

Shri Warrior: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced to Re. 1. (55)

Non-employment of Scheduled Castes and Scheduled Tribes candidates wherever possible

Shri Warrior: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced to Re. 1. (56)

Refusal to refer disputes to adjudication

Shri Prabhat Kar: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced to Re. 1. (57)

Delay in getting the awards and agreements implemented

Shri Prabhat Kar: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced to Re. 1 (58)

Need for proper utilisation of agricultural labour in the Third Five Year Plan

Shri Sivamurthi Swami: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100. (7)

Failure to encourage co-operative labour organisation

Shri Sivamurthi Swami: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100. (8)

Need to allocate sufficient funds to ensure the success of arbitration proceedings under section 10A of the Industrial Disputes Act, 1947

Shri N. Sreekantan Nair: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100. (9)

Need to provide employment to agricultural labour during summer season

Shri Sivamurthi Swami: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100. (10)

Need to provide employment to the employees of Sea Island

Shri Warior: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100. (11)

Need to take steps to expedite implementation of the Working Journalists Wage Board

Shri Warior: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100. (15)

Working of Industrial Disputes Act

Shri Warior: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100. (16)

Need for instituting a specialised judicial cadre to man the Labour Courts and Tribunals

Shri N. Sreeyantan Nair: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100. (59)

Need for establishing special Labour Bench in all High Courts and in the Supreme Court manned by judges who are conversant with the modern trends of Labour—Capital relationship

Shri N. Sreeyantan Nair: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100. (60)

Wage policy regarding industrial labour

Shri Prabhat Kar: I beg to move:

That the demand under the head Ministry of Labour and

[Shri Prabhat Kar]

Employment be reduced by Rs. 100.
(61)

Wage policy regarding agricultural labour

Shri Prabhat Kar: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100.
(62)

Need for appointment of a Wage Board for engineering industry

Shri Prabhat Kar: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100.
(63)

Need for appointment of Wage Board for Press workers

Shri Prabhat Kar: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100.
(64)

Need for increase in minimum wages of workers

Shri Prabhat Kar: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100.
(65)

Failure to safeguard the economic interest of the workers in sweated labour

Shri Prabhat Kar: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100.
(66)

Delay in Wage Board enquiries

Shri Prabhat Kar: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100.
(67)

Delay in publication of the Bank Award

Shri Prabhat Kar: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100.
(68)

Delay in enforcing industrial laws in public sector steel industry

Shri Prabhat Kar: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100.
(69)

Need for setting up more Labour Courts

Shri Prabhat Kar: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100.
(70)

Working of E.S.I.

Shri Prabhat Kar: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100.
(71)

Need for extension of E.S.I. scheme to workers in Hooghly District in West Bengal

Shri Prabhat Kar: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100.
(72)

Need for extension of E.S.I. Scheme to the whole of West Bengal's industrial area

Shri Prabhat Kar: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100.
(73)

Need for extension of E.S.I. scheme to the families of workers

Shri Prabhat Kar: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100.
(74)

Need for hospital facilities to the workers under E.S.I. scheme

Shri Prabhat Kar: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100.
(75)

Need for hospital in West Bengal under E.S.I. Scheme

Shri Prabhat Kar: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100.
(76)

Need to give proper medical facilities to workers under E.S.I. scheme

Shri Prabhat Kar: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100.
(77)

Need for increase in Employers' contribution to the E.S.I. scheme

Shri Prabhat Kar: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100.
(78)

Failure to reconstruct the consumers' price index on the basis of new studies in the working class family budget

Shri Prabhat Kar: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100.
(79)

Defect in computation of working class consumers' price indices

Shri Prabhat Kar: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100.
(80)

Need to introduce secret ballot system for recognition of Trade Unions

Shri Prabhat Kar: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100.
(81)

Failure to extend schemes for labour's participation in management to more industries

Shri Prabhat Kar: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100.
(82)

Failure of workers' education scheme

Shri Prabhat Kar: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100.
(83)

Failure to get the Textile Wage Board's award implemented in all the Mills

Shri Prabhat Kar: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100.
(84)

Functioning of the Conciliation Officers

Shri Prabhat Kar: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100.
(85)

Need to improve the working of the Labour Directorate

Shri Prabhat Kar: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100. (86)

Need for better security measures in mines area

Shri Prabhat Kar: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100. (87)

Need to check the growing unemployment in the Country

Shri Prabhat Kar: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100. (88)

Need to improve the working of Employment Exchanges

Shri Prabhat Kar: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100. (89)

Need for more Employment Exchanges particularly in the new industrial areas

Shri Prabhat Kar: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100. (90)

Need to give the benefit of enhanced dearness allowance to industrial workers

Shri Warrior: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100. (95)

Need to give the benefit of allowance to workers consequent upon Delhi being declared 'A' Class city

Shri Warrior: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100. (96)

Failure to implement the provisions of the Minimum Wages Act in certain Industrial Establishments in Delhi

Shri Warrior: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100. (97)

Need to provide recreational facilities to the workers of industrial estates

Shri Warrior: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100. (98)

Need to adjust the timing of the dispensaries under the Employees' State Insurance Scheme so that the workers may be able to get proper benefit from the scheme

Shri Warrior: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100. (99)

Need to implement the scheme of workers' training properly

Shri Warrior: I beg to move.

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100. (100)

Failure to look after the interests of the workers in the Industrial Estate at Okhla

Shri Warrior: I beg to move:

That the demand under the head Ministry of Labour and

Employment be reduced by Rs. 100.
(101)

Failure to introduce and evolve rationalised pay-scales for industrial workers in private establishments especially in industrial estates

Shri Warrior: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100.
(102)

Need for increase in the minimum wages of industrial workers in view of the rise in prices

Shri Warrior: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100.
(103)

Need to encourage workers' co-operative enterprises in industrial estates

Shri Warrior: I beg to move.

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100.
(104)

Failure to take action against the factory owners in industrial estates of Delhi who do not allow their workers to get the full benefit of training opportunities offered by the Government

Shri Warrior: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100.
(105)

Worsening of living conditions of the agricultural labourers

Shri P. Kunhan: I beg to move:

That the demand under the head Ministry of Labour and Employment be reduced by Rs. 100.
(108)

Need to provide employment to unemployed agricultural labourers

Shri P. Kunhan: I beg to move:

That the Demand under the head Ministry of Labour and Employment be reduced by Rs. 100
(109).

Situation arising out of Calcutta High Court recent decision in cine employees vs. cinema owners in West Bengal that the Labour Commissioners and Assistant Labour Commissioners are not independent persons

Shri Prabhat Kar: I beg to move:

That the Demand under the head Ministry of Labour and Employment be reduced by Rs. 100.
(110).

Need for providing loans from Provident Fund for ailments where Employees' State Insurance scheme is not operating

Shri Prabhat Kar: I beg to move:

That the Demand under the head Ministry of Labour and Employment be reduced by Rs. 100.
(111).

Need for appointment of specialists under Employees' State Insurance for occupational diseases

Shri Prabhat Kar: I beg to move:

That the Demand under the head Ministry of Labour and Employment be reduced by Rs. 100.
(112).

Failure to procure speedy relief for the workers who have not received wages for months

Shri Prabhat Kar: I beg to move:

That the Demand under the head Ministry of Labour and Employment be reduced by Rs. 100.
(113).

Failure to provide houses to various industrial workers

Shri Warrior: I beg to move:

That the Demand under the head Ministry of Labour and Em-

[Shri Warrior]

ployment be reduced by Rs. 100. (114)

Need for effective steps against employers for violation of various labour laws

Shri Prabhat Kar: I beg to move:

That the Demand under the head Labour and Employment be reduced by Rs. 100. (115).

Failure to look into the increasing number of labourers falling victims to T. B. for want of proper and adequate measures on the part of management at Jhinkpani Cement Works in Bihar.

Shri H. C. Soy: I beg to move:

That the Demand under the head Labour and Employment be reduced by Rs. 100. (36).

Failure to look into the physical and moral exploitation of the adivasi labourers in Bihar, West Bengal and Orissa by unscrupulous labour agents.

Shri H. C. Soy: I beg to move:

That the Demand under the head Labour and Employment be reduced by Rs. 100. (37)

Need to look into claim of the labourers of I.C.C. Ltd. (Lopso Kynite Quarries) for getting the same gratuity as provided for the labourers of the same company at Mosabani Copper Mines

Shri H. C. Soy: I beg to move:

That the Demand under the head Labour and Employment be reduced by Rs. 100. (38)

Need for Labour Cooperatives to provide employment to all skilled and unskilled labourers

Shri Sivamurthi Swami: I beg to move:

That the Demand under the head Labour and Employment be reduced by Rs. 100. (44).

Failure to provide employment to educated persons and skilled and unskilled labourers.

Shri Sivamurthi Swami: I beg to move:

That the Demand under the head Labour and Employment be reduced by Rs. 100. (45).

Need to constitute Wage Board for non-coal-mine workers, especially of iron-ore, manganese etc.

Shri Warrior: I beg to move:

That the Demand under the head Labour and Employment be reduced by Rs. 100. (91).

Need to expedite the work of the Wage Board for rubber plantation.

Shri Warrior: I beg to move:

That the Demand under the head Labour and Employment be reduced by Rs. 100. (92)

Need to review the implementation of the various Wage Boards recommendations.

Shri Warrior: I beg to move:

That the Demand under the head Labour and Employment be reduced by Rs. 100. (93)

Need to constitute Wage Board for engineering industry

Shri Warrior: I beg to move:

That the Demand under the head Labour and Employment be reduced by Rs. 100. (94)

Need to extend the benefits of the Workmen's Compensation Act to agricultural sector

Shri Warrior: I beg to move:

That the Demand under the head Labour and Employment be reduced by Rs. 100. (116).

Inadequate medical facilities in plantations and other industrial undertakings

Shri Warrior: I beg to move:

That the Demand under the head Labour and Employment be reduced by Rs. 100. (117)

Inadequate medical supervision in plantations by District Medical authorities concerned

Shri Warrior: I beg to move:

That the Demand under the head Labour and Employment be reduced by Rs. 100. (118)

Unsatisfactory state of affairs in E. S. I. dispensaries

Shri Warrior: I beg to move:

That the Demand under the head Labour and Employment be reduced by Rs. 100. (119)

Need to provide more maternity wards in plantation hospitals

Shri Warrior: I beg to move:

That the Demand under the head Labour and Employment be reduced by Rs. 100. (120)

Need to take steps to stop all kinds of unilateral procedure and punishment of employees without consulting recognised trade unions

Shri Warrior: I beg to move:

That the Demand under the head Labour and Employment be reduced by Rs. 100. (121)

Need for making attendance of employees or their representatives compulsory in conciliation meetings called by Labour Officers

Shri Warrior: I beg to move:

That the Demand under the head Labour and Employment be reduced by Rs. 100. (122)

Unsatisfactory working of plantation labour inspectorates at Kottayam, Kerala State

Shri Warrior: I beg to move:

That the Demand under the head Labour and Employment be reduced Rs. 100. (123)

Need to introduce a minimum bonus scheme on the basis of the principle of deferred wages

Shri Warrior: I beg to move:

That the Demand under the head Labour and Employment be reduced by Rs. 100. (124)

Need to constitute a Wage Board for the Beedi and Cigar industry

Shri Warrior: I beg to move:

That the Demand under the head Labour and Employment be reduced by Rs. 100. (125)

Need to expedite the implementation of decasualisation scheme in all major ports

Shri Warrior: I beg to move:

That the Demand under the head Labour and Employment be reduced by Rs. 100. (126)

Need to introduce a nation-wide unemployment relief scheme.

Shri Warrior: I beg to move:

That the Demand under the head Labour and Employment be reduced by Rs. 100. (127)

Need to enforce safety measures in industrial undertakings

Shri Warrior: I beg to move:

That the Demand under the head Labour and Employment be reduced by Rs. 100. (128)

Need to take legislative measures to introduce a system of gratuity for workers in all organised industries including plantations

Shri Warrior: I beg to move:

That the Demand under the head Labour and Employment be reduced by Rs. 100. (129)

*Working of the evaluation and im-
plementation machinery*

Shri Warrior: I beg to move:

That the Demand under the head Labour and Employment be reduced by Rs. 100. (130)

*Need to provide houses for plantation
workers*

Shri Warrior: I beg to move:

That the Demand under the head Labour and Employment be reduced by Rs. 100. (131)

*Need to provide sufficient supply of
water especially for drinking pur-
poses for plantation labour*

Shri Warrior: I beg to move:

That the Demand under the head Labour and Employment be reduced by Rs. 100. (132).

*Need to set up a National Wage Board
for Beedi and Cigar industries*

Shri P. Kunhan: I beg to move:

That the Demand under the head Labour and Employment be reduced by Rs. 100. (133)

*Need for implementation of the
scheme of minimum wages for agri-
cultural labourers.*

Shri P. Kunhan: I beg to move:

That the Demand under the head Labour and Employment be reduced by Rs. 100. (134)

*Failure to evolve wage structure for
Match Factory workers in the
Southern Region*

Shri P. Kunhan: I beg to move:

That the Demand under the head Labour and Employment be reduced by Rs. 100. (135)

*Need to improve living conditions of
Tile Workers in Southern Region.*

Shri P. Kunhan: I beg to move:

That the Demand under the head Labour and Employment be reduced by Rs. 100. (136)

*Failure to implement the scheme of
minimum wages for handloom
workers.*

Shri P. Kunhan: I beg to move:

That the Demand under the head Labour and Employment be reduced by Rs. 100. (137)

*Failure to solve labour disputes
through discussion and arbitration*

Shri Sivamurthi Swami: I beg to move:

That the Demand under the head Other Revenue Expenditure of the Ministry of Labour and Employment be reduced by Rs. 100. (46)

*Need for opening technical schools in
all talukas of the country to train
the personnel for each branch of
technical work*

Shri Sivamurthi Swami: I beg to move:

That the Demand under the head Capital Outlay of the Ministry of Labour and Employment be reduced by Rs. 100. (47)

Mr. Chairman: These cut motions are now before the House.

Shri B. J. Singh.

An Hon. Member: He is absent.

Shri Priya Gupta: This is a subject before dealing with which I would express a personal reaction. In our family set-up, we used to say in our childhood that the mother controlled the family and her pious desires and orders were carried out by the members of the family. But nowadays we are in a society where the educated wives are superseding the desires and orders of the mother. This is the reaction I want to give, because the Labour Ministry has issued certain circulars but the other administrative Ministries are not willing to carry them out. They turn up and say that they cannot be carried out

I would like to give only two illustrations. Sometime in the past the

Deputy Chief Labour Commissioner (Central) told all central trade unions and railway unions that failure to give the increments due on certain dates to the Central Government employees on the part of the employers would constitute a breach of the provisions of the Payment of Wages Act, and action should be taken against the officers concerned. I do not know how the Ministry of Railways and other Ministries also kept quiet on it. We have been writing to the Deputy Chief Labour Commissioner repeatedly about these violations concerning stoppage of increments due, but no action was taken. One fine morning, we found that the provision of the Payment of Wages Act was amended to cover the shortcomings of the railway officers and other employers. This is one illustration.

Again, sometime in the past, we wanted to know from the Ministry of Labour as to what was the criterion for fixing the wage of casual labour—a very nice word, 'casual' labour—obtaining on the railways. The Railway Board said that pay is fixed under the provisions of the Minimum Wages Act. We said, 'All right. Very nice'. But for the purpose of fixation of wages under the Minimum Wages Act, the competent authority was who? The District Magistrate or Deputy Commissioner of an unregulated District. In the Gazette and certain circulars, the designations of such casual labourers and their rates of pay are also announced. I put a question to the Labour Ministry. Does the gangman, does the trolleyman, does the pointsman, do these designations also appear in the Gazette and circulars and in the decisions of the respective district magistrates or deputy commissioners of the districts concerned, and have their pay been fixed according to the decisions of the district magistrates under the provisions of the Minimum Wages Act? No. So, I told them frankly: you are the employer; you say this is the pay you can afford to give your trolleyman or gangman, but do not take the camouflage or the garb of sanctity and

befool the public and the trade unions that you are doing it under the provisions of the Minimum Wages Act. On the 7th August last year, this provision of the Minimum Wages Act has also been amended to save the railways.

So, I gave you the reaction that the mother is not controlling the family, but it is the educated wife that has taken the place of the mother and is superseding the desires and wishes of the mother.

I have gone through some of the juggleries of the figures and statistics, and I can express my reaction like the reaction of the patient to the doctor. The doctor comes with the pathologist's report, he takes the radiograph of the heart, cardiology and all that sort of thing, but then the patient knows what his disease is. In the past, when these scientific instruments were not available, by feeling the nadi they could find out what the difficulty with the patient was. Similarly, I do not believe in the jugglery of statistics, but I know that I cannot, as a labourer, maintain my family, that I cannot get an ordinary, minimum square meal, that I cannot afford to save my family from winter and summer by providing the minimum requirements of clothes, that I cannot impart education to my children, that I cannot have a house, even a small one, to reside in. This is what I can understand about the wages given to me. I am talking of minimum requirements, not about luxuries, not about lipstick, rouge and pomade for my wife. That is the way we also represented before the Central Pay Commission which unfortunately to our ill-luck, though manned by persons of the highest calibre, by the cream of the intelligence of this country, could not serve our purpose. Their hands were tied. They said they could not go beyond the terms of reference. The terms of reference were wrong.

[Shri Priya Gupta]

I told the Chairman one thing. Suppose Dr. B. C. Roy, a renowned doctor, and also Chief Minister of West Bengal, while attending the Congress session, goes to a village, and a villager at a very long distance desires that his son, who is suffering from protracted illness, should be examined by Dr. Roy, and approaches him, and Dr. Roy also agrees. Unfortunately, conveyance is not available, and the patient on the way narrowly dies, and the mother is not able to fulfil her desire of seeing that her child is attended to by the renowned doctor. Similarly, this Pay Commission, with the best of brains from the side of economics, philosophy and cultural advancement, with men like the late Dr. Siddhanta—two other Members are today Members of Parliament, and one lady is also in the Cabinet—with such good people, they could not deliver the goods so desired by them and so desired by us because the conveyance was not available. That is, the terms of reference pinned them down. And then, unfortunately, they also curtailed some of our amenities which were existing, and willingly or unwillingly, it is going to be implemented. This is the question about the wage board.

Now, about dearness allowance, I do not understand what *chidiya* this is, but I have heard people saying that dearness allowance cannot continue for months and months, years and years, it is rather an index of the failure of the Government to put the cost of living index at par. This dearness allowance has also been camouflaged by putting a part of it in the pay structure. A labourer before the Second Pay Commission was getting Rs. 30 plus Rs. 45 plus Rs. 5, that is Rs. 80 in all, and under the second pay commission he is getting Rs. 75 plus Rs. 10, that is Rs. 85. This dearness allowance is placed before the public. In a way they have done so. The Government of India say that they appointed a Commission and everything was decided by the Com-

mission and that they were following the decisions. They were not at fault. They are very good servants. They have impressed the public against the labourer, who say, 'our goods have not been delivered to us'. This is an unfortunate chapter in the history of India in its present context.

Regarding dearness allowance, the decision was that if the cost of living index went on rising, it will be given on some *ad hoc* basis. A tribunal will be appointed and if the tribunal finds that the *ad hoc* dearness allowance is above the requirements it will be curtailed and if it is less then it will be increased. Today the position is that the Central Government employees can claim 17 months' arrears of dearness allowance but that has not been given to them. Neither has a tribunal been set up for them.

Then, regarding the cost of living index. I am not an economist. I represent ordinary labour. But the house rent has shot up from Rs. 9 to Rs. 18 and from Rs. 5 to Rs. 10, just on the eve of the implementation of the Second Central Pay Commission recommendations.

May I put a question to the Labour Minister whether the machinery which calculated the cost of living index knew that the workers who were given an increase in D.A. have also an equivalent drainage in the shape of doubling of the house rent, and whether that machinery took this amount for calculating the commensurate increase in the D.A. of the employees? That is my question.

Regarding the settlement of disputes, many courts are there; many High Courts are there; many labour courts are there and many Labour Commissioners are there. Everything is there.

I have known about the Regional Labour Commissioners whether at Calcutta or Dhanbad. Within the

jurisdiction of the Northern Railway Union or the N.F. Railway Union whenever the provisions of the law in respect of the Factories Act, of the Payment of Wages Act or in respect of other Acts, are violated by the officers, even after repeated references by the labourers themselves and the Unions, they failed to get any reply. The matter was referred to the Labour Commissioners. They said:

जाने दीजिये, इसपर हमें कुछ करने का अधिकार नहीं है।

I will not mention the name. They say, 'We are not entitled to interfere with the Central Government employees.'

In a strike conciliation in Gorakhpur, one of the Conciliation Officers came there. I do not want to mention the name. When he came to Gorakhpur station, I said, 'Well, you have come unfortunately to conciliate in a dispute between one Government employee and a Government officer. It is not a sugar mill, where the manager would come and receive you at the station, even though you may be getting only Rs 500 and the General Manager is getting Rs. 5000. Here it is government machinery and the man in charge getting Rs. 2,000 will not care for you like the other General Manager getting Rs. 4000. This is a dispute arising between the General Manager and the Railway Union and you are the Conciliation Officer drawing Rs. 500. Your status is very low and you would not have the courage to do the right thing. The Railway Minister at the top will talk to the Labour Minister at the top. And your grandfather—I do not mean it in the bad sense—will catch you by the ear and put you right. Whatever the General Manager wants to be done will be done.' That came true of the strike notice of 1956. This Conciliation Officer could not do anything.

I would now refer to one Dhushyanta-Sakuntala's part. Shri Jagjivan

Ram was then the Labour Minister. There was mention of the time lag between the labour commissioner announcing whether or not he had accepted or rejected the points and the Labour Minister having suggested to the trade union representatives in these terms: the country has become independent, I will keep it in mind; I am also an Indian as you are and I will feel for it. But when *bechari Sakuntala* lost the ring, Dhushyanta could not recognise her. The labour commissioner took shelter under the provision of slackness of time. You can see this unwillingness in 1956-57. That is the tragedy.

Mr. Chairman: The hon. Member's time is up.

Shri Priya Gupta: Now, the PNM—permanent negotiating machinery. Some friend said just now that the Supreme Court Judges were mostly busy with labour disputes. Seeing these things in 1951, the blessed Railway Minister who was very good, Shri Gopaldaswamy Ayyangar talked with Shri Jayaprakash Narayan, the Railway Federation President and said: let there be a machinery to resolve the disputes instead of going to the court of law for each case. The Labour Minister may kindly examine all the disputes that have come up before the negotiating committees. All the disputes have arisen out of failure on the part of the General Manager to apply the rules laid down by the Railway Board or the failure of the subordinate officers to follow the directives given by the General Manager or the Railway Board.

Mr. Chairman: The hon. Member's time is up.

Shri Priya Gupta: In finishing, I may tell you that this that the PNM was thought of and agreed to between these two people. There were to be three tiers: one was at the zonal level. They have meetings at the district level and with the general Manager.

[Shri Priya Gupta]

The second was at the Railway Board level. The third was the Tribunal. That tribunal never materialised. Even when we have agreements in the PNM it is being knocked down and not allowed to be implemented. On the top of that, Government wants that there should be consciousness among the labourers and industrial peace and so on.

I come to the DAR—discipline and appeal rules. The hon. Minister said in one of his speeches while replying to Shri Samanta on the Factories Act Amending Bill that the same man could not be the charge sheeting officer, enquiry officer and punishing officer. Am I correct, Mr. Hathi?

The Minister of Labour in the Ministry of Labour and Employment (Shri Hathi): You can go on as you like.

Shri Priya Gupta: This has not been followed by the Railway Administration in the DAR procedure. Again, when you come to this it is a question on the top, of one grand father talking to another and just not taking notice.

Mr. Chairman: The hon. Member's time is up.

Shri Priya Gupta: I am coming to the black labour Bills which have been attempted in 1950 to finish the trade union rights of the railwaymen. They have tried and failed. Now, they have taken up another course. They have come to the Whitely Councils scheme. Why? I can tell you the reason. The representatives of the Government of India, along with the representatives of the employers and of labour, also sit at the conferences of the ILO at Geneva. There is great order and decorum there, and there are rules made in regard to the trade union rights. So, any curtailment of the trade union rights over here will reflect there, and therefore, the face

of the Government of India and their representatives will be down. Therefore, indirectly, to make the things ineffective to the trade unions, to make the trade union rights ineffective, they are attempting to do more harm to us by introducing the Whitely Councils scheme, against the will of the people. That cannot be tolerated in certain set-ups of labour today.

Mr. Chairman: The hon. Member should conclude now.

Shri Priya Gupta: I will finish my speech after saying a few words about the public undertakings. Take, for instance, the Bhilai steel plant where the certified standing orders which should govern the service conditions and other things regarding labour have not yet been implemented. Regarding housing and the pension scheme and other aspects, the position is very sad. The pension scheme was forced on the labourers. I can say that up-to-date 90 per cent of the pension optees have not got their pension. Just see the system of giving the widows a pension. I have learnt that the form for filling up the details in respect of the widows is still under print! The people have retired and their wives

भूल मर रहा है ।

Now, take the question of labour participation in management. It is an indirect way of making labour participate in the management, or making labour a partner; it is like giving the dog a bad name and killing it with the threat of intimidation and other things. That is how participation of labour in the management of industries is offered. If this be the end in view, what will happen? Many things may appear good and nice on paper. But it is the man inside who really understands the difficulties that face labour, such as, for instance, a girl of 12 years becoming a widow at the age of 13 and all her heart's cravings being camouflaged

in the name of *Tyag* and *Titiksha*. Very good things can be told before the public to the effect that such things are done for the purpose of promoting labour welfare, but the burning heart of the ladies can alone tell the true sense of the things. Similarly, things relating to labour are presented. I do not know how. I would only tell the Labour Ministry and the Government of India that if they do not hold the reins strongly on hand, all the pious desires and decisions will be thwarted by the executives of other Ministries and by the employers in the public and private industries in their establishments to the detriment of labour.

I may now cite one instance. In Shillong, the employees of the Accountant-General's office have been complaining and sending telegrams against the autocratic attitude and the provocative measures adopted against them. The things have come true. I have followed this thing and I learn that about hundreds of men working there have been punished and penalised for certain alleged offences. I can tell you that if they are taken to be offences at all, they are such things which warrant a simple admonition and not anything more than that.

Mr. Chairman: The hon. Member's time is up.

Shri Priya Gupta: I am finishing. I can assure you that labour will offer its full co-operation, but I desire that the words in the law must not be such that you keep anything between the lines and thus not implement measures in the cause of labour.

Dr. Malkote: Mr. Chairman, Sir, let me at the outset welcome the Minister of State, Shri Hathi, who has joined the Labour Ministry to strengthen the hands of the Labour Minister. I wish him well and offer my co-operation to him. At the same time, it is my duty to compliment the ex-Deputy Minister of Labour, Shri Abid Ali, who, considering those times and those cir-

cumstances, did his very best without fear or favour. It was a Herculean task, which he discharged very well. Let me also at the very outset congratulate the Ministry of Labour for the excellent work that they turned out in the country since independence. If today we have got to judge the labour policies, we should go back and see what has happened in the country during these 15 years. We are today discussing the budget after the third general elections and in the second year of the third Plan.

17.51 hrs.

[MR. DEPUTY-SPEAKER in the Chair.]

I certainly congratulate the Ministry for what they have done in many fields affecting labour and it is to their credit today that the man-hours lost has come down to the minimum. That only shows that labour today is better off than what they were before. Otherwise, there would have been greater discontent. But even so, we have lost 45 lakh man-hours. It means that about 1000 workers in about 15 factories, costing about Rs. 22 crores of investment, are lying idle during the whole year. A poor country like ours can ill-afford to allow 15 or 16 factories to lie idle throughout the year in that particular manner, when the foreign exchange component is hitting us so hard. Apart from that, the production that these 15 factories would have given for the welfare of the country would have gone far to satisfy the needs of the common man. It is, therefore, a matter of concern for us that we have lost about 45 lakh man hours even today. That should come down to the minimum.

If we turn to what is happening in other parts of the world, one can realise that certain things are occurring and people are getting more and more worried as to the development and progress that our country is making. Foreigners who come to our country and have talks with us definitely tell us openly that we have imported machinery from all parts of

[Dr. Melkote]

the world and that our people are very intelligent and hard-working. Therefore, it is a surprise to them that when our wage structure is so low, things coming from Australia, Japan and even England and Germany should be of a lesser price than what we sell in our own country. The reason is very obvious. The reason is that more and more production has got to come in.

Whilst—we are talking about production, there are very many things that have been done by the Labour Ministry to improve industrial relations and participating in management is one of them. It is very easy to criticise the deficiencies. What should happen is, we in this House should offer constructive suggestions, to improve the situation. Therefore, in that direction, we have got to consider whether the labour is giving its best to supply the needs of the common man. It is certainly a matter of pleasure to note that our production is going up every year. But is it sufficient and is the efficiency as great as the efficiency of any worker in the world? Whilst we congratulate ourselves that the production is going up, this factor that the production we are having in our plants cannot be equated to the production in Germany or other countries should make us realise the realities of the situation.

The production is not there. The next question is, why it is not there. On the one side, the machinery is very good. We are intelligent and hard-working and production is going up. So, if better production is not coming, there should be some element of dissatisfaction somewhere. This dissatisfaction cannot certainly be from the side of the management. We have been asking from 1958 to let us know—the Minister for Planning is also the Minister for Labour—in which direction all this national income is flowing. If we have got a democratic type of socialism in this country, it is necessary that the Government policy should be such that the profit on production should be so distributed that

it should reflect in the national income of every individual in the country. We have been promised such an information from the Ministry about two years back. Possibly the information is being collected, but that information is still coming.

This, to some extent, is causing a certain amount of dissatisfaction, because the workers, by and large, feel that the profits of their labour are going into the hands of very very few people. We have in our country somewhere about 35,000 industries, big and small. Out of these, it is said that about 7,000 to 10,000 are major industries on which 80 per cent of the capital is being invested, whereas over the 25,000 medium-sized and small industries we have invested only 20 per cent of the capital. About these 7,000 to 10,000 industries it is said that they are a family property of about 150 or 160 people. If, therefore, such large profits are accumulated by a small group of people who can influence the body politic it becomes a matter of concern for us in this House to find out where this money is flowing and whether it is flowing into the pockets of the common man. That is why we are making the demand that you should assess the situation and do what is necessary. A social type of government should see that the national income is so properly distributed by their fiscal policy, taxation and others, that it gets into the hands of the common man without accumulating into the hands of a few people.

Sir, in the matter of production, again, the code of discipline has been brought in. Whilst it is all right and, by and large, the private managements are accepting this code of discipline, I have been failing to understand why this code of discipline, so far as I am aware, has not been accepted either by the Posts and Telegraphs or the Railways or the Defence and other public sector undertakings. The government industrial sector should set an example to others. They should not lag behind. If we have got to bring about the lessen-

ing of the man-days lost due to strike and other things, it is absolutely necessary to impress upon the Government that the Government should take measures to see that every industrial sector, whether it is private or public, whether it be defence or P & T or the Railways, falls in line with the rest.

If it accepts this particular policy, I would like to bring to the notice of the Government one particular factor. During the last general strike in 1960, quite a number of people were either discharged or dismissed or some punitive action was taken against them. We pleaded that many of them were innocent people misled by vested interests including labour leaders themselves and that, therefore, the Government should be more sympathetic in their cases. Of course, we added one clause. It was said that those people who participated in violence should not be taken back. We still plead before the Government that in the case of those who have not acted in a violent manner and who were misled by the labour leaders, their cases should be sympathetically considered even today and they should be taken back.

In this connection, may I bring to the notice of the Labour Minister that a situation is arising in our country where we have got to take stock of the situation. We have been saying, labour of the world unite, workers of the world unite. It is perfectly all right. There is a certain historical incident that took place in our country which compelled us to form different federations in our country. You cannot mix up a democratic trade union with a non-democratic trade union.

18 hrs.

If Government, during this time, requests the workers not to go on strike and if it is the policy of the Government to compel the workers in it to join those federations which are recognised though they are under 915(Ai) LSD—10.

mocratic and they went on a strike, what does it expect the labour who are acting in the national interest to do? Should they go and beg of the federations who have acted in the adverse interests of the country to plead our case? What is it that these unions should do? It is absolutely necessary in our country to form different federations. Therefore I feel that a time has come when the Government should as a policy feel that in different sectors of the industry, whether it is private or public, different federations and unions should be recognised. That is the only way of getting out of this trouble in a democratic country like India.

In the matter of industrial disputes, it is a pleasure to note, that industrial relations have improved very much. The machinery that played this part with regard to the membership verification has done its very best. This verification has incidentally helped considerably the trade union organisations to set their house in order by maintaining proper records, accounts etc. It is really strange for me to be given to understand that some of the officers who implemented this Code and these different enactments are themselves aggrieved. I personally feel that the Government should look into the matter and see that the case of officers who implement this and improve industrial relations should be tackled and the officers should feel satisfied.

I understand this time a training unit is being set up in the Ministry of Labour and Employment under the Chief Labour Commissioner's Organisation to train officers of Central Industrial Relations Machinery at Hyderabad. This is on page 10 of the Ministry's Report, Volume I. This training is very important and the trend of industrial relations in the country will largely depend on the efficacy of training which these officers would receive in this Unit. This is a project included in the Third Five Year Plan but unfortunately sufficient attention does not seem to have been paid by the Labour Ministry to this

[Dr. Melkote]

Training Wing. This also needs to be examined.

There has been some mention of the code of efficiency and welfare in the Reports. I understand that some of the trade union organisations and federations are rather loath to accept this just because the wages in relation to the workload are not properly assessed. Therefore the workers are feeling that if they accept this code of efficiency, possibly they will be hit. There is a feeling in this country that the improvement in production and profits that is being made is not flowing properly into the hands of labour. That is why this kind of a feeling has arisen. We as labour have got to give our very best and produce in the national interest. We, on this side of the House, have been saying that it is in the national interest, in the interest of the workers themselves and in the interest of the common man. Whereas by and large production targets are reached—these things are given in this House—some hon. Members of the Opposition take advantage and say that production has gone up due to labour. It is no doubt that that fact is very correct. But to what extent are the labour themselves telling the workers to increase their production? On the one side working for the nation we have got to see that production rises, we have got to voice this feeling and impress on the worker this fact on the other, it is equally necessary for us to see that Government does its best in seeing that profits of this production flow back to labour in an equitable manner. If this is not done, a good deal of heartburning would arise. I therefore appeal that the hon. Labour Minister must immediately attend to this part of the question if production has got to go higher.

In this connection, again the question of holding on to the price line is very necessary. While by and large Government has been attending to this aspect of the question, while the

governmental or public sector and the bigger private industries are attending to it, the small-scale industries and the poor men in some of these shops and establishments are not getting the benefit of this. There is nobody to plead their cause. May I request the hon. Labour Minister to look into this aspect of the question and also to do what is just?

There is one more aspect that I would like to plead before the hon. Minister. By and large, in fact all the coal mines are governed by the labour laws of the Central Government. Wage boards, bonus commission, increase of the cost of coal in order to help the coal workers—all that is being done so far as the coal miner is concerned. But the same type of facilities are not given to very many other mines which are not coal mines. I should plead with the Government to see that the benefits accruing to the coal miner also flow to the other mines, because they are also underground workers and many of them suffer from the same difficulties as the coal miner does.

One or two other points I will just mention. One is with regard to agricultural labour. While, by and large, we have sympathy for agricultural labour, we have not advanced very much during the last ten or fifteen years. It is a very difficult problem, I know. But it must be tackled somehow or other, and the sooner it is tackled the better. Agricultural labour must benefit from the improvement in the national income.

Then again, with regard to minimum wages, we fixed them somewhere ten years back. Some of the States did it as late as 1958 or 1959. But today with the living cost structure going up I feel it is necessary to revise most of these minimum wages, because they do not conform to the present trend in the cost of living.

Mr. Deputy-Speaker: The hon. Member's time is up.

Dr. Melkote: It is a thing which is urgently necessary, particularly in respect of cases where the minimum wages were fixed more than ten years ago. There is considerable delay, even though the implementation machinery has been established. I would have dealt with it at sufficient length, but since you have rung the bell I end my speech by complimenting the Labour Ministry and giving it my full-hearted support.

Mr. Deputy-Speaker: Shri Kachhavaia.

Shri Nambiar: Are we sitting till 6-30?

Mr. Deputy-Speaker: Yes, we have to make up the losttime.

Shri Nambiar: That was only for yesterday.

Mr. Deputy-Speaker: No, we have to make up two and a half hours.

श्री हुकम चन्द कछवाय (देवाम)

उपाध्यक्ष महोदय, मैं एक माधारण मिल-मजदूर हूँ और मैं आज भी मिल में काम करता हूँ। इस लिए मैं जो भी मजदूरों के सम्बन्ध में कहूँ, वह सारे भारत के मजदूरों की आवाज मानी जानी चाहिए।

सबसे पहले मैं आप के सामने एक ताजा उदाहरण रखना चाहता हूँ। पास में ही सोनीपत नाम का एक नगर है, जिस में एटलम साइकल की फ़ैक्ट्री है। उस फ़ैक्ट्री में तीन हजार मजदूर काम करते हैं। उन लोगों की मांग है कि हमारा तीन साल का बोनस दिया जाये और हमारे जो १५४ व्यक्ति बिना कारण पांच महीने से निकाल दिये गए हैं, उन को काम पर लिया जाये। इस के लिए कई बार मिलमालिकों से मिला गया और उन को नोटिस दिया गया। इस के साथ ही लेबर आफिसर से भी मिला गया और नोटिस दिया गया। लेकिन कोई उत्तर नहीं मिला। आज भारतीय मजदूर संघ की ओर से एक मजदूर भूल-हड़ताल कर रहा है और उस भूल-हड़ताल

का नवां दिन है। मैं स्वयं कल उसको देखने गया था। उस की हालत बहुत खतरनाक है। आज का मैं नहीं कह सकता कि वह जीवित है या मर गया है। कल मैंने स्वयं उस की दशा अपनी आंखों से देखी। आज सारा नगर मजदूरों के पक्ष में है, लेकिन मिल-मालिक मजदूरों के साथ कोई बात नहीं करना चाहते। उपाध्यक्ष महोदय, मैं आपके द्वारा मंत्री महोदय का ध्यान दिलाना चाहता हूँ कि इस विषय को बहुत ही जल्दी से देखना चाहिए और उन लोगों की मांग मनुनी चाहिए। अगर इस तरह जल्दी ध्यान नहीं दिया गया, तो सम्भवतः सारे नगर में स्थिति बहुत भयंकर रूप पकड़ लेगी। अगर वह व्यक्ति मर गया, तो वहाँ पर इतना भयंकर उगड़व खड़ा हो जायेगा कि मैं उसका कोई अंदाज़ नहीं कर सकता।

दूसरी बात में ट्रेड यूनियन को मान्यता दिये जाने के बारे में कहना चाहता हूँ। इंटक को तो मान्यता दी गई है लेकिन जो दूसरी यूनियन है उनको मान्यता नहीं दी गई है। इस कारण से जो भी कठिनाइयाँ मजदूरों की होती हैं जो भी उनकी समस्याएँ होती हैं, उनको इंटकके लोग और मिल मालिक आपस में मिल बैठ कर तय कर लेते हैं और समझौते कर लेते हैं जिससे मजदूरों का हित नहीं होता है और मजदूर दुखी रहते हैं। इसके सम्बन्ध में मैं आपके सामने मध्य प्रदेश के कुछ उदाहरण रखना चाहता हूँ।

मध्य प्रदेश में उज्जैन नामक नगर में एक नजर अली मिल है जो कपड़ा मिल है। उस मिल में चार हजार मजदूर काम करते थे। उन चार हजार मजदूरों के पीछे सोलहा हजार परिवार के सदस्य पलते थे। उस मिल को आज बन्द हुए सात साल का लम्बा अर्मा हो चुका है। कई बार हमने कलेक्टर साहब के पास जा कर इसकी शिकायत की है, इंटक के लोगों के पास गए हैं, हमारे यहाँ के जो सदस्य महोदय हैं उनके घर गये हैं और उनके सामने इस बात को रखा

[श्री हुकम चन्द कछवाय]

हैं लेकिन हमारी बात को किसी ने नहीं मुना। क्यों हमारी मुनवाई नहीं हुई, यह मैं आपको बतलाना चाहता हूँ। इसका मुख्य कारण यह है कि वह मिल जब घाटे में चल रही थी तो मिल मालिक ने इंटक के लोगों से कहा कि यह मंहगाई का जमाना है, बड़ा टैक्स उनको अदा करना पड़ता है जिनको वह दे नहीं सकते हैं, इस वास्ते वह मिल को बन्द करना चाहते हैं। इंटक के लोगों ने कहा कि इसके लिये आपको बहुत बड़ी कीमत चुकानी होगी। मिल मालिक ने कहा कि हमें मंजूर है और हम उस कीमत को चुकाने के लिये तैयार हैं, उन्होंने कहा कि हमें श्रम भवन बनाना है, इसलिये आप हमें जमीन दो और इसके बदले में हम आप को छूट देते हैं कि आप मिल बड़े शीक के साथ बन्द कर सकते हैं। ऐसा ही हुआ। उनको जमीन दे दी गई। इस जमीन पर उन्होंने बड़ा अच्छा भवन बनाया। वह मिल आज भी बन्द पड़ी है। उसके मजदूर तितर बितर हो गये ह, बेघरवार हो गये हैं। एक व्यक्ति जिसका नाम मागी लाल था उसके तीन बच्चे छः दिन से भूखे थे। उस वक्त दिवाली का त्यौहार चल रहा था। बच्चों ने पिता को कहा कि वह उनके लिये पटाखे लायें क्योंकि दूसरे बच्चे पटाखे चला रहे थे। जब आप ने अपनी श्रममर्थता प्रकट की तो बच्चे रोने लग गए। बाप से यह सब कुछ सहन नहीं हुआ और उसने पायजन् खा कर आत्म हत्या करली इस तरह की जो घटनायें होती हैं उनकी तरफ आपका ध्यान जाना चाहिये। मजदूरों की जब मुनवाई नहीं होती है तो उनको भूख हड़ताल इत्यादि का आश्रय लेने पर या हड़ताल करने पर मजबूर हो जाना पड़ता है। मिलों के अन्दर कई प्रकार के पक्षपात भी चलते हैं। अगर मिल के अन्दर कोई चोरी करता है तो हम चाहते हैं कि उसको इसका दण्ड दिया जाए और उसको उसका दण्ड मिलना चाहिए। लेकिन आज होता यह है कि इंटक के लोग चोरी करने के बाद भी काम

पर बने रहते हैं लेकिन जो दूसरे व्यक्ति होते हैं, उनको निकाल दिया जाता है, उनको काम पर नहीं रखा जाता है। इसी तरह में जब तरक्की का सवाल आता है या कोई दूसरा अच्छा मौका आता है तो इंटक के जो सदस्य होते हैं उन्हें तो तरक्की मिल जाता है लेकिन दूसरों को नहीं दी जाती है। मैंने १९५२ के चुनाव में देखा है, १९५७ के चुनावों में देखा है, १९६२ के चुनावों में देखा है कि उनके दौरान में इंटक के लोग कांग्रेस को विजयी बनाने के लिये छुट्टी ले कर चले गये और उनको छुट्टी मिल भी गई और इस छुट्टी के दौरान में उनको वेतन बराबर दिया गया। एक एक और दो दो महीने वे इन क्षेत्रों में काम करते रहे और बराबर उनको वेतन मिलता रहा। लेकिन हमारे जो कार्यकर्ता होते हैं, हमारे जो व्यक्ति होते हैं, उनको एक तो छुट्टी नहीं दी जाती है और अगर छुट्टी दी भी जाती है तो उनका तनख्वाह नहीं दी जाती है। पहले तो छुट्टी देने में कई प्रकार की कठिनाइयाँ, कई प्रकार के रोड़े उनके रास्ते में अटकाये जाते हैं और अगर किसी तरह से छुट्टी दे भी दी जाती है तो तनख्वाह नहीं दी जाती है। इस प्रकार का जो पक्षपात है, यह ठीक नहीं है और यह बन्द होना चाहिये। इससे मजदूरों में बड़ी बेचैनी फलती है।

एक उदाहरण और मैं आपको देना चाहता हूँ। हमारे मजदूरों के पैसे में इंदौर में एक बहुत बड़ा श्रम भवन बनाया गया है। हमारी इच्छा हुई कि चूँकि यह हमारे पैसे से भवन बना है, इस वास्ते इसको जा कर देख तो लिया जाए। सन् १९५५ में २८ अगस्त के दिन दो बज कर पैंतीस मिनट पर मैं वहाँ गया और मेरे साथ चार पांच व्यक्ति भी थे। मैंने उन लोगों से कहा कि हम उज्जैन के मजदूर हैं, हम भवन को देखना चाहते हैं, यह भवन हमारे पैसे से बना है। इसके उत्तर में हमें बताया गया कि इसमें राम सिंह भाई जो इंटक के राजा हैं, वही

रह सकते हैं, वही देख सकते हैं, दूसरा कोई नहीं देख सकता है। इस जवाब को मुन कर हम अपना सा मुंह ले कर वापिस आ गए। हमारे पैसे से बना हुआ भवन, हमारे खून पसीने की कमाई से बना हुआ भवन, हमारे चन्दे से बना हुआ भवन हम ही नहीं देख सकते, हमें ही न दिखाया जाए यह कितने आश्चर्य की बात है।

मेरे कहन का तात्पर्य यह है कि अनक छोटी छोटी बातों के अन्दर इटक पक्षपात करता है। मजदूरों का जब अप्रेशन होता है तो मजदूर हड़ताल करन के लिये विवश होते हैं मजदूरों के हाथ में हड़ताल ही एक आखिरी हथियार है। हम नहीं कहते कि हड़तालें हों, हम इसके विरोधी हैं। हमारी मान्यता यह है कि हड़तालें नहीं होनी चाहिये और इनको रोकन के उपाय किये जाने चाहिये। मैं मुझाव देना चाहता हूँ कि हड़तालें न हों, इसके लिये यह जरूरी है कि चाहे कोई छोटी फैक्ट्री हो या बड़ी मिल हो या छोटी, सरकारी कारखाना हो या गैर-सरकारी, किसी भी प्रकार का कोई कारखाना है। उसमें एक कमेटी बननी चाहिये और उस कमेटी में मिल मालिकों के, मजदूरों के और सरकार के व्यक्ति रहने चाहिये और उनको कर, मिल बैठ कर निर्णय करने चाहिये फंसले करने चाहिए और हड़ताल की नौबत नहीं आने देनी चाहिये।

अब मैं प्राविडेंट फंड के बारे में कुछ कहना चाहता हूँ। सरकार ने अभी अभी धारा ६८ के अन्तर्गत जो कर्जा मिलता था वह बन्द कर दिया है। अब हम रिश्तेदारों का इलाज नहीं करवा सकते हैं। राज्य बीमा योजना के अन्तर्गत आख और दांत के इलाज के लिये जिन दवाइयों की जरूरत पड़ती है अगर वे महंगी होती हैं तो उन्हें मजदूरों को नहीं दिया जाता है। हल्की और सस्ती सी दवायें ही उनको दी जाती है जिन से उनको आराम नहीं आता है। उनको अच्छी

दवाइयां लेने के लिए अपने पास से पैसा खर्च करना पड़ता है। जब डाक्टरों से कहा जाता है कि श्रीमान तबीयत ठीक नहीं हो रही है तो उत्तर मिलता है कि हम क्या करें, हमें जो भी दवाइयां दी जाती हैं, उन्हीं से तो हम इलाज कर सकते हैं। यदि ऊंची दवाई लेनी हो और बीमारी ज्यादा खतरनाक हो जिसके लिये कीमती दवाई की जरूरत हो, तो वह अपने पैसे से लेने के लिये हमें कह दिया जाता है। इस तरह की चीज नहीं होनी चाहिये। साथ ही मैं यह भी कहना चाहता हूँ कि जो मजदूर आयुर्वेदिक इलाज करवाना चाहते हैं, उसकी व्यवस्था तो है लेकिन वह ठीक ढंग की व्यवस्था नहीं है। इस वास्ते जो मजदूर आयुर्वेदिक इलाज करवाना चाहते हैं उनको उसकी छूट होनी चाहिये और इसके लिये कोई अच्छा प्रबन्ध किया जाना चाहिये।

मैं यह भी चाहता हूँ कि मजदूरों को इस बात की छूट होनी चाहिये कि जिन किसी भी यूनियन के व चाहे सदस्य बन सकते हैं। मैं यह भी कहना चाहता हूँ कि मिलों के अन्दर मजदूरों में इटक के व्यक्तियों को तो चन्दा उगाहने की छूट दे दी जाती है लेकिन दूसरे लोगों को चन्दा उगाहने नहीं दिया जाता है। यह जो पक्षपात किया जाता है यह भी बन्द होना चाहिये। अगर कोई विरोधी चन्दा उगाहना है तो उसके खिलाफ स्ट्राइक एकशन लिया जाता है। यह जो पक्षपात किया जाता है। इसमें मजदूर खुश नहीं है और उनमें बैचैनी है। यह पक्षपात बन्द होना चाहिये। ग्वालियर, भोपाल, देवास, उज्जैन, रतलाम, इंदौर, मंदसौर, नागदा इत्यादि में मारी मिलों के अन्दर इसी प्रकार के इटक के अत्याचार चल रहे हैं। हम जब इटक के लोगों से कहते हैं तो वह कहते हैं कि सरकार हमारी है, हमारी जो मर्जी होगी हम करेंगे। जब मिल मालिकों से इसकी शिकायत की जाती है तो वे कहते हैं कि इटक वालों से कहो, हम क्या कर

[श्री हुकम चन्द कछवाय]

सकते हैं, इटक जो करेगी, हम तो उसको मानगे

श्री बड़े : दूसरी यूनियन्ज का रिक्गनिशन नहीं मिलता है ।

श्री हुकम चन्द कछवाय : मैं यह कहना चाहता हूँ कि यह जो पक्षपात है, यह नहीं होना चाहिये हमारे मध्य प्रदेश में रोडवेज के जो कर्मचारी हैं, उनको तीन साल में वोनस नहीं मिला है । यह तो मेहरवानी हमारी इटक सरकार की है । मैं सरकार से मांग करता हूँ कि जो मध्य भारत के रोडवेज के कर्मचारी हैं, उनको भी जल्दी में जल्दी वोनस दिलाने का प्रयत्न किया जाना चाहिये ।

मैं यह भी कहना चाहता हूँ कि किमान जो हैं, जो मजदूरी करते हैं और जिनके लिये कोई वेज बोर्ड नहीं बना है, उनके लिये भी वेज बोर्ड बनना चाहिये । आज उनको आठ आने रोज मिलते हैं और वह भी वे केवल चार महीने कमाने हैं । बाकी समय वे घर में बैठ कर गुजारते हैं और भूखे मरते हैं । उनके बच्चों की पढ़ाई लिखाई की व्यवस्था नहीं होती है । मैं चाहता हूँ कि इधर भी आप का ध्यान जाए और जो किमान हैं, जो मजदूर लोग हैं, उनके लिये भी आप वेज बोर्ड बनायें ।

उज्जैन के मजदूर आज बहुत परेशान हैं, उनको मांग जाता है और रोने भी नहीं दिया जाता । सारे अखत्यार जो इटक वालों को दे दिये गये हैं, ठीक नहीं है । गांधी जी की दुहाही दी जाती है, उनका नाम लिया जाता है लेकिन उनके बनाये हुए सिद्धान्तों पर अमल नहीं होता है । यह ठीक नहीं है और ऐसा नहीं होना चाहिये । उनके बनाये हुए सिद्धान्तों पर आप को अमल करना चाहिये ।

Shri Oza (Surendranagar): While initiating the debate on the Demands for Grants of this Ministry, the hon. Minister referred to what he called—and to a certain extent, I agree with him—the satisfactory state of industrial relations prevailing in this country particularly in the last year, that is, 1961. It is true that if we compare the number of man days lost in 1961 with those lost in 1960, it has definitely gone down. As he rightly pointed out, 1960 was in a way peculiar because the Central Government employees went on strike. But even as compared with the year 1959, we can derive some satisfaction that the number of man days lost has gone down. If we take the figure of 1958, it was 7.8 million and, as he pointed out, in 1961, it was 4.5 million. So, in a way he is justified in deriving some satisfaction about this feature of industrial relations prevailing in this country, but I must frankly admit that I do not share the same amount of satisfaction.

We should ask this question of ourselves, whether this industrial peace has resulted because of any constructive co-operation between labour and management for the attainment of common and socially desirable ends as pointed out in the report. If we ask this question, and if we are honest to ourselves, we will have to say, no, it is not because of that. On the contrary we have been seeing that a sense of apathy, a sense of sullenness is prevailing in the working class today and for so many reasons. For that I do not at all put the blame at the doors of the Government. Far from it, Government has also a share in it, but I was not going to say that the entire blame lay with the Government. The blame can be apportioned also amongst the employees and the employers to a certain extent.

We know that the trade union movement in this country is not as strong as it ought to be. Unfortunately, as we have been seeing, it is politics-ori-

ented. There are as many types of trade unions in this country as there are political parties. As pointed out by Dr. Melkote, suppose there is a fundamental difference between two federations, one can understand that they cannot join hands, cannot put their shoulders together, and they have got to run on different lines, that is those we believe in a democratic way of living and those who do not believe in that. Barring these two types of federations having fundamental difference in their approaches, there is no reason why there should be as many types of federations as there are political parties in this country. Because of the weak trade union movement, labour today is not in a good position to bargain with the employers, and the result in the ultimate analysis is that the working class for which the political parties profess to work is the ultimate sufferer.

If we look at the statistics given in the Indian Labour Statistics 1961, we find a very happy feature that the number of unions registered in this country is going up very rapidly. In 1947-48 the number of registered trade unions in this country was 2,766 with a total membership of unions submitting returns of 16,62,929. Steadily this number has gone up, and in 1958-59, according to the figures in this book, there were 10,228 registered trade unions with a total membership of 36,47,148. But if we refer to the number of federations to which these unions are affiliated and their total membership, we find a very sad state of affairs. On page 127 of the book we find that the number of federations submitting returns in 1947-48 was 12, while in 1958-59 it has gone to 52. The number of affiliated unions in 1947-48 was 502. Today even though there is a very big leap forward in the number of registered trade unions, to 10,228 as I said. The number of affiliated unions has gone up to only 1169; from 502 to 1169. So, the rest of the trade unions are not affiliated to federations submitting returns to Government. This is the state of affairs.

So, if the working class in this country today is not in a very sound condition to bargain with the employers, the blame is partly to be laid at the doors of those persons who are in charge of the working of the trade union movement in this country. If it were not so, if the number of man-days lost, as has been pointed out by the hon. Minister in his report has gone down by half as compared to the previous years—because the year 1958 is a peculiar year with which we can have no comparison—the production would have gone up by twice in those very factories. In 1958, the number of man-days lost was 7.8 million while in 1961 it was 4.9 million. In spite of that, because the workers are not enthused, they did not feel.....

Shri Nanda: Production in what industry?

Shri Oza: Industrial production in those factories. When the man-days lost were half, then the industrial production should have gone up. I agree, it has gone up, but not to the same extent as was expected because there was lack of enthusiasm on the part of the industrial workers. They had not that full and active co-operation with the management in the discharge of their duties of stepping up production.

All sorts of trade union workers whether working in the INTUC or PSP or other institutions, they all say that there is lot of delay in disposing of labour disputes that arise from time to time between the employers and the employed. Not that there are no labour disputes. But sometimes there is peace following storm. But who knows that a storm may not follow peace. This cannot be allowed to continue the way in which they continue today, for all the labour leaders have unanimously pointed out that things are not quite happy, as happy as they should be, because there are so many problems pending, waiting for quick disposal. The working class has to go from pillar to post seeking solution. It takes a lot of time for solu-

[Shri Oza]

tion. They have got to refer it to the tribunal; they have to get the award. Then, they have to get the implementation. They have to wait for all that for a pretty long time. Then, there are the High Courts and the Supreme Court. I think it would exhaust the patience of any healthy trade union man. I think the time has come when we should all put our heads together and find out what we can do to eliminate all this delay in the process.

The working class and the trade union movement have also got a national responsibility. The employers are also responsible for this state of affairs, if the production does not rise as we expect it to do in this country.

Shri Prabhat Kar gave the instance of a jute mill where the worker who gave evidence before the Jute Wage Board was subsequently called by the Labour Officer and then he was missing. I know something personally

about the case; but I do not want to go into the details.

But, if this attitude of the employers continues, this outmoded attitude of the employers against the working class continues, I do not think we will be able to enthuse the working class in this task of stepping up production in this country which we badly are in need of. So, if we want to see that the workers play their role properly, the employers shall also have to come forward and change their attitude fundamentally. They should not cling to what is an outmoded attitude towards the problem of labour.

Sir, I should like to continue.

Mr. Deputy-Speaker: He may continue tomorrow.

18.30 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, June 7, 1962/Jyaistha 17, 1884 (Saka).