

Mr. Speaker: He has drawn the attention of the Government to that. But this motion has nothing to do with that. That might be taken up on a different occasion. I shall now put the motion to the vote of the House. The question is:

"That the members of this House do proceed to elect in the manner required by sub-rule (1) of Rule 309 of the Rules of Procedure and Conduct of Business in Lok Sabha, fifteen members from among themselves to serve as members of the Committee on Public Accounts for the term ending on the 30th April, 1963."

The motion was adopted.

12.09 hrs.

RE: COMMITTEE ON PUBLIC UNDERTAKINGS

Shri Hari Vishnu Kamath (Hoshangabad): Sir, on a point of information and clarification. You are well aware that there was a proposal to constitute a committee of the House of both Houses on public undertakings. May I know whether any decision has been taken on that and whether the committee is going to be constituted? I was not in the last Parliament, I only heard about it, and you are better acquainted with the position than I.

Mr. Speaker: If he wants information from me he can come to me and I will give him all the information that I have.

Shri Hari Vishnu Kamath: The House wants the information.

Mr. Speaker: It is not connected with the business that we have got. We are proceeding with the Order Paper. One item we have finished,

and another we are taking up. In between, quite a different thing is being brought up. That is not correct.

Shri Hari Vishnu Kamath: The three committees are related to each other.

Mr. Speaker: No; this has nothing to do with them.

12.10 hrs.

MOTION RE: ASSOCIATION OF MEMBERS OF RAJYA SABHA WITH PUBLIC ACCOUNTS COMMITTEE

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): Sir, I beg to move:

"That this House recommends to Rajya Sabha that they do agree to nominate seven members from Rajya Sabha to associate with the Committee on Public Accounts of the House for the term ending on the 30th April, 1963, and communicate to this House the names of the members so nominated by Rajya Sabha."

Mr. Speaker: The question is:

"That this House recommends to Rajya Sabha that they do agree to nominate seven members from Rajya Sabha to associate with the Committee on Public Accounts of the House for the term ending on the 30th April, 1963, and communicate to this House the names of the members so nominated by Rajya Sabha."

The motion was adopted.

*DEMANDS FOR GRANTS—contd.

MINISTRY OF LABOUR AND EMPLOYMENT—contd.

Mr. Speaker: Now we take up further discussion of the Demands for

*Moved with the recommendation of the President.

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

Out of six hours allotted, 2 hours and 45 minutes have already been taken and 3 hours and 15 minutes remain.

Shri Ghanshyam Lal Oza might continue his speech.

Shri Warior (Trichur): Sir, the hon. Minister may take some time in the concluding stage also. So, to that extent at least time must be extended for hon. Members.

Mr. Speaker: We will see how the debate proceeds. Shri Oza,

Shri Oza (Surendranagar): Mr. Speaker, Sir, yesterday I was referring to the important role to be played by the trade unions and the employers in building up sound industrial relations. We all know that improvement in industrial relations cannot be brought about by Government alone through legislation or otherwise. In a free and democratic society it is primarily a matter for management and labour who are the parties immediately concerned. They are responsible for the development of mature labour relations. I said that the Government alone cannot bring about good and sound industrial relations, but it can provide a background against which these relations can be built up by sound trade unions, on the one hand, and good personnel management, on the other.

We are very happy to note that the Government has launched upon a programme for the workers' education. Let us hope that this programme will be implemented both extensively and intensively. We all know that at present the trade union movement in this country is conducted by persons who are not workers themselves, who are not going to the factory and who are not directly employed but those who are interested in the uplift and amelioration of labour. They are carrying

on the trade union activities. Now it is time that the workers themselves undertake this responsibility and run the trade union movement.

In the case of Gram Panchayats and co-operative societies, we have trained the personnel. We have trained the personnel for the Gram Panchayats turn by turn. For the Panches who have to shoulder the burden we have got training classes where they are trained in the work of Panchayats and how to run them. Also, in the co-operative movement we have got classes for training the Secretaries who have ultimately to run the co-operative societies. In the same way, if these trade unions are to be ultimately run by the workers themselves it is but proper and just that the workers are educated in the art of running the trade union movement.

We all know that today legislation has proceeded so far that unless workers know their rights under the legislation and also, to a certain extent, their obligations, they will not be able to reap the benefits which are meant to accrue to them. So, it is good that the Government has undertaken this programme of workers' education and we are sure that the Government, as I said in the beginning, will both extensively and intensively see that the courses run by them are properly taken advantage of by the workers and that they ultimately benefit them.

In this connection it was pointed out by the hon. Minister of Labour yesterday that for the socio-economic amelioration of the workers some other activities have also to be carried out. We have not to confine ourselves only to their rights within the factories. Their wages and all these questions are, of course, important. But these activities are not to be confined to these questions alone. We have to train the workers in welfare activities as also in movements, like, the co-operative movement.

[Shri Oza]

The other day I was reading a very useful study carried out by the Bihar Government for finding out the indebtedness of the industrial workers in Bihar. They have selected four or five important industrial centres. In these centres the wages on the whole are very high. We cannot say that they are very low as compared to the wages prevailing in other parts of the country. The wages in these four industrial centres are fairly high. I cannot say that they are very adequate or, as the hon. Minister pointed out, that they are need-based. They are not need-based, but still, as compared to the wages prevalent in other parts of the country, they are quite adequate. For example, the average income per family in that zone is Rs. 128.50. We cannot say that the wages are inadequate. Still, however, if we look at the condition of indebtedness in these industrial areas selected by the Bihar Government, for example, in Jamshedpur, 79 per cent of the industrial workers are indebted. In spite of the high average wage, 79 per cent of the industrial labour is indebted. In Sindhri, it is 76; Dalmianagar 71 per cent; Katihar 72 per cent. Such a high percentage of industrial labour is indebted even though the wage is fairly high. This requires that the Government, through welfare agencies, and also the trade union workers, should look into the socio-economic side of the whole thing, and go to the rescue of the industrial workers. As I said, it is not only wages, not only dearness allowances, not only working conditions, but outside the factory also, conditions have to be looked into if they have to function as good citizens and take their proper place in the community of this country.

The analysis further shows that out of this indebtedness, 74 per cent was for unproductive purposes. One can understand that a labour was indebted because he had to educate his son or he had to undertake some housing activity or something like

that. No. Seventy-four per cent of the indebtedness was because of unproductive expenses; waste of money or money that should have been channelised for useful work for himself and his family. The workers' education programme is on very healthy and sound lines. I urge on the Government to take to this work seriously, in which we find in a democracy the right solution to bring about allround amelioration of the working classes.

This brings me to the social security measures adopted from time to time by the Government. I am referring to the Employees State insurance scheme. I was fortunate in being associated with the Employees State insurance scheme for the last 5 years. I have had the advantage of looking at it very closely. On the whole, I would say that the activities of the Employees State insurance Corporation can be divided into two parts, as you know: cash benefits side and medical care side. So far as the cash benefits side is concerned, it is my experience that, on the whole, things are running smoothly. From time to time the Corporation through its various agencies takes care to see that the administration is streamlined and geared up and the labourers get whatever cash benefits they are entitled to right in time, without any delay, without any harassment. By and large, by surprise visits to the office it has been our experience that so far as cash benefits are concerned, though we cannot say that it has reached an ideal stage, all the same, we have made very good progress.

So far as the medical care side is concerned, I am very unhappy as generally other Members also are. The reason, according to me, is that the medical care side is to be taken care of by the States and not by the Corporation itself. Because of this dual responsibility, it has led to certain anomalies, because the State Governments through their departments are

not interested in extending medical care to the special sections who are making a special contribution to the extent to which they should. The result is, this side is neglected. It cannot be geared up in spite of all our efforts. Therefore, in my opinion, the ultimate remedy is this bifurcation or dyarchy system should be abolished and the Corporation itself should take up the responsibility of extending medical care to the employees. In Delhi administration, they have recently taken up this responsibility. Let us hope that with the experience that they gain, it will be possible to extend it to other centres also and the employees will get the benefits that they are supposed to get. The report of the Study group on social security, appointed by the Government in 1958 also has observed that owing to the division of responsibility between the Corporation and the State Government for cash and medical benefits respectively, there have been delays in implementation, in improving medical arrangements, particularly hospitalisation and inclusion of families for medical care. Further on also they observe that the division of responsibility between the Corporation and the State Governments in regard to medical care and treatment has brought about minor differences which took time to solve. This bifurcation of responsibility or this duality of responsibility has led to this trouble. I hope the corporation will urge Government to amend the law suitably so that they can take up medical care also.

In this connection, I have also to make one complaint which I have been making from all platforms, in all committees, and also wherever I get an opportunity to do so. The report of the Ministry says at page 34 that:

"By the end of March, 1961, the Employees' State Insurance Scheme had been extended to about 16.74 lakhs of industrial workers in 121 centres spread over all the States (except Gujarat) and the Union Territory of Delhi."

I do not know why this scheme has not been extended to Gujarat. There are so many industrial centres in Gujarat, where surveys have been carried out already and things are absolutely ripe for extending these facilities to the employees; but, still, for one reason or another, this scheme has not been extended to them. The Act came into force in 1948. We are now in the year 1962. Even after fourteen years since the coming into force of this Act, still, this scheme has not been extended to several working centres in Gujarat, where it could have been done very early. Surveys were carried out, and everything was ready; yet, for one reason or another, this scheme has not been extended for the benefit of the employees there. Therefore, I urge Government to take special care to see that this scheme is extended to Gujarat also.

In conclusion, I would refer to the employment aspect. During my last speech also, I said that the employment potential in this country had not increased according to our investment, both in the private and in the public sectors. The number of factories in 1956 was 37,162, and the number of employees finding employment in those factories was 34,10,599. In 1957 the number of factories was 39,138, and the number of employees finding gainful employment in those factories was 34,79,575, while in 1959, though the number of factories had gone up to 44,109, the number of employees has gone down as compared with the figure in 1957. This requires close scrutiny and examination. As was pointed out by several speakers, perhaps, clandestine or concealed scheme of rationalisation and retrenchment are going on. That is why instead of the employment potential going up with the increase in the number of factories, we find that the number of employees is going down. I wish that Government would take special care to see that the number does not go down but goes up.

Shri P. K. Deo (Kalahandi): While taking part in the debate on the Demands for Grants of the Ministry of Labour and Employment, I would like, at the outset, to point out the occupational hazards. Since the installation of our various atomic plants and the working of our uranium and thorium mines, the pattern of employment has completely changed, and the labourers in those units are susceptible to radio-activity. So, all those diseases which come as a consequence of radio-activity should be included in the list of occupational hazards contained in the Schedule to the Workmen's Compensation Act. I beg to submit that the list of occupational hazards should be amended in the context of our employing a larger number of the labour force in these installations.

A dispassionate appraisal of the labour situation in the country will lead to the conclusion that the gain in the real earning of a factory worker is much less than the real rise in the *per capita* income and in the consumption expenditure. In this connection, I beg to submit that there has been rise in the national income to the tune of about 42 per cent and a 20 per cent rise in the *per capita* income. But the rise in the actual earning of the factory worker has not been in proportion to the rise in *per capita* income and the rise in the national income. There are no two opinions that improvement in the wage level and in the standard of life go hand in hand with increase in efficiency and in production. The benefit of increased production and profit should be equally shared between capital, labour and the consumer. The trouble starts when the distribution of profits is not proportionate. As the previous speaker rightly pointed out, there is need for social security of workers; minimum and fair wages have to be fixed, reasonable hours of work have

to be laid down, conditions of employment should be bettered and living conditions, not only of industrial workers but of agricultural and office workers, should also be improved.

In this connection, I would draw the attention of the Ministry to the decisions and recommendations of the 15th Labour Conference. I am very sorry to remark that these have remained absolutely in cold storage and no attempt has been made to implement them. There is unanimity among all thinking men that strong and responsible trade unions are essential. They are an integral part of a democratic industrial order. The collective bargaining power of labour should be recognised and labour unions should be properly developed. But it is a pity, as pointed out by Shri Oza, that most of these labour unions are being managed by outsiders. They are play things in the hands of political parties who utilise them with ulterior motives. It is highly imperative that we must have independent labour organisations.

Shri N. Sreekantan Nair (Quilon): The Swantanra Party has no trade union.

Shri P. K. Deo: It is a pity that they are controlled and managed by outsiders. It is a pity that instead of directly dealing with labour, the managements as well as Governments recognise the political parties as their representatives; instead of direct dealings, they start dealing with their political proxies. I beg to submit that there should be an end to this kind of thing.

There are no two opinions that industrial peace is the stepping stone to all our progress. Strike by workers and lockout by employers are to be minimised. Mutual trust and co-operation should grow. Then only our country can progress. Those who believe in class struggle and those who specialise in fishing in troubled waters take this

opportunity to utilise our labour force for their political ends.

The fundamental problem that we have to solve in the Third Plan is that of unemployment. Though the Plan envisages that 14 million people would be employed, in the same breath it says that there will be new entrants to the labour force to the tune of 17 million. It is most important that more avenues of employment should be created so that this strain on the employment situation could be relieved. There has been a constant struggle between machine and human labour. I do not want to go into the ideological question as to which should predominate. But if time is not the essence, if the quality of our products does not deteriorate, everytime we should utilise human labour in place of machines.

Coming to agricultural labour, I beg to submit that the conditions are very deplorable. Even though much is said in this House that this country is making a rapid march towards industrialisation, that we are about to enter the take-off stage of self-generating economy in the field of industry, I think that it is not so throughout the country. The industrial gravity has been pinpointed only in the four corners of this country, that is, Bombay, Calcutta, Delhi and Madras, and in the other areas there has been the same old agricultural economy, and the standard of living of the people is very primitive. Though we have been told that the intention of the Government is that there should be dispersal of industries, we find that so far as the location of industries is concerned, the Government decision is always subject to various pulls and influences.

So far as my State is concerned, the pressure of population on land is all the more greater, and the condition of agricultural labour is very deplorable. Even though there are large tracts of culturable waste lands in my State, they are being utilised for the rehabilitation of the East Bengal refugees in the Dandakaranya area instead of solving the acute problem in the State. I do not say that land should not be

given for that purpose, but even though the Dandakaranya scheme envisaged that 25 per cent of the culturable waste land should be earmarked for the settlement of the landless agriculturists, in my State only ten per cent has so far been utilised for this purpose. So, I submit that this culturable waste land should be properly reclaimed and sizable holdings with self-employed peasant proprietorship should be developed in this area.

My remarks will not be complete without a reference to the strike by the Central Government employees. They are still victimised, and there are still many who have not yet been re-employed. Even though there has been a demand from all sections that the recommendations of the Second Pay Commission should be treated as an award, it is not so treated. Rather, it has been modified even counter to the recommendations of the First Pay Commission and counter to the interests of the workers. This strike by the Central Government employees raises several fundamental issues. Firstly, the strike and its subsequent failure lead to the conclusion that the moorings of the Indian trade union movement are weak, that proper leadership has yet to grow. As I pointed out earlier, they have become the play things in the hands of political opportunists, and it should not be so. Secondly, it has unmasked the real intentions of the Government by the way they dealt with the situation. It is very deplorable that they are following the communist way. When they failed to deal with the situation, an Ordinance to prohibit the strike was clapped down upon the government servants. We feel that as the State sector grows more and more, the Indian worker will lose the right of collective bargaining.

We have the experience of Rourkela. Even though there are 6 workers' unions functioning, not a single one has been recognised by the management there. The contract system which is obnoxious and which is the subject of criticism is most rampant at Rourkela.

[Shri P. K. Deo]

The other day I was pointing out, in connection with the report of the Labour Commissioner on the evaluation of the implementation of the various labour laws in the State sector, how many startling revelations have been brought to our notice as to how the various labour laws are being flouted by the management there because they are in the State sector. It is a case of the employer and the government being combined in one person.

I am very sorry to remark that in the strike of the Central Government employees, no objective assessment has been made of the situation nor has any attempt been made to find out the real reasons for the strike. As I pointed out, an Ordinance was clamped down and no attempt has been made to find out what were the real grievances. Rather, it has revealed the incapacity of the Government to distinguish between two separate identities, the government and the employer. The accused and the judge are combined in one person. This is the difference between a government employer and a private employer. In the case of a private employer he has not got the capacity to deal with the strike situation in that way. While an employer in the private sector cannot have such facilities to stop a strike, the employer in the State sector, namely, the Government, uses with impunity all the authority it has as the Government to put down the strike. This distinction is most important and glaring.

In this regard I am very sorry about the remark made by our beloved Prime Minister. He remarked that strikes are outmoded. He added that strikes are an inevitable concomitant of the capitalist system and that in the socialist structure of society there is no room for such strikes in theory. He is most probably trying to copy the Russian type of approach to such questions.

We know that in the USSR there is complete lack of trade union movement. Rather, propaganda is often

made that no worker has got a cause to strike because if he does he would be striking against himself. This is the approach to labour welfare in the so-called socialist countries.

It may be that in certain sectors, like the important services, it may be imperative to withhold permission to strike. But if you withhold permission to strike, then, it must be compensated by a reference to arbitration; and the finding of the arbitrator should be binding both on the employer and on the employee. But, our Government does not agree to that. If we expect a code of conduct from our labour we should expect the same code of conduct from the employer also.

My remarks would not be complete without a reference to *shramdan*. Legislation at the State level has been enacted that every adult between the ages of 18 and 60 will have to work for 14 days—this varies from State to State and in my State it is 14 days—for the so called welfare of the community. It is nothing but forced labour. In 1922 when the League of Nations was formed there was a movement that the various *begars* and *Bethi* prevalent in the former Indian States should be stopped and in pursuance of that policy in Kalahandi this *Bethi* and *begar* system was stopped in 1922 and forced labour came to an end. It was the first Indian State in that regard then, a lot of compliments were paid to the administration. The introduction of *shramdan* now is nothing but forced labour being revived.

Regarding the participation of labour in management, in reply to a question yesterday we were told that in thirty enterprises—12 in the public sector and 18 in the private sector—there have been workers' participation. I would like to draw your attention to the Estimates Committee's report of 1959-60. In 1959-60, labour participation was in twenty undertakings. The Labour Minister pointed out that we have made very good progress in this

regard. The improvement has been from 20 to 30 in three years. The Estimates Committee remarked then that the slow progress of the scheme was attributable to lethargy on the part of the employers. The Committee was surprised to learn from the representative of the Ministry that the progress was unsatisfactory even in the public undertakings. I cannot understand what is standing in the way of our Government to introduce this scheme in the public sector. I think sufficient steps should be taken in this regard so that labour participation in management of the various undertakings becomes a success in this country.

Shri N. Sreekantan Nair: Let me at the outset, Sir assure the hon. Labour Minister that whatever suggestions are made by us from anyside of the House, we are all united in our regard and esteem for the hon. Labour Minister and our faith in his sincerity for the cause of the workers. Hence these remarks should not be taken as personal.

The facts supplied to the House in the report are not fully correct. He has drawn all his inferences from these facts and so the conclusions are not correct. I pointed this out in the consultative committee also. Even the facts relating to the loss of man days is not correct. As to the conclusion that the wages of workers had gone up, I may say that the question of neutralisation of the cost of living index has never been tackled satisfactorily by any board. So much so, the real wages that accrue to the workers would be much lower than what they were in 1939.

Now, I come to the report. The report lacks lamentably in precision and clarity. Take, for instance, page 87. The number of man days lost is given in the abstract. In front of the State of Kerala, you will find there is a long line. Kerala is an ill-fated State. It is, wrongly, attributed to be a turbulent State. But, during the year 1961 it was really a turbulent State, not due to the fault of the workers.

The Minister of Planning and Labour and Employment (Shri Nanda): The line is in respect of Jammu and Kashmir, not Kerala. Do not be unfair to your own State.

Shri N. Sreekantan Nair: I am sorry; the line might have gone wrong. Anyhow, even for a State like Mysore, there is statistics for ten months only. So far as Kerala is concerned, there is a summary report on page 14. What is given there falls far short of what has taken place in the State. The State Government could not have supplied these details. There is a Supreme Court Judgment which has come down in the history of the trade union movement and the history of our industrial relations. Very caustic remarks were passed by the Supreme Court last year on the Kerala Government. Government there interfered in Minimum Wages by referring it to adjudication as a result of which the Tribunal made a cut on minimum wage. The minimum wages board declared the minimum wage. Immediately after it was declared, they cut down the minimum wage. There was trouble and it went up to the Supreme Court and the Supreme Court made very caustic remarks on the attitude of the Government and felt that the Government could have appointed a fresh committee to go into the question. So, that, once again led to innumerable disturbances especially in areas around Alwaye and Trichur. Nothing of these has been mentioned on page 14. The Kerala Government has appointed another minimum wages committee. But the workers naturally wanted the minimum wages already fixed. So, the trouble continues. I do not know how they have re-opened the factories without arriving at a settlement in Alwaye. Immediately when these opened in Alwaye the workers in Trichur went on strike and those factories are even now on strike. There was no settlement either in Alwaye or in Trichur.

On page 14 there is reference to another strike which is also very interesting:

"1835 out of 4960 workers in

[Shri N. Sreekantan Nair]

Thormala Valley belonging to some of the tea estates struck work from 19th June 1961 over the question of reinstatement of about 200 workers. The strike was called off on 9th July when the managements agreed to reinstate about 100 workers."

The information here is very inadequate. Why were 200 workers dismissed? People may think that those workers might have resorted to some sort of a violent action and in return the employer might have dismissed them. The company in question is the Malayalam Plantations controlled by Messrs. Harrison and Crossfield as managing agents and they wanted to introduce new workloads. Introducing changes in the existing conditions of service, as you know, is against section 9(a) of the Industrial Disputes Act. Further, they wanted to introduce Ladder-tapping which is supposed to be prevailing in other countries such as Malaya. But can anybody unilaterally enforce a new system of working without finalising and fixing the quantum of work, workload, etc.? The workers naturally objected. Then summarily 200 workers were dismissed. That was about 2½ years ago. But the other workers continued to struggle and finally went on strike. The State Government stood by without doing anything in the matter though there was a very definite provision in the existing law under which they could take action as it was breach of the existing law. Finally, after the loss of one lakh man-days, the Government and others met at a conference, and the management condescended to reinstate 100 workers. So, we called off or ended the strike. The workers went in, and then, immediately after that, during the conciliation proceeding, another batch of hundred workers was dismissed on the same ground of higher work-load which was being resisted. This is the state of affairs that is going on not only in Kerala but elsewhere also. These two incidents are only illustrative of what is going on throughout India.

I would only draw your attention to a State like Andhra Pradesh. At pages 11 and 12 of the report, mention is made of about six major strikes as having occurred in this State. One is in respect of retrenchment. The second is in respect of a large number of workers employed in the tobacco factories in Guntur, Mangalagiri and Tadikonda who staged a strike on 1st March, 1961, to protest against the State Government's orders modifying the minimum wages recommended by the Minimum Wage Committee. We are supposed to live in a State which has its goal a socialist pattern of society. Here, there is a statutory committee, a tripartite committee, which has sanctioned a certain level of wages for a certain section of the workers. The socialist Government steps in and cuts down the wage. The workers go on strike. What a sad plight we are in? After all, what is this attitude of the Government which professes to be socialist?

The third incident is this. More than 3,000 workers employed in the jute mills at Eluru and Bhajarang Jute Mills at Guntur went on a token strike for one day in April, 1961, to secure implementation of the recommendations of the Wage Board. There were the recommendations of the Wage Board. What is required to be implemented is only the unanimous recommendation of the Wage Board. That is what our great Labour Minister, in all his goodness, decided. It is also a fair attitude to a certain extent. When the employers, the Government and the workers agree to a certain wage then it must be enforced. When the decisions are unanimous, when it has been decided to give a certain wage with the complete consent of the parties, why should any Government or why should any particular employer refuse to comply with the decision? Why should any Government support the employer? That is what I cannot understand. Our Labour Minister is very soft. He can be soft only to the employers! He is not soft to the

workers. The moment the worker goes wrong, there is a standing order, and under it, he is cudgelled or guillotined and he is sent out. But when the employer goes wrong and breaks the laws, he is given a long rope.

Shri Nanda: To which particular industry is the hon. Member referring?

Shri N. Sreekantan Nair: I am referring to every industry in which the recommendations of the Wage Board have not been implemented. The workers have to go on strike to get them implemented. It is not only the incidents referred to at pages 11 to 26 but I can give you scores of instances where the Government stood by helpless when the employers did not put into practice the wage board decisions, and secondly, when the employers went against the minimum wages fixed statutorily. These are cases where the law can step in and enforce the decisions in regard to the minimum wages. But it has not been done. I do not wish to go into the details. Many instances have been mentioned in the pages of the report where in the root cause has been the non-implementation of the minimum wages and the lack of enforcement of the decisions already reached. Most of the strikes mentioned in the report are due to this root cause.

Because reasonable wages are not being paid to the workers and because the minimum wages are not being enforced, naturally there is grave discontent among the workers. It would be wrong to say that the Central Government employees' strike in 1960 was an extraordinary incident. I would call it a phenomenal incident in the history of the Indian working class movement because the shy, coy middle-class people who are normally afraid of taking a decision came forward to fight their cause. They came to the end of the tether. So, they came forward, and we had the strike staged. It was suppressed and crushed by the Government which was all-powerful.

But the causes which led to the strike are still there. The grievances of the workers have not been redressed and many of the honest people who were in the front of it, who were honest enough to declare that they were in the front—not those people who were pulling wires—were dismissed.

Dr. Melkote made a very fervent plea that those people who were dismissed must be reinstated. I join hands with him entirely and I request the Labour Minister to exercise his influence with the departments of the Government concerned—whether it is the Auditor-General's department or other departments of Government—to see that the people are reinstated and the penalty imposed on them is removed.

Then, regarding the method in which strikes are settled, there is no mention in the report. The reasons for the stoppage of work or the solutions arrived at are not given. There has been a strike for 20 days by 5,000 workers, and the strike was finally called off. How and when it was settled, the reasons for the strike, etc., are not mentioned. This House would require those details. Those details should be supplied so that we may understand how and why industrial disputes develop and what are the measures which have been adopted by the various governments to settle them. That information is not found here. I hope the Government will, from next year at least, supply precise information to this House so that we may understand what the overall labour position in the country is.

I referred to the question of workers' right and the workers' possibility of fighting against the employer. It is always a delicate point. If it is an individual worker, the standing orders are there which are really applied. If a worker is dismissed at random, his position becomes very difficult. After the decision of the Supreme Court in the Punjab National Bank case, no worker is safe. Any dismissal by an employer, pro-

[Shri N. Sreekantan Nair]

vided he just fills up the external forms of an enquiry, becomes final. The Supreme Court has decided, not only in respect of the Punjab National Bank case but in scores of other cases, that the workers have no right and the employer has every right where he can dismiss anyone at random provided there is a facsimile or a show of an enquiry! This has got to be changed. The question of dismissals has got to be tackled on two lines.

First of all, the definition of an industrial dispute as given in the Industrial Disputes Act, 1947, must be clarified so that the individual dismissals also come under it, because the Supreme Court says it does not. Secondly, there is another aspect. It is the question of going into the merits of dismissal. The fairness and justifiability of dismissals must be enforced by law, because the Supreme Court says that this aspect is not there. We have to bring in an amendment to the existing legislation to see that if an official or any other investigator goes into the question as a judicial officer, he must have the right to go into the fairness and decide the case only on that basis and not on any other basis.

The question is also complicated. It may be that this matter may be considered to be trivial. But then such matters go into the very heart and root of the matter and they go into the very heart of the worker; these go into the very root of the trade union organisation. Under section 33, an employer seeks permission before a court for dismissal of a worker. Then the officer will say: "This is only a casual enquiry. A separate reference may be made to go into the merits of the case" and so on. If we get a reference separately, the Supreme Court's ruling comes in, and we do not get justice. So, from the time of the enquiry under section 33 up to the stage of an independent judicial enquiry, at every phase of it, the fairness and fairness alone should be the criterion for considering the dismissal

of a worker. Otherwise, this would not be fair and would not be giving justice to the ordinary workers.

13 hrs.

Mr. Speaker: He should conclude now.

Shri N. Sreekantan Nair: I may be given some more time. I am also representing a central trade union organisation and I am the only spokesman from my party.

The hon. Labour Minister is very anxious about popularising arbitration under section 10A. But the department is throwing all sorts of impediments in the path. There is one arbitration in which I am personally involved, which has to tackle 12 trade unions and three employers including the Central Government and the State Governments of Kerala and Madras. In this arbitration, for the last two years, towards the expenses not a pie has been granted. Not a peon has been appointed and there is no place or building to hold the sittings. Moreover, the employers are not cooperating. The employers include three Governments, led by the Department of Atomic Energy. If the Department of Atomic Energy and the State Government of Kerala would cooperate and put up their managers to be examined by the arbitrator, the case would be finished. But they would not cooperate. That is an industry which has suffered a lot. About 4000 workers have been thrown out by the closure of a major factory.

In another factory run by the Government of Kerala, the Mining Department has been completely closed because the export of ilmenite has been cut short. For years from the first Parliament, I have been submitting before the House and to the Prime Minister that the ban on monazite production and export should be lifted. Had it been done, some relief would have been obtained. There is an order pending for a lakh

tons of ilemenite. If the agreement is not renewed within three months, the entire industry will collapse throwing out another 5000 workers out of employment and we will lose Rs. 1 crore by way of foreign exchange. I will request the Minister of Labour, who is also Minister of Planning, to see that if it is impossible to lift the ban on the export of monazite, at least new channels for ilemanite may be found through the Prime Minister or the Atomic Energy Department.

Coming to the question of arbitration and its legal status, during the pendency of arbitration, any employer can do anything with the workers, because the *status quo ante* provision is not there. It is not included in the provisions of section 33. So, the arbitration will proceed, but the employers will start all sorts of troubles for the workers and there will be no remedy. So, the question of arbitration being given the protection of *status quo ante* under section 33 has also to be considered very seriously by Government.

Coming to employment exchanges, the Minister has got very high hopes and he thinks very highly of it. I also would like to think very highly of this department, but its constitution is such that it cannot be very effective. The employers, whether in the private sector or public sector, do not care about it. I can give certain instances. In our State, in the State sector, a textile mill has been opened some five months back. From the list submitted by the employment exchange, the tallest officers of the Government have made the selection for recruitment. But because some of the powers that could not send their nominees to be included in the first list, the entire list is held up. No recruitment has been actually effected, in spite of the fact that the selection has been made four months ago the entire machinery is rotting due to want of hands. This is the approach of the employers in the public sector; not to speak of the private sector. The

mere legislation to notify vacancies, which has been brought into force recently is no good, because the notification of vacancies does not help, unless you enforce that those vacancies are properly filled up by the employers from the list submitted by the employment exchange.

The Minister of Labour, in the Ministry of Labour and Employment (Shri Hathi): Mr. Speaker, Sir, at the outset, I should like to express my gratitude to hon. Members who took part in the discussion yesterday and today and for the generous support they gave to the labour policy of the Government of India. In a way, this support which the labour policy gets from all the sections of the House is mainly because the labour policy is evolved by a process of consultations and deliberations on a tripartite basis. Almost all important questions are being discussed in a tripartite body and it is after these mature deliberations and consultations that policies are being evolved.

So far as the implementation of the policies laid down and the functioning of the Ministry are concerned, there has been general appreciation of the work of the Ministry. I am thankful to those Members for expressing all these kind words. But as my senior colleague, the Minister of Labour, said in the beginning of his speech, we do not claim perfection. There might be drawbacks and defects and the suggestions and observations which hon. Members make with regard to the drawbacks or defects or not proper implementation, would be taken into consideration and we would see that all constructive suggestions that are made are duly considered and possibly also implemented. It is this approach which the Ministry has taken always and I would, therefore, like to assure hon. Members that whatever suggestions and observations they have made will be given the fullest consideration by Government. If it is not possible to deal with all those observations or suggestions now, as is

[Shri Hathi]

the practice of this Ministry, we shall circulate the clarifications or replies to hon. Members. I shall, however endeavour to deal with the points raised by various Members here.

Shri K. N. Pande made a suggestion that the conciliation officers should also be given the powers of adjudication. These officers are not judicial officers. The duties of a conciliation officer as the House knows are different and it would not be practicable and even proper that they are given the power to adjudicate. In some States, this practice was in vogue, but ultimately even in his own State, that has been abandoned.

Then, he referred to the conditions of service of the employees in the shops and establishments. The point made by him was that although the Act has been applied, there is no protection given to the employees; they could be dismissed and they have no remedy. The position in law is not correct. There is under section 30, a provision under which they cannot be wrongfully dismissed. Notice has to be given, and if they are dismissed they can raise an industrial dispute. So this is covered by the Industrial Disputes Act and, therefore, there is no need to further amend the Act or have any legislation so far that is concerned.

The other point that he raised was arising out of the Sugar Wage Board's recommendations, and he wanted a tripartite committee to be established to deal with these questions that would arise. In some States, namely, Uttar Pradesh, Bihar, Mysore and Punjab, such committees have already been formed. In Maharashtra, of course, the disputes are being referred to the Wage Board for sugar industry and it is not, therefore, necessary to have such a tripartite body here at the Centre to seek clarification.

Another point that the hon. Member raised was with regard to the rates of compensation to be paid in case of fatal accidents. I think I am in agreement with what he said, that the rates provided for are rather on the low side considering the present cost of living and other things. Therefore, I think we will be considering the question of raising the limits of the amount of compensation in fatal cases.

Then I come to the points raised by Shri Prabhat Kar. Of course, in the very beginning of his speech he said that with the way in which the policy has been expounded by the Labour Minister he wondered whether he had anything to say. He thought as if he had nothing to say so far as the policy was concerned. But so far as the implementation was concerned, naturally, he had something to say—I am sorry he is not here. He mentioned about the strike by the hotel workers in Delhi. I would not refer to that question as the strike has been called off today.

He mentioned about adjudication and said that in one case we allow it and in another case we do not allow it, there are no principles laid down and it is decided at the whim or discretion of the officer concerned in the Ministry. That is not the correct position. The position is that we have laid down certain principles, and whether a case has to be referred to adjudication or not is not a question of anybody's will. It has to be decided according to the principles laid down. For the information of the House I may read them. They are:

“Disputes may not, however, be ordinarily referred for adjudication:—

- (i) Unless efforts at conciliation have failed and there is no further scope for conciliation and the parties are not agreeable to arbitration;

- (ii) If there is a strike or lockout declared illegal by a court or a strike or lockout resorted to without seeking settlement by means provided by law and without proper notice or in breach of the Code of Discipline as determined by the Machinery set up for the purpose unless such strike (or direct action) or lockout, as the case may be is called off;
- (iii) If the issues involved are such as have been the subject matter of recent judicial decisions or in respect of which unduly long time has elapsed since the origin of the cause of action; and
- (iv) If in respect of demands other legal remedies are available i.e., matters covered by the Factories Act, Workmen's Compensation Act, Minimum Wages Act, etc."

These are the principles. Naturally, we are governed by these principles. So it is not as if it is a question of one's own whim or discretion. Of course, there may be some discretion, but that discretion has to be exercised on the basis of the principles laid down.

He then referred to a case from Andhra. He said that some Member of Parliament accompanied some representative of the bank management and saw somebody in the Ministry and that the matter was not referred to adjudication because of this pressure from the bank management. He did not name the Member who accompanied the representative of the bank management. I have made enquiries in the case. I find that no Member of Parliament or any representative of the bank has seen any officer of the Ministry. The Conciliation Officer made a report on 29th March, 1962. The Chief Labour Commissioner recommended on 2nd April, 1962 that adjudication was not necessary. These were the recommenda-

tions, and the two officers and the Ministry agreed with the Chief Labour Commissioner and the Conciliation Officer on 12th April, 1962. Subsequently, the employees requested on 24th April, 1962 that the case may be reconsidered. The representatives of the employees met the Secretary and the Deputy Secretary on 4th May, 1962. They raised three issues; that the adverse comments were not communicated to them, that there was a violation of the agreement by the management and they also raised the question of the appointment of apprentice officers. These facts were newly raised by them. They are being considered. Therefore, the whole case is being considered by the Ministry. But I would say that no member of Parliament or any representative of the bank management had ever seen any officer. The information that Shri Prabhat Kar got was, therefore, perhaps not correct. This is what I want to bring to his notice.

He made out another suggestion and that was with regard to the benefits to be given to non-coal mine workers. We are looking into this question and pursuing the matter.

So far as bonus to other non-coal mine workers is concerned, it would be appreciated, if the bonus scheme is to be applied it is necessary to collect certain data regarding production, capacity of the industry to pay etc. We will undertake a survey and collect all that data in order that we can proceed and take a decision.

He also referred to the question of minimum wages. He said that during the last decade no revision of the minimum wages has been done. Under Section 3(1)(b) of the Act, the appropriate government is required to review the minimum rates of wages fixed and revise the same if necessary at such intervals as they may deem proper. According to this, I find that the Central Government and all the State Governments have taken steps to revise the minimum wages. In seven cases—the Central Government and six States Governments—

[Shri Hathi]

they have also revised the agricultural wages and wages for other industries. In some case they have appointed a committee and in some cases they have revised. I would refer him to the publication *Minimum Wages*, 1959 issued by the Labour Bureau, page 26, where the position with regard to each State and each industry is given.

Then another hon. Member referred to the question of the loan not being given for the purpose of illness. He also made certain suggestions. So far as this giving of loans is concerned, this benefit or advantage is also available under the Employees' State Insurance Fund. So far as the Provident Fund is concerned, generally the main intention of the Provident Fund for industrial workers is to make a provision for their old age when the workers are not fit for gainful employment. Even then the loan was being advanced, but it was found that this was not being used properly. As the figures will show, in 1956-57 there were 8 applications and the amount advanced was Rs. 1,445|-; in 1957-58 there were 337 applications and the amount advanced was Rs. 52,800|-; in 1958-59 there were 6,855 applications and the amount advanced was Rs. 12.65 lakhs; in 1959-60 the number of applications was Rs. 66,119 and the amount advanced was Rs. 1.05 crores and in 1960-61 there were 83,400 applications and a sum of Rs. 1.23 crores was asked for as loan. Therefore, although they have another way in which they can get cash benefit, we thought that this was not being properly used and was not being used for the purpose the Provident Fund Act aims at. Therefore it has been discontinued.

Shri Prabhat Kar rose—

Shri Hathi: He made another point that the treatment for the diseases of the eyes and the teeth is not being given in the hospitals. That is being given for the insured persons and their families also where the families are covered.

Shri Bade (Khargone): Does he mean to say that in Madhya Pradesh it is given in Indore textile mills?

Shri Hathi: It is given wherever the families are covered; otherwise, the insured persons are given this.

Shri N. Sreekantan Nair: Where doctors are also available!

Shri Hathi: I may say that the Corporation has taken a further decision. That decision is that not only treatment for the eyes and the teeth shall be given but if the loss of teeth has resulted because of any injury received during employment even free dentures will be given and if the loss of eyesight or vision is because of the nature of work which a worker does even free spectacles will be given.

Further, he made a complaint that Ayurvedic treatment is not being given to workers if they want it. I think the question of treatment is more or less a question of faith. If a worker has faith in Ayurveda, he should be given opportunity for that treatment. Therefore, I may say here that wherever Ayurvedic treatment facilities and medicines are available, if the workers so desire this facility will also be extended to them. After all, it is a question of one's faith in a particular system of medicine and I do not think we would come in the way. It all depends, however, on whether the facilities are available for Ayurvedic treatment or not. But if they are available, they will be extended to them.

Shri Prabhat Kar (Khargone): Regarding this loan from the Provident Fund in the case of employees who are not covered by the ESI scheme as in West Bengal where 75 per cent of the workers are not covered by this, what is the way out for the workers at the time of ailment? So far as the ESI scheme also is concerned, for occupational diseases is specialist treatment being given to them?

Shri Hathi: I am coming to that question. As another hon. Member, Shri Oza, has pointed out, this is rather an important question and I am coming to the whole of this question. Here, as the hon. Member knows, the position is that the responsibility is of the State. We are out to help them. We reserve some beds in the hospitals. But that is not sufficient. Therefore we have now taken a decision that it would not be quite proper and sufficient for the workers to have the benefit of the facilities if they have to go to hospitals which are State hospitals or other hospitals where certain beds are reserved and where medicines may or may not be available. Therefore it is really a case where we have to consider the whole question from a different point of view. From that point of view we have thought that wherever possible, we shall have our own hospitals, that is, the Employees' State Insurance hospitals so that this question would not arise then. I may say that for the first time in the history of the Corporation it has been possible to afford indoor treatment in its hospitals and we have now four hospitals—one at Bombay with 300 beds; another at Bangalore with 170 beds; a third at Madras with 175 beds and a fourth at Kanpur with 112 beds. In addition to this we are also having extension of these hospitals currently. Bangalore hospital has 170 beds but the sanction accorded will enable the State Government to expand it further during the current financial year so as to provide a total of 300 beds.

13.27 hrs.

[MR. DEPUTY-SPEAKER in the Chair.]

Similarly, in Kanpur the present number of beds in the ESI hospital itself is 112 and the Corporation has also sanctioned plans and estimates for expanding the hospital further so as to provide an addition of 100 beds. Similarly, in Madras the hospital now houses 175 indoor patients and the Corporation has sanctioned further sums for expanding the hospital to provide 363 beds.

939 (Ai) LSD—5.

Now the point raised by the hon. Member was as to what happens in Bengal where it is not there. The other point raised was by hon. Member, Shri Oza, about Gujarat. There the position is that the workers themselves say that unless they have hospitals they would not like to be covered by the scheme. We sanctioned eleven hospitals in West Bengal. Out of these, two are already under construction and, I think, will be ready soon. Four more have been sanctioned. The implementation of the scheme in 24 Parganas and Hooghly Districts of West Bengal could not be started for want of sufficient number of hospitals beds in independent Employees' State Insurance hospitals in those areas as the representatives of the employees are not in favour of reservation of beds. Naturally, they will not be in favour of it because they do not get the benefits as they like. Therefore steps have been taken for the construction of eleven Employees' State Insurance hospitals in the Greater Calcutta area. Construction work on two hospitals of 100 beds each is progressing. Approval of plans and estimates for another five hospitals has also been accorded. The purchase of the building of the National Museum, Calcutta, for the use of hospital under the scheme is also under consideration. With this now that difficulty will be solved.

I fully appreciate the point, namely, where this is not there what happens to the workers in case of ailment. But we have to see the other point also. The other point is that this Fund should not be misused in the sense that though the ailment may not be so serious, he wants the money for some other purpose, takes it under this and squanders it away. Then at the time of real need in old age when he wants it will not be there. It may be that we may think why we should be the trustees of the interests of labour; whether they are not capable or educated enough to look to their own interests. That may be a point. We have to consider both the things. We will be

[Shri Hathi]

covering almost the whole industrial area of West Bengal under this scheme. Therefore, that difficulty would not arise. Between the two, we have to choose. We have chosen this. The other point has force, I admit. It can be argued that way. Even then, we think, let this money not be squandered away or wasted under the pretext of loans. We have got cases where this money had not been used for this purpose, but used for some other purpose. That is why we have discontinued this. Though there may be force in that argument, this is the reason which I have in mind.

Shri Oza referred to another important subject. He said that workers' education is an important programme which should be implemented. He said that if there has been less loss of man-days, it is not because of the co-operation of the employers and employees, but it is because of the weakness of the unions. It is true that we should take steps to develop stronger and more effective trade unions through better trained officials and more enlightened members. That is true. Unless you have stronger trade unions which have bargaining power, as Shri Oza suggested, the results are bound to accrue as he envisaged. Therefore, we have undertaken the programme of workers' education which aims to build up stronger and more effective unions, to develop leadership from the rank and file and promote the growth of democratic processes and traditions in trade unions and organisations and administration, to equip and organise labour to take its place in a democratic society and fulfil effectively its social and economic functions and responsibilities and to promote among the workers a greater understanding of the problems of economy and environments and their privileges and obligations as union members, officials and citizens. Unless the workers themselves know their responsibilities and their duties, it cannot be expected of them to work with the same spirit with which we want them to work. Unless they are edu-

cated, the relations between employers and employees will never be harmonious. What we want today is harmonious relations between employers and employees, industrial peace, as you say. We want co-operation, mutual trust, mutual confidence between the two, and this can only be if the workers, and educated, if they know what they are, what they stand for and what is their role in society. It is not now an age when a worker gets one rupee or two rupees or three rupees or five rupees and works only for the sake of his bread. That is not the spirit. He works for a much higher and for a much nobler object. This is not only for the workers. The same thing we have to tell the employers also that it is not a question of economic condition of the worker, but they should work as a team. Both the employers and employees should work as a team, not for self-aggrandisement or for pure profit or personal motive, that it is a profit, it is a gain for society as a whole, for the nation as a whole. We are interested in that. Today, the whole labour policy is aimed at what? We aim at productivity, greater production. But how do we have greater production? Do we have greater production by keeping labour discontented, by keeping their wages low, by allowing the employers to get as much money as they can and not given a decent return to labour? No society can develop in that way. We cannot expect that if we do not keep the labour contented and happy. At the same time, we have to see to the resources, how far the industry can bear. We have to see that the wages are what the industries can bear and whatever profits are derived; profit not in the sense of making of money, but profit in the sense of productivity, profit in the sense of gain to the nation as a whole. That is what we aim at. We want the trade union men not merely to claim their rights and privileges, but also side by side say, to know our responsibilities and our duties and we stand as people who know our responsibilities and who can tell others

that this is your duty, this is your responsibility also. If that is possible, then and then only, with all the steps that we have taken and the co-operation and support that the House has given to the labour policy, we will be able to realise the goal.

I think I have dealt with almost all the points which have been raised during the course of today and yesterday. Thank you.

Mr. Deputy-Speaker: The House will sit till 6.30 today to allow opportunity to speak to as many Members as possible.

Shri Surendranath Dwivedy (Kendrapura): Has the time been extended for this?

Mr. Deputy-Speaker: This will go on till 3.30.

श्री ह० च० सौय (सिंहभूम): उपाध्यक्ष महोदय, हमारे देश के पूर्वी हिस्से में जहां बिहार, बंगाल, उड़ीसा और मध्य प्रदेश हैं, हम एक तरह से भाग्यशाली हैं इस माने में कि उस इलाके में औद्योगिकरण का काम काफी बड़े पैमाने पर हो रहा है। इसलिए हम ऐसा समझते हैं कि उस इलाके में लोगों की रोजी, रोटी का सवाल और अधिक अच्छी तरह से हल होना चाहिए। मगर वास्तविक हालत को जब आज हम देखते हैं तो हम लोगों को उतना संतोष नहीं होता जनता कि होना चाहिये था।

उपाध्यक्ष महोदय, हम अपनी पंचवर्षीय योजनाओं से यह चाहते थे और यह चाहते हैं कि हमारे यहां जो अतिरिक्त जनशक्ति है और जिन्हें रोजी, रोटी का मौका नहीं मिलता है उन्हें और अधिक मिले। उस इलाके में स्थिति ऐसी है कि पहले से ही जो खेती पर लोग काम करते थे और करते हैं उन में बहुत अधिक

ऐसे हैं जिन्हें हम बेजमीन मजदूर कहते हैं। बेजमीन मजदूर उस इलाके में दूसरे इलाकों से बहुत अधिक हैं। इन सारी योजनाओं को लागू करने में और यह बड़े बड़े उद्योगों को लागू करने के लिये सरकार द्वारा जमीन जो बहुत बड़े पैमाने पर ली जा रही है उस से भी बहुत काफी आदमी उस जमीन से हटाये जा रहे हैं और उन्हें तो हटना ही पड़ेगा। अब इस से हांता क्या है? पहले से जिन्हें रोजी रोटी चाहिये वे और उन जमीनों से हटाये जाने के कारण जो लोग हैं, दानों को मिला कर बहुत काफी आदमी ऐसे हो गये हैं जिन्हें रोजी, रोटी चाहिये। इसका हिसाब कर के देखा गया है कि जो जमीन से हटाये गये हैं उन में से कितने लोगों को हम फिर से बसा सके हैं। हमारे पाम ट्रेबर कमिशन के जमीन से हटाये जाने वालों के कुछ आंकड़े हैं और उनको देखने से एक संकेत मिलता है कि कितने लोगों को हम बसा सके हैं और कितने लोग ऐसे बेकार पड़े हुए हैं। हिसाब कर के देखा गया है कि मैथन डेम, मयूराक्षी डेम इत्यादि जितनी भी योजनायें उस इलाके में हैं, उन के अन्तर्गत चौदह हजार कुटुम्बों को उन की जमीनों से हटा दिया गया, जिन में से सिर्फ तीन हजार कुटुम्बों को अभी तक बसाया गया है। बहुत से ऐसे कुटुम्ब पड़े हुए हैं, जिन को बसाया नहीं जा सका है। पहले हम उम्मीद करते थे कि हमारे यहां के बेकार और बेजमीन लोगों को इन बड़ी बड़ी योजनाओं में काम मिल जायेगा लेकिन हमारा चतर्जुबा है कि हतिया का हैवी इंडस्ट्रीज का उद्योग हो, राउरकेला का स्टील प्लांट हो या डी० वी० सी० की योजना हो, जितने लोगों को वहां से हटाया गया, जो पहले से रोजी-रोटी चाहते हैं, उन लोगों को हम काम में नहीं लगा सके हैं। हमारे देश के दूसरे इलाकों के लोग एक तरह से हम से एन्वी करते हैं कि उस इलाके में बड़े बड़े उद्योग स्थापित पित हो रहे हैं और इसलिए वहां के लोगों को बड़े पैमाने पर रोजी-रोटी मिलेगी, लेकिन हम जानते हैं कि हमारा सवाल हल नहीं हो पाया है। इस कारण हम लोगों में काफी असन्तोष है

[श्री ह० च० सोय]

उस इलाके में आजादी से पहले भी लेबर का काफी रेक्यूटमेंट होता था और अब भी होता है। उस रेक्यूटमेंट में बहुत तरह की धांधलियां चलती हैं। जो व्यक्ति लेबर रेक्यूटमेंट करते हैं, वे लोगों को ऊंची ऊंची वेजिज देने और काम करने की अच्छी कंडीशन्स उपलब्ध करने के बहाने से दूसरे इलाकों में ले जाते हैं। लेकिन जब वे लोग कलकत्ता और राउरकेला आदि दूर स्थित जगहों में जाते हैं, तो हकीकत में उन को वे वेजिज नहीं मिलते हैं। उन को सिर्फ जीने भर के लिए कुछ मजदूरी मिलती है, जिस का नतीजा यह होता है कि वे अपने स्थानों को लौट भी नहीं सकते हैं। जिन जगहों में उन को ले जाया जाता है, मजदूरी कम मिलने के कारण या किसी दूसरे कारण अगर वह जगह उन को पसन्द न हो और वे वहां से लौटना चाहें, तो वे ऐसा नहीं कर सकते हैं, क्योंकि उनको मजदूरी बहुत कम मिलती है और उन के पास लौटने के लिए भी पैसा नहीं होता है। और उनका बुरी तरह से शोषण किया जाता है।

इस सम्बन्ध में मैं कहना चाहता हूँ कि क्या लेबर एक्सचेंजिज के साथ ऐसा प्रवन्ध नहीं किया जा सकता है कि जब उन लोगों को रेक्यूटमेंट के मामले में दूसरे इलाकों में ले लाया जाये, तो लेबर रेक्यूटमेंट करने वाले मजदूरी का हिसाब बतायें कि वे उन इलाकों में क्या देंगे और वहां पर काम की मिनिमम कंडीशन्ज क्या हैं। हो सकता है कि इस सम्बन्ध में कुछ रूल्ज वगैरह हों, लेकिन हमारे यहां वे रूल्ज बिल्कुल काम में नहीं आते हैं।

हमारे इलाके में प्रकृति का धन प्रचुरता से पाया जाता है और वहां उद्योग-धंधे भी चलते हैं, लेकिन हम समझते हैं कि हकीकत में प्रकृति के धन से परिपूर्ण होते हुए भी उस इलाके के लोग हिन्दुस्तान के सब से ज्यादा गरीब लोगों में हैं। यह ठीक है कि देश के जिस किसी इलाके में हम बड़े उद्योग-धंधे खड़े करें, वहां देश के सभी इलाकों के लोगों को रोजी-रोटी मिलने का हक होना चाहिए, लेकिन मेरा

सुझाव है कि यह व्यवस्था जरूर होनी चाहिए कि ऐन उद्योग-धंधों के स्थानों पर जिन लोगों की जमीन चली जाती है और जो उन उद्योग धंधों के पास रहते हैं, उन को काम मिलने का उचित इन्तजाम होना चाहिए।

करीब दो साल पहले जब हतिया में हैवी इंडस्ट्रीज के कारखाने का काम शुरू किया जा रहा था, तो उस वक्त माननीय मंत्री, श्री मनुभाई शाह, ने अपने उद्घाटन-भाषण में कहा था कि सरकार को और से इस बात की कोशिश की जायेगी कि इन कारखानों में कम से कम पांच सौ रुपए तक की नौकरियां स्थानीय लोगों को दी जायें। लेकिन हम देखते हैं कि उस इलाके में जांटिकनकल क्वालिफिकेशन्ज के लोग हैं, जो नौकरी में जाते हैं, उन का उचित हिस्सा नहीं मिलता है। मेरा सुझाव है कि इस तरह के बड़े उद्योग-धंधों में पर्मानेंट डिपार्टमेंट में कांट ऐना स्थानीय आरामी हों, जिस का एक खास स्टेट न हो, और वह हमेशा इस बात को देख-भाल करे कि स्थानीय लोगों का उनका क्वालिफिकेशन्ज के मुताबिक नौकरी मिले। मैं यह स्पष्ट कर देना चाहता हूँ कि मैं से मेरा तात्पर्य यह नहीं है कि वहां पर हिन्दुस्तान के दूसरे इलाकों के लोगों का काम बिल्कुल न मिले।

उस इलाके के लोगों के दिमाग में एक और बात यह है कि जिस इलाके में हम बड़े उद्योग-धंधे खोल रहे हैं, वह हमारे संविधान के मुताबिक एक खास तरह का एरिया है, जिस के बारे में सेंट्रल गवर्नमेंट और स्थानीय गवर्नमेंट की खास जिम्मेदारी है, क्योंकि वह इलाका खास तौर पर शिड्यूल्ड एरिया है। जब हम ऐसे इलाकों में बड़े पैमाने पर जमीन लेते हैं और उन सब लोगों को बसाने का पूरा इन्तजाम नहीं कर सकते तथा उन को रोजी-रोटी देने का पूरा जिम्मेदारी नहीं ले सकते, तो यह बहुत जरूरी है कि सरकार इंडस्ट्रीज डिपार्टमेंट या लेबर डिपार्टमेंट के द्वारा एक

स्पेशल रिमर्च कराए, इस बात को जांच कराए कि जिस इलाके में इंडस्ट्रियलाइजेशन हो रही है उस इलाके के लिए उन उद्योग-धंधों और इंडस्ट्रिय में कहां तक खास करके हैं, उन के सामाजिक और आर्थिक जीवन पर उस का क्या असर हुआ है और किन तरह से उद्योग धंधों के उठाने के साथ साथ उन लोगों को भी प्रगति को जाये और उन को आर्थिक स्थिति का ऊंचा उठाने का कांशिश की जाये।

इस तरह का मुझसे डेवर कमीशन ने भी दिया है। उसने जो माननीय गृह मंत्री जो भाइयों की बात का इशारा कर रहे थे कि वेबर कमीशन को जो भी सिफारिशें हैं, सरकार उन पर विचार कर रही है और उन पर अमल होगा। मैं इस बात का इस लिए कह रहा हूँ कि हमारे देश का सब से बड़ा प्रोद्योगिकरण का इलाका वह है, जिसके बारे में मैंने अभी तक किया है श्री ० नुने उम्मीद है कि सरकार इस बात पर विशेष ध्यान देगी और इस सम्बन्ध में पूरी कार्यवाही करेगी।

हम देखते हैं कि कई स्टेट प्रॉडक्ट्स में भी, अधिक से अधिक मजदूरों का टेम्पोरेरी रखने की मनीवृत्ति पाई जाती है। उदाहरण के लिए मैं बताऊँ कि रेलवे में हजारों ऐसे मजदूर हैं, जो कहने को तो टेम्पोरेरी कहे जाते हैं, लेकिन हम जांच जानते हैं कि वे पिछले दस बरसों से काम कर रहे हैं। मंत्रालय कमीशन ने इस बात को सिफारिश की थी कि इस बात को जांच जल्दी हानो चाहिए कि वास्तव में वे टेम्पोरेरी हैं या नहीं।

उसी तरह से प्राइवेट प्रॉडक्ट्स में भी यही मनीवृत्ति देखी जाती है। निहभूम डिस्ट्रिक्ट में जो शोकापानी की एपोशिपिटिड सोमेंट फैक्ट्री है, वहाँ हजारों ऐसे मजदूर हैं, जिनके बारे में वह कम्पनी कहती है कि वे कंट्रैक्टर के जिम्मे हैं। लेकिन कंट्रैक्टर न तो उन मजदूरों की संख्या बढ़ा सकता है, न उनको निकाल सकता है और न वह उनको बोनस

दे सकता है। कम्पनी ने एक दफा उनको बोनस भी दिया। हम चाहते हैं कि उन मजदूरों को टेम्पोरेरी रख कर फर्निटोर पर रखना चाहिए। इस बात का प्रारंभ जल्दी से जल्दी ध्यान दिया जाना चाहिए।

Mr. Deputy-Speaker: The hon. Member must conclude now.

Shri S. C. Soy: I have taken only 10 minutes.

Mr. Deputy-Speaker: He has taken 15 minutes.

Shri Gopal Datt Mengi: There are 7 hon. Members wishing to speak. So each hon. Member will take 10 minutes.

श्री गोपाल दत्त मंगी (जम्पू तथा काश्मीर) : उपाध्यक्ष महोदय, मैं समझता हूँ कि वेबर मिनिसटर साहब मुबारिकबाद के मुद्दाधिक हैं कि उनको वजह से हर साल मजदूरों का हालत में कुछ न कुछ बेहतर हो रही है। वेबर वेबेनर प्राविडेंट फंड और जो दूसरी स्कीमें बनाई गई हैं, हर साल उनमें तरक्की हो रही है। लेकिन हिन्दुस्तान एक पिछड़ा हुआ मुल्क है और सब कुछ डिपेंडेंस का राजस है जिनका वजह से जा कुछ भा हो पाया है, उनको उमका प्रोभर भा नहीं कहा जा सकता जो कि किया जाना बाकी है।

इन्होंने ज्वायंट मैनेजमेंट काउंसिल की स्कीम बनाई है, वेज बोर्ड बनाये हैं। यह सब कुछ हुआ है। लेकिन कौन कह सकता है कि ज्वायंट मैनेजमेंट काउंसिल पूरी तरह से कामयाब हुई है या तमाम फैक्ट्री में वे बन सकी है या वेज बोर्ड तमाम फैक्ट्री के लिए तमाम इंडस्ट्री के लिए बन सके हैं। अभी इस दिशा में बहुत कुछ करना बाकी है। यह कहते हुए मुझे खेद होता है कि पब्लिक सेक्टर में भी जिसके पीछे एक खास उमूल काम करता है, जिसका ध्येय केवल नफा कमाना नहीं होता है बल्कि देश-हित होता है, वहाँ पर भी ज्वायंट मैनेजमेंट काउंसिल नहीं बन सकी है। सिर्फ

[श्री गोपाल दत्त मंत्री]

११ ऐसे यूनिट स हैं जिन में ऐसी कार्जसिलज बन सकी हैं। ऐसी हालत में मैं माननीय मंत्री जी तथा उनके दूसरे साथियों से पूछना चाहता हूँ कि वे प्राइवेट सेक्टर में कायम हुई इंडस्ट्रीज को किस तरह से परसुएड कर सकेंगे, उन पर किस तरह से जोर डाल सकेंगे, कि वे अपने यहां ज्वायंट मैनेजमेंट कार्जसिलज बनायें जबकि सरकार अपने यहां, अपनी फैंक्ट्रीज में ज्वायंट मैनेजमेंट कार्जसिलज नहीं बना सकी है। इस वास्ते जरूरत इस बात की है कि इस फाइनेंशियल यीअर के अन्दर अन्दर, इस फाइनेंशियल यीअर के ख़ात्मे से पहले पहले तमाम पब्लिक सेक्टर में जो इंडस्ट्रीज हैं, जो यूनिट्स हैं, वहां पर ज्वायंट मैनेजमेंट कार्जसिलज बना दी जायें। अगर हम यह नहीं कर पाये तो मैं समझता हूँ कि सोशलिज्म को धक्का लगेगा। खुशकिस्मती से जो हमारे लेबर के वजीर हैं उनके सोशलिस्ट होने में किसी को शक नहीं है, किसी को सुबहा नहीं है, चाहे वह अपोजीशन का माननीय सदस्य हो चाहे वह अपोजीशन पार्टी को बिलांग करता हो या पार्टी इन पावर को बिलांग करता हो। सभी को उनके सोशलिस्ट होने में यक़ीन है। सभी को माननीय मंत्री से ज़ड़ी बर्झ, तबकान है, बड़ी बड़ी उम्मीदें हैं।

लेकिन हकीकत यह है कि रिपोर्ट पढ़ने से कुछ ऐसा महसूस होता है कि बहुत दफा माननीय मंत्री जी अपने आप को बेबस महसूस करते हैं। लेकिन सोशलिज्म को आगे ले जाने का जो तहैया, जो प्रोग्राम नैशनल कांग्रेस ने बनाया है, उसको सामने रखते हुए भायूसी की कोई बात नहीं होनी चाहिये, बेबसी की कोई बात नहीं होनी चाहिये, हमें आगे बढ़ना है और आगे बढ़ कर सोशलिज्म को मजबूत लाइज पर यहां कायम करना है।

जहां तक लेबर का ताल्लुक है, जहां तक मजदूर का ताल्लुक है, हर कदम पर वह हमारे साथ कोआपरेशन करता है। वेज बोर्ड बनें, ज्वायंट मैनेजमेंट कार्जसिलज बनें। माननीय

मंत्री जी ने खुद अपनी रिपोर्ट में इस बात को स्वीकार किया है कि उनके मन ने से एफिशेंसी बढ़ी है, क्वालिटी बढ़ी है और इसके साथ साथ जो स्ट्राइक्स होती थीं, उनमें कमी हुई है, प्राइवशन बढ़ा नहीं, नैशनल वैल्य बढ़ी है। ऐसी हालत में जब मजदूर अपना फर्ज पूरा करता है तो उसे क्या अपना हक मांगने का अख्त्यार नहीं होना चाहिये ? यह कहा जाता है और मैं ने इसको बचपन में पढ़ा था कि राइट्स आल्वेज फालों ड्यूटीज। लेकिन हिन्दुस्तान में मजदूरों के मुतालिक जब सोचा जाता है तो ऐसा नहीं होता है। मजदूर अपना फर्ज पूरा करता है, वह देश का प्रोडक्शन बढ़ाता है, नैशनल वैल्य बढ़ाता है, स्ट्राइक्स का कम सहारा लेता है। क्या इस सब के बाद भी उसको अपना हक मांगने का अख्त्यार नहीं है। यह हक उसे नहीं मिला है, यह स्वीकृत है। जब प्राइवशन बढ़ा है, जब नैशनल वैल्य बढ़ी है, तो यह ठीक है कि उसके मुताबिक उसकी वैजिज न बढ़तीं, उसकी आमदनी न बढ़ती, लेकिन कुछ न कुछ तो बढ़ती, मुनासिब मिक्दार में बढ़ती। क्या कोई कह सकता है कि उगी मिक्दार में उसकी आमदनी बढ़ी है। मैं कहूंगा कि सोशलिज्म का नारा तो हम लगाते हैं और यह भी ठीक है कि कांग्रेस जो कि पार्टी इन पावर है, वह सोशलिज्म के असूल को अपनाये हुए हैं, लेकिन हकीकत यह है कि हिन्दुस्तान में मजदूर बहुत कमजोर है। इंडस्ट्री में दो पार्टीज होती है, एक कैपीटल, एक लेबर, एक एम्पलायर, एक एम्पलायी। हकीकत यह है कि हिन्दुस्तान में कैपीटल मजबूत है, हिन्दुस्तान में एम्पलायर बहुत शक्तिशाली है, बहुत प्रभावशाली है और उसके मुकाबले में लेबर जो है, जो एम्पलायी है, वह मजबूत नहीं है, वह शक्तिशाली नहीं है, वह प्रभावशाली नहीं है सब में बड़ी दुःख की बात यह है कि वह यूनाइटेड नहीं है, लेबर इकट्ठी नहीं है। जैसे मेरे मित्रो ने मुझ से पहले कहा है यहां जो ट्रेड यूनियन मैजमेंट है, वह पूरी तरह से आर्गनाइज नहीं हुई है,

मजबूत नहीं हुई है। हिन्दुस्तान में तीन बड़ी पार्टियाँ हैं, कांग्रेस, पी० एस० पी० और कम्युनिस्ट पार्टी। ये तीनों मजदूरों की बेहतरी का, मजदूरों की अलम्बरदार होने का दावा करती हैं। इन तीनों का आखिर एक खास स्टेज तक तो कामन प्रोग्राम है, एक खास स्टेज तक ये तीनों मजदूरों को इकट्ठा ले जाना चाहती हैं। जहाँ तक ये मजदूरों को ले जाना चाहती हैं और जहाँ तक इनका कामन प्रोग्राम है, वहाँ तक भी क्या बजह है कि उस कामन प्रोग्राम की मौजूदगी में जो मजदूर हैं, वे वैसे तरकीब नहीं कर पा रहे हैं, वैसे आगे नहीं बढ़ पा रहे हैं, जैसे बढ़ना चाहिये और जैसे तरकीब करनी चाहिये। मैं अर्ज करता हूँ कि अगर इन पार्टियों को मजदूरों में प्यार है, मजदूरों के काज से प्रेम है, तो इनको ट्रेड यूनियन मवमेंट को मजबूत करना चाहिये, और पार्टी लेवल से ऊपर उठ कर जहाँ मजदूरों का क्वेश्चन हो, वहाँ इकट्ठे हो कर काम करना चाहिये।

दूसरी बात मैं यह अर्ज करना चाहता हूँ कि इंडस्ट्रीज और फॅक्ट्रीज ज्यादा खोल देने के बावजूद भी, इनके ज्यादा खुल जाने के बावजूद भी हम अनएम्प्लायमेंट को दूर नहीं कर पाये हैं। सरकार ने इसके लिए एम्प्लायमेंट एक्सचेंजिज खोले हैं लेकिन मैं समझता हूँ कि वे बेअसर हो कर रह गए हैं। जो एम्प्लायर क्लास है, वह उनका फायदा नहीं उठाती है और वह नित नए बहाने पेश करके अपने ही फेवरिट्स को, अपने ही आदमियों को इंडस्ट्रीज में लगा लेती है और लगाना चाहती है। इसके लिए मैं एक सुझाव रखना चाहता हूँ। क्या यह मुमकिन नहीं हो सकता है कि हर एम्प्लायमेंट एक्सचेंज जो उसके पास दरखवास्तें जायें, उनको देने वालों का वह बाकायदा इन्तहान ले, एक खास किस्म का टैस्ट मुकर्रर हो और उम्रों, नतीजों के आधार पर वह देखे कि जिस जिस कैटेगरी में जो जो लोग आना चाहते हैं, उनकी एफिशेंसी क्या है

और उसके मूताबिक वह अपनी फेहरिस्तें तैयार रखे? जब कोई एम्प्लायर अपनी जरूरतों के लिये स्टाफ मांगे तो जिस एफिशिएन्सी का आदमी वह चाहता है उसी क्लास का आदमी वह उस को पेश करे। चूँकि उस ने खास टेस्ट दिया होगा, खास इन्तहान पास किया होगा इस लिये वह एम्प्लायर नहीं कह सकेगा कि वह मेअर का आदमी नहीं है। मैं अर्ज करना चाहता हूँ कि एम्प्लायर के लिये यह अब्लिगेटरी होना चाहिये, उसे मजबूर किया जाना चाहिये, कि जिस एफिशिएन्सी का आदमी वह चाहता है वैसे आदमी दिये जाने पर वह उस को रखे। हमारे एम्प्लायमेंट एक्सचेंजेज तभी एफेक्टिव हो सकते हैं, कामयाब हो सकते हैं, जब इस तरह से काम हो।

14 hrs.

सब से बड़ी बात यह है कि जहाँ फॅक्ट्री वालों को, एम्प्लायर्स को आदमियों की जरूरत हो, वह उन को मुहैया किये जा चाहिये। हमारी प्लैन्ड एकानमी है, हमें पता है कि कौन सी इंडस्ट्रीज में क्या काम होना है। हमारे एम्प्लायमेंट एक्सचेंजेज को भी इस का पता होता है। वह क्लासेज कायम करें। क्लासेज चला कर के लेबर को वे ट्रेन कर सकते हैं ताकि वक्त अने पर वह लोग इंडस्ट्री में काम करने के काबिल बन सकें। मेरी अर्ज यह है कि एम्प्लायमेंट एक्सचेंजेज को कामयाब बनाने के लिये जरूरी है कि इस तरफ ध्यान दिया जाय।

Shri David Munzri (Lohardaga): There are pressing reasons why I rise to speak Sir, firstly the growing danger of further unemployment in the country, and secondly the effect that the policy of the Labour Ministry is having on the tribal economy of the country.

We are advancing in a socialistic pattern of society, and at this stage we must consider whether all the peo-

[Shri David Munzli]

ple of the country are coming on the march together. I wish to speak mainly about the tribals in this country, and particularly about those in the area of north Orissa, South Bihar and east Madhya Pradesh, where there is a great problem facing us today.

We have been advocating in this House and outside that we need industrialisation, that we must have bigger factories, heavy machinery industries, mining industry and so on and so forth, but have we ever considered, when we require lands for factories, when we require lands for railway construction, for dams and so on and so forth, what the condition of those people would be who have been in occupation of these lands? They have been simply evicted, displaced, with little consideration. The people who have been displaced have much the same right as ourselves, they have got the right to live, but thus far they have been neglected. There have been instruction from Government and even Prime Minister Nehru had to intervene in at least one matter that I am in the know of, in the case of displacement of persons for the steel factories in Rourkela the Prime Minister had to intervene personally; there have been policies dictated, yet the implementation that we find today is sorrowful. I know that hundreds of people are still under the trees. They have got small huts even today. There has been discrimination even in the small children of those displaced persons going to the schools and getting admitted in the hospitals. I have been relating the wider aspect of it.

We know that certain forest laws have been framed in this House and also simultaneously passed in the State legislature, and on account of the implementation of those laws, the tribals cannot enter the forests. Those people who lived on forest produce like leaves, flowers, fruits, roots etc., cannot go there. History tells us how the land that was with the tribals has been snatched away from them, and even today we find in Orissa the specific

case of the *gutti* system still existing, under which the tribals and the backward class people are still under the yoke of the zamindars and *mahants* as we call them. The conditions of those people are just like the conditions of semi-slavery and nothing else. As for the people who have given their lands for the construction of railways, factories, dams etc. The other day we saw in the papers that the construction work had to be stopped only because there was a dispute about the rate of compensation. I think the Government should have been fair and considered their right to live, and given them more compensation.

Coming to the specific case of the sisal plantations in the district of Sambalpur, the Central Government cannot look to them because it is not a Union subject, and the State Government cannot see to them because it has not been notified in the Orissa Gazette. There are sisal plantations in West Bengal, Bihar and Orissa and it should be taken up by the Union Government which is the co-ordinating body. There may be sisal plantations in other States also, I do not know, but I am stressing the conditions of labour in the plantations in the area known to me. Have they got any right under the law? Have they got any right to live under the Central Government? Have they got an labour laws protecting them and their rights?

Coming to mining and mining labour, straightaway my thoughts go to the labourers working in Birmitrapur Mines, because the management there wish to elbow out the local workers of the area and bring in contract labour from Gorakhpur. The condition of the Gorakhpur contract labourers is worse than slavery. I have been in that area; I have talked to those people; and I have seen their working conditions; and I have seen the conditions they are put under. They cannot get out of that and they must work as slaves. They might be put to work any time

of the day; it matters little what difficulties they are undergoing.

The local people who get work in the mines are being pushed out by this contract system of labour. On the other hand, machinery is employed to put an end to the right of those local people to work. I have seen in the Musabani mines, the local people, who are the real workers and who know the job, have been elbowed out by imported labour from outside. The reasons are best known only to the management. This is the fate of the tribals who should have work in the fields, who should have work in the jungle and who should have work to live.

Now, new factories are coming up all over the places in the particular areas I have indicated; and they have got no scope even there. The workers of the local area are much more efficient than imported labour; but there are particular reasons because of which they cannot get work and they have no work. I do not know where the socialist pattern will lead this section of the population suffering for years and years. There will now be two classes of people in this country; as it seems to me.

At the moment I think of America where even today, in the South of United States where there are Negroes, they still find the colour bar. I do not know what type of colour bar is being introduced in India.

I have taken much of our time and I thank you very much, Sir.

Shri Balkrishna Wasnik (Gondia):
Mr. Deputy-Speaker, Sir, there are no two opinions, in this House or outside, that we have the right man for the right job, as the head of this Ministry. It is also a matter of satisfaction that our friends who usually find fault with either the Congress or its policies do not have any grievance as regards the policy of this Ministry. They, of course, say something about the implementation or enforcement

of the policy, but the policy as such, they do not have any kind of grievance against.

The Labour Minister, while speaking yesterday, mentioned about the loss of man-days. He said that the loss of man-days is very huge. He mentioned that it is about 42 lakhs and it means a loss of production of about Rs. 16 crores.

We also find one thing. In the public sector there is growing discontent. And not only everybody in this House, but even the Labour Minister is very much worried about this discontent in the public sector. It is time for us to find out why there is discontent in the public sector enterprises. I smell a thing. It might be conspiracy on the part of those who do not desire or who do not want that the public sector undertakings should function effectively or successfully. If it is some kind of deliberate action or sabotage on the part of those who are interested in sabotaging the efficiency and good and successful working of the public sector undertakings; then, it is high time for Government to look into the matter and curb all those tendencies.

It might also be for another reason; that it may be a conspiracy on the part of those who want to gain power, political or otherwise, by creating discontent among labour. Therefore, we should look into this from both these points of view. We must devise ways and means so that there is no discontent of any sort in the public sector enterprises; and we should see that these enterprises function effectively and in a successful way. Because, on the successful functioning of the public sector enterprises lies the success of the socialist pattern of society as much.

I come from a constituency in which there is the biri industry. About 2 lakhs of workers are engaged in that industry. I have been representing to the Labour Minister for the last 5 years about the wages of the

[Shri David Munzni]

biri workers. I have been saying that there is no uniformity in the wages of biri workers in the various States of this country. If you take Maharashtra, Madhya Pradesh, Orissa, Bihar and U.P. or any other State, you will find that there is a big disparity in the wages that are prevalent there. In some places they are paid only 12 annas per thousands biris in some places they are paid Re. 1|8 and in still other places they are paid even Rs. 3|- per thousand. We find that when there is no difference in the cost of living or in the cost of production there is so much difference in the wages. Why should there be such difference; while in some places they are paid only 12 annas, they are paid in other places Re. 1|8 and even Rs. 3|- and more, say Rs. 3|4|-? I cannot understand this. I have been mentioning this to the Labour Minister in the Consultative Committees and I have been writing to him also. I think it was about more than 2 years ago that the Labour Minister wrote to me that he was taking the matter with State Governments. He had also said that except for one or two State Governments, all the State Governments are agreeable to have uniformity of wages. But even after two years I do not find that any decision to bring uniformity in the wages of biri workers has been taken.

If it is a State subject then it is a difficult matter. The Government of India can well say that this is a State matter in which they cannot much interfere and that they cannot force the State Governments to do these things. But, if this State matter comes in the way of uniformity of wages, I would request the Labour Minister to do something like the appointment of a Wage Board for the biri industry. It is a big problem of lakhs and lakhs of workers engaged in this industry all over India. There is a big disparity in the wages; and, therefore, it is time to appoint a Wage Board for this industry.

He has been good enough to appoint wage boards in many other industries where there were a large number of workers. I would also request him to kindly see whether a wage board could be appointed for the biri workers also. By the appointment of this wage board, uniform wages for the biri workers could also be brought about.

Shri Warior: Have the cigar workers also...

Shri Balkrishna Wasnik: Yes I have nothing more to add.

श्री क० ना० तिवारी (बगहा)

उपाध्यक्ष महोदय, अभी तक अधिकतर वक्ताओं ने इंडस्ट्रियल लेबर के बारे में कहा है चाहे वह किसी पार्टी के हों आमतौर पर वक्ताओं ने इंडस्ट्रियल लेबर के बारे में ही कहा है। लेजिस्लेटिव भी हम देखते हैं कि ज्यादातर इंडस्ट्रियल लेबरर्स के लिए बनते हैं। इसी तरह से कल अपनी ओपनिंग स्पोच में मिनिस्टर साहब ने ज्यादातर इंडस्ट्रियल लेबर के बारे में ही कहा है। मैं मिनिस्टर साहब और इस हाउस का ध्यान एग््रीकलचरल लेबर की ओर आकर्षित करना चाहता हूँ।

भारतवर्ष एक कृषि प्रधान देश है। अभी भी इस देश के करीब ८२ प्रतिशत लोग देहातों में रहते हैं और वह खेती के ऊपर अपना जीवन निर्वाह करते हैं। रिपोर्ट में जो आंकड़े दिये हैं उनको देखने से यह मालूम होता है कि दस वर्ष के अंदर केवल आधा परसेंट लोग ही शहरों में गये हैं। सन् १९५१ में देहातों में खेती के ऊपर निर्भर करने वाले अनएम्प्लाइड और अंडरएम्प्लाइड लेबरर्स की तादाद ८२.६२ परसेंट थी और सन् १९६१ में ८२.१६ परसेंट रही। इस तरीके से आधा परसेंट लोग ही शहरों में गये। एग््रीकलचरल लेबरर्स की तादाद ७, कुछ है जबकि इंडस्ट्रियल लेबरर्स की तादाद

बहुत कम है। इस के सम्बन्ध में इंटरनेशनल लेबर रेव्यू में यह लिखा है :—

"This shows that to tackle the problem of unemployment and under employment we have to concentrate our attention on agriculture that is the dominant occupation for our country's millions."

इंटरनेशनल लेबर रेव्यू के फरवरी शब्द ६२ के इश्यू में पेज १४६ में यह लिखा है :

"The most significant fact about the labour force in India is 'the steady growth in the number of persons solely dependent on agriculture for a living. Consequently the expansion of the industrial sector over years has not resulted in the siphoning off of the man-power from agricultural pursuits with the result that the pressure on land is continually increasing."

इस तरह से आप देखेंगे कि जहाँ तक एम्प्लायमेंट का सवाल है, एग्रीकल्चरल लेबर का एम्प्लायमेंट का सवाल इंडस्ट्रियल लेबर के एम्प्लायमेंट के सवाल से किसी तरह कम नहीं है। इसलिये मैं इस अवसर पर माननीय मंत्री का ध्यान एग्रीकल्चरल लेबर की ओर दिलाना चाहता हूँ। श्री डेवर भाई ने जो अभी रिपोर्ट पब्लिश की है उसको पढ़ने से मालूम हो जायेगा कि इनकी क्या हालत है। इंडस्ट्रियल लेबर को तो पूरा साल काम मिलता है और उनकी बेजब वर्ग को भी सरकार देखती रहती है और रेगुलेट करती रहती है लेकिन एग्रीकल्चरल लेबर की हालत खराब रहती है और उनकी दशा सुधारने की ओर कोई सक्रिय कदम नहीं उठाया जाता है।

श्री डेवर की शैड्यूल्ड गेरियाज एंड शैड्यूल्ड ट्राइब्स कमिशन की रिपोर्ट के पेज १६०-१६१ में यह लिखा हुआ है :—

"The existing low potential of agriculture coupled with the present low level of supplementary employment is in no small mea-

sure the cause of destitution in the tribal areas. This destitution is not confined to any particular part of the country, but in some months in a year it is widespread. Those who have neither land nor any other occupation are the worst affected. The last ten years have made a change in the conditions of the opening of development projects in the areas. These development projects have however not yet spread out to the farthest corners, nor does the work in the projects last for the whole year. Tribals who have been accustomed to move and shift go out to earn a living. Those who remain behind or who cannot move out, lead a difficult existence. This is not visible if one goes immediately before or after the harvesting season. But in the one crop area, as the summer months advance, the struggle for existence commence becoming more and more difficult as the monsoon sets in. Those who have some land do preserve something for the hard days. Those who are without land have to depend partly upon flowers, roots and the wild fruits that the forests yield. There are certain parts of Rajasthan, Gujarat and Maharashtra where the struggle lasts for nearly two months. In certain parts of Bihar, Orissa and Madhya Pradesh, the struggle lasts a little longer. It is very difficult to estimate the proportion of the tribals that have to undergo privation for lack of foodgrains, but in our opinion not less than 10 to 15 per cent of foodgrains, but in our opinion not less than 10 straits for a couple of months in a year.

A Deputy Development Commissioner and a Collector in Maharashtra gave us to understand that about 25 to 30 per cent of the people live on roots and leaves. They hardly get anything to eat for two to three months and for the rest of the year, most of the time throughout the mon-

[श्री क० ना० निवारण]

soon, they eat roots, **Kandmu** as they call it. They are forced to live under conditions which are more or less akin to primitive state."

एग्रीकल्चरल लेबर की यह हालत है। लाखों, करोड़ों गरीब लोग जिनकी कि कोई अर्मान नहीं है उनकी ऐसी पस्त हालत हो रहा है। इनके अलावा वह लोग जिनके कि पास कम अर्मान है और पूरे परिवार का उस पर गुारा मुश्किल है तो उनके लड़के जो पढ़े लिखे हैं उनको और घर की औरतों को भी एम्प्लायमेंट देन का एक बहुत बड़ा सवाल हमारे सामने है। मैं समझता हूँ कि इस समय देश के सामने सब से बड़ा सवाल और सबसे बड़ी समस्या एग्रीकल्चरल लेबर के अनएम्प्लायमेंट का है। इससे बढ़ कर दूसरा कोई सवाल नहीं है। इसलिए मैं मंत्री महाादय का ध्यान विशेष रूप से इसा समस्या की ओर दिलाता हुए दो, चार मुझाव इस सम्बन्ध में देना चाहता हूँ और मेरा ऐना विश्वास है कि अगर इन का और आपका ध्यान ायेगा तो बहुत कुछ उनका भना हो सकेगा।

मेरा मुझाव है कि स्टेट एम्प्लोईज मेडिकल इन्शरेंस एक्ट को एक्टमेंट करके खेतिहर मजदूरों के लिये मेडिकल फ्रिसिलिटोज की व्यवस्था करनी चाहिए। इसके लिए एक मेडिकल सेस लगा दिया जाये, जो कि पंचायतों के जरिये इकट्ठा किया जाये।

चूकि समय नहीं है, इसलिये मैं हर एक प्वाइंट को टच करता चला जाता हूँ।

दो तरह के लेबर हैं—पर्मिनेंट एग्रीकल्चरल लेबर और कॅजुअल लेबर। पर्मिनेंट एग्रीकल्चरल लेबर का किसी न किसी बड़े गृहस्थ के साथ सम्बन्ध होता है। जब वे बीमार पड़ जाते है, या किसी और डिफिकल्टी में पड़ जाते हैं तो उनको देखने वाला कोई नहीं रहता है। इस लिए जब वे बीमार पड़ें, तो उनको मजदूरी के साथ छुट्टी दी जाये,

जैसे कि इंडस्ट्रियल लेबर को दी जाती है। इसी तरह तांग और पर्व पर भी उनको छुट्टी दी जाये।

खेतिहर मजदूरों के लिए सरकार ने मिनिमम वेजिज ठाक किये हैं। वह इंडस्ट्रियल लेबर के सम्बन्ध तो उन वेजिज को इन्फोर्स करा देती है, लेकिन एग्रीकल्चरल लेबर के सम्बन्ध में उन को एन्फोर्स नहीं कराया जा सकता है। अब तो सब अंगह ग्राम पंचायतें हैं, इस लिए उनके जरिये मिनिमम वेजिज इन्फोर्स कराई जा सकती हैं।

जितने लेबरर हैं, खास कर बड़े बड़े गृहस्थों से जिनका सम्बन्ध है, उनके लिये लाइफ इन्शरेंस की व्यवस्था हानी चाहिए। हम देखा है कि उन में से अगर कोई व्यक्ति मरता है, तो उन के बाद उसके परिवार की क्या दशा हाता है। मैं अभी रिपोर्ट में से पढ़ा है कि उनका साल में दो तान बार महान पेड़ का ाड़ खाना पड़ता है। इससे आप अन्दाजा लगा सका है कि उन लोगों का क्या हालत है। इसलिए मेरा निवेदन है कि उनके लिए ईजा प्राभियन्स का व्यवस्था कर के लाइफ इन्शरेंस का इन्तजाम होना चाहिए।

Shri Mohsin (Dharwar South): Sir, while supporting the Demands of the Ministry of Labour and Employment I wish to make some observations. Sir, I feel that this is a very important Ministry. Labour always plays a very important part in the national development. Especially when India is forging ahead with her Five Year Plans, labour has an important role to play. In a developing country like ours where projects are coming up, huge factories are built up, the person who is behind all these developmental activities and production is usually forgotten. That person is none else than the labourer. If we are to build up our country, if we are to increase our national income, we have to keep

labour satisfied always. There cannot be two opinions about this matter. The Labour Minister while opening the discussion on the Demands, spoke with sincerity for doing his best to labour and I am sure that under his administration the labourer will be always happy.

Sir, in his speech he has given some statistics about national income. He has stated that national income had increased by 7 per cent in the last year of the Second Plan, and that it was likely to increase further by 4.5 per cent during 1961-62. It must have come to that point now. Increase in agricultural production was 8 per cent in 1960-61. Within that increase in foodgrain production was 6.1 per cent. The record was reached in the output of cotton and sugarcane. Surely this is an achievement.

In the industrial field also, in the year 1961 production increased by 7 to 8 per cent over 60. So all these go to show that labour has been putting its effort very well and most of the credit goes to labour, and to a certain extent also to the management. Government wants to promote co-operation between labour and management. That is how Government is thinking of gearing up production. This is a very good idea. Rather than being contented by preventing of bad relationship between the workers and the management, Government should always think of positive methods of creating an atmosphere of constructive cooperation. For this there should be a mutually accepted code of discipline and conduct. This has been introduced and accepted by both labour and management. This will go a long way in solving the problems that would arise between labour and management and promote better industrial relations between them.

The second good step that Government has taken in the workers' participation in management. This will play an important part in bring-

ing good understanding between labour and the management. As long as the workers have, no share in the management, they will not be happy and the industry will not develop. Workers will work with energy and sincerity only when they have a share in the management. But I am sorry to note that Government has not done much in this direction. Only about 18 private sector industries and 12 public sector industries have adopted the scheme. This is meagre achievement in that direction. Even after three years of experiment in this line we have not achieved as much as we ought to have achieved. I can understand the difficulty in the private sector because the question of management's agreement would arise. But I cannot understand the difficulty that would arise in the public sector. Why should they not adopt this scheme? The labour unions will always accept participation in management. If the Ministry cannot persuade the private sector industries accept this, they should be made to accept it by legislation. We have waited for three years and if the scheme is not acceptable to many of the people then it should be done by legislation.

Sir, to a question that was put some two days back the hon. Deputy Minister told the House that the workers' representatives who are represented in the Joint Management Councils were appointed by nomination. This is not a happy state of affairs. Many a time we find that the workers who are represented in the Joint Management Councils, are not the real representatives of the workers, with the result that they might sometimes be playing in the hands of the management. They will be playing second fiddle to the persons in the management. That will not solve the problems, if such men are brought in in the Joint Management Councils. The person who represents labour should be a real representative and should be an elected man. I hope the Ministry will consider this and bring this about.

[Shri Mohsin]

The third thing which I would like the House to appreciate is the educative programmes. We have got the workers' education scheme. While in the second Plan only Rs. 48 lakhs were provided for this, I am very happy to see that in the third Plan Rs. 200 lakhs have been provided for it. It is a very good idea. As many as 134 teacher-administrators have already been trained. Many centres are training these worker-teachers also. It is better that before they are admitted to participate in the management they should be properly trained in that way.

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

Shri Mohsin: I shall finish in five minutes.

Mr. Deputy-Speaker: He should finish within one or two minutes.

Shri Mohsin: Another factor is that many of the industrial units were closed for certain days, and I was very surprised to see that textile mills in Madhya Pradesh and Maharashtra were closed for the reason of non-availability of coal. It is very surprising. We are exporting coal to the neighbouring country but we cannot supply coal to our own factories! This is a very strange position. The lacuna should be found out and a remedy should be evolved. No factory should be closed due to non-availability of coal and such other raw materials.

My hon. friend Shri K. N. Tiwary has emphasised the need for raising the standard of agricultural labour. Of course, ours is an agricultural country and the standard of living of the agricultural labour should be raised and the measures thereto must be pushed through.

Then I would only sum up my speech with some points which are concerned with my State in two sentences.

Mr. Deputy-Speaker: Please resume your seat.

Shri Mohsin: I shall finish with two more sentences. Usually the industries that are located in particular States are interested in importing labour from other States. That should be stopped. For example, there is the West Coast Paper Mills in our area which draws some officers from some other State neglecting the local area. That will always create dissatisfaction and when the communists enter there will be more dissatisfaction there. So, we will have to be particular about this.

Moreover, the salary or the pay-structure that they adopt is not also uniform. Sometimes their own relatives are brought in and thousands of rupees are poured into the pockets of their own persons who are designated as managers or as officers, etc. The real workers who work there are very ill-paid. Such things should be regulated and there should be some approved scheme for the salaries and security of employment of the employees there.

श्री सिंहासन सिंह (गोरखपुर) : उपाध्यक्ष महोदय, मैं सबसे पहले आपको धन्यवाद देता हूँ जो आपने मुझे बोलने का मौका दिया है।

हमारे देश की उन्नति बहुत कुछ लेबर पर निर्भर करती है। लेबर अगर सन्तुष्ट रहती है, तो हमारा हर एक काम आगे बढ़ सकता है और अगर वह सन्तुष्ट नहीं रहती है, वह सैटिसफाइड नहीं रहती है तो हमारा काम आगे नहीं बढ़ सकता है। दुर्भाग्य से आज जो वातावरण है वह चारों ओर स्ट्राइक्स का है और यह फैल रहा है। अभी दिल्ली में ही होटल एम्प्लॉयर्स की स्ट्राइक हुई थी और आज ही अखबारों में निकला है कि वह खत्म हो गई है। यह जो वातावरण है यह कैसे बन्द हो, इस पर इस सदन को तथा सरकार को ठंडे दिल से विचार करना चाहिये।

मैं समझता हूँ कि यह वातावरण तभी बन्द होगा जब कि लेबर में सन्तोष की भावना होगी, उनके वेतन उनको ठीक प्रकार से और समय पर मिलेंगे और जहाँ तक उनकी मॉबिस का ताल्लुक है, उनको यह डर नहीं होगा कि अब मानिक चाहें, उनको निकाल सकते हैं। मुझे फैंडल रिपब्लिक आफ वैस्ट जर्मनी के बारे में मालूम है। वहाँ पर एक सिस्टम निकाला गया है जिसे कि मुनात्रिक वहाँ जितनी भी इंडस्ट्रीज हैं, उनके अन्दर एम्पलायर और एम्पलायी के बीच एक एग्रोमेंट होता है और उस एग्रोमेंट के आधार पर वहाँ पर प्राडक्शन होता है, बढ़ता है और हर तीन महीने के बाद उस एग्रोमेंट को समालोचना होती है और देखा जाता है कि उस एग्रोमेंट का पालन किस तरह से हो रहा है और अगर ठीक तरह से नहीं हो रहा है तो उसके फलस्वरूप वह ठीक तरह से होने लग जाता है और स्ट्राइक को नौबत ही नहीं आती है। उस एग्रोमेंट में यह होता है कि जो प्राडक्शन बढ़ेगा वह कैसे बढ़ेगा। उस सिस्टम को अधिकांशतः अगर हम अपने यहां लागू करें यहां भी उसकी शुरूआत करें तो बहुत अंशों में हमारे यहां भी प्राडक्शन में बढ़ोतरी हो सकती है, और जो एम्पलायर और एम्पलायी का झगड़ा है वह बन्द हो सकता है। मैं चाहता हूँ कि माननीय मंत्री जी उस तरफ ध्यान दें।

कल उन्होंने एक घोषणा की है कि वह इनाम देना चाहते हैं। यह अच्छी चीज है और इससे लेबर को प्रोत्साहन मिलेगा। लेकिन मैं समझता हूँ कि इनाम के साथ साथ जो कार्य प्रणाली हमारे यहां है उसको भी बदलने की जरूरत है। अगर यहां पर पीस वर्क हो तो मजदूर ज्यादा काम कर सकते हैं। आज हालत यह है कि वेतन निश्चित है और काम को नहीं देखा जाता है। अगर वेतन काम पर आधारित हो और उससे अधिक जितना भी कोई काम करे उसका उसको

अधिक वेतन मिले तो शायद उस सूरत में काम ठीक से चलेगा, प्राडक्शन भी बढ़ेगा और काम में हर्जा भी नहीं होगी। जहाँ-जहाँ पर लेबर के वेतन निश्चित हैं, वहाँ वहाँ वह काम नहीं करती है और बेकार बैठी रहती है। आफिसों में ज्यादातर चाय इत्यादि पीने में ही समय गुजारा जाता है। उनके लिये कोई काम की मिकदार निश्चित नहीं है कि इतने कागज या इतने काम तुमको निश्चित तौर पर करना होगा। आज फाइलें चली जाती हैं लेकिन कुछ होता नहीं है। फाइलें तो चलती ही रहती हैं। इसके लिये भी पीस वर्क सिस्टम दफ्तरों में से लेकर मशीन के काम तक अगर हो जाए तो शायद हमारे झगड़े भी बहुत हद तक कम हो सकते हैं और काम भी बढ़ सकता है और अच्छा हो सकता है

मेरा यह भी निश्चित मत है कि एम्पलाय-मेंट एक्सचेंजिज जो आपने खोल रखे है, उनमें सुधार होने की जरूरत है। आज होता यह है कि एक व्यक्ति उस में जाता है और जाकर अपना नाम रजिस्टर करा कर आ जाता है और हर तीसरे महीने जाकर उसको अपने नाम को रिन्यू कराना पड़ता है। किसी को व्यवसाय मिल भी जाता है लेकिन अधिकांश को नहीं मिलता है। चूँकि उसको कुछ मुविधायें यहां नहीं होती हैं, इस वास्ते वह व्यवसाय पाने की अन्यत्र खोज करता रहता है। यह भी देखने में आया है कि जो एम्पलाइंग अथॉरिटी होती है वह एम्पलायमेंट एक्सचेंज को लिख कर भेज देती है कि फलां का नाम भेज देना हम उसको ले लेंगे। एक तरह से सिफारिश का यह दूसरा रास्ता खुल गया है। एम्पलायमेंट एक्सचेंजिज का फायदा इस तरह से भी हो सकता है कि जो रजिस्टर्ड अनएम्पलायड होते हैं, उनको अमरीका में तथा कुछ और मुल्कों में, राहत पहुंचाई जाती है, वैसे ही राहत यहां भी पहुंचाई जाए। लेकिन जब कि वहां पर बोनास दिया जाता है, प्रेचुअर्टी दी जाती है,

[श्री सिंहासन सिंह]

हमारे यहां कुछ नहीं दिया जाता है। यहां पर जब नाम रजिस्टर कर लिये जाते हैं तो कह दिया जाता है कि दो लाख या दस लाख या बांस लाख लोग अनम्पलायड हैं। कुछ लोग ऐसे भी होते हैं जो बैंटर एम्पलायमेंट के लिये अपने नाम दर्ज कराते हैं। मैं चाहता हूँ कि जो भी आदमी रखे जायें वे एम्पलायमेंट एक्सचेंज से मंगार कर रखे जायें, उसके थ्रू लिस्टें मंगा कर रखे जायें। अगर इसके लिये कोई टैस्ट बगैरह की जरूरत हो तो वह भी लिया जा सकता है। मैं आपको बतलाना चाहता हूँ कि एन० ई० रेलवे में एक बार हमने जनरल मैनेजर से मिल कर यह तय कर दिया कि क्लास ३ की जितनी भी एम्प्लॉयमेंट स हैं उनको करने के लिये एक आदमी तो आपका हो, एक डाक्टर हो और तीसरा एम्पलायमेंट एक्सचेंज का आदमी हो और ये तीनों बैठ कर चुनाव कर लें और लोगों को रख लें। यह चीज थोड़े दिन तो चली और इसमें लोगों को काफी राहत मिली लेकिन बाद में नहीं चल सकी। मैं चाहता हूँ कि एम्पलायमेंट एक्सचेंज के वर्किंग की तरफ आप विशेष तौर से ध्यान दें।

अब मैं कैजुअल लेबर के बारे में कुछ कहना चाहता हूँ। रेलवे में खास तौर से कैजुअल लेबर वर्क सिस्टम चलता है। कैजुअल वर्क के लिये कैजुअल वर्कर मुकर्रर कर लिये जाते हैं। रेलवे पर और दूसरी जगहों पर भी यह रूल है कि जो छः महीने लगातार कैजुअल वर्कर के तौर पर काम कर ले उसको परमानेंट कर दिया जाना चाहिये। मगर होता यह है कि तीन महीने काम कर कचुने के बाद उसको अलग कर दिया जाता है, उसको एक महीना या पन्द्रह दिन घर बिठा दिया जाता है और फिर काम पर लगा लिया जाता है। इस तरह से वर्षों तक उसको कैजुअल लेबर के तौर पर काम करना पड़ता है और मुस्तकिल नहीं किया जाता है।

लेबर डिपार्टमेंट को यह देखना चाहिये कि कैजुअल लेबर एक बार अगर भर्ती हो जाये तो उस डिपार्टमेंट में काम खत्म होते ही, दूसरे विभाग में उसको काम पर लगा लिया जाए बजाय इसके कि उसको घर बिठा दिया जाए और वह मारी मारी फिरती रहे। कैजुअल लेबर में भी जो कुछ पैसा खर्च कर सकता है, उसको तो शायद तुरन्त काम मिल जाता है और जो दूसरे बहुत से लोग हैं जैसे नहीं खर्च कर पाते हैं उनको काम नहीं मिलता है। एक चीज हम खास तौर पर महसूस करते हैं। कैजुअल लेबर को परेशान नहीं किया जाना चाहिये और कोई ऐसी व्यवस्था की जानी चाहिये कि कैजुअल लेबर रहते हुए भी उनको बेकार न रहना पड़े। देखा गया है कि अगर कोई महकमा बन्द होता है और कल किसी दूसरे डिपार्टमेंट में दूसरा काम शुरू होता है तो दूसरी कैजुअल लेबर को भरती कर लिया जाता है और पहली को नहीं रखा जाता है। ऐसा करने से कैजुअल लेबर को दिक्कत होती है। मेरा ख्याल है कि कैजुअल लेबर तो आपको परेशानी में नहीं डालना चाहिये वे ऐसे लोग हैं जिन को आप ४५ रु० देते हैं यानी १॥ ६० रोज। उस को मिनिमम वेज भी नहीं मिलती है। उस को आप ४५ रु० देते हैं और रोजाना की हाजिरी है। थोड़े दिन बैठ जाने के बाद अगर शहर जाता है तो वहां उसे काम नहीं मिलता है। इस तरह से उस के अन्दर असन्तोष की भावना फैलती है। इस लिये मैं कहना चाहता हूँ कि कैजुअल लेबर के वास्ते खास व्यवस्था होनी चाहिये।

दूसरे लेबर के मकानात के बारे में हार्जिसिंग स्कीम है। गवर्नमेंट से काफी रुपया मिलता है। नन्दा जी को कृपा से लेबर एन्वयरी कमेटी के सिलसिले में मुझे गोरखपुर जा कर कुछ कोलिअरीज देखने का मौका मिला। वहां पर हम ने देखा कि एक

एक कमरे में १५, १५, १६, १६ लेबर से भरे हैं उस को देख कर बड़ी तकलीफ हुई। एक जगह पर लेबरर्स ने हूँ घेर लिया और कहा कि हम दिन भर काम करने के बाद शाम को घर जाने का मौका पाते हैं लेकिन हम को बैठने की भी जगह नहीं मिलती है, पानी पीने का भी स्थान नहीं है। जो जगह मिली वह बड़ी गन्दी है। कोलिनरोज में देखा कि इतनी मक्खियाँ हैं जिस का ठिकाना नहीं है। हम लोग वहाँ पर गये थे इस लिये शायद फिनायल आदि डाया गया था। फिनायल डालने पर जब यह हाल था तो फिनायल जब नहीं पड़ता होगा तब क्या हालत होती होगी? १६, १६, आदमी एक जगह पर रहते हैं। आखिर वे भी आदमी हैं, उनमें बाल बच्चे हैं। आप सर्वनमेंट में कंपिटिस्टों को लेबर के मकान बनवाने के लिये रूपा देते हैं, लेकिन वे बनवाने नहीं है। ऐसा प्रबन्ध चाहिये कि कम से कम एक एक कमरा तो एक एक आदमी को मिले। जब यह भी नहीं किया जाता तो क्या लेबर में अमनोप नहीं होगा? इस की तरफ भी आप का ध्यान होना चाहिये।

Mr. Deputy-Speaker: Shri Daji: He will take five minutes.

श्रीमती लक्ष्मीबाई (विकाराबाद) :

उपाध्यक्ष महोदय, मुझे भी इस पर बोलने का मौका दिया जाय।
No. lady Member has spoken on this subject.

Mr. Deputy-Speaker: Order, order. She should resume her seat; Shrimati Yasoda Reddy is a respected Member of this House. She has spoken.

Shri Daji (Indore): I crave your indulgence for some more time, because the hon. Minister has already taken one hour to start with.

Mr. Deputy-Speaker: We have to close this debate by 3.30 P.M. He can have five minutes or so.

Shri Daji: Ten minutes. I rise to speak on this debate with great sympathy for the Minister. I have sympathy for the Minister because this is a Ministry which no one seems to need and no one seems to head. I am reminded of Rabindranah Tagore's description of a boy of 14 as neither ornamental nor useful. That is the position of this Ministry. I do not want to talk as to how much the employer needs him. I do not also want to speak or discuss as to how much the employees heed him. The most important point is that his own colleagues in the Cabinet do not heed him. The public sector undertakings are the worst culprits in the matter in industrial relations. I was present in the Madras Indian Labour Conference, when we discussed the application of the code of discipline to the railways, the defence undertakings and other public sector undertakings. I travelled a long road and came to Parliament more than three years afterwards and I was told here by the Deputy Minister that the matter is still under consideration.

There is a code which the Government expects both the employees and employers to obey. But the Labour Ministry cannot get the Railway Ministry, the Defence Ministry, the P. & T. Department and the Iron and Steel Ministry to enforce in their own undertakings. This is the sorry state of affairs. This is the authority commanded by the Labour Ministry. If the writ of the Labour Ministry does not run even the other Ministries in the Cabinet, certainly the Labour Ministry shall have no moral authority to impose its decisions on others. That is why I said—I am speaking with sympathy, the position is that much has been said of the Minister and his good intentions. But his is a case of good intentions self-defeated. He has been teaching us patience and he is a believer in slow process. But there are limits to patience and to slowness. With great respect, I submit that if labour relations are to progress at this speed, the patience of the

[Shri Daji]

workers will have run out at a particular state and then, it shall not be a good state of affairs.

Let us examine the question of industrial relations, which is the core of the matter of labour policy. The entire system of laws is ineffective. They are all weighed against the employees and in favour of the employers. You have got the code of discipline, the pet child of the Labour Ministry. The worker is forced to observe the code. If the employee does not observe the code, he can be dismissed. But if the employer does not observe it, what is the sanction?

Then, there is the question of speedy and fair machinery for settlement of grievances and disputes. Does it exist? We have got umpteen number of cases where we have had to go on hunger strike merely for getting adjudication. This simple right of getting adjudication—what does it actually mean? It means only this that the worker says, "I have a grievance. Give me an impartial tribunal or an impartial arbitrator to settle my grievance." He does not assert his position, but he only says "Give me an impartial tribunal". Even for getting adjudication, we have had to resort to hunger strikes umpteen number of times.

There was the most deplorable and long drawn-out strike of 27 days in HAL, because the workers raised a dispute and made 53 demands, out of which only 13 were referred to arbitration. The rest were not referred to arbitration. That was against the Madras Convention read out just now by the Minister of State. That was addressed to the Labour Minister; that was addressed to every authority in India. When only 13 demands are referred and the others are not referred, the workers cannot go on a legal strike, because it is pending adjudication. Workers cannot ventilate their grievances in the court. What are they supposed to do? Have you created a machinery, not a machinery depending on your discretion

and on your alms, but a machinery which allows automatic self-adjustment of the grievance procedure, automatic ventilation, fairly, freely and speedily? Unless you are able to do that, whatever platitudes you may say, industrial relations in this country will not improve.

Bhilai steel plant was planned and has been built. Steel production has reached targeted capacity. But the standing orders are yet pending with the Standing Labour Commissioner. So, it took lesser time to build the Bhilai plant and produce steel than for the Standing Labour Commissioner to frame the standing orders, which will regulate the relations between the employees and employers. Whatever excuses you may give, I want to put the question straight to the hon. Minister in the absence of the standing orders, the workers can be dismissed without showing any cause. Now, the standing orders come in 1962 or 1963. What justice shall you do to those employees who have been dismissed in the past in the absence of standing orders? I put it straight to the hon. Minister.

There was a strike notice in the Rajhara iron mine. One of the demands was drinking water. There is a steep incline in the mine and the workers are not provided with drinking water. The Deputy Minister admitted in reply to a question that "Yes; water facilities are being planned." Can there be a plan for water facilities? Can we wait for drinking water facilities? You can plan a mine; you can plan the mechanisation of the mines. But before you do that, can't you plan the provision of drinking water for the workers who would be taken there? For this reason, the workers have to give strike notice! I am surprised that despite the assurance of the Minister here, there was no settlement in conciliation. What is the settlement? I am surprised; I am receiving telegrams. That means, the Bhilai steel plant authorities say, "We cannot provide you with

water; you have still to work." Can you ever imagine anything more shocking than this? You do not want to provide drinking water; you do not want to put this matter to adjudication. What could an adjudicator do in such a matter? Where is the question of arbitration in such a matter? Drinking water, living hutments, etc. are such elementary necessities. You plan all these things without providing any of these elementary facilities and then if the workers strike, some of the wisacres come and advise us that it is motivated by political considerations.

15 hrs.

Then, Sir, there is a very important point and that is about industrial housing. These two voluminous reports, I do not know why, are conspicuously silent on the question of industrial housing. Whatever we had planned for industrial housing has failed miserably. Figures show that the employers just carried out their obligation only to the extent of one per cent. during the First Plan period and the Second Plan period in the matter of industrial housing. There has been only one per cent. execution. You give subsidy, you give loans to the employers, and even then they do not build houses. What have you to say about it? Keep silent? Your report keeps silent. Therefore, I demand that you should place no more trust on the employers in the matter of building houses. We must legislate and lay down a cess for industrial housing, a cess on the total turn over of industrial undertakings to be collected by the Government. Then the Government itself should go forward and build industrial housing to remove the slums that are rising, to ease the housing problem.

There is the question of unions. The Labour Minister rightly said that the only attraction in the code when the trade unions accepted the code was that they will get recognition of trade unions. I would like to put it straight to the hon. Minister. Could

he give the figures of the trade unions recognised under the code of discipline for the last three years. If he wants I can give him the figures where applications are pending for more than some years for recognition. The whole procedure has become so long drawn out that nothing tangible comes out.

Let us see further. The hon. Minister amended the Industrial Disputes Act and made it illegal for an employer to change the working conditions unilaterally without giving notice of the change. Sir, having made it illegal did your amendment provide any sanction? What is the sanction, if the employers introduce an illegal change, that would come to the employees' aid? The Supreme Court laid down that whether the order of an employer is legal or illegal, whether it is just or unjust, whether it is right or wrong, an employee has got to first obey it and later on proceed with whatever procedure is open to him. Therefore, technically, even if a change is illegal the employee cannot do anything. Your amendment is silent on that point. There is no sanction in the hands of the employee to stop that illegal change by the employer. Yet you want the worker to go on and you call it socialism.

Therefore, Sir, the whole industrial relations machinery is built in a way that it binds down the worker, ties him down hand and foot and allows the maximum freedom to the employers. The whole freedom that existed for decades is still maintained and only a little gilding, a little colouring here and there is sought to be made. But that will not solve the problem.

I have got one or two more points. There are many more points. Accidents are rising because of speed up in industrialisation. But the most important point is the question of unemployment. I am not talking on the general question that in the Plan you

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are not going to meet the total volume of unemployment. But what is more disconcerting is this that the census of the manufacturers has disclosed that in all organised industries employing more than 25 workers over a period of the last one decade the actual employment has decreased by ten per cent. This is a very disturbing thing. On the one hand you are planning for increased employment whereas, on the other hand, in the organised sector of industries there is actually a drop by ten per cent. in actual employment. This simply means more speed up, more workload on the workers, and this will also frustrate all your plans of meeting unemployment. Even your last report of the Director of Employment Exchange shows that in the last quarter employment dropped by 1.95 lakhs in the private sector. So many reasons are given. One reason given is that it is seasonal. What is seasonal in a textile mill, I do not know. There is something seasonal in a spinning factory, but in a textile mill or a cement factory there is nothing like seasonal according to whatever little experience I have got. This shows that retrenchment is going on apace, and unless you bring forward a legislation to stop it all your schemes about this are going to fail.

Sir, we have recently liberated Goa and Goa is a part of India. We are all proud of it. They have been demanding again and again extension of your simple trade union laws to Goa. Why should there be delay, I personally do not understand. I would appeal to the hon. Minister to immediately extend it.

Lastly, I want to say one thing. With all the sympathies for labour that the Minister has got, I want to put forward one demand. Please evolve a code for non-interference in labour disputes by police. Wherever the workers raise a dispute, even if it be peaceful, even if it be mere slogan shouting, there are always more policemen than picketeers at the gate. I want to ask the hon. Minister, can

he give me an instance where even one employer was prosecuted for defaulting payment of provident fund? In my own State there are five big mills which have defaulted payment of provident fund and have misappropriated money collected from the workers. Can he give me one instance where an employer was prosecuted for illegal lockout? Can he give me one instance where an employer was prosecuted for illegal change of service conditions? In this report he has shown 300 cases of wrongful employment of immigrant labour. No prosecution was launched. Why? Why is your State machinery funky when the employers violate the law? Why do they come with an iron hand when the workers fight for their legitimate grievances? Therefore, one more code has to be evolved; not the code of efficiency which the hon. Minister is having up his sleeves,—it will not work if the industrial relations is not set right—but a code of police behaviour in labour disputes. Why do you want police as long as there is no violence, as long as there is no attack on property or life? If the workers fight for legitimate grievances and picket or even go on peaceful strike, why should the police always intervene? In many cases they worsen matters by their intervention. Sir, in a democratic State police interference in labour agitations, labour movement is most obnoxious. In other civilised countries—I am not talking of socialist countries, but even in England—it is rarely resorted to. Here, even when nine hotels are picketed in Connaught Place police come. For ten picketeers there were twenty policemen. There were two truck loads of policemen standing. For what? For intimidating the workers? At the same time, the police force, the whole machinery for law and order gets completely paralysed when an employer violates the code, when an employer violates the law.

Therefore, Sir, unless this whole bias of the policy is changed more positively, merely advising will not do. As

some hon. Members have said, come forward with legislations for participation in management, industrial housing, recognition of trade unions etc. If more than two trade unions apply, take a ballot and recognise one of them. Give that right to the trade unions, give that status to the workers. Give the status of equality, the status of equal protection before the employers, and then only your labour can play its full role.

Shri Nanda: Mr. Deputy-Speaker, Sir, I am glad the debate has been enlivened by the speech of the hon. Member. Whether it has any other merit or not, at least it has created some liveliness in the House. It may not have the merit of sticking very nearly to the truth about matters, it may have the demerit of very great exaggeration. But just before the hon. Member spoke I thought I had very little to say. Even now there is nothing very much to be said because no real issue has been raised. But, somehow, I have to meet some of the points which the hon. Member has made.

Before that, I would like to address myself to some more substantial task of dealing with certain matters which arose in the speeches of other hon. Members. I would like, in the first instance, to give some bits of information to make up the gaps in the information possessed by hon. Members regarding some aspects of labour activities and some of the things which are of interest to them.

Hon. Member, I believe, Shri Prabhakar asked about the prosecutions. He wanted to know how many of the prosecutions were against the employers and how many were against the workers.

I mentioned the figure 2,299 for the year as against the figure of 188 in 1960. The question was as to how much of it was about the employers and how much about the workers. The answer is very simple. I need not

make any distinction in these figures because these are all against the employers. There were 2,299 cases of prosecution against the employers and not one against the workers.

About some other information also, the hon. Member possibly has some misconceptions about the way in which we reckon the figures about the increase in the labour force. He was, of course, concerned about the staggering increase in population but he asked: what has it to do with the aggravation of the problem of unemployment because the people who are children and who were born during the last ten years are not job-seekers and therefore how does the increase in the rate of population affect the problem of unemployment? That was his question. If the hon. Member has still got some kind of a doubt about it, I will answer it; but if he has by this time learnt that there is an answer to it, I need not do that. The answer is very simple, again. It is that the increase in the labour force does not arise with the increase in the birth rate but with the decrease in the death rate. That decrease applies to all ages, that is, the expectation of life at birth and the expectation of life for the different age groups. That is the explanation. While the birth rate has declined somewhat, the death rate has declined very much more.

Another factor which must be taken into consideration is that these figures are drawn from statistics thrown up by the National Sample Survey from year to year and from round to round. The basis adopted is that the calculation of the labour force is made with reference to the proportion of men and women in the age group 15-59 years who are gainfully employed or are seeking employment. Therefore that factor, namely, how many seek employment, is to be taken into account. More women seek employment these days than before. Therefore their participation in the labour force goes on increasing. There may

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be others also. At any stage how many persons and what proportion of the population in that age group seeking employment are gainfully employed has to be taken into account. I hope the hon. Member is now satisfied that there is no jugglery about the figures regarding the increase in the labour force and we have a very real problem in that connection.

There are some other points of information which arose. The hon. Member has raised a question about the cost of living index. It is a very legitimate question. The cost of living index has been built long ago. Meanwhile, changes have occurred in the family budget structure and therefore the weights which are being adopted for the purpose of calculation of the changes in the cost of living index, naturally, are not the same as they would be now. Therefore it was very proper and necessary that we should have a new series. The information which the hon. Member possibly himself has is that field enquiry in respect of family budget surveys for the 50 new centres was commenced in August 1958 and was completed in September, 1959. The Indian Statistical Institute was entrusted with the tabulation of the data. However, there has been some delay in tabulation and hence for some of the centres we have not yet received full information. But what we have already done is that the work of construction of a new series of index numbers is in progress. So far index numbers for 29 centres have been compiled and they are being checked. As soon as this process is completed, the consumer price index numbers on the basis of the new series will be published not only for the 50 centres but also for the whole of India. This, we believe, could be done by the end of September this year.

Hon. Member—I am speaking of the first hon. Member who spoke and am dealing with his questions in the first instance—also had some doubt about the effect of rationalisation on employment. This question has recurred and

has been raised by other hon. Members also, incidentally, by the last speaker also. There may be occasional fluctuations, seasonal and otherwise, but the trend is important in spite of the fact that on account of modernisation and technological improvement a certain shrinkage in employment would accrue. But the question is: How far expansion in employment opportunities is occurring side by side? We cannot stop technological progress. If we do that, we might maintain employment for a few who are in employment but there are millions of others who seek employment. For them employment has to be provided. Therefore we cannot just stop progress there. The position is this. I have got the figures with me. In cotton mills of which mention was made here, the employment was 6,85,000 in 1951 and 7,90,000 in 1960. In silk mills it has risen from 54,000 to 71,000; in sugar mills from 95,000 to 1,23,000 between 1951 and 1960. In cement industry there is not much change. In paper mills there is an increase of 7,000. Like that, in glass industry there is some increase. Most of the industries have shown some increase. In the case of some it is more, in the case of others the rate of increase is not the same. So, it may be that in a certain unit the number of workers is reduced because of the process of rationalisation, but I may also point out that rationalisation is subject to certain safeguards. There is an agreement reached about rationalisation as a result of consultations and understanding among the parties in the Indian Labour Conference and one of the conditions is that there will be no rationalisation if that entails unemployment in respect of the existing labour force. Nobody can be sent out. There may be exceptional conditions for which special action may have to be taken, but this is the rule and, I believe, by and large this is how things are happening. Anything contrary to it would be a breach of those agreements and there are ways for remedying those contraventions.

In connection with employment another question was raised, namely, notification of vacancies. It was said: What is the use of simply compelling employers to notify vacancies if we are not at the same time able to tell them that they must employ persons whose names are submitted by the Exchanges? Sir, this was considered in this House and this point was made then, even regarding compulsion. There was a great deal of apprehension in the minds of the employers but we persisted in that. There is nowhere in the world any kind of compulsion on the employers to employ someone. The actual consequence of the application of this Act is that the number of placements has increased. Of course, the number of vacancies notified has increased. Last time I submitted to the House that we would watch. It is not that we may need any legal compulsion but we can certainly try more persuasion and see that they do not simply set aside the names of people who are otherwise good and have their own way arbitrarily in this matter. Some way can be found about that.

There was a question about Wage Boards. Of course, the idea is attractive. It has been accepted. Popularity of wage boards has increased. There is demand for more and more of them. Whatever, so far, has emerged from this new method of wage determination has been fairly satisfactory. The question is, why don't we have more of them. There was an original list of demands from the workers' side—I think it was three years ago—and for all the industries which were then put forward, we have appointed wage boards—for all except three: engineering, chemical and perhaps non-coal mines or something like that, as far as I remember. Now, demand is being made for bidi industry also and cigars possibly. Somebody was interested in cigars.

Shri Warrior: They go together.

Shri Nanda: I submit, when I was asked about the time that I would

require, at that stage there was less material to deal with. Possibly, I might need a few minutes more than I had imagined because I should like adequately to respond to the gesture made by the hon. Member who spoke last.

We have difficulties. It is not a question of simply your issuing an order and there is a wage board. Suitable persons have to be found. We do not find suitable persons for our tribunals. After all, there is no plethora of people who will be fit for this kind of responsibility. We need a person capable, competent, independent. That is for the Chairman. There, are others also. What they decide, what they recommend is going to affect thousands and thousands of workers and industrial units in a large number of cases. That is one difficulty. Then, when the thing comes, we have to implement it. If we do not get implementation, every day questions arise, how far you have implemented. Implementation means machinery for implementation. We have to go on sending people here and there, because there is no legal compulsion. This is a voluntary matter. You will say, why voluntary, why don't you have compulsion. This question was asked. In the case of the cotton textile industry, 96 per cent implementation is there. Why not 4 per cent? The House will remember that we had introduced a Bill here. Then, we did not proceed with it. Why? Because, we felt that that is not going to lead to better results. Even in the case of Tribunal awards, a few people may not be able to carry out. It may not be possible to do better there. The moment we bring in legislation, then, we bring in the courts. We bring in all kinds of delay. The outcome will not be as good as it is now. I think we should persist in the course which we have adopted, So far.

Shri Daji: There was a suggestion for a tripartite body for bidis by you. We can have that system.

Shri Nanda: Regarding the bidi industry, there has been difficulty about disparities in the rates between States and that creates complications. Also migration of the industry from one area to another. I believe the information that has been given to me now is that we have made sufficient progress in this. One State after another concerned has agreed and has carried out its obligations to bring the wages in line. I won't take up the time of the House in giving all the details. If hon. Member wants, I shall provide the information. This is progressing.

About industrial relations, one or two points arose. A question was asked, why should not arbitration proceedings get the same protection as adjudication proceedings. I agree with the point. But, the legal position, I would like to look into. There should certainly be no disadvantage, no handicap in the case of workers who go for arbitration rather than for adjudication. Then, arbitration should be final. Certainly. The idea is that it should not have to go through a number of stages except where the courts are concerned, even in the case of arbitration awards in some matters and for some purposes, they felt helpless.

There was a point about tribal economy and about agricultural labour. I entirely agree with the hon. Member who brought up the question of tribal economy and agricultural labour in rural areas. I do not think that we have to take that circumscribed view of our responsibility towards labour that it is confined to a few lakhs of workers in industrial areas. I think it does extend to a much larger number of persons who are engaged in agriculture and tribal areas. Practical difficulties may be there. We have the Minimum Wages Act which applies to agricultural labour. It has been extended to and applied in practically all the States: in some States fully, in some States in part of the areas. The point was about imple-

mentation. Here, because of the very large size of the number of persons concerned, scattered nature of the problem, the difficulties are there. As the hon. Member pointed out with the new set up in the rural areas, panchayat samitis and panchayats, we will certainly consider whether there is a better way of getting implementation. The real difficulty is, agricultural labourer is a poor man. Very often, his employer also is a poor man. It is the economic forces which work there and place the agricultural labourer in a position of disadvantage. Certainly, there is the answer: improve agricultural productivity and raise the prosperity of the rural areas.

So far as the tribal people are concerned, in my own constituency, a very large proportion are these gentlemen. I know about their problems. I know what difficulties are being created for them, the amenities of which they have been deprived which they were drawing from the forest, the various changes that are occurring and the displacement which is occurring when we have new irrigation projects or industrial projects. I have every sympathy for them. I have personally sponsored their case for a better deal and fuller compensation so that they are placed in a position in which they can function better than before. Their claim for employment and training is there. I am informed that in the case of projects which have been set up by the Central Government and also I believe by the States, this is being taken into consideration, and the people who are displaced—they and their children—are given preference in training and employment.

Most of the points which arose barring those that came in the end, I have dealt with. Public sector undertakings also have figured in the discussion. There is some kind of a misunderstanding still persisting in the minds of some people about labour policy: whether there is one labour policy for the public sector and another policy for the private sector.

It is not so. This has been made clear in our Five Year Plans also and a number of times in this House. Still, certain questions remain to be answered. There was, in this House, a few days ago, a statement made by the hon. Minister for Steel and Heavy Industries and some questions were raised about that also that there is no policy for the public sector. It means just this. There is a policy which has been applied progressively to the public sector. There were certain deficiencies at a certain stage. For example, when the code of discipline came in, in the public sector undertakings, automatically they did not take it. I had a special conference. They all agreed. It is applicable to all those industrial undertakings in the public sector.

Then, I had two conferences with the Ministers here, that is, my colleagues here, who have responsibilities for the various employing Ministries as they are called. There, we cleared two things. One was about the Code of Discipline and the other was about the joint management councils. And it was settled that they would try to do their best to see that every public undertaking which had reached a stage which should be considered suitable for the purpose of the introduction of joint management council will do that. A special cell has been created for this purpose, to pursue this matter, and also, of course, to pursue this matter further in the private sector too. The difficulty is that the public sector has big projects. They attract notice. Something happening there becomes a matter within the cognizance of everybody, and it is played up. There is also a newness and a bigness about it, which give it some special importance. There is newness about it because the people who are coming into these projects on the side of management also are new to their jobs, (or at least some of them), and in the matter of labour relations also. And so, some difficulties were created.

In the early stages of construction, there was some complaint that the laws were not being applied. That was true in some cases. We took the matter up, and, I believe that it may be that the public sector might, possibly in some cases, at an earlier stage have overlooked something which had to be done, but once they have become aware of their obligations,—and that is what has happened—they are carrying them out more scrupulously than the private sector. This is the position now, and I can say that from the reports which are received from all over.

Then, the case was brought up about the HEL and Bhilai. I think what happened earlier in Bhilai and Rourkela and later in Bhopal is not good. I think possibly it could have been avoided; it could have been avoided by a better approach from the management, and it could also have been avoided by a greater sense of responsibility on the part of those who created the trouble. I think 50 demands were made. In this new concern, 50 demands were made at once.

Shri Daji: The number 53 was only technically 53, because different sections of the workers had put forward different demands.

Shri Nanda: That may be so technically. But it is the attitude to which I am referring. Here is a new concern which is trying to plant itself, and here are people going on hunger strike for 50 or 53 demands, and continuously, the trainees, the people in the security service etc. going on strike after strike, day after day, going on hunger strike and this and that, as if no other way was available. I am prepared to meet my hon. friend and go through every detail of it. I have got information with me, and it shows..

Shri Daji: I thank the hon. Minister very much; I shall discuss with him.

Shri Nanda: Then, I do not pursue this matter further. But from the

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information that we have, I judge that we could have spared this new venture in the public sector from all these travails which it has had to face.

Why should there have been a hunger strike at all? There was the question of a hunger strike somewhere in Sonapat or some other place also. I think the hon. Member who raised this point is not here, and, therefore, I shall not take up the time of the other hon. Members in trying to deal with it. But the fact here is that the union came but a few days ago, and it wants recognition today, and it goes on hunger strike because recognition is not given; it makes so many demands. What is all this except just trying to force themselves on the attention of the people and forcing their way to recognition? That is not possible. I think, as for hunger strikes, we have to put them down. Well, I cannot say if a strike is better than a hunger strike. If you have come to a position where you feel that justice is not being done, and there is no way out, there is nothing wrong and dishonourable about a strike. But this hunger strike business is something which is, I do not want to say what it is.

Shri Umanath (Pulukkottai): If there is a lock-out, and there is no prosecution from Government, where is the question of strike?

Shri Nanda: We are now talking of strikes. I do not know of any employers who have gone on hunger strike. This is a case of lock-out.

An Hon. Member: Illegal lock-out.

Shri Nanda: If it is an illegal lock-out; there are remedies for that, and they should be applied.

Shri Daji: What are the remedies? The employees cannot do anything. Government alone can take the remedy and apply it. If Government do not move, then what is to be done?

Shri Nanda: I have been a labour worker for more years than my hon. friend opposite, and I know the difficulties and the handicaps of the workers. I know that sometimes they are in a state of despair and they take to desperate days. It is quite possible. But then, there are ways open which have to be exhausted first. I shall not blame anybody if he could show that the workers have followed all the courses which were open to them to avoid that situation.

There is the Central implementation machinery, which is, of course, only for the Centre, but it also takes interest in what is happening in the States, and gets information about that also, which has been made possible by the Code of Discipline. Ordinarily, what is happening in the States, in the matter of the administration of the laws is not a matter which can be dealt with here. And that is my difficulty. Some of the things which are mentioned here actually fall within the sphere of the States, and yet I do not take that restricted view of my responsibilities. I often meet my colleagues in the States; I meet them; we meet also in the Indian Labour Conference, and I certainly am always prepared to exercise my good offices to see that the things improve in the states also.

Shri Warrior: So far the workers also have resounded. It is only when the implementation machinery is failing that the workers resort to these things.

Shri Nanda: I do not agree at all; the implementation machinery at the Centre is not failing. I entirely disagree with the whole assumption. The assumption is incorrect. Things have improved. How else could the number of man-days lost have come down and how could they be steadily going down? Of course, it is not because of what I have done; it is not because of what Government have done only. It is because the gentle-

men there, or those with whom they may, of course, be acquainted, the representatives of the Central trade union organisations, such as the AITUC, the INTUC, the HMS, the UTUC etc. were all co-operating. I want to acknowledge that co-operation. The hon. Member opposite wants to say that nothing is right. I say that everything is right, and things are improving.

Shri Warrior: That was what exactly I said.

Shri Daji: That was what my hon. friend said exactly.

Shri Nanda: But that is not what my hon. friend Shri Daji said.

Things are improving, and they have improved year after year in every respect.

Then, there was the question of speed of disposal of cases. I would say—this about the delays that occur. As for Supreme Court appeals I cannot take any responsibility for them, and I am too small a person to say anything about them. But even regarding the Supreme Court cases, the position is that in 1959, the number of pending cases in the beginning was 186; number filed during the year was 117 and the number of disposals was 81. In 1960, 222 cases were pending and were carried over from the previous year, and there were 125 new cases, and the disposal was 249 cases. In 1961, it has gone down somewhat, but the pending number is 112 now. Therefore, there is an improvement there.

Shri Prabhat Kar: Is the hon. Minister aware that a reference which was made in the year 1951 is still pending before the Supreme Court even in the year 1962?

Shri Nanda: I have got an analysis of the cases, regarding the period from which they have come down. There are some such cases. I do not know; perhaps there may be cases even older

than that. But I am saying this about the majority of cases; the speed of disposal has improved very much.

Regarding what happens here in the Government after the failure of conciliation and cases where we are dealing with the matters here, the information is that about 78 per cent. of the cases are finally disposed of here within two months, in so far as coal mines are concerned.

In regard to conciliation and mediation also, the situation has improved very much, and very remarkably too. I am talking of the position at the Centre. In 1960, 71 per cent. of the cases brought to conciliation machinery were disposed of within two months. In 1961, 95 per cent. of the cases have been disposed of in two months. That is the position about adjudication also. This is a matter for judicial persons, or for adjudicators. There also, the position is improving. There, of course, the period is not two months but it is six months, because naturally it takes time for the courts to deal with matters. In 1960 it was 54.3 per cent. cases settled within six months; in 1961, the figure was 67.3 per cent. cases. This is how the machinery has been working. The machinery of industrial relations has consistently shown improvement and although I do not claim that it is perfect now—there is scope for improvement—I am quite clear in my mind that whatever the maximum improvement that can possibly be effected will be there without much delay.

I was saying something about the public sector. I had given information about the various steps that have been taken and the improvement that has occurred in the administration of the laws etc. But there is just one thing more. I have to explain what my hon. colleague said. It is possible to ask for some kind of a special approach where special conditions exist. In plantations, we have modified the code of discipline for certain purposes re-

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lating to that sphere of industry. Similarly, my hon. colleague, the Minister of Steel and Heavy Industries can say that conditions in the public sector required some emphasis on some aspects. We can certainly consider that.

Then there is the question about the distance, gulf, between intentions and action. If I have not been able to satisfy the hon. Members by the whole of my initial observations showing all the things that have been done, and if the hon. Member, because he has to say something, says something different from what everybody else said, that might be an explanation. Practically all the others agreed with the exposition of the situation in labour matters that I gave. They agreed with it; they had nothing more to say about it. But they point out that in implementation it was not complete, it was not good enough for them. They agree that my diagnosis is correct, but they want to emphasise that I am not employing all the remedies which could be employed. They are right to an extent, in the sense that I cannot claim that everything has been done completely to solve all the problems completely. In that sense, the hon. Member is right. But the test is whether we have done whatever was open to us to do, whatever measures could be adopted, whatever action could be taken; the test is whether every possible endeavour has been made and whether reasonable success has been achieved or not, whether there were other courses open to us which we have not evolved which could have produced better results. On that test I am prepared to stand and I believe that we will meet that test fully.

I again point out that there is a leeway to be made in every direction. But vigorous efforts are now being made to that end. I cannot recount against what I have stated in my earlier speech. But in every direction, we have made very considerable progress. Take the question of industrial

relations. I have already pointed out how much speeding up has been done in the matter of conciliation, adjudication etc. This Government has assumed responsibility for intervention. Implementation machinery has been set up. It is functioning with the co-operation of all the parties concerned.

The hon. Member wanted to create an impression as if there was a complete state of disorder in the country, police were taking hold of anybody, liberties of workers were jeopardised or rendered extinct and so on.

Shri Bade: In the Indore Textile Mills it is so.

Shri Nanda: Possibly a greater danger to liberties arises from disorderly action promoted, encouraged and instigated. I am entirely for the rights of the workers. If there is anywhere any police excesses, I would be with the workers in seeing to it that they are avoided and action is taken against those who may be responsible for that. But very often it arises—I cannot say about every single case—because conditions are created for that. There is a hunger strike. The man is there on the pavement. I have seen this somewhere near here also. Then people come. There is curiosity. A crowd collects. Whether it is a fake strike, a hunger strike or a genuine strike, there is a feeling created that the man will die. Sentiments are aroused and there is a law and order problem before us. That is how the police comes into the picture.

Regarding the question of improvement in the standard of living of the workers, I have given full information about how much material gain has been made. We have not been able to satisfy the aspirations of the workers fully. The Fair Wages Committee's Report has been accepted by Government. It has been recommended to all the Wage Boards. I think the constitution of the Wage

Boards is a very fine distinct development in the matter of wage determination anywhere. As regards social security, a good deal has been done. I think we can feel proud; I do not think we have to feel ashamed. If we compare ourselves with any country where the situation is comparable and see what has been done for the workers here in the matter of social security, employees' State insurance, provident fund, compensation for lay-off, terminal benefits—all kinds of things. More should be done from their angle. They should be given greater security. But it is not as if we have done nothing at all.

Why not more? That is the question. I will answer it. There are three reasons why we are restricted in our achievements. First, I acknowledge that we have got our limitations that is, of myself, my colleagues and my co-workers in the Ministry. But we are trying to see that our competence grows and we are coping with the task better and better.

Shri Bade: That is the charge that the hon. Member made, that you are very sympathetic, but the other Cabinet Ministers are not co-operating with you.

Shri Nanda: I straightway reject this aspersion. I gave the example of the fact that I had several meetings of my colleagues and in every case they agreed with the action that had to be taken, and the way was paved for the application of the code of discipline, for the introduction of the joint council.....

Shri Daji: Your Report admits it. It was decided in Madras that works committees should be set up. But not one has been set up in U.P.

Shri Nanda: There may be a stray case here and there.

Shri Daji: Not one case, but in the entire U.P.

Shri Nanda: May be there are bad officers like bad trade unionists; as

there are bad Ministers. But the question simply is what is the general situation. (*Interruptions*). You may count me as one of the bad Ministers, if you want to do it.

Shri Daji: You are a good Minister.

Shri Nanda: I should like to state this as one limitation. But what have I done in the initial observations? I made promises. I bound myself, my colleagues and officers. Several obligations are taken upon by us. We want to see that pledges are made and there is no escape clause in them. We want to carry out those things. I have done several things about arbitration, about action to be taken in order to prevent recurrence of disputes. Certain action I have taken. We are trying to overcome the limitations. We want to transcend those limitations.

The second limitation is not on our side, but on the side of those whose co-operation is indispensable for the success of our work. It is not just something which is laid down in the rules and put out in the country all over. There are employees everywhere, employers everywhere, lakhs and lakhs on the one side and thousands and thousands on the other. How do we get results unless we get their full co-operation? I now throw the ball in that court. Can it be said that the workers representatives, in every case where there has been a breach of the code of discipline, have been able to avoid it firstly, and secondly, something having occurred and brought home to them, to apply the sanctions which they are expected to? Maybe the employers have also done the same thing. That is the limitation. It is not the Government's strength alone that is going to do all the things. We need the organised strength of the workers. That is very important, not the laws and the force of the State only. And I am here to say that we want to help the workers in increasing their organised strength and using it properly not only for themselves, but for the good of the whole community. It is not so now.

[Shri Nanda]

The third limitation is the present stage of the economy of the country. If we are asked to do this and that, to increase wages, increase security, raise provident fund—we have raised it also from 6½ to 8 per cent—the question is: how far can we go, and how much can the economy bear? We have got plans. We have to see today that the future is better than the immediate present as soon as possible. That means there is harder work, more restraint, some restraints on consumption. Everybody's claims have got to be considered. A few thousands and a few lakh workers asking for everything—that is not the answer to the problem. It is not that a few lakhs may get all that they ask for, but we have to think of the much larger number for whom we have to give facilities and opportunities for employment and the expansion of the economy of the country. Therefore, there is that limit. We cannot do everything. That must be borne in mind.

That is the answer to many questions, for instance housing. Crores of rupees have been spent on industrial housing, on subsidies, but how many more crores can be spent? I wish more is spent, I hope something more will be done for housing through the employers, but it costs sometimes more to build a house for the worker than to put in the investment to give him employment. That is the problem.

I would not like to take much more time, but still, let me complete this idea. They will say: why not take away from the employers' profits and give it to the workers? I have made some calculations of the dividends that are distributed. You cannot take it away altogether. Suppose you reduce it by half, it will not give the workers more than seven to eight per cent, or maybe nine per cent only. That is, having exhausted that, do we think that eight per cent of more wages will finish the matter? Then

you have got very limited aspirations for the workers. We want them to have double their wages. When I say that their wages are low, I want them to be doubled. The way to double it is not to take away the dividend. No, Sir. It will be by more productivity, reducing waste and greater co-operation. It is all these things to which attention has been directed, and not making numerous demands all at once and placing industry in a position where you have a strike. What can come out of that? Nothing will come out of the strike when the industry cannot afford to give more. Therefore, the wage boards, our various new lines of action and policy, the code of efficiency and welfare, councils of management, all these things are a part of that process.

I finish now. I am very grateful to the House for the great indulgence it shows to me always in listening to me, and I have always tried to conceal nothing, to give everything to the House, all that has not been done and all that is being done, and I can only promise that regarding these matters, regarding accidents also I am not satisfied with the situation; we will take vigorous measures to see that much improvement occurs in the current and the next one or two years than has happened before. Thank you.

Mr. Deputy-Speaker: Should I put all the cut motions together? I put the cut motions to the vote of the House.

All the cut motions were put and negatived.

Mr. Deputy-Speaker: The question is:

"That the respective sums not exceeding the amounts shown in the fourth column of the Order Paper, be granted to the President, to complete the sums necessary to defray the charges that will come in course of payment during the year ending the 31st

day of March, 1963, in respect of the heads of demands entered in the second column thereof against Demands Nos. 69 to 72 and 132 relating to the Ministry of Labour and Employment."

The motion was adopted.

[The motions for Demands for Grants which were adopted by the Lok Sabha are reproduced below—Ed.]

DEMAND NO. 69—MINISTRY OF LABOUR AND EMPLOYMENT

"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

"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

"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

"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

"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'."

MINISTRY OF COMMERCE AND INDUSTRY

Mr. Deputy-Speaker: The House will now take up discussion and voting on the Demands for Grants under the control of the Ministry of Commerce and Industry. Time allotted is eight hours. Hon. Members who want to move cut motions may send chits within 15 minutes.

DEMAND NO. 1—MINISTRY OF COMMERCE AND INDUSTRY

Mr. Deputy-Speaker: Motion moved:

"That a sum not exceeding Rs. 78,69,000 including the sums already voted on account for the relevant services be granted to the President 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 Commerce and Industry'."

DEMAND NO. 2—INDUSTRIES

Mr. Deputy-Speaker: Motion moved:

"That a sum not exceeding Rs. 20, 75, 45,000 including the sum already voted on account for the relevant services be granted to the President to defray the charges which will come in course