

Parliamentary Affairs to inform the members of the BAC that this has to be taken up and disposed of because a promise has been given that it will be taken up soon. This was never mentioned by the Minister in the meeting of the BAC.

Shri S. M. Banerjee: Now that the hon. Prime Minister is also present here, I want to say that the hon. Deputy Minister of Finance had stated that the report of the Solicitor-General on Ruby and New Asiatic will be laid on the Table of the House.

Mr. Deputy-Speaker: If the Minister has given any such assurance, he may point it out. Why should he presume that the Minister has given an assurance. He can please write to the Speaker about it.

Shri S. M. Banerjee: Is it the position that it will never be laid on the Table of the House because it relates to Birlas?

Shri Warrior: Can we now get an assurance from the Minister of Parliamentary Affairs about the Constitution (Seventeenth) Amendment Bill?

Shri Jawaharlal Nehru: It has been introduced. Only the exact time when it will come up for consideration has to be fixed.

Shrimati Renu Chakravartty: That this matter was to be taken up first in this session because of that promise was never mentioned by the Minister of Parliamentary Affairs in the meeting of the BAC. It was somehow left over, in spite of its importance, without being considered. I was not present here on the last day of the last session and so I was not aware as to what had exactly taken place here. If in fact an assurance or promise was given on the floor of the House, it was the job of the Minister of Parliamentary Affairs to inform the members of the BAC that this has to be taken up first and, therefore, the number of hours to be allotted for this has to be decided. It was not such a difficult thing for us to have done. But

the point was that it was somehow slipped out under the guise "well, we could not come to a decision on the number of hours to be allotted".

Mr. Deputy-Speaker: It may be raised in the next meeting of the BAC.

Shri Satya Narayan Sinha: It was not slipped out. We discussed it openly, when all the members were present. I do not understand why this kind of insinuations are being made.

Shrimati Renu Chakravartty: Sir, I want to ask the Minister of Parliamentary Affairs through you why it was not mentioned or brought to our notice, that this has to come up first before the House because there was an assurance?

Shri Satya Narayan Sinha: I have never made a promise that it will be taken on the first day of the next session. I only said that it would be taken up at least in this session. Who told you that I will take it up even before the discussion on the non-confidence motion will be taken up? After all, it does not enjoy such a high priority.

Shri Warrior: The non-confidence motion was not there when the promise was made during the last session.

Mr. Deputy-Speaker: This matter will be decided by the Business Advisory Committee. Now we will take up the next item.

13.24 hrs.

IRON ORE MINES LABOUR WELFARE CESS (AMENDMENT) BILL—
Contd.

Mr. Deputy-Speaker: The House will now take up further discussion of the Iron Ore Mines Labour Welfare Cess (Amendment) Bill, as passed by Rajya Sabha. Shrimati Renu Chakravartty will continue her speech.

Shri Hari Vishnu Kamath (Hoshangabad): How much time is left for this Bill?

Mr. Deputy-Speaker: 48 minutes.

Shrimati Renu Chakravarty (Barackpore): The excuse made by the Orissa Government that they already have a law by which they undertake labour welfare measures in these mines and, therefore, it is not necessary for the Central Government to apply this law throughout India at the same time is, I think, rather an erroneous and dangerous argument. As I was trying to explain, in the areas of Orissa and adjoining areas of Bihar the labour conditions now prevailing reminds us of the middle ages. If you go through that area and study the working conditions of labour there, you will imagine that there is no labour welfare fund of any kind. The majority of the labour population are Adivasis, of whom a large percentage are women. Surprisingly enough, bigger monopoly concerns like India Iron & Steel works of Martin & Burn in their mines at Manoharpur and Chiria have a majority of contract labour. Though the labour work throughout the year and their work is of a permanent nature, most of them are contract labour. They do not enjoy any of the facilities of permanent labour. Therefore, even if you have a cess, I wonder whether they will be able to enjoy the benefits which we are contemplating by this labour welfare measure, because the most naked exploitation is taking place in these areas.

13.25 hrs.

[DR. SARAJINI MAHISHI in the Chair]

For example, take the question of housing in the manganese and iron ore mines. I have seen the huttings of Serajuddin & Company. Here we talk of Serajuddin & Company as if for the first time we now know of the exploitative and malicious character of this concern. Actually, in labour welfare measures, the other big concerns like Tatas and Indian Iron and

Steel Co. stand on the same footing as Serajuddin & Company. If you see the huttings of the manganese ore or iron ore workers, they are nothing but a few pieces of wood with a roof above made of twigs. They are the most primitive form of houses, "huttings" as they are called. There is not one single concern over there which provides decent houses for its labour population.

Then, take the question of water. The water supply position is terrible and the less we talk about it the better. I have myself lived in those huttings when I had been there. It is impossible to drink that water. In the rainy season the water comes down from the hills and its colour is dirty red. Even to take bath in that water is difficult, and yet that is the water they are provided for drinking and cooking. If you go to the Gua mines, right on the top of the hills, you will find small dirty tanks filled with red coloured water, which is not even filtered. This is the kind of water is supplied by one of the highly mechanised mines belonging to one of the biggest monopoly capitalist concerns in our country. Our union has tried to persuade them to provide better water supply many a time but we have not been successful. I want to know what the Government of Orissa has done with its labour welfare fund. Has it done anything about it? No, nothing has been done.

Let us take the question of creches. Under the law, creches have to be provided for the labour population. I have seen women with their little babies, two or three months old, bond to their back carrying heavy loads. I have asked them: why do you not leave your babies in the creches? They replied: you first go and see for yourself their condition and then ask this question. They are far away from the site of the work. They are sometimes at the foot of the hill or at the top of the hill; they are in the interior or miles away from where they live. Though our union has agitated against it, it has not been

successful so far. Further, the conditions in the creches are such that no mother would like to leave her child there and yet feel satisfied that the child will be looked after well.

What is this type of labour welfare? I am told that even the labour laws are not implemented. Or, take the question of schools. One of the labour welfare measures is the provision of schools. But we have hardly any school in those areas. There is hardly a school in Gua, Chiria or Manoharpur for the Adibasi children. Yet, the Orissa Government takes the stand that it has got its labour welfare fund and, therefore, it is not necessary for us to apply this law. Already, it has held up the applicability of this law by two years.

Or, again, take the question of hospitals. In Gua at least there is a road. There is no road from Chiria to Manoharpur. So, people have to walk 15 to 20 animals through animal-infested jungles to get medical aid. I have myself gone there through the tub train carrying ore. The employers were furious why the staff took me there. Since my hon. friend, Shri Jaipal Singh, had gone there earlier, I too wanted to go there to see the condition of work of the workers. I found there was no road from Manoharpur to Chiria, a distance of 15 to 20 miles of animal infested jungle. The mines are up in the hills where again there are only foot tracks. So, if any accident takes place in that area, the ambulance cannot go there; some sort of make shift arrangement has to be made to take stretchers to bring the patients, whether dead or alive, to the nearest place where a treatment of some kind is available. So, as regards housing or maternity facilities, there are hardly any facilities. The majority of workers are actually women, yet no women doctors are available.

I have a fear that if this amendment is made, namely, that this law will apply to different States on different dates as and when it is willed,

what will happen is that many of the State Governments will bring pressure upon the Central Government not to apply it to their respective States and will try to postpone the date as has been done in the case of Orissa. I cannot understand why Orissa has done it because Orissa is in absolute need of these welfare measures. That is what I have seen with my own eyes. I do not know what will be the attitude of the Bihar Government and whether it will be made applicable there immediately. In Bihar we have the biggest mines, yet nothing has been done as far as the welfare measures are concerned. Therefore, although the amendment saying that different dates may be appointed for different States looks innocent and although the hon. Minister may state that if we do not have this, in a situation when a State goes to the court, we will not be able to apply it to the other States, my fear is just the other way round. There will not be injunctions every day. But what will happen by amending it in this manner will be leaving certain pressures in the hands of the States to prevent the Central Government from applying it to their State if they do not want it. Powerful interests are there behind it because, after all, this cess is going to be taken from the employers and it will be borne down upon the consumer. So, I say that this is something that is dangerous and I personally will oppose it. We should not allow that different dates should be appointed for making it applicable to different States. It should remain as it is.

Shri Oza (Surendranagar): Mr. Chairman, in the first place in order to allay the apprehension of the previous hon. speaker, I think, the Government should come out with a promise that as soon as this Bill is enacted and receives the assent of the President, they will issue a notification under section 2 applying the provisions of the Act to all the States except the State of Orissa where the matter is *sub judice*. I think, the Government owes it to those unfor-

[Shri Oza]

fortunate workers who are employed in those mines because the implementation of this Act is delayed for the last two years. If that commitment is made on the floor of the House, I think, that should allay the apprehensions of the previous speaker whose apprehensions I appreciate very much.

As as been rightly pointed out by the previous speaker, we know that these workers work under very hard conditions. I am afraid, they are also not organised as trade union workers because they are in far-flung and remote parts of the country where it is not possible to organise them effectively; nor are they properly looked after by the Government also. So, it is but apt that the various companies who are concerned with the welfare of these unfortunate workers should come out immediately and prepare schemes for the welfare of these workers and implement them as soon as this Bill becomes an Act.

I also learn that a Wage Board has been appointed to fix the wages of these workers, their dearness allowance and other conditions of these workers.

Shrimati Renu Chakravarty: Even the minimum wages are not implemented.

Shri Oza: I am sure, the terms of reference also include some reference about giving an interim relief by way of increased wages to these workers. I request the hon. Minister to expedite the work of this Wage Board and to see that these workers get some interim relief because, as I have been saying, they are unorganised and cannot look after their own interest, nor can the trade union workers go to their help. We have got wage boards for so many sectors of our industry, like, textiles, jute, tea etc. where the labour is organised. But in this particular sector, I find the labour is absolutely unorganised. Therefore it becomes the high responsibility of these wage boards to see that interim relief is granted to the workers as soon as possible. I also request the hon.

Minister to see that the proceedings of this Wage Board are accepted and the workers get the benefit under that.

I also feel that the Government find out whether retrospective effect can be given to this Act because if certain mine-owners rush to the courts and try to thwart the welfare activities for these unfortunate workers, the best remedy for the Government would be to see that the Act is brought into force from the date on which it was intended, so that nobody will be able to reap the fruit of going to a court of law and unnecessarily delay the benefits which should accrue to the workers.

With these words I welcome this Bill. As I said in the beginning of my speech, I request the hon. Minister to make a statement forthwith that all the provisions of this Act will be made applicable to all the States except the State of Orissa in which case the matter is *sub judice*.

श्री ह० च० सोय (सिंहभूम) सभापति महोदया, सदन के सामने जो यह बिल लाया जा रहा है उसका मैं स्वागत करता हूँ मगर इसमें जो तय किया गया है कि भ्रमल भ्रमल तारीखों पर इसे लागू किया जायेगा, उस पर मुझ आपत्ति है। इसका कारण यह है कि जहाँ जहाँ माइंस चलती हैं वहाँ सहूलियतें भ्रमल भ्रमल हैं अब बिहार में जो माइंस है उनके मुकाबिले उड़ीसा में जो माइंस हैं उनको अधिक सहूलियतें प्राप्त हैं। बिहार सिंहभूम में गोम्रा माइंस है। उन आइरन और माइंस में काम करने वाले मजदूरों के रूने का बिलकुल संतोषजनक प्रबन्ध नहीं है। उनके रूने के लिए जो हट्स हैं वे बहुत खराब हैं। जैसा कि श्रीमती रेणु चक्रवर्ती ने कहा वह ठीक ही का है कि उनके रूने और पीने के पानी की व्यवस्था बड़ी असंतोषजनक है। मैंने खुद देखा है कि वह माइंस जो कि बहुत बड़ी कम्पनी की हैं वहाँ पहाड़ों और घाटियों में रूने वाले माइंस बर्कस ऐसी खराब हालत में रहते हैं कि कुछ कहा नहीं जा सकता है। जिन जगहों पर

वे रहते हैं वे जानवरों और मुअ्रों आदि के रहने लायक भी नहीं हैं। ऐसी खराब जगहों पर सैकड़ों और हजारों मजदूर रखे जाते हैं। माइंस प्रोनर्स का काफी बड़ा कैपिटल होता है और वे यदि चाहें तो यह सुविधायें मकान और पानी आदि की अपने मजदूरों को प्रोवाइड कर सकते हैं लेकिन वे इन चीजों पर मसलन मजदूरों के लिए मकान व पानी की व्यवस्था आदि पर रुपया खर्च नहीं करना चाहते। इसलिए यदि इनको छूट दे दी जाय कि भ्रलग भ्रलग तारीख पर यह कानून माइंस पर लागू करें तो यह माइंस प्रोनर्स अरु इस बात की कोशिश करेंगे कि देर से देर उनके यहां माइंस एक्ट लागू हो।

इतना ही नहीं वहां एक और बात यह है कि गोआ माइंस में कम्पनी को जो ट्रक्स हैं और जो गाड़ियां नीचे से पहाड़ पर जाती आती हैं और नीचे के मजदूरों को ऊपर और ऊपर के मजदूरों को नीचे जाने के लिये कम्पनी की गाड़ियों का प्रयोग नहीं करने देते हैं। मतलब यह कि उनके पास सुविधा होते हुए भी वे मजदूरों को उसका इस्तेमाल नहीं करने देना चाहते हैं। यह हालत माइंस प्रोनर्स की है।

दूसरी चीज यह है कि जैसा श्रीमती रेणु अरुवती ने कहा कि जंगल के इलाकों में अधिकतर मजदूर आदिवासी हैं जिनमें कि ज्यादातर औरतें हैं। मैं चाहता हूँ कि इस कानून के लागू करने में इस बात की कोशिश की जाये कि इस्पेक्टर्स और वेलफेयर के लिये जो व्यक्ति बहाल हों वे उन आदिवासियों की बोली जानते हों, उनके रीति रिवाजों को जानते हों। अक्सर देखा गया है कि यह इस्पेक्टर्स और वेलफेयर आफिसर्स उनकी बोली व रीति रिवाजों से परिचित नहीं होते हैं और यह समझ कर कि आदिवासी होली खेलते हैं आदिवासी औरतों पर रंग आदि डाल देते हैं जब कि असली बात यह है कि वे होली खेलते ही नहीं हैं। उनसे वे होली खेलते हैं जिसका कि नतीजा यह होता है कि का एंड आरंभ में बहुत बड़बकी हो जाती है।

आपको मालूम होगा कि कई महीने पहले किरीबुरु आयरन-ओर प्राजेक्ट में काफी दंगा-फसाद हो गया। उसकी वजह यह थी कि यद्यपि मजदूरों की शिकायतें अफसरों के पास पहुंचाई गई लेकिन वे लोग सुनते नहीं हैं और सुनना चाहते भी नहीं हैं। वे उनके प्रति कोई सहानुभूति भी नहीं रखते हैं। मेरा सुझाव है कि इस कानून को लागू करते समय जो वेलफेयर इस्पेक्टर्स आदि नियुक्त किये जायें, वे ऐसे आदमी हों, जो उन लोगों के रीति-रिवाज और बोली को जानते हों। यह बहुत जरूरी है।

मिनिस्टर साहब ने कहा है कि जो सेस लगाया जायेगा, वह अधिक से अधिक चार घाने होगा। मैं इससे सहमत नहीं हूँ। मैं कहता हूँ कि मैक्सिमम पचास नये सेस अवश्य लगाये जाने चाहिए। दो बरस इस कानून को लागू न कर के जो छूट दी गई है, इसका खयाल रख कर घाट घाने होने ही चाहिए।

माइंस-प्रोनर्स और स्टेट ट्रेडिंग कार्पोरेशन के बीच में एक बात के लिए काफी झगड़े चल लहे हैं। स्टेट ट्रेडिंग कार्पोरेशन कह रही है कि लोहे का दाम साढ़े तेरह रुपये से घटा कर साढ़े ग्यारह रुपये किया जाये। जब कि माइंस-प्रोनर्स कहते हैं कि ट्रांसपोर्ट के खर्च में वृद्धि और लेबर लेजिस्लेशन के फलस्वरूप उनको मुनाफा नहीं हो रहा है। स्टेट ट्रेडिंग कार्पोरेशन के लोग कते हैं कि उनको मुनाफा हो रहा है। इस प्रकार दोनों में मतभेद चल रहा है। मेरा सुझाव यह है कि ऐसा क्यों न किया जाये कि एक डिफरेंट बाडी तैयार हो जो इस बात की जांच करे कि लोहे का दाम क्या हो। इनका फ़ैसला करने के बाद सेस पचास नये सेस लगाया जाना चाहिये, चार घाने नहीं।

इन बातों को कह कर मैं इस बिल का स्वागत करता हूँ और कहता हूँ कि भ्रलग भ्रलग तारीखों पर यह लागू न हो, बल्कि सभी जगह एक ही तारीख को लागू किया जाये।

Mr. Chairman: Shri S. M. Banerjee. Not here.

Dr. Gaitonde (Goa, Daman and Diu): Madam Chairman, I rise to welcome this Bill. I come from a place where there are about 30,000 workers in mines. The Minister in his statement has said that this will avoid...

Shrimati Renu Chakravartty: You will not be covered by it.

Dr. Gaitonde: Why not? Leaving the State of Orissa and the Union territory of Goa, the Act covers about 34,000 workers producing 7½ million tons of iron ore. I would like to give some data to the Ministry which has drafted this Bill, as regards the working population of Goa in the mines. Normally it is about 30,000. Are you going to close your eyes to the welfare of these 30,000 workers? It is a place where the workers have almost no facilities. There is nothing called welfare. Therefore, I would like to suggest that Goa be included in the Bill. With the exception of Orissa, which is *sub judice*, it should be made applicable to all the places in India. I cannot understand why Goa has been excluded. Even as far as the export is concerned, the export from Goa is to the extent of about 6 million tons. While the workers are giving that much export, I do not see any reason why they do not get the facilities. The conditions there, although not equal to what Shrimati Renu Chakravartty has said, are very similar. Even medical assistance is not satisfactory.

I know that there will be some difficulty as regards the cess in Goa because the taxes in Goa on mines are at various points. So far, there is no income-tax. They have about nine types of taxes. I will just mention the types so that the Ministry should know the difficulties in levying this cess. The points where the taxes have been applied in Goa so far are: (i) in connection with the grant of manifest; (ii) in connection with the grant of mining licences; (iii) in con-

nection with the grant of concession; (iv) collecting of the economic fund; (v) taxes due from a mining concession; (vi) taxes levied by the Customs Department; (vii) taxes levied by the Revenue Department; (viii) taxes on parties levied by the officers at the port and (ix) taxes levied by the Forest Department. Here, you will find there is no welfare tax. I think this is one of the most important things that the Government should do that too very quickly if they do not want trouble. The trouble is growing there and it will increase if facilities are not given to the workers. I, therefore, suggest to the Government that as quickly as possible Goa should be included in this Bill and the various points of application of taxes that I have quoted should be simplified. If they are not simplified, there will be administrative complications. Hence, I recommend simplification of all these taxes plus this cess.

With these words, I welcome the Bill and I request the Government to extend this Bill to Goa also as quickly as possible.

Dr. Ranen Sen (Calcutta East): Madam, Chairman, the first thing that I want to state here is this that in 1944 there was a Committee presided over by Mr. Rage, which is called Rage Committee. That Rage Committee gave a report about the labour conditions obtaining in India. In that report the conditions of these mining workers were very clearly stated so as to expose the horrible nature of conditions under which the workers used to live in those days. Three years after the report was published, India became independent, that is, in 1947. The Government of India came out with this Act in 1961. That means 14 years after the country became free the Labour Department thought it fit to enact a Bill to ameliorate the conditions of these iron ore mine workers. For 14 years despite the fact that there were numerous reports to the Government of India, to the Labour Department, the Ministry did not move to do this.

to ameliorate the conditions of the workers. When it was passed in 1961, two precious years were lost because of the fact that certain High Court was dealing with this matter and all these things. I would say that this is a height of scandal on the part of the Labour Ministry showing its inefficiency, its worthlessness and its heartlessness. It is proved by that. I should be excused for using rude words that I am using. I hope they are not unparliamentary. Again, as one of my friends has said, even then there is no guarantee as to when the Act will be put into effect. The Minister here yesterday did not give any guarantee to the effect that as soon as this Bill is passed it will be operative. He has not given that promise and I want this promise here and now from the Deputy Minister. That is a very important thing. Otherwise, as the amendment runs, nobody knows when the Central Government would be gracious enough to operate this Act in different States. As stated by Shrimati Renu Chakravartty, who represents a very big trade Union of that area, the law of jungle prevails in the iron ore mining area. Mr. Soy who comes from that area said that law of jungle prevails there. Everybody knows that. It is known to the Government of India also. Some hon. Members on the other side are saying that the trade union movement should come to the help of the workers. The trade union movement is trying to come to the help of the workers, but at the same time, it should be remembered that if the Government do not come to the help of the workers, the trade unionists are actually killed by employers' agents. There are instances where the trade unionists have been killed in those areas.

Therefore, it will be very fair if the Deputy Minister gives us an assurance here and now that this Bill, as soon as it is passed will be operative throughout India and different dates need not be appointed for different States. There is any difficulty in the State, in that parti-

cular State, the operation of this Act may be postponed.

In regard to the cess, I fail to realise one thing. The estimated revenue out of the cess for the year 1962-63 was Rs. 25 lakhs. But actually only Rs. 1 lakh was realised. I fail to understand why the cess was not realised. What was the difficulty in realizing the cess? Supposing it was blocked in one State, what was the difficulty in operating it in the other States? After all, the Orissa High Court has no jurisdiction over Madhya Pradesh or Bihar. This is also another aspect of the matter which has to be looked into.

If this is the way the Act is operated, then naturally there will be no relief to the workers. As the Deputy Minister has stated already, the conditions of hygiene and public health, housing, education, water supply etc. all require to be improved tremendously in those areas. If Government take it into their head to improve the situation, then Government can do it. We have seen during the last few years that there has been some improvement at least in the colliery areas.

I am pointing out these things to the Deputy Minister in order to impress on him the necessity of immediately making it operative and seeing to it that there is no exemption from the cess or no reduction in the cess. As Shri H. C. Soy has pointed out, the Deputy Minister has already said that the cess may be reduced from 50 nP to 25nP. Why should that be reduced? For all these years, they have not paid anything, that is, the owners have not paid anything. And who are the owners? They are persons belonging to big business. They are very powerful interests. They are not small owners. One could understand if the owners were small. When the owners are not small but are big, why should there be any reduction in the cess, particularly when the conditions in these areas are appalling? So, I would like to stress that there should be no reduction in the cess.

[Dr. Ranen Sen].

The cess should not be reduced from 50 nP to 25nP. There should not be any appeasement of big capital on this account.

In conclusion, I endorse the suggestion made by my hon. friend Dr. Gaitonde that Goa should not be exempted from the purview of this Act, because, as the Deputy Minister himself has said, about 25,000 workers are there. Moreover, iron ore from Goa is being exported to Japan, and if the workers there are responsible for earning of precious foreign exchange, why should the Government of India exempt from the purview of this Act the Goa mine workers who are earning foreign exchange for our country? Therefore, I endorse the suggestion made by Dr Gaitonde that Goa should also be brought within the purview of this Bill.

With these words, I would urge the Deputy Minister to take immediate steps to see that this Act is brought into force throughout India.

श्री श्रीकार लाल बेरवा (कोटा):

यह जो संशोधन यहाँ पर रखा गया है इसका मैं समर्थन करता हूँ। लेकिन मैं कहना चाहता हूँ कि जितने भी कानून बनाये जाते हैं, जितने भी संशोधन आते हैं और जो गरीबों के हित के लिए होते हैं, उन पर बराबर अमल नहीं होता है और वे कालजों के अन्दर ही रह जाते हैं। इनके द्वारा मजदूरों को दी जाने वाली रकम में जो वृद्धि की जाती है, वह उनको मिलती नहीं है। १९६१ में राष्ट्र-पति जी तक ने पन्द्रह नए पैसे बढ़ाने के बारे में अपनी मंजूरी दे दी थी और इस तरह से १९ लाख रुपया एकत्र भी हो गया। लेकिन फिर भी यह मजदूरों के हित में खर्च नहीं किया जा सका। उड़ीसा गवर्नमेंट को चक्कर में फंसा दिया गया और केस हाई कोर्ट तथा सुप्रीम कोर्ट तक किया गया। पता नहीं ऊंट किस करवट बैठता है। पता नहीं क्या फैसला होता है। लेकिन मैं कहना चाहता

हूँ कि उड़ीसा में काम करने वाले मजदूरों को अलग से फैसिलिटीज देना और उनमें तथा दूसरी जगहों में काम करने वाले मजदूरों में फर्क करना अच्छा नहीं है। जो भी कानून मजदूरों के हित का बने वह सारे देश में बराबर लागू होना चाहिये। सब मजदूरों पर वह एक समान लागू होना चाहिये।

मजदूरों के हित के जो कार्यक्रम हैं, उनको जो फैसिलिटीज मिलती हैं वे बराबर मिलती रहती हैं या नहीं इसको देखने के लिये भी एक अफसर होना चाहिये। उसका काम यह होना चाहिये कि वह देखे कि स्कूल की जो फैसिलिटीज हैं वे वर्कर्स को मिल रही हैं या नहीं मिल रही हैं, हाउसिंग की रहीं हैं, या नहीं मिल रही हैं, अस्पताल की मिल रहीं हैं या नहीं मिल रही हैं और अगर न मिल रही हों, तो उनका प्रबन्ध करें।

मैं यह भी चाहता हूँ कि मजदूर जब हड़ताल करते हैं, तो उसका फैसला भी उसी समय हांजाना चाहिये और सारे मामले को उसी बक्त निपटा लिया जाना चाहिये। इसको लम्बे नहीं जाने देना चाहिये। यदि ऐसा किया जायेगा तो उनको फायदा हो सकेगा।

आगे के लिये मजदूरों के वास्ते क्या कुछ करना है, इसके बारे में हमारा जो शासन है वह सोचता तो बहुत कुछ है लेकिन करता कुछ नहीं है। वह उनको खाली आश्वासन ही आश्वासन देता रहता है खाली विश्वास ही विश्वास दिलाता रहता है भरोसा ही भरोसा दिलाता रहता है। जो खानों में मजदूर काम करते हैं उनका हालत को आप जा कर देखें। उसका भंदाजा आप यहाँ ठंडी हवा में बैठ कर नहीं कर सकते हैं। स्वयं जा कर आप देखें तो आप पसीने पसीने हो जायेंगे। वे लोग गाड़े पसीने की कमाई करते हैं।

आपको १५ नए पैसे बढ़ाने का आश्वासन दिये हुए दो साल हो गए हैं लेकिन अभी तक

उनको यह पैसा नहीं मिल पाया है और न ही यह बढ़ाया गया है। इसके रास्ते में क्या बाधाएँ उपस्थित हो रही हैं यह हमें बताया जाये। बढ़ाना चाहते हुए भी आप बढ़ाते नहीं हैं, करते नहीं हैं। इस तरह के जो भलाई के कार्य हैं, उनमें आपको अपना कदम आगे बढ़ाना चाहिये। उड़ीसा गवर्नमेंट के कानून को छोड़ कर सारे हिन्दुस्तान में जो कानून लागू हो मके वैसे कानून आपको बनाना चाहिये। पन्द्रह नए पैसे बढ़ाने के लिये जो निर्णय आपने लिया था उस पर जल्दी से जल्दी अमल होना चाहिये, यही मेरा निवेदन है।

श्री प्रिय गुप्त (कटिहार) : मेरा लेबर डिपार्टमेंट से यह निवेदन है कि जो कानून बनाये गये हैं, उनको वह लागू करे। प्रपल का जो अभाव रहा है, उस पर हमें दुःख है। लेबर डिपार्टमेंट ने यह सोच कर यह कानून बनाया था कि शायद पूंजी-पतियों की जो संस्था है, वह मजदूरों की भलाई के लिये काफी कुछ न करे। उनके भलाई के कामों की तरफ नजर न रखे और काफी उनकी तरक्की करने की कोशिश न करे। इस वास्ते लेबर डिपार्टमेंट ने यह कानून बनाया कि जो सैस उठेगा वह तमाम का तमाम मजदूरों की भलाई के लिये खर्च कर दिया जायेगा। भलाई के कौन से काम हो सकते हैं, इस पर भी हमारे डिप्टी मिनिस्टर साहब ने रोगनी डाखी है। ये हो सकते हैं तन्दुरुस्ती के काम, पीने के पानी का इंतजाम करने का काम, शिक्षा, क्वार्टर्स अस्पताल आदि की सुविधाएँ उपलब्ध करना आदि। इन सब सुविधाओं का आज अभाव है। इन मजदूरों को शहर से बहुत दूर जा कर काम करना पड़ता है। शहरों में जो फैसिलिटीज होती है, वे वहां नहीं मिलती हैं। इस वास्ते ये जो तमाम बातें हैं इन पर अच्छी तरह से गौर होना चाहिये।

यहां पर जो रिट्रास्पेक्टिव एफेक्ट की बात कही गयी है कि सैस तब से लिया जायेगा तो उस की बसुली उसी तारीख से होनी

चाहिये और अगर यह सैस खर्च न हो तो वह जो आज की जरूरतें हैं उस पर खर्च किया जाय। अस्पताल अच्छे ढंग के बनें, जब मां काम करने जा रहीं हैं कहीं पर तो उस के बच्चे को रखने के लिये इन्तजाम काफी दूर पर न हो। नजदीक होना चािये और वहां पर बच्चों को दूध पिलाने आदि कुछ नर्सिज का इन्तजाम हो। उन की देख भाल करने के लिये कुछ इन्तजाम होना चाहिये, जैसा कि दूसरे देशों में होता है। जिस तरह कि हमारी सरकार के नमाइन्डे आई०एल० ओ० आदि में देख कर और सुन कर आते हैं कि किस तरह से दूसरे देशों में होता है, और जिसका प्रबन्ध करनेकी मंशा भी हमारी सरकार की है, उस तरह से करना चाहिये। कम से कम एक आइडियल जगह तो हो जहां पर स्त्री वर्कर्स के बच्चों के लिये देख-भाल के वास्ते नर्सिज रहें। इसी तरह से उन लोगों के लिये अस्पतालों और स्कूलों का प्रबन्ध अच्छा होना चाहिये।

14 hrs.

में कहना चाहता हूं कि वेज बोर्ड की सिफारिशों के अनुसार उन की तनख्वाह आदि होनी चाहिये। अगर इस दम्यानिन को इंटेरिम रिलीफ आदि देने का विचार हो तो उस को भी लागू कर देना चाहिये। जैसा मैंने अपनी बजट स्पीच में भी कहा था आम तौर से ऐसा होता है कि लेबर डिपार्टमेंट के लिये कानून तो बन जाता है लेकिन उस को लागू करने में संझट पैदा हो जाता है और वह लागू नहीं हो पाता है। मैं कान चाहता हूं कि लेबर मिनिस्टर में ऐसा नहीं होना चाहिये कि चूकि पूंजीपतियों की मिलें हैं, उन के इस्टिब्लिशमेंट्स हैं इस लिये यह न देखा जाये कि वे कानून का पालन कर रहे हैं या नहीं कर रहे हैं। उन लोगों की तरफ से कोई रुकावट नहीं पड़नी चाहिये। मेरा खयाल है कि सरकार इस कानून को लागू करने में सफल होगी। बैंक डेट से सेंसेज का

[श्री प्रिय गुप्त]

कलेक्शन होकगा और सरकार सारे मजदूरों के लिये इन्तजाम करेगी ।

जैसा श्री सेन ने बतलाया, चाहे कहीं के भी मजदूर हों, मध्य प्रदेश के हों, उड़ीसा के किसी भाग में वे हों या बिहार के ही हों, जहां पर माइन्स के अन्दर बहुत से वर्कर्स काम करते हैं, वे चाहे पिछड़े वर्ग के हों या पहाड़ी हों या आदिवासी हों, उन के अपने ढंग की ही नसंज होनी चाहियें, उसी ढंग के वेल्फेयर आफिसर्स होने चाहियें । वेल्फेयरअर सेंटर्स के अधिकारी भी उन्हीं में से हों जो कि उन के आचार विचार को समझ सकें और उन्हें फायदा पहुंचा सकें ।

मैं ज्यादा वक्त नहीं लेना चाहता । मैं बहुत आभारी हूँ कि सभापति महोदय ने मुझे मौका दिया और मैं दबारा सरकार से दर-ब्यास्त करूंगा कि जिस तरह से अलग अलग तारीखें स्टेट गवर्नमेंट ने रखी हैं उन को हटा कर एक तारीख रखी जाये और जो सेस अभी तक लागू नहीं हुआ था उससे रिट्रास्पेक्टिव एफेक्ट से लागू कर के मजदूरों को फायदा पहुंचाया जाय ।

Shri P. Venkatasubbaiah (Adoni):
This Bill has been brought forward because of some legal difficulties. It has been stated in the statement of objects and reasons that because the Orissa Government had asked for exemption from the purview of the Act, it is necessary for Government to bring forward this Bill. It is very strange that though the Iron Ore Mines Labour Welfare Cess Act has been assented to by the President as far back as 1961, it has taken nearly more than two years for this Government to think it fit to come to the House for this amendment. It looks as though this Government waited so that the Orissa Act should be declared inoperative by the High Court. That does not speak well of the efficiency of the Government in introducing such Bills.

This is an Act which was brought forward to ameliorate the conditions of work of thousands of workers in the various iron ore mines in the country. When it is concerned with the lives and living conditions of several thousands of our people who are working very hard to earn foreign exchange for the country, it looks as though the Government is not acting with a sense of urgency in coming forward with this sort of amendment.

I would also like to point out one basic factor regarding this thing. Whenever such legislation covering the entire country is brought forward by Government, they should not give any weight or consideration to the different requests of different State Governments. By this I do not mean that the different State Governments are not anxious to ameliorate the conditions of work of the workers. What I mean is that when such a legislation which has got an all-India purview was thought of, all these considerations should have been taken into account before the Act was passed. After the Bill is passed and Presidential assent is given to it, there is no meaning in saying that it has been held up because a particular State Government has put in certain objections because a similar Act is in force in that State. What is the fate of that Act? It has been declared inoperative by the High Court. So the Minister should take care that before coming with such legislation of all-India application, he should invite the opinions of State Governments, consider them and then bring forward a Bill here and when it is passed it should be put into effect immediately and expeditiously.

Secondly, I would like to point out that there is a tendency in States where they are not very much industrialised not to look after the welfare of the labourers in those States. I do not mean that there is any *mala fide* intention on their part. What I mean is that the State machinery is not geared up because they do not have

that industrial bias. So the welfare measures for labour in those States have not come up to the level of other States.

Shrimati Renu Chakravartty pointed out that many of these workers are employed on a casual basis. So it is all the more important that such people should be looked after. I would only request the hon. Deputy Minister not to wait further. This should be introduced uniformly in every State without waiting for the opinion, objection or representation of any State. This concerns labour as a whole, whether it is in Orissa, Maharashtra or Andhra Pradesh. It should be applied uniformly and expeditiously and effectively.

The Deputy Minister in the Ministry of Labour and Employment (Shri R. K. Malviya): Almost all Members who spoke have dealt exhaustively with the conditions in the iron ore industry. I, having been a worker in the mines, myself am acquainted with the conditions of the workers. I mostly agree with the conditions narrated. There has been some improvement made in housing and other amenities by some big companies, but it has not been adequate. That is why this legislation has been found necessary and it has been passed already.

Shrimati Renu Chakravartty: Where is the housing?

Shri R. K. Malviya: There is on the Gua side. I personally went there. Not all are accommodated. A negligible percentage is enjoying good housing.

The difficulties which have been expressed by my learned friends here are there. Housing, of course, has been stressed. Then it has been said that water, medicine, and other amenities are adequate. The purpose of this legislation is to provide all these amenities.

It has been stressed that delay has been caused firstly in bringing legis-

lation for the amelioration of the conditions of the iron ore workers, and secondly, after the passing of the Act, in bringing forward this amending Bill. May I submit that though the industry existed for a very long period, but it got the spurt only after our steel plants came into existence, or just about that time? The House knows that the steel plants have come only very recently, and the production of iron ore has also increased after the establishment of these steel factories.

Shrimati Renu Chakravartty: There is a lot of export.

Shri R. K. Malviya: Export has also not been very much in the past.

Shrimati Renu Chakravartty: Now.

Shri R. K. Malviya: Now it is so, and I wish we have as much production as possible and be able to do as much as possible for the labour. It has been very difficult in the past to start a cess for the welfare of the workers. Even at the present rate the amount will not be very large, but we are just starting the experiment. We did it in the coal mines. We started with four annas, then it was increased to six and eight annas, and they are thinking of increasing it further now. In the same way we may have to increase the amount, but, though we have secured powers to levy cess upto 50 nP even at the initial stage, we have thought it proper to start with 25 nP and increase it as and when necessary.

Dr. Ranen Sen: Why? Are the mineowners poor? They cannot pay eight annas per ton?

Shri R. K. Malviya: It is not the mineowners who are going to pay. It is the purchaser who will pay, that is the difficulty. What effect it will have on our exports, how it will affect other conditions we do not know. Therefore, we are starting with 25 nP, and if the conditions are found suitable, we may increase it to 50 nP any day.

[Shri R. K. Malviya].

It has been said that there has been delay in bringing forward this Bill after the passing of the Act. I would explain the circumstances. I submit there has not been any delay. The original Act was passed in December, 1961 and we were anxious to bring it into operation soon, and with that end in view on 21st February, 1962 a notification of draft rules under the Act was published for opinion. The rules were to come into operation not long after, on 24th March, 1962, meaning that we were ready with our machinery and with all the paraphernalia to implement the Act on that date, hardly two months after the Act was passed. As there was a Welfare Act operating in Orissa we started correspondence with the Government of the State. As the House knows, labour is a concurrent subject, and we have to respect the feelings of the States. From January 8, 1962, immediately after the Act was passed, we started correspondence, and this continued till 14th of September, 1962. We then sought the advice of the Law Ministry and then the Cabinet sanction. It therefore took some time. This Bill was introduced in the Rajya Sabha on 5th March, 1963. It was passed by the Rajya Sabha on 22nd April, 1963 and now we are coming in this House, three or four days after the opening of the session. My submission, therefore, is that there has not been any delay in bringing forward this Bill before the House.

Some other points have also been made. But it is a simple Bill and it only seeks the permission of the House to allow us to apply it to all the States except Orissa, where there has been some difficulty. I may assure the House that there is no objection from any other State, and as soon as this Bill is passed, it will come into operation in all the other States. With regard to Orissa also, as soon as we know the judgment of the Supreme Court, we will take action in terms of the judgment.

Then there is the question of Goa. I may submit that there is no trouble, but the conditions in Goa are quite different from those in other areas. Not that geological or some other conditions are different, but economic difficulties arising out of recent merger are there. The mines have been operating under a different system. Mines have mostly been working under the contractors. We have been in touch with the Goa administration, and as soon as the Goa administration agrees, this Act will also apply to Goa. I think then what has been asked for by Dr. Gaitonde and other colleagues will be fulfilled.

Shrimati Renu Chakravartty: What is the real difficulty? We have also got contractors who are mining in the big mines. Is it only the question of exchange or is it anything else?

Shri R. K. Malviya: The difficulty is administrative for the present.

Shrimati Renu Chakravartty: Just resistance on the part of the Goa administration.

Shri R. K. Malviya: It will not be possible for me to tell you the difficulties the Goa Government are faced with, but we have consulted them, and it has not been found possible.

Shrimati Renu Chakravartty: I would request you to go there personally and see, because we find many of the bureaucrats have a bureaucratic attitude, and they think things are so difficult that it cannot be done. I do not think conditions are so very different there. It is only a question of resistance.

Shri R. K. Malviya: We are as anxious as hon. Members are, and we will see that as soon as possible it applies to Goa.

Dr. Ranen Sen: Is it possible for you to give us an approximate idea of the date by which this will be implemented in Goa?

Shri R. K. Malviya: It is not possible to give any assurance about the date, but I will only say that we will try to see that it applies as soon as possible.

I have replied to almost all the points. The amendment is very simple. What is required by this amendment is only to exempt Orissa for the time being and allow us power to apply it to other States as and when found necessary. With these words, I move.

Mr. Chairman: The question is:

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

The motion was adopted.

Mr. Chairman: The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

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

Shri R. K. Malviya: I move:

"That the Bill be passed."

Mr. Chairman: The question is:

"That the Bill be passed."

The motion was adopted.

14.22 hrs.

DEMANDS FOR SUPPLEMENTARY GRANTS (GENERAL)—1963-64

DEMAND NO. 5—OTHER REVENUE EXPENDITURE OF THE MINISTRY OF COMMERCE AND INDUSTRY

Mr. Chairman: Motion moved:

"That a supplementary sum not exceeding Rs. 6,00,00,000 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, 1964, in respect of 'Other Revenue Expenditure of the Ministry of Commerce and Industry.'"

DEMAND NO. 38—GRANTS-IN-AID TO STATES

Mr. Chairman: Motion moved:

"That a supplementary sum not exceeding Rs. 14,77,50,000 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, 1964, in respect of 'Grants-in-aid to States'."

DEMAND NO. 56—STATISTICS

Mr. Chairman: Motion moved:

"That a supplementary sum not exceeding Rs. 1,15,000 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, 1964, in respect of 'Statistics'."

DEMAND NO. 70—OTHER REVENUE EXPENDITURE OF THE MINISTRY OF IRRIGATION AND POWER

Mr. Chairman: Motion moved:

"That a supplementary sum not exceeding Rs. 1,000 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, 1964, in respect of 'Other Revenue Expenditure of the Ministry of Irrigation and Power'."

DEMAND NO. 113—CAPITAL OUTLAY OF THE MINISTRY OF COMMERCE AND INDUSTRY

Mr. Chairman: Motion moved:

"That a supplementary sum not exceeding Rs. 40,00,000 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, 1964, in respect of 'Capital Outlay of