

that the administration body of the Calcutta Dock Labour Board had to be superseded and is still superseded on grounds of serious malpractices and corruption? Is it also not a fact that these officers, because they had for a long time connections there with the stevedors, in collusion with the stevedors are unilaterally persuading the Ministry to restore the same Administrative Body against which all the unions and everybody else protested because they have been found to be it will be decided.

**SHRI A. P. SHARMA:** As regards the Administrative Body of the Calcutta Dock Labour Board, it is true that this body has been superseded and suspended. We have not taken any decision so far. I can assure the hon. member that there is intention on the part of the Government to restore the Administrative Body. In what form it is going to be restored, it will be decided.

**SHRI INDRAJIT GUPTA:** Will the concerned interests be consulted or will it be done unilaterally?

**SHRI A. P. SHARMA:** We will follow the proper procedure for it.

**श्रमिक कानूनों के क्रियान्वयन का मूल्यांकन**

\*228. **श्री मूल चन्द डागा :** क्या श्रम मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या न्यूनतम मजूरी अधिनियम जैसे श्रमिक कानूनों के क्रियान्वयन का कोई मूल्यांकन किया गया है ; और

(ख) यदि हां, तो कब और इसके परिणामस्वरूप सरकार ने क्या निष्कर्ष निकाले हैं ?

**THE MINISTER OF TOURISM AND CIVIL AVIATION AND LABOUR (SHRI J. B. PATNAIK):** (a) and (b). The implementation of the labour laws is constantly under review.

Many evaluatory studies of the implementation of labour laws and the general condition of industrial rela-

tions in several public private sector undertaking have been done. The Labour Bureau has also conducted several surveys of the impact of labour laws on the working conditions of labour in specific areas,

The Government has decided to undertake an evaluation survey of the Minimum Wages Act.

The conclusions of all the above mentioned studies are communicated to concerned authorities for necessary action.

**श्री मूल चन्द डागा :** अध्यक्ष महोदय, यह तो एक रूटीन आन्सर है। मैं जानना चाहता हूँ, कौन-कौन से श्रमिक कानूनों के कार्यान्वयन का मूल्यांकन कब-कब और किस-किस मशीनरी के द्वारा आप ने करवाया ? उस का आखरी सर्वेक्षण कब हुआ और कौन सी तारीख को हुआ, उस के क्या परिणाम निकले और आप किस नतीजे पर पहुँचे ? उन्होंने किन-किन कानूनों की अवहेलना की है और उस मशीनरी में क्या कोई लैबर-रिप्रेजेन्टेटिव था या नहीं था, जब आप ने उन का इवैल्यूएशन करवाया ?

**SHRI J. B. PATNAIK:** This is a very broad question. It did not specify the particular Acts about which surveys were undertaken or evaluation reports were prepared.

About the Minimum Wages Act, I have already said that an evaluation is going to be done and after that evaluation, a report would be available.

As regards the Minimum Wages again, in 1972 an evaluation was done by the Labour Bureau. The report was available at that time. The hon. Member might have seen that report.

**SHRI MOOL CHAND DAGA:** In your reply you have said:

“Many evaluatory studies of the implementation of labour laws and the general condition of industrial relations in several public/private sector undertakings have been done.”

But my question is: On what date and in what year you have done that job? What are the conclusions that you have reached? You are not answering that part. Was there any labour representative in that machinery? This is a very simple question.

MR. SPEAKER: You have the freedom to think so.

SHRI J. B. PATNAIK: My friend, Mr. Daga, is getting impatient. He has asked in general about labour laws. In particular he has asked about the Minimum Wages Act. I have already answered about the Minimum Wages Act. As far as the labour laws go, there are a hundred labour laws in this country pertaining to the Centre and the States. Central labour laws number 41 and the rest pertain to the State sector. It is not possible to have evaluation in regard to labour laws covering about 27 lakh factories and industrial undertakings in this country. Sample surveys have been made from time to time. These sample surveys are made by three organisations in the Labour Ministry. They are National Labour Institute, Labour Bureau and Central Industrial Relations Machinery. They go to a particular sector and then they make some study about implementation of labour laws. Their reports are available. There is another cell in the Labour Ministry the implementation Cell. That Cell is also undertaking from time to time studies in various undertakings undertaking-wise and not Act-wise. It is not possible to do study Act-wise because it would cover all the industrial undertakings of the country which number about 27 lakhs.

श्री मूल चन्द डागा : आप यह बतलाने का कष्ट कर कि क्या आप ने मिनिमम वेजेज एक्ट का सर्वे किया है ?

MR. SPEAKER: Please sit down.

श्री शिव प्रसाद साहू : अध्यक्ष महोदय, मैं आप के माध्यम से मंत्री महोदय का ध्यान

न्यूनतम मजदूरी की ओर दिलाना चाहता हूँ। कई बार कोयला और दूसरे जो मंटीरियल्स हैं, उन के मजदूरों की न्यूनतम मजदूरी में बढ़ोतरी की गई है। बाक्ससाइट एक ऐसा मंटीरियल है, जिस में हजारों मजदूर काम करते हैं।

श्री मूल चन्द डागा : मेरा दूसरा सप्ली-मेंटरी रह गया है।

MR. SPEAKER: I have given you chance.

श्री शिव प्रसाद साहू : मैं यह बतलाना चाहता हूँ कि पिछले चार वर्षों से बाक्ससाइट की खानों में काम करने वाले मजदूरों की न्यूनतम मजदूरी में कोई बढ़ोतरी नहीं हुई है। मैं जानना चाहता हूँ कि क्या मंत्री महोदय ऐसा विचार कर रहे हैं कि बाक्ससाइट की खानों में काम करने वाले कामगारों की न्यूनतम मजदूरी में बढ़ोतरी की जाये ?

SHRI J. B. PATNAIK: The Minimum Wages Act also covers the bauxite industry and there are new proposals. We have also proposed increase of wages for the workers working in the bauxite mines.

PROF. MADHU DANDEVATE: During the last session I had suggested to the hon. Minister for Labour that he should invite the representatives of various Central trade union organisations and discuss with them the problem of evolving a draft integrated industrial relations legislation, and he has already assured that he will go in for that process. I want to know from the hon. Minister whether he had already held such talks with the various trade union organisations and if so, what are the results. If the negotiations have already been completed, by what time he would be prepared to bring an Industrial Relations Bill before this House in a comprehensive form?

SHRI J. B. PATNAIK: I have acted according to the promise made to this House for consultation with various trade union organisations. I have called the various Central trade

union organisations and held extensive discussions with them in regard to bonus and industrial relations. The suggestions have been noted and the Government is thinking not to bring extensive Industrial Relations Bill, because that would take a long time. But certain amendments could be made in regard to certain Acts, which would facilitate and expedite justice to the workers. If the hon. Member wants to know the suggestions made by the Members of Parliament and the Central trade union organisations, I am prepared to give those suggestions.

**श्री सत्यनारायण जाटिया :** अध्यक्ष महोदय, अभी माननीय मंत्री जी ने जानकारी देते हुए यह बताया है कि हम ने न्यूनतम वेतन के लिए एक सर्वेक्षण कराया हुआ है। आपके माध्यम से मैं यह जानना चाहता हूँ कि उस सर्वेक्षण को कराने के बाद जो निष्कर्ष निकला है, उस निष्कर्ष को कहां तक क्रियान्वित किया गया और उस सर्वेक्षण का क्या निष्कर्ष निकला ?

**MR. SPEAKER:** What are the net results of your surveys?

**SHRI J. B. PATNAIK:** Every year some survey is made in regard to certain sectors of industry, in regard to the implementation of minimum wages, but a detailed survey was made by the Labour Bureau in 1972 and they arrived at certain conclusions. They have stated that the enforcement of the Act in the Central and State spheres in general was satisfactory, but its effective implementation was seriously handicapped due to several reasons, such as inadequacy of enforcement machinery, scattered nature and location of establishment, the volatile nature of the units, lack of proper transport facilities, absence of strong trade unionism among labour illiteracy among the workers and employers etc. The Central, State and Union Territory authorities were, however, alive to the various problems and necessary steps were being taken to overcome these difficulties. Taking an overall view, the enforcement of the Act helped the workers in the

unorganised sector in raising their wage levels and better their service conditions. To look into the question how far these conclusions are being looked after and suggestions are implemented, another study is being made by the Labour Bureau.

**SHRI P. K. KODIYAN:** Sir, may I know whether the hon. Minister is aware of the fact that there is an all round complaint from the trade unions of agricultural workers that the Minimum Wages Act for the agricultural workers is more observed in violation than in implementation? If so, what steps are being taken and whether the hon. Minister is ordering a survey of the implementation of the Minimum Wages Act in relation to the agricultural workers also?

**SHRI J. B. PATNAIK:** Yes. That includes a survey about the implementation of the Minimum Wages Act about the agricultural labourers. The Government is also thinking of bringing about a Bill regarding the agricultural labour and that will also take care of the enforcement part of it. As regards the implementation, as I have already said, a lot depends on the organisation of the agricultural labour in which the hon. Member may help the Government.

**श्री राजेन्द्र प्रसाद यादव :** सरकार बहुत से इनक्लाबी श्रम कानून बनाती है लेकिन उनका कार्यान्वयन नहीं होता है। क्या आप देखेंगे कि जो श्रम कानून आपने बनाए हैं उनका कार्यान्वयन भी हो ? यही हालत मिनिमम वेजिज एक्ट की भी है। सरकारी विभागों में तथा पब्लिक अंडरटैकिंग में इस तरह के कानूनों का कहां-कहां उल्लंघन हो रहा है, क्या इसके बारे में जानकारी आप ने ली है और यदि ली है तो इस दिशा में आप क्या करने जा रहे हैं ?

**SHRI J. B. PATNAIK:** I have generally answered these questions. And as regards the violations, I have already said that in certain sectors survey is made, study is made, inspection is made every year and wherever violations are made, they are

pointed out and these particular undertakings are sued and it is always the endeavour of the Government through the meetings of the Labour Ministers through our own agencies to see that this is implemented.

#### **Auction of Indian Vessel 'Alexandra'**

229. SHRI JANARDHANA POOJARY:

SHRI KRISHNA PRATAP SINGH:

Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether an Indian ship, the "Alexandra", was proposed to be put up for auction at London Docks for recovery of unpaid wages of the crew, amounting to Rs. 25 lakhs;

(b) whether Government intervened to save the ship from distress sale and the crew from being deprived of their wage-arrears;

(c) if so, the latest position; and

(d) whether any action has been taken against the shipping company concerned?

THE MINISTER OF SHIPPING AND TRANSPORT (SHRI A. P. SHARMA): (a) The vessel was put for auction pursuant to order of sale passed by Admiralty Court in U. K. for non-payment of the wages and other claims of the crew.

(b) to (d). Director General of Shipping negotiated the settlement between Nilhat Shipping Company and the officers and crew. Subsequently, the sale order passed by Admiralty Court, London, has been revoked. Nilhat Shipping Company has since deposited requisite amount with Shipping Master Calcutta and furnished bank guarantee to Shipping Master Bombay for settlement of dues and claims of the officers and crew in terms of provisions contained in Merchant Shipping Act, 1958.

SHRI JANARDHANA POOJARY: Sir, I congratulate the hon. Minister

for taking prompt action to save the ship. Otherwise it would have been a blot on India's prestige if the ship is auctioned abroad for non-payment of the wages and salaries of the crew. May I ask the hon. Minister as to what are the reasons for the non-payment of salaries....

MR. SPEAKER: They have been paid.

SHRI JANARDHANA POOJARY: The salaries have not been paid earlier. So, what are the reasons for the non-payment of these wages and salaries of the crew? Is it due to the bureaucratic red-tapism or procedural wranglings?

SHRI A. P. SHARMA: Sir, it is a private company and it did not pay the salaries and wages of the marine officers and these officers have filed a suit through the International Transport Federation in Admiralty Court in London and there the ship was arrested. As soon as it was brought to our notice, we took steps. The D. G. Shipping took steps, and the payment has been arranged. The court was approached, and it has revoked the decision. The ship is free, and very shortly it may be coming to India.

SHRI JANARDHANA POOJARY: May I know whether the Shipping Development Fund Committee is going to purchase this ship?

SHRI A. P. SHARMA: There is no question of purchasing the ship. It was because our interests were also involved that we took prompt action. If the ship was in distress, we might have lost our money also. But there is no question of selling the ship now. It is going to work, and as usual, the SDFC loan will be secured, and it will be realised from this company.

श्री कृष्ण प्रताप सिंह : अध्यक्ष जी, जो हमने (डी) में सवाल किया है और पूछा है कि दोषी अधिकारियों के खिलाफ क्या कानूनी कार्यवाही करने जा रहे हैं, इसका मंत्री महोदय ने कोई जवाब नहीं दिया।