

**Shri Boovaraghassamy** (Perambalur): Is there no relaxation in the case of backward classes?

**Pandit G. B. Pant:** So far as backward classes are concerned, there has been no sort of concession made in the matter of service anywhere yet, and even, who are backward classes and who are not, is by itself a moot problem. If we were to enter into that question today, then this entire process of recruitment will have to be postponed, I know not, by one, two, three, four, five or ten years. I cannot say exactly because even the Commission has not been able to give us any precise criterion for determining as to who should be regarded as belonging to the backward classes. But, I believe, when this limit is reduced to Rs. 200, then everyone who tries to have his luck tested will have a chance of finding an opportunity for doing so.

Some reference has been made to women candidates. Women candidates are free to appear for recruitment just as the men candidates are. Whether in future any developments may make it difficult for them to continue in service, with due regard to the duties that they may owe to others more near and dear to them, that would be considered when the occasion arose. At present the question does not arise at all. They are qualified and they can appear just like others. That does not affect their eligibility today and they are welcome. I would be happy if a good number of women could be recruited.

**Shrimati Renu Chakravartty** (Basirhat): Are we to understand that efficiency will be the criterion or will it be that by the mere fact that a woman gets married she will be said to be inefficient?

**Pandit G. B. Pant:** A woman's being married would be, I think a proof of her stability. But, whether it should always be a qualification for her running about and doing police work, that is a different thing. About that perhaps opinions may differ and one may have to see whether they would always be suitable for such work. But I would like to remove any handicaps and obstacles that might be in the way of women. I have no desire to place any impediment in their way. The more of women there are, the marrier are all others.

**Shri Thanu Pillai:** May I know whether a candidate who fails in this examination will be considered for appointment to this cadre of service?

**Pandit G. B. Pant:** If he satisfies other conditions, this failure will not come in his way.

**Shri Kamath:** As regards Army Officers.....

**Shri Radhelal Vyas rose—**

**Mr. Speaker:** Order, order. We will go to the next business.

#### EMPLOYEES' PROVIDENT FUND ACT

**Shri T. B. Vittal Rao** (Khammam): Mr. Speaker,.....

**The Deputy Minister of Education (Dr. M. M. Das):** Sir, there is another item before this. It will take only two minutes.

**Mr. Speaker:** We are taking up the half-an-hour discussion now.

**Shri T. B. Vittal Rao:** Mr. Speaker, I am thankful to you for allowing me this opportunity to raise this half-an-hour discussion in connection with the delay on the extension of the Employees' Provident Fund Act. First of all, I would like to draw the attention of this House to the following paragraph appearing in the First Five Year Plan in the chapter on labour. In para 55 it is stated:

"The Act at present applies to six major industries employing 50 or more persons—Textiles, Iron and Steel, Cement, Engineering, Paper and Cigarettes. As soon as experience is gained and the scheme is placed on a sound basis, it should be extended in gradual stages to all the industries employing 50 or more persons during the period of the Plan"—

that is, the first Five Year Plan, and "A programme for the purpose should be drawn up."

Today, we have got only 15 lakhs of workers who have come under this Act. The remaining 14 lakhs of workers governed by the Factories Act do not come, and also, two lakhs of workers engaged in the mines other than coal mines do not come under this

scheme. Out of the plantation workers only those who are in Assam have got a separate State Provident Fund Scheme and 7 lakhs of plantation workers elsewhere in the country are denied this privilege.

In respect of the First Five Year Plan, we take pride in saying that there has been an increase in the national income, that industrial production has increased by 40 per cent. and that the productivity of labour has increased considerably. But when it is a question of giving facilities to the workers, they are denied. Profits are soaring. Only the other day, the Minister of Commerce and Industry, while giving out the figures for a British-owned tea estate, said that for a capital investment of Rs. 2 crores, they have been making an annual profit of Rs. 80 lakhs. The tea gardens today earn nearly 100 crores on foreign exchange. The year before last, they earned Rs. 150 crores of foreign exchange. But yet, the workers are denied the benefits of this scheme. The workers there are getting only the minimum wages, not even fair wages. They are farther and farther away from living wages. Suppose in a calamity that befalls a breadwinner, the dependants will be reduced to utter misery and poverty. This is only a small step in the comprehensive social security measures which have been adopted by the International Labour Organisation as long ago as 1952. Though we are members of the International Organisation, that convention has not been ratified.

We are far behind in regard to the social security measures for industrial workers. Unless and until the worker has no fear about the morrow, unless and until there is provision in case of calamity or accident, for the dependants of his family, he cannot give his best. Therefore, today, when there is serious unemployment and in the absence of unemployment insurance, the provident fund scheme is all the more necessary. No doubt the members of the Government ridicule the idea of giving doles and they say that they are not going to give doles but today, unemployment insurance exists in 22 countries. So, if an old man who has reached the age of 60 is thrown out here in India, he has nothing to fall back upon, because there are neither resources for him nor are his children employed. This is the position. Even with this meagre amount coming

through the Provident Fund Act which only provides for a contribution of 6½ per cent. of the basic wages and dearness allowance, the position remains difficult. According to the Commissioner for the Central Provident Fund Scheme, even after 25 years of service, a worker shall get only Rs. 2,500. This is the position.

For these reasons I say that any further delay in implementing the scheme fully will greatly affect those people who are to retire within the next five or six years. Not only that. By the delay last year, much harm was done. Again, in May, 1955, at the Labour conference which was attended by the representatives of employers and employees, the State Governments have said that this Act should be extended to all industries employing 10,000 people and over. But so far it has not been implemented. If we take only one year, say last year, the employers stood to gain, because this Act was not extended, by Rs. 10 crores. A rough and conservative calculation will show that due to this delay by one year, an individual worker has lost Rs. 60 in every industry. Not only that. When we are going in with the second Five Year Plan, when there is so much trouble about the resources, this Provident Fund Act will provide a lot of resources. I do not know how the credit of Rs. 250 crores is taken into account by this Act. But by extending this Act, I am confident that more than that amount could be got during the next Five Year Plan period, provided there is no further delay.

In these circumstances, I request the hon. Minister to realise that the paying capacity of the industry is already there. It is only the inaction that is delaying the matter. The Secretary of the Ministry of Labour is also the Chairman of the board of trustees. I do not know what are the reasons for this combination of functions. He is also the Secretary for Kashmir affairs. Probably because the position about the Kashmir affairs is so delicate nowadays that he buries himself in the affairs of Kashmir and has little time to devote to labour affairs. If the Government are sincere when they talk about the achievements of the first Five Year Plan and when they have admitted that the workers have contributed so much towards the rise in the national income, there is no reason for any more delay. The chapter on labour in the first Five

[Shri T. B. Vittal Rao]

Year Plan was also drawn after consulting the representatives of the employees and the employers and the State Governments. Therefore, I would strongly urge upon the Minister to issue an ordinance immediately enforcing this measure on all the industries and factories and mines and plantations which employ 50 or more persons. There should not be any further delay in this matter.

**Shri Raghavaiah (Ongole) rose—**

**Mr. Speaker:** I thought Shri T. B. Vittal Rao has spoken on behalf of all the Members on that side.

**Shri Raghavaiah:** I have only a few points to make.

**Mr. Speaker:** Yes.

**Shri Raghavaiah:** In this matter, there can be no two voices. I only want to point out to the hon. Minister that during the first Five Year Plan there was an all-round achievement but it is really deplorable that the condition of the workers should be left to the winds. It is also deplorable that the Labour Ministry of the Government of India should ignore the convention of the International Labour Organisation. In season and out of season the hon. Minister knows only of accusing the Members of the Opposition as having ulterior motives, this and that, but never for a minute has he seriously thought of implementing the convention of the International Labour Organisation. At least on this occasion, and in this context, I hope—and I am sure—that the hon. Minister of Labour will take the spirit of the sponsor of this subject into consideration and see that the Act is implemented. I hope he will see that the benefits of the Employees' Provident Fund Act will be applied to all the industries irrespective of their nature. I am sure that he will certainly reap the credit that he may get from the workers as a result of the application of this measure to all the industries in this country, especially in view of the fact that there was an all-round achievement in production in all the industries during the first Five Year Plan period.

**मुल्ता अब्दुल्लाभाई (चांदा) :** अध्यक्ष महोदय, एम्प्लायीज प्राविडेंट फंड ऐक्ट सन् १९५२ में पास हुआ। उसके बाद आज तकरीबन तीन साल हो गये हैं, मगर उसकी बकिंग

जैसी होनी चाहिये थी उसके मुताबिक नहीं हुई। उसकी बजह से एम्प्लायीज जो फायदा उठा सकते हैं, वह नहीं उठा पा रहे हैं। इस सम्बन्ध में मैं अपने मंत्री महोदय का ध्यान दो तीन बातों की तरफ दिलाऊंगा।

सबसे पहली बात जो है वह यह है कि जो ऐक्ट हम बनाते हैं, और जिन लोगों के फायदे के लिये उस पर अमल किया जाना चाहिये, उनको पहले उन फायदों का हासिल होना लाजिम है। जहां तक मेरा तजुर्बा है, मैं समझता हूँ कि इस ऐक्ट के अन्दर जो स्कीम बनी है वह पब्लिक तक पहुंची नहीं है सिर्फ गजट हो कर रह गई है। मैं माननीय मंत्री जी से दख्खिस्त करूंगा कि जितनी इंडस्ट्रीज हमारे यहां हैं, बजाय इसके कि कारखानेदार खुद आपके कानूनों की बाबत तमाम मालूमात हासिल करें, आप वह मालूमात उन तक बहम पहुंचायें, ताकि वे उन पर अमल करें, और अमल करने के बाद जो फायदा वर्कर्स को होना चाहिये वह उनको हो, यह नहीं कि हमने ऐक्ट पास कर दिया और उसके अमल की जिम्मेदारी दूसरों पर छोड़ दी। ऐसा होता है कि ऐक्ट की तहत जो स्कीम बनी है, उसकी पूरी तरह पब्लिसिटी नहीं होती है, जिसकी बजह से न तो एम्प्लायीज को कुछ मालूम हो पाता है और न एम्प्लायर्स को।

मैं आपका ध्यान सेक्शन १३ की तरफ दिलाना चाहता हूँ। मसलन इस कानून में आपने इन्स्पेक्टर्स को इतनी पावर्स दी हैं, जैसे कि हर कानून में, कि इन्स्पेक्टर जब चाहे फैक्ट्री के अन्दर जाकर किताबों को देख सकता है। मगर इन्स्पेक्टर के ऊपर यह बात लाजिम नहीं होती कि जो ऐक्ट की स्कीम है पहले उसको बना कर वह इंडस्ट्रीज के मालिकान को दे। उसको उन्हें देना चाहिये।

ऐक्ट के अन्दर हम गवर्नमेंट अफसरान को प्रोटेक्शन देते हैं कि वह गुड फेय में जो चाहे करें। इसमें किसी को ऐतराज नहीं हो सकता है, मगर मैं चाहता हूँ कि इस ऐक्ट में कम से कम यह जरूर लार्प कि अगर उनकी लापरवाही से वर्कर्स को कुछ नुकसान होता है, और हमारी गवर्नमेंट को कुछ नुकसान होता है, तो उनको सजा मिलेगी। और इस तरह से इंडस्ट्रीज को भी बचाव मिलना चाहिये। क्योंकि हम सेकेन्ड फाइव इयर प्लान बनाने जा रहे हैं और हमारा जोर स्माल इंडस्ट्रीज पर भी है। तो हम यह चाहेंगे कि स्माल इंडस्ट्रीज अगर इस कानून की

जद में आ सकती हों, तो जरूर भाये। मगर इस तरीके से नहीं कि एक मामूली इन्स्पेक्टर मनमाने ढंग से जो चाहे करे क्योंकि इस तरह से हम जिन इंडस्ट्रीज को पनपने की बात कहते हैं वह नहीं पनपेंगी।

में माननीय मंत्री जी से दरखास्त करूंगा कि वह इन बातों के ऊपर ध्यान दें और इस बातों की कोशिश करें कि जिन इंडस्ट्रीज को आप फाइव इयार प्लान में तरक्की देना चाहते हैं, वह भी इस ऐक्ट की वजह से तरक्की करें और जो वर्कर्स हैं उनका भी भला हो।

**अम उपमंत्री (श्री प्राविद अली) :** श्रीमान् में पहले मुल्ला साहब ने जो फरमाया उसके बारे में अर्ज करूं। अगर किसी खास जगह इस किस्म . . . . .

**Dr. Rama Rao (Kakinada):** May we request, Sir, that the hon. Minister may speak in English?

**Mr. Speaker:** If the hon. Minister speaks in Urdu, . . . . .

**Shri Abid Ali:** No. Hindi.

**Mr. Speaker:** . . . he may also say something in English.

**Shri Abid Ali:** There is very little to be said.

**Mr. Speaker:** The Mover has spoken in English.

**Shri Abid Ali:** I have no objection to reply in English.

I was submitting that if the hon. Member from Nagpur has any particular complaint with regard to the working of the Act or the behaviour of any particular officer, I would request him to bring it to our notice. Certainly we will look into it and do whatever may be necessary. I believe that copies of the Act and the scheme are available. If these are not available for sale, we will print more copies and make them available for the use of the factories and the workers.

**Shrimati Renu Chakravartty:** While on this point, many of the workers have asked whether Hindi copies of this Act are available.

**Shri Abid Ali:** We will consider this. With regard to the points raised by Shri T. B. Vittal Rao, I could not

appreciate the necessity of this discussion, because the hon. Member knows very well that we have completed the survey of the factories concerned where this scheme is to be introduced. More than 2,000 factories had to be surveyed. First, the factories had to be located. Then, forms were sent to the factories to be filled up and sent to us. Then, investigation was carried out with regard to the workers who are eligible to join the scheme. We have no magic stick by the touch of which all this work could be done within a period of two or three months. Therefore, necessary time had to be spent for collecting the necessary information. That is being done with the utmost speed. There is no delay of even a single day. I am sure if hon. Members opposite would try to go a little into the details, they will be convinced, if they want to be convinced, that there is no delay of any kind and that we ourselves, much more than they are anxious that this scheme should be introduced, because it is for the good of the workers. We want the workers to be benefited so far as this particular scheme also is concerned. Therefore, there is no room for any apprehension which the hon. Member has got in his mind.

In the coal mines, the workers have got a provident fund of their own. I do not know why the hon. Member has said that coal mines are not deriving any benefit. -

**Shri T. B. Vittal Rao:** I said, mines other than coal mines. He has not followed it, probably.

**Shri Abid Ali:** The coal mine workers have got their own provident fund scheme. They are benefiting by that. With regard to the other mines also, we will have to carry out investigation and wherever possible apply it to them. That would be done. It is not necessary to issue an Ordinance. By issuing a notification, the factory workers can be brought under this scheme.

With regard to plantation workers, about half of them are covered already by the Assam scheme. For the rest, we are collecting information. For that, of course, as I have already pointed out on previous occasions, it will be very necessary to amend the Act. An amendment will be introduced very soon.

**An Hon. Member:** Why not an Ordinance?

**Shri Abid Ali:** No Ordinance will be issued for this purpose. An Amending Act will be introduced in Parliament as soon as it may be possible. It will depend on the Business Advisory Committee to allot the necessary time for that.

**Shri Sinhasan Singh** (Gorakhpur Dist.—South): For the sugar factories also.

**Shri Abid Ali:** They will be covered by the notification. It will not be necessary to amend the Act for that purpose. I hope that before the next sugar factory season starts, the sugar factory workers will be brought under the Provident fund scheme.

I hope this will satisfy the hon. Members opposite also that all that is necessary is being done with regard to bringing more workers under this scheme. I must assure them again that we will do it at the first possible opportunity. It is not necessary for them to have any doubt with regard to that.

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**Mr. Speaker:** There is one other small thing. It will not take more

than two or three minutes. That is, motion to be made by Dr. M. M. Das..

**The Deputy Minister of Education (Dr. M. M. Das):** The motion has already been made. The motion remains to be accepted by the House. As there has been great delay, I want to move two small amendments, one extending the date and another substituting another name *vice* the name of Shrimati Sucheta Kripalani who is no longer a Member of this House.

**Shri Kamath:** (Hoshangabad): On a point of clarification, Sir, am I to understand that the motion will be passed? Because, so far as I can recollect, the Business Advisory Committee allotted more than 2½ hours in addition to the 14 or 15 minutes already taken by the Deputy Minister. None of us has spoken on this Bill. It is not such an unimportant Bill as he makes it out to be. I would urge that it may be taken up in the next session, because I do not think it is an urgent matter, and we would like to speak on the Bill. It is an important matter.

**Mr. Speaker:** I find from a note that two hours were allotted for it. Therefore, there is no time. The House will now stand adjourned *sine die*.

8-31 P. M.

*The Lok Sabha then adjourned sine die.*

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