

**MOTION RE: ANNUAL REPORTS  
OF EMPLOYEES STATE INSUR-  
ANCE CORPORATION**

**Mr. Speaker:** Both the items (Nos. 8 and 9) will be taken up together.

**Shri Narayanankutty Menon:** Sir, I beg to move:

"That the Annual Report of the Employees' State Insurance Corporation for the years 1954-55 and 1955-56, laid on the Table of the House on the 17th August, 1957 and the 13th September, 1957, respectively, be taken into consideration."

"That the Annual Report of the Employees' State Insurance Corporation for 1956-57 be taken into consideration."

Sir, the two motions together seek to discuss the annual reports of the Employees' State Insurance Corporation for the years 1954-55, 1955-56 and 1956-57. First of all, I wish to point out that even though about three years have passed and the First Report ought to have come, there is an inordinate delay as far as the placing of the Reports on the Table of the House is concerned. That matter was brought to the notice of the hon. Minister, and he has assured us that hereafter within a reasonable time the annual report will be placed on the Table of the House.

When I make certain observations and remarks regarding the working of the Employees' State Insurance Corporation in the last few years, since its inception in February 1952, I wish to make it quite clear that I am not bringing any accusations against anybody; I am not attempting to fix the responsibility for these shortcomings upon anyone. I make these accusations with a righteous indignation, because right from the beginning, when even the introduction of the Employees' State Insurance Corporation was resisted by a section of the workers, we ourselves as far as the All India Trade Union Congress is concerned did undertake the respon-

bility of advising the workmen to join it, whatever might be the outcome of the introduction of the Employees State Insurance Corporation. Therefore, after the workers have been advised in many areas to join the Corporation, and when in actual experience the workers find that the working of the Corporation is in almost all cases not so satisfactory, certainly we have got every right to bring before the Government our grievances and our suggestions as far as the working of the Corporation is concerned.

Throughout the report, and also otherwise, there is a grievance on the part of the Corporation. The grievance is lack of financial facilities either as far as the Corporation is concerned or, when it comes on the part of the States to share the responsibility in a very small and humble way, the States refusing to take the responsibility which they ought to take as far as this is concerned.

13-18 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Apart from going into the merits of the responsibility of the States in this matter or the merits of the Corporation's grievances that there might be certain shortfalls facing the Corporation to undertake the vast liability of looking after the health of these workmen, I wish to point out a novel aspect, an aspect which should be considered by the Corporation and the Government. Even in a case of developing economy in an under-developed country where the working class is primarily in the employ of the employers, social security in all its aspects, including medical facilities, is a primary responsibility of the employer. In this case the Corporation has undertaken the liability—the State has quite rightly come forward to undertake the liability. But at the same time, extreme caution should be exercised, especially at this stage of our economic development, to see that the primary responsibility of the social security and also the health of the worker is fixed on the employer.

With this aspect in mind, when we look into the Corporation's budget in the three years' reports, we find that this question has not been answered quite satisfactorily. Looking into the various reports of the Corporation from 1952 to 1956, if we examine the figures of the contribution made by the employer and the contribution made by the workers, we find that the contribution made by the workers in all these years has systematically undergone a tremendous increase, while the contribution made by the employer has not increased to that extent. The answer to this from the corporation's side is that since this scheme is being extended to various areas, more workers come into its fold, and the workers' contribution naturally increases. But that is not a reasonable answer. It would be seen that in the first year, the workmen made an initial contribution of Rs. 30,73,643; gradually, the figure increased, and in 1955-56, the workers' contribution reached the figure of Rs. 2,39,61,290. But so far as the employers' contribution is concerned, it was Rs. 1,31,40,677 in 1952-53, and in 1955-56 it was Rs. 2,25,29,288. The ultimate result is that in 1955-56 the employers' contribution remained at Rs. 2,25,29,288 while the workers' contribution was Rs. 2,39,61,290. Obviously, the workers' contribution exceeds the employers' contribution. This is a state of affairs which is not at all laudable, and which is not at all a happy state of affairs. Government should consider, and the corporation also should consider the question of increasing the employers' responsibility in this case so that at least a very major portion of the expenditure of the corporation is met by the employers' pockets. There may be cases in which an employer in some industry which is having a hand-to-mouth existence may be very hard-hit, if uniformly the rate of contribution is increased. But provisions may be found to give them exemptions or make certain adjustments in those cases. But, primarily,

when one sees the all-India index of industrial production and industrial profits, one feels sure that the employers in India can undertake the burden of meeting the entire social security schemes which come under the corporation's sphere.

Therefore, instead of giving excuses of want of finances from the corporation side, the corporation should immediately think over ways and means of fixing the whole of the responsibility, or at least to a very considerable extent, upon the employers; and apart from the recent decision taken to increase the employers' contribution by way of employers' special contribution, a radical change in policy is called for, and the employers' contribution should be increased to a very considerable extent.

I now come to the working of the various schemes under the employees' State insurance scheme. The first thing that I would take up is the question of hospitalisation. If I make certain bitter remarks, the Labour Minister may kindly excuse me, because I am making these remarks in the mildest possible way, and not in the way in which the actual workers who are affected by the corporation's scheme think over it in their own places.

To begin with, the corporation made an *ad hoc* scheme under which they fixed a certain number of beds in the hospitals to be reserved for the workmen who come under the corporation. Taking the latest position, for over a million workmen who have come under the corporation's scheme, there could be, even according to their own account, a reservation of 2,400 beds. But we are informed today that the total number of beds reserved is only 1,400. As far as the original schedule is concerned, I would emphasise that it was a very miserable under-estimation of the requirements. So, even the original estimate should be re-thought over, and the reservation that has been fixed now according to their schemes on paper will also have to be reconsidered, and will have to be increased,

[Shri Narayanankutty Menon]

according to the experience that they are having in many centres where the corporation's scheme is working.

Even after fixing a quota of 2,400 beds to be reserved, they have been able to reserve only 1,400 beds; and they have not been able to reserve more. The obvious answer which, I know, will be given is that though the reservations have not exactly been made, yet there is no difficulty as far as the workmen are concerned, because they have issued standing instructions to the hospitals to provide workmen covered under this scheme with beds, when they go to those hospitals. That answer is not going to hold water because in my own experience, I find that the State Governments are running their hospitals on a very meagre scale, and already there are complaints that the hospitals have not been in a position to serve the needs of the locality, that is, so far as the other people are concerned; if the additional burden of looking after these workmen is going to be put on them, then I submit that those hospitals would be put to very severe pressure.

So far as the ordinary people are concerned, these hospitals have got no obligation to them except that as taxpayers the ordinary people can get some treatment in a public hospital. But when a workman covered by this scheme, from whose monthly pay a cut is made and is paid to the corporation, goes to the hospital, he also gets almost the same treatment, a treatment of neglect that the ordinary people are getting. In many other cases also, when the workmen wrote actually to the corporation for treatment and then they went to the hospitals, they found the same treatment of neglect.

I know particularly of the Ernakulam hospital, for instance. In any season, you may go there, and you will find ordinary patients on the verandahs, in the quadrangles, and in all sorts of conceivable places where the human body could be delivered. In that congested hospital, if a workman who pays for this scheme goes for

treatment, what is his fate? He would be pointed to another area in a verandah, exposed to the sun and exposed to the fury of the monsoon, and in that condition, the worker is supposed to enjoy the scheme! That is how the worker is treated when he goes to the hospital under the Employees' State Insurance Scheme.

Again, when the worker goes to the hospital, what happens to him as far as the actual treatment is concerned? Usually, the hospitals have not got all sorts of medicines, even though the Employees' State Insurance Scheme worker is supposed to get all modern medicines, including the latest medicines which an ordinary patient is supposed to pay for. In this very hospital, if a worker suffering from pneumonia goes for treatment at midnight, and if the doctor, if at all he is to be seen there at that frightful hour, prescribes that penicillin will have to be given without any further delay, I tell you it is impossible for that person to get penicillin at that time because there is no one responsible as far as the corporation side is concerned, to pay for this medicine. Unless the worker has got something in his pocket at that time, or unless the worker's family is around there, he will not be able to get penicillin, and for want of penicillin or any other drug at that time, he will simply collapse the next morning. What arrangement has the corporation made as far as these workmen are concerned, to see that proper medicines are given in hospitals where the hospitals do not normally stock these patent medicines and drugs? So far, in no place has the corporation made any arrangements to get them these medicines. In many cases, the workmen will have to get the medicine themselves, and later on wander about to get the money.

The treatment meted out in the hospitals, and the reservations made so far, and also the treatment in places where the reservations have not been made are miserable, unsatisfactory, and

requires immediate attention and immediate rectification.

Regarding hospitalisation, there is a scheme with the corporation. And where one hundred beds are required according to their old schedule, which is not at all adequate, hospitals should be built. The scheme started in 1952, and the talk of building hospitals started long long before. Today, it is the 7th year of the functioning of the corporation. According to the glossy picture given in the annual report, the corporation's schemes and other benefit schemes are making tremendous strides. But in spite of all these strides, the lack of reservation on one side and the absence of a single hospital anywhere in the country on the other, is the glorious account that the corporation is able to give us in the 7th year of its existence. Is there any want of money? If in the countryside or in a particular State, it is stated that there is no money for a hospital, we can understand; we can understand that the State Governments cannot foot the budget, but here in the latest annual report, we find that Rs. 11 crores are there in the reserve fund of this corporation. So, it cannot lie in the mouth of anyone to say that there is no money for the construction of hospitals. Instead of coming forward with excuses as have been given here, namely that maps are being drawn, architects have been consulted, land has been acquired and so on, instead of this sort of excuses being given year after year in the name of architects, in the name of land purchase, and in the name of various other things, immediate steps will have to be taken to see that the hospitals are built in those centres which have been given in the report, where one hundred beds and more are called for.

Another report is already coming because the year has run out. When that report of the Corporation for that particular year is placed on the Table of the House, may we hope that those promises of building hospitals at least according to their schedule will have been implemented without any

excuses being given?

Then I come to the extension of the scheme to the families of workmen. In many centres where the scheme has been introduced, originally the workers were getting family protection as far as the employers were concerned. When the scheme was introduced, what happened as far as the employers were concerned? It was the primary responsibility of these employers to provide medical facilities for the workers. They were running their own dispensaries with medical personnel; some of the companies had their own ambulances. The families of workmen used to get the medical benefits. But now, immediately the scheme has been introduced, sticking to the very letter of the law, they have closed the entire dispensaries, and in cases where the families were being given facilities, they maintain only family service.

The ultimate result is that if one worker falls ill either in the factory or in his house, he will have to have his own conveyance. He will have himself to arrange to go to the hospital. I was pointing this out in connection with the facilities that used to be given by the employers, and how now the workers lose that benefit. I come back to the extension of the scheme to the families of workmen.

Originally, it was proposed that the scheme be extended to the families. But in spite of assurances after assurances, it is not being extended to the family members. Now in the latest Report, the Corporation says that there is a gap of Rs. 7 lakhs as far as the budget estimate is concerned if the scheme were to be extended to families. I am told that the Corporation was able to persuade the State Governments to extend the scheme within a time schedule. What happened? What is the position in all the ten States where the scheme is extended? According to my information, till day before yesterday the State of West Bengal had not agreed to extend the scheme to families. I may point out

[Shri Narayanankutty Menon]  
that now the State Governments work with at least some sort of co-operation and co-ordination with the Corporation. Not only in this case, but in all the negotiations, more responsibilities and more liabilities are placed on the State Governments. It is also right in certain cases that the State Governments—I say this from my own experience—take it for granted that this is something administered by some Corporation at Delhi and as far as this is concerned they have no responsibility, and whenever their responsibility comes, they say: 'As far as we are concerned, our revenue is depleted; we cannot find the finance'.

The hon. Labour Minister should take some more trouble and see that there is more co-ordination with the State Governments. I hope that the State of West Bengal with its very enlightened Chief Minister, who is himself a medical practitioner, who understands the difficulties of patients, will come forward and say that they will agree to extend the scheme to families.

Talking about West Bengal, there is another point which I have to mention. I find that every other State Government has agreed to construct hospitals where they are required to be constructed. But I understand—I am subject to correction—that the State of West Bengal has refused to have anything to do with any hospital as far as Calcutta is concerned. I do not know whether it is true, but this is my information. If this is true, the West Bengal Government requires some telling. As far as the Corporation and the Central Government are concerned, the hon. Labour Minister will have to see that some positive steps are taken. A positive statement will have to be made that the Corporation and the Central Government have undertaken the responsibility of seeing the entire medical benefits scheme through throughout the country as far as workers are concerned, and that they are not going to shirk their responsibility as far as implementation of the scheme is concerned,

whether any State Government comes in the way or not. Drastic steps ought to be taken to implement the scheme so that the entire scheme as far as labour is concerned, will have a smooth sailing in all the States. I hope, therefore, that the extension of the medical benefit scheme to families will be effected as quickly as possible and within the next year we will see, as promised, the scheme is so extended in all the areas where the Employees' State Insurance Scheme has been introduced.

Now, I come to another point, the point of perpetual complaints as far as the implementation of the details of the scheme is concerned. Where there is a dispensary, the workman cannot go to the dispensary on his own. There are many cases when a workman who comes back from the factory in the night takes ill in the morning. Then he will have to have his own conveyance to go to the dispensary. It is impossible for the workman to provide his own transport to the dispensary because in cities the conveyance charges are high. According to the rules framed by the Corporation, unless the worker goes to the dispensary and gets the form filled—even if he is unconscious—he cannot get treatment. That is the strict interpretation of the rule. He may not get any benefit at all; it will not be possible for him to go there. So something will have to be done as far as this particular difficulty is concerned. There should be some help given to workmen who suffer from illness in their own houses to get themselves removed to the dispensary.

Previous to the introduction of the scheme, if the worker suffered from any disease in his house, he could send a leave application on the same day through some other man. If he could not do that, he could on a later date when he joined duty, submit his leave application and the employer used to grant the leave, and he used to get the full pay. Now, he is compelled to go to the dispensary, get himself examined by the E.S.I. doctor.

In many cases, it is not possible for the worker to do this. So this particular matter will have to be looked into with extreme care.

Regarding supply of medicines in the hospitals where these workmen are taken, the suggestion I am making is that there should be some responsible officer of the Corporation in every hospital—he need not be permanently there—and it should be under his supervision that workmen are admitted in the hospital with priority and in the proper place. It should be within his responsibility to see that proper medicines are given to the workmen; it should be within his responsibility to see that if during the course of illness and treatment, specialised treatment is required, he is taken to the specialist. I have my own experience in this regard. If a specialised treatment is required or consultation is required, if, for example, an X-ray is to be taken, the worker will simply be told by the doctor: 'Get yourself X-rayed'. How is the worker, who is unable to walk even in the hospital, to go to the X-ray specialist to get himself X-rayed? The X-ray establishment will be four or five miles away. How is the workman who is unable to walk up to the verandah of the hospital to go to the X-ray establishment by himself and get himself X-rayed, and show to the doctor when he comes in the evening 'This is my X-ray photograph'? What happens is this. It is impossible for him to get himself X-rayed. He will remain a patient there and if God has given him a long life, he will come out of the hospital without being X-rayed. This difficulty will have to be looked into and removed.

Therefore, I emphasise that the Corporation should find some means of putting an officer in these areas who will be completely responsible to transfer these patients, whenever required, to the dispensaries, to get them admitted to see that they get proper medical care, to see that proper medicines are supplied and also to see that specialised treatment is given, where

necessary. In view of the difficulties experienced so far, in view of the complaints that we have received so far, I hope it will be possible for the Corporation to do something in the matter and put somebody who is responsible there.

Now I come to the point regarding exemptions. I fail to understand sometimes what is Government's policy in this regard. Let us take this example. There is a big company. Because of the fight of the trade union for long long years there, the workers have got certain rights as far as leave facilities are concerned and as far as medical facilities are concerned. When the Employees' State Insurance Scheme comes, the scheme is to give coverage to the entire industrial area. Immediately all the benefits that the workers used to receive are stopped. In many cases where exemptions are genuinely asked for, the workmen used to get better benefits than what they could get from the introduction of the scheme. Should the workmen lose those benefits that they used to get? What prevents Government, if proper representation is made, from thinking that these workmen were getting benefits far superior to what they could get under this scheme or what they could expect to get in the near future? What is wrong in Government acceding to this request for exemption in that particular case? When the Corporation is pressed for funds, why not leave these workmen alone to have all those facilities they used to get for a long time, and which they cannot get under this scheme until all the promises come to reality? Till that time, why not leave those workmen in peace? Let them continue to enjoy those facilities which they have been enjoying so far. Let them enjoy the facilities that they used to get. That should be the policy of Government. In many cases, I know, where the workmen want to get enlisted in the scheme, Government has refused to enlist them; and, where exemptions are not justified, Government have given exemptions.

[Shri Narayanankutty Menon]

I take the case of the Calcutta Corporation workers. For the workers in the Calcutta Corporation the medical facilities given by the Corporation are far far meagre than what they would get if these workmen were to be brought under the scheme. Government came down and exempted the Calcutta Corporation from the operation of the scheme. That was a case which called for inclusion in the scheme and where the Government exempted.

In Monghyr, the workmen of the Imperial Tobacco Company were getting more benefits than what the Employees' State Insurance Corporation could not promise them for 20 years to come. All the employees and the trade unions—individual signatures were even collected—approached the Government to exempt them. But there was a deliberate insistence that in Monghyr the I.T.C. should not be there.

In my own experience in Ernakulam in 1954, when the scheme was started there, I sent petitions, I sent memorials through the State Government and directly to the Central Government that the workers of the B.O.C. and S.V.O.C. were getting far more facilities than what they would get from the Corporation even for 25 years to come and that they should be exempted. But compulsorily these workmen were brought in there. They were forced to join and they found afterward that whatever they used to get before, they could not get.

I submit that this scheme has no plan behind it; this scheme has no logic behind it; that this scheme has no reason behind it. If the Government is serious and if the Corporation is serious that the scheme should work properly, they should give exemptions where they are justified. And, in cases where certainly the scheme should come, in exercising their discretion in exempting factories, whether it is private business or government business, exemption should not be

given. I hope, with these examples in mind, the hon. Minister himself will take the responsibility to see and analyse each case; and wherever exemption is called for—even in cases where the workers have been enlisted—he will act promptly and give the exemption.

**Mr. Deputy-Speaker:** The hon. Member should conclude soon

**Shri Narayanankutty Menon:** I will not take much time of the House. I will take only two minutes.

Now, I come to another point. Every State has its own Maternity Benefit Act; and there is the Workmen's Compensation Act also. Under the Maternity Act, the women labourers are entitled to certain benefits. Under the Workmen's Compensation Act, all workmen are entitled to certain benefits. The anomaly is this. Immediately the Employees' State Insurance Scheme comes into force, in a particular locality, the operation of the Maternity Benefit Act and also of certain provisions of the Workmen's Compensation Act is suspended. The ultimate result is that women workers—especially in the State of Kerala which I know—who used to get longer paid leave for maternity and also increased wages, had the coverage of maternity reduced when they joined this particular scheme. The quantum of wages they get is also reduced.

In the Workmen's Compensation Act also there is a lacuna. This has been brought to the notice of the Corporation, I think, in the year 1954 and onwards and the Corporation is considering and reconsidering this. So far nothing has been done. I call upon the Labour Minister to see that, so far as maternity cases are concerned, wherever injustice has been done and where women workers have lost a number of days of leave as provided for before the introduction of the scheme and where they have also lost in wages, they are fully compensated.

I come to the Workmen's Compensation Act. How far have the promises

made on behalf of the Corporation and how far the promises made on behalf of Government been fulfilled? I think it was on 20th November, 1957 that the hon. Deputy Minister of Labour in the Rajya Sabha assured that he was convinced that there had been injustice so far as the working of the Workmen's Compensation Act was concerned, and that he would take immediate steps and see that an amendment is brought soon. November 1957 was long long ago. The workmen in every factory are suffering because of the lacuna in the Act. The Government saw that and promised that they would come with an amendment. So far, nothing has been done as far as Government is concerned. After this promise was made in the Rajya Sabha, where the Deputy Minister almost chided the Members for making the allegation, 7 months have passed. When are they going to bring an amendment to the Workmen's Compensation Act? I seek an explanation and an answer from Government. In conclusion, I wish to repeat that we are not making these complaints because of any prejudice against the Corporation. We are the people who first welcomed the formation of a Corporation; we are the people who were first joyous that the State itself is working and undertaking this tremendous responsibility. But we are pained today when the employers point out that the workmen are suffering in the hospitals when the State has undertaken this responsibility. When the employers were looking after this scheme, the workmen used to get penicillin; and they say, 'Look at the way these things are being done now when the State has taken over all the responsibility'. We are very much pained when the employers point out the way these things are being done. Therefore, some more caution will have to be exercised because already these workmen enjoy certain privileges.

I will end by pointing out to the hon. Minister the attitude taken by the

Corporation in certain matters. I may be permitted within a minute to read out from a recent memorandum circulated. We are very much pained at that remark. First of all, I will read that out. It is on page 18 of the memorandum.

'In an extensive organisation like the Corporation where lakhs of illiterate workers, illiterate but organised workers, are there who have access to the Press, a few complaints are likely to arise and at times get wide publicity.'

Obviously, the reference is to the complaint that the workers are not getting their wages and that they are not getting proper medical treatment. Sir, I protest against that remark.

**The Minister of Labour and Employment and Planning .. (Shri Nanda):** Where is it?

**Shri Narayanankutty Menon:** It is on page 18 of the memorandum you have circulated in connection with the next Labour Conference. If this is the way in which the corporation which is a very responsible body and also Government is going to treat the complaints that are coming from the workers what is the salvation, what is the remedy? When criticisms are made and complaints are made they ought to be looked into all seriousness. It is not an argument that even though they are illiterate they go to the Press and make wild allegations. Look at the Press for the last few days. The workers have not got much space in the Press; the space is taken over by people like the Corporation, people like Government and people like you and by matters like the Prime Minister's statement about resignation and all that.

**Mr. Deputy Speaker:** I never got even an inch.

**Shri Narayanankutty Menon:** I do not mean you, sir; I mean the Minister.

Therefore, this sort of uncharitable and brutal comments should not be made when the workers bring our



[Shri Narayanankutty Menon]  
 their genuine grievances. When the grievances are there, assurances will have to be given and confidence will have to be brought. I hope that this sort of remark will not find a place as far as the replies are concerned. I beseech the hon. Minister to see that this scandalous remark is taken away at least from the memorandum even though the motive and the approach may remain the same, as far as the Corporation is concerned.

**Mr. Deputy-Speaker:** Motion moved:

"That the Annual Report of the Employees State Insurance Corporation for the years 1954-55 and 1955-56, laid on the Table of the House on the 17th August, 1957 and the 13th September, 1957 respectively as also the Annual Report for 1956-57 be taken into consideration."

May I know how much time the hon. Minister would require?

**Shri Nanda:** It will depend upon what happens in the course of the discussion. But, I think, 20 minutes to half an hour will do.

**Mr. Deputy-Speaker:** Would the hon. Mover insist on some time for reply?

**Shri Narayanankutty Menon:** I want only two to three minutes, Sir.

**Shri Oza (Zalawad):** Sir, we are watching the implementation of this Act with great expectations, I should say with a mixed feeling of anxiety also—expectations because we have put before ourselves an ideal of a welfare State. We have gone even further and said that we want the socialist pattern of society in this country which means that we want to expand all possible social security commensurate with our resources to all citizens and more so far those who toil in the factories and produce something for us. There is anxiety because we have got to make these schemes successful because we do not want to confine the scheme to the present range of benefits only. If possible, we

want to expand the scheme further to cases of unemployment and other conditions in which the worker finds himself in distress. So, it becomes the duty of all concerned to see that this scheme is successfully implemented and, as my friend put it, creates a sort of confidence among the industrial labourers for whom it has been brought into force. For this not only the Central Government and the State Governments but the Corporation, the employers, the employees and the trade unions shall have to co-operate fully to see that the scheme does not suffer in implementation for any fault of theirs. So far as I can understand, 12 lakhs of labourers are covered by this scheme. During the Second Plan we want to include nearly 77 lakhs of workers, including their family members. Two years have already lapsed. There are three years before us and the task is rather stupendous. Therefore, I urge on the Ministry and all concerned to streamline the implementation of this scheme so that we can go ahead so that a feeling of even slight frustration does not develop among the persons for whom this scheme is being implemented.

As we all know under this scheme five benefits are being conferred on the employees according to section 46 of the Employees State Insurance Act. These benefits can be classified into two categories: medical benefit and cash benefit. So far as cash benefits to the insured are concerned, it is working satisfactorily. Yet something remains to be done in order to see that cash benefits, whenever they accrue, are immediately made available to the employees. I think the best remedy for this is to open as many offices as it is necessary in the areas in which these employees are residing and to have more and more powers delegated to the regional and local committees. The small cash benefits should immediately go to the workers because in these cases if they are delayed it will sometimes be useless. Instead of giving some relief, it

would result in hardship to the workers. Cash benefits should be given as soon as they accrue and for this all steps should be taken to see that there is no delay because the administrative machinery is not adequate or something requires to be done here and there. As much power as may be necessary may be delegated to officers at various levels, care being taken to see that the relief goes to the workers concerned.

Over and above being citizen of this country, these people contribute something for their health and for relief when they are sick. The standard of medical help given to these people must be higher than what is prevailing in Government hospitals and Government dispensaries because if these standards are not higher, it is no use asking for special contributions from these people. Instead of just putting them at the level of the ordinary citizen, it is our duty to see that the medical facilities provided to them are of a higher standard, especially when as I said they are paying a special contribution. Here also, if we see closely two things require to be done on the side of hospitalisation. The Corporation should closely look into this matter and in co-operation with the States it should see that hospital facilities go up and these employees who are insured are not suffering for lack of adequate hospital facilities.

One point in relation to the State Governments was raised by Hon'ble member. He quoted an example of the West Bengal Government. I have also in mind the case of the State from which I happen to come—Bombay State. If the medical facilities are extended to the families, instead of  $\frac{1}{4}$ th the State Governments will have to contribute  $\frac{1}{4}$ th during the Second Plan. They think it means that only during the Second Plan the contribution will be  $\frac{1}{4}$ th. The State Governments are rather nervous because they say that it is beyond their capacity to bear the extra burden and therefore this clause of reco-

vering from the State Governments  $\frac{1}{4}$ th of the total expenditure should not be confined to the period of the Second Plan but should be absolute. I think this matter is also being looked into both by the Corporation and the Central Government and I am sure a suitable remedy will be found. About the specialists' services, I have to say something. The services which are at present rendered to these persons cannot be said with equanimity to be adequate. For weeks and some times for months together the patients have to wait before a specialist takes up their cases, and gives care and guidance for the remedy. That also is being looked into by the Corporation. I am sure the Government will also devote some more attention to this and come to the rescue of the Corporation and the State Governments to see that whatever requires to be done is done so that the specialists' service is also adequate. If we look to the accounts of the Corporation, as has been pointed out, there are quite adequate finances. I am only referring to the last report—1956-57.

14-00 hrs.

We find that on the income side the employees' contribution alone amounted to nearly Rs. 3,22,00,000 and odd, while, if we examine the expenditure side, on the revenue account the total expenditure is Rs. 2,88,30,000. Therefore, there is an overall saving, as has been pointed out somewhere else, of about Rs. 4 crores and odd which has been taken over towards the reserve fund. It cannot be said, therefore, that so far as the financial side is concerned the Corporation is on the weak side.

I think it can take up this question and try to give more facilities to the injured persons. Unless, as I said in the beginning, you remove all the causes of irritation and friction amongst the insured persons, I think the fate of this Corporation's activities will be dismal. It is the duty of the Corporation and the Government to see that they create not only

[Shri Oza]

a sort of confidence, but a sort of fervour and enthusiasm among the workers. The workers should be made to feel that this is a scheme which is for their benefit both in terms of their sound health and also finance when they are disabled permanently or even temporarily, and also the overall aspect that this Corporation means well for them. They must be made to realise that whatever contribution they give is ultimately for their good, for the good of their families.

If we want to create that fervour and enthusiasm among the workers, we should be very vigilant about the implementation of this scheme and see that there is no unnecessary irritation and no unnecessary hardships are inflicted.

I may say, Sir, that the Corporation is also self-critical. The Corporation also had appointed sub-committees from amongst the directors and members to go to various places from place to place, to study on the spot the implementation of this scheme in its various aspects, suggest ways and means of streamlining the administration and see that the medical benefits are properly rendered. These reports are very useful, and I am sure the Corporation, with the aid of the Government, will try to see that these reports are properly taken into consideration, and whatever lacuna or defects here and there are left are remedied and are not allowed to creep in so as to damp the enthusiasm of the persons insured for whose ultimate benefit we have taken all this trouble.

Mention was made about the special drug. Here, I find that we have to advise not only the insured persons, trade unions and organisations, but also the panel of doctors wherever there is a panel system, to see that this relief by way of providing special drug is not misused, because we find on a study of the report that the per capita expenditure on this account is going up and there is rather a faint doubt that perhaps it is being mis-

used—instead of it being utilised for the quick relief of insured persons, perhaps, some of these special drugs find their ways somewhere else. Therefore, all of us should co-operate to see that this relief is not being wasted and it is being properly utilised.

Therefore, as I said in the beginning, unless all of us co-operate—the Government, the Corporation, the employees and the trade unions—I do not think this scheme can be as great a success as we want it to be. I am not talking only of the present benefits. As a citizen of this great country I am anxious to see—the State has declared itself times out of number that it is a welfare State, a socialist State, and, therefore, from cradle to grave all securities should be given—that this scheme is pushed further. Employees' State Insurance is still in the primary stage. We want to push it further to all sorts of insurance, as I said, even in the case of unemployment. Therefore, I urge upon all the parties concerned to see that it is successful.

**Shri Tangamani (Madurai):** Mr. Deputy-Speaker, Sir, Shri Narayanankutty Menon dealt with the various aspects of this annual report and the main demands of the workers regarding this scheme. But, at the outset, what I would like to submit is this. We are discussing the Corporation's reports for the year 1954-55, 1955-56 and 1956-57. That itself shows how slowly we have been moving, and how much the House has been taken into confidence about the working of the scheme itself. Therefore, at least in future let us hope that we will be discussing on the report of the previous year—that is, 1957-58 report in 1959—and, when the report of 1957-58 is submitted to us the budget estimate for 1958-59 may also be simultaneously present. I am saying this only because the House will have an opportunity to go into greater detail about the working of the scheme itself.

About the scheme, Sir, most of the labour leaders and workers in the trade unions know how the thing came about. There was a Commission set up under Mr. Adarkar and Mr. Adarkar's report, I think, was published in 1944-45. Soon after the war was over the whole question of social security was taken up and, simultaneously, Beveridge Scheme was introduced in the United Kingdom, namely, providing for a person who is in the employ from cradle to grave. So a legislation was passed in the year 1948, namely, the Employees' State Insurance Act. After 1948, the scheme itself came into operation only in February 1952. And, today it does not cover all the industrial workers; it is being taken from State to State, area to area and sector to sector. I believe it was on the 24th February, 1952, that it was introduced in Kanpur and Delhi.

Sir, for understanding this scheme there is a certain amount of sacrifice and greater social consciousness among the workers who were having some benefits before. I shall explain what I mean. These industrial workers had certain benefits conferred upon them by prior legislations. If there was an accident, if there was an injury or a person died due to an accident, there was the Workmen's Compensation Act. If the worker happened to be a woman, there was the Maternity Benefit Act. These two were non-contributory; whether the worker contributed to any scheme or not he or she was entitled to, the benefit under the Workmen's Compensation Act and also the Maternity Benefit Act. Now, a worker who contributes does not get the benefits under the old Acts, he gets benefit only through the Corporation. After the contribution, the right which he had has been taken away. The worker does not mind that because of the greater social consciousness that a larger number of workers who were not benefited under any of the old Acts will also now come under the new scheme.

The next point is on the question of hospitalisation or looking after the sick persons. In many units, because of the trade union movement or because of the goodness of the employers or due to the intervention of the State or Central Government, we had proper dispensaries and hospitals and the workers were getting hospital facilities without contributing anything. Now he has to contribute, and as soon as the employers find that the workers have come under the new scheme the existing facilities are more or less taken away. Now the workers get hospital facilities by their contribution.

There are two other things. One is where a worker becomes unemployed or where a worker is forced to retire, and the other is where a worker dies. The whole concept of insurance is that the worker must be assured of something, he must be given all facilities, all his risks are covered, all the contingencies are covered. Death, naturally, is one such contingency. Death due to accident, illness, maternity, unemployment and old age—these are the things which are beyond our control. So these reasons will have to be covered. The aim of the scheme is this, and naturally Adarkar has adumbrated this and Beveridge scheme also adumbrates this and visualises this, namely, ultimately, every citizen in this country must be covered under all these six risks, and it is started with the industrial worker. So, so far so good. With that point of view only the trade unions in this country and the Trade Union Congress which I represent and with which I have been associated for nearly 20 years said that we are going to get several facilities, this scheme must be worked and we must really support this. But in its actual working only several difficulties come in. I shall just mention one or two things in the concluding portion of my speech.

But today, this scheme covers nearly, according to the figures supplied to us by the Government, 10,35,000

[Shri Tangamani]

workers. Out of this 12,35,000 workers, five lakhs come from Bombay; 2½ lakhs from West Bengal, 1½ lakhs from Madras and 1½ lakhs from Uttar Pradesh. So, these four States among themselves account for nearly a million workers, and about 2,35,000 workers are from the other States. Gradually this scheme is being introduced to new areas. Even in Madras it covers only Madras, Coimbatore and the Madras-Tuticorin-Ambasamudram belt, which is the southern belt. In the same way, the scheme will apply to West Bengal and Uttar Pradesh also.

Ever since the ESI Corporation was formed, one of the demands of the workers has been—and it was accepted by the Corporation also—that medical facilities must be extended to the members of the families of the workers. It is still on paper, and only last week or the week before last, in reply to one of the questions tabled by us, the hon. Minister was pleased to state that two State Governments are not willing to make their contribution. The two State Governments are Uttar Pradesh and West Bengal. Now, about the contribution itself, one thing has to be remembered. It is not like the provident fund where there is a certain percentage of wages deducted. In the case of the provident fund it was 6½ per cent. A worker drawing less than Rs. 30 a month—it does not happen—does not have to pay any contribution at all. Over and above the pay of Rs. 30, there is a graded scale. It is not a question of equal contribution by the employer and the contribution varies. After the legislation was passed as a result of the pressure from the employers' side, the employers' contribution has been decreased. - Time and again, we have been demanding how much has been contributed by the workers in a particular unit and how much has been contributed by the employer in a particular unit. We have worked out the figure. I can give one instance. In

the Simpson and Co. in Madras, the contribution by the employer is equal to 50 per cent. of the contribution by the employees. So, the employer does not contribute even as much as the workers are contributing. So, contribution from the employer is reduced to the minimum. For increasing the income, which is now mentioned in Schedule I, the Central Government decided that the rate of employers' contribution be revised from 1½ per cent to 3½ per cent. I would like to know when that is going to be enforced or whether it has been enforced. So, even in the areas where the scheme has not come into operation, that is, in the non-implemented areas, the present contribution is 3½ per cent. and the revised contribution is going to be 1½ per cent. To show that we are very anxious to make the employers also contribute their share, we must be able to show that this contribution takes effect soon. In places where these benefits are going to be extended to the families also, it is to be contributed by the State Governments. I am subject to correction. That will be for the rest of the Plan period. Now, at least the demand which has been repeatedly put forward by the trade unions and accepted by the Government, that these benefits will have to be extended to members of families, must be enforced and implemented as soon as possible. That is the first point.

The second point is this. There were women workers who were getting maternity benefit, before they became insured workers, under the State Maternity Benefit Act. They were getting a certain amount—12 annas a day or Re. 1 a day. According to the present scheme, it is less than what they were getting from the State Government. I think a representation has been made and I believe that this matter is also going to be discussed—it was already discussed in the Consultative Committee—in the coming 16th Indian Labour Conference.

The grievance really comes in, first with regard to the hospitalisation. Then there is the reluctance of the Government or the reluctance of whichever party is concerned, to extend to the families the medical facilities offered, and then in the actual implementation itself. Many of these grievances come in in the actual implementation, because the machinery is so outmoded. We are trying to fit in the new things with the old things and things do not seem to move as rapidly as they ought to as a result of which the demands from the worker has been, "Please relieve us of this Corporation." No such demand comes so far as provident fund is concerned. Though I do not agree with that demand, there is something genuine in that demand, because, the worker argues, "I am now contributing each month Rs. 2 or Rs. 3 and I do not fall ill. There is no accident for me. I do not get any benefit at all." So, it is not like the provident fund where he contributes and knows at the end that there is some money standing at his credit. So, his reaction is quite genuine. Therefore, to take away the doubts which these workers have got, we must really streamline the scheme and make it much more efficient and see that all the facilities which are available to the workers are streamlined.

The points which the previous speaker referred to are very good points, particularly those on the question of cash payments. Formerly, the cash payment used to be a lump sum when a particular worker sustained injuries. Now, it is to be in instalments. We have no grievance about this but there is delay in payment. The worker has got to travel a long distance for collecting the money which is due to him. These are all the things which are really causing serious doubts in the minds of the workers. A concrete, specific, demand has been put forward by the trade union organisation which I represent. That demand is that the worker's contribution may be reduced to 50 per

cent, because, ultimately, in a welfare State, where we are proceeding towards socialism, all the social security schemes will have to be non-contributory. We may not like the Soviet Union or China for some of their social schemes, but the fact remains that all the social security schemes are non-contributory. In China, what is done is this. I am saying what is happening in the textile industry in China. There, about 30 per cent of the wage bill is taken. If the wage bill is Rs. 3 lakhs, Rs. 1 lakh is set apart by the employer and it is put in a separate fund which will be for the purpose of meeting any one of the risks to which the workers will be subject. So, the social security schemes ultimately will have to be non-contributory. Therefore, the workers will have to be shown that it is non-contributory. Provided our wealth, the wealth of the nation, increases, provided the production also increases and provided all the other things are equal, such non-contributory schemes will have to come into being. So, in the initial stage, at the starting point, we could at least reduce the contribution of the workers to 50 per cent.

Having said this, I do not want to go into the details of the actual working of the scheme. Although the scheme is a good one and must be encouraged, in its actual working we find it extremely difficult to convince the workers about the goodness of the scheme and the greatness of the scheme. So, this matter is to be looked into without any prejudice about parties or prejudice about the trade union affiliations. I am happy to say, as I have already stated, that this matter is going to be discussed in the coming Indian Labour Conference, and I am sure the decisions taken there will be seriously considered by the Government and by the employers.

I would like to conclude by saying that in future at least, let us have only the report of the last year, the previous year, and let us be given the budget estimate for the coming year.

**Shri S. M. Banerjee (Kanpur):** Shri Menon and Shri Tangamani have already referred to many things about the ESI Act. May I mention here that in 1952 when this scheme was inaugurated by our hon. Prime Minister at Kanpur I was there and then more than three lakhs of people attended the inauguration ceremony? But what happened after that? As I said in the past, we are unable to convince the worker about the utility of this scheme. In Kanpur the employers who should have played a good role in making a success of this scheme are trying to sabotage the whole scheme. I may mention for the information of the House that one of the mills in Kanpur, the Muir Mills Limited, is run by the famous Singhanias. There are about 4,000 permanent workers there. But they are unable to derive any benefit out of it, because the employer has not paid a single farthing towards this particular scheme. It is a serious problem. The workers are not getting leave; they are not getting any treatment. I would request the hon. Minister to kindly consider this point and see that the state of affairs at present obtaining in Kanpur are put a stop to. This particular mill is owned by a very big industrialist, Shri Shingania. He has got so many mills. But in this mill more than 4,000 workers are facing a serious situation. That is why I am making this fervent appeal to the hon. Minister to go to the rescue of the poor workers and see that the Kanpur workers in general, and these workers in particular, do not lose the confidence in this particular scheme, which is a step forward towards social security.

I now come to another point. Kanpur, as the hon. Minister is aware, has got the highest incidence of TB in India. But Kanpur has no TB hospital at all. There are about 15 beds in the Lala Lajpat Rai Hospital and there also it is very difficult to get any bed, unless it is recommended by the hon. Minister or the Deputy Minister or at least the Parliamentary

Secretary. I cannot get it. Even a Member of Parliament is too small a man to recommend a worker to be admitted in the hospital. That is a genuine difficulty.

**Shri Nanda:** Who makes the recommendations?

**Mr. Deputy-Speaker:** The Members says that the beds are so few that for admission to those beds the highest recommendation would be required and he is too low a person.

**Shri Nanda:** The Minister or Parliamentary Secretary?

**Shri S. M. Banerjee:** I am saying this without imputing any motive.

**Shri Nanda:** I do not know how the Minister comes in.

**Shri S. M. Banerjee:** I am speaking about the State.

**Mr. Deputy-Speaker:** He is saying that recommendations by the highest dignitaries are required.

**Shri Nanda:** At the Centre?

**Shri S. M. Banerjee:** No, at the State. We have been pleading with them all this time. I have raised this particular question of hospitals in Kanpur many times in this House also. I have been told by the Health Minister that the UP Government has not submitted any scheme to the Centre. I do not know whether they have submitted it or not; I take it that they have not done it.

Unless there is a TB hospital in Kanpur, the workers who are suffering from this disease and their family members cannot be saved. These are no arrangements for treatment for this disease or even for X-ray and things like that. There are simple TB clinics. Since these poor fellows are not able to get any treatment, they immediately go to these clinics and get a certificate that they are fit for work. Then they work for three or four months and ultimately die. Kanpur has got the highest number of TB

deaths. It is regrettable state of affairs, and I can assure the hon. Minister that I am not trying to exaggerate the position. It is a grim reality which both of us should face and we should try to evolve methods by which these workers in the textile mills and jute mills are saved. There must be some provision for treatment in the hospitals. So, these hospitals are absolutely essential.

Then I come to the question of reservation of beds. In Bombay there are about 284 general beds and 250 TB beds. Some attempt is being made to reserve some beds in the various hospitals in other places. But there is no such reservation in Kanpur. There are no special arrangements in Kanpur. I know there are about three or four hospitals. But it is very difficult to get a seat in those hospitals, with the result that the dispensaries have become more or less a certificate-granting institution. A worker simply goes there to get a certificate when he is ill, and simply stays at home. He does not get any medicine, except medicines from No. 1 to 10, which can cure all the diseases in the world. I have referred to it already.

**Shri Narayanankutty Menon:** The Minister has not heard you earlier.

**Shri S. M. Banerjee:** I do not want to repeat it, because the time is less. The scheme cannot be a success unless it gains the confidence of the workers. I do not doubt the good intention of the hon. Minister or the Ministry. But whether their intentions are translated into action by their officials, or by those who are responsible to run these dispensaries is a matter which requires serious investigation. I do not say they are bad and until it is investigated, I shall not impute any motives. But I have seen how the dispensaries are functioning, during the cholera epidemics of May 1957. We had to go to these dispensaries and request them at least to have a medical register. They said that it was not cholera but gastro-enteritis. I am not a doctor.

I could not understand the difference between cholera and gastro-enteritis. Anyhow, I have seen people dying there and the symptoms were that of cholera. There may be some difference. But the ESI was unable to mobilise all the strength and power for 30 days. It took us 30 days to mobilise them. Then we wanted to get all sorts of cholera mixtures and when we made enquiries we found that it was cholera. They felt ashamed and then they started functioning efficiently.

So, I would request the hon. Minister to kindly see how these hospitals and dispensaries can be effectively worked. I contained some doctor and asked him why this scheme is not a success and why are they not working properly. He said that they are less paid and there is no time-limit for their work. They have to work for 12 hours. If that is the position, the services and working conditions of the doctors and compounders require investigation and revision. That should be done. That is necessary if we want efficient work, because all of them do not work with a missionary spirit. Now these men have a grouse against the whole scheme as such.

I welcomed the scheme even when the hon. Prime Minister inaugurated it. Even today I feel that this is a good scheme and it is a welcome step. But for the successful implementation of the scheme we must view it from a different angle, from a social angle. We are now having only some—to see it in Hindi—*khanapuri*. Let us work the scheme with all the sincerity. I am sure that Shri Nanda has a heart which bleeds for the workers. This scheme can be successful only if the men at the lower formation also work well.

Then I come to the question of its extension to families.

The hon. Minister has explained to the Consultative Committee that many State Governments have agreed to this. I know, Bengal most probably has refused and will not have it. I do not know why they do not



[Shri S. M. Banerjee]

want to extend this concession to the family members of the workers. The worker can give his best for the Second Five Year Plan and can work more if his child is well and if his wife is well. He cannot possibly give his best for the Second Five Year Plan if he finds a sick child at home or a sick wife at home. It is not possible. The entire family—child, wife and himself—all should work together for the successful implementation of the Second Five-Year Plan, which is the need of the hour. So, this should be extended to the family. The State Governments must be told that they have to do it. There is no question of their having their own views about it or that they cannot provide this facility for the workers. Do you think that the capitalists, who have earned fabulous profits during the war and even after that, cannot do it? Do you think that the mill-owners of Bombay cannot have hospitals attached to the various mills? They can have it. In Kanpur, I know, Sir Padampat Singhania constructed Kamla Retreat by spending lakhs of rupees. Do you think he cannot construct a hospital by spending about Rs. 1 lakh? He can do it. So, either we should compel the mill-owners to start a hospital or we should ask the State Governments to come forward and support this scheme fully and extend this concession. You should see that this concession is extended to the family members also.

Then my hon. friend opposite was telling that this should be taken as a national problem. I take it as a national problem. But, what about representation? Whenever we say that the All-India Trade Union Congress should be given some representation, the hon. Deputy Minister, who is very allergic about the AITUC, immediately says, "No".

Shri D. C. Sharma (Gurdaspur): You are not paying any compliment to him.

Shri S. M. Banerjee: I am not paying a compliment to him. I do not consider this House to be a mutual congratulatory society.

He is very allergic about it. He said that that particular organisation has not submitted its figures. When three or four times this was repeated in the Parliament, I met the AITUC officials and talked to them about this. They told me that in February, 1958, this particular report giving figures of all the unions affiliated to the AITUC was submitted. I would request the hon. Minister kindly to check it up. We want this scheme to be successful and it can only be successful, as my hon. friend opposite has correctly pointed out, if it is taken as a national problem. The representatives of All-India Trade Union Congress, Indian National Trade Union Congress, Hind Mazdoor Sabha and United Trade Union Congress have to work jointly. I do not think that about the successful working of this particular scheme there is any difference of opinion.

The Minister of Labour and Employment and Planning (Shri Nanda): May I interrupt because this may not have a direct bearing on my reply?

This is the question of information furnished by the All-India Trade Union Congress regarding their membership. Is it not? The reference is to that.

It does not help us at all if we get some total for the entire country. We have to verify it on the spot before we can accept the figures. Unless they are given industry-wise, union-wise etc., those figures are of no use at all. Therefore, it is in that sense that the hon. Deputy Minister must have given that statement.

Shri S. M. Banerjee: I may add for the information of the hon. Minister that this particular information is again being sent factory-wise.

Shrimati Renu Chakravartty (Basirhat): It has been sent.

**Shri S. M. Banerjee:** They have been sent in February.

**Mr. Deputy-Speaker:** What the hon. Minister says is that was not what was required.

**Shri S. M. Banerjee:** It is being sent industry-wise, mill-wise.

**Shri Narayanankutty Menon:** What has been sent in February is the total figure industry-wise. When the hon. Deputy Minister was confronted with the question of representation, he said 56-57 figures are not being given.

**Mr. Deputy-Speaker:** What was desired?

**Shrimati Renu Chakravarty:** Industry-wise figures are being given.

**Shri Nanda:** Now, they will be made use of.

**Shri S. M. Banerjee:** Anyhow, I am not the General Secretary of the All-India Trade Union Congress. If Shri Dange would have been here, he would have answered that. But I can add for the information of the hon. Minister that if anything was lacking it is being supplied now and very elaborately.

So, what I was saying was that the representatives of all the central trade union congresses should be taken into confidence. There may be fundamental political differences, but on these issues there should be unanimity. I may add for the information of the hon. Minister that in the 15th Labour Conference on many issues—on the issues of wage increase on the issue of reationalisation and on the issue of so many other things—there was unanimity. Today the forces of unity are much more strong than the forces of disruption. Today the trade union movement is also not the trade union consciousness in the workers but there is a national consciousness and also social consciousness, which unites them on many fundamental issues. So, I would request the hon. Minister to consider these viewpoints and appoint a committee, if possible,

to go into the working of this scheme in Kanpur, Madras, Bombay and Calcutta because when I raised a question here as to whether some representations have been received from Bombay, Calcutta and Kanpur about the working of this scheme, the reply given was, "Yes, Sir". In Parliament, what is happening—I am telling you of my own experience; I am an apprentice—is that the answer to a question is either "Yes, Sir", or "No, Sir" or "Does not arise". The whole thing ends there and one cannot elicit the truth. I asked this question to elicit certain information as to what was the specific complaint or was it not a fact that some workers in Kanpur died and there was not even an enquiry. He was a poor worker and in Jajamau he was injected some medicine. Immediately after the injection, he died. I do not know what was the cause, whether the penicillin that was given good or bad. I do not say that the doctors intentionally killed him, but is it not a fact that no enquiry was held till there was a strike decision? Only after that there was some enquiry. So, I feel that the success of this scheme will depend on proper investigation of the working of the scheme and I would request the hon. Minister to appoint a committee either of this House or some official committee, with which non-officials should also be associated, so that a comprehensive report about the working of the Corporation may be laid on the Table of this House and proper discussion may take place. Then we will be able to know where we stand. I assure, on behalf of all Unions which I represent, full support to this scheme, but my only condition is, "Please see, where the shoe pinches. Why are workers going against this particular scheme, which is a scheme for social security?"

With these words, I request the hon. Minister to consider these two points. One is that 4,000 workers

[Shri S. M. Banerjee]

are being deprived of any benefit out of this scheme, because the famous Singhania has not paid a single farthing to this scheme.

**Shri Narayanankutty Menon:** That is in Kanpur alone.

**Shri S. M. Banerjee:** This I have mentioned for the information of the hon. Minister and I expect that he will at least investigate this.

**Shri B. C. Mullick (Kendrapara—Reserved—Sch. Castes):** Sir, there is no quorum.

**Mr. Deputy-Speaker:** I am having the bell rung. Now there is quorum.

**Shri Nanda:** Mr. Deputy-Speaker, Sir, I welcome very much the discussion which has just concluded. As some of the hon. Members pointed out, we are going to have a very close and careful examination of this subject at the Indian Labour Conference which is going to meet in a few days. Therefore, I do not think I am called upon to make a very elaborate reply in respect of certain points of detail, particularly, which have arisen in the course of this discussion.

It is true that this scheme, in its earlier stages, had not a very smooth progress for some time and it encountered difficulties. The persons concerned, the workers experienced difficulties and were not satisfied with the operation of the scheme. It is not my case, therefore, that all that has been said about the scheme, the defects and shortcomings are without ground. Nor is it my case that in spite of the very large improvements that have occurred, the scheme is perfect in its operation even today. Therefore, I welcome very much any suggestions that might emanate, that have emanated from the Members here which might enable us to have a clear view of the situation, and enable us to set in motion remedial measures.

A suggestion has been made that we might have a committee of enquiry. I do not say yes or no at the moment, because I am looking forward to that enquiry—a kind of enquiry it will be—into this matter a few days hence when all of us, the employers' and workers' representatives and the Government officials concerned will be together and all these aspects of this scheme would be thoroughly gone into. If, then, it is still considered that it may be advantageous to have a committee of enquiry, I will have no objection to that. As hon. Members are aware, very often it yields quicker results if we sit across the table. If those who know intimately the conditions on either side take counsel together, it is quite possible to bring about reforms much earlier and quicker and to the satisfaction of all concerned. I suggest that course in the first instance.

I am very grateful for the offer made by the hon. Member Shri S. M. Banerjee, just now that this scheme is not a question any party assuming any special responsibility for it. It is a responsibility of all of us, because the working classes of the country are concerned. I am prepared to concede that the criticism that has been made from time to time or was made now today in this connection was not at all in a spirit of finding fault, but it was in the spirit of getting improvements, in the working of the scheme. May be, the hon. Members who spoke have not got all the facts, may be that they have not got some other part of the picture which might enable all of us to see it in the proper perspective and proper proportion. We shall, of course, have all that material available to us at the time of the discussions there and may be, it will be found that the conclusions there hold promise of a redress of all grievances reasonably and humanly speaking. Therefore, there may not be any further need for a commission, or

enquiry. So far as I am concerned, I must state immediately that although I shall give certain information to the House about the improvements that have occurred, I do feel that there is room for further improvement. I shall not spare any pains, and I shall see that anything that is brought to my notice or to the notice of the Ministry from one quarter or another is looked into carefully and speedily. Of course, we might be helpless if things are stated in general terms and we are not able to locate the site of the trouble. If we are given that information, I offer to the hon. Members that every single case will be examined and either the information about the actual state of affairs will be shared with the whole House or if it is a matter of detail, with the Member concerned. That is now my general position regarding this matter.

I may say that I have, for some time past, been looking into the working of the scheme. One impression that has been created in my mind is that the officials concerned are earnestly endeavouring to set matters right, to remove shortcomings and defects and to explore all possibilities of placing the system on a better footing. That is my impression. There is earnestness and sincerity about doing their part. Also I find, after going into all the material that I have before me, that improvements have taken place over the course of these years in many directions. I would not like to take the time of the House in giving all the details, but I would just point out some of the directions in which improvements have occurred. Extended cash benefit to insured persons suffering from T.B.—the period has been extended. Payment of cash benefits by money order at the cost of the corporation. Payment of conveyance charges to insured persons who are required by the Medical Board to appear before specialists. As difficulties come to notice, steps are taken to remove

the difficulties and remove the hardships that might have arisen on that account. Administrative changes have been made so that delays which occur in dealing with the claims are reduced to the minimum. As an experimental measure, contribution cards from which rates of benefit are worked out are kept in some of the local offices instead of in the regional offices. That is, one stage in the processes leading to payment is being eliminated. Extra staff has been provided. There was a particular occasion or period during which the influenza epidemic was there when the number of claims was piling up. That was a special occasion for which there were special reasons. Of course, special measures were taken to obviate delays. But delays did occur. The reasons are obvious. But, later on, normal conditions were restored. I made a special enquiry into this recently as to the present position regarding delays, and I was told that there might be an occasional complaint here and there but the volume of complaints had very much diminished, and therefore the inference is that the conditions are better. This is also the report of the various officers who are looking into the working of the system.

Provision of medical and ancillary staff in Employees' State Insurance dispensaries: one doctor has been authorised for 1,750 employees as against 2,000 employees earlier under the service system; one doctor has been authorised for 750 employees as against 1,000 earlier under the panel system. Microscopes and other essential equipment have been provided, i.e., wherever it was not so, and the scale of facilities has been very much improved and enlarged. Specialised service has been a feature which has developed recently. Specialists in ear, nose and throat surgery, pathology, radiology etc., have been appointed. Provision of artificial limbs to injured persons is a service which is being very much

[Shri Nanda]

appreciated. Extended medical benefit to persons suffering from T.B.—I have mentioned that already.

Then, there are certain transport facilities. I am stating this because the question of transport difficulties was mentioned. I can easily appreciate this particular source of trouble and worry to a sick person, and I find the same special arrangements have been made. I see that in the report also and in the notes before me. Staff ambulance and other transport is provided, or money is paid in certain other cases, but I shall see whether this is not quite adequate and whether there is anything more which need be done and could be done. But the fact that I am emphasizing is that in this and in many other directions, wherever any difficulty was noticed for the insured persons, very serious efforts have been made to remove those difficulties. The evidence of it is the number of things which I have mentioned here—and there are more, but I know the hon. Members have read the report and they would have found concrete illustrations of what I am saying.

This is the general background, but I would like to complete this picture or background. I would like to make a reference to one other fact. Let us not forget that this system, although it made a halting start, has grown rapidly after 1954-55. In 1953-54 the number of employees covered was 1,50,000. In 1954-55 it came to 6,90,000. Next year it became 10,15,000 and it has grown further.

A complaint was made regarding the inadequate provision of hospital beds, to which I will refer immediately. The number of beds required was 206 in 1953-54 which increased to 1,035 in 1954-55 and 1,523 and 1,728 in later years. That is because of the extended coverage from year to year.

14 55. hrs.

[SHRI BARMAN in the Chair]

The demand on the administration naturally became very large, and it may be that in this period of rapid development of the coverage of the scheme, of the extent of its operations, the administrative system was not able to cope with it, was not able to gear itself fully in order to avoid any kind of difficulty, but the stage is coming now when the system is going to be stabilised, because in a year or so we would have brought under the system a very large part, or the bulk of the persons entitled to it or who could be brought under the system. Of course, there may be other directions in which the system may be extended, but the point is that the administration has now got experience, has now organised itself fairly well to be able to carry out these responsibilities. Therefore, whatever may have been the situation in the past, the recent improvements are an indication that the administration has acquired the capacity to discharge its responsibilities adequately. So, we can rely on the assurance that whatever can be done to set matters right will very probably be done as much as possible.

This is, as I said, the general background against which we have to see the complaints that arise and the shortcomings which are observed. As I said in the beginning, I do not make any kind of special pleading. I agree even this should not have remained, but I am only explaining how things might have happened.

There are a few other specific matter which arose in the discussion to which I might turn my attention and give brief replies.

In the matter of hospitalisation, I am in entire agreement with the view that when the workers have been making payment from their hard-earned wages, they are entitled to full satisfaction regarding both the

quality of treatment and the extent of the various facilities that are being promised and to which they are entitled. I do not agree with the view, whosoever might have put it forward, that because there are also other hospitals, ordinary hospitals, which are available both to the insured persons and to the others, the responsibility of the Corporation or of the Government becomes a whit less I do not agree with that view. Maybe the explanation is that we have not been able to build because of various difficulties. Land acquisition was mentioned. Land acquisition is a difficulty. It is not being experienced only in the case of hospitals. It is being experienced in the case of the construction of big projects, for months and months. We should improve that also, but that is the fact. Very earnest endeavours are being made to quicken the pace of construction. The shortages to which the hon. Member referred are certainly there, but I tried to collect information about the precise position in this respect now and about the prospects in the near future. I find that although at the moment there is a shortage of about 1,000 beds, it is very likely that in the next year or two the various schemes which have now been worked out will be speeded up. Regarding these schemes, not only plans etc., but agreements have been made with the States regarding the basis, whether it is going to be jointly with the State, or whether it is going to be entirely by the Corporation, or whether a loan is going to be offered to the State for construction. All these things have been settled in many cases, and therefore I am sure that this programme will be speeded up. I cannot say that even in the course of the next year or two the hospital accommodation will be absolutely equal to the demand. I am not quite sure of that because of various reasons. For, there is going to be further extension of the coverage also. But I am sure, at any rate, that

every possible avenue will be explored for removing this difficulty that is being experienced by the insured persons in the direction of a larger reservation of beds. But I believe, personally, that it should not be so much reservation as treatment at special hospitals when their number is large enough, or annexes or something special for them because there is a special payment being made for this facility. And I promise hon. Members that every possibility in this direction is going to be carefully looked into and taken advantage of.

Then, there were one or two other questions which were raised about the families.. It is a fact now that most of the States have agreed to extend the operation of the scheme to the families. The case of West Bengal was mentioned as a State which had not yet agreed but that does not mean that they do not want to give the benefit to the families of the workers: it only means this, that they are at the moment finding certain difficulties. Already, they are finding certain handicaps in coping with whatever commitments they have made, and whatever responsibilities they have assumed. Therefore, their point is that "Before we assume larger responsibilities, let us first be in a position to look after what we have undertaken.". Therefore, there is no question of any State not agreeing to extend the benefit to the families of the workers, because this is something which should not be largely deferred for any length of time. In Bombay, the position was that some time was being taken to settle the basis on which this would be done, that is, whether it was going to be a panel or service system. That argument took some time. And there was some delay because of the share of the States. We have agreed to suit the position of the States. They say they have not got enough resources; therefore, a larger share of their liabilities is going to be borne by the corporation and a smaller

[Shri Nanda]

share by the States for the period of this Plan. Later on, the thing will be looked into. Therefore, every care is taken to see that any obstacle that stands in the way of the realisation of this demand, that the families of the insured workers also should have the benefit, is being removed.

There was a point made about the quality of the service that is being offered in the dispensaries and elsewhere. As I pointed out initially the improvements which have been effected also apply to the case of the quality of treatment in the dispensaries and in the hospitals; particularly in respect of the special drugs and medicines or the costly drugs and medicines, it has been made possible for the practitioners to give those special medicines to them, so that any particular difficulties are being removed. That is the information that I have before me.

But, as I said in the beginning, since we are going into the details of all these matters at the next Indian Labour Conference in a few days, I would rather not take up each question in detail and give all the information that I have at my disposal. But, regarding one particular thing, which may be small in a way; the hon. Member said that he was going to speak with a sense of righteous indignation. I think particularly where the interests of the sick persons are concerned, and the workers who otherwise also are not so well off in many other things are concerned, when they fall ill, then every source of livelihood is cut off from them, and, therefore, they should have quick access to such treatment as we have all agreed to, they should have, and we have to remove whatever difficulties come in the way of securing that kind of treatment.

The hon. Member made mention of a few cases from the memoranda which have been circulated, where it has been stated:

"In an extensive organisation like the corporation, a few com-

plaints are likely to arise and at times get wide publicity."

The hon. Member was particularly sore about the way in which this portion has been worded in this memoranda. I would myself also reiterate this that one is apt to just take a single case here and there and exaggerate its implications. That has to be avoided, because even in the very best and organised system, even in the best hospitals, we all know that complaints do arise, and we cannot judge from a complaint here and there that this is the way in which the whole system or the whole organisation or establishment is functioning. But I do agree with the hon. Member that that was not a very happy way of putting it, and I do not like it, that is, the expression 'illiterate', and I shall see to it that the expression at any rate is improved, although with the substance of it I agree. I do not like the word 'illiterate' being there, but if they are illiterate, whose fault is it that they are illiterate?

Now, there are one or two other small matters. One is the question of co-ordination between the States and the Centre. That is being looked into. Whenever any question arises where the State and the Centre and the corporation do not agree, steps are taken to examine the various aspects which are exercising the minds of one party or the other. So far, our experience is that we are able to reach agreements, and, therefore, I do not see that we can make much of a complaint on the score of lack of co-ordination.

It may be that the States themselves have their difficulties; they have. When we extend a big scheme in a place where there may not be enough accommodation immediately, it takes time to construct new places and to make arrangements for accommodation and for new staff and various other things. If there is any difficulty, it is very much more because of these concrete difficulties which the

States are facing than out of any kind of disposition to set at nought the intentions of the corporation or the purposes of the scheme. I am saying this after having looked into the various questions that have arisen from time to time between the States and the Centre. But I do agree that even when a system is set right, everything may not necessarily be functioning very well; in human things, it is possible for conditions to deteriorate. Therefore, the call for vigilance is welcome. I think we have to make full, proper, adequate and effective arrangements with the help and co-operation of the workers, their representatives and others to see that wherever anything occurs which is not fully satisfactory or wherever anything develops which may be a sign of deterioration, we should take immediate notice of it, there should be no complacency about it, and every single case that comes up should be investigated and action should be taken. The plea that a few cases are not representative of the condition of the entire system is one thing. But that is not an excuse for not attending even to those few cases, even though they may be in the remotest part of the country. Personally, I want to take upon myself this responsibility. When any hon. Member who finds anywhere in the country anything which he thinks is sub-standard or does not come up to the expected standards and calls for action or inquiry, we shall be only too ready to look into that and take remedial action as early as possible.

Finally, I shall refer to one or two individual matters which were raised. An Hon. Member referred to the Muir Mills.

**Mr. Chairman:** The hon. Minister might refer to them briefly.

**Shri Nanda:** I thought that unless I referred to it, the hon. Member who alluded to it would not feel comfortable. Regarding that particular mill about which he gave us information that for such a long period the workers have had no benefits from such a

of good employer—he is withholding all that—our information is that now a way has been found to get details of the contributory record in a special form and the payments are now being made. So that thing has started.

There are a few more details regarding which I would like to impart information to the hon. Member later on.

**Shri S. M. Banerjee:** I would like to know whether the Corporation has in view the case of TB hospitals and the provision of some beds in Kanpur.

**Shri Nanda:** Yes. I thought I might not take up the time of the House in giving all the detailed information about the programmes concerning the setting up of new beds in hospitals for TB cases and general cases. But as I said a while ago, I feel as keenly as anybody else that the very best effort has to be made to see that hospitalisation is secured and made available to the workers to the utmost possible extent, particularly in TB cases. That is what we have programmed and that is what we are going to try to do.

**Shri Narayanankutty Menon:** We are very happy that the criticism made from this side regarding the working of the Corporation is taken in the right spirit by the hon. Minister. I wish only to make two points clear.

I took objection to the wording of the memorandum—both the wording and the approach behind it. If at all some criticisms are made, it should not be thought that these criticisms come in the Press because the workers have got access to the Press easily, and the criticisms are not genuine. I only asserted that these criticisms, apart from the approach, should be genuinely looked into and some remedies found out.

Secondly, what I said regarding the States was not that there was something seriously wrong and that the States were coming in the way of the



[Shri Narayanankutty Menon]

implementation of the scheme. Rightly or wrongly, there is a feeling in the States—I say this from actual experience—about the Employees' State Insurance Scheme that this has got nothing directly to do with them; it is implemented by some corporation and the Central Government. Therefore, the proper co-operation which ought to be there is not there. I wanted to impress on the Minister that there should be such a realisation on the part of the States also that it is equally their responsibility—as it is of the Corporation and the Central Government—to implement the scheme and make it a success.

#### WORKING CONDITIONS IN MINES

**Dr. Ram Subhag Singh (Sasaram):** I gave notice of this for discussion due to the recent disaster at Chinakuri and the Central Bhowrah coal mines owing to explosion and inundation respectively. You know that about 180 miners were burnt alive in Chinakuri coal mine on the 19th February due to explosion.

**Mr. Chairman:** Before the hon. Member proceeds further, I would request those hon. Members who wish to take part in the discussion to send me their names so that I could allot time. Two hours are allotted for this discussion.

**Dr. Ram Subhag Singh:** So far it has not been possible for the inquiring officers to find out the cause of explosion in Chinakuri coal mine. It was perhaps due to that accident that the Central Bhowrah colliery also got inundated as a result of which 23 miners were drowned.

Work in the mining industry, particularly coal mining industry, is very hazardous and dangerous. It requires a lot of skill to do coal-cutting work. Though the coal miners are illiterate, it is necessary for them to understand the technique of working an underground coal mine.

The coal industry is in existence for the last 125 years and the coal output is gradually going up. During 1957,

the coal output went up by 4 million tons. Though the target is to increase coal output by 10 million tons during the Second Five Year Plan period, it is not impossible of achievement. It can be easily achieved. But though there has been progress in our achievement in this direction, it has not been possible for Government to make proportionate progress in the promotion of safety in coal mines. It may be due to various reasons. It is primarily because of the lack of scientific skill among our workers. This is indicated by the fact that the number of violent explosions is increasing in our coal mines, as is evident from the recent explosions in Amlabad and inundation in Newton Chikli and Bara Dhemo. In Bara Dhemo, about 24 miners were drowned in 1956 and in Newton Chikli about 63 were drowned in 1955. In Amlabad, 52 persons were burnt alive due to explosion.

All these explosions present a challenging problem before the Government, the coal miners as well as the coal mine owners. It is high time that every section, the coal miners, the coal mine owners and Government, arranged to meet this challenge. This challenge can be met only when effective steps are devised for minimising the number of mine accidents in the country.

It may be said that the number of mine accidents in India, compared to other countries, is much less. In India, the number is 0.96 per thousand coal miners employed in the industry. In the UK, it is 0.61 per thousand men years of 300 days. In USA, it is 2.48 per thousand men years of 2400 hours. In France, it is 0.88. So far as statistics go, the number is less in India, but when we take into account the number of violent explosions, it is much more and the number of deaths also is much more, particularly in the Bengal and Bihar sections where about 80 per cent of coal mine work is done. The number of deaths in 1954 was 93 per thousand; it increased to 138 in 1955.