

[श्री आविद अली]

तो उस पर मुनासिब गौर किया जा सकता है।

बाकी रहा क्लस बनाने के बारे में, तो मैं आनरेबल मेम्बर्स को यह बतलाना चाहूंगा कि इस सम्बन्ध में कार्रवाई जारी हो चुकी है और पहला मस्विदा तैयार है। इधर जो महीने गये उन को हम ने व्यर्थ नहीं जाने दिया। इस तरह से उस का उपयोग कर लिया है और हम उम्मीद करते हैं कि बहुत जल्द स्टेट गवर्नमेंट्स को आखिरी मस्विदा बना कर हम भेज देंगे।

जहाँ तक न्याय का सवाल है उन बहनों के बारे में जोकि काम करती हैं, इस बिल का पूरा फायदा उन को पहुंचाने की जितनी कोशिश हो सकती है वह की जा रही है और आगे भी की जायेगी। कहीं भी इस में कोई कमी और आनरेबल मेम्बर्स और ट्रेड यूनियन्स की मारफत जो सूचनायें आयेंगी तो जो भी आसानियां उन को पहुंचाने की बात कही जायेगी, उन पर भी हम अमल करने की कोशिश करेंगे और स्टेट गवर्नमेंट्स भी करेंगी।

Mr. Chairman The question is:

"That the Bill be passed."

The motion was adopted.

APPRENTICES BILL

Mr. Chairman: The House will now take up consideration of the Apprentices Bill.

The Minister of Labour and Employment and Planning (Shri Nanda): Mr. Chairman, I beg to move:

"That the Bill to provide for the regulation and control of training of apprentices in trades and for matters connected therewith, be taken into consideration."

It is hardly necessary for me to enter on a long exposition of the proposals embodied in this Bill. I am sure there is going to be no disagreement in this House with the aims and objects of the proposed legislation. I believe that all of us here appreciate the great importance of the measure. The importance is derived specially from the fact that we have undertaken during the last ten years programmes of industrial development on a rapidly increasing scale.

16.28 hrs.

[**MR. DEPUTY-SPEAKER** in the Chair]

The role of industrial development in the economic progress of the country may be judged from the place assigned to it in the structure of our Plans. Here I shall give a few figures. In the First Plan, the net investment in the industrial sector, which includes mining, was of the order of Rs. 270 crores. In the Second and Third Plans the corresponding figures were Rs. 1,545 crores and Rs. 2,570 crores respectively.

Therefore there has been a large stepping up of the rate of investment in industry during the three Plans. Now we are looking to planned investments for the attainment of some of our important national goals, such as the increase in the standard of living of the people through doubling of the and *per capita* income anticipated by about the middle of the Fifth Plan. We are also hoping that in the course of another two Plans to reach very near the stage of a self-sustaining economy. We need the surpluses that will be thus generated for the purpose of paying back all our commitments and the interest thereon and also for ploughing back for further enlarging the scale of development into our own efforts. We have also before us the big problem of finding employment for a large and increasing labour force in the country. All these things will rest on the efficiency of our in-

vestments and on the results that they will yield in financial terms in the future years.

There are various conditions which we can envisage, the fulfilment of which is necessary for the success of our Plans and rapid economic growth, for example, our capacity to raise sufficient internal resources and to obtain requisite foreign assistance, that is, external resources. But much more important than anything else in my opinion—hope our hon. friends here will agree—

An Hon. Member: Fully.

Shri Nanda: is the question of trained personnel, both in the matter of the numbers and quality. Everything depends upon that.

Regarding numbers we were not in a very happy position in the earlier years of planned development. We had to face shortages in several directions. We took advantage of that experience and in subsequent years devised measures for making up these shortages. We expanded our institutional arrangements for training and I can now place before the House the very gratifying record of progress in this sphere. In 1950-61 on the engineering and technology side we had provision for imparting education in terms of intake at the degree and the diploma levels together for 10,000 students. In 1955-56 the number rose to 16,370 and in 1960-61, that is, in the last year of the Second Five-Year Plan, the figure had further risen to 39,428. We hope that with the help of the programmes contemplated in the Third Five-Year Plan, this figures will reach 56,527. On the other hand, and that is equally important, namely, the craftsmen to be trained at the training centres of the Ministry of Labour and Employment, the figure in 1955-56 was 10,500. In 1960-61 it was 42,000 and it is now expected to rise to one lakh by 1965-66.

As a result of all these steps taken and now proposed, we are now hop-

ing that there will not be a serious difficulty so far as the numerical requirements in the various trades are concerned. But the question of quality does remain. In the beginning there was a very great leeway to be made in that respect and in certain directions there were serious deficiencies. As we expanded, it was perhaps inevitable that a certain amount of dilution should occur. We were conscious of the problem that was being thus created. We have been trying to improve the situation in several directions. The content of the instruction that is imparted in the various institutions has been steadily improved. Also, various steps have been taken to see that the quality of the instructors is better. So, the institutional training has been improved very considerably and is in the process of continual improvement. But I feel quite sure in my mind that all that is not enough because it is not just the instruction that is imparted which is going to make a difference whether a trainee would become a good or indifferent worker. In order that the contribution of the workers of various grades should be adequate in respect of quality and volume of output, it is very important that this training should be carried out in workshop conditions. It is desirable that they should have practical experience of conditions in which they will have ultimately to work. Now that our industrialisation is proceeding apace and we are building up large plants, where there are costly machines installed and complicated processes the importance of this type of training increases enormously. So it is very essential that the training should not end in the various technical institutions but it should be further supplemented. There should also be independent arrangements for training within the industry or what we call apprenticeship in industry.

The apprenticeship is not something which we are thinking of only in this country. It is very common in the industrially advanced countries where

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arrangements have been made for apprenticeship on a very large scale by the Governments concerned. Legislation regulating the system of apprenticeship in industry exists now in many countries. This regulation is aimed at bringing about a certain uniformity in standards of training. This is very necessary both for the purpose of attaining a certain degree of efficiency and quality and for the sake of ensuring the mobility of labour, that is, movement of labour from one establishment to another and even from one industry to another. This is one reason. There is also the need for protection of the interests of the apprentices because there can be abuses. I am sure that in our country those abuses have occurred in the past.

During the past two decades, various committees have had a good look at the situation regarding our training arrangements and the provision made for practical training in industry. They have drawn attention to the deficiencies which came to their notice. There was the Labour Investigation Committee which reported in 1943. There was another Committee, an advisory committee, on Technical Training appointed in 1944-45. And they found that even the larger and better organised workshops had practically no arrangements for systematic training. Recently there was the Central Wage Board for the Sugar Industry. They found that apprentices were working as such for many years; they were called apprentices, but they had worked for eight, ten or even eighteen years. Obviously, they were being used as cheap labour.

The need for legislation has been felt for over a decade. The Indian Labour Conference (1951), agreed to the proposal for legislation on apprenticeship training. The Shiva Rao Committee (1952), also recommended that

steps should be taken for the organisation of full-length apprenticeship programmes. But they said that we might try voluntary methods, and that if they did not succeed, then Government might proceed to enact necessary legislation.

The Technical Training Committee of the Small-scale Industries Board, in 1956, found conditions unsatisfactory and considered it necessary that compulsion should be introduced. For several years, we continued to make efforts on a voluntary basis hoping that we might succeed in persuading industry to introduce apprenticeship courses, to admit a sufficient number of apprentices and to train them in a proper manner. But we did not succeed.

I shall give a few facts in this connection, because there may be some kind of a feeling as to why is it that we are bringing in compulsion in this matter. A National Apprenticeship Scheme was prepared in consultation with the Indian Engineering Association, Calcutta, for implementation on a voluntary basis. It also provided for direct financial assistance to the extent of about Rs. 67 per month per trainee; that is, the employers were reimbursed the expenditure to be incurred on training of the apprentices. A target of about 7,000 seats fixed for Second Plan had to be brought down to 3,000, because very little progress was visible; actually at present only 1,200 apprentices are undergoing training under this scheme.

We are also encountering difficulty in another direction, that is, the training of craftsmen. Now their number is going to increase by leaps and bounds. But even with regard to those who have received some sort of training so far, we found serious difficulties in securing for them necessary facilities because their training is not complete without in-plant training for for about six months.

Therefore we took a decision that we should proceed now to secure statutory basis for the programme for apprenticeship training. I had personally various meetings with the top representatives of industry, that is, the representatives of the all-India central organisation of employers. At a meeting held on the 4th August, 1960, which was attended also by the Minister of Industry, the representatives of the organisations agreed that legislation should be undertaken not only for regulating the training programme but also for ensuring the training of adequate numbers to meet the full needs of the country. There are two aspects of it, firstly the regulation and secondly, that a certain number should be compulsorily admitted for the purpose of training and apprenticeship provided for them.

Then a committee was appointed to go into the principles which should find a place in the legislation. These are agreed principles which are being embodied in the Bill before us.

The broad approach is this. There is the international practice; there are the International Labour Office recommendations on the subject, particularly recommendation No. 6. The responsibility in this matter, as we conceive devolves both on Government and the employers, but primarily it rests on the industry. Government should certainly assist to the extent possible and necessary, but primarily it is for industry to make all the arrangements. We have special consideration, on behalf of Government, for the small and the medium employers.

The main object is not compulsion, but regulation of the training of apprentices. It refers to the ratio of the apprentices to workers. We have laid down certain national standards in the matter of equipment, syllabi, etc., and we have sought to define the obligations of the parties concerned and provide the necessary safeguards in the interests of the workers.

We have got this Bill. I would not like to take much time of the House but regarding the scheme and the structure of the Bill I shall say just a few words. Various authorities come into the picture. Therefore, to begin with I would like to mention the names of those authorities enumerated in Chapter III, those who are responsible for the administration of the provisions of this legislation. There is, in the first place, the National Council of Training for Vocational Trade, already established, which is referred to as the National Council. Corresponding to that, there is a State Council in each State. But the body which is most concerned with the administration of the provisions of the Bill is the Central Apprenticeship Council; and there are corresponding State Apprenticeship Councils of which the constitution has been laid down in the Bill. The implementation of the various requirements under the legislation is being placed in the hands of the Central Apprenticeship Adviser, and similar Apprenticeship Advisers in the States. This is the field organisation.

Then I come to Chapter II where the essential provisions have been embodied. There are, in the first instance, the types of apprentices mentioned in clause 6. There are two main categories, firstly those who have undergone institutional training in a school or other institution recognised by the National Council and have passed the prescribed trade tests, and secondly, those who have not undergone such training.

The qualifications and conditions of apprentices have been laid down in clause 3, that is, age not being less than fourteen years, and the apprentice has to satisfy certain standards of education and physical fitness. Clause 4 provides that no person shall be engaged as an apprentice to undergo training unless it is on the basis of a contract of our apprenticeship which must be registered with the Apprenticeship Adviser. Further, clause 8 lays down the power of the Central Government to determine the

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ratio of apprentices to workers other than un-skilled workers in a trade, after consulting the Central Apprenticeship Council. It is further added that several employers may join together for the purpose of providing practical training of apprentices under them. Government may require employers to train additional numbers by providing more facilities and necessary financial assistance. In clauses 9 and 10, the types of training have been stated. There is basic training, that is, a course of basic training to be undergone by those who have not gone through any institutional training. In the case of establishments employing 500 or more, workers, this basic training is to be imparted in separate parts of the workshop building or in a separate building. In establishments employing less than 500 workers, this shall be imparted in institutes to be set up by the Government. That is one part of the training. Then, there is the practical training. Suitable arrangements have to be made by the employer for imparting a course of practical training to every apprentice engaged by him. The programme for this purpose should be approved by the Adviser. That is second. The third type of training is what is called related instruction. An apprentice who is undergoing practical training shall, during the period of practical training, be given a course of related instruction, that is, theoretical instruction that may be required. This has to be approved by the Government in consultation with the Apprenticeship Council. In the case of those who have passed the trade test after a course of institutional training, the related instruction may be on a reduced or modified scale. The syllabus and the equipment, etc. to be utilised for this training shall be approved by the Government in consultation with the Apprenticeship Council.

Then, I come to the question of the cost of training. This is dealt with in clause 9. Here, various provisions

have been made. I do not think I should take the time of the House in going into all the details. The Government comes into the picture on behalf of the employers who employ less than 500 workers, especially, and the Government takes the responsibility for providing the basic training also. In the case of recurring costs of practical training, half of the cost is to be met by the Government, in the case of establishments which employ less than 500 workers. Clauses 11 to 19 deal with obligations and rights of employers and apprentices. The employer is expected to make proper arrangements for training. Particularly, he has to appoint a suitable person in charge of training. In the case of the apprentices, the main provisions are that he has to conform to the discipline of the workshop and learn his trade diligently. This is about the various safeguards to protect their interests. They are to be treated as trainees and not as workers under ordinary law, that is, the laws in respect of labour shall not apply to them except for certain purposes. Chapters III, IV and V of the Factories Act and Chapter V of the Mines Act shall apply in relation to safety, health and welfare. Therefore, the safety, health and welfare of the apprentices must be properly looked after. Rest period, period of leave and hours of work also would be prescribed. Further, the employer has to pay every apprentice a stipend at the prescribed annual rate. An apprentice is not entitled to receive any other payment. Piece work, output bonus and other incentive schemes are not applicable in their case, because, they should not be mixed up with the category of workers. It is just training they receive and they do not work for the benefit of the employer as such. Provision has been made for the employer's liability for compensation for injury by accident arising out of and in the course of training. Suitable amendments are being suggested in the appropriate clauses of the Workmen's Compensation Act so that it may be fitted into the require-

[Shri Muhammed Elias]

the tool', and only then he allowed me to touch the tool.

In that English firm where I was working, they did not give me a single farthing for one year. After six or eight months, when I had undergone the training, they gave me four annas per day. For two or three years from then onwards, I got only four annas per day. Then, I approached the management that I could work as a skilled worker and that I might have the wages of a skilled worker. The management said, 'you can have hardly eight annas per day. More than that, you will not be able to get here. If you want more than eight annas, you shall have to leave the factory.' So, ultimately, I had to

leave that factory to find out a better job in other factories. The same conditions are still prevalent in many factories. The apprentices do not get any facilities to learn their trade. It is with great difficulties that they have to learn their trade.

Mr. Deputy-Speaker: We shall listen tomorrow to what the hon. Member did in the other factory. The House will now stand adjourned and meet again at 11 a.m. tomorrow.

17.02 hrs.

The Lok Sabha then adjourned at Eleven of the Clock on Tuesday, November 21, 1961/Kartika 30, 1883 (Saka).

Monday, November, 20, 1961/Kartika 29, 1883 (Saka)

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