

[English]

MR. SPEAKER: But still it persists. You have to be very strict about it. From various villages people come to me daily. People from my own village have been flucked in this manner.

[Translation]

SHRIBINDESHWARI DUBEY: You are right, sir. When we insist, a demand is made by the other section that these restrictions should be lifted.

[English]

SHRI SAIFUDDIN CHOWDHARY : I wanted to ask the same supplementary. You have also added to it. This is a very serious matter. All these private racketeers should be stopped from operating.

MR. SPEAKER: I give my full support to you.

PROF. MADHU DANDAVATE: The private racketeers may be nationalised!

MR. SPEAKER: Then they will end up in deficit and lose.

SHRI VAKKOM PURUSHOTHAMAN: The hon. Minister has said that the number of persons who have gone abroad during 1988 has gone up. It is correct because even though this provision was existing since 1987, it was strictly implemented only in December 1988. Now after the implementation, nobody is going.

Shri Ayub Khan has said that there are some agents who are indulging in some malpractices. There are two methods by which people go abroad for jobs. One is through group visa or group agreement. But the majority of the people go on individual visa or on individual agreement. In Kerala there is at least one person per house working abroad, especially in the Gulf countries. They go there on individual visa and it is not just like travel agents recruiting a group of

persons, sending them abroad and getting money. This is something different. I would therefore like to know whether the hon. Minister will consider these individual cases on a separate footing and not along with the other group agreements and agency business. These may be treated separately and the provision of PTA may be exempted for those people who go on individual visas and individual agreements for employment.

SHRI BINDESHWARI DUBEY : Presently, the provision of the Act stands for every sort of immigration, whether it be individual or group or through contractor. There is no discrimination.

#### **Prepaid Air Ticket for Job Seekers**

\*497. SHRI SURESH KURUP: Will the Minister of LABOUR be pleased to state:

(a) whether it has come to the notice of Government that a number of Indians recruited for employment in different Gulf countries lost their opportunity due to the new rule of prepaid travel advice (PTA); and

(b) if so, whether Government propose to reconsider their decisions in this regard?

THE MINISTER OF LABOUR (SHRI BINDESHWARI DUBEY): (a) The Emigration Act, 1983 and the Rules framed thereunder provide that "to and fro air passage at the employer's cost" must be included in every agreement for employment of any emigrant worker. This agreement by the foreign employer is required to be attested by the Indian Mission in the country concerned. The provision in its present form came into force with effect from 24.2.87 and recruitment can be made only on the basis of attested agreements which must contain the above provision regarding passages. Therefore the question of Indians recruited for employment in different Gulf countries losing their opportunity due to new rule of prepaid travel advice does not arise.

(b) The provision in the rules under the Emigration Act 1983 is meant to protect

emigrants from exploitation, and is considered a salutary provision.

SHRI SURESH KURUP: Sir, I would like to point out that the Minister is only partially correct.

PROF. MADHU DANDAVATE: Even that is creditable!

SHRI SURESH KURUP: Even though this rule regarding prepaid travel advice was incorporated in the Emigration Rule in 1987, as pointed by other hon. Members earlier, this was not enforced strictly till December, 1988. Somehow or other from December, 1988 onwards, the Government of India gave strict instructions that this particular Clause should be enforced strictly. No doubt this is implemented for very good intentions but the Government should take into considerations the hard realities. The employers abroad are not ready to comply with this because they can get cheap labourers from other countries where there is no such provision. Unfortunately this is being implemented when the manpower requirements in West Asia are brightening up due to the truce between Iran and Iraq. The Kerala Legislature also had passed a Resolution. The Chief Minister of Kerala had written three letters to the Minister himself requesting him to intervene in this taking into consideration these realities, to waive this rule. This rule was there but they were not implementing it till 1988.

PROF. N.G. RANGA: And allowed them to be exploited there!

SHRI SURESH KURUP: We are all responsible representatives of the people, so we are making submissions here realising the hardships of the workers who intend to go abroad. So, the Minister should take this seriously and should give an assurance that this particular Clause or this particular Rule will not be implemented strictly

SHRI BINDESHWARI DUBEY: Sir, as I have stated earlier, when my attention was drawn by Shri Samar Mukherjee that this

Rule was not being strictly enforced in the month of November 1988—I do not know whether it was strictly enforced earlier or not, I am making inquiries in that - I issued strict orders to my officials that this should be strictly enforced and no lapse shall be tolerated. I do not think that it has caused any hardship because Indian labourers are considered the best labourers in the Gulf countries. There is no reason why we should lose the employment opportunities.

PROF. P.J.KURIEN: Sir, this Marxist M.P. has not interest in the welfare of the labourers...

SHRI THAMPAN THOMAS: They are politicising the issue.....(*Interruptions*)

PROF. P.J.KURIEN: Please don't listed to the Marxist M.P. Shri Samar Mukherjee. (*Interruptions*)

MR. SPEAKER: Prof. Kurien, don't interrupt....

SHRI BINDESHWARI DUBEY: There is no question of listening to a Marxist M.P.

SHRI BASUDEB ACHARIA: He cannot refer to the name of a Member of the other House...

SHRI SURESH KURUP: Can he refer to the name of a Member of the other House?

MR. SPEAKER: Mentioning the name is no taboo but we don't mention these things....

(*Interruptions*)

SHRI SURESH KURUP: In connection with this, you may remember Sir, that some of us raised in this House an issue regarding the strike by Indian labourers in Kuwait. For the last two months- as I understand it—these Indian labourers, numbering a few thousand, are on strike demanding wages and better living conditions and all that.

At that time you had assured us that you would enquire from the Minister and inform us also. But nothing has come out. So, I would like to know whether that has come to the notice of the Minister, as to whether he has intervened in this, and whether a settlement has been reached regarding the strike of the workers in Kuwait.

SHRI BINDESHWARI DUBEY: It has come to our notice. Our Mission in Kuwait is dealing with the matter. But, as I have said, I am sending a team of the officers of my department, headed by the Secretary, Labour, who will visit Kuwait also and will not only resolve this issue but will also find a permanent solution to it.

PROF. P.J.KURIEN: Will you ask Mr. Kurup to tell his colleague to withdraw that letter?

SHRI T. BASHEER: The rule of PTA is of serious concern to the people of India, especially the people of Kerala. I had been recently in some of the Gulf countries and the people working in the Gulf countries are very anxious to know about this. This is an issue which is agitating the minds of the people working there. As Shri Suresh Kurup told us, the Kerala Assembly has passed a resolution unanimously making a request to withdraw this PTA rule. So, I would like to know whether the Government will seriously consider withdrawing this PTA rule. I am happy that the hon. Minister just now told us that he proposes to send a team of officers to the Gulf countries to study this problem. In this context, I would like to know whether the Government will give instructions not to implement this PTA rule till it arrives at a conclusion and takes a decision. In this context, I would like to .....(Interruptions)

MR. SPEAKER: That is all right. Do not hang on to the question.

SHRI T. BASHEER : In December, 1988 the Government had given instructions to implement this rule. So, I would like to know whether the Government will again

give instructions not to implement this rule till a final decision is taken.

MR. SPEAKER: Why are you repeating unnecessarily? It has been done.

SHRI BINDESHWARI DUBEY: If the Kerala Chief Minister or the Kerala Assembly or a particular member want me to be a party to the conscious violation of the Act, I will not become a party.

SHRI T. BASHEER: I am requesting the Minister for relaxation of the rule. (Interruptions)

SHRI THAMPAN THOMAS : A very important question has come to this House I would like to draw the attention of the hon. Minister to the fact that the protection of emigrants has become a deterrent to employment. The rules which are there are to be implemented for the betterment of the workers. In the present situation I would like to know from the hon. Minister about the rule of our Missions in foreign countries and also the Labour Ministry. If both these questions are taken together this one and the earlier one- you can see the discussion which has taken place, about the role of our Missions in those Gulf countries or elsewhere, which are giving employment to these Kerala workers and the other issues and agreements, and how they are being implemented. In reply to the earlier question you said that there is an agreement with Jordan and Qatar.

MR. SPEAKER: Put the question.

SHRI THAMPAN THOMAS: In respect of others there is no agreement. But, may be, Embassy can do something. Are you going to utilise the Embassies, are you going to appoint a Labour Attache to look into this matter with a view to encourage the people to go there and work and get their livelihood? Will you look into this matter and take up this matter with your sister Ministries and the Cabinet and coordinate these things? That is my question.

MR. SPEAKER: It is a suggestion.

SHRI BINDESHWARI DUBEY: We will consider the hon. Member's suggestion.

### Consumer Protection Authorities

501. SHRI BANWARI LAL PUROHIT:

SHRI P.M. SAYEED:

Will the Minister of FOOD AND CIVIL SUPPLIES be pleased to state:

(a) whether Union Government have urged the States and Union Territories to quickly set up Consumer Protection Councils and other authorities under the Consumer Protection Act, 1986;

(b) if so, whether Union Government have provided any help to the State Governments in this regard;

(c) if so, the details thereof and the time by which these authorities would be set up; and

(d) to what extent they would help in meeting the grievances of consumers and protect their interests?

THE MINISTER OF STATE OF THE MINISTRY OF FOOD AND CIVIL SUPPLIES (SHRI SUKH RAM): (a) to (d). A statement is given below.

### STATEMENT

(a) Yes, Sir.

(b) and (c). Under the Consumer Protection Act, 1986, Central Government is responsible for setting up National Consumer Disputes Redressal Commission and the Central Consumer Protection Council, which have been set up. The responsibility for setting up State Consumer Protection Councils, Consumer Disputes Redressal Commission (State Commission), and the District Consumer Disputes Redressal Forums (District Forums) rests with the State Governments/ Union Territories. Many States have already set up these bodies and

the Central Government have requested the others to do so immediately. The Planning Commission has agreed to include "Consumer Protection" including the implementation of the Consumer Protection Act, 1986 as a Plan item in the Seventh Five Year Plan.

(d) Consumer Protection Act, 1986, provides a simple, speedy and inexpensive redressal to the consumers against defective goods and services, unfair trade practices, etc. The redressal is provided by way of replacement, refund of price, removal of defects, or compensation.

[Translation]

SHRI BANWARI LAL PUROHIT: Mr. Speaker, Sir, Consumer Protection Act was passed in our country in 1986 but even after a lapse of three years no protection has been provided to the consumer any where, situation has not improved, adulteration is still rampant on a large scale, spices and other things, whatever we buy from the market, are adulterated and are being sold openly in the market. As regards the weight there is no guarantee that the consumer gets the right weight. If a consumer wants to purchase an article of good quality and renowned trade mark, he is supplied articles of spurious trade mark as these are being openly sold in the market while articles of genuine trade mark are hardly to be seen. This Act was formulated to protect the consumers from such a situation and to make available hygienic stuff to them but it has not been implemented till this day even after three years. I want to know why it has not been implemented even after becoming an Act. There was a provision of constituting committees at district and state levels because if any consumer wanted to make a complaint at the gross root level, he would do so at district level only but district or State level committees have not been formed so far. Will the Hon. Minister kindly tell us as to how many committees at district level and at State level have been constituted till now? Is this information available with him?

SHRI SUKH RAM : As regards the