

ing rehabilitation, the Government should make a policy at the earliest. I would like to know as to what is the proposed scheme for this.

**SHRI BINDESHWARI DUBEY:** Mr. Speaker, Sir, cases of all the states are not pending in the Supreme Court. Regarding Bihar a voluntary organisation DR 87 had filed a petition that there are bonded labourers in Dumka and Deogarh districts who have not been identified. The Supreme Court ordered the Commissioner of Welfare Department Shri K.V. Saksena to send a team for identification. 2642 people were identified there but the names of the keepers and dealers etc. was not included in it. The state Government contested in the court that the regular procedure viz. through the district magistrate or authorised officers by the magistrate has not been followed and instead a team had been sent which gave the information without giving all the details. Later on the Supreme Court gave the work of rehabilitation to an organisation called "Kapaat". In the mean time the State Government has given Rs. three thousand as interim relief for rehabilitation. The package of the Supreme Court will be announced on 15th March and thereafter it shall be executed.

[*English*]

**DR. PRABHAT KUMAR MISHRA:** The answer laid on the Table is contradictory in itself. In the answer it has been said that during the period 1986-87 and 1987-88 from Orissa there were bonded labour numbering 6176 whereas rehabilitation has been done for 12367 persons for the same period. How is it possible? There was not that number of bonded labour which has been rehabilitated. Now if you look to the figure in respect of Madhya Pradesh, the number of bonded labour is more and rehabilitation done is for less number.

[*Translation*]

**SHRI BINDESHWARI DUBEY:** Mr. Speaker, Sir, it has been stated in the foot-

note of the statement that as the total number of rehabilitated bonded labourers includes the number of some bonded labourers who had been identified and rehabilitated earlier, hence this high figure.

[*English*]

**SHRI AMAR ROYPRADHAN:** Sir, we have got the figures of the number of bonded labour identified in 1986-87, 1987-88 and 1988-89 but I would like to know from the hon. Minister how many of them have been rehabilitated during this period.

**SHRI BINDESHWARI DUBEY:** I cannot precisely say how many of the bonded labour have been rehabilitated during this period as the figures include some backlog also I can only say at this stage that whatever number is left to be rehabilitated and which has been identified so far in the target which we are preparing for 1989-90 I think we shall be able to rehabilitate almost all the bonded labour.

#### **Amendment to Minimum Wages Act**

\*188. **SHRI M.V. CHANDRASEKHARA MURTHY†:**  
**SHRI V. SREENIVASA PRASAD:**

Will the Minister of LABOUR be pleased to state:

(a) whether Government propose to amend the Minimum Wages Act, 1948 in consultation with State Governments;

(b) whether any meeting with the State Labour Ministers was held for the purpose during the past few months; if so, the details thereof; and

(c) the time by which legislation to this effect is expected to be brought forward?

**THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR AND DEPUTY MINISTER IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI RADHA KISHAN MALAVIYA):** (a) Yes, Sir.

(b) and (c). The 37th Session of the Labour Ministers' Conference held on the 7th November, 1988 considered the proposals for amendments to the Minimum Wages Act, 1948. These mainly relate to (a) enhancement in penalties, (b) provision of direct access to Courts to the aggrieved employee, registered voluntary organisations or registered trade unions, (c) interim relief and protection against termination, discharge etc. during the pendency of claims proceedings, and (d) reduction in the periodicity of revision of wages without the variable component linked to the Consumer Price Index. The amending Bill will be brought forward as soon as the proposals are finalised.

SHRI M.V. CHANDRASEKHARA MURTHY: Mr. Speaker, Sir, we are glad that the Government has come forward to amend the Minimum Wages Act, 1948. You would also agree with me that even if the Act is amended and if it is not implemented in letter and spirit, it is almost useless. In view of this, I want to know from the hon. Minister: What are the specific steps and proposals the Government propose for the effective implementation of the Act?

THE MINISTER OF LABOUR (SHRI BINDESHWARI DUBEY): It is a fact that implementation part is very important. The law is there. But unless it is strictly enforced and it does not have the consensus, then it does not carry any meaning. But as the hon. Member knows that the enforcement machinery is of the State Government, it is the responsibility of the State Government to implement the Minimum Wages Act.

We felt that there were some difficulties in the implementation. Therefore, we have proposed to amend the Act. The amendment, which is proposed, is to go for some stricter penalties and also to allow access to the aggrieved person or a trade union or a social organisation to file a claim without obtaining sanction from the inspector or the authorised authority. During the period when the claim petition is being heard, to save the workers from victimisation, there is a pro-

posal that no employer shall dismiss or discharge the aggrieved workman who has filed the petition.

There is also a proposal that 50 per cent of the claimed amount will be deposited. The court can direct and shall direct to deposit 50 per cent of the claimed amount which will be paid to the workman concerned. These are the safeguards going to be made when this proposal will come into effect.

SHRI M.V. CHANDRASEKHARA MURTHY: The proposals considered at the recent Labour Ministers' Conference mostly related to the organised labour. In rural areas, the rural labour population is mostly unorganised. In view of this, I want to know from the hon. Minister: What are the steps proposed by the Government to safeguard the interests of the unorganised rural labour population?

I would also like to know whether the Government is prepared to revise the minimum wages every year linked with the consumer price index.

SHRI BINDESHWARI DUBEY: Sir, the proposals, which were considered in the last Labour Ministers' Conference, related mainly to the unorganised labour. The safeguards, which I have just stated and are going to be proposed for the amendment, are to safeguard the interests of the unorganised labour.

The question of revising the minimum wages was also considered. Under the present Act, the interval for revision of the wages is five years. We are now proposing to reduce it to two years or 50 points rise in the consumer price index.

PROF. N.G. RANGA: My hon. friend has conceded the need to protect the unorganised labour through this kind of legislation. In addition to the statutorily enforceable minimum wage, it can be enforced with the help of the organised trade unions, advisers, social workers and so on. In view of this, will the Government consider the advisability of

announcing from State to state the absolute national minimum wage which can be enforced when the workers themselves begin to ask for it, whether there is a union for them or not, so that the absolute minimum below which a worker would be converted into a bonded labour, can come to the raised from time to time with the cooperation of the employers on one side and on the initiative of the workers and their welfare organizations on the other.

SHRI BINDESHWARI DUBEY: In every State there is a Minimum Wages Advisory Board which determines the minimum wages of not organised labour, but of the unorganised labour and while considering the question of unorganised labour, the representatives of the unorganised labour, voluntary organizations are being consulted.

MR. SPEAKER: Next Question

SHRI HANNAN MOLLAH: Sir, I want to ask one supplementary on Question No. 188.

MR. SPEAKER: There is nothing more in it.

SHRI HANNAN MOLLAH: Kindly allow me, you will be glad to listen to the question.

PROF. MADHU DANDAVATE: You will be happy!

MR. SPEAKER: All right. Who is not in pursuit of happiness?

SHRI HANNAN MOLLAH: Sir, there is no Central legislation for the agricultural labourers; at State level they may have.

MR. SPEAKER: How can there be a

Central legislation on this?

SHRI HANNAN MOLLAH: I am going to refer to the minimum wages.

MR. SPEAKER: It is a State subject. There cannot be a Central legislation, because there are different types of climatic conditions, incomes etc.

SHRI HANNAN MOLLAH: But some minimum wage should be there.

MR. SPEAKER: Yes, according to Statewise.

PROF. MADHU DANDAVATE: It is a breach of assurance; he has not given you happiness.

MR. SPEAKER: Yes, he owes it to me.

### Labour Disputes

\*190. SHRI THAMPAN THOMAS: Will the Minister of LABOUR be pleased to state:

(a) the number of labour disputes, strikes and lockouts during 1988; State-wise; and

(b) the number of cases settled during that period, State-wise?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR AND DEPUTY MINISTER IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI RADHA KISHAN MALAVIYA): (a) and (b). Based on the latest available information, two statements I & II are given below. The information regarding the number of cases settled by the State Governments under their jurisdiction is not maintained Centrally.