

SHRI BALKAVI BAIRAGI : Mr. Speaker, Sir you may ask the hon. Minister if he wants to reply... (*Interruptions*,

MR. SPEAKER : Next time.

ORAL ANSWERS TO QUESTIONS

[*English*]

Identification of Hazardous Industrial Units

*184. SHRI NARAYAN CHOU-BEY : Will the Minister of LABOUR be pleased to state :

(a) whether Government have taken certain decisions regarding the identification of hazardous industrial units all over the country and punishing the defaulting owners for violation of safety measures ;

(b) whether these decisions have been communicated to all the State Governments and Union Territories ;

(c) if so, the details of the directives and guidelines issued in this regard ; and

(d) measures being taken for their proper implementation ?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI T. ANJIAH) : (a) and (b). Yes, Sir.

(c) and (d). A statement is given below.

Statement

The State Governments/Administrations of Union Territories have been advised to set up Task Forces/Committees, who would survey the various manufacturing units in their areas and identify hazardous units and prepare a list of such units. The list so prepared would be sent to the

Director General, Factory Advice Service and Labour Institute under the Ministry of Labour, who would prepare a common list of such hazardous industries. With this as the basic data, programme of studies and surveys would be undertaken for streamlining safety standards in all such industrial units.

The Labour Ministers' Conference held on 11th May, 1985 also considered various aspects of safety and health of workers and measures to be taken in this regard. The Conference made a number of recommendations in this regard. One of the recommendations of the Conference is that the Factories Act, 1948 should be amended to include a special chapter to deal with safety in hazardous industries. The Conference also recommended that penalty for continued violation of safety regulations in hazardous industries should be compulsory imprisonment.

Government has advised the State Govts./Union Territory Administrations to amend the State Factories Rules and connected schedules incorporating the provisions of the model rules and model schedules, which contain control measures in relation to twenty six dangerous manufacturing processes and which have already been circulated to them for adoption. Government is also considering amendments to the Factories Act, 1948.

[*Translation*]

SHRI NARAYAN CHOUBEY : Mr. Speaker, Sir, There is a saying in Sanskrit "*Dhumayate banahi*". It means that if you notice smoke somewhere, take it that fire must be around. All Ministers say that "statement is laid on the table". This is indicative of some danger. It means that there is something wrong at the bottom. Such a statement is not required when there is nothing wrong. What we have to see is that who has done that wrong. Our Labour Minister is himself a man of the labourers. (*Interruptions*). Everybody says that there is something fishy in the reply. This is the reply which has

come in the wake of Bhopal incident...
...(Interruptions).

MR. SPEAKER : The question was, perhaps, not asked by anybody before, how could the reply be there ?

SHRI NARAYAN CHOUBEY : There was no scope for asking such a question before Bhopal tragedy. This is the reply that has come after Bhopal incident ! What will happen in future is for you to see... (Interruptions)

SHRI BALKAVI BAIRAGI : They ask questions when we people are killed.
(Interruptions)

PROF. MADHU DANDAVATE : Is there any obituary before death ? ...
(Interruptions)

MR. SPEAKER : You have not heard about the House of Commons, had you heard that, you would have come to know.

SHRI NARAYAN CHOUBEY : I want to tell what the Central Government has done. The Central Government advised the State Government and the traders in the country to prepare the list. After the list is prepared, it will be submitted to the Centre. The Central Government will conduct a survey and then the things will be streamlined. *Kab bhiup marega aur kab bail batega.* (God knows how long it will take). Nothing has been done so far.

MR. SPEAKER : I have seen the land being divided, but never seen bullocks being divided.

SHRI NARAYAN CHOUBEY : On the 11th May, 1985, the State Labour Ministers came to Delhi and a meeting was held with them. It was decided in the meeting that the Factory Act would be amended and imprisonment made compulsory. My question is that it was decided in May and now it is August, you bring forward so many Bills, but why have you not brought forward that Bill

till today even after the worst Bhopal tragedy ? When will that Bill be brought forward ?

SHRI T. ANJIAH : Mr. Speaker, Sir, Shri Choubey was saying that there was something wrong at the bottom. In fact, there is nothing of this sort—neither black nor white... (Interruptions)

SHRI NARAYAN CHOUBEY : In any case it is not red... (Interruptions)

SHRI T. ANJIAH : The reply is that a directive was issued to all State Governments after the Bhopal incident. The directive was about setting up of a task force. So far 26 industries have been declared as 'hazardous industries'. A list of industries which have been identified as health haged industries will be placed on the Table of the House. These industries are located in West Bengal, Orissa, Rajasthan, Tamil Nadu, Haryana, Gujarat, Madhya Pradesh, Uttar Pradesh and Punjab. Besides, we have also got some assistance from I.L.O. They have visited some States like, West Bengal, Gujarat, Tamil Nadu, Maharashtra, etc. and we have also received some recommendations from them, on which we are taking action. Your second point was about making amendment in the Factory Act. We are taking action to make amendment in the Factory Act. We shall convene a meeting of all State Labour Ministers to know their views and then decide about imprisonment, fine, stringency etc. The proposed Labour Ministers Conference will be held in October—November and we shall invite all trade union leaders and employees, etc. to consider how the lacunae in the labour laws brought to our notice—their number is not one or two, these are about 20 to 25 in number—could be removed and thereafter we propose to amend the labour law. So far as safety is concerned, we are giving it first priority and we also propose to educate the management in this regard.

SHRI NARAYAN CHOUBEY : In his reply, the hon. Minister has stated that all the people will be invited and a meeting will be held in October.

November and then a Bill will be brought forward. It appears, action, if any, will be taken only after the anniversary of Bhopal incident; such is the speed of their Government.

[English]

It is a Government that not only works, but works faster and very very faster ?

[Translation]

Sir, Bhopal incident was worst of its kind in the entire world.

SHRI T. ANJIAH : The law is being brought forward....

SHRI NARAYAN CHOUBEY : I came across a report in the newspaper dated 3rd August which says that when the people from Safety Council went to Bhopal, they were stopped and denied entry by the Bhopal Police. Besides, there is another news that the Indian Petro-chemical Corporation—a Government of India Undertaking—is entering into a technical collaboration with the Union Carbide—the killers of Bhopal. This Collaboration is being done with those who have not yet paid any compensation for such a big incident to us. Your Petro-chemical Corporation is entering into a collaboration with such a big sinner....

MR. SPEAKER : Put your question quickly....

SHRI NARAYAN CHOUBEY : My question is whether Government are aware that the Members of your Safety Council who had gone to Bhopal for inquiry were not allowed to go round the city. They were the people of your own department. On what grounds were they not allowed ? If you are aware of it, what action did you take for causing obstruction in government work ? Will you allow them to held inquiry or not ?

SHRI T. ANJIAH : We have handed over this case to the C.B.I. for enquiry and it is confidential. They have given

permission to many people, who had gone there and seen the things themselves. Since, the care for compensation is pending with the World court now, we do not want that any secret should leak out. As such, I am unable to give you any more information. Some people were given permission and their report is confidential. The Minister of Chemicals will be in a position to reply to that.

[English]

SHRI HAROOBHAI MEHTA : There is a quartz crushing industry going on in the Panchmahals District near Godhra. The fine silicon particles of quartz are causing a lot of air pollution and also attack the lungs of the workers engaged in the industry and as a result, their life expectancy is curtailed and within two or three years the worker dies. The Gujarat High Court, in an order given in a public interest litigation, has made certain recommendations to the ESI. Is the Government aware of it and if so, what steps have the Government taken or propose to take to protect the health of the workers in this hazardous industry ?

[Translation]

SHRI T. ANJIAH : We have also received a report from the Government of Gujarat and they are taking some action in the matter. As I have already said, we have identified 26 industries as 'hazardous' and we propose to set up a Central Team which will visit all these industries. A Committee has been set up in Delhi also and their preliminary report will be presented on the 17th or 18th instant. Report from Gujarat will also be with us the same will also be presented to the House.

[English]

SHRI D.N. REDDY : Sir, I would like to know whether the hon. Minister has received any complaint from the public of Yerraguntla in Cuddapah district where cement industry has become a health hazard. Out of the three cement factories in CCI cement factory which is Central Government owned factory a lot of cement dust is produced due to

defective machinery and it causes a big health hazard to about a lakh of population. The other two factories are not causing any cement dust. If so, has the Government taken any steps to remove the health hazard by rectifying the defective machinery in this cement factory ?

[Translation]

SHRI T. ANJIAH : Sir, we have checked the facts through the State Government and have directed them that if they find that a certain industry is dangerous, the Department concerned should at least see to it that such an industry is closed down and should be allowed to run only after the hazard is completely removed.

[English]

PROF. N.G. RANGA : Now, this has been brought to your notice.

[Translation]

SHRI T. ANJIAH : Sir, if you bring it to our notice, we shall certainly take action.

[English]

SHRI THAMPAN THOMAS : Sir, recently the various High Courts had occasion to interfere in the nature of hazardous work assigned to workers. In respect of Rashtriya Chemical Factory, Bombay there was an order of the Bombay High Court restraining the functioning of one plant. In respect of Indian Rare Earths, in Kerala, the Kerala High Court interfered in their functioning on account of pollution. A press report to the effect that Kerala Mineral and Metals is leaking out poisonous gas to the sea and nearby area has appeared in the press. I would also like to ask the Minister whether action will be taken on the basis of the various judicial pronouncements in the matter and also whether action can be taken under Section 33 of the Cr. P.C. against the erring managements ?

[Translation]

SHRI T. ANJIAH : Mr. Speaker, Sir, whatever the hon. Member has said

is correct. So far as the question of some action by Central Government is concerned, we have set up this industry somehow after getting assistance from I.L.O. But the cases where situation is very dangerous, and as you have said there is a court judgement also, will be examined and a decision to take some action will be taken soon.

Allotment of Houses by D.D.A. in Sarita Vihar

*185. SHRI SARFARAZ AHMAD : Will the Minister of WORKS AND HOUSING be pleased to state :

(a) whether Government's attention has been drawn to the news items appearing in the daily 'Janstta' under the caption "Aur Ab Hawa Mein Makan, DDA Ka Naya Kamal" (now houses in the air, DDA's latest miracle) wherein it is reported that the DDA allotted houses in Sarita Vihar where the Authority constructed no houses and in fact did not even acquire land ;

(b) if so, when the applications were invited for these houses and the amount charged from the applicants ;

(c) the number of persons who were allotted these houses and the names of the officers responsible for these allotments ; and

(d) what action has been taken against these responsible for such allotments ?

[English]

THE MINISTER OF WORKS AND HOUSING (SHRI ABDUL GHAFOOR):

(a) Yes, Sir.

(b) to (d). A statement is given below.

Statement

The applications for allocations were invited during the periods from 1.9.83 to 30.9.83 and 10.2.84 to 9.3.84. The