

**Discriminatory Policy on revival of Public Sector Pharmaceutical Units**

SHRI DIPANKAR MUKHERJEE (West Bengal): Mr. Chairman, Sir, thank you very much. I am also thankful to the Minister of Chemicals and Fertilizers who is here. I hope, probably, he will respond to my Special Mention. This is regarding the discriminatory policy on revival of public sector pharmaceutical units. Sir, yesterday, the BIFR directed the winding up of Smith Stanistreet Pharmaceuticals Limited (SSPL), a public sector undertaking, under the Ministry of Chemicals and Fertilisers, located in West Bengal, employing about 600 workers. The BIFR has taken this decision in view of the reluctance of the Government of India to support the revised revival proposal submitted by the Company. As a matter of fact, the Government of India did not commit any relief and concession necessary for the revival of the company. In the case of Bengal Immunity, another pharmaceutical PSU located in West Bengal, the Government informed the BIFR in its last hearing that the Government is not willing to continue as a promoter of the company any more, and any decision of the BIFR for winding up of the company would be acceptable to the Government.

This is quite contrary to the decision taken by the Government of India in the case of similar pharmaceutical public sector units -- IDPL and UPDPL -- under the same Ministry. In both these cases, the Government of India agreed to extend relief and a number of concessions for the purpose of revival of these companies.

It is quite obvious that discrimination is being shown to the companies located in West Bengal, for political reasons.

I, therefore, demand that similar treatment, as has been given to IDPL and UPDPL, should be extended to SSPL and Bengal Immunity so that these two companies can be revived and are not wound up, without exploring all possibilities of revival, in public interest.

SHRI MANOJ BHATTACHARYA (West Bengal): Sir, I associate with what Mr. Dipankar Mukherjee has said. I would also request the Minister to respond on this. ...interruptions)...

SHRI JIBON ROY (West Bengal): I would also request the Minister to respond. ...(*Interruptions*)...

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI O. RAJAGOPAL) : ... have given notice. ...(*Interruptions*)...

SHRI DIPANKAR MUKHERJEE: We can go in appeal against this decision. The Minister is from our State. We have a right to ask him to respond here itself, in Parliament.

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI SATYA BRATA MOOKHERJEE): Sir, we have not yet received the certified copy of the order. The BIFR cannot direct winding up. It can only recommend winding up. It has to go to the High Court before the company is wound up. In the meantime, we will consider the matter.

MR. CHAIRMAN: Now, we will take up the Cine-workers Welfare Fund (Amendment) Bill, 2001. Shri S. Viduthalai Virumbi.

---

**THE CINE-WORKERS WELFARE FUND (AMENDMENT) BILL, 2001 - *Contd.***

SHRI S. VIDUTHALAI VIRUMBI (Tamil Nadu): Mr. Chairman, Sir, yesterday, when I was speaking on the Cine-workers Welfare Fund (Amendment) Bill, I had mentioned about the pre-condition, for a person to get enrolled as a cine worker - that they ought to have been employed in or connected with, at least, five feature films. Sir, this Bill has come before us for our consideration, on the basis of the advice given by the Central Advisory Committee. Sir, as I told you, the condition is such that during the last nine years, 400 cine theatres have been closed in Tamil Nadu. Nine years back, about 185 films used to be produced every year, while only 85 films were produced last year. Therefore, the condition that has been put in the Act cannot be practical and is not based on the ground reality. Therefore, I demand that instead of this pre-condition that one should have been employed in or connected with five feature films, it should be reduced to one feature film. The reason for this argument of mine is that, even if they have been connected with one feature film, they have to work for

years. For example, whether it is a stunt-master or a dancer, they must have training throughout the year to act in one film. Therefore, there is a proper reason behind my request. Then, my second request is, as the Central Advisory Board has recommended, the remuneration of Rs. 1,600 should be enhanced to Rs. 8,000 per month for the people who are enrolled as cine-workers. So far as the lump-sum payment of Rs. 1 lakh is concerned, I say that this recommendation of the Central Advisory Commission should be incorporated in the rules that are going to be framed, based on this amendment. Sir, when it is incorporated, the Government may be faced with the problem of shortage of money for that. The Cine-workers Welfare Fund Act is not an isolated Act. It is connected with the Cine-workers Welfare Cess Act, 1981. In that Act, under Clause I of Section 3, excise duty is levied. The minimum and the maximum is stipulated in the Act itself. It cannot be enhanced further, due to the conditions prevailing in the cine industry. Therefore, the Government should come forward with budgetary support to fulfil the obligations. Budgetary support is essential to meet the obligations; otherwise it will remain only on paper. The people will not be benefited by this Act. Then, the employees, who are already enrolled as cine-workers, must be protected by the ESI, that is, the Employees State Insurance. When I say that they must be protected by the ESI, the norms of the ESI itself should be amended in such a way that the people who are enrolled as cine-workers are also accommodated because there is a ceiling in the ESI.

Sir, my other point is regarding the constitution of committees. The Advisory Committees, and the Central Advisory Committee are already there. I would quote from Clause 1, Section 7, of the Act. It says, "An advisory committee or the Central Advisory Committee may, at any time and for such period as it thinks fit, co-opt any person or persons to Advisory Committee." So, I feel that another committee is also essential. Why is it essential? My suggestion is that a high-level committee, in addition to the existing advisory committees for the management of Cine-workers' Welfare Fund, should be constituted. It should consist of representatives from the Film Federation of India. There should be two office-bearers from the Northern States and two office bearers from the Southern States. I would also suggest the formation of a sub-committee in those States where the film industry is located. It should consist of two members from each of the recognised bodies. In the case of Tamil Nadu, two members from each of these recognized bodies should be included, namely, the South Indian Film

Chamber of Commerce, the Producers' Council, the South Indian Artistes' Association and the Film Employees' Federation of South India. Two eminent personalities from the society should also be represented. The recommendation of this sub-committee could help in the speedy dispersal of the funds to the aggrieved cine workers.

My next suggestion is this. The Act clearly indicates that the Central Government shall, as soon as may be after the end of each financial year,- cause to be published in the official gazette, a report giving an account of the Activities financed under this Act during the financial year, together with a Statement of Accounts. As mentioned in this Act, this may be sent to the high-level committee and the sub-committee. And, a mention of the funds available with the Welfare Fund may also be disclosed, along with the Statement, for the efficient dispersal of funds to the cine-workers.

Before I conclude, I would like to say that in Tamil Nadu, many social reformers, political leaders, statesmen and even freedom-fighters were connected with the cine industry. Freedom fighters like Thiru Satyamurthy Aiyar and Mr. Viswanath Das were also associated with the stage and used to act in dramas. Dr. Anna was a statesman of the Indian subcontinent. The late lamented Chief Minister of Tamil Nadu, Dr. MGR, and Dr. Kalaingar have been the doyen of cinema in Tamil Nadu.

They were all actually involved in this. I have to say that even social-reformers like Mr. NSK and Mr. KRR were also, in one way or the other, either as an actor or a scriptwriter, connected with the cine-industry. Actually, I am indebted to them for having brought my State to such a position. Even though this Bill is for welfare of the cine-workers, it is also connected with lakhs and lakhs of other workers throughout the country. The people who are enrolled as cine workers, and even workers of allied and ancillary industries, are dependent on this industry. When I began my speech, I had mentioned that the industries are slowing down. Particularly, the cine-industry is on the death-bed. We should see that some oxygen is given to it. I hope this Act will act as the oxygen for it. I hope, with the help from the Central and the State Governments, the cine-industry will again be able to provide jobs to our brethren. With these words, I conclude.

SHRI H.K. JAVARE GOWDA (Karnataka): Mr. . Chairman, Sir, I welcome the Cine-workers Welfare Fund (Amendment) Bill, 2001. The object of this Bill is to help the workers of the cine industry. The point I would like to make is that only 30,000 people have been covered under this law, and, about 33,000 workers have been left out because of the flaws in the definition clause and due to the fixation of amount to be earned by a cine worker, that is, Rs. 1600 a month or Rs. 8,000 in lump sum. Sir, keeping in view the increasing wages and increasing cost of living, a need was felt to bring this Bill. At the same time, we have to take into account the changed scenario all over the country. Presently, the condition of cinema industry, in our country, is not that good. It has declined to a greater extent, particularly, in the Southern States -- I do not know the position in the Northern States. About 40% of the cinema theatres have been closed down. In some of the main cities, some theatres have been converted into shopping complexes. In talukas and district headquarters, as some theatres were not earning much profits, they had to be closed down.

Now, another industry, in the form of TV serials, or, TV channels has developed in our country. The cine workers are also working in TV serials and TV channels. More than two lakh people are working in this industry, all over the country. For them, no legislation has been brought in. A majority of the cine workers are also working in TV serials, TV channels and other things. This is one important aspect that has to be looked into. For these workers, no legislation has been brought in. Keeping this in view, I would like to ask the hon. Minister what is his proposal in this regard. Is the Government interested in bringing a legislation to help the workers in TV serials, etc.? Another important aspect to be looked into is the fixation of number of films — that is, five. Definitely, producing a new film depends on the profit earned through films produced prior to that. If a producer produces two films, and these two films flop, definitely, he will not be able to produce any more films. Then, what will be the fate of those workers who worked in those two films? Therefore, Sir, a serious thought needs to be given to this aspect also.

Then, the other aspect of the matter is, the cinema industry also earns revenue for the country. In this regard, a legislation has to be brought in. The amount collected by way of entertainment tax should be earmarked for giving insurance and other benefits to the cine workers. I urge upon the Government to set up an official committee to go into the

problems faced by the cine workers, TV serial workers and TV channel workers. A comprehensive legislation should be brought in for their welfare. With these words, I conclude. Thank you.

\*SHRI S. S. CHANDRAN (Tamil Nadu): Mr. Chairman, Sir, I rise to speak on the Cine-Workers Welfare Fund Bill on behalf of AIADMK. I am glad to speak in Tamil. There is nothing wrong in speaking in one's mother tongue. Indeed, I feel very happy because my revered leader Dr. Puratchi Thalaivi has been acquitted by the court.

Sir, I feel ( have a right to speak on this Bill because, I have been in the film industry for over 45 years. When I find Hon'ble Members speaking on this bill by virtue of being cinemagoers, I feel happy.

Yesterday, an Hon'ble Member from Kerala spoke very well on this Bill. However, when we discuss a Bill on cinema industry, our House is not full. These days we do not find house-full cinema halls even. This is the situation today. The actors, cinema artistes are in problems and cinema workers are suffering. In fact, cinema workers are going through a period of crisis. If a doctor's son becomes doctor he is congratulated, if a lawyer's son becomes lawyer he is greeted, but if an actor's son becomes an actor, everyone asks: "Why? Don't you have anything else to do?" This is the plight of cinema today. But the society can't advance without cinema, TV and drama.

Mr. Chairman, Sir, I beg your pardon for referring to this incident. Last month you had come to Chennai. An eight-year-old boy in my house, showing your photograph in the newspaper, asked me, "Is he not the Chairman of your House?" Struck by surprise, I asked as to how he knew this. He said he had seen your good self in T.V. Therefore we are all actors in a way.

That boy further said that only a few people go to the Chairman but many persons including Ministers go to the person sitting in the well of the House. He wanted to know that person. I told him he is like Lord Ganesh and the Chairman is like Lord Shiva. I say all this to drive home the point that today, from Chairman to Secretary - General everyone is known popularly because of TV, the small screen.

---

\* English translation of the original speech delivered in Tamil.

Sir, I know the real plight of cine workers. That is why I have been waiting since last week to take part in the discussion. So, I request the Hon'ble Chairman to kindly give me a few more minutes.

Sir, the ceiling of Rs. 1600 per month on the wages of cinema workers for bringing them under the ambit of Cine worker Welfare Fund was decided Some 20 years before. This Bill provides to increase that limit. Here I wish to refer to an ironic situation. A cine worker, who earns just 1000 rupees per month, would have to pay income tax because he is having a pager worth Rs. 1600. Though he bought that pager on credit, and at a nominal due of 20 rupees, he has to pay income tax. I fail to understand the justification. I hope the Hon'ble Minister will do the needful to ameliorate the conditions of the cine workers. This Bill seeks to give the right of revising the wage ceiling to the Centre. It is a welcome move. But this right has to be exercised. The Government employees are given DA twice a year. Same way, the wage ceiling of the cine-workers should be increased at least twice a year. Then alone, the cine-workers living in misery will be benefited. It is said that there are 63,000 cine workers in the country. This is because the monthly wage ceiling is only Rs. 1600. After the passage of this Bill, this ceiling should be increased to Rs. 10,000 per month. I hope the Hon'ble Minister would do the needful.

Sir, in 1965, in a Seminar, the then Prime Minister Pt. Jawaharlal Nehru said that the influence of cinema on the society is more than that of the newspapers and books put together. That is why, my revered leader, Dr. Puratchi Thalaivi, while being the Chief Minister of Tamilnadu gave 100 acres of land for cinema industry, for the sake of cine workers. I say all this because, the Centre is neglecting the cinema industry. It is a matter of pride that in the entire world it is only in India that over 800 film', are produced in a year. The Cable Television Network Regulation Act was passed by Parliament in 1995. But video piracy is still going on. ' wish to cite an example. Recently a Tamil film was made at a cost of F.s.33 crore. But before the release of the film, pirated CDs were available in the market. This is the fate of Cinema. One could ask, why to spend a whopping 33 crore rupees and lament. But even when we go in for a low budget film, there is problem. Low budget film is possible only by using elephants, cats and snakes as actors. Even that is not possible now because, we are not allowed to use these animals under the Wildlife Protection Act. What are we to do then?

The cine workers survive because of cinema and for cinema, survival of artists is important. Sir, the Copyright Act has been amended time and again. Yet video piracy of films is going on. The new Copyright Act passed on 6<sup>th</sup> June, 1994 and came into force on 10<sup>th</sup> March, 1995. That Act provides protection to cine films against reproduction of all kinds besides providing punishment to the violators. Yet I regret to say that the Act has not been implemented in letter and spirit. In the case of R. G. Anand Vs. Deluxe films, the Supreme Court held that imitation of a film in any manner is a violation of copyright.

Sir, we all should endeavour to protect cinema industry. If we ask who is the owner of the palatial house that remains locked for 30 years, people say, it belongs to an affluent man who produced a film and turned a pauper. Since he could not repay the loans his house has been attached. Such stories of misery are plenty in cinema industry. One may ask, why not borrow from IDBI. The IDBI says it will provide Rs.50 lakh as loan for a film whose budget is Rs. 1 crore. If a producer has Rs. 50 lakh, he can produce a film worth one crore without even loans. I want to highlight the stringent rules that came in the way of film production. Though I indulge in humour at times, I request the Hon'ble Minister to take serious note of these problems of the cinema industries. Cinema is just not a medium of entertainment. A Cinema artiste is brought to the forefront to educate people against smoking. If a cinema actor drives a car in an advertisement, then people rush to buy that car.

Sir, I am reminded of an event. During our war with China, it was felt necessary to entertain our soldiers at the battlefield during their leisure time. For providing that entertainment cricketers and tennis players were not chosen. Cine stars went there to provide entertainment in order to relieve our soldiers of stresses and strains of war. Indeed cinema is the backbone of the country's revenue. So, let us make some effort to cheer up the cine workers. I thank you all for listening to my speech in Tamil.

SHRIMATI SHABANA AZMI (Nominated): Sir, I rise to welcome the Bill.

There are about 50,000 to 70,000 cine-workers working in the Indian film industry. Since the Cine-Workers Welfare Fund, which was last revised in 1987, has a ceiling of Rs. 1,600 per month or Rs.8,000 per film



and there has been such a substantial increase in the wages of cine-workers in keeping with the price rise, really no significant number of cine-workers have been able to access this fund. Therefore, this was a long standing demand coming from the film industry to raise this ceiling. Therefore, I welcome it. I say this because the film industry owes, in a large measure, its existence to the workers who have been working for long hours at great risk to their life and health for the film industry, but they never get recognised when it comes to the film winning laurels or awards or in making profits. If I am recognised today as an actress, it is not only in a large measure due to the producers, writers and directors, who have given me these opportunities, but also due to the cine-workers working in various disciplines and in various collaborations to make the effort possible. Therefore, I welcome the Bill.

Sir, the question, however, is what happens to these funds once they are collected. It has been brought to our notice that though during the last many years Rs.20 crores have been collected in these funds, they have not been given to the workers only because the ceiling before this was very low. Out of this, the administrative cost of looking after this fund was about Rs.6 crores to Rs.8 crores. So, we were wasting a very valuable fund that was lying with us.

What is the mechanism for the producers or the workers associations to recommend a case and say that this worker needs access to these funds? There have been horror stories of workers dying in the throes of illness. When they fall ill, they apply for financial assistance from this fund. But it is a long, arduous, way of going through the Government machinery to get access to this fund. The worker never benefits from it. Therefore, we need to simplify the procedure so that the affected persons can have easy access to this fund. It can be a simple letter from the Association saying that this worker legitimately deserves financial help from this fund. If the worker is ill, an immediate instalment should be released. Then, another instalment should be released, rather than saying, "First, you pay the money and only after that will we give you the money," It is not possible for the people who do not have the money.

There has been a long standing demand from the All India Film Employees Confederation for increasing the subsistence allowance which I completely endorse. In view of the steep rise in the prices -- the present rates were fixed long back -- the subsistence allowance, under the scheme, for the treatment of heart diseases, kidney transplantation, cancer, etc., should be increased; otherwise, they cannot avail of assistance from this fund. This is not sufficient, under the present requirements. They have to succumb to the illness.

In the case of the beedi and mine workers, the Labour Welfare Organisation has taken the initiative of implementing the integrated housing scheme. The same scheme should be extended to the cine workers so that they can avail of this facility. The Ministry of Labour is administering various welfare funds for workers in the beedi industry, cine industry, mining industry, limestone industry and dolomite industry, etc. Most of these schemes in the area of health, education, housing, recreation and water supply are common. Therefore, it would be appropriate to have a uniform scale of benefits with regard to the financial assistance and other norms for all such common schemes under the welfare fund.

Now, the television industry has expanded exponentially. This industry is providing employment to thousands of technicians, craftsmen. If the same technicians are working in advertising, short and documentary films, no cess is collected from the television industry or from the advertising industry or from the film industry. Nothing is available to the workers working in this industry. Since convergence is taking place in all the media, this fund should not deprive these workers. The television channels are making payment to television software producers. Our suggestion is that they can deduct a certain amount per episode as cess. The amount can be decided or it can be fixed. So, the television industry also should be included in this. How are these funds dispersed? Now, there is a Commissioner's Office at Nagpur. Earlier they used to have representatives from the people within the film industry. But this is no longer necessary. Now, we suggest that on that body, you have people representing all the regional languages so that they can have an idea of what is going on there. Then, audited accounts must also be given to these 21 craft unions that these are the funds available and this is the amount which can be made available, because information is really what is required at this moment. People even do not know of these schemes and the audited accounts. There should be accountability, and total transparency should be

[4 December, 2001] RAJYA SABHA

maintained. This should be made possible. People from the film industry should be represented on the Board, as we used to have in the past.

Now, there is one thing that film-makers of very low-budget films have been saying, and that can be given some consideration. That is, Rs. 20,000 per film, which the rest of the producers are very happy to give. It has started with Rs. 2000, then, Rs. 10,000 and then it became Rs.20,000; and the producers have been giving this money very happily. But we have films which are made on a huge budget; we have films which are made on a shoe-string-budget, particularly, a lot of regional language films, a lot of what is called parallel cinema films are made on shoe-string-budgets. For the producers of shoe-string-budget films, it becomes a constriction to pay even this Rs. 20,000. So, they say that it is not fair to have a blanket amount as the money to be paid by the producers. They are making films on a budget that goes up to Rs. 20 crores. At the same time, a film is being made even in less than Rs. 1 crore. So, a suggestion which is being mooted is those films which are made under a budget of less than a crore can be asked to pay only Rs. 10,000. I request the Minister to give due consideration to this point. And those films which exceed a budget of Rs. One crore, could pay Rs. 20,000 which, I think, is a valid demand and we would also be helping the regional cinema and independent film-makers that do not have the funds.

Having said this. I welcome the Bill.

MR. CHAIRMAN: Now, it is 1 o'clock.

SHRI S. VIDUTHALAI VIRUMBI: Sir, she may be allowed to continue and finish.

MR. CHAIRMAN: Is she continuing? Would you like to continue?

SHRIMATI SHABANA AZMI: I have concluded. Thank you, Sir.

MR. CHAIRMAN: The House is now adjourned till 2 o'clock.

The House then adjourned for lunch at one minute past one of the clock.

The House reassembled after lunch at three minutes past two of the clock, [THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR) in the Chair.]

SHRIMATI VANGA GEETHA (Andhra Pradesh): Mr. Vice-Chairman, Sir, I thank you for giving me this opportunity to speak on this Bill. I support the Cine-workers Welfare Fund (Amendment) Bill, 2001. I am happy that the Government has considered those workers, whose monthly wages or lump sum remuneration has increased over a period of time, and has magnanimously increased the monthly wages limit from Rs. 1,600/- to Rs. 8,000/- and a lump sum remuneration limit from Rs. 8,000/- to Rs. one lakh. This is definitely a welcome sign, and I am sure that the cine workers and the films fraternity will be grateful for the steps taken by the Government.

It is good that the Government has brought forward this Bill. I welcome this measure, but while supporting this Bill, I want to point out certain problems of the cine workers, who are a worried lot. The very important part of this Bill is the registration of workers. Who are going to be registered under this Welfare Fund? This Act is for the welfare of the people in the industry. The phrase 'Five feature Films' has been mentioned as a condition to get the benefit of this Act. There is no producer who has finished five feature films. Within one film itself, the producer goes out of the industry. Therefore, an amendment would not help in the present situation. The wage and remuneration limit prescribed under the Act has become insignificant due to increase in it over a period of time. The industrial workers who are in the cine field are now included in this Act. Under the Act, any worker has to register himself according to the agreement. Only then, he would become a worker and could get the benefits from the Cine-Workers Welfare Fund Act. There is the Cine-Workers Welfare Cess Act, 1981. The Cess Act should be amended because the cess is a very meagre amount, and crores of rupees are invested in the production of a film. The fund should be increased. The registration of a worker in itself is a very big task for an ordinary person. To go inside an association is a very big problem. I would suggest that the Government

should consider that aspect. There should be a comprehensive Bill, covering the provisions of the three Acts so that all are benefited by it.

The Bill has to protect almost all the sections in the film industry. Everybody knows that the small screen industry is really becoming very large and the cinema industry is decimating. So, this Amendment Bill is very necessary.

Further, I would like to talk about the disparity in the fees. The persons behind the camera are not given enough remuneration. They are, in a way, being exploited. This must be taken care of in this Bill. This Bill does not cover the exhibition side. Nowadays, everybody wants to close the cinema halls and put up a shopping complex or build a marriage hall or residential houses there. But what will happen to those workers who have been working there for the last 30 or 40 years? This part also needs to be covered.

The film industry is, totally, under a slump, dominated by mega serials. The workers, the actors and the artistes are not migrating to TV serials. Is a cess levied on TV serials? Or, is some money collected from them? They are making money in many ways, by putting advertisements in-between the serials. The Government should also take this aspect into consideration. At the same time, the interests of the artistes who are in this field should also be protected by the enactment of this Bill as they are facing a lot of competition. I feel that this amendment is appreciated only in one way, for including the word instalment" which is not found in any other Act. This word is very useful because the workers are paid in instalments. This type of development and this type of focus should be there. A more comprehensive Bill should be brought to protect the workers and the industry in all manners.

Sir, I feel that not only the workers but also the artistes should be included in it. This Bill should be more comprehensive. The theatres also should be included in an amended form. The Jatra artistes who play a very significant role should also be included. The figure is much more than what is stated in the Bill, and it is not 60,000. The number of the workers and the staff working in serials and mega serials is much more. Their interests should be taken care of. The cine-workers should be provided the trade union rights.

Sir, with these words, I support the Bill.

**श्रीमती सरोज दुबे (बिहार):** धन्यवाद उपसभाध्यक्ष जी, मैं सिनेमा कर्मकार कल्याण निधि संशोधन विधेयक, 2001 का समर्थन करती हूँ। बढ़ती हुई मंहगाई और बदलते हुए परिवेश में यह संशोधन बहुत आवश्यक हो गया था। जिस समय यह बिल-"सिनेमा कर्मकार कल्याण निधि (संशोधन) विधेयक, 2001 " तैयार हुआ था उस समय इसमें 63,000 कर्मकार कार्यरत थे लेकिन अब उनकी संख्या बढ़ गई है अतः यह संशोधन विधेयक अपने आप में अपने उद्देश्य के प्रति बहुत स्पष्ट नहीं है। इसलिए मैं माननीय मंत्री जी का ध्यान आकर्षित करना चाहूंगी कि इसमें जो कल्याण निधि बनती है, प्रोड्यूसर द्वारा जो सेस तैयार किया जाता है, उसकी निधि बहुत कम है और उसका लाभ कर्मकार ज्यादा नहीं उठा पाएंगे। इसे सुलभ बनाना पड़ेगा। इसका आप जो ज्यादा सरकारीकरण करने वाले हैं, इससे जो आम कामगार हैं, जो जरूरतमंद हैं, जिनके कल्याण के लिए आप यह कल्याण निधि बना रहे हैं, इसका वह लाभ नहीं उठा पायेंगे। इसलिए मैं आपसे अनुरोध करूंगी कि इसको आप ज्यादा सरकारी तंत्र में जकड़ने का प्रयास न करें और इसको पारदर्शी बनाने का प्रयास करें। इसके साथ साथ वेलफेयर फंड की जो आडिट रिपोर्ट है यह फिल्म उद्योगों से जुड़े हुए सारे लोगों के पास जानी चाहिए। उसकी तमाम यूनियनें हैं जो बहुत बड़ी संख्या में हैं, लगभग 20-21 यूनियनें हैं, उन सब के पास भी यह रिपोर्ट जानी चाहिए ताकि इसकी पारदर्शिता बनी रहे और यूनियन के लोगों को पता रहे, फिल्म इंडस्ट्री के लोगों को पता रहे कि इस निधि का उपयोग किस किस काम में हुआ और किस किस कामगार को इसका लाभ हुआ। इन बातों की ओर आपको ध्यान देना चाहिए ताकि जिन लोगों या संस्थाओं के लिए यह लाया गया है इसका फायदा वह लोग उठा सकें।

इसके अलावा मैं इसका ध्यान इस ओर भी आकर्षित करना चाहूंगी कि जो सिनेमा कर्मकार हैं वे विषम परिस्थितियों में काम करते हैं। कभी कभी तो यह होता है कि वे सुबह से काम पर लगते हैं और रात तक लाइट वगैरह के काम में लगे रहते हैं। उनको आराम के लिए कोई टाइम नहीं मिलता। साथ ही उनको मजदूरी भी बहुत कम दी जाती है। जो स्टंट का काम करते हैं या डुप्लीकेट का काम करते हैं, वे बहुत खतरनाक काम करते हैं लेकिन उनके लिए मुआवजे की कोई व्यवस्था नहीं है। अगर उनके साथ कोई दुर्घटना हो जाती है तो कोई मुआवजे की व्यवस्था नहीं है। इसलिए मैं आपसे अनुरोध करना चाहूंगी कि आप कोई मुआवजे से संबंधित योजना यहां लायें ताकि इस तरह के लोगों को उसका लाभ मिल सके। अभी देवदास के सेट पर दो मजदूरों के ऊपर पंखा गिर गया और वे मर गए। लेकिन उनको कोई उचित मुआवजा नहीं मिला। केवल उनके परिवारजनों के आंसू पोंछने के लिए हजार रुपए दे दिए गए। इसलिए मैं आपसे अनुरोध करना चाहूंगी कि आप इस पर गंभीरता से विचार करें। महोदय, हमारा जो फिल्म व्यवसाय है वह गर्दिश में चल रहा है। इसके कई कारण हैं। एक तो फिल्म व्यवसाय में पाइरेसी होती है और इसके कारण फिल्मों के प्रति लोगों का आकर्षण कम होता चला जा रहा है। फिल्म व्यवसाय ऐसा व्यवसाय है जिसमें रोजगार सृजन की बहुत गुंजाइश है। बहुत लोग इसमें काम कर सकते हैं। लेकिन ऐसा न होने का एक कारण पाइरेसी तो है ही इसका एक और कारण यह है कि हमारे यहां जो फिल्मों के लिए स्टुडियो वगैरह बनते हैं उसके लिए सरकार की तरफ से सहयोग नहीं मिलता है। नतीजा यह होता है कि फिल्म की शूटिंग के लिए प्रोड्यूसर विदेशों में चले जाते हैं। नतीजा यह होता है कि हमारे जो फिल्मी कामगार हैं वह बेकार हो जाते

हैं। पहले वैसे ही उनको ज्यादा पैसा नहीं मिलता है और ऐसा होने पर वे बेरोजगार हो जाते हैं। तो इस फिल्म जगत में जो इतनी सारी समस्याएँ हैं इनकी ओर जब आप ध्यान देंगे तभी उसमें काम करने वाल जो कामगार हैं उनका उत्थान हो सकता है। फिल्म जगत से जुड़े हुए जो प्रोड्यूस हैं उनको भी अपने साथ जोड़कर अगर आप इस ओर ध्यान देंगे तभी इन फिल्मी कामगारों को इसका लाभ मिल सकेगा, और तभी वह इसका फायदा उठा सकेंगे। मैं आप से यह भी कहना चाहूँगी कि यहां पर जो लोग काम करते हैं उनके ऊपर जो श्रम विभाग है, उसके नियम लागू होने चाहिए। इनकी कोई न्यूनतम मजदूरी नहीं है, इनके काम के घंटे तय नहीं हैं, इनके लिए कोई सुरक्षा व्यवस्था नहीं है, इनके स्वास्थ्य की देखभाल के लिए कोई कानून नहीं है। हम लोग वहां गए और हम लोगों ने थोड़ा सा समय निकाल कर उनसे बात की थी तो पता लगा कि उनको ठेके पर भी दे दिया जाता है। वे बड़ी विषम परिस्थिति में काम कर रहे हैं। इसलिए मेरा आप से अनुरोध है कि आप इन बातों की तरफ ध्यान देने की कोशिश करें। आप यह जो संशोधन विधेयक लाए हैं यह स्वागत योग्य है लेकिन इससे पूरा लक्ष्य प्राप्त नहीं होगा। कामगारों के प्रति आपकी सहानुभूति है और आपने इसमें सोलह सौ और आठ हजार के बीच में सीमा खत्म की है लेकिन इसके साथ साथ इसमें सेंट्रल गवर्नमेंट को आपने अधिकार दे दिया है। यह आपने अच्छा कदम उठाया है। इससे आप अपने उद्देश्य में सफल नहीं होंगे। इसलिए मेरा आपसे आग्रह है कि इस बारे में आप एक कम्प्रहेंसिव बिल लायें ताकि इस तरह के काम करने वाले जो कामगार हैं उनके हित में, उनके कल्याण के लिए विचार किया जा सके और उन्हें सामाजिक सुरक्षा और श्रम विभाग के सारे लाभ मिल सकें। इन शब्दों के साथ मैं इस विधेयक का स्वागत करती हूँ।

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR (SHRI MUNI LALL): Mr. Vice-Chairman, Sir, I am very thankful to the hon. Members who have participated in the debate and have made very valuable suggestions. We are very much alive to the situation. The hon. Member, Shri Sangh Priya Gautam, has raised certain doubts about the fixation of ceiling which has not been mentioned in the Act. The fixation of ceiling of remuneration and wages will be done after taking several issues into consideration, *i.e.* the Price Index, decision of the Pay Commission and several other things. The amount will be fixed reasonably. There is no doubt about it. The hon. Member, Shri Virumbi, raised certain issues regarding the growth of industry. He has expressed his concern about the decline in the film industry. Many other hon. Members have also expressed their concern about it. Sir, the film industry is a fluctuating industry. It is a fabulous industry. There might be one or two stray cases. But a majority of the industry which is engaged in the production of films is in a fabulous condition. The Cess which has been fixed at Rs. 20,000 and Rs. 10,000 is not much. Many hon. Members have suggested that it should be raised. But it is a reasonable amount. We have taken a balanced view of it. We will see how it can be disbursed properly. Some hon. Members raised certain points regarding the distribution system. The distribution system is

perfect. The Welfare Commission is taking into account all these things. Some hon. Members stated that too much expenditure has been incurred on the administrative set-up. I am happy to inform the august House that not much expenditure has been incurred on the administrative set-up because one Commission is looking after many items. So far as the expenditure incurred on the administrative set up is concerned, it is negligible. Shrimati Shabana Azmi has suggested some valuable improvements. Shrimati Saroj Dubey has expressed concern about disbursement, accident benefits and some other benefits. There is a Group Insurance Scheme which is applicable to the cine-workers also. The Group Insurance Scheme covers the cine-workers. The Labour Department and many other Departments are taking care of the welfare of cine-workers. One of the hon. Members suggested that the ESI Scheme should be extended to these workers. Sir, we have established hospitals for these workers. There is no need to extend the ESI Scheme to these workers. We have already established hospitals for them. Shrimati Shabana Azmi suggested that a housing scheme should be started for the cine-workers. Sir, I am unable to commit it because the cine-workers live in a posh town where the cost of land and construction is more than Rs. 40 lakhs to Rs. 50 lakhs. We do not have money to start a housing scheme for them. It is very costly. Some hon. Members have made certain suggestions which are covered by the Act. We are very much concerned about the welfare of cine-workers. That is why we have come forward with this Bill. I am very happy for the cooperation which has been extended by the hon. Members. Everybody is interested in the welfare of the workers. The Cine-workers Welfare Fund Act, 1981 needs to be amended in the interest of the poorer sections of the society. The Labour Department is very much alive to the situation. It is a continuous process. Whenever there is a need in future, we will extend other benefits to the workers. I commend this Bill to the House for passing. Thank you.

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): The question is:

\*That the Bill further to amend the Cine-workers Welfare Fund Act, 1981, as passed by the Lok Sabha, be taken into consideration."

*The motion was adopted.*



[4 December, 2001]

RAJYA SABHA

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): We shall now take up clause-by-clause consideration of the Bill.

*Clause 2 was added to the Bill.*

*Clause 1, the Enacting Formula and the Title were added to the Bill.*

SHRI MUNI LALL : Sir, I move:

"That the Bill be passed."

*The question was put and the motion was adopted.*

---

**THE NATIONAL INSTITUTE OF PHARMACEUTICAL EDUCATION  
AND RESEARCH (AMENDMENT) BILL, 2001**

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS  
AND FERTILISERS (SHRI SATYA BRATA MOOKHERJEE): Sir, I  
move:

"That the Bill further to amend the National Institute of  
Pharmaceutical Education and Research Act, 1988,  
be taken into consideration."

Sir, the Act was passed in 1988. The idea was to take over the management and assets and liabilities of what is popularly known as NIPER. In the NIPER, there is a Board of Governors, and Section 4 (3) (o) provides for nomination of Members - two Members from the Lok Sabha and one Member from the Rajya Sabha - by the Speaker of the Lok Sabha and by the Chairman of the Rajya Sabha. Now, sub-section (4) of Section (4) provides for the tenure of office of other Governors, which is a fixed tenure of three years. But, so far as Members of the Lok Sabha and the Rajya Sabha are concerned, there is no tenure fixed. So, this amendment seeks to introduce a proviso to sub-section (4), under which the tenure will be fixed in the event of a Member of the Lok Sabha or of the Rajya Sabha becoming a Minister or a Minister of State or a Deputy Minister or the Deputy Chairman of the Rajya Sabha; in which case, he automatically ceases to be a member of the Board of Governors. That is the proviso which is sought to be introduced. This Bill is merely for removing the anomaly and providing specifically for the tenure of office of members of the Board.

*The question was proposed.*