

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): Mr. Advani himself has suggested let the matter be gone into by the Chairman.

SHRI LAL K. ADVANI: First of all I would say it is for you to decide. I have made a demand, because it is said "on demand". I have made a demand because there is a quotation. If the Government pleads that it will not be in public interest to lay it on the table of the House, then I would request you to have that cable examined by the Chairman.

SHRI PAWAN KUMAR BANSAL (Punjab): Sir, you have to see the scope of the statement and what he is saying.

SHRI P. CHIDAMBARAM: Sir, with great respect to the hon. Members whom I have heard just now, may I say, yesterday a statement was made in this hon. House that a cable was received in the Ministry of External Affairs on the first of October, 1986. I said I will find out. And the Chairman was pleased to observe "The Minister has said he will find out; and as soon as he finds it, he will come and inform the House." This statement is limited to that question and that question alone—when was the cable received in the Ministry of External Affairs. I have taken the trouble—and this is my duty—to find out when the cable was despatched and when it was received in the Ministry of External Affairs and when it was transmitted to the Ministry of Home Affairs. The cable was despatched at 1820 hrs. on 2nd October, received at 2330 hrs. on 2nd October and forwarded to the Ministry of Home Affairs on the 3rd of October. I do not think there is any ambiguity in this statement which requires clarification. But if this is to be converted into a debate on the contents of the cable, on whether the Consul General was right or wrong in sending the cable at a particular time, my most humble submission to you, Sir, is that that is not the purpose of the clarifications which can be sought on my statement. I have quoted one part of the cable in paragraph 3. I have not hidden it. I have quoted a part only to underscore

the point that the cable was sent after the occurrence of the 2nd October incident.

SHRI NIRMAL CHATTERJEE: (Interruptions)

SHRI P. CHIDAMBARAM: That is your view, but let me say my view. It is only to underscore the point that the cable was despatched after the incident. If after this, Mr. Upendra doubts my veracity and says that I am now trying to pretend that the cable came later, when the cable came earlier, all I can say is: this is the cable, this is when it was sent, this is when it was received and there is an internal evidence in the cable to confirm that cable was sent after the incident. But, Sir, I am not in a position to disclose to the House the purpose of the cable and the content of the cable and I would request you not to allow the hon. Member to convert this into a debate on a matter which really does not arise. It is on a very limited question on which the Chairman said I should come and tell the House when the cable was received.

SHRI DIPEN GHOSH: No, Mr. Minister. Then what made you to make this paragraph three? If your purpose was only to say to the House when you have received the cable, when it was despatched, what made you to make this reference to paragraph three? What was the need of paragraph three?

SHRI P. CHIDAMBARAM: I have explained that point.

SHRI DIPEN GHOSH: Anyway we will take up the matter with the Chairman tomorrow.

**THE DOCK WORKERS (SAFETY, HEALTH AND WELFARE) BILL, 1985**

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): Mr. P. A. Sangma.

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI P. A. SANGMA): Sir, I move:

"That the Bill to provide for the safety, health and welfare of dock workers and for matters connected therewith, as passed by the Lok Sabha, be taken into consideration."

MR. VICE-CHAIRMAN: Sir the Indian Dock-Labourers Act, 1934, the Regulations framed thereunder, the Dock Workers' Regulation of Employment Act, 1948 and the schemes framed thereunder, at present deal with the matters relating to the protection against accident of workers employed in loading and unloading of goods in ships and the safety, health and welfare of such workers. These also take care of the ILO Convention concerning protection against accidents to workers employed in loading and unloading of ships.

The 1934 Act applies to workers engaged on board, the ship or along side the ship. This does not cover work done in any other area of the Ports and Docks. This also does not provide for measures for health and welfare of such workers. Further, the Act does not cover workers engaged on work which is incidental to loading and unloading operations, such as work in relation to preparation of ships for receipt of cargo, including transit sheds, warehouse, yards, sidings, workers engaged in shipping, painting or cleaning and the like. The 1948 Act takes care of safety of all dock workers other than those engaged in ships. The law also does not apply to minor ports. Over the last three decades, the cargo handling processes have changed considerably. Mechanisation has come into operation in a big way. The nature of cargoes have changed. There are cargoes which are dangerous and toxic. There are oil tankers, heavy machinery, etc.

There is no proper system for reported of accidents, conduct of enquiries, fixing of responsibilities, as there are ship owners, employees of ship owners who act as

agents, and other principal employers. The powers of the Inspectors of Dock Safety are not adequate.

They have to be given powers for prohibiting handling of cargo when the conditions in the work-place is dangerous to life, safety or health of dock workers.

In these circumstances, the Government had considered it necessary to bringing out a comprehensive legislation to cover all aspects of safety, health and welfare of dock workers. We have also taken care to provide for stringent penalties for violation of law. This law, when given effect to, will make enforcement easier, check the occupational risks involved in dock work and a proper machinery would be available for going into accidents in ports and docks.

The hon. Members are aware that this Bill was discussed earlier in the Lok Sabha and there was unanimous support for the measures that we are bringing out in the interest of safety, health and welfare of workers engaged in loading and unloading of goods in ships and workers entrusted with incidental work in the ports and docks area. I would request the hon. Members to cooperate with us in bringing out this important legislation in the interest of safety and health of the dock workers.

I would request the hon. Members to cooperate and support this Bill. With these few words I commend the Bill for consideration.

*The question was proposed.*

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): The discussion on this Bill will take place tomorrow. The House is adjourned till 11.00 A.M. to-morrow.

The House then adjourned at fifty-nine minutes past four of the clock till eleven of the clock on Thursday, the 6th November, 1986.