

DISCUSSION ON THE WORKING OF THE MINISTRY OF LABOUR—

Contd.

SHRI VITHALRAO MADHAVRAO JADHAV: Sir, I was speaking about the irrigation projects. If more funds are given for these irrigation projects, there will be more potential for the Rural Employment Programme.

Our Government has started so many good schemes to employ the labour—qualified and non-qualified. Government has also started an Apprenticeship Training Scheme under the Apprenticeship Act, 1961 as amended in 1973. Against 1,89,000 trade apprentice seats located in 13325 establishments covered, the apprentice personnel were 1,34,700. Against the 25,931 seats located for the graduates and technician apprentices, 12,427 apprentices were undergoing training by the end of December, 1985. This includes the apprentices belonging to the scheduled castes and scheduled tribes, minorities, physically handicapped, women etc. Still we find certain drawbacks in this. We could not fill up the percentage of scheduled caste and scheduled tribe reservations which were given to them. I request the hon. Minister to look into this matter. The scheduled castes and scheduled tribes should be given equal representation admissible to them as per rules. Sir, the second largest force of labour is the construction labour. Construction industry is a very big industry. Some time ago, in this House Mr. Kalyanasundaram brought one non-official Bill with regard to the welfare of construction labour. More than two crore people are engaged in construction work as construction workers and they are very lowly paid. The contractors are taking away the cream of profits. I request the honourable Labour Minister to have some legislation or rule whereby the construction labour should be highly paid.

Another important thing is, the system of bonded labour is a curse on

the nation. It is a big evil. Our Ministry has taken very serious steps to release and rehabilitate the bonded labour. There were a total of 1,33,197 bonded labourers identified by the different States and out of them, 1,46,230 have been rehabilitated. Sir, it is a shame on all of us. Of course, Karnataka and Andhra are the highest in respect of bonded labour. Karnataka is having 62,689 bonded labourers while Andhra is having 51,346. Of course, there are other progressive States like Gujarat. Gujarat had only 61 bonded labourers out of whom 38 have been rehabilitated.

MR. DEPUTY CHAIRMAN. Mr. Jadhav, you must try to conclude because already you have taken a lot of time.

SHRI VITHALRAO MADHAVRAO JADHAV: But during my speech there were a lot of interruptions. But I will conclude.

Sir, now I come to some problems being faced by my State of Maharashtra. You may have read in the newspapers that the Empress Mills, which is the oldest textile mill of Nagpur, belongs to the Tata Group. Actually, the industrial establishment of the Tata Group was started with the Empress Mills itself. But when they found that with its age-old machinery it is not profitable to run it, they have now taken a decision to close down that mill. Due to that thousands of workers will be unemployed and they will be starving. The Chief Minister of Maharashtra is trying very hard to convince the Tata Group by saying that since they started their industrial empire with this very mill in Nagpur, they should not keep it closed. But he is not able to convince them. Therefore, Sir, through you, I would request that the Government of Maharashtra or the Government of India should take it under the NTC so that the labour of the mill does not suffer.

Discussion concluded

[Shri Vithalrao Madhavrao Jadhav]

Only one more point and I will conclude. There are more than 123 textile mills under the NTC in this country but there is disparity in the matter of payment of allowances to them. Whatever allowances are paid in Uttar Pradesh or in Bombay and so many other areas are not uniform. There is a difference in the allowance paid to the NTC workers in Marathwada. The difference is Rs. 70 to 75. A delegation has met the Textiles Minister, Mr. Khurshed Alam Khan some one month back and they showed him the disparity. The bureaucrats or officials are denying the just claims of the NTC workers to get allowances equal with other NTC workers. They are putting some hurdles saying it is not feasible, this and that. I request the honourable Labour Minister to go into the details and remove the disparity and see that uniform allowances are paid to the NTC workers, whether they are in Maharashtra or Andhra, Kerala or Delhi or Uttar Pradesh.

With these few words, Sir, I conclude. Thank you very much.

SHRI GURUDAS DAS GUPTA (West Bengal): Mr. Chairperson, Sir, at the beginning let me draw the notice of our Labour Minister to an alarming fact. The Seven lakh coal workers of the country who had been on strike for one day on 9th of last month at the call of all the trade unions including that which belongs to his party are being penalized by the authorities—I do not know whether with the blessings of the Government—in that the workers will have to lose nine days' wages for having participated in one day's illegal strike. It seems the authorities, whoever they may be, the Coal India or the Minister of Energy, have declared a war on the coal miners. If the situation is such, I am constrained to say, Sir, the situation is bound to be reflected in the production of coal which ultimately shall also have its repercussion on the production of

power and energy of this country. And the deficit of power or the consequences on power is bound to affect the industrialisation of the country. Therefore, this vital sector should not be allowed to become a victim of the whim of the bureaucrats.

I do not know who. And the order that has been given is atrocious. Therefore, it will be quite appropriate at this time if at the beginning I make a fervent appeal to the young and dynamic Labour Minister now at present in office. I do not know how long he will be there because there is always a talk, again a talk, of his replacement, by someone connected with the INTUC, Mr. Ramanujam and all that. If still he is there, I should expect some dynamic step. At the beginning I request him to look into the matter and see that such atrocious order of wage cut to the extent of eight days is not carried out for observing the strike which in the opinion of the authorities is illegal. Coming to the discussion on Labour, Sir, let me narrate two of my experiences. When Mr. Anjaiah was in office, I approached him.

MR. DEPUTY CHAIRMAN: The time allotted to your party is six minutes, don't forget.

SHRI GURUDAS DAS GUPTA: You should allow some more time. You have always been generous. And such an empty House. It is, of course, very disturbing to speak in a House like this. Anyway, I would like your indulgence, Sir.

SHRI GHULAM RASCOOL MATTO (Jammu and Kashmir): The hon. Deputy Chairman was not kind to me today.

SHRI GURUDAS DAS GUPTA: He will be kind. I am quite sure. Anyway, Sir, it must be excluded from my time.

I had the occasion to request Mr. Anjaiah when he was the Labour Minister that he should call a meeting

of the representatives of the SAIL, Steel Authority of India, and the representatives of a steel unit in Durgapur because some sort of tool-down strike was going on. Mr. Anjaiah at the beginning agreed. Then, subsequently, he asked me to meet the Steel Minister to get the clearance. Since the clearance from the Steel Ministry was not available, the Labour Minister could not pick up the courage to call a meeting even by the Labour Department to discuss the situation arising out of the tool-down strike, affecting production, going on for three weeks.

After Mr. Anjaiah had left and our new and dynamic, young Labour Minister had taken over, I had approached him one day to discuss with him the problem on account of an order that was given by the authorities of the United Bank of India evicting the union officers from the premises of the Bank. The hon. Minister politely told me whether I had met the Finance Minister.

आफ बिना मंत्री जी को देखा कॉज़िएगा
I told him I had not met him and I had come to the Labour Minister. I thought clearance of the Finance Minister was necessary in order even to call a meeting regarding this episode.

I am narrating this experience because in my opinion this is the limitation of the Labour Department. The Labour Department can act to the extent the employer Ministry agrees it to act. Since the Government of India is the biggest employer, therefore, our Labour Minister and the Labour Ministry looking after the welfare of the workers only act to the extent the other Ministers would like him to act. This is not an independent Ministry, this is a dependent Ministry. I do not call him a bonder Minister. But at least I call him not an independent Minister. That is the paradox of the whole situation of the labour relations of this country.

Sir, going back, I should tell you that everyone agrees that the atrocities on the Harijans are increasing. I can give you many statistics. Just to give you one example, between July and December, 1985, 4,031 cases of atrocities had taken place in Madhya Pradesh; in U.P. 2,245 cases, Rajasthan 802 cases. You may ask me why I am raising the question in the discussion on Labour, not in that of the Home Ministry. The reason is simple. The atrocities on Harijans, weaker sections and Adivasis is a part and parcel of the repression that has been let loose on agricultural workers, who are fighting for minimum wages. Since there has been an awakening in the agricultural workers to win the minimum wage, as a counter to this repression has been let loose. Therefore, the point is that the agricultural workers have been suppressed brutally because they are demanding minimum wage. Here I would like to quote from the TIMES OF INDIA. The Times of India in its Editorial says:

"Harijan group had gathered to protest against the eviction from a small plot of land and that makes the theory of encounter untenable. According to one estimate more than 100 persons are butchered every month in the nine districts of North Bihar, which are prone to this kind of violence."

I would like to draw the attention of the hon. Minister to this.

"The primary reason to the continuance of the administration of the Goondas appears to be their main common opposition to the efforts by the landless to assert their rights to organise themselves around elementary demand for minimum wage."

My point is that the biggest labour force of the country, which we call the agricultural labour, does not get the minimum wage. They have no security of job and have no human

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working conditions. In this respect, I would accuse the Labour Ministry of breaking its pledges because as far back as in 1980, Mr. Anjaiah said on the floor of parliament that they were going to enact a comprehensive labour legislation to protect the interests of the agricultural workers. That has not yet been carried out. You can imagine the labour force which has brought self-sufficiency in food, as a result of whose work agricultural production has increased, is being denied payment of minimum wages. There is no gratuity, no pension no security of job and no compensation because of injury. This is the situation in our country after so many years of independence. And Mr. Anjaiah, the Labour Minister has also broken his pledge most unfortunately.

I can tell you the history of the Labour Ministry is a history of breaking of pledges. To quote again the Minister of Labour, Mr. Anjaiah, on 7-1-1985, according to a UNI Report said:

"Government would soon initiate measures against defaulters of provident fund. The Management had usurped workers provident Fund to the tune of 100 crores of rupees and the amount should not be realised without initiating drastic measures—Anjaiah."

Just imagine, in our country Rs. 100 crores has been misappropriated and it requires enactment of a law. Several months have passed, but no step has been taken by the Government: neither by Mr. Anjaiah before he left, nor by the new Minister after he assumed the office to ensure measures so far as enactment of law is concerned for recovery of this defaulted money.

Secondly, Smt. Ram Dulari Sinha in 1981 said in Calcutta that the relevant law would be amended 'soon'

to enable the State Labour Departments to set up joint recovery cells for provident funds and ESI dues. That also has not been done. In West Bengal alone, Rs. 30 crores have been lying in arrears in the ESI Account. You are giving concessions to the monopoly capital draining resources, from the State Exchequer, but what are you giving to the workers? ESI is a contributory fund. Main money is being given by the State Government and by the workers themselves and by the employers. No money is given by the Centre. Even that money is usurped; and no law is enacted to ensure recovery of ESI dues eaten up by the employers.

Thirdly our new Labour Minister said on 15th March, as per the Press Report:

"The Government proposes to enact laws for the protection of the construction workers."

We are having 60 lakhs of construction workers in our country, of which 10 to 15 per cent are covered by the Provident Fund. They have no security of job. In many cases they have no salary scale at all. Therefore, Sir, the history of Labour Ministry is a history of giving pledges and breaking the pledges. Therefore, I call upon the present Minister and the Government to see what he can do in respect of the pledges that he has given or that were given by his predecessor.

MR. DEPUTY CHAIRMAN: Please hurry up.

SHRI GURUDAS DAS GUPTA: I am hurrying. I will make two or three points more. Let us imagine how our Labour Department is functioning? How our bonded Labour Ministry is functioning? Take for example fixation of minimum wages. According to the Planning Commission, the minimum wages for the urban area should be Rs. 600. But our Labour Ministry has fixed the minimum wage for the urban area in Delhi at Rs. 414. Even the directive of the Planning Commission is being violated. This Rs. 414

minimum wage is below the poverty line. When the country is supposed to fight against poverty, there is so much of tears rolling down the cheeks of our national leaders; and lot of money is being spent on Adivasis, but this Ministry is fixing up a wage just below the poverty line and in utter disregard of the directive of the Planning Commission.

Sir, the cost of living index is being calculated on a family expenditure survey which was carried out in 1958-59, base year as 1960. Sir, just imagine you want to modernise the country. You want to bring high technology for industry. You want hi-technology to be used. But you want the workers to lead a life which they led some 25 years back. This modernisation is meant for the industrialists. It is not meant for the workers who move the machines; and they have to lead a life of mediocrity....

MR. DEPUTY CHAIRMAN: Please conclude now. Otherwise, I will call the next speaker.

SHRI GURUDAS DAS GUPTA: I will make one or two points. Sickness of industries is the biggest problem in the country. There are over 1 lakh units which are sick. The employers suck the blood of the units and then discard. It is just like a villain enjoying a woman and then throwing her body into a river. The industrialists of our country are using the machines for their own benefit and for the modernisation of their own life style. After they extract everything from it then they discard it. That is the reason for sickness. But ultimately the workers are victimised Sir, may I know from the class. I call this labour policy as Minister what is his attitude towards the sickness of industries which are growing at an alarming and menacing rate in our country every day.

MR. DEPUTY CHAIRMAN: Please sit down.

SHRI GURUDAS DAS GUPTA: Just one more point. I call this labour policy as anti-labour. I call this labour policy as pro-capitalist. I call this labour policy as total disregard towards the interest of the working anti-people. I demand the reversal of the policy. I want the Minister to tell me, whether he is going to have a look at the policy and examine the policy? Thank you.

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI T. A. SANGMA): What do you call yourself?

SHRI GURUDAS DAS GUPTA: I call myself as a friend of the people. At the same time, I do not call myself as an enemy of the people. Otherwise I would not have appealed to you.

SHRI CHIMANBHAI MENTA (Gujarat): Mr. Deputy Chairman, Sir, I was hearing the speeches from the Opposition side very carefully and I must make a note that they failed to see any positive achievement on the side of the Government. If there are any shortcomings on the part of the Labour Ministry and of the Government on the labour front, they could have suggested some points to enable the Government to make some self-assessment and make necessary corrections for the improvement.

Now, Sir, what I feel is that the Government has done something good on the labour front during the last year. The interest on provident fund has been raised. The bonus limit has been raised. Slab of eligibility limit for income tax has been raised so that the clerical staff is not covered now by income tax. Then if you go through the Budget, you will find that in Twenty Point Programme, there was Rs. 1,000 crores of expenditure last year, but this time, expenditure has gone up six times more. Housing is also promised for weaker section and one of the most important Bills that was passed

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in the last Session was about the prevention of sick units. This was a very important measure so that unemployment could be curbed and controlled.

Now having said these things that the Government has done something good, let us come to the shortcomings of the departments and the Government on this front also. Sir there is a sort of depression in a section of industries. A review was made that there are more than 80,000 sick units in the country and then the conclusion emerged that 52 per cent of the sick units were mismanaged. Now, there is a Bill passed in the last Session on this, but then also the question would arise. Suppose you nationalise some units and sometimes our Opposition friends emphasise and concentrate more on this aspect and I share their sentiments but I feel nationalisation alone is not the answer to the problem.

Mismanagement is done deliberately and we are helpless. Government is also helpless although it can take some measures. But when the units are nationalised, say NTC has got 125 mills and they have made a proposal that five textile mills should be closed down. Now, if the NTC wants to close down the mills, who should take it over? The question is, there is mismanagement in private sector as well as in public sector too.

In the public sector although we call it a nationalisation, it is not a socialist nationalisation. It is a bureaucratic nationalisation. Bureaucrats are handling things. Now-a-days, bureaucrats are made Chairmen of the undertakings and there is a two-in-one, Chairman-cum-Managing Director, both are one in the name of efficiency and today, Sir, if you have gone through the *Times of India*, if it has come across you at the bottom there is a news: "that because public undertakings are not doing well there will be a foreign

consultancy and joint venture in the name of NRI's having American companies in U.S.A." So, step by step, they are going down. Why can't we improve at least public sector which is in our hands? Why should there be a bureaucrat holding the office of Chairman-cum-Managing Director. I am not against all bureaucrats, but I am against the system of bureaucracy for the simple reason that an officer does not have a day-to-day direct contact with the workers and the people and therefore, he does not know certain basic things, certain basic practical problems which non-official Chairman may understand and will translate such thoughts into action so the public sector undertaking tries to improve. But this is not being done and here lies the fault.

My second point is labour participation in management. If a public sector is going corrupt who can control it? It is only the labour because the labour is going to suffer. In the five textile mills that are proposed to be closed down by the NTC, not a single director of the NTC is going to suffer from hunger. But as I have seen in Ahmedabad, dozens of workers commit suicide because there is no alternative means of livelihood for them. So I have been requesting the Ministry, "why don't you start labour participation in management?" But till to day only perfunctory things are being done. We try to enact some measures, but the role that is allotted to the labour is not commensurate with the directive principle of labour participation or of socialism. Here lies the whole crux of the problem. As I understand, more and more industries are going to be sick. And when the public sector units fail, ideas of joint ventures are trotted out. And now non-resident Indians staying in the USA would float a company and they will have 51 per cent share and they will have a joint company with Indian public sector companies.

THE MINISTER OF STATE IN THE DEPARTMENT OF CIVIL AVIATION (SHRI JAGDISH TYTLER): Forty-nine per cent.

SHRI CHIMANBHAI MEHTA: To-day in the *Times of India* it is given as 51 per cent. Thank you for correcting me. This is how neo-colonialism works. It works because of our own weaknesses. Foreigners invaded India not because they were strong but because we were weak, a country suffering from casteism and communalism. Now the bureaucrats are failing and partly our politicians are also failing; therefore, our economy is suffering and it will come more and more under strain. Here comes the role of the labour.

Here I will praise the general achievements of the Government but I will also point out the shortcomings. Now, what about the labour movement? An hon. Member said just now that millions of workers went on strike. For what? Sir, unemployment is everywhere in the country. Can I demand that because I am a worker, when I retire, my son should get the job and no other unemployed worker? Is this the way we are trying to build the labour movement? When there are no issues, we try to bring in issues. On flimsy grounds, we organise strikes. What is our attitude towards production? As a sincere labour segment of the society, we must ask for the redressal of the workers' grievances. But there should be a positive approach towards production, towards certain norm and towards national duties. This has been forgotten. I may say that there are several unions, hundreds of unions, thousands of union, where elections are not held, or are held just on paper. The President and the General Secretary just write down their names and put it in the press. If the workers are suffering from this sort of treatment, when there is no democracy in the labour movement, then ultimately what will happen to the public sector,

what will happen to the nation? We say that the workers are the vanguard of the nation. But if, as trade union leaders, we do not remove these basic weaknesses, the workers can not play the role that we are expecting of them. Therefore, the labour movement should see that elections are properly held. A representative from the Labour Ministry or the Registrar's office must go to the general body meeting. He is not supposed to intervene, but at least he must report back whether the elections were held properly or not. The workers should know, as to who are the genuinely elected leaders. Now-a-days we know that in the labour movement, a Mafia section has already emerged. They organise strikes just to blackmail the employer and to blackmail the employees also. Genuine workers who want to go and work are murdered. Did it not happen in Bombay? Is it not happening in other places? Because, there is no genuine democracy in a section of the labour movement. I don't say the entire labour movement is suffering from this. But with such a labour movement how can you improve the public sector? I made a criticism from another angle, that Government is appointing bureaucrats as Chairmen and Managing Directors—CMDs—but the labour movement is also responsible for remaining inactive and passive on this issue. After retirement of a worker, he is given the birth right that his son will be given the job. When there is unemployment on such a huge scale and if people are organising strikes on such issues, can we call it a stand for strengthening national economy? No. Therefore, the whole issue has to be looked into properly and the Labour Ministry should examine thoroughly what is happening within the labour movement and within the labour organisations. This is also a very important aspect. (*Time-bell rings*).

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The other day some speakers—they are not here now—were advocating the theory that labour leaders should not go into politics and politicians should not go into labour movement. They do not know the primary elements of labour movement in India. What was Mahatma Gandhi? Mahatma Gandhi organised a very important strike in Ahmedabad at the end of the First World War. He won the demands. He was one of the great labour leaders. He was a great statesman. He was a great politician. And he was a great saint too. He was three-in-one. Therefore, all labour leaders, if they want to serve the nation, serve the working class, they must turn out to be first rate trade unionists, they must turn out to be first rate statesmen, they must possess the virtues of a saint. It is not the narrow, political self-interest that we should cultivate. Therefore, such talk is crude and primitive; you should not advocate that labour leaders should not go into politics. There are bureaucrats in the Labour Ministry who try to work out this sort of a legislation that outsiders will not be allowed to become office-bearers. We cannot agree with this (*Time-bell rings*).

Now about violence in labour movement. Violence should be condemned by all trade unions. Some trade unions try to organise violence. Violence breeds counter violence. Sometimes the violence of the employers is much more ghastly. It is like ultra revolutionaries inviting counter revolutionaries. Therefore, Mahatma Gandhi has shown in India that a peaceful labour movement can do miracles. It has enough strength and, therefore, there is no need for anyone to resort to violent methods.

I shall now make a few suggestions. Labour participation must be worked out carefully by the Labour Ministry and the employing Minis-

tries must accept it because only labour participation would be able to save the industry. If the employing Ministries controlled by bureaucracy, sometimes under the influence of capitalists, do not accept this theory, then in national interests the Labour Ministry must assert itself and say that labour participation is a must, the directive principles that are enshrined in our Constitution will have to be implemented. That should be done. And the Labour Ministry should tell the other Ministries that wherever the undertakings fail, make big losses, and are on the verge of closure, then their managers must be dismissed from their posts. When you can dismiss workers, if they do not perform their work properly, why not the managers be dismissed for their failures? Why should the managers and general managers be allowed to remain at the head of the undertakings if they cannot run the undertakings properly? They too should be dismissed. There should be norms of dismissal.

MR. DEPUTY CHAIRMAN: Come to the last point now.

SHRI CHIMANBHAI MEHTA: No, Sir. There is a very depressing picture on the working class front also to which I have to refer now. Now, Sir, caste-based unions are coming up. Unions based on religion and caste are coming up and this feature will divide our trade union movement and the movement will be working on very unhealthy lines. Trade union movement is for national integration too and, therefore, I would like to suggest that such unions should not be registered at all and if any amendment is required to the trade union law, it should be made.

Now, Sir, about the ESI, I have said sufficiently, therefore in short I would say its working must be reviewed completely. The bonus limit should be

raised to Rs. 2,500. The Labour Minister in the past talked of workers' co-operatives. At least one or two examples of this should be there in the country and the Labour Ministry should see that they work properly.

In the public sector units, the offices of the Chairman and the Managing Director should be separated and the Chairman should be a non-official. These are a few of my suggestions. The Labour Ministry, taking a total view of the national economy and the national interest and treating them as the foremost and treating the views of others as secondary, come out with appropriate proposals. Thank you, Sir.

MR. DEPUTY CHAIRMAN: Now, Mr. Satya Prakash Malaviya.

श्री सत्य प्रकाश मालवीय (उत्तर प्रदेश):

मान्यवर, जब हमारा संविधान बना तो उसमें इस बात की व्यवस्था की गई थी कि इस देश में सामाजिक न्याय होगा और हर मनुष्य के साथ जिनमें महिलायें और बच्चे भी शामिल हैं, समानता का व्यवहार होगा। साथ ही साथ मान्यवर, संविधान में प्रावधान किया गया था, उसके अनुच्छेद 23 में इस बात की व्यवस्था की गई है कि जो बंधुआ मजदूर हैं उन पर प्रतिबंध लगाया जायेगा, अनुच्छेद 24 में, जो बाल श्रमिक हैं उन पर प्रतिबंध लगाने की व्यवस्था की गई और अनुच्छेद 41 में जो संविधान के नीति निर्देशक सिद्धांत हैं, उसमें यह कहा गया है कि हर आदमी को काम करने का मौलिक अधिकार दिये जाने का प्रयास किया जायेगा। अनुच्छेद 43 में मजदूरों के लिये निम्नतम मजदूरी की व्यवस्था की गई है और अनुच्छेद 43(ए) में जो बाद में संशोधित हुआ, उसमें इस बात की व्यवस्था की गई है कि जो मजदूर हैं, वे जिस उद्योग में हैं, उसमें उनकी भागीदारी होगी। लेकिन अब हमको देखना यह है कि पिछले 35 सालों में हमारे संविधान में जो व्यवस्था की गई थी उनका हम कहां तक पालन कर पाये हैं, उनको कितना कार्यान्वित कर पाये हैं। मैं सबसे पहले अपनी बात

जो बाल श्रमिक हैं उनके बारे में कहना चाहूंगा। मान्यवर, संविधान की धारा 24 में इस बात की व्यवस्था की गई है कि :

"Prohibition of employment of children in factories, etc. No child, below the age of 14, shall be employed to work in any factory or in any mine or in any other hazardous employment."

मान्यवर, अभी नवम्बर, 1985 में भारतीय मजदूर संघ का सम्मेलन हुआ और उसमें भी इस बात की जोरदार मांग रखी गयी कि इस देश में जो बाल श्रमिक हैं, उनके काम करने पर पूरा प्रतिबन्ध लगाया जाय। लेकिन मुझे खेद है कि 1985-86 की जो वार्षिक रिपोर्ट है, इस विभाग की ओर से प्रकाशित की गई है हमारे उसमें जो मुल्क की शर्मनाक हालत हैं उसको मंजूर किया गया है। इस रिपोर्ट में कहा गया है कि :

"Child labour continues to exist because of socio-economic conditions in the country. Moreover, in the present state of economic development, it would neither be feasible nor desirable to prevent child from working."

तो मान्यवर, आज भी इस देश की हालत ऐसी है कि 6 साल, 7 साल, 8 साल, 12 साल के बच्चे जिनको भोजन नहीं मिलता, पहनने को कपड़ा नहीं मिलता, रहने के लिये जगह नहीं मिलती उनको मजबूर होकर ऐसे काम करने पड़ते हैं और ऐसे समय में काम करना पड़ता है जबकि उन्हें शिक्षा प्राप्त करने के लिये किसी विद्यालय में रहना चाहिये था। अगर आज हमारे देश की हालत ऐसी है तो इसकी जिम्मेदारी किस की है? इसकी जिम्मेदारी हमारी व्यवस्था की है, इसकी जिम्मेदारी हमारी सरकार की है। इस देश में जो संविधान निर्माताओं की मंशा थी उसको आज तक पूरा नहीं कर पाये हैं। इसमें इस बात को भी स्वीकार किया गया है? बाल श्रमिकों पर गत वर्ष इस मदन में काफी चर्चा हो चुकी है लेकिन जो छोटे छोटे बच्चे हैं उत्तर प्रदेश में मिरजापुर, बनारस और भदोही में कालीन

[श्री सत्य प्रकाश मालवीय]

बनाने के काम में लगे हुये हैं। इसी प्रकार तमिलनाडु में शिवाकासी एक जगह है जहां पर दियासलाई को फैक्ट्री है में बच्चे मजदूर काम करते हैं। मंत्री जी ने भी इस बात की चर्चा की है कि इस सिलसिले में प्रोजेक्ट तैयार किये जा रहे हैं। मैं चाहूंगा कि मन्त्री जी जब अपना उत्तर दें तो कम से कम यह बतलायें कि किस प्रकार का प्रोजेक्ट तैयार किया गया है और किस प्रकार से इसको कार्यान्वित करेंगे जिससे कि यह कहा जा सके कि बनारस, भदोही और शिवाकासी के बाल श्रमिकों के हितों के लिये काम किया जा रहा है। इस में इस बात की भी चर्चा की है कि एक ब्यपक बाल श्रमिक कानून लाया जाने वाला है। बार-बार इस सदन में आश्वासन दिया जाता है और मुझे पूरी आशा है कि निकट भविष्य में बहुत जल्दी इस देश की संसद में एक ब्यपक बाल श्रमिकों से सम्बन्धित विधेयक लाया जाएगा। इसमें इस बात को भी स्वीकार किया गया है कि हमारे देश में जो असंगठित ग्रामीण मजदूर हैं इनकी संख्या 1981 की जनगणना के अनुसार करीब-करीब 22 करोड़ हैं और इसका मतलब यह हुआ कि इस देश की हमारी जो आज की जनसंख्या है उसका करीब-करीब एक बड़ा तीन हिस्सा असंगठित ग्रामीण मजदूर और यह ऐसे मजदूर हैं जो मेहनतकश है और लेकिन न तो इनको इस प्रकार का वेतन मिलता है न इतनी रोजी पैदा कर पाते हैं जिससे बच्चों और परिवार का भरण-पोषण कर सकें। इसलिये मेरा आप से अनुरोध है कि इसमें भी सुधार करने का प्रयास करें। मन्त्री जी द्वारा दिये गये एक वक्तव्य की ओर मैं उनका ध्यान आकर्षित करना चाहता हूं। मुझे पूरी आशा है चूंकि वर्तमान मन्त्री जी का यह वक्तव्य है जो मुझे 10 जनवरी को इंडियन एक्सप्रेस में पढ़ने को मिला था उसको स्वयं जो इस विभाग के मन्त्री हैं इसको कार्यान्वित करने का प्रयास करेंगे।

I quote:

"Mr. Sangma, however, regretted that the employers thought that they were born to rule and the workers were slog with minimum

or even less than minimum salary. Unless there is a change in this mentality, their relations could not improve, he asserted."

तो मुझे पूरी आशा है कि संगमा जी ने जो अपना विचार व्यक्त किया है उस सिलसिले में उसको कार्यान्वित करने का प्रयास ही नहीं करेंगे बल्कि अधिनियम, विधेयक या जा कानून है उसको सख्ती से लागू करने की कांशिश करेंगे। मान्यवर, इसी विभाग में जो श्रमिक हैं उनको लेबर ट्रिब्यूनलज होते हैं लेकिन लेबर ट्रिब्यूनलज के आगे मजदूर पैरवी नहीं कर पाते हैं ठीक से पहुंच नहीं पाते हैं और वहां पर पैरवी करने के लिए क्योंकि ये गरीब लोग हैं पैसा खर्च नहीं कर सकते हैं। इसमें मैं आंकड़ों के द्वारा यह बतलाना चाहता हूं। इस सम्बन्ध में इस विभाग को कुछ करना चाहिये। मेरे पास सूचना उपलब्ध है इसके अनुसार सन् 1975 में श्रमिकों के पक्ष में 175 फैसले हुए जब कि इनके खिलाफ 3384 हुए। इसी प्रकार 1976 ; 90 फैसले श्रमिकों के पक्ष में और खिलाफ 2663 हुए। 1977 में पक्ष में 117 और खिलाफ 2439। 1978 ; केवल 89 और विरोध में 3305 फैसले हुए। 1979 ; 66 पक्ष में और विरोध में 4607 फैसले हुए। सन् 1980 में पक्ष में 58 और विरोध में 4234 फैसले हुए। मैं यह जानना चाहता हूं कि आखिर क्या वजह है कि जब श्रमिक इंडस्ट्रियल ट्रिब्यूनलज के आगे यह लोग जाते हैं तो उनके विरोध में इतने अधिक फैसले क्यों होते हैं। इसका सीधा-सीधा मतलब यह हुआ कि यह बेचारे गरीब अपने मुकदमों को पैरवी नहीं कर पाते और न्याय का तकाजा है जस्टिस एट डोर स्टेप्स इससे वह पूरा नहीं हो पाता है। मान्यवर, 11 जुलाई 1985 को पत्रकारों और गैर पत्रकारों के लिए दो वेंज बोर्ड बैठाये गये थे और भूतपूर्व न्यायाधीश बचावत साहब उसके अध्यक्ष बनाये गये थे। करीब-करीब 10 महीने हो चुके हैं बार-बार मांग की जा रही है, कल भी सदन में इस बात की चर्चा की गयी थी लेकिन

इस सिलसिले में अभी तक अंतिम रूप से कोई निर्णय नहीं हुआ है। 10 महीने तक आयोग ने काम किया है। पहले तो आयोग शिकायत करता रहा कि मरे पास बैठने की जगह नहीं है सरकार ने सुविधाएं नहीं दी है। आयोग ने अपनी सस्तुति, मुझे पता नहीं भेजा है कि नहीं भेजी है। कल मंत्री जो ते इस बात को स्वीकार किया था कि नहीं भेजी है लेकिन मेरा आग्रह है कि बढ़ते हुई मंहारई को देखते हुए पत्रकारों, गैर-पत्रकारों की आवश्यकताओं को देखते हुए जर्नलिज्म में कम से कम दो सौ रुपये प्रति माह की अंतिम गृह्य तुरंत दिये जाते की वापस करने चाहिए

MR. DEPUTY CHAIRMAN: I am calling the next speaker, please.

श्री सत्य प्रकाश मालवीय : मैं खत्म कर रहा हूँ। अंत में, कल पहली मई है, सारे दुनिया भर के मजदूर पहली मई को मजदूर दिवस मनाते हैं। इस सदन में 3-4 दिन पूर्व इस बात की मांग की गयी थी अतः मेरा मरदान से आग्रह है कि मजदूरों के हितों को ध्यान में रखते हुए और जो मजदूर श्रमिक हैं उनका खयाल करते हुए पहली मई को सारे देश में अवकाश घोषित करना चाहिए और सदन को ता ऐमे ही बंद कर दिया गया है। इन्हीं शब्दों के साथ मान्यवर आपने मुझे समय दिया इसके लिए मैं आपका आभार प्रकट करता हूँ।

[The Vice-Chairman (Shri Santosh Kumar Sahu) in the Chair]

SHRI S. W. DHABE (Maharashtra): Mr. Deputy Chairman, Sir, we are discussing the Labour Ministry's report for the first time in the last number of years. The report of 1985-86 is a catalogue of evils. It does not give any direction as to how the labour policy is going to be implemented and what its contents are. The test of the labour policy is that it must be able to solve the important problems and be an instrument

for sound economic policies and welfare of the working classes. Unfortunately, we have not got any national labour policy. Nor is there any attempt to evolve it. Individual rights are not guaranteed under our legislative provisions. Collective bargaining has been given a go-by. Not a word about this has been said in Volume I of the report of the Ministry. There are pious hopes about the organisation of rural workers. Though we adopted a convention, we have not taken any further steps.

The same is the position even in the newspaper industry. Automation is the main problem today. The Hindustan Times newspapers has been closed for the last 9 days because of impending automation and the workers are demanding a negotiated settlement on such an important issue. National Herald at Lucknow has been closed for the last 4 months. The National Herald here has been closed since 18-4-1986. There is a French News Agency called ACF. It is working from the PTI building. To the best of my knowledge, they have smuggled computers and they are removing all the Indian employees. The previous Labour Minister had constituted a Tripartite Committee to consider the implementation of Palkar Aware and for other matters. In the last meeting which I had attended, there was a demand by the representatives of the trade unions that there should be a discussion on the question of automation and increase in the wages. Those discussions were not yet held though promised by the earlier Minister. I appeal to the hon. Minister that he should immediately call for the Tripartite Committee meeting of the newspaper management and the newspaper employees' representatives to consider the vital issue of automation in the industry and retrenchment. In Rajasthan State alone, Sir, 500 newspaper employees have been retrenched because of the new automation introduced there. Therefore, this question of automation is very important

[Shri S. W. Dhabe]

and require serious consideration before it develops into a large problem just like the Wage Board.

Sir, the second point which I want to submit is collective bargaining. As far back as in 1969, the National Labour Commission recommended that for collective bargaining, one single agent union in the industry is necessary. Today we have got a set of Acts under the State legislations like the Bombay Industrial Relations Act in Maharashtra. There are similar Acts in Madhya Pradesh and Rajasthan where there is a provision for statutory recognition and also a representative union. It is high time that we should have recognised unions in every industry. The need for provision for recognition of unions was stressed in the Second Five Year Plan. We are in the Seventh Five Year Plan. More than 20 years have passed but we have not yet been able to come to the grip of the problem, that is one union one industry. In the multiplicity of unions and in the democratic set up, it is not possible to have only one union under the law. Therefore, a law for the statutory collective bargaining agent is a must if the hon. Minister wants any progress to be made in production and discipline and industrial peace. It is a matter of great regret that for the last 30 years we are only having a voluntary code of discipline. And according to the criterion given in the code of discipline, we are having the recognition of unions on the basis that it is given for two years. In that code it is provided that 15 per cent membership is for an undertaking and 25 per cent membership for the industry. Sir, this question was examined at length by the National Labour Commission for which no less a person than Mr. Justice Gajendragadkar, the former Chief Justice of the Supreme Court, was the Chairman. It made a very important recommendation for constituting the Industrial Relations

Commission which should go into the question as an independent agency and give recognition to the unions. But even now the Government is not taking any decision. Why? That shows, as what my friend and colleague, Mr. Sukul was saying earlier, the political interest is in the maintenance of the status quo. All the trade unions are demanding that the unions should be recognised by secret ballot. If we can elect a Government, a democratic Government by secret ballot and people voting, why is the difficulty in having a secret ballot in recognising the union and verifying it? It will show which has got the majority. Otherwise, Sir, see what happened in Maharashtra. In spite of the opposition of the recognised Textile Union the Rashtriya Mill Mazdoor Sangh strike took place in Bombay. The union was claiming two lakh workers membership. But all the workers went on strike. Therefore, if industrial harmony is to be established, I urge the hon. Minister to take a decision to have a statutorily recognised collective bargaining agent in each industry and undertaking. Sir, this important

aspect is being neglected and then we blame the
4.00 p.m. working class and also others that production is affected on account of multiplicity of unions, intra-union rivalry or workers are not unionised. Therefore, in order to unionise the workers it is very essential that you must create a healthy industrial relations machinery.

The second most important aspect in this country is the welfare of rural workers. This question of welfare of rural workers has been discussed in the Ministry's Report at pages 26 to 31, paragraph 9.2. I quote from the Ministry's Report "I.L.O. Convention No. 141 concerning the Rural Workers' organisation was ratified by India on 18 August 1978. Since then there has been a substantial effort on

the part of the Government to identify the different categories of rural workers and work for their socio-economic upliftment." A few lines which are mentioned in this paragraph are totally irrelevant so far as the subject of ILO is concerned. The ILO Convention No. 141 related to the freedom of the rural workers organisation. Secondly, the Government must come forward for giving protection to office bearers of rural workers' trade unions. For the last six years the Government has been talking of welfare of rural workers but has done nothing for promoting rural workers' trade unions.

The Industrial Disputes Act or the Trade Union Act is not amended to give the rural workers' organisation what is called immunity from victimisation. These workers are still at the mercy of the landlords and the Government has failed to take any action in this matter in spite of the ILO Convention being adopted in 1978.

Sir, another question which is very important is about the service conditions of the rural workers and rural disputes. Provisions of the Industrial Disputes Act, do not apply to the rural workers, you know, what is then the machinery for the rural workers available today? No machinery has been provided for them and there is no machinery for the solution of rural disputes? Nor has any legislation been passed for their service conditions on the lines of the Industrial Employees (Standing Orders) Act, 1946. Consultations are held in India with the industrial workers only. Recently Indian Labour Conference (ILC) was held. But not a single topic of rural workers' was discussed there. The largest number of workers today are in the rural sector. They require more attention because they are unorganised. They have got more problems. They have no security of wages and no security of job. Therefore, I appeal to the Minister to have a standing committee and call a conference only for

discussing rural workers' problems. In fact, the time has come to have a separate Ministry of Rural Labour. The rural machinery which is working today is oriented fully for industrial workers and therefore it is very essential that an early action is taken to see how to organise these workers so that it will help in trying to improve the rural economy and welfare of rural workers (*Time bell rings*).

Sir, one more point and I will finish. Then, I want to suggest to the Minister that we all talk of settlement of disputes. Under the Industrial Disputes Act, 1947, which was amended, we have provided for a grievances settlement machinery or a committee. Now, this grievances settlement machinery or a committee which was provided by the Act up till now, Government has not set up, though it has been passed five or six years ago or had any meeting.

Then, Sir, as you know, the Payment of Bonus Act was passed during the Emergency and it was said that it should be made applicable to workers in a factory where they are less than 20 but more than 10. Even after the amendment that has been made for the last ten years, no notification by the Labour Ministry making it applicable to workers working in small scale sector has come. I, therefore, appeal to the Minister that the question of implementation of all the labour laws and the decisions taken by the Government should be looked into and proper monitoring done. Lastly, there is no family planning in our labour legislations. We have got more than one hundred statutes on the Statute Book. Time has come when the Government should form a labour code and have less legislations so that the labour issues can be solved easily. With these words, I conclude.

SHRI KAPIL VERMA (Uttar Pradesh). Sir, there is no industry today in the country so much faced by unrest as the newspaper industry. This is because of the Wage Board and denial of justice to the newspaper men. We are thankful to both the Houses as well as to all the political parties and the people in general for their great support to the cause of journalists but we are sorry that all this protest and all this support to this cause has had no effect on the Wage Board. Despite strong protests voiced in the country the Wage Board has gone ahead with its unjust attitude to the journalists and non-journalists. You will be surprised to know that they have not changed even a comma of their earlier resolve and earlier recommendation of 7.5 per cent interim relief with a minimum of Rs. 45. How unjust it is? You will appreciate that ten years ago—now the prices are two times higher—the minimum interim relief granted to newsmen was Rs. 85/- and today it is Rs. 45. My information is that they are submitting their report today or tomorrow; probably today and this is the majority report. The Chairman and two independent members have gone completely by the views of the proprietors. Unfortunately, they have not listened to the voice of reason, to the mass of evidence produced by the representatives of the working journalists who had to walk out and I am sure the Labour Minister will appreciate the illegality when I say that the Chairman and two independent members introduced certain proposals for which they did not give any reasons. This is grossly illegal. I hope the Minister will take notice of it. But later while writing the report as an after-thought, they gave some reasons and that too completely invalid.

Secondly, they wasted six months in arguing as to what is the difference between the interim rates of wages and the interim relief, which is absurd. They wasted six long months and later the Chairman came to the conclusion that there was no difference after the Government wrote to them. The Chairman was more interested in his status and the type of accommodation which he wanted like a Cabinet Minister and a P. A. round the clock. And the House will be surprised to know that the Chairman was interested in a world tour going about the world, on a round the world tour. But he was restrained by members who told him that this will be absurd and that this will only bring shame to the Wage Board. So much of valuable time was wasted by them and what they produced is just anti-labour.

The hon. Minister was good enough to indicate in his reply yesterday, during question Hour, that the Government has ample powers under section 30A of the working Journalists Act to radically modify the recommendations of this Board. This stands on a different footing altogether from the final recommendations. So far as the interim rates of wages go the Government has full powers and I am sure, the Minister will do full justice to the journalists and undo the wrong done to them by the Chairman, the two independent member and the two proprietors who have acted in union against the working class. This Government is a socialist Government and is committed to the cause of workers. Therefore, I am sure it will do justice and it will act quickly.

Sir, you will be surprised to know that even the earlier Award the Palekar Award, has not been implemented properly. According to the figures given by the Government it

self to the Committee, to the tripartite committee set up by Government to oversee the implementation of the recommendations and ensure that these are given effect to properly only 655 establishments implemented the recommendations 33 did it partly and as many as 293 establishments did not at all implement the recommendations. They have moved the courts. Some of them have moved the courts. The matter is pending. You will be further surprised to know that the cases pending in the courts will come up in the Supreme Court six months later. They have not been taken up as yet. You will appreciate how much delay is caused in securing justice to the journalists. When after years and years of labour something comes out it is not implemented by the proprietors of newspaper. This is our fate. Not only the Paleker Award.

Another problem which is worrying us is automation, modernisation in the newspaper industry and introduction of new technology. This is posing a threat to the employment of thousands of workers in the newspaper industry on the non-journalists side. The Government had given an assurance that there will be no retrenchment following introduction of new technology. But newspapers are resorting to large-scale retrenchment. For example, in *Makkal Kural* in Madras, *Rajasthan Patrika* and *Rajput* of Jaipur. The Prime Minister's assurance on December 16, 1985 of bringing in a Bill to ban retrenchment in the newspaper industry as a result of automation, has not yet been fulfilled. I hope, the Government will do it. Before I forget this point, let me appeal to the Minister to take the responsibility. The Centre should take the responsibility directly of not only ensuring that there is no retrenchment

because of automation, but they should also call a tripartite meeting of the newspaper industry to ensure that there is no retrenchment because of automation. The Government should take the Centre should take the responsibility of implementing the Paleker Award as well as the new Award which will be coming. Sir, pension for journalists is another important subject which has been engaging the attention of journalists and non journalists alike. Some Governments like Kerala have implemented it but we differ radically from Kerala Government because it has given some sort of a dole which is insulting. We want a scheme in which the journalists can contribute something the proprietors can give something and the Government can give something. I hope the Government of India will introduce a comprehensive pension scheme as a social security measure for journalists.

Then, Sir, there is the need for drastic change and improvement in the Industrial Disputes Act and other trade union Acts which are totally inadequate. I hope the Minister, while replying will indicate the highlights of the changes he has promised to introduce. I must point out that the Labour Courts take very long to decide the cases of journalists. The litigation drags on and the poor journalists or the poor workers can not compete with the proprietors who have the company funds to finance litigations. Even after the High Courts gave a verdict in favour of the journalists and the working class it is not implemented as is happening in U. P on a large scale. Therefore, the Industrial Dispute Act and the labour laws must be changed suitably so that speedy justice is available to the journalists and to the other working class.

[Shri Kapil Verma]

My last point is that there should be permanent automatic wage revision machinery. Internal division of integrated establishments to bring down profits should be avoided and evading of taxes should not be permitted. Many companies have been split into separate companies to look after new supply, printing, editing, distribution, etc., as has happened in the case of Benadu, and the Government is doing nothing to prevent the illegal acts committed by them. In this way they are denying real wages to journalists and they are evading taxes. Times of India has brought out an edition from Lucknow under the banner of Jana Sewak Karyalaya just to defy the law and deny the wages. Times of India is one of the richest newspapers in the country but it is doing very little for the journalists. It is bringing out editions under the banner of different captions and companies which is highly illegal.

Lastly, I would like to appeal to the Minister to pay attention to the indefinite strike in the Hindustan Times and to bring about settlement so that strike is withdrawn and the Capital is not denied of the benefit of such a good newspaper.

I hope the Minister will kindly reply to these points and take speedy action to bring relief to journalists.

SHRI P. A. SANGMA: Sir, I thank the hon. Members who have participated in this debate. I thank them for having raised a number of vital issues and also for having given a lot of suggestions. I can assure the hon. Members that the suggestions that they have made will certainly be taken note of and we will pay our attention towards all those points to see what can be done.

Tomorrow is the May Day and tomorrow's May Day happens to be the Centenary May Day. On behalf of

myself, on behalf of my Ministry and the Government of India, I would like to take this opportunity of conveying our greetings to the workers for the Centenary May Day and I wish the celebrations all over the country all the success.

Sir, on 1st May last year, our Prime Minister addressed the workers in Dhanbad. In his address to the workers, the Prime Minister appealed to the workers to be more responsive, to be more responsible, to work very hard and to do it in a manner which will create a good industrial relation situation in the country. I must thank the workers today that they have very positively responded to the call given by the Prime Minister. This can be seen from the overall improvement that has been achieved in 1985, whether it is in the field of disputes, whether it is in the matter of strikes or lock-outs or man-days lost, or in the loss of production or maybe in the field of closures or the workers affected. If you look at these figures, you will find that there has been a tremendous improvement in the overall industrial relation situation in the country. I had an occasion of informing the House yesterday also during the Question Hour and I would not like to repeat the things in many details, but I think I should quote some of the figures. If you look at the number of disputes in 1984, the total number was 2094. In 1985 it came down to 1522. The number of strikes in 1984 was 1689 and in 1985 it came down to 1156. The number of lockouts in 1984 was 405. In 1985 it came down to 366. The number of man-days lost, as I informed the House yesterday, came down from 56.03 million mandays to 29.19 million mandays. The production loss due to strikes and lock-outs in 1984 was to the tune of Rs. 528.06 crores. It came down in 1985 to Rs. 261.80 crores.

SHRI SUKOMAL SEN (West Bengal): Will the Minister also kindly

give the figures of mandays lost due to lock-outs and due to strikes separately?

SHRI P. A. SANGMA: Well, I thought yesterday I had informed the House but if the hon. Member wants I can repeat it.

SHRI GURUDAS DAS GUPTA: In reply to my question, the hon. Minister himself said that mandays lost due to lock-outs had gone up in 1985 in comparison to 1984. Therefore on the point of mandays lost due to lock-outs, does the Minister consider that the industrial relation situation in the country has improved? It is not a question of decline in the number of disputes. It is a question of number of mandays lost and whether it is a fact that the number has increased this year as compared to last year. This is because of the offensive policy let loose.

SHRI P. A. SANGMA: I will not rely on the figures that are available here. Because the figures are very very good I will not certainly claim that there has definitely been a better situation of industrial relations in this country. As I have been saying in many forums, the real industrial relations in this country would be measured in terms of production and productivity. I have always been maintaining that. But then, when we talk about the mandays lost and the number of lock-outs, this is the figure I am giving to you. But since yesterday I had given the break-up of this figure, I thought perhaps today I could skip it. I can repeat it if the honourable Member wants. In 1984 out of 56.03 million mandays lost, 39.96 million mandays lost were due to strikes and 16.07 million was due to lock-outs which means the share of strikes was 71 per cent and the share of lock-outs was 29 per cent. This trend was reversed in 1985. Out of the total 29.19 million mandays lost, 10.32 million was due to strikes which mean 35 per cent was due to strikes and 18.87 million mandays lost due to lock-outs which means 65 per cent.

SHRI SUKOMAL SEN: That means capitalists are on the offensive against the workers. You agree to it, you admit it?

SHRI P. A. SANGMA: I am giving you the facts.

SHRI GURUDAS DAS GUPTA: But it is for you to draw the inference.

SHRI P. A. SANGMA: And I must say that the overall improvement in all these areas has been reflected in the industrial production figure also. Now, in industrial production we have a growth rate of 5.4 per cent as on January, 1986 over January, 1985. Therefore, this has been reflected in the industrial growth and therefore, Sir, I have said that there has been an overall improvement and we must give credit for this to the workers. I take this opportunity of congratulating them.

SHRI GURUDAS DAS GUPTA: But don't give credit to the employers.

SHRI P. A. SANGMA: I think we should give credit to everybody who is involved in industrial relations and industrial production. I will give credit to you also because you are a very active trade union leader and I think to a certain extent credit goes to you also. But, Sir, there are a number of areas where we can have a look where the situation of industrial relations can be improved and, of course, our intention and our aim is towards achieving more and more better relations between employer and employees, between management and workers. This has to be achieved and this can be achieved, I think, not merely by laws, Acts or regulations—as I said yesterday also—but basically what is more important is attitude, what is more important is the approach from both sides I should say, from the workers as well as from the management because, as I maintained

[Shri P. A. Sangma]

Yesterday, it is basically a human relationship and it is very difficult to regulate human relationship by laws. Therefore, it is basically a question of attitude and for that there should be more dialogue, more discussion and more meeting of minds between the employers and the employees.

SHRI S. W. DHABE: There are more than 81 unions.

SHRI P. A. SANGMA: Yes, I think you have raised this question. Mr. Sukul also very forcefully made this point yesterday. Mr. Sukul spoke about multiplicity of unions and Mr. Reddy also mentioned that there should be one union in one industry or one union in one unit. I don't know. I am inclined to agree with this suggestion that there should be an attempt to reduce the multiplicity of unions because I also firmly believe that by reducing the multiplicity of unions the bargaining power of the working class can be increased. They will have more bargaining power.

SHRI GURUDAS DAS GUPTA: Will the Minister agree for secret ballot for recognition of the union?

SHRI P. A. SANGMA: For recognition and for...

SHRI GURUDAS DAS GUPTA: Secret ballot.

PROF. C. LAKSHMANNA (Andhra Pradesh): It is one of the requests.

THE VICE-CHAIRMAN (SHRI SANTOSH KUMAR SAHU): Let him continue and finish. Then you can ask.

SHRI P. A. SANGMA: This matter has been gone into by the Sanat Mehta Committee. The Committee Report has been submitted, and the Government is looking into it.

SHRI S. W. DHABE: How many days will you take?

SHRI P. A. SANGMA: I think, by the Monsoon Session of Parliament, when you come back, you will come to know of it. I can promise that.

PROF. C. LAKSHMANNA: You will have a comprehensive legislation.

SHRI P. A. SANGMA: Yes, you will have a comprehensive legislation or amendment to the Industrial Disputes Act, may be the Trade Unions Act also.

Mr. Sukul also spoke about building up of leadership from among the workers. Even here I am inclined to agree with Mr. Sukul that the time has come now when we should encourage the workers themselves to take leadership, and I think we should, all of us, work towards achieving that objective.

But when we talk about the working class, I think, many of us think about the working class in the organised sector. A number of hon. Members very right in the debate had emphasised on the need to pay attention towards the unorganised sector. I think we have been able to pay, if not full attention, attention to a great extent the problems of the organised sector. But a larger number of our work force still remains in the unorganised sector. It will be policy of the Labour Ministry to pay much more attention to this unorganised sector. It may be the child labour, it may be the women labour, it may be the petty workers, the contract labour, the bonded labour, the rural

agricultural labour. These are the sectors to which much more attention is required, much more attention needs to be paid. In fact, whenever I meet the trade union leaders in meetings in the Labour Ministry and

In other forums, I have been emphasising that they have also been concentrating their activities, trade union activities only in the organised sector, and I want them that they should also divert their attention towards the unorganised sector.

Many hon. Members have spoken about the child labour. I have spoken on a number of occasions on the child labour. The Constitution of India bans, prohibits employment of a child below the age of 14 in any mine or factory or hazardous occupation. There are many other provisions in the Constitution. Article 39(e), article 39(f), article 45 of the Constitution of India deal with various aspects of children. Besides, there are almost one dozen Acts of Parliament, eleven to be precise, which deal with abolition or banning of child labour in various industries. In spite of all these constitutional provisions, in spite of all the laws that are existing in our country today, the fact remains that the child labour exists in our country. According to the National Sample Survey which has been accepted by the Planning Commission, the child labour as on March, 1985 was estimated at 17.58 million. These children work in various fields—in hotels, in restaurants, as maid servants, as domestic servants—but there are certain areas where child labour is concentrated like in match and fire works factory in Sivakasi, carpet weaving in Uttar Pradesh and to some extent in Jammu and Kashmir, the glass factory, zari industry, slate industry, diamond cutting and polishing industry in Surat and in some parts may be in South India and Maharashtra. These are the areas where child labour is concentrated.

Now what it to be done about this? It has been debated. We have to understand this problem of child labour. I think we can categorise them into three parts. The Constitution says no child below 14 years

of age shall be employed in factories, mines or in hazardous occupations. As a result of this constitutional provision, when we enacted our laws like the exploitation of Children Act, Factory and Mines Act and Plantation Act, we have banned the child labour in certain industries. The Constitution does not speak about industries. The Constitution speaks about the occupations. Now, in a particular industry there may be some kind of work which are not hazardous. But when we have enacted our laws, we had used the word 'factories' and 'industries'.

Now what we want to do is that we want to separate these two things—factory, mines and hazardous occupations and we want to define what is hazardous occupation. This definition will be done by a technical committee. This is a second part of it where, in nine hazardous occupations, we can regulate the employment of children. It is with this idea that we have launched a National Child Welfare Project in Sivakasi the other day. It is a Rs. 14 crore project. We intend to launch a similar programme costing about Rs. 28 crores in the carpet weaving industry in Mirzapur.

SHRI SATYA PRAKASH MALAVIYA: Badhi also.

SHRI P.A. SANGMA: Yes, in Mirzapur Badhi by May. But as I have pointed out in the beginning, there are certain areas, where similar projects are required. I can assure the House that the Government will certainly explore the possibility of launching similar projects in other industries like in Glass industry, Zari industry or may be even in slate industry. But the whole question is to be looked at in a much bigger way. We have been able to identify the problems and we intend to bring some corrective measures into this. I think I had an occasion to mention in this House that by the Monsoon Session of parliament, we should be able to bring in a comprehensive legislation on child labour.

Another area, where the hon. Members have expressed their concern is women

[Shri P. A. Sangma]

labour It has been receiving the attention of the Government. Now the share of women in the total employment in this country is about 12.6 per cent. But over the last four or five years—I have been looking at the figures—there has not been much improvement in the employment of women. The trend is, there is a marginal increase. Rather I should say a very negligible increase. So the women employment in the country is more or less 30 per cent. We have to generate more employment opportunities for them. We have to instill more confidence in them. We have a number of schemes for them like ITIs. We have 91 ITIs run by various State Governments exclusively for women. We have about 97 other ITIs where they have a wing for women entrepreneurs. We have about 30 ITIs under the private sector having a total capacity of 14,973 seats. These ITIs have already given lot of training to them. Then, we have National Vocational Training Institute for women at Delhi, Regional Vocational Training Centre in Bangalore, Bombay and Trivandrum. During the Seventh Five Year Plan we intend to set up another five Regional Vocational Training Institutes for women. These steps are being taken by the Government. But the allegation has been that those who violate Equal Remuneration Act and those people who are exploiting the women labour in this country are not being punished. I think the figures which I have given are not very encouraging. In 1984 there has been 1,189 inspections out of that in 167 cases, prosecutions were launched and only in 40 cases, convictions have been done. In 1985 there is a slight improvement. The number of inspections that were conducted were 1,563...

SHRI S. W. DHABE: Why don't you impose fine?

SHRI P. A. SANGMA: That is the main point. I am happy that you have raised that point. Out of 1,563,259 or 289 prosecutions have been done and only in 77 cases, convictions have been made. Now, the question is: what is this conviction? In most of these cases the conviction is a fine. As I have said earlier, in many of the places the penal provisions

which exist in this Act appears to me to be an incentive for violation of this provision, because it is much easier for them to pay the fine rather than complying with the provisions of this law.

SHRI GURUDAS DAS GUPTA: Why don't you change it?

SHRI P. A. SANGMA: Yes, there is a need to change it. There is a need to make the penal provision more stringent.

SHRI KAPIL VERMA: Why don't you provide for imprisonment instead of fine?

SHRI P. A. SANGMA: Yes, we will do that. I think during the next session of the Parliament—I do not know—how many amendment Bills I will be bringing. I think it will be more. But only one thing I want to say on this ground is that many hon. Members have stated that the Labour Ministry has become a Ministry of law making and they are not implementing the laws. But this is not correct. Had we not implemented the laws we would not have detected these deficiencies and would not have come before Parliament for amendments. The very fact that we are able to find out the loopholes in the Act testifies that we are really implementing the law. But I will not claim that it has been implemented very effectively. I will not claim that. (Interruptions) There are many loopholes in the Equal Remuneration Act. For example, section 5 of the Act says that there will be no discrimination between men and women in matters of recruitment. But it has been interpreted by many others particularly by the employers that this discrimination can be there while they are in employment.

[The Vice-Chairman (Shri M. P. Kaushik) in the Chair]

SHRI P. A. SANGMA: Discrimination cannot be there when they are in recruitment but in employment, there is no provision about that. That is why, I think it has to be changed and we have to bring in an amendment that even while in employment, there should not be any discrimination.

Another loop-hole may be in section 12 of the Act. May I assure you that we are going to change that. A recognised leader, a recognised State Union and a recognised social welfare organisation will be allowed to launch a complaint against the offences committed under this Act and the Police will have to take cognisance of all that. In line with Section 7 of the Dowry Act, we have been thinking. This is only at a thinking stage but I can assure you that we shall be looking into it and we will be bringing a comprehensive Bill here also.

Another area of unorganised sector is the beedi workers. I do not know whether I should deal with it. May be, I will speak something about some sectors which some hon. Members have referred to. According to our statistics, there are 32.75 lakhs beedi workers in this country but this is an estimate and since the beedi industry is an unorganised industry, it is almost a cottage industry, it has been very difficult on our part even to execute some of our welfare programmes even to bring them under the purview of the Provident Fund Act. We have found it difficult because we do not know who is a beedi worker? Therefore, when we talk of the beedi worker the first and foremost thing for us is to identify as to who is a beedi worker and give him or her an identity card and once we know who is a beedi worker and once we identify him or her, then it will be easier for us to launch the welfare programmes and bring them under the purview of the Act. We have made a drive to issue identity cards and as on today, about 15 lakhs workers have been issued identity cards which itself is a very big thing and I hope, the remaining 17 lakhs identity cards are going to be issued to them within the next four months' time. That is the maximum time we are going to take and once we do it, we can certainly extend to them lot of facilities.

I do not want to deal with the contract labour because only the other day, we had an occasion of discussing this contract labour thoroughly where Mr. Gurudas Das Gupta has had no occasion of shouting at me. I do not think, I need to repeat those things today on contract labour but I must say something about

the bonded labour which is a very important thing. Now, it is one of the priorities under the 20 Point Programme of the Government of India and I can assure the House that we will go vigorously to see that bonded labourers are identified and they are rehabilitated. My only problem is that the identification and rehabilitation of the bonded labour has to be done by the respective State Governments. It is within their jurisdiction and we can only press them which we have been doing.

SHRI NIRMAL CHATTERJEE (West Bengal): Even when it is in public sector.

SHRI P. A. SANGMA: If it is in public sector, we do it.

SHRI NIRMAL CHATTERJEE: In certain public sector enterprises, the contract labourers working there are all of a bonded kind. In such cases, I think, you can act.

SHRI P. A. SANGMA: I have no knowledge. If you have any complaint, please give it to me. I will certainly look into it. But as of now, I have no complaint that bonded labour exists in the public sector undertakings or in Central undertakings.

SHRI GURUDAS DAS GUPTA: I may help the Minister. There has been a specific report appearing in a Calcutta daily known as Telegraph that the contractors used by the Metro authorities are employing bonded labour in the metro construction work. I bring this formally to your notice. A report to that effect has appeared in the Telegraph.

SHRI P. A. SANGMA: I do not know. Maybe there is a possibility of contract labour being employed there. I will not dispute that because if the metro work is going on, there may be contract labour. But I certainly cannot accept that there are bonded labourers in that. I cannot accept that.

SHRI NIRMAL CHATTERJEE: We will be satisfied if you say that you will make an investigation. There was

[Shri Nirmal Chatterjee]

a report about BHEL also. I am just bringing it to your attention.

SHRI P. A. SANGMA: Okay. As on the 31st December, 1985, the number of bonded labour identified was 1,91,615. About 1,44,284 have already been rehabilitated. But still there are 47,331 yet to be rehabilitated. Now under the Centrally sponsored schemes for rehabilitation of bonded labour, earlier we had been granting a sum of Rs. 4,000 for rehabilitation. Now, with effect from the 1st February, 1986, we have increased it to Rs. 6,250. I am sure this will go a long way to make better rehabilitation of the bonded labour.

Now, a lot of questions have been raised on safety, but the House has had many occasions to discuss about safety also. It is one of the areas where we have been paying maximum attention, specially after what has happened in Bhopal and Delhi. Apart from these two major incidents which were tragic, the general trend is that the number of injuries and serious accidents has been coming down. For example, the total number of injuries in factories in 1983 was 3,49,254. In 1984, it came down to 3,02,726. The number of people killed in 1983 was 864. In 1984 it came down to 824. This is about the factories. If you look at the figures in the mines sector, even here it has been coming down. In 1984, the number of serious accidents was 1,632. In 1985 it came down to 1,390. The number of injuries in our factories has shown a decline of about 13.3 per cent over 1983.

Various measures are yet to be taken. We are looking into it. Here again comes the question of penal provisions. I do not want to repeat it. We are having a close look at the Factory Act and we will make necessary changes, necessary amendments in the Factory Act, so that strict safety measures can be enforced. We may have to strengthen the Inspectorate machinery also, and many other

things. I have had a number of meetings with the Labour Secretaries and various other Departments of the Government of India.

SHRI S.W. DHABE: What about automation in the newspaper industry calling a meeting of the tripartite committee?

SHRI P.A. SANGMA: I have noted your suggestion. Then there was a general point made.....

SHRI KAPIL VERMA: A formal commitment was made by the Labour Minister, your predecessor, on the floor of this House that a tripartite conference would be called on automation.

SHRI P.A. SANGMA: I will have a look at it. But before I forget I shall answer your question raised yesterday on the Wage Board for Journalists. I told the House that I was expecting the report or the recommendations of the Wage Board by today. I have just been informed that the Wage Board would be submitting their recommendations at 6.30 today. (Interruption) So I want to be there in time, in honour of my journalist-friends. I do not want, therefore, to prolong my speech here. (Interruptions)

One general point was made about employment. As regards the battle against unemployment, I may inform the House that in the beginning of the Seventh Five Year Plan, according to the Planning Commission, it was about 9.2 million; now, over the Seventh Plan about 39.4 million will be added to that. As against this total of 9.2 million+39.4 million, the Seventh Five Year Plan is expected to generate additional employment of the order of 40 million. Thus, by the end of the Seventh Plan we hope that the backlog of unemployment will be substantially reduced.

There was another point made about ESI. I don't need to reply to much about ESI. But I am aware of the fact that ESI hospitals are not working properly...

SHRI GURUDAS DAS GUPTA: Will you kindly reply to my question on the one-day strike in coal industry? Eight days' wages are being deducted for one day's strike. Do you, as a Labour Minister, consider it to be unjustified and do you promise this House that you will take up the matter with the Ministry of Energy and something will be done on your behalf to see that this atrocious action is dropped? Hundreds of workers are being given notices that 'you have joined an illegal strike and eight days' wages would be deducted'. I draw your kind attention to this repeatedly and I request you to give some sort of an assurance that you will be lifting your finger—I do not want you to lift your hand but lift your finger—in defence of the seven lakh workers who had been on strike at the call of INTUC, CITU, AITUC and everybody else? Please give us an assurance on this issue...

SHRI P. A. SANGMA: I have already noted it...

SHRI VIJAYA MOHANA REDDY (Andhra Pradesh): In Andhra Pradesh at the intervention of the Chief Minister this provision has been removed.

श्री कैलाश पति मिश्र (बिहार) : रोहतास इंडस्ट्री के बारे में आपने कुछ नहीं बताया। रोहतास इंडस्ट्री के बारे में यहां मैंने कहा था कि तन साल में वह बढ़ है और 60 से ज्यादा लेबरर्स की मृत्यु हो गई है।

SHRI P. A. SANGMA: I am aware of the problem in Rohtas Industry. I am constantly in touch with the Government of Bihar about it. A lot of representations have come to me from many honourable Members of the House, and I have written to the Chief Minister recently. I am in touch with the Government of Bihar in this matter.

Then, as far as coal is concerned, I have noted it and I shall certainly look into it and speak to my colleague in the Ministry of Energy.

There are many other points which have been raised and I shall be replying to the honourable Members. With these words I once again thank honourable Members....

श्री सत्य प्रकाश मालवीय : मान्यवर, हिन्दुस्तान समाचार और समाचार भारती के जो कर्मचारी हैं इनका 8 महीने से लेकर 20 महीने तक का वेतन बढ़ाया है। बहुत से कर्मचारी काम छोड़ कर दूसरी जगह चले गए हैं। उनकी अभी प्रोविडेंट फंड मिलना है, ग्रेच्युटी मिलनी है, इसके लिए आप क्या कर रहे हैं?

5.00 P.M.

SHRI P. A. SANGMA: Sir, they had a meeting with me and they had met my colleague, Mr. Gadgil, also and we are aware of their problems. I must inform the honourable Member that at my intervention and at the intervention of Mr. Gadgil, many of them had got themselves absorbed, quite a number of them, not all of them, and they have been taken in the PTI and the UNI and it is only because of our intervention.

SHRI KAPIL VERMA: What about the implementation of the Palekar Award? (Interruptions).

SHRI SATYA PRAKASH MALAVIYA: What about the payment of salary, gratuity and Provident Fund, etc. to them? (Interruptions).

THE VICE-CHAIRMAN (SHRI M. P. KAUSHIK): The Minister has already replied to all the points. Now, we go on to the next item on the agenda.

SHRI SUKOMAL SEN: Just a minute, Sir. At the outset, the Minister greeted the workers on the occasion of the May Day Centenary Celebrations. I would like to know from the honourable Minister whether he will assure the House that in memory of the May Day martyrs in India

[Shri Sukomal Sen]

the workers, whether in the organised sector or in the unorganised sector or even in sectors like the railways, transport, etc., will be assured of eight-hour duty only instead of the present long duty hours. Even the ten-hour duty has been refused by the locomen. I would like to know from the honourable Minister whether the system of eight-hour duty will be introduced for the entire working class in this country on the occasion of the May Day Centenary Celebrations tomorrow.

SHRI P. A. SANGMA: Sir, is it the Question Hour now? I thought the debate was over long back.

SHRI SUKOMAL SEN: Sir, I would like to know from the honourable Minister whether he will recommend to the industrialists of the country to allow a paid holiday tomorrow to enable the workers to celebrate the May Day Centenary in a befitting manner.

THE VICE-CHAIRMAN (SHRI M. P. KAUSHIK): If you want you can give a clarification; otherwise not.

SHRI P. A. SANGMA: No, Sir.

THE VICE-CHAIRMAN (SHRI M. P. KAUSHIK): Now we go on to the next item on the agenda and we will have the discussion on the working of the Ministry of Information and Broadcasting. Yes, Mr. M. A. Baby.

DISCUSSION ON THE WORKING OF THE MINISTRY OF INFORMATION AND BROADCASTING

SHRI M. A. BABY (Kerala): Thank you, Mr. Vice-Chairman, Sir, for having given me the opportunity to initiate the discussion on the functioning of the Ministry of Information and Broadcasting.

Sir, I would like to preface my speech with a quotation from the Annual Report of the Ministry of Information and Broadcasting for the year 1985-86.

"The objective of the Ministry of Information and Broadcasting is to inform,

educate as well as entertain with a view to creating awareness among the people "about the nation's potential for development and its problems, widening their horizon and soliciting their participation in the implementation of the policies, plans and programmes of the Government for bringing about economic development and social change, achieving national security and promoting national integration. In short, the Ministry provides, through its media units, a live audio-visual link between the people and the Government."

The statement, the so-called statement of objective, of the Ministry is very eloquent. But the problem that we face today is that this pronouncement by the Ministry in its Report and the practice by the Ministry are not in agreement with each other. You will find a wide discrepancy between the promises, proclamations and claims of the Ministry on the one hand and its actual performance and practice on the other. In this situation, though the statement says that the objective of the Ministry is to project the achievements and the developmental process in the country, the Ministry is intended to place the problems faced by our country also. I would like to bring to the notice of this august House that in the matter of placing the problems that our country faces today, the Ministry's efforts are a total failure, to use an euphemism. Here, again, I would like to make a quotation from Pt. Jawaharlal Nehru. While making a speech on March 5th, 1962, Pt. Jawaharlal Nehru said—I quote:

"I feel that freedom from ignorance is as essential as freedom from hunger. The mass media which are very useful have an element of danger in them in that they may be distorted for private gain. The rich group or the rich nation can flood the country and the world through the mass media with its own view of things which may or may not be the correct view."

Sir, more than 20 years ago, Pt. Jawaharlal Nehru made this statement. As things stand today, the situation is worse,