

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND REHABILITATION (SHRIMATI MOHSINA KIDWAI): (a) and (b). The mines in Union Territory of Delhi were

taken over by Delhi State Industrial Development Corporation during 1975 and 1976. The following table gives the comparative information:

Year	No. of accidents	No. of person killed
1971	2	5
1972	3	6
1973	—	—
1974	3	4
1975	2	5
1976	2	3
1977	3	4
1978	6	6
1979	3	3
1980	6	9
1981	7	10
1982 (up to 30-9-82)	6	6

According to the information furnished by Delhi State Industrial Development Corporation (DSIDC), an *ex-gratia* payment of Rs. 5000 is made to the dependents of the deceased by the D.S.I.D.C.

Compensation is payable under the Workmen's Compensation Act which is administered by the State Governments.

(c) Orders prohibiting employment of workers for extraction of minerals have been issued from time to time under Section 22 of the Mines Act, 1952 in Bajra Mines and two Stone Mines of Delhi State Industrial Development Corporation by the Directorate General of Mines Safety as urgent and immediate danger to life or safety of persons employed in the mines was apprehended.

(d) According to the information furnished by D.S.I.D.C., a few contractors who were engaged in quarrying operations before take-over of the mines by D.S.I.D.C. are still continuing the mining operations and that different levies varying from Rs. 12 to Rs. 27 per truck plus

sales tax for different types of minerals is payable by the truck operators to D.S.I.D.C. and the same is being collected.

(e) Cases have been instituted by the Directorate General of Mines Safety in Courts against the management of the Corporation held responsible for the accidents and for employing persons in contravention of prohibitory orders. Besides, warning letters have been issued to D.S.I.D.C. from time to time. The matter has also been brought to the notice of Delhi Administration.

Change in labour laws

590. SHRI NAND KISHORE BHATT: Will the Minister of LABOUR AND REHABILITATION be pleased to state:

(a) whether Government have sought the views of the State Government's and the trade unions on labour laws changes; and

(b) if so, what are the details in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND REHABILITATION (SHRIMATI MOHSINA KIDWAI): (a) Certain proposals for carrying out further amendments to the I.D. Act, 1947 and the Trade Unions Act, 1926, were incorporated in an agenda for consideration, both at the Labour Ministers' Conference and the National Labour Conference, held during 16th-18th September, 1982. The National Labour Conference made certain recommendations on the proposals. As certain issues included in the agenda were not covered by those recommendations, Government have called for the views of the State Governments on the various proposals listed in the relevant items of the agenda of the National Labour Conference.

(b) The recommendation of the Conference specifically related to change in the I.D. Act, 1947. The important suggestions relate to making provision for identification of a collective bargaining agent in a unit or industry, on the basis of the representative character of trade unions, determined by way of a union check-off system. All disputes remaining unresolved at the collective bargaining stage would normally be decided by voluntary arbitration subjected to certain in-built checks so that the Arbitrators act within their jurisdiction and there is no perversity in their decisions. Issues which cannot be resolved by arbitration would be referred to tripartite Industrial Relations Commissions, appointed by the Central or State Governments. All strikes would be preceded by a strike ballot, open to all the employees in the unit or industry.

Legal protection to unorg:

591. SHRI SYED SHAHABUDDIN: Will the Minister of LABOUR AND REHABILITATION be pleased to state:

(a) the major sections or categories of unorganised labour in the country and the estimated strength of each section;

(b) whether there is a legal framework for their protection;

(c) whether Government provided any incentives and financial support to voluntary workers or bodies engaged in organising them or ventilating their grievances or bargaining on their behalf with their employers; and

(d) if not, whether Government will consider this suggestion in the interest of their protection?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND REHABILITATION (SHRIMATI MOHSINA KIDWAI): (a) According to the classification formulated by the National Commission on Labour, 'unorganised labour' includes—

- (i) Contract Labour including construction workers;
- (ii) Casual labour;
- (iii) Labour employed in small scale industry;
- (iv) Handloom/powerloom workers;
- (v) Beedi and Cigar workers;
- (vi) Employees in shops and commercial establishments;
- (vii) Sweepers and scavengers;
- (viii) Workers in tanneries and leather goods manufactories;
- (ix) Tribal labour; and
- (x) Other unprotected labour.

On the basis of data collected during 1981 Census, relevant strength of each category is yet to be released by the Census Commissioner.

(b) The interest of certain categories of unorganised labour are safeguarded by the various labour laws applicable to them in general and the Minimum Wages Act, 1948, in particular.

(c) No Sir.

(d) Both the Central and State Governments are taking various measures to safeguard the interests of the unorganised labour. The working of the Minimum Wages Act, the Contract Labour (Regulation and Abolition) Act, the Inter-State