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Participants : [Kumar Shri Shailendra](#), [Francis George Shri K.](#), [Paul Dr. Sebastian](#), [Hamza Shri T.K.](#), [Rawat Prof. Rasa Singh](#), [Yadav Shri Mitrasen](#), [Mollah Shri Hannan](#), [Kharventhan Shri Salarapatty Kuppusamy](#), [Chandrappan Shri C.K.](#), [Senthil Dr. R.](#), [Singh Shri Sugrib](#)

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Title: Further Discussion on the motion for consideration of the Agricultural Workers Welfare Bill, 2006 moved by Shri Hannan Mollah on 24th November, 2006 (Discussion not concluded).

MR. CHAIRMAN : Now, we shall take up Item No. 40 – Agricultural Workers Welfare Bill, 2005.

Shrimati Hannan Mollah. I am sorry. Shri Hannan Mollah, you can continue your speech.

... (*Interruptions*)

MR. CHAIRMAN: There is no harm in calling you like that.

... (*Interruptions*)

SHRI HANNAN MOLLAH (ULUBERIA): Sir, is it a ruling? ... (*Interruptions*)

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF INFORMATION AND BROADCASTING (SHRI PRIYA RANJAN DASMUNSI): Sir, if it is a ruling, then I will convey it to his wife. ... (*Interruptions*)

SHRI HANNAN MOLLAH : Mr. Chairman, Sir, thank you for giving me this opportunity. Sir, I have already moved the following motion on the 24th November, 2006:

“That the Bill to provide for the welfare of agricultural workers and to regulate their employment and conditions of service and for matters connected there with, be taken into consideration.”

Sir, it is a very important matter. In this era of globalization, the marginalized sections of the population are suffering the most. Those people who are in the lowest rank, the poorest of the poor, rural and urban poor people are having the most difficult days to cope up with the situation in the changing economic scenario. It will be more difficult for them when there is no legal protection for them.

Sir, we have completed 60 years of our Independence but in this long period, hundreds of Acts had been passed by this Parliament for different sections of the people, and all sections of the

people in our country have legal protection. Sir, even animals, in our country, have legal protection; even jungles and forests have legal protection. But it is surprising that in our country, these ten crore people, who sweat and labour to produce things and survive, have no legal umbrella on their head. There is no legal protection for this section. There is no Act for the agricultural workers of our country.

Sir, this is one of the single largest sectors of the working force in our country, and they are the rural working class. Their number is more than ten crores in the country. Till today, there is no uniform Act in the whole country about their wage, about their hours of work, about their condition of work, about their accident benefits, about the maternity benefits of the women workers, and about their social security measures. All these sections are a deprived lot. A large section of them are living below the poverty line. The maximum people under this section are living below the poverty line.

Another thing is that in our caste divided society, a majority of the agricultural workers belong to the Scheduled Castes, the Scheduled Tribes, the minorities and the most backward classes. They are the most downtrodden and neglected sections of our population.[\[R59\]](#)

16.00 hrs[\[r60\]](#)

Continuously, for several years, the democratic movement in the country had been pressing for this demand that there should be a Central Act for the agricultural labourers. This demand was not heeded to for several years. The All India Agricultural Workers Union, had been also continuously for the last 25 to 30 years raising this demand that a comprehensive Central Legislation was required to protect this section of our Indian society.

Sir, after the raising of this consistent demand for several years in the House, ultimately the Government took note of it.

Sir, such a law was first enacted in Kerala in 1974. At that time, it was the Left-led Government there in Kerala. The Government of Kerala, for the first time, enacted a State law in the Kerala Assembly, known as the Agricultural Workers Act, 1974 for the welfare of agricultural workers. It is because of that Act only that the agricultural workers in the State of Kerala are in a better position than those in the other parts of the country.

Sir, after the passing of that Act, this demand became louder and louder in other parts of the country, and everybody demanded that on the pattern of the Kerala Act, a national Act should be passed. It was the result of this demand that the Government in May, 1975 in the Second Meeting of the Standing Committee on Agricultural Labour discussed the need of a Central law. For the first time, the Central Government responded to this matter; and after that in July, 1975, the 26th Session of the Labour Ministers' Conference commended the legislation of the Kerala Assembly and suggested a uniform Central legislation on those lines. Therefore, in 1975, the Central Government took note of this demand and started working on this. After that, on the recommendation of the Government, the Central Standing Committee on Rural and Unorganised

Labour was set up in September, 1978. This Standing Committee formed a Sub-Committee to suggest the framework of a Central Bill.

Sir, I am trying to give the chronology of events as to show how this movement developed, how this demand developed. Perhaps, this was the reason that the Central Government took note of it and starting functioning in that direction. The Sub-Committee then drafted the Agricultural Workers Bill on Kerala model and circulated it in the Labour Ministers' Conference in 1981, but no conclusion was arrived at. There were a lot of differences. Many State Governments opposed it. As all of us know, land is a State subject. Agricultural workers are also related to land. So, because of that, many State Government had differing views. They could not agree.

In the Labour Ministers' Conference held in 1981, a draft was placed. But it was also not agreed upon; this matter remained pending. But in September, 1982 all the State Governments were advised by the Central Government to pass such a law. But only the Government of Tripura has passed such a law in the year 1986. After the State of Kerala, after getting instructions from the Central Government, Tripura Assembly had passed such a law for the agricultural labourers. In the rest of the country, no such law has been passed so far.^[6]

It is because of that we are demanding this. I have been raising it for the last 25 years in this House. Almost every year I raise it. I drafted this Bill for several times. It lapsed and lapsed. It has come now for the first time for discussion. I am thankful to you. At least after 25 years of shouting, I have now brought this issue before the national forum, and everybody can now contribute by saying that this Act is necessary, though we have been raising it for the last 25 years.

During Rajiv Gandhi's time, in the Budget Speech on 28th February 1987, there was an announcement for appointing a National Commission for Rural Labour for this purpose. So, gradually the Government's attention was drawn and the Government also took note of it. Then, accordingly, the National Commission for Rural Labour was set up on 11.8.1987 and it was notified on 5.9.1987.

A Sub-Committee of Parliamentary Consultative Committee on Ministry of Labour was set up on 17th December, 1986 to inquire into and make recommendation about the problem of agricultural labour. So, this is about certain committee. Chronologically, the attempt was made. This sub-committee, as you know, is known as Gurudas Dasgupta Committee. Shri Gurudas Dasgupta was the Convenor of that sub-committee. That committee also worked for three years and it visited all parts of the country. Ultimately, they suggested that a Central Act is necessary for the agricultural workers.

The National Commission for Rural Labour also recommended for a comprehensive Central legislation. In between, several meetings were held. The Government called the Conference of Labour Ministers. In all the Labour Ministers' Conferences, it was placed. It was discussed. There were several drafts prepared by different Governments. They were discussed in the meetings but it could not take a concrete shape to make a law by this Parliament.

Since I raised it earlier, I know. I raised it during the time of so many Labour Ministers. Our former Minister, Shri P.A. Sangma called a meeting with us. Then, Mr. Arunachalam came. Half a dozen Labour Ministers, by this time, came and they called meetings and discussed this issue. But we could not reach any conclusion because there was resistance from the land owning class from different parts of the country. Also, there was resistance from certain State Governments. It is because of that, it could not be passed.

Another thing is this. Earlier all the Labour Ministers at least called a meeting of our organizations and unions and discussed that such a law is required. But during NDA Government, my friend, Mr. Jatiya was there as the Minister. He gave a reply in the Rajya Sabha that agricultural workers in India are in a better position. They do not need a Central legislation. For the first time, the Government said we do not require it but we did not agree with this. We are fighting for the agricultural workers.

I have been working for their union for the last 25 years. I think this cannot be accepted, and we continued the demand for a Central Act. After this, the new Government came. Before the UPA Government came into office, it was discussed in their Common Minimum Programme. We insisted that that also should be included in the Common Minimum Programme, and we are happy that it was accepted in the Common Minimum Programme of this UPA Government.

So, I gave you this chronology of the last 60 years, year after year how this matter was raised and how it was not responded properly. Anyway, now we found that this has been accepted. This UPA Government has assured that they will take action^[MSOffice62].

After the UPA Government came to power at the Centre, they had constituted Arjun Sengupta Committee. That Committee also collected materials of all sorts. I hope that this matter should not be further delayed because already 60 years have passed and we have been lamenting. Agricultural workers are running from pillar to post for legal protection. People from all sections of our country have legal protection except these unfortunate 10 crore of people belonging to the lowest rung of the poorest section.

In such a situation, I decided to move this Bill. When you gave me the permission to move and discuss this Bill, I thought that this Bill may now see the light of the day. That will be my expectation. I hope, the entire Parliament will stand by this poorest section of the population.

I have formulated this Bill according to the suggestions of various Sub-Committees which have been constituted from time to time. They had recommended that there should be a Central legislation for agriculture workers. There should be provided a basic framework for improving their working conditions. Measures should be taken for their wages and social security. Besides, it should provide for a mechanism for resolving disputes. There should be age-old pension for people of this section. There should be maternity benefits for the women agricultural workers. Then, there should be equal wage for equal work with respect to women agricultural workers. They should have the facility of accident benefits. There should be a system of fixing minimum wage for them, its timely

revision and its linkage with CPI (Consumer Price Index) should also be there. They should be provided subsidised ration. All these were the recommendations of several Committees.

A watchdog committee at the block, district and State level should also be there to oversee the implementation of this law. These are the recommendations. The case and other details may be left out for the States to decide because after we pass the law here, the State Government can make rules according to their local needs and local conditions. Those details can be included in the rules. Then, it can be implemented in the whole of the country. These are the recommendations which were there in the Commission's Reports.

As an activist of the agricultural workers, I hope that the Committee, which is considering the new draft, would take all these matters into consideration. The Bill which I have prepared is in line with the Act which is there in Kerala. That Act is a comprehensive Act, but it is for the State of Kerala. Such an Act is already there in Kerala and Tripura. If the model of my Bill is taken into consideration by this Commission, the present Commission, it will serve our purpose, for which we have been fighting for so many years. The condition of about 10 crores of agricultural workers in our country is very bad. All sections of our society, as I said, have legal protection except this section.

There is another problem which I have seen among the agricultural workers. They are not getting work. They have no specific wages. Different States have different wages. Different districts have different wages. Even in different regions, wages are different. During peak cultivation season, they get a little more. After that, during the lean season, they are either unemployed or getting meagre wages. They have no financial or social security^[s63]. Hence, they are suffering because of this situation.

They do not have specific hours of work. They are working from morning till evening or even till night. The children and the women of their family are all forced to work. A section of them are still working as bonded labour as they are linked with the landlords. Therefore, they cannot go home, and they cannot have liberty. They work like bonded labour. In practice, there are many agricultural workers who are still working under the condition of bondage even though bonded labour has been abolished as per the law.

There is also no system of pension. Even after they have given us everything for 60 years to keep us alive by producing food, etc., we do not think about the kind of situation in which they live. They do not have any security measure like pension, etc. after attaining 60 years of age. There is no such system or other social securities available for them. Therefore, all these matters should be taken into consideration when an Act is to be drafted by the Government.

The condition of their family is also very bad as most of them belong to the SC, ST or other backward sections of the population. They are the weaker sections economically, socially and caste-wise also. They are neglected from all points of view. The maximum amount of illiteracy is also in their families. How can we expand the reach of literacy among the agricultural workers if this is the situation?

There is also the issue of child labour. Their children are also forced to work. The worst situation being faced by the children of our country is from the agricultural labour family, and we talk of emancipation of children in the whole country.

We have also seen cases of starvation deaths among the agricultural workers. We have seen many people die due to starvation in different parts of the country in the last 3-4 years, and they are all agricultural workers and most of them belong to the BPL category. We have to take these points into consideration when we make a special package for them.

16.18 hrs

(Shrimati Sumitra Mahajan *in the Chair*)

As regards their habitation, if you visit any village of the agricultural labourers, then you will see the condition in which they live. For example, if you enter a village and see big and good roads, then you will come to know that the richer section lives there. If you go further, then you will see brick roads and you will come to know that poor people live there. If you go further inside, then you will see mud roads, and you will come to know that poor people live there. If you go further inside the village, then you will see some huts and no roads, then you will invariably come to know that this is the place where the agricultural labourers live. Further, you come to know that the village of the agricultural workers has started from the place from where the electric posts end. They have no proper house. All this deprivation starts from the village of the agricultural labourers. This is the situation prevailing in their habitation.

There is no drinking water facility, and a section of them are also untouchable. They are denied the right to fetch water from the upper-caste areas. Such inhuman and barbaric situation is prevailing in our country. There is no provision of power, and no sanitation. They have no concept of sanitation. They actually live in rotten situations. There are no roads and other facilities. How can we improve their condition of life? Their education, health and other aspects of life also should be taken care of while preparing a scheme for their development.[\[R64\]](#)

Another point is, the problems faced by women labourers. We should make specific provisions in the Act to ensure that women agricultural labourers are paid wages equal to that of male labourers. They should be guaranteed other social benefits also. They should not be forced to work beyond regular hours and they should not be made to work for extended hours. Women are socially, economically and sexually the most exploited among the agricultural labourers. This fact should be kept in mind.

Another phenomenon I have seen is of migration. Agricultural labourers migrate from one State to another in search of work. Many agricultural labourers go from Bihar to Punjab and Jammu and Kashmir. We have seen during the days of extremism in Punjab how such agricultural labourers lost their lives in that State. If work is available at his own place, no agricultural labourer would

think of migrating from his place of origin. The only way to check such migration is to provide work for them at their own places. We have to take note of this.

Caste is a curse on the agricultural labourers and they are suffering badly because of that. About sixty per cent of the agricultural labourers belong to either Scheduled Castes, Scheduled Tribes, the lowest rungs of Backward Classes and minorities. There is social oppression of these classes. Atrocities are committed on these classes. It is more or less common in different parts of the country. This point should also be taken into consideration.

While formulating the Bill, I tried to bring all these things in its purview. I suggest that all the agricultural labourers should be registered to start with. They should be registered block-wise and panchayat-wise and their names should be available on record. Based on the registration they can be given work. It should not be that anybody at any time can be given work. That kind of registration will guarantee work for those people. They will not have to migrate to other places for work.

I have provided for security of employment and welfare. If a person is a permanent worker in an area, he should be given preference and given work from either the Block level list or Panchayat level list. Normally, some people are taken in for work this year and thrown out the next year. That should not be the case. Those who have been working consecutively for three years should be given preference employment in the rural areas. That should be taken care of.

In the Bill, I have dealt with the disputes. There are disputes arising between agriculture labour and agriculture labour, between agriculture labour and migration labour, there are disputes between agriculture labour and land-owners. So, there should be a proper dispute settlement mechanism. For that purpose, there should be a Conciliation Officer. I have said that this Conciliation Officer can find out what is the dispute and try to settle it. If he cannot do that, he will refer it to the District Collector. If it is not settled at that stage, it will go to a tribunal. We have proposed setting up of a tribunal. The tribunal will give the final judgment and that would be binding on all.^[65]

Dispute settlement is one of the major issues that should be dealt in the Act.

I have suggested that the Government should frame a Scheme which should be called the Agricultural Workers Welfare Fund Scheme. This Fund is necessary. Funds of the Scheme should be controlled and managed by the Agricultural Welfare Board. A provision should also be included for providing this Scheme in the Act. Contributions for the Welfare Fund may be from the Government, land owner and agricultural labourers. Details of the Board should be described in the Act.

Regarding the hours of work, I would like to say that no fixed hours of work is mentioned in the Act. The wages for overtime should also be there. If they have to work after the fixed hours of work, extra wages should be paid and these details should also be mentioned in the Act.

A provision indicating penalty measures should also be there in the Act. Those who make false statement or breach the settlement awards, etc. should be covered under this. Conciliation Officer should look into cases of those who stand in the way and those should be punished.

There should be a legislation of the agricultural workers and all those unfair labour practices should also be prohibited because in every area where there is a labour population, there are unfair labour practices, people stopping labourers from forming unions or organizing movements. To prevent false statements by landlords and other such acts of unfair labour practices, provisions should be made in the Act so that all these matters are taken note of.

I have drafted the Bill on the lines and basis of the Acts prevalent in Kerala and Tripura. It is a national level Bill. Funds should also be ensured by the Central Government. That is one of the important areas because the State Governments have to implement it and they run short of funds. Though funds flow from land owners but still for the implementation of this Act, for the implementation of the pension programme and other welfare programmes and other social security programmes, they need funds. Most of the State Governments may have problem in regard to funds. Hence, I would like to request you that the Central Government should ensure that they also provide funds. At least, they should provide funds for the Central Welfare Board. Or at least a corpus should be created by the Central Government for this purpose so that recurring expenditure could be met. Later on collections can be made. This matter should also be taken into consideration. We have to take action on these things properly

There are many schemes also for the benefit of agricultural labourers. Earlier, 100 to 150 days of work was available for the agricultural labourers. Now, we found out that agricultural workers are not even getting job for more than 50 to 70 days. How will they live for 365 days when they get income for just 70 days work? This is a very serious situation. Hence, the Government should give serious thought about this aspect.

The UPA Government have passed the National Rural Employment Guarantee Scheme. If the same is properly implemented, it would be beneficial for the agricultural labourers. [\[r66\]](#)

But there are a lot of lacunae in implementation. We have to see that those laws are properly implemented so that agricultural workers can get the guaranteed employment in rural areas.

I appeal to all sections of the House to stand by the downtrodden section of the society; they are working hard to protect us. Due to their effort, we are leading a better life and we are surviving; they produce food for us; they produce the necessities. It is our duty that we should see that they also lead a life as human beings, with proper living conditions. So, I request the House to suggest better measures for them and pass this Bill so that agricultural workers of this country, after 60 years of our Independence, feel independent. They are not now independent; they are bonded – bonded to poverty, bonded to land owners, bonded to upper caste's oppression and they are bonded to many things. So, in the 60th year of our Independence, we should come together to give them freedom for which our country fought for. We are free, but we want that section also to feel free and really feel independent in their lives.

With these words, I commend this Bill to this House, to discuss and consider it; and I appeal to the House that it may be passed.

MADAM CHAIRMAN : Motion moved:

“That the Bill to provide for the welfare of agricultural workers and to regulate their employment and conditions of service and for matters connected therewith, be taken into consideration.”

SHRI S.K. KHARVENTHAN (PALANI): I am very much grateful to the Chair for giving me this opportunity to discuss about the welfare of the neglected section in the labour community. Our hon. Member, Shri Hannan Mollah introduced this Bill and also he elaborately discussed the problems faced by farm labourers in this country.

Yesterday, Shri D. P. Yadav initiated a discussion for the welfare of the unorganized sector. This is one of the wings in the unorganized sector in this country. If we calculate the labourers working in the unorganized sector, it is 36.9 crore; out of that, 23.21 crore labourers are employed in the agricultural field. This is the time to discuss about the problems faced by the farm labourers of this country.

While we are discussing the farm labourers, the success of agriculture only made a good result in the welfare of the farm labourers. If there is a failure of agriculture, we cannot protect the farm labourers. In the present scenario of our country, day-by-day, agricultural profession is sinking due to so many problems. Firstly, farmers are not able to raise proper crop at the proper time due to failure of monsoon or flood or due to poverty, due to indebtedness and other problems.

Moreover, everywhere, agricultural lands are sold out for starting industries or factories, etc. Agricultural lands are decreasing day-by-day and agricultural profession is sinking. Farm labourers are finding it difficult to survive. The labourers are not only involving themselves in farming; they are working in the field of agriculture; they are working in poultry, which is a part of agriculture; they do dairying. But whether they are getting proper salary and whether they are able to live properly, we do not know. In the villages, they are facing so many problems. If you go to any village in any part of our country, the farm labourers, those who work in the field, we can see that there is no time schedule for them. But a person who is working in the Government office or any institution or a mill, can work for eight hours and go home. [\[MSOffice67\]](#)

[\[R68\]](#)

The farm labourer cannot decide as to how many hours he has to work in the field. He is working day and night. If a snake bites a farm labourer, he is going to the Government Hospital. Three injections are to be given to cure him from the snake bite. That injection is not available in any private hospital. So, what the Government doctors does is, he gives him only two injections and take away the third injection either to his private clinic or sell it. As a result the health of the farmer labourer is affected.

The farm labourers are moving from one place to other. For example in a field 50 labourers work for harvesting the paddy crop. Then they go to the other field. How will they go to the field? Are they going there by bus or train? They are going by taking either a lorry or a goods carrying vehicle and travel a number of places. They start their journey in the early morning. We see 30 labourers traveling in a lorry and going from one place to other. Late at nights they are return home, after the harvest is over, in the same lorry. So, while traveling in the lorry, whether in the morning or in the evening, if they met with an accident, if anybody dies, he is not paid any compensation. The Insurance Company in the court will say that since the vehicle used was the goods carrying vehicle, and not to be used for carrying persons from one place to another, so they are not liable to pay any compensation. Automatically, the risk goes to the owner of the vehicle. He may be a penniless fellow. The vehicle will be seized by the Court. The labourers will not get anything. He is not able to get any compensation from the court. This is one area where a strict direction should go from the Centre to all the State Governments that goods vehicle should not be used to transport labourers from one place to other. Under the Motor Vehicles Act, if a driver kills a person or ten or one hundred persons, the minimum fine imposed will be Rs.3000.

Labour Ministry alone cannot solve this problem. All the women involved in the agricultural labour. In the morning whether they are taking food or not, taking tea-coffee or not but they daily purchase 10 packets of Pan Masala, Gutaka or Pan Parag. Finally, because of this they suffer from cancer. They are not able to get any treatment. To protect particularly the women farm labourers, the Government has to close all the factories producing either Pan Masala, Gutaka or Pan Parag. The first beneficiary of this step of the Government will be the women farm labourers.

Another pathetic condition of the farm labourers, who are residing in huts of remote villages, is that they are not getting good water. They get either salty water or water containing fluoride. As a result of this, their health is totally spoiled. They either suffer from cancer or tuberculosis. Even in my Palani Parliamentary constituency, there are Natham and Kangayam talukas, there are very big hospitals – 40-50 bedded hospitals having all equipment – but there are neither doctors nor nurses. A poor labourer who earns Rs.60 to Rs.70 daily, how can he afford to go to Apollo Hospital or big hospital and spend lakhs and lakhs on their treatment? So, health care is very important for the farm labourers of this country.

Another important area is housing. The Government of India's scheme, Indira Awas Yojana, is implemented through Panchayats. The Gram Sabhas are only selecting the beneficiaries. Below Poverty Line families are benefited in getting houses under this scheme. Out of the ten houses allotted six or seven to the Scheduled Castes and the Scheduled Tribes and three or four houses go to Other Backward Class people. All these people are farm labourers. I would say that the whole selection process is wrong. Poor Coolie and other labourers are not able to get houses. The situation in the country is that they do not have house, electricity, drinking water or proper food. By enacting law alone the Government cannot solve this problem. It is a matter to be solved jointly by the State and the Centre. They have to work together for the welfare of the farm labourers of this country. Then only this problem can be solved.[\[R69\]](#)

[R70] If we look at the income of the farmers, it is very low. If the farmers can live happily then only the farm labourers can live happily. Here I want to mention certain facts. The household income of a farmer in this country varies from State to State. If you see the highest per month income of a farmer, in Jammu and Kashmir, it is Rs.5488; in Punjab, it is Rs.4960; in Kerala, it is Rs.4004; in Assam, it is Rs.3168; in Haryana, it is Rs.2882; in Madhya Pradesh, it is 1430; in Rajasthan, it is 1490; in Uttar Pradesh, it is Rs.1633; in Bihar, it is Rs.1624; and in Orissa it is the lowest at Rs.1062. If a farmer is getting only Rs.1000 per month how could a farm labourer get good income? That is the state of affairs.

My learned friend, Shri Hannan Mollah mentioned the Kerala model. Due to many agitations which were held in Kerala, out of 63 lakh of families, 34 lakh families earn their livelihood from this informal sector. The Government decided to form 20 Welfare Boards for the welfare of the farm labourers. In 1969, 32 social security schemes were introduced. All these Boards ran successfully for a certain period but many of them are non-functional now. For example, the Toddy Tapper Welfare Board, the Fishermen Welfare Board, Construction Workers Welfare Board, Agricultural Workers Welfare Board and Bamboo Workers Welfare Board all these are working. The Government contributed 10 per cent to the Toddy Tappers Board. The toddy tappers are living in poor conditions everywhere. If you go to South Tamil Nadu in areas like Tirunelveli, Trichur, Kanyakumari and Nagore, you would find that most of the people are toddy tappers. There is small safety for a person who is going to the upper portion of the tree. If he falls down, there is no insurance and no medical facilities for him. If he sustains any fracture in the head or leg or hand, he will have to remain without any treatment. He may be a bread winner of the family and his whole family would collapse. So, the situation is very bad. These are all the schemes introduced by the Kerala Government. Our friend suggested that Kerala model should be followed. But where are the Boards which they constituted? There is a total failure. Around three per cent of the total budget of the State is necessary for the success of these Boards. Today, no Board is running properly. The Government of India has to identify the workers. Today, the agricultural workers are not continuing in the same profession. If you go to our district of Coimbatore, you cannot purchase even a single acre of land for agricultural purposes. All the lands are sold out for the factories and IT institutions. I am a farmer but I am not able to get any farm labourers. All the labourers have been taken by the mini-buses to textile mills. They are getting Rs.100, tiffin, and tea. They are not ready to go to the fields. That is the situation. So, day-by-day, the number of farm labourers is shrinking. For example, in 1961, the farm labourers were 73.54 per cent of the total labourers but it is only 54.04 per cent in 2000. So the number is going down day-by-day. The Government of India under the leadership of Dr. Manmohan Singh and Madam Sonia Gandhi introduced NREGP for protecting the labourers in the villages. But these schemes are not sufficient to protect them. Hence our Government has to frame a comprehensive Act to protect all the labourers. It should first identify the labourers and then they should be given housing facilities, accidental benefits, maternity benefits, insurance, etc. through an Act.

प्रो. रासा सिंह रावत (अजमेर) : सभापति जी, मैं श्री हन्नान मोल्लाह जी द्वारा प्रस्तुत कृषि कर्मकार कल्याण विधेयक, 2005 का समर्थन करता हूँ और मैं उन्हें बधाई देता हूँ कि उन्होंने असंगठित मजदूरों के कल्याण के लिए यह विधेयक प्रस्तुत किया है।

महोदया, मुझे याद आता है:

“माया से माया मिले कर-कर लम्बे हाथ

तुलसी हाथ गरीब की पूछे न कोई बात!”[\[r71\]](#)

सचमुच कृषि कर्मकार सब से ज्यादा गरीब और पीड़ित समाज का तबका हैं। जब मौसम ठीक होता है, खेती और बुवाई ठीक हो गई तो उसे रोजगार मिल जाता है। अगर खी और खरीफ फसल अच्छी हुई तो उसे रोजगार मिल जाता है लेकिन साल के बाकी महीने उसे भुखमरी और बेरोजगारी का सामना करना पड़ता है। ऐसे कर्मकारों के कल्याण के लिये यह विधेयक लाया गया है। इस संबंध में कई आयोग और कमेटियां बनाई गईं। कई सरकारें आईं और चली गईं, कई श्रम मंत्रियों ने आश्वासन दिये परन्तु इस सब के बावजूद आजादी के 59 साल के बाद भी खेती क्षेत्र में काम करने वाले मजदूरों के कल्याण के लिये कोई कानून नहीं बन पाया। इससे बड़ी दुर्भाग्य की बात और क्या हो सकती है?

सभापति महोदया, जब हम कल्याणकारी शासन की बात करते हैं, ऐसे समय में शासन का यह दायित्व हो जाता है कि कृषि कर्मकारों की दयनीय स्थिति पर विचार करे। इन बेचारों के पास न बीमे की पौलिसी है, न सोशल सिक्योरिटी है, न पेंशन की व्यवस्था है और न इन लोगों को समय पर मजदूरी मिलती है। इनके लिये न शिक्षा की कोई व्यवस्था है, न इन लोगों के रहने के लिये मकान की सुविधा है। परिणास्वरूप, आज यहां तो कल वहां, जायें तो जायें कहां? जहां इन लोगों को काम धंधा मिल जाता है, वहां बस जाते हैं। अफसोस की बात तो यह है कि ये समाज के सब से ज्यादा गरीब, कमजोर, पीड़ित तबके के अनुसूचित जाति एवं अनुसूचित जनजाति के लोग हैं। ये शोषित और खेतों के अंदर काम करने वाले हैं। वहां अपना खून और पसीना एक करते हैं लेकिन पूरी मजदूरी फिर भी इन लोगों को नहीं मिलती है। महिलाओं के साथ दुर्व्यवहार किया जाता है। यह भी दुर्भाग्य की बात है कि जिन राज्यों में सूखा पड़ जाता है, ये लोग रोजगार की तलाश में दूसरे राज्यों में चले जाते हैं। वहां ये लोग खेती का काम करते हैं।

कश्मीर में आज भी आतंकवाद है जबकि पंजाब में आतंकवाद पहले था। जब ये निर्दो लोग दिनभर मजदूरी करके रात में सोते हैं तो एक कवि की ये पंक्तियां याद आती हैं :

श्वानों को मिलता दूध-दही, भूखे बच्चे अकुलाते हैं,

मां की छाती से चिपक सिसक-सिसक रह जाते हैं।

उन बच्चों की दयनीय स्थिति होती है। जब ये लोग रात में गहरी नींद में सोये हुये होते हैं तो आतंकवादी इन्हें गोलियों से भून जाते हैं। इन लोगों को कम्पनसेशन देने की व्यवस्था भी नहीं है। वर्ष 1999-2000 में नेशनल सैम्पल सर्वे ऑर्गनाइजेशन द्वारा किये गये सर्वेक्षण के अनुसार मालूम हुआ कि देश के अंदर संगठित एवं असंगठित क्षेत्र में काम करने वाले मजदूरों की संख्या 39.7 करोड़ है। इनमें केवल 2.8 करोड़ कर्मकार ही संगठित क्षेत्र से हैं, बाकी 36.9 करोड़ कर्मकार असंगठित क्षेत्र के हैं। असंगठित क्षेत्र के 36.9 करोड़ कर्मकारों में से 23.7 करोड़ लोग खेती के क्षेत्र में कार्यरत हैं और शेष 1.7 करोड़ कर्मकार अन्यान्य क्षेत्रों में काम करते हैं। हमारा देश कृषि प्रधान देश है और यहां की व्यवस्था कृषि पर आधारित है। मैं बंगाल के साथियों से एक बात कहना चाहूंगा जिसे वे अन्यथा न लें।

सभापति जी, अभी सिंगूर का मामला हमारे सामने आया है। बंगाल में ज़मींदारी प्रथा चलती थी जहां खेतिहर मजदूर कार्य करते थे। सरकार द्वारा ज़मींदारी प्रथा को समाप्त कर उस जमीन का कब्जा कृषि कर्मकारों को दे दिया गया जिन्हें बरगादार या बटाईदार कहा जाता है। आज इस इलाके में टाटा समूह के लिये कृषि भूमि अधिग्रहीत की गई है। बड़े बड़े ज़मींदारों को तो पैसा मिल गया है लेकिन जो बेचारे गरीब किसान हैं, उन्हें कुछ नहीं मिला है। जब उन्हें अपने हिस्से की राशि नहीं मिली तो वे आन्दोलित हो गये और सिंगूर का मामला हो गया। अब उन गरीब किसानों को पैसा भी नहीं मिला और कृषि कार्य भी बंद है। यह समस्या केवल सिंगूर में नहीं, बल्कि देश के कई भागों में है। मैं सरकार से मांग करता हूँ कि जो कृषि योग्य भूमि है, उसमें SEZs न बनाये जायें। केवल बंजर भूमि ही इस काम के लिये ली जानी चाहिये या जो जमीन उबड़-खाबड़ है, उसे लिया जाना चाहिये।

[§72]

वहां पर फैक्ट्रियां वगैरह बनें या वहां जो भी हो, लेकिन अगर खेती के योग्य जमीन को लिया जाएगा तो जो खेती से मजदूरी करने वाले लोग हैं, जो बड़े-बड़े जमीन के मालिक हैं, वे पंखों की छाया में बैठे रहते हैं और हुक्का गुड़गुड़ाते रहते हैं, लेकिन श्रमिकों को काम करना पड़ता है। अगर उन बेचारों को काम नहीं मिलेगा तो बेरोजगारी और भी बढ़ेगी। अगर वे जमीन लेते हैं तो उनके बच्चों को, किसान को, जिनकी जमीन ली गई है, उन्हें नौकरी दी जानी चाहिए। इसलिए मैं आपके माध्यम से यह कह रहा था कि भारत कृषि प्रधान देश है। यहां की अर्थव्यवस्था और ग्रामीण अर्थव्यवस्था खेती के ऊपर आधारित है, लेकिन खेती पर आधारित क्षेत्र के अंदर भी, जो बेचारे खेती के अंदर मजदूरी करने वाले लोग हैं और जो धरती से सोना पैदा करते हैं, उन लोगों को इतनी दयनीय स्थिति में रहना पड़ रहा है।

मैं आपके माध्यम से सरकार से मांग करूंगा कि अब तो समय आ गया है, यूपीए सरकार बड़े जोर-शोर से कहती है कि हमने कॉमन मिनिमम प्रोग्राम में, न्यूनतम साझा कार्यक्रम के अंतर्गत इसे सम्मिलित किया है तो फिर अब तक क्यों नहीं लाए? लगभग ढाई साल का समय बीतने वाला है और इतने समय बाद भी नहीं लाए। हन्नन साहब की पार्टियां इस पर पूरा समर्थन दे रही हैं। आप उनके ऊपर दबाव डालें कि इतने वॉ के बाद आप जो विधेयक लाए हैं, वह भी केरल और त्रिपुरा की सरकार ने, जो छोटे-छोटे राज्य हैं, वहां जो असंगठित कृषि कर्मकार हैं, उनके कल्याण के लिए जो कानून बने हैं, उसके आधार पर उन्होंने यह विस्तृत विधेयक बनाया है और संसद के सम्मुख लाए हैं। इसके अंदर लाने का इनका जो उद्देश्य है, इन्होंने जो बताया और इसके अंदर भी इसका उल्लेख किया है कि कृषि कर्मकारों को रोजगार की सुरक्षा प्रदान करने के लिए और काम के घंटों का विनियमन करने के लिए, रात, सुबह और शाम को भी काम कर रहे हैं, उनके लिए काम के घंटे निर्धारित हों। उनका विनियमन कराने के लिए भविष्य निधि का उपबंध करने के लिए, कृषि के काम में जो महिलाएं हैं, उनके बारे में और जो दूसरे विवाद वगैरह हैं, उनके निबटारे के बारे में संसद ऐसे कानून का अधिनियमन करे, श्रम कानूनों को लागू करने का प्रयास करे और

वह सारे देश में लागू हो। इस दृष्टि से सारे देश को सम्मुख रख कर यह बिल लाया गया है। इस बिल में पहले तो इन्होंने परिभाषा दी है कि कृषि कर्मकार किसे कहते हैं, इसके अंतर्गत कौन-कौन से खेती में काम करने वाले लोग आए हैं। फिर अधिकरण का गठन करने की बात भी इन्होंने कही है। निरीक्षक की बात भी कही है ताकि अधिकरण के माध्यम से वे देखें कि खेतीहर मजदूरों का शोण तो नहीं हो रहा। मजदूरी मिल रही है, उनकी सुरक्षा की सारी व्यवस्था की जा रही है या नहीं। निरीक्षकों की भी नियुक्ति करने की बात कही गई है। सुरक्षा और कल्याण के लिए सरकार क्या करे। बोर्ड का गठन वगैरह, निधि की बात इसमें सबसे बड़ी बात है कि खेतीहर श्रमिकों के लिए कल्याण निधि का भी प्रावधान किया है, क्योंकि अगर किसी की अकाल मृत्यु हो जाए, कोई बीमारी का शिकार हो जाए, अभी जैसे कह रहे थे कि गुटखा खाने से कैंसर हो जाता है। कई बेचारे अशिक्षित होते हैं, उनसे दिन भर काम लिया जाता है। मैं जानता हूँ कि वे बेचारे शाम को इधर-उधर की बनी हुई शराब अपना गम और थकान मिटाने के लिए पीकर सो जाते हैं। उन्हें खाने की भी सुध नहीं रहती, परिणामस्वरूप वे टीबी या कैंसर के मरीज़ बन जाते हैं। ऐसे लोगों का कल्याण निधि के माध्यम से इलाज हो सके। उनके लिए ईएसआई कार्ड वगैरह भी बने या अस्पतालों में उनकी व्यवस्था हो। उनकी जहां बस्तियां हों, उन्हीं के पास में चलते-फिरते मोबाइल युनिट्स हों, जहां उनका इलाज हो सके। ये भी सब इन्होंने इसमें किया है। फिर जो मालिक मजदूर का ध्यान न रखे तो उनकी कुड़की वगैरह या उनके खिलाफ क्या-क्या कार्यवाही होनी चाहिए, इसका भी इसमें प्रावधान किया गया है। रबी और खरीफ के मौसम के अलावा, जिन दिनों चार महीने, आप जानते हैं कि हिन्दुस्तान का बजट मानसून का जुआ है, अच्छी वार्, अच्छी खेती, तो सब कुछ अच्छा और मजदूर भी खुशहाल, क्योंकि उन्हें रोजगार मिल रहा है, लेकिन अगर वार् ज्यादा हो गई, तब भी खतरा और वार् कम हुई तो भी खतरा, सूखा पड़ा तो खतरा, बाढ़ आई तो खतरा। बिजली गिरी, ओले गिरे, ज्यादा ठंड हुई, ये सारे संकट उन खेतिहर मजदूरों पर आए हैं। इसलिए उन लोगों के लिए रोजगार गारंटी की व्यवस्था भी इसमें की गई है, यह सरकार लाई है, लेकिन अभी देश के केवल दो सौ जिलों में ही उसे लागू किया है।

[rep73]

सभापति महोदया, यह जितने अच्छे ढंग से लागू करना चाहिए, वह नहीं हुआ है। मैं समझता हूँ कि ऐसे सभी श्रमिकों के लिए रोजगार गारंटी का प्रावधान होना चाहिए। उनमें विवाद हो जाता है, तो उसको सुलझाने के लिए व्यवस्था की गई है। मालिक और नौकर के बीच, खेतिहर मजदूर और उसके मालिक के बीच यदि कोई विवाद होता है, तो उसका फैसला करने की व्यवस्था भी इस विधेयक में की गई है। कानून तो इस देश में बहुत बन जाते हैं, लेकिन उनका पालन ठीक प्रकार से नहीं होता है। इसलिए मैं श्री हन्नान मोल्लाह साहब से कहना चाहता हूँ कि "कथनी थोथी जगत में, करनी उत्तम सार." कहना तो हम लोगों के लिए आसान है। ये मजदूरों के हितों की बात तो करते हैं, लेकिन मजदूरों के कल्याण के लिए वास्तव में जो योजनाएं और कानून बनने चाहिए वे नहीं बनाए गए हैं। इनके सहयोग से सरकार चलते हुए भी ढाई साल हो गए हैं, लेकिन अभी तक मजदूरों के हितों के कानून नहीं बनाए गए हैं। मेरा आपके माध्यम से सरकार से निवेदन है कि हमारे किसानों और मजदूरों के हितों के कानून जल्दी लाइए, ताकि देश के अंदर धरती से सोना पैदा करने वाले अन्नदाता के संकटों का वास्तव में निवारण हो सके और सच्चे अर्थों में उनका वैलफेयर हो सके। इसके साथ-साथ मैं एक-दो बातें और कहना चाहता हूँ। जहां खेतिहर मजदूर रहें, वहीं उन्हें पी.डी.एस. की दुकानों के माध्यम से सस्ता राशन उपलब्ध कराया जाना चाहिए। इसके साथ ही साथ उनके बच्चों की शिक्षा की व्यवस्था भी करनी चाहिए। इन्हीं शब्दों के साथ मैं अपनी बात समाप्त करता हूँ।

श्री शैलेन्द्र कुमार (चायल): माननीय सभापति महोदया, भाई हन्नान मोल्लाह जी द्वारा दिनांक 24 नवम्बर, 2006 को सदन में कृषि कर्मकार कल्याण विधेयक, 2005 प्रस्तुत किया गया था जिसके अन्तर्गत कर्मकारों के कल्याण और उनके नियोजन तथा उनके कार्य की दशा विनियमित करने तथा तत्संबंधी विधियों का उपबंध करने वाले विधेयक पर आज सदन में चर्चा हो रही है। कल ही हमने माननीय सदस्य श्री देवेन्द्र प्रसाद यादव जी द्वारा असंगठित मजदूरों के कल्याण के लिए नियम 193 में चर्चा की। इन दोनों विधियों पर हमारे अनेक सम्मानित सदस्यों ने विचार किया। आज हम देश के अंदर 15 करोड़ खेतिहर मजदूरों के हितों की रक्षा के लिए सुझाव और विचार कर रहे हैं, लेकिन उनके लिए कोई माकूल कानून नहीं बना सके हैं। देखा जाए तो कृषि, वानिकी, मछली पकड़ने वाले और प्लांटेशन क्षेत्र के तमाम ऐसे मजदूर हैं जो खेतिहर मजदूरों की श्रेणी में आते हैं। जैसा अभी हन्नान मोल्लाह जी ने

अपने वक्तव्य में कहा, यह बात सत्य है कि हमने पेड़, पौधों और जानवरों के लिए तो कानून बनाए हैं, लेकिन खेतिहर मजदूर और असंगठित मजदूरों के लिए कोई कानून नहीं बना पाए हैं और न सदन में इस प्रकार का कोई कानून आया है जिसकी प्रतीक्षा करते हुए 30 वां बीत गए हैं। सरकार बराबर आश्वासन दे रही है कि इस संबंध में एक कारगर बिल लाया जाएगा, लेकिन दुर्भाग्य है कि आज तक वैसा कानून नहीं लाया गया है। हम लोग आशा में जीते हैं। सरकार कहती है कि असंगठित मजदूरों के लिए हम एक बहुत अच्छा बिल लाने वाले हैं। देखा जाए, तो ग्रामीण क्षेत्रों में इनकी संख्या बहुत ज्यादा है और खासकर अनुसूचित जाति एवं अनुसूचित जनजाति के तमाम लोग हैं जिन्हें जन्म से लेकर मृत्यु होने तक भेदभाव की दृष्टि से देखा जाता है। स्थिति यहां तक बदतर है कि इन लोगों के धर्मस्थल, धर्मशालाएं और श्मशान घाट तक अलग होते हैं। इनकी समाज द्वारा घोर उपेक्षा होती है, चाहे सरकारी दफ्तर हो, थाना हो या कचहरी हो। कहीं भी आप जाइए, इनके साथ भेदभाव होता है।

महोदयों, कम खेती होने के कारण खेतिहर मजदूरों और कर्मकारों के लिए रोजगार की नियमित व्यवस्था करने हेतु नियम बनाने के लिए विधेयक पर हम चर्चा कर रहे हैं। देश में बहुसंख्य खेतिहर मजदूर ऐसे हैं जिनके पास केवल 2, 3 या 5 बिस्वे जमीन होती है, बीघे में भी जमीन नहीं होती है जिसके ऊपर वे अपनी खेती-बाड़ी कर के अपने जीवन का निर्वाह कर रहे हैं। यदि देश की संपूर्ण आबादी को देखा जाए, तो आज भी राष्ट्रीय प्रतिदर्श सर्वेक्षण संगठन, 2000 के प्रतिवेदन के अनुसार 26 प्रतिशत लोग गरीबी रेखा के नीचे जी रहे हैं यानी बी.पी.एल. धारा के अन्तर्गत रह रहे हैं, लेकिन कृषि श्रमिकों के बीच गरीबी का आकलन करने हेतु हमने अभी तक कोई सर्वेक्षण नहीं कराया है जिससे उनकी वास्तविक संख्या का पता लगाकर उनके रोजगार की, उनके रहन-सहन और शिक्षा की व्यवस्था की जा सके। [r74]

17.00 hrs

उनको जो भी काम दिया जाता है, वह जोखिम भरा काम हम उन मजदूरों से लेते हैं, लेकिन न उनके लिए जीवन बीमा है, न उनके स्वास्थ्य बीमे की कोई गारण्टी है, न उनके लिए कोई पेंशन, न कोई वृद्धावस्था पेंशन की सुविधा है। इस तरह की तमाम दिक्कतें उनके सामने हैं, लेकिन श्रमिकों के लिए व्यापक विधान बनाने के लिए सरकार ने वायदा किया है और वह इसके लिए कटिबद्ध है और मेरे ख्याल से इसी सत्र में वह विधेयक आने वाला है।

जहां तक इनकी न्यूनतम मजदूरी की बात कही गई है, दिल्ली, कोलकाता, चेन्नई, हैदराबाद, बंगलोर और लखनऊ में अकुशल मजदूरों को 120.37 और कुशल मजदूरों के लिए 161.47 रुपये का प्रावधान किया गया है, लेकिन अगर देखा जाये तो आज भी सामाजिक सुरक्षा के नाम पर इनके लिए हमने कुछ नहीं किया। अभी कल ही जब हम यहां चर्चा कर रहे थे तो श्री अर्जुन सेनगुप्ता जी की अध्यक्षता में जो आयोग बना है, उसने भी अपनी रिपोर्ट दे दी है, लेकिन अभी तक उनके जो विचार और सुझाव आये हैं, वे तो बिल आने के बाद ही हम उन पर कुछ कर पाएंगे, लेकिन कुछ राज्य सरकारों ने थोड़ी बहुत इसमें पहल की है, जिससे उनको थोड़ी बहुत राहत मिली है। उसमें तमाम छोटे किसान भी हैं, खेतिहर मजदूर हैं, लघु-उद्योग के कामगार हैं और दिहाड़ी मजदूरों के अलावा विशाल जनसंख्या में पूरे देश में अगर देखा जाये तो खेतिहर मजदूर हमारे सामने हैं। इस सरकार ने तमाम योजनाएं लागू की हैं। अभी लेटैस्ट एक राष्ट्रीय ग्रामीण रोजगार गारण्टी योजना के तहत 100 दिन का रोजगार देने की बात की गई है, लेकिन अगर देखा जाये तो 265 दिन वे मजदूर क्या करेंगे, आज यह भी प्रश्नचिन्ह हमारे सामने है। श्री अर्जुन सेनगुप्ता जी की अध्यक्षता में जो आयोग बना है, उसने यह सिफारिश की है कि पांच हजार रुपये महीने से कम आमदनी वाले जो असंगठित मजदूर हमारे हैं, जिनमें कृषि मजदूर भी हैं, उनके लिए राष्ट्रीय सामाजिक सुरक्षा को बनाये जाने के लिए उन्होंने सिफारिश की है और उसमें यह कहा गया है कि 25 परसेंट अंशदान श्रमिकों का होगा और तीन चौथाई केन्द्र सरकार देगी, बाकी को राज्य सरकार वहन करेगी। इसका बहुत बड़ा बजट आयेगा, लेकिन यह भी तभी पूरा हो पाएगा, जब हम सब लोग इसके लिए सोचेंगे और अपनी मंशा, अपनी मानसिकता बदलेंगे, तभी हम इस काम को पूरा कर पाएंगे।

जहां तक 30 करोड़ असंगठित मजदूरों को पेंशन और स्वास्थ्य बीमा व अन्य सुविधाएं देने की बात है, वह हम तभी कर पाएंगे, जब हमारी मानसिकता बदलेगी और ईमानदारी से, दिल साफ करके अगर हम कुछ करेंगे, तभी हम कुछ कर पाएंगे। अगर देखा जाये तो ये भी समाज में एक इन्सान हैं, ये भी बहुत मेहनत-मजदूरी, मशक्कत करके बहुत बड़ा निर्माण खड़ा करते हैं, जो हमारे देश के विकास में मेन भागीदार बनते हैं।

अगर देखा जाये तो आज रोजगार का भी अभाव है, गांवों में लोगों को रोजगार नहीं मिल रहा है। अब तो तमाम मशीनें आ गई हैं, कारवाइन हारवेस्टर मशीनें हैं, जो 250 मजदूरों का काम कम लागत में अकेले करती है। मजदूर जिस काम के 900 रुपये लेते हैं, यह मशीन 500 रुपये में पूरे खेत की कटाई का काम कर देती है। पहले तो इन मजदूरों को जब मशीन नहीं थी तो 9-10 महीने का काम मिल जाता था, लेकिन इस मशीनीकरण के युग में आज मात्र उनको दो महीने भी काम मिल जाये तो बहुत बड़ी बात है। यही कारण है कि आज ये श्रमिक सब्जी बेचते हैं, कबाड़ बेचने का काम करते हैं, रंग-रोगन करने का काम करते हैं, राज-मिस्त्री का काम करते हैं। देहात में उनको ग्रामीण स्तर पर रोजगार नहीं मिल पाता तो वे शहरों की तरफ पलायन करते हैं। आपने देखा होगा कि शहरों में जहां पर चौराहे होते हैं, वहां पर मजदूरों की मंडियां लगती हैं। उसमें यह भी नहीं होता कि सभी को रोजगार मिल जाता हो। जिनको काम मिल गया, वे तो काम करने के लिए काम पर चले गये, लेकिन बहुत से हमारे ऐसे खेतिहर मजदूर हैं, जो गांव से शहरों की ओर जाते हैं तो वे बेचारे धक्के खाकर चले आते हैं, उनको काम नहीं मिलता है तो उनके यहां दो वक्त की रोटी भी नसीब नहीं हो पाती है। तब वे किसी प्रकार से कर्जा लेकर अपने बच्चों का भरण-पोषण करते हैं, यह किसी से छिपा नहीं है। आज भी अगर देखा जाये तो उनके बच्चे ज्यादातर सरकारी स्कूलों में पढ़ते हैं, उनमें खेतिहर मजदूरों के बच्चे हैं, छोटे किसानों के बच्चे हैं। सरकारी स्कूलों में देखा जाये तो आज हमारे अनुसूचित जाति, जनजाति के 85 परसेंट बच्चे पढ़ते हैं, चाहे वे प्राइमरी विद्यालय हो या जूनियर हाई स्कूल हों, उनमें ये लोग अध्ययन कर रहे हैं। [R75] में कहना चाहूंगा और कल भी इस सदन में चर्चा हुयी थी, डाक्टर राम मनोहर लोहिया जी का स्लोगन मुझे याद है, उन्होंने कहा था कि हर बेकारों को काम दो, नहीं तो कम से कम उन्हें बेरोजगारी भत्ता दो। आज अगर हम उनको काम नहीं दे पाते, तो उनके लिए जो हम बिल लाने वाले हैं, उसमें बेरोजगारी भत्ते की व्यवस्था हमें करनी पड़ेगी, तभी जाकर उनका जीवन स्तर सुधर सकता है।

एक सिफारिश हम सुझाव के तौर पर हम करना चाहेंगे कि सार्वजनिक वितरण प्रणाली से संबंधित जो तमाम राशन की दुकानों में और अन्य जगहों पर जो सामान मिलते हैं, चाहे वह गेहूं हो, चावल हो, दाल हो, मिट्टी का तेल हो, चीनी हो, चाय की पत्ती हो, साबुन हो, कपड़ा हो, इनको खेतिहर मजदूरों को, असंगठित मजदूरों को आधे दामों पर देना पड़ेगा, चाहे वह कैंटीन के माध्यम से या जैसे भी हो, इनकी आय को देखते हुए, इनकी स्थिति को देखते हुए, इनको आधे दाम पर हर सुविधा मुहैया करानी पड़ेगी। इन्हें आज तक समाज में सम्मान नहीं मिल पाया है। उनके साथ पुलिस का दुर्व्यवहार हुआ है, जैसा कि रासा सिंह रावत जी कह रहे थे कि अगर आदमी कमाने के लिए शहर जाता है, औरतें भी गांव में छोटा-मोटा काम पा जाती हैं, उनके साथ दुर्व्यवहार होता है, उनके बच्चों की पढ़ाई-लिखाई बाधित होती है। बच्चों भी काम करने के लिए विवश हो जाते हैं, जो बाल मजदूर होते हैं। उनको मां भेज देती है कि पता नहीं तेरा पिता गए हैं, उन्हें काम मिले या न मिले, तो वे बाल मजदूरों को प्रोत्साहन देती हैं कि जाकर तू कमा के ला, तब जाकर दो वक्त की रोटी नसीब होती है। आज हमें इस विषय पर विचार करने की आवश्यकता है। मैं यह भी मांग करना चाहूंगा कि देहात में और ग्रामीण स्थलों में जो इस प्रकार के मजदूर हैं, उनको चिन्हित करके, जैसा कि कुछ सरकारों ने पहल की थी कि उनके घरों में कम से बिजली पहुंचे और उनसे बिल न लिया जाए, उनको मुफ्त बिजली दी जाए। उनके लिए शुद्ध पेयजल, चिकित्सा, बच्चों की शिक्षा आदि की व्यवस्था हमें करना पड़ेगा, तभी जाकर जिसके लिए हम चिंतित हैं, उस समस्या को हम दूर कर सकते हैं।

एक सवाल और भी है, समय-समय पर इन लोगों का शोण हुआ है और ये अन्याय और अत्याचार से जुड़े हैं। हम जिन्हें बंधुआ मजदूर के नाम से जानते हैं, उनके भी उन्मूलन का सवाल है। गांव स्तर पर देखें तो बड़े-बड़े लोगों के यहां उनकी पीढ़ी दर पीढ़ी काम करती आ रही है, एक तरीके से वे बंधुआ मजदूर हैं। ऐसे लोगों को भी वहां से छुड़ाने की जरूरत है, ताकि अपने घरों में अपना स्वयं का रोजगार वे कर सकें, यह व्यवस्था हमें करनी पड़ेगी। आज देश में ऐसी स्थिति है कि देश में 71 प्रतिशत मजदूर ऐसे हैं, जिनका प्रतिमाह चार सौ बीस से पांच सौ रूपए के बीच उनके परिवार का गुजारा होता है। जहां तक एक समस्या जो हमारे सामने विकराल है, मैं उसके बारे में मैं कहना चाहूंगा, जो महिला मजदूर हैं, कल भी हमने उनके बारे में बात की थी। मणिपुर में आज भी हजारों महिलाएं बीए पास हैं, जो खेतों में धूप में काम करती हैं, धूप से बचने के लिए चंदन का लेप करके खेतों में मजदूरी करती हैं, उनकी भी समस्या है। उनके छोटे-छोटे बच्चों के लिए इस प्रकार की व्यवस्था करनी चाहिए और उनको क्रेच जैसी व्यवस्था मिले, तभी हम उनको सहूलियत दे सकते हैं। अभी कुछ दिनों पहले यूनान, ग्रीस गया था, एथेंस गया था, वहां मैंने देखा कि पंजाब के करीब दो-ढाई हजार लोग हैं, वे बड़े-बड़े फार्म हाउस में खेती-बाड़ी का काम देखने का काम करते हैं। आज उनकी समस्या की तरफ भी गौर करना पड़ेगा कि यहां रोजगार नहीं मिल पाया, किसी कारण हमारे मजदूर विदेश गए हैं, वे असंगठित मजदूर ही कहे जाएंगे, उनके लिए भी हमें विचार करने की आवश्यकता है। इस बिल में उनके लिए भी कोई ऐसी व्यवस्था या प्रावधान हों, ताकि हम उन्हें सहूलियत दे सकें।

इन्हीं शब्दों के साथ मैं अपनी बात को समाप्त करता हूँ।

SHRI SUGRIB SINGH (PHULBANI) : Thank you Chairperson Madam , Today Hon'ble member has brought in a very important Bill. I rise to support the Bill. Ours is an agricultural country. Agriculture is the primary occupation of majority of our population. The number of agricultural workers is very large too. Yesterday in this august House we were discussing about the labourers in the unorganized sector. Fortunately today we are discussing about another vital component of our population, the agricultural workers. Hon'ble member Shri Hanan Mullah has brought in this very appropriate and timely Bill.

Madam, as per the census report of 2001 more than ten crores of agricultural labours are there in our country. But in reality the number will be much larger. Our country is heavily dependant on agriculture. Agriculture is our main source of livelihood. We simply cannot survive without agriculture or the agricultural workers. Agricultural workers play a vital role in our economy. Hence its very unfortunate that we have never paid any serious attention to the needs of these people. Whether its their health, education, living condition they are a neglected lot. We have never bothered to make their condition better.

Whatever has been done so far is very negligible. The agricultural workers toil hard to feed the teeming millions in this country. Neither in the Governmental level nor in the private sector this section has received any attention. They do not have access to some basic necessities of life nor to a decent standard of living. Whether it is the Central Government or the State Government, nobody is concerned about their welfare. I do acknowledge that at different points of time the wages of agricultural workers have been increased both at the Central and State Government levels. But it's a very insignificant hike to make any real impact.

*English translation of the speech originally delivered in Oriya

While contesting elections every political party promises to improve their lot, but after coming to power they simply forget the agricultural workers. The Central Government introduces high sounding schemes and programmes for these people which sometimes falls flat midway. The time has come to analyse these schemes as to how far they have succeeded or failed. We need to take a stock of the situation. As per the census report 26% of BPL people are agricultural workers who lead a deplorable life. They belong to the lowest strata of society and are abysmally poor.

The Government has introduced may schemes for their welfare like Swarna Jayanti Swa-Rozgar Yojna, Sampoorna Grameen Yojna, Pradhanmantri Gram Sadak Yojna, National Social Assistance Progremme, Indira Awas Yojna etc. In the recent past UPA Government has brought in an umbrella programme named National Rural Employment Guarantee Scheme which envisages to provide at least 100 days work in a year to a member of every BPL family. In reality however, this scheme seems to be very complex. If a person is a certified labour he is not getting the benefit. The complexities in the NREGP has made it difficult to find beneficiaries. Thus, this scheme needs to be simplified in order to the benefit the rural masses. We need to analyse and examine every aspect.

The agricultural workers put is a lot of hard work in the field from dawn to dusk. Sometimes they fall prey to accidents, succumb to injury and illness. But they do not have access to insurance cover. The Government has schemes like Janashri Vima Yojna, Universal Health Insurance

Scheme, meant for the poorer segment of the population. Are they reaching out to the people? The Government needs to take periodical stock of things. If these people are not sure about their two square meal per day, can they be sure about paying a premium?

Therefore, Sir I would demand here that a Insurance Scheme be introduced where the target would be the agricultural workers and unorganized labours. I would also demand for a hike in the daily wages of workers. There should be uniformity of wages in all the states of India. The Central Government should take suitable legal steps to bring in this uniformity. Sir I would not take much time. Sir I extend whole-hearted support to this Bill and demand that the Central Government should bring in a new legislation keeping in view the welfare of agricultural workers. Thank you, Sir, for giving me this opportunity.

17.18 hrs

(Shri Varkala Radhakrishnan *in the Chair*)

SHRI C.K. CHANDRAPPAN (TRICHUR): Sir, I congratulate Comrade Hannan Mollah for bringing this Bill and thereby helping this House to have an opportunity to discuss one of the most vital problems the people are facing today. Yes, we have to wait for 24 years to discuss this. Anyway, discussion is taking place; that is more important. When this discussion is taking place, it is good that Shri Handique is sitting here.

Shri Handique, do you remember that three Sessions before you made an assurance to this House while participating when I was participating in a Debate that by the end of that Session or the beginning of the next Session, you will bring that Bill for the unorganized sector? Do you remember that?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI B.K. HANDIQUE): I remember that. There are some problems which I did not explain.

SHRI C.K. CHANDRAPPAN : That is the problem. The problem is this. There is something very common between Congress and BJP, I will not say anything bad, that is, forgetfulness, lack of political commitment, and lack of political will. In the last elections, was it not one of the main slogans raised by the Congress Party that *aam aadmi* and their problems will get their prior attention?

[R77]

Prof. Rasa Singh Rawat and his colleagues are here. Prof. Rawat, your speech was amazing. You were supporting it. It is good.

Sir, for six years, their Party was in Office but they had not spent not even six minutes to discuss this. So, forgetfulness and lack of political will are common to both of them. Now, I do not want to say anything about them because it is a gone case. ... (*Interruptions*) Sitting in the Opposition, it is easy for you to support it. Sitting as the Ruling Party, you had not even spent six minutes to discuss this. You had never tried. I have no hope. ... (*Interruptions*) Now, let me talk about the UPA. ... (*Interruptions*)

MR. CHAIRMAN : You kindly address the Chair.

SHRI C.K. CHANDRAPPAN : Sir, I am addressing you, and through you, everything is going to both the sides.

Sir, the UPA Government made a promise in their Common Minimum Programme that they are committed to bring forward a legislation regarding the unorganized workers. Yesterday we were discussing it. I know what would be the fate if you forget it this way or you have problems. ...
(Interruptions)

SHRI B.K. HANDIQUE: We have not forgotten it. There is still two and a half years time for us. ...
(Interruptions)

SHRI C.K. CHANDRAPPAN : The problem is that they cannot say anything. Now, the problem is the lack of political will. I do not want to say anything more on this.

Sir, at the head of the Freedom Movement when the Congress Government was there, the first Planning Commission was set up under the Chairmanship of Pandit Jawaharlal Nehru. Eminent people like Shri Subash Chandra Bose were there as members in that Commission. What was the recommendation made by that Commission, in the nutshell? Sir, you will remember because you are a freedom fighter. What the Commission said was economic growth with social justice. That was the essence of it. I need not elaborate it. For all these sixty years, that economic justice is denied to all the unorganized workers. That is the case.

You said that you would find a solution to it when you were speaking about *aam admi* and propagating your Common Minimum Programme. Now, two and a half years have passed. Please remember that. The sunset has started; the sunrise is over. This is the time to introspect. Please do not think that at the time when you are going out of Office, you would bring a legislation and put it here, and nobody would believe that kind of whitewash. ... (Interruptions)

SHRI B.K. HANDIQUE: Still two and a half years are there for us. ... (Interruptions)

SHRI C.K. CHANDRAPPAN : You are asking us to wait for two and a half years more. That is precisely what I am saying. ... (Interruptions)

SHRI B.K. HANDIQUE: It may come sooner. ... (Interruptions)

SHRI C.K. CHANDRAPPAN : For the last two and a half years, you have failed. I do not have any faith that you would do it in another two and a half years. ... (Interruptions)

SHRI SURESH PRABHAKAR PRABHU (RAJAPUR): What do you think will happen to them? ...
(Interruptions)

SHRI C.K. CHANDRAPPAN : What happened to you will happen to them. So, I am giving a warning to the UPA Government. If you do not want that to happen to you, then think hundred times and bring forward this Bill, if not in this Session, at least in the coming Budget Session. Can you make that promise now? ... (Interruptions)

SHRI B.K. HANDIQUE: Let us see. Definitely ... (*Interruptions*)

SHRI C.K. CHANDRAPPAN : That is the problem. You cannot make that promise. ... (*Interruptions*)

SHRI B.K. HANDIQUE: I can say this much that I can prevail upon the Government to bring such a Bill, as desired by the hon. Members. ... (*Interruptions*)

SHRI C.K. CHANDRAPPAN : You see how cleverly he is speaking. ... (*Interruptions*)

SHRI B. MAHTAB (CUTTACK): That is why, he is the Minister. ... (*Interruptions*)

SHRI C.K. CHANDRAPPAN : I support this Bill. I do not want to go into the details of this Bill.

Sir, we are faced with a problem. There is a lack of political will. That is the problem. There was a legislation regarding the unorganized workers in Kerala in 1974. Sir, 32 years ago, a poor State like Kerala could forward this legislation.[\[R78\]](#)

Mr. Chairman, Sir, your friend or your *Guru*, Achut Menon was the Chief Minister of Kerala at that time.

You must know, this Bill gives such facilities to the workers that Mrs. Indira Gandhi, at that time, who was the Prime Minister, commended that in Parliament. At that time, I was also a Member of Parliament here. She said: "I would write to all the Chief Minister..." She might have written. "...to bring that kind of a legislation in every State." But not a single Chief Minister, Mr. Handique! responded to Indira Gandhi. I do not know, how far they would listen to you today, when even in those days of emergency they did not listen to you!

Sir, the problem is that they have no interest. They only talk. But they should not think that the people would forget all these things.

Mr. Minister, you may be aware, two weeks ago, there was a massive procession of workers -- workers of the manufacturing industry and workers of the unorganized sector especially the agricultural labourers. They came in lakhs. They were the people who voted for you last time when you promised in your Common Minimum Programme – a new life, a new future. They voted for you. In that procession, they were so angry and they felt that they are betrayed by these people. We told them: 'let us see.'

SHRI B.K. HANDIQUE: You change your mind.

SHRI C.K. CHANDRAPPAN : You stand up and say... (*Interruptions*) I can yield; you stand up and say.

SHRI B.K. HANDIQUE: I thought, you yielded.... (*Interruptions*)

SHRI C.K. CHANDRAPPAN : Mr. Chairman, see, he does not stand up to make a promise... (*Interruptions*)

SHRI B.K. HANDIQUE: Yes... (*Interruptions*)

SHRI C.K. CHANDRAPPAN : You are so eloquent Why not?... (*Interruptions*)

SHRI B.K. HANDIQUE: I asked, just change your mind... (*Interruptions*)

THE MINISTER OF SCIENCE AND TECHNOLOGY AND MINISTER OF EARTH SCIENCES (SHRI KAPIL SIBAL): Today, I want to be eloquent through my silence... (*Interruptions*)

SHRI C.K. CHANDRAPPAN : That is another feeling; you know that... (*Interruptions*)

SHRI KAPIL SIBAL: No. I think, Mr. Chandrappan, you should realize that in a complex country like ours with 1.5 billion people, it is fundamental for our country to move forward, and for that we must reach the poor. Right?

SHRI C.K. CHANDRAPPAN : Yes.

SHRI KAPIL SIBAL: We must also have enough resources to reach the poor. So, all this must go hand in hand. Economic growth, investment in the rural sector, reaching agricultural worker...

SHRI C.K. CHANDRAPPAN : ...and social justice.

SHRI KAPIL SIBAL: Yes, also social justice. They must go hand in hand, because there will be no growth without equity. Right? I can assure you that in the course of five years, even though you think, the sun is setting, at the end of the five years, you will see, it rises again... (*Interruptions*)

SHRI C.K. CHANDRAPPAN : That is what they said: 'India is shining.'... (*Interruptions*) After the sunset, they told: "Look, India is shining."

SHRI KAPIL SIBAL: You see, here sun sets and rises every five years.

SHRI C.K. CHANDRAPPAN : Yes.

SHRI KAPIL SIBAL: It will happen... (*Interruptions*)

SHRI C.K. CHANDRAPPAN : Sun sets and rises every five years, bringing new people there and bringing new people here; let us not forget that.

SHRI SURESH PRABHAKAR PRABHU : I think, probably, what he said was that after five years, sun would start rising from here again

SHRI C.K. CHANDRAPPAN : That is what I am reminding them... (*Interruptions*)

SHRI KAPIL SIBAL: No, no. The sun normally rises from that side. That is the east... (*Interruptions*) That is why in politics, in Parliament, we sit in such a way that the sun always rises in the Opposition and always sets in the Treasury Benches.

SHRI C.K. CHANDRAPPAN : That is good.

SHRI KAPIL SIBAL: Do not worry.

SHRI C.K. CHANDRAPPAN : I asked, you should be worried... (*Interruptions*)

SHRI KAPIL SIBAL: You will be with us; you will stand by us; you will fight with us; and the sun will rise together. So, do not worry about that.

SHRI C.K. CHANDRAPPAN : We are standing with you, and therefore, we are more worried. Along with you, we should not sink ourselves... (*Interruptions*)

MR. CHAIRMAN : Mr. Chandrappan, your time is over. Please conclude.

SHRI C.K. CHANDRAPPAN : Sir, I am coming to the last part of my speech.

MR. CHAIRMAN: It cannot be a mutual discussion.

SHRI C.K. CHANDRAPPAN : Sir, we are keeping you there, and then discussing it... (*Interruptions*)

MR. CHAIRMAN: There is a time factor also. Your time is over.

SHRI C.K. CHANDRAPPAN : Sir, let me conclude.

MR. CHAIRMAN: Normally, the Minister of Parliamentary Affairs is a silent person.

... (*Interruptions*)

SHRI B.K. HANDIQUE: That would be too cruel.

MR. CHAIRMAN: Mr. Handique, you have always been keeping silence. Here, why do you respond every time?

... (*Interruptions*)

MR. CHAIRMAN: Normally, he is silent in the House. But today, he appears to be responding every time.

... (*Interruptions*)

MR. CHAIRMAN: For that, the credit goes to you Mr. Chandrappan.

SHRI B.K. HANDIQUE: It is the first time. I told him that I can assure him that such type of a law would be a reality soon.

MR. CHAIRMAN: Okay. Thank you.

Yes, Mr. Chandrappan.[\[79\]](#)

SHRI C.K. CHANDRAPPAN : Now what I am saying is that there should be a strong political will to do this.

Sir, you are from Kerala. I am from Kerala. Is it that the legislation was passed because there were so much of resources that we can spend any way, this way or that way? No. We decided that this should be given a priority.

You see, there is a difference between you and communists. You please understand that. In 1936 in Karachi, the famous Karachi Resolution was adopted.

MR. CHAIRMAN : Your time is over.

SHRI SURESH PRABHAKAR PRABHU : We have to extend the time. It is a good subject.

MR. CHAIRMAN: We have a long list of Members to speak. Let others also be given a chance. You have taken much more time.

SHRI B. MAHTAB : Hardly there is a Member from the Treasury Benches. It is all from this side. Sir, if we take you also, you are from this side.

SHRI C.K. CHANDRAPPAN : So, we are all together here.

MR. CHAIRMAN: Please conclude.

SHRI C.K. CHANDRAPPAN : I am concluding.

I was speaking about how this Karachi Resolution would be enacted. The first time the communists were voted to power in Kerala was in 1957. Then, Mr. E.M.S. Namboodripad was the Chief Minister. What did he say? There were a lot of apprehensions that the communists are coming and everybody will be finished and all that. He said: "Do not worry. We will try to implement what the Congress has forgotten, that is, the Karachi Resolution." Sitting from the Chair, the first order issued was that there would be no more eviction of tenants. There would be no more eviction of sharecroppers. There would be no more eviction of hutment dwellers. Then, a measure was taken for legislating it. Sir, you know the then history of the liberation struggle.

We were ousted. Then we came back finally in 1971. At one stroke, the full land reforms were implemented. At one stroke, from A-Z, the land reforms were implemented. I can say that till today that land legislation of Kerala remains a landmark legislation. This legislation about which we are talking is part of that. Jawaharlal Nehru and Subash Chandra Bose told this country that social justice should be done. We also thought that social justice should be done. You do justice to these people. We have done it.

You will be amazed. I was reading the reports that the toddy tappers are wretched of the wretched. No, they are not wretched. There are toddy tappers' legislation. They are welfare legislation. They did very well. They have all the means. Their children, the second generation people, are engineers, teachers, scientists and all that. So, we are building a new life. We are bringing light into the miseries of the common man. We are talking about the agricultural legislation.

They provide for pension. There are methods to help the widows. There are daughters. At the time of their marriage, the Welfare Fund will take care of them. There are very vast measures of helping the common people.

But in Kerala do we have those resources? You said after you get resources, you will have all social justice and it should go hand in hand. It did not go hand in hand for the last 60 years.

SHRI KAPIL SIBAL: I did not say that. I said it should go hand in hand. It is because our rates of growth have increased in our country. Social justice has reached a lot of people in our country. The middle class is 400 million today. In Kerala, despite the education, the poverty levels are the same. If you want to talk about numbers, I will give you a lot of numbers.

SHRI C.K. CHANDRAPPAN : I can also give.

SHRI KAPIL SIBAL: Where is the legislation in West Bengal? You talk about communists. Let this be a friendly discussion. Otherwise, I will give you some numbers that you will be a little bit embarrassed about[MSOffice80].

SHRI C.K. CHANDRAPPAN : No, it is not that. It is a very friendly discussion in the sense that it is to remind you to ... (*Interruptions*)

MR. CHAIRMAN : Please conclude. Shri Francis George is to speak.

... (*Interruptions*)

SHRI C.K. CHANDRAPPAN : This is to make you feel that you should bring that legislation; otherwise, you will not be able to come back to power again.

MR. CHAIRMAN: Please conclude.

SHRI C.K. CHANDRAPPAN : I am concluding.

MR. CHAIRMAN: You are concluding for a long time.

... (*Interruptions*)

SHRI C.K. CHANDRAPPAN : This is the final conclusion. ... (*Interruptions*)

I fully support this Bill moved by comrade Hannan Mollah. Let there be a promise from the Government that the contents of this Bill will be accepted by the Government and let them bring a comprehensive legislation for all the unorganised sector.

Thank you very much. Sir, I conclude. I thank you for your indulgences.

MR. CHAIRMAN: Shri Francis George. You are not in your seat.

SHRI K. FRANCIS GEORGE (IDUKKI): Sir, I am a little afraid to sit there. I was alone. So, I was feeling very lonely. So, I came to this side. ... (*Interruptions*) That is why, I came here to be in a good company. ... (*Interruptions*) I wanted to speak from here. So, I came here. ... (*Interruptions*)

MR. CHAIRMAN: I allow you to speak from where you are standing because there is no time for an argument. ... (*Interruptions*)

SHRI K. FRANCIS GEORGE (IDUKKI): Thank you. Sir, first of all, I congratulate our elder colleague, Shri Hannan Mollah for coming out with a piece of legislation which, as all other respected colleagues who spoke before me said, has been long over-due in this country.

Sir, of late, we have been talking a lot and discussing a lot about issues connected with the agriculture sector. Our agriculture sector is in real crisis for the last several years. I do not know whether Shri Kapil Sibal may object again. I am not saying that the crisis started just because of the new economic policies that have been introduced; there are so many reasons. Maybe, those policies were one of the reasons. Anyway, it was in the year 1991 when we started these new economic policies, which I do agree that we cannot stay away from for a long time. We have to be a part of the world.

Sir, we have been talking of the crisis, but the crisis has reached such a stage that farmers are committing suicides every day. There have been thousands of cases of suicides all over the country, especially in States like Andhra Pradesh, Kerala and Vidarbha. We have been talking about farmers and helping the farmers in the farm sector. There have been many policies. After this new Government came to power, a lot of money through the Budgets has been allocated for the farm sector. Maybe, the results will take a little more time. We do appreciate that. But farmers and farm workers are two sides of the same coin. My party was the first to say in this country that farm workers and farmers go together and they have to go together. They are the two sides of the same coin, but the plight of our farm workers, agricultural workers has been in a state of misery and they are totally unorganised. Maybe excepting Kerala and Tripura, I think no other State probably – maybe I am wrong and I wish I am wrong – has come out so far with a comprehensive Bill to help these hapless sections of our society.

As Shri Hannan Mollah has said, there are 10 crore people working in the farmlands, in the fields and the agricultural land. It is high-time that these people are organised and the benefits, that are available to other working sections in our country, are extended to them. This is the intention of the Bill. I hope that the Government will take a serious note of this and come out with an umbrella legislation so that these rules and regulations will be implemented throughout the country in a uniform manner. The crisis, which I have mentioned earlier, has affected not only the farmers but probably the farming workers most. [\[s81\]](#)

In my own constituency in Kerala, namely, Idukki district -- which is a land of cash crops and spices, and a land of tea and coffee estates -- the workers are in a very bad situation now. The

ordinary farmers are practically getting nothing from their farm land due to very low income. Therefore, they are not doing any kind of work in their farms, and no seasonal work is being carried out now. One has to do seasonal work in the case of cardamom, pepper, and other spices, but the farmers are doing away with these kinds of seasonal works due to lack of proper income from these crops. This is directly affecting the farm workers.

There is no manuring, pruning, application of chemicals, and there are a whole lot of things involved in it. Nothing can be taken up by the farmers due to the crisis in this particular sector, that is, due to the steep fall in prices. This has affected the farm workers the most. Hence, many have migrated, as has been mentioned earlier by my colleagues here. Many of them have migrated to cities and towns seeking job, and thereby again affecting the farm sector.

This particular section does not have any kind of security of employment, which has been mentioned in the Bill. There is no regulation of hours of work, and there is no PF. There is no enforcement of law, that is, the Minimum Wages Act that is already there in the Statute Book. There is no enforcing agency as far as these sections are concerned. The members of the family are also in a state of utter penury due to the very meagre income that they get from it.

They cannot educate their children properly; they cannot attend to the family's healthcare needs, etc. These workers are finding it very difficult to even provide the basic necessities to their family members.

Now, mechanization has come into force. I am not against mechanization because we have to move with the times. We will have to mechanise our farms, but the mechanization has also affected these farm workers in one way or the other.

The hon. Minister for Science and Technology is very much present here in the House. Therefore, I would like to request him that we have to extend the benefits of our research, achievements made by our country in science and technology to the farms and to the fields. This is a must, and we have to ensure it. Up till now, we have not succeeded fully in this aspect. We have done many things. ... (*Interruptions*)

SHRI KAPIL SIBAL : I just want to give you an information. In fact, I have myself looked at this issue, and I have looked at the planning of all the States in India. If you look at any of their plans, then you will find that there is not a single sentence on science and technology in the plans of the State Governments.

Recently, I called the representatives of all the State Governments and I conveyed to them that the Centre is willing to collaborate with them and enter into a partnership with them. It is because each State has a different agricultural strategy, and each State has a different cropping pattern. The North grows wheat, and there is rice in the South and North East, and you also have spices like cardamom, tea, coffee and other cash crops. Therefore, each State has to have a different strategy.

I undertake to partner with each State in Science and Technology, and transfer the benefits of R&D to the agricultural sector. Unfortunately, the State Governments are not extending a helping

hand to us. Therefore, I appeal to you to ask your Chief Ministers to collaborate with us, so that we can give them the benefits of Science and Technology.

Quite frankly, the growth rate in the agricultural sector today is 1.7 per cent. The general growth rate in the last quarter was 9.2 per cent. Hence, the gap between the rich and the poor is increasing. We have to be very careful about the agricultural sector because 700 million people are involved with it.

I would request you to come to us for the kind of help that you are talking about in this House.

MR. CHAIRMAN: Mr. George, he has clarified your points. Hence, you can conclude your speech now.^[R82]

SHRI K. FRANCIS GEORGE : I will take just a minute, Sir.

As has been pointed out by hon. Sibalji, I would request him to call a special meeting of all the Agriculture Ministers or even the Chief Ministers of all the States.

SHRI KAPIL SIBAL: I have called a meeting of the Agriculture Ministers.

SHRI K. FRANCIS GEORGE : Or else, we can approach them during the National Development Council meeting.

Sir, as has been pointed out by the hon. Minister, our aim is to have a growth rate of nine per cent and we have earmarked four per cent for the agriculture sector. If we have to reach that target, an all-out effort from all sections has to be made.

I would request the Government to take a proper view of what we should do about this particular sector. We should have a proper assessment, a survey conducted about the state of affairs of the agricultural workers in the country in all the States. We should verify the welfare measures that are being implemented in all the States and come out with an umbrella legislation which will be applicable throughout the country. I once again congratulate my elder colleague Shri Hannan Mollah and also the hon. Ministers who are very much present and very actively participating and encouraging us in all these discussions.

With these words I conclude.

DR. SEBASTIAN PAUL (ERNAKULAM): Sir, Yesterday, we discussed at length about the labourers in the unorganized sector. Today, we are discussing the Agricultural Workers Welfare Bill; introduced by Comrade Hanan Mullah.

The Bill is to ensure the welfare of the agricultural labourers and to draw the attention of the Government to legislate along these lines. We know, that eventually this Bill will be withdrawn, but

I hope, the valuable suggestions made during the course of discussion will be included in a government-sponsored legislation.

Moving this Bill, Comrade Hanan Mullah spoke about Kerala and Tripura. In 1957, when the Communist Party came to power in Kerala, they first thanked the agricultural labourers who had voted for them not by words, but by deeds. They stopped the forcible eviction of landless agricultural labourers and guaranteed job security to them and also introduced pension and other welfare measures for the labourers.

Kerala became a role model for the rest of the country. The Central Government too should legislate on the same lines, and the other states too should follow suit. As we know the entire agricultural sector is facing a crisis in the age of globalization. The farmers and agricultural labourers are both facing a very difficult situation. India, had undergone a major green revolution. But today in the age of globalization, unless we redress the problems in the agricultural sector, it will affect the entire economy.

Wayanad and Vidharbha are living examples of this crisis that has affected the agricultural sector. When we demand the welfare of the agricultural labourers it also includes the welfare of the workers in the unorganized sector and the deprived classes at large. We have to ensure means of livelihood for this section to bring about social justice.

*English translation of the speech originally delivered in Malayalam.

So, the twin objectives of social justice and economic prosperity can be achieved by solving the problems afflicting the farmers and agricultural labourers. The discussions that followed Shri Henna Mullah's speech contained suggestions and guidelines to tackle the crisis.

I hope the Government will include the suggestion and go for a more inclusive legislation. Following the examples of Kerala and Tripura the Central Government and other State Governments should legislate the Agricultural Welfare Bill.

With this hope I conclude.

[MSOffice83][MSOffice84][MSOffice85]

श्री मित्रसेन यादव (फ़ैजाबाद) :सभापति महोदय, मैं आपका आभारी हूँ कि आपने मुझे इसविधेयक पर बोलने का समय दिया। सदन के विद्वान माननीय सदस्य, कामरेड हन्नान मोल्लाह ने जो विधेयक सदन में प्रस्तुत किया है, उसके लिए मैं उन्हें धन्यवाद देना चाहता हूँ। उन्होंने मजदूरों के कल्याण के बारे में एक विधेयक पेश किया है। इस विधेयक के जरिये माननीय सदस्य ने यह चाहा है कि देश की खेतों में जो काम करने वाले मजदूर हैं, उनके काम की गारंटी हो, मजदूरी की गारंटी हो, उनकी शिक्षा, स्वास्थ्य और मनुय जीवन की जो तमाम आवश्यकताएं हैं, उनकी गारंटी हो, यह काम हमारे देश में आज तक 15 करोड़ मजदूरों के हित में नहीं किया गया है। इस संबंध में माननीय सदस्य, श्री चंद्रप्पन जी ने कई तर्क और पुराने स्वर्गीय महान नेताओं के संकल्पों का भी जिक्र किया और कई जगहों के महत्वपूर्ण उदाहरण भी दिये।

महोदय, माननीय मंत्री, श्री कपिल सिब्बल जी चले गये हैं, मैं उनसे पूछना चाहता था कि यह वही देश है जिसमें हवाई जहाज पर उड़ने वाले चाहे कोई लोग हों, यदि वे लोग हवाई जहाज के एक्सीडेंट्स में मरते हैं तो उन्हें दस लाख रुपये मिलते हैं और खेतों में काम करने वाला मजदूर यदि मर जाता है तो उसे दस हजार रुपये भी नहीं मिलते हैं। यह कानून किसने बनाया है? यह कानून बना है या नहीं। बड़े आदमियों के लिए इस देश में बहुत अच्छे कानून बने हैं। लेकिन गरीब लोगों के लिए, अमीरों को और अमीर बनाने वाले लोगों के लिए कोई कानून नहीं है। बड़े-बड़े तमाम तरीके के तर्कों और तमाम तरीके के कानूनों के आदर्श सिद्धांत यहां पढ़े जाते हैं। हिन्दुस्तान में सिद्धांतों की कमी नहीं है। यह देश गीता, रामायण, वेद, कुरान, पुराण से भरा हुआ देश है। यदि उन पर अमल होता तो ये सामाजिक और आर्थिक विसंगतियां नहीं होतीं। इस देश में यदि कोई चाहे कि गरीबों के लिए शांति से कानून बन जाए तो अबकी बार हमारे वामपंथी साथी केन्द्र सरकार के साथ हैं। इस बार यही सबूत हो जायेगा कि गरीबों के लिए कितने कानून बनते हैं।... (व्यवधान) आपको यह कहना चाहिए कि माननीय मंत्री जी कल से हम लोग आपका साथ नहीं देंगे। जब तक आप ऐसा कदम नहीं उठायेंगे, तब तक मिनिमम कॉमन मिनिमम प्रोग्राम लागू नहीं हो पायेगा। श्री हन्नान मोल्लाह जी जो विधेयक लाये हैं, मैं उसका भरपूर समर्थन करता हूँ। लेकिन देश के लिए कमाने वाले मेहनतकश मजदूरों के लिए, जिनके द्वारा खेतों में की गई मेहनत की बदौलत आज हिन्दुस्तान की आमदनी और हिन्दुस्तान की करोड़ों लोगों की जिंदगी निर्भर है।

MR. CHAIRMAN : The time allotted for this discussion is over. I have a long list of speakers on this Bill. If the House agrees, time for discussion may be extended by one hour.

SEVERAL HON. MEMBERS: Yes, Sir.

MR. CHAIRMAN: The time for discussing this Bill is extended by one hour, but may not be today.

'Zero Hour' would be taken up after 6 p.m.

श्री मित्रसेन यादव :हमने देखा है कि जो गांवों के खेतिहर मजदूर हैं, वे भागकर मुम्बई, कोलकाता, नवसारी, भड़ौंच, अहमदाबाद आदि शहरों में जाते हैं[MSOffice86]। मशीनों के चक्के चलाते हैं, लाखों मीटर कपड़ा तैयार करते हैं, एक-एक मीटर कपड़ा पांच सौ रुपया का होता है। लेकिन जो लोग पांच सौ रुपये मीटर के हजारों रुपये के कपड़े तैयार करते हैं, गांवों में उनके बच्चे जाड़े के दिनों में आज आम की पत्तियों का अलाव लगाकर हाथ सेंकते हैं और उनकी पत्नी और उनके बच्चों को पहनने के लिए कपड़ा नहीं मिलता है। जाड़े में उनको रजाई नहीं मिलती। मुम्बई में हमने देखा है कि जो बीसों मंजिली कोठियां बनाते हैं और मशीनों पर चढ़कर चिड़ियां की तरह जाते हैं और गिरते हैं तो उनकी हड्डी, पसली नहीं मिलती और उनके घर पर कोई सूचना देने वाला नहीं होता। जब ये कोठियां बनकर तैयार हो जाती हैं तो अटैची में गड्डी में नोट रखने वाले लोग जाकर कोठियों में रहते

हैं, गरीब आदमी नाले के किनारे पोलीथिन का टट्टर डालकर रहता है जहां उसे मच्छर काटते हैं। कोठियां बनाने वाले पोलीथिन के टट्टर में रहते हैं जहां उनको मच्छर काटते हैं और जो हाथ से मिट्टी नहीं छूते हैं, वे कोठियों में रहते हैं।... (व्यवधान)

मैं खासकर अपने वामपंथी साथियों से निवेदन करूंगा कि हम भरपूर उनका साथ देंगे लेकिन आप जिस विषय के दावेदार हैं जिसके लिए आप वामपंथी पार्टियां हिन्दुस्तान में नहीं पूरी दुनिया में मजदूरों की पार्टियां मानकर उनके लिए कहा जाता है कि यह पार्टी मजदूरों की भलाई के लिए लड़ती है, आज हिन्दुस्तान में जिस प्रकार से मजदूरों की दुर्गति हो रही है, उस लड़ाई को आप मजबूती से लड़कर इस सांझा सरकार को आप मजबूर करिए कि ये मजदूरों के हितों में कोई ऐसा कानून बनाए जो मजदूरों के हितों में हो। जो विधेयक माननीय हन्नाह मोल्लाह जी लाए हैं, उसका कारगर फैसला आने वाले दिनों में माननीय मंत्री जी को करना पड़े, ये इस समय आपके हाथ में है। सूरज इधर निकलेगा या उधर निकलेगा, इसका इन्तजार आप नहीं करिए। अगर यह इन्तजार करिए कि जो सजा इनको मिलेगी, वही सजा आपको मिलेगी। इससे बचने के लिए आप इस सरकार को मजबूर करिए कि गरीबों के हितों में कानून बनाए। आपने मुझे बोलने के लिए समय दिया, इसके लिए मैं आपको धन्यवाद देता हूँ और अपनी बात समाप्त करता हूँ।

DR. R. SENTHIL (DHARMAPURI): Thank you, Mr. Chairman, Sir, for giving me this opportunity to speak. I congratulate Shri Hannan Mollah for raising this very important issue for discussion. This Bill has got many important things which have to be welcomed. He has made a very genuine attempt to develop a social security system for the farmers of this country who have been neglected. He has developed a system whereby the farmers of this country will be ensured a fixed time of work, will have some facility like guarantee in job and will have some guarantee of minimum wages. With these three objectives, he has developed this Bill. I appreciate him for the genuine attempt.

There are a few concerns which I would like to raise. Basically, for overseeing or for ensuring that this is implemented, he has suggested developing an agricultural tribunal which will be actually headed by officers and ultimately, the head being the District Collector. I have full regards for the Executives of this country. But we must develop a system whereby we do not depend entirely on our officers or the District Collector for implementation of programmes. I realize that we are putting more and more pressure on the District Collector and almost making him the king of the district. He is vested with implementation and supervision of activities in the district; I do not know how far this will go.

If you want the administration to be scientific, you must develop such a system which can take care of that better. For example, he is the authority for health of that district; he is the authority for implementing justice in the district; he is the authority for overseeing the police activity in the district. How can one single person be vested with all these activities? We must develop a system where the administration will be very scientific. With respect to giving the responsibility of overseeing the activity of it to the officers, I would suggest that we should give the responsibility to the panchayats. [\[MSOffice87\]](#)

18.00 hrs

That would increase the power of the panchayats and thus implementation would be better.

Secondly, in a suggestion regarding security of employment in Chapter 3, he has suggested, "Notwithstanding anything contained in the provisions of this section, no land owner shall be under

an obligation to employ an agricultural worker who is more than 60 years of age.” He has given the retirement age of 60 years for a farm worker. I would disagree on this point for a simple reason that agriculture worker can be employed for any age. My father was 76 years of age and he was still working when he died. He opened a farm and could work up to that age. Only the extent to which a person can work varies. So, I do not think that we should fix a retirement age for the agricultural worker.

Similarly in Chapter 4, section 17, he has mentioned, “Same as otherwise expressly provided in this Act, no agricultural worker shall be required to work for more than eight hours in any day and no adolescent or child for more than six hours in a day”. Like in any other employment, I think an adolescent or a child must not be employed even in agriculture. By making child labour legal, even in agriculture, I think we are making something wrong. I believe, we should make sure that children are not employed even for agricultural activities and they must go to schools. These are some of the suggestions on the Bill.

Largely, what they are trying to do is give more income for the agricultural community through agricultural employment. If you look at it, 60 per cent of our population is dependent on agricultural income. What is happening to the agricultural income? Take the example of Tamil Nadu. From 25 per cent of the Gross State Domestic Product in 1991 it has come to 13.3 per cent in 2001. With this scenario of decreasing income in agriculture and large number of population depending on agriculture income, this proportion of contribution of agriculture to GDP is going to decline further. With this scenario, we are looking at a situation where so many people are dependent on so small income. I do not see a situation where the agriculture income is going to increase. I think the Government should plan to bring more and more people from the agricultural activity and give them alternate employment; educate, empower and train them for skilled work, increase their bargaining power and shift them to some other employment.

Finally, there was a discussion over China model, etc. China is a good model. It has shown to the world how it can increase its income and do social justice simultaneously. China had an infrastructure that can be upgraded with more income. We do not have infrastructure that can be upgraded. So, I congratulate the hon. Member for attempting to develop infrastructure and social security system that can be developed with more and more income coming to the country.

With these few words, I once again thank the mover of the Bill and the Chairman.

MR. CHAIRMAN : Shri T.K. Hamza can speak for one minute and then continue next time.

SHRI T.K. HAMZA (MANJERI): First of all, I thank you for giving this opportunity to speak a few words on the Agricultural Workers Welfare Bill, 2005, introduced by Shri Hannan Mollah.

The agricultural workers are included in the unorganized sector. Like the other workers in the unorganized sector, agricultural workers are also not able to pursue their common interest due to constraints, like the casual nature of employment, invariably absence of definite employer-employee relationship, ignorance and illiteracy.

MR. CHAIRMAN: You can continue your speech next time.