

are aware of the latest systems and practices adopted there and it would enable them to update their professional services.

MR. SPEAKER : Mr. Minister, please understand the question.

Shri Naik, please put your second supplementary.

SHRI RAVI SITARAM NAIK : Sir, with the rising number of AIDS victims, what steps the Government proposes to take in order to spread an awareness programme in the rural areas.

MR. SPEAKER : Shri Naik, you have to put a pointed supplementary, not a lengthy supplementary.

SHRI RAVI SITARAM NAIK : Sir, I have put a pointed supplementary only. I would like to know, with the rising number of AIDS victims, what steps does the Government propose to take in order to spread an awareness programme in the rural areas?

MR. SPEAKER : He has already answered that question.

SHRI RAVI SITARAM NAIK : Sir, I would like to know from the hon. Minister the number of AIDS cases in the State of Goa.

MR. SPEAKER : Mr. Minister, this is a very specific question with regard to the State of Goa. How many AIDS victims are there in the State of Goa?

SHRI DALIT EZHILMALAI : Sir, we have the total number of cases. We do not have the State-wise break-up.

MR. SPEAKER : How many AIDS cases have been detected in the State of Goa?

SHRI DALIT EZHILMALAI : Sir, we do not have the State-wise break-up. But we will provide it to him.

SHRI K.C. KONDAIAH : Sir, I think, the hon. Minister has not understood our question at all. I asked a very specific question. The question is whether the attention of the Government has been drawn to the news item captioned, "Cross spent on spreading AIDS awareness, not a penny on victims". As per the reply of the Minister it has been stated that Rs. 175 crore has been spent in a period of three years towards awareness programmes. I would like to know from the hon. Minister whether the Government has spent any specific amount or whether they have reserved any amount for the AIDS victims.

SHRI DALIT EZHILMALAI : We have noted the news item. In order to provide relief and treatment to the victims,

we have selected doctors and they are being sent abroad for training.

SHRI K.C. KONDAIAH : My specific question is whether any amount has been demarcated for treatment of AIDS patients and for rehabilitation of their families.

SHRI DALIT EZHILMALAI : Sir, if the hon. Member wishes to know the actual amount that is being spent on treatment etc., the information would be furnished to him.

[Translation]

SHRI VIJAY GOEL : Mr. Speaker Sir, I want to know from the Hon'ble Minister the basis on which grants have been allocated in the given statement of state-wise grants released and expenditure reported? Is it based on the size of the state or the number of AIDS cases reported from the states? Mr. Speaker, Sir, you may notice that Kerala with five Zonal Board Testing Centres has been allocated Rs. 172 lakh where as Delhi with 10 centres have been allocated only Rs. 164 lakh as grant. I would like to know the basis of this discrimination - is it based on the number of cases or the size of the state?

SHRI CHANDRASHEKHAR SAHU : Union Territories have reported more cases of AIDS.

SHRI VIJAY GOEL : Mr. Speaker, Sir, my second submission is, will the Minister be pleased to give the break-up of the amounts spent on preventive measures and for providing facilities in the hospitals for the treatment of AIDS patients?

[English]

SHRI DALIT EZHILMALAI : The amounts of grant are based on the number of AIDS patients and prevalence of the disease. It is not based on the size of the State.

#### Review of Labour Law

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\*84 SHRI RAMTAHAL CHAUDHARY :

SHRI MOHAMMAD ALI ASHRAF FATMI :

Will the Minister of LABOUR be pleased to state :

(a) the various aspects of labour problems in the country;

(b) whether the Government propose to appoint a Review Commission to look into the labour laws keeping in view the impact of liberalisation; and

(c) If so, the details thereof ?

[Translation]

THE MINISTER OF LABOUR (DR. SATYANARAYAN JATIYA) : (a) to (c) A statement is laid on the table of the Lok Sabha.

#### Statement

(a) to (c) A number of labour laws have been enacted from time to time to address various aspects of labour problems which assumed importance and attracted pointed attention at a particular point of time. These encompass a vast span of subjects which include Freedom of Association and Trade Unions Rights, conditions of work, Minimum wages, Social security, Labour relations, migrant workers, employment of children, etc. While many of these issues are of continued nature, some of these may have ceased to be of importance.

The process of liberalisation and structural adjustment was set in motion in 1991. This was followed by changes in the fiscal policies, trade policies, foreign and investment policies, etc. The changes in the economic and trade policies have not been followed with suitable and appropriate modifications in labour laws. Accordingly, it is felt that there is need to review comprehensively the labour laws so as to ensure both consistency of labour laws with the general changes taking place in the economic policy and also to provide for greater welfare of the working class. In this context, the Government is considering to set up a high powered body on Labour to go into this entire question, details of which are being worked out.

SHRI RAM TAHAL CHAUDHARY : Mr. Speaker, Sir, the labourers in our country are facing several problems and a number of laws have been enacted to solve their problems. However, the officials responsible for enforcing the laws are unable to enforce them properly. The labourers are still not getting the due minimum wages. Whether it is the question of availing leave or medical facility or any other benefits, these are being denied to them. This tendency is widespread both in the Government and the private factories. It becomes all the more agonising when the large scale Government establishments such as H.E.C.L. and SAIL in Bihar employ supply labourers who are retired after 25-30 years of service and still are not given any benefits. If the Government establishments treat workers in such a manner, the private factory-owners will definitely exploit them. Hence my question is as to what action is proposed to be taken by the Government to provide the labourers their due and prevent their exploitation?

DR. SATYANARAYAN JATIYA : Mr. Speaker, Sir, the Hon'ble Member has expressed his concern about the minimum wages. The Central Government have given very

clear directives regarding the minimum wages. However, the enforcement of the same has to be ensured by the various State Governments. Central Government and the Union Ministry have given the directives and suggested Rs. 35 as the minimum wages, however the State Government enforced it fixing the wages at lower and at places even upper levels than the suggested rate. At places, the figures definitely cause concern. I have got information pertaining to all the states. If Hon'ble Member wishes to have any information regarding any particular state; it will be furnished to him. The directives given by the Union Government clearly peg the minimum wages at thirty five rupees. Some States have doled out even more, for example, the Government of Haryana has taken a notable step by linking it with the Dearness Allowance, whereas some states were not being able to ensure grant of even the minimum wages. A conference was recently held in the western region wherein the delegates of those states had raised this point and admitted to it. They also expressed concern over it.

The second area of concern pertains to the contract labour. As you have stated regarding the contract labourers, definitely they should not be employed in work of regular nature. Such directives have also been issued. If the Hon'ble Member has any specific question in his mind in this regard, he may put it and I shall try my best to answer it.

SHRI RAM TAHAL CHAUDHARY : It is a matter of regret that the minimum wages have been pegged at Rs.35 by the Union Government whereas Bihar has fixed Rs. 40 as the minimum wages. This is the anomaly. The Union Government should have given more whereas it is giving less. You may get an enquiry conducted in this regard in the H.E.C.L. and S.A.I.L. factories located at Ranchi and also in the private factories.

MR. SPEAKER : Please put your question.

SHRI RAM TAHAL CHAUDHARY : I am going to put my question. Hon'ble Minister of Labour proposes to set up a high level Committee and it is evident in his reply. By when this committee is proposed to be set up so as to solve the problems of labourers?

DR. SATYANARAYAN JATIYA : The minimum wages in Bihar are Rs. 27.30 and maximum wages are Rs. 39.70. The establishments under the control of Union Government pay Rs. 39.51 as minimum wages and Rs. 71.04 as maximum wages. As regards amendment in the labour laws, the Ministry shares the hon'ble member's concern and discussions are being held in this regard. There is every likelihood of making an announcement in this regard very shortly, rather in the current year itself.

PROF. RITA VERMA : No one else would have the time to speak today.

SHRI BASU DEB ACHARIA : Mr. Speaker, Sir, amendment should be made in the labour laws. Section 20 of the Contract Labour Abolition and Regulation Act is violated very often. It provides for payment of same wages for same work to the contract labour as is paid to the regular worker. However the Central Government undertakings and establishments are not implementing that Section. A number of sections under this Act are flouted. We would like to know as to whether the Government has any such proposal through which an amendment can be made in the Contract Labour Abolition and Regulation Act? The amendment should be of such nature that it is not violated and in case of violation, stringent measures are taken against the offenders and a provision of strict punishment may be made. Whether the Government have any such proposal or are likely to introduce it?

DR. SATYANARAYAN JATIYA : The concern expressed by Shri Acharia in his query regarding the Contract Labour, has a very wide scope. Definitely, a contract labourer is not expected to handle the work of a regular labourer. However such a practice is resorted to in the lure of earning high profits and thus different wages are paid to the labourers doing work. Such a practice has not been accepted in principle and I agree with the suggestion put forth by the Hon'ble Member regarding making an amendment in such laws, implementing them properly, updating them and preventing the exploitation of the labourers. Keeping this end in mind, whatever amendment are required, will be made.

[English]

SHRIMATI GEETA MUKHERJEE (Panskura) : Mr. Speaker, Sir, I would like to know from the hon. Minister, the attitude of this Government towards the comprehensive Bill for the welfare of agricultural labourers which was being discussed during the previous Government's time. Is this Government agreeable to have that Bill passed or not?

[Translation]

DR. SATYANARAYAN JATIYA : Shrimati Geeta Mukherjee has put her question and her concern expressed therein is quite genuine because a number of laws have been enacted for the labour force. But of all the laws enacted in our country, more than half have been formulated for the organised sector. Hence it is expected that similar laws should be enacted for labour working in unorganised sector. Last time, a committee comprising of Ministers was set up which upheld that consultations are required to be made regarding the agricultural labourers working in unorganised sector and a law should be enacted

In this regard. It has been our intention to ensure the welfare of the labour force. I agree that a provision should be made for the benefit of labour employed in the unorganised sector so that they may get proper minimum wages. Discussions are continuing with the labour unions in this regard and the Government agrees with the need to introduce such a law soon.

SHRI TARACHAND SAHU : Sir, I represent the area where the Bhilai Steel Plant, the biggest such plant in Asia is located. The condition of labour force in my area is pitiable. The large scale public sector units such as HSCL and DRP are not able to pay the wages and no money is being paid in the Provident Fund Accounts of the labourers either. I would like to know from the Hon'ble Minister as to whether the Government is aware of it? If not, what steps does the Government propose to take in this regard?

DR. SATYANARAYAN JATIYA : Sir, the issue of payment of wages in an enterprise or undertaking is related to the Ministry of Industry. As for the provident fund issue, it is correct that money should be deposited in the Provident Fund Account and if any undertaking defaults in this regard, action will be taken against it.

PROF. RITA VERMA : Mr. Speaker, Sir, I would like to say to the Hon'ble Minister that the sooner a commission is set up to review the present labour laws, the better it would be. Apart from this, there are several such standing orders which are followed in several enterprises. For example, there is a standing order in the BCCL, wherein under the section 28, any labourer can be dismissed at any time without assigning any reason. It is apparent that in such an event, people will go to court, suits will be filed and the precious time and money of the Government will be wasted. Hence I suggest that a commission should be set up to review it so that such anomalies, anti labour laws and standing orders may be removed.

Similarly, contract labourers are being subjected to exploitation and injustice in the public sector undertakings right under your control. These labourers have been working for 25-30 years I would like to ask Hon'ble Minister as to by when a commission will be set up in this regard. I am aware that Hon'ble Minister is very kind and is a soft hearted poet. Hence you should appoint people of similar thinking and ideology in this commission who may submit a time bound report. Whether the Hon'ble Minister will give an assurance to the House in this regard?

DR. SATYANARAYAN JATIYA : Sir, the point raised by Mrs. Rita Verma is definitely a matter of concern for all of us. The Government intends to make amendments in the labour laws which are not relevant. As for the issue

of standing orders on the basis of which the labourers are being exploited, I would like to submit that the standing orders are not above the law. However, if labour laws are being overlooked and standing orders are followed instead and such a thing comes to the notice of the Government, action will be taken. Apart from this, the suggestion of constituting a commission has a wider ambit. It is in the interest of the labour force that labourers are may not exploited and this suggestion is under consideration in the Ministry.

**SHRI RAMDAS ATHAWALE :** Mr. Speaker, Sir, the Committee has made certain recommendations and has given suggestions in this regard. I would like to ask the Hon'ble Minister as to what are the recommendations made by the Committee regarding abolishing the contract labour system. What steps does the Government propose to take to protect the labourers? Whether the Government intend to take any action to abolish the contract labour system or not? If it is going to take any action, the time by which it is likely to take and if not, the reasons therefor?

**DR. SATYANARAYAN JATIYA :** The concern expressed regarding problems relating to contract labour system is genuine and this issue is under the consideration of the Government. An announcement is likely to be made in this regard very shortly.

**SHRI CHANDRAMANI TRIPATHI :** Mr. Speaker, Sir, the Minimum Wages Act is being violated in Madhya Pradesh. Along with the contract labourers, the daily wagers working in the Government Departments are also drawing less amount than the stipulated minimum wages. I would like to know from Hon'ble Minister as to whether the Government is aware of it? If so, what action does the Government propose to take in this regard?

**DR. SATYANARAYAN JATIYA :** Sir, the minimum wages stipulated in Madhya Pradesh is Rs. 26.46 and maximum is Rs. 55.19. Hon'ble Member has spoken of the violation of Minimum Wages Act in Madhya Pradesh. I do not have the information as to how much dearness allowance should be added to Rs. 26.46 but over all the minimum wages should not be less than Rs. 35.

**SHRI CHANDRAMANI TRIPATHI :** Will you look into it?

**DR. SATYANARAYAN JATIYA :** It will be looked into and if the wages are found to be less than the required minimum wages, the State Government will be asked to rectify it.

## WRITTEN ANSWERS TO QUESTIONS

(English)

### Militancy in J & K

85. **SHRI SATYA PAL JAIN :**  
**SHRI MADHAVRAO SCINDIA :**

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Government are aware of the recent massacre by the militants in Udhampur district of Jammu and Kashmir;

(b) if so, the number of persons killed by the militants in the State of Jammu and Kashmir since the beginning of 1998;

(c) whether the Government have found any evidence of the involvement of any of our neighbouring countries in encouraging the militancy in J & K; and

(d) if so, the efforts made by the Government to bring normalcy in J & K?

**THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI) :** (a) Yes, Sir. A Group of armed militants killed 26 persons in the night of April 17/18, 1998 at Parankot and Dhakikot villages in Udhampur district.

(b) The number of persons killed by militants in 1998 (upto 30.4.98) is as below :

Civilian	Security Force
248	62

(c) It is a well known fact that Pakistan is sponsoring, aiding and abetting militancy in J & K. Interrogation reports of a number of militants arrested by Security Forces and diaries/documents etc. recovered from them have confirmed this fact.

(d) The steps taken by the Government to tackle militancy in J & K include sustained anti-terrorist operations by the Police and the Security Forces, including intensive patrolling on the border/LOC and hinterland, establishing pickets in vulnerable areas, strengthening of State Police, strengthening of the intelligence network and coordination of security arrangements among various agencies. Development needs of the State are also receiving urgent attention and the State Government is facilitated in its various efforts to restore normalcy.

### Mahajan Committee on Sugar Industry

\*86. **SHRI V.V. RAGHAVAN :**  
**SHRI R. SAMBASIVA RAO :**

Will the Minister of FOOD AND CONSUMER AFFAIRS be pleased to state :