

SHRI SHANTARAM NAIK (Panaji): Sir, I have no objection to the changing of name. But after changing the name, the result would be that it would mean and imply that for the State of Goa, on High Court has been created as required under Article 214 of the Constitution(Interruptions)... Article 214 of the constitution says that there shall be a High Court for every State.

Secondly, the salaries of the High Court of the Bombay shall be paid by Goa State and also by the Maharashtra State. Salary paying and name not being included is not correct. Thirdly, in Arunachal Pradesh Act, a High Court has been created for seven States and the names of all the seven States have been included in the bracket. It cannot be done here. I have a copy of the Arunachal Pradesh Act. I have no objection for changing the name. But this will mean that within one or two months you will have to create a separate High Court for Goa and I am happy about that. The consequences will be that a separate High Court for Goa will have to be created.

S. BUTA SINGH: I don't think any reply is required. The Hon. Member's wishes have been noted and at a time when we think that the stage has come, we will see.

MR. SPEAKER: The question is:

"That the following amendment made by Rajya Sabha in the Bill to provide for the reorganisation of the Union territory of Goa, Daman and Diu and for matters connected therewith, be taken into consideration:

"Clause 20

That at page 6, lines 43 and 44 for the words "The High Court of Maharashtra and Goa" the words "the High Court of Bombay" be substituted."

The motion was adopted.

(Common High Court for Maharashtra, Goa, Dadra and Nagar Haveli and Daman and Diu.)

Clause 20

MR. SPEAKER: We shall now take up the amendment recommended by the Rajya Sabha: The question is:

"That at page 6, lines 43 and 44 for the words "the High Court of Maharashtra and Goa" the words "the High Court of Bombay" be substituted."

The motion was adopted

S. BUTA SINGH: I beg to move:

"That the amendment made by Rajya Sabha in the Bill be agreed to".

MR. SPEAKER : The question is:

"That the amendment made by Rajya Sabha in the Bill be agreed to".

The motion was adopted.

17.45 hrs.

**LABOUR WELFARE FUND LAWS
(AMENDMENT) BILL**

[English]

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

"That the Bill further to amend the Mica Mines Labour Welfare Fund Act, 1946, the Limestone and Dolomite Mines Labour Welfare Fund Act, 1972, the Iron Ore Mines, Manganese Ore Mines

and Chrome ore Mines Labour Welfare Fund, Act, 1976 and the Beedi Workers Welfare Fund Act, 1976, as passed by Rajya Sabha, be taken into consideration."

We have four welfare funds for the workers at the moment and according to these Acts the Welfare funds which we have for the workers can be spent only for the purposes which have been specified in the Act itself.

Sometime back the Minister for Family Welfare convened the meeting of the representatives of the trade unions and the Labour Ministry and emphasised that in view of the Government policy to control the population the Labour Ministry and the trade union leaders should also do something about it. Accordingly we are coming here to enable us to spend a portion of the money which we have for the purpose of family planning because we have already a number of hospitals and dispensaries which are functioning under the Act and we want to utilise this infrastructure available with us.

The second amendment we are coming forward is regarding the Beedi Workers Welfare Fund Act where we are not able to extend much of welfare activities to Beedi workers because the identification of the Beedi workers is a problem. Last time I Promised to the House that we will make it obligatory for the management to issue identity cards and if they failed to do so then we will provide penal provision. So I have kept this promise and have come with the amendment.

Since it is a Bill in the interest of the workers I would request the House to pass it even without discussion.

MR. SPEAKER: Motion moved:

"That the Bill further to amend the Mica Mines Labour Welfare Fund Act, 1946, the Limestone and

Dolomite Mines Labour Welfare Fund Act, 1972, the Iron Ore Mines, Manganese Ore Mines and Chrome Ore Mines Labour Welfare Fund Act, 1976, and the Beedi Workers Welfare Fund Act, 1976, as passed by Rajya Sabha, be taken into consideration."

[Translation]

* SHRI PURNA CHANDRA MALIK (Durgapur): Mr. Speaker, Sir, the hon. Minister of Labour has brought forward this Bill in this House for the welfare of labour. Although the Bill is small yet its purpose is highly laudable. Prior to this many legislations were enacted to protect the interests of mine workers and factory workers. But in this Bill, matters of family planning, education and job opportunities have also been added. Sir, in our Constitution and in various laws, provisions are there to protect the interests of workers. But it is a matter of regret that, though provided in law, the workers are not actually getting these benefits. The workers working in various mines and in various industrial establishments are not getting even the minimum benefits provided in law. Even to this day proper and adequate housing facilities have not been provided to all workers. Only 15% workers have been provided with housing. No arrangement has been made to provide housing facilities to the remaining workers. All these workers who have not been provided houses, live in filthy and unhealthy slums. There are no facilities for clean drinking water for them. There are no medical facilities for them. On account of living in unhealthy surroundings, all these poor workers suffer from Tuberculosis, stomach ailments and other incurable diseases. Their children do not get any nutritious food. As a result of this a large number of Children die due to malnutrition. The children of these workers do not get any opportunities of education also. In our

* The speech was originally delivered in Bengali

[Sh. Puran Chandra Malik]

country a much larger number of workers and labourers belong to the unorganised sector as compared to those in the organised sector. The condition of all those workers in the unorganised sector is still worse. They are not even paid the minimum wages. There is no provision for bonus, gratuity, pension and provident fund for these unfortunate workers of the unorganised sector. I will request the hon. Minister to enact some legislation whereby these large number of workers in the unorganised sector may also get the above benefits. Sir, in the Bankura district of West Bengal there are a few thousand Bidi workers. There are no doctors or medicines available for their treatment. A few non-Bengali doctors are there who do not understand the problems of these workers as they do not know their language. I will request that proper medical facilities may be provided there and Bengali knowing doctors may be appointed to solve their medical problems.

Sir, as you are well aware, 70 to 80% people of our country live in villages. Most of them are associated with agriculture in some form or other. About 50% of them are agricultural labourers. These are the people who grow the golden grain for us with the sweat of their brow and with their blood and tears and provide us with food. But these unfortunate people no right to this wealth of the country. Even after 40 years of independence most of them do not have any permanent shelter, they do not have facilities of food and clothing, they do not have facilities of education or medical treatment. They are deprived of all these facilities and benefits. They do not get work for more than 100 days in a year. They do not even get the minimum wages. The farmers and agricultural labourers in West Bengal, Tripura and Kerala have been able to realise some of their demands through agitations etc. no doubt, but in most of the other States they are deprived of these benefits.

Therefore, I will urge upon the hon. Minister that if he thinks about the welfare of all these agricultural workers and labourers, then he should bring forth and pass a minimum wage Act on all India basis. On behalf of our party we are raising this demand before the Govt. for a long time. But it is a matter of regret that this Govt. has not acceded to this demand till this day. Moreover, Sir, the labourers and workers in West Bengal, Tripura and Kerala, in spite of getting the benefits of minimum wages, are in a sad plight today on account of the spiralling rise in prices as a result of the wrong policies followed by the Central Govt. Their lives have become miserable and unbearable. Therefore, we have demanded that 14 essential commodities of daily use may be supplied at a uniform price throughout the country through Government retail shops or outlets. If the Government implements these demands, then that will be the real consideration and feeling for the welfare of the workers. I hope that the hon. Minister will take immediate and active steps for implementing them. With that Sir, I thank you and conclude my speech.

[*Translation*]

SHRI DAMODAR PANDEY (Hazaribagh): Mr. Speaker Sir, there appears to be nothing worth opposing in the system proposed to be brought through this Bill in the House. Still there are one or two points towards which I would like to draw the attention of the hon. Minister.

First of all, the amount of cess is so meagre that the Welfare Boards which you have mentioned in this Bill, it will find it difficult to complete the work and discharge the responsibility which you have taken in your hand with that amount. It is not possible to complete that much work which you want to do by this meagre amount of cess. As per the coverage available to-day, you have not been able to provide those facilities

which you have already announced and promised to the labourer. Now you want to provide additional facilities by this amount of cess. I am of the view that unless this cess amount is increased, and till you make provisions of funds for other additional works, it will remain merely a joke and it will serve no purpose. I, therefore, suggest that the amount of cess should be increased so that the work which you want to undertake in the interest of the labourers may be undertaken properly and you may take some action for the welfare of the Bidi Mazdoors and Mine workers.

Secondly, a number of boards have been set up. There are separate boards for mica, dolomite etc. It is sheer waste of money if separate boards are set up and the work is also not done properly which ought to have been done through them. I would like to make a suggestion that instead of setting up separate welfare boards, a single unified welfare board may be set up for all the industries and an arrangement may be made so that those areas such mines, minerals, and the people working in other areas like the stone breakers, who have not been covered so far, may also be covered, because their condition is very pitiable throughout India. It may do some good for them. Now-a-days a new system has been in practice that in order to get rid of cess, the mine owners say that it is not lime stone, it is soft stone. Similarly other mine owners have changed their names and adopted some other names. All of them have found ways of evading cess. Since the Central Government is fully responsible for it, I suggest that a single welfare board may be set up for all the mine. The amount of cess may be increased so that you could do some welfare work for the mine workers.

[English]

SHRI P.A. SANGMA: Mr. Speaker, Sir, both the Hon. Members have supported the Bill and I take it that the whole House supports it.

The hon. Member on that side mentioned in general about the unorganized sector. We are very much concerned about the plight of the unorganized sector. The House will remember that in the Budget speech, the Prime Minister announced the National Commission on Rural Labour, and we are trying to give all our attention to the unorganized labour, which consists of 90 per cent and we have been talking so much about it, and I do not have to take much of the time of the House.

Shri Pandey mentioned about the cess. I may inform him that from the 1st April, we have raised the cess from 10 paise to 30 paise. We hope to get more money and use that for the welfare of the workers.

MR. SPEAKER: I shall now put the consideration motion to the vote of the House. The question is:

"That the Bill further to amend the Mica Mines Labour Welfare Fund Act, 1946, the Limestone and Dolomite Mines Labour Welfare Fund Act, 1972, the Iron Ore Mines, Manganese Ore Mines and Chrome Ore Mines Labour Welfare Fund Act, 1976 and the Beedi Workers Welfare Fund Act, 1976, as passed by Rajya Sabha, be taken into consideration.

The motion was adopted.

MR. SPEAKER: Now, we will take up clause by clause consideration of the Bill.

The question is:

The Clauses 2 to 7 stand part of the Bill".

The motion was adopted.

Clauses 2 to 7 were added to the Bill

Clause 1, Enacting Formula and the Title were added to the Bill.

SHRI P.A. SANGMA: I beg to move:

"That the Bill be passed".

MR. SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted.

MR. SPEAKER: Today is the last day of the present session.

SHRI G.M. BANATWALLA (Ponnani): Just one sentence on a matter of propriety. I feel you are going to talk about the adjournment. In that case, I would submit that it has been the convention of this House that when we are about to adjourn sine die, the Prime Minister and the Leader of the Opposition are here, but I find that nobody is giving that much respect to the House.

I am treating everybody equally. I am saying this not only about the Prime Minister but also about the important leaders of the Opposition.

MR. SPEAKER: There is no such convention.

SHRI G.M. BANATWALLA : Should you not pass a remark in the interest of healthy conventions? Just pass a remark and then proceed.

[Translation]

SHRI BALKAVI BAIRAGI (Mandsaur): Mr. Speaker, Sir, before you say

something to us, if you kindly permit me, I shall say only four lines.

MR. SPEAKER; No I do not, say anything now. I have become speechless. I would not say anything.

SHRI BALKAVI BAIRAGI: I wanted to say only this much...

SHRI G.M. BANATWALLA: What did you say for me, Sir?

MR. SPEAKER: Saheb, there is no such convention. It would have been a good thing had there been any such convention. Otherwise, it is upto them. They have to look after their own interest. There is no such thing for which I am required to say anything.

[English]

It has not been like that.

[Translation]

SHRI BALKAVI BAIRAGI: I am presenting it to you on behalf of all the Members:

"Bijaliyan Bison Girlin, daman Me Hamne jhel Lin,

Bajiyan Usne Bichchain, Hans Ke Hamne Khel Lin,
Jo Hua Behtar Hua, Aab Aur Bhi Behtar Rahe,

Karvan Badhata Rahe, aur Aap Hi rahbar Rahen."

[English]

MR. SPEAKER: Thank you very much. The House stands adjourned *Sine die*.

18.00 hrs.

The Lok Sabha adjourned sine die.