

[English]

(vii) Taking over of management of the Gandhigram Institute of Rural Health and Family Welfare Ambathurai District, Tamil Nadu.

SHRI P. KOLANDAIVELU (Gobichettipalayam) : The Gandhigram Institute of Rural Health and Family Welfare, Ambathurai, Anna District, Tamil Nadu is functioning as one of the Central Training Institutes for South India under Government of India's 100 per cent grant in aid including M.C.P.F.

At present, this nationally important and internationally reputed Institution is in a bad condition due to mismanagement.

It is understood that the Government have obtained legal opinion on the improper/illegal conversion of the Institute into a trust. Consequently, the Government of India sought the opinion of the Director of the Institute on taking over the Institute by the Government. All moveable and immoveable assets of the Institute are made out of the public money and there is no private contribution of any kind in the endeavour of the Institute since its inception. There are no rules and regulations for the Institute and no job security for the staff. Keeping in view the present condition of the Institute and the interests of hundreds of its staff members, I urge the Government of India to take over this important public institution and run it as a National Institute. I strongly plead that the Government should take over immediately the Institute not only to save it, but also for its growth and development in the national interest.

MR. DEPUTY-SPEAKER : We adjourn for Lunch now and re-assemble at 2 P.M.

13.03 hours.

*The Lok Sabha then adjourned for Lunch till Fourteen of the Clock.*

*The Lok Sabha reassembled after lunch at six minutes past Fourteen of the Clock.*

[MR. DEPUTY SPEAKER  
in the Chair]

DOCK WORKERS (SAFETY, HEALTH AND WELFARE) BILL—CONTD.

[English]

MR. DEPUTY SPEAKER : We take up Item No. 12. Shri Mool Chand Daga will now speak. How much time do you want ? There would not be any dock at all in Rajasthan ! You need not worry !

[Translation]

SHRI MOOL CHAND DAGA (Pali) : Mr. Deputy Speaker, Sir, ever since our Labour Minister took over the charge of the Ministry, introduction of new Bills has become a daily feature. I thank him for it. He has felt the need of doing some good work. But I would like to say one thing. The heading of the present Bill is Dock Workers (Safety, Health and Welfare) Bill and the object of this Bill is to ensure safety, health and welfare of the dock workers. But there is nothing in it in this regard. It does not spell out anywhere the measures that are proposed to be taken in this regard. There is no doubt that the words 'Safety, health and welfare' have been written in it. But will any hon. Member enlighten me in which clause it has been said that such and such measures will be taken to ensure their safety, health and welfare ? Tell me any such clause.

Giving the reasons therefor you have said that that would be as prescribed. You have introduced the main Bill which does not contain all these things. If all these things have been left to the discretion of the bureaucrats or executives, then what is the purpose of bringing this Bill ? It has been stated in this Bill that all these things will be framed by the executive or the subordinate bodies under rules and regulations.

I, therefore, object to this practice being followed in Parliament. It is totally a wrong practice. It should be done away with. We will never tolerate that the

powers of Parliament may be delegated to these people who may take decisions in each and every matter. They have no right to take away the powers of Parliament. Only the procedural matters should be left to the bureaucrats.

[English]

This is 'Parliamentary Control over Delegated Legislation' by Mr. Sheshadri, where he says :

"The habit of Parliament is gradually towards the delegation of powers to government departments. The real legislation is not found in the statute books alone but found in 'Rules' and 'Orders' by some government departments under the authority of the State itself. Sir H. H Cozens Hardy regarded such delegation as a very bad system and one attended by very great danger since 'administrative action generally meant something done by a man whose name is scarcely known, sitting at a desk in a Government office..."

[Translation]

It will be telecast on T.V. today that Mr. Anjiah has got this Bill passed.

[English]

We know Mr. Anjiah very well. But we do not know who is his Secretary and who are his officers who will frame the rules. The Minister has to attend to so many duties and he has no time for this.

(Interruptions)

This is another book on Delegated Legislation. I want to draw the attention of the House to a Supreme Court judgment.

"When under Article 143 of the Constitution, the President of the Indian Union referred, in 1951, to the Supreme Court a case, In Re-Delhi Laws Act, 1912, the result of it, as opined by the majority of the Constitution Bench of the Supreme Court was

*that though wide powers of legislation could not be permitted..."*

MR. DEPUTY-SPEAKER ; What do you want to say ?

SHRI MOOL CHAND DAGA : We must lay down the policy and principles. We can only leave the procedural method to them, to the Executive. I have no objection there. But I have objection if we do not lay down the principles...

MR. DEPUTY-SPEAKER : Please be brief.

SHRI MOOL CHAND DAGA : I was reading out the Supreme Court judgment :

"...as opined by the majority of the Constitution Bench of the Supreme Court was that though wide powers of legislation could not be permitted, the Executive Department could validly exercise delegated powers if the Legislature had laid down the policy and fixed the standards for guidance, because then the further function that remained with the Department would only be to elaborate the details."

We must lay down the policy. This is what I want to say.

Now I will come to clauses, I will not go into details.

[Translation]

I shall not take much time because you want to complete each item in time. We are grateful to you. You are a very efficient Deputy Speaker. You keep sitting in the House and give adequate time. Please give adequate time for this also.

First thing towards which I would like to draw your attention is :

[English]

"Any person aggrieved by an order..."

"The appropriate Government may constitute an Advisory Committee to advise upon such

matters arising out of the administration of this Act and the regulations as that Government may refer to it for advice”.

Now, who will be the Members of this Advisory Committee? What are the qualifications of those Members? It is not known.

“The members of the Advisory Committee shall be appointed by the appropriate Government and shall be of such number and chosen in such manner as may be prescribed by rules made under this Act”.

Who will be the members? Whether they will be experts, technicians, labour leaders, Who will be the workers?

[Translation]

And what will be their qualifications? You will have to lay it down in the Act. It is a very important question. Now I come to clause 8.

[English]

Clause 8 says :

“Any person aggrieved by an order under section 5 may, within fifteen days from the date on which the order is communicated to him...”

What do you mean by communicated? It can be communicated orally also. I can communicate to you; but should it be orally or in writing? If a message is to be communicated, it should be communicated in writing. But not “Any person aggrieved by an order under section 5 may, within fifteen days.”

[Translation]

My suggestion is that it should be 30 days. He can file an appeal within 30 days if he is informed in writing.

[English]

Here you have laid down a period of 15 days.

[Translation]

How will he communicate—orally or otherwise? How will he file an appeal?

[English]

Whether it will be a stamp, whether it will have a judicial stamp of Rs. 3/—, that is a procedural method.

[Translation]

Please give him a period of 30 days to file an appeal. You have made a provision for 15 days.

[English]

You are not doing justice to the aggrieved person. At least he must get 30 days from the date of written communication.

Now, coming to the chairman of the Advisory Committee. Who will be the Chairman? Qualifications are not known, how long he will function is not known. It just says “as may be prescribed”.

Clause 10, Sub-clause (4) says :

“The procedure to be followed at inquiries under this section shall be such as the appropriate Government may prescribe by rules under Section 20.”

Now, I come to Clause 13. It says

“No suit, prosecution or other legal proceeding shall lie against any person for anything...”

Who will file a suit? Only an inspector can file. Why not a person himself who is aggrieved can go to a court to file a suit? So, no prosecution for any offence under this Act or regulation shall be instituted except by or with the previous sanction of the inspector.

[Translation]

I would have also liked it to be done through the law. Mr. Deputy Speaker, Sir, now the Government has set up a committee.

[English]

"The Port Reforms Commission set up under the chairmanship of Mr. D.D. Sathe on June 7, 1984, has failed to take off. The commission was to have studied the entire gamut of port operations and the feasibility of setting up a national ports authority on the lines of the Railway Board. The Sathe Commission has now been revamped and consists of five newly appointed working groups to study the organisational, financial and operational aspects of major ports. While this move is welcome, it is to be hoped that the working groups can come out with their recommendations at the earliest. Any implementation of proposals for modernisation and improved productivity, however, would depend crucially on the response of labour unions. This may well turn out to be the most difficult aspect of the problem."

This is what the *Economic Times* says in its editorial of 29th May, 1985.

[Translation]

The committee which has been set up will give its detailed report. This you have already mentioned. Had this Bill been moved after the committee had made its recommendations it would have been better. This Bill has been moved first and another most important thing which you have said—

[English]

Now, what is the object of this Bill?

"The Indian Dock Labourers Act, 1934 (19 of 1934), the Dock Workers (Regulation of Employment) Act, 1948 & the Dock Workers' (Safety, Health & Welfare) Scheme, 1961, framed under the later Act, *inter-alia*, deal with the matters relating to the protection against accident of workers employed in loading and unloading of ships, employment of dock

workers and safety, health and welfare of dock workers. Thus, the law relating to the said matters is, at present, contained in more than one Act."

So they want to incorporate all these provisions in this Bill.

But what does clause 25 say :

"The Indian Dock Labourers Regulations, 1948, made under Sec. 5 of the Indian Labourers Act, 1934 so repealed and the Dock Workers (Safety, Health and Welfare) Scheme, 1961 made under Sec. 4 of the Dock Workers (Regulation of Employment) Act, 1948, shall be deemed to be regulations framed under this Act and shall be in force...."

[Translation]

Both these Acts will remain in force—the existing one as well as the new one which is being enacted.

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI T. ANJIAH) : All the Acts have been merged in this Bill.

[English]

SHRI MOOL CHAND DAGA : They will remain in force.

[Translation]

The rules and regulations will be framed after the Act is passed and it may take six months to frame them.

I feel that had this Bill been moved after the Committee had submitted its report it would have been better.

[English]

SHRI V.S. KRISHNA IYER (Bangalore South) - The hon. Labour Minister has brought under one Act various Acts connected with the safety, health and welfare of the dock workers and also in order to serve the interests of dock workers effectively. It does not mean that at present there are no laws to govern the

health, safety and welfare of the dock workers. There are a number of Acts connected with the health and welfare of workers. If the Labour Minister is trying to bring one Act I want to know whether the present Acts have become ineffective. Secondly, already there is Directorate of Dock Safety. What will be its position after this Act comes into force ?

Sir, under Clause 4 of this Bill you are going to appoint Chief Inspectors and other Inspectors. It is very good that you have brought a single Act but I would like to stress that implementation part is more important to make this Act more effective. I would also like to point out that implementation of the several Acts connected with labour is tardy and most ineffective. If only the labour inspectors had taken care the great tragedy that occurred in Bhopal this day last year could have been avoided. My experience is that these inspectors are not doing their work properly. Government must see that they are under obligation to do their duty but I do not know how you are going to implement it. Will you make certain rules to the effect that if they do not do their work then they will be given deterrent punishment. These inspectors must go and inspect not only dock area but also other places. If they do their work honestly and find defects then certainly it will be more useful and I am sure the hon. Minister will take effective steps in this direction.

Sir, equally important as of safety, welfare and health of dock labour is the security of service of dock workers. As I understand there are three lakh dock workers and most of them are casual workers. They are bonded labourers. They are under the mighty empire of the contractors. Most of them have been serving for many years but unfortunately one cannot be sure whether he will be there on work next day. So, I would request the hon. Minister to see that proper legislation is brought to the effect that all these labourers are absorbed by the Port Trust. Then only the Bill brought by the hon. Minister will be effective otherwise everyday these workers will be at the mercy of the contractors.

Another aspect I would like to stress is that working in the dock is not really a pleasure. It is a most hazardous job. We have seen the way in which these labourers do the work. The International Labour Organisation has set certain norms as to how much load a labour can carry. It is about 60 kg. But no dock labour carries less than a quintal of load on his back. The hon. Minister must also see that modern machinery are installed in all the docks and this type of hard labour is minimised to the extent possible. At the same time you must also see that there is no retrenchment of dock labour because a man who opts for dock labour does it after he has exhausted all the avenues of employment. There is so much unemployment. So, I would request the hon. Minister to see that not only the security of service is provided but at the same time you must also see that hazardous work that they are doing is reduced to the extent possible.

Finally, I would like to say a word about the housing facilities of dock workers. Most of the persons who live near the dock area live in slums. Sir, the Dock Workers mostly live in the pavements or in the slums, it is very necessary that it should be obligatory for the Government, for the Port Trust Authorities, to see that the Dock Workers are provided with pucca housing accommodation. The Dock Workers are contributing a lot for the economy of the country. If I remember correct, I have read the reports in the newspapers, that last year the Dock Workers went on strike for 26 days. The loss for the country on account of strike was about Rs. one hundred crore per day. So, Sir, while welcoming this Bill, which replaces three Acts at the same time, I would request the hon. Labour Minister to see that legislation not only for the safety of the Dock Workers but also for the security of the Dock Workers is ensured.

My last point is that the Dock Workers' children are very much neglected in the matter of education, etc. Of course, other sections of the society must also be looked after. But since these workers live away from the city or on the periphery of

[Shri V.S. Krishna Iyer]

the city, necessary arrangements should be made for education of their children.

With these words, I support this Bill, but at the same time, the hon. Minister should see that it is properly implemented and I would like to know from the hon. Minister what will happen to the existing Directorate of Dock Workers (Safety). Thank you.

[Translation]

SHRI VIRDHI CHANDER JAIN (Barmer) : Mr. Deputy Speaker, Sir, I rise to welcome the Bill. The Bill seeks to amalgamate three existing Acts into one and it would certainly be useful. I would like to say a few things in relation to the points raised by Shri Daga. The Dock Workers (Safety, Health and Welfare) Bill has clearly laid down the principles and the policy. Now only procedural matters remain to be formulated. The rules and regulations can be discussed in the Committee on Subordinate Legislation. The Committee has a right to make amendments. The norms have been clearly laid down in clauses 20 and 21. The Executive is empowered to frame the rules according to the principles. These rules can be examined in the Committee on Subordinate Legislation. All the principles have been laid down and, therefore, the Bill is appropriate. I, therefore, welcome it. The Inspectors and the Chief Inspectors have been provided ample powers. It should, therefore, be ensured that the Inspectors are honest and men of integrity because only then these powers would be properly utilised, otherwise these powers are likely to be misused. Therefore, there is need to pay attention in this regard.

Thirdly, I would like to point out as has been done by opposition as well, that the Government suffered loss worth crores of rupees due to the strike at ports which continued for 26 days. Commodities like sugar, fertilisers etc., which were imported from abroad, were not only held up but damaged also. Heavy demurrage was paid on the goods and there was undue delay in transporting essential commodities. As a result of this the Government had to bear loss to the tune of crores of rupees. I would

like to request the Government in this regard that provision should be made to ensure that no strike continues for so long. I have also come to know that the reason behind it was that the union there was very strong and as a result it was not possible for Government to engage other workers to carry on the work. However strong a trade union might be, if it becomes the cause of harm to the country, Government must make provisions to intervene and ensure by using all the powers at its command that the work does not stop and engage workers for it. The Government in this particular case, did not handle the strike the way it should have. This encourages the dock workers and the Government has to bear great loss, though later on they may attribute any other reason to it. I would like that whenever such a situation arises the Government should use all its powers to face the unions and deal with them with a heavy hand. With these words, I support the Bill.

SHRI VIJOY KUMAR YADAV (Nalanda) : Mr. Deputy Speaker, Sir, I support this Bill and would like to draw the attention of the Government to one or two points only. The recent strike by the dock workers clearly indicates that there is great resentment among them on the issue of service conditions and the welfare schemes. There is need to bring forward a comprehensive Bill to remove resentment among them on account of lack of safety, health, welfare schemes or poor service conditions. The concrete steps will emerge only after the Rules and Regulations have been framed, but then the Members of Parliament will not get an opportunity to discuss them. Therefore, there was need to move a comprehensive Bill in this regard which would have broadly dealt with all these aspects.

Secondly, there is a penal clause in the Bill to deal with contravention of safety conditions and allied matters. But the punishment that has been provided is inadequate. It is necessary to enhance the punishment as the work they are entrusted with is hazardous and, therefore, there is need to provide them safety. Punishment should be given to those who violate it and if possible it should be treated as

cognizable offence. There are specific laws in other organisations and still there is large scale violation resulting in fatal accidents to workers. I would, therefore, request you to enhance the punishment and effectively implement this provision.

With these words I resume my seat.

**SHRI KALI PRASAD PANDEY** (Gopalganj) : Mr. Deputy Speaker, Sir, I rise to welcome the Dock Workers (Safety, health and welfare) Bill 1985. The Bill seeks to ensure the progress of dock workers and they would certainly move on the path of progress as intended by the hon. Labour Minister. The Inspectors have been given ample powers under this Bill and there is need to ensure that they do not misuse these powers. Whenever we move a Bill in this House, the sole objective is to improve the working conditions, whether of dock workers or the workers of any other department. But sometimes the people start misusing the powers and, therefore, attention needs to be paid to it.

Sir, we as well as the hon. Minister want the safety, health, welfare and progress of the dock workers. The objects of the amending Bill can be achieved only if the rules are implemented properly and for that such men should be included in the Committee as are fully conversant with the working conditions of workers.

Many hon. Members have rightly pointed out that those who work as the dock workers play an important role in the country's progress by transporting goods from here to abroad and also in handling the goods which are imported from other countries. They play a major role in imports and exports and that it is why they play a pivotal role.

Sir, as some of the hon. Members have stated, it was not good that the dock workers struck work. They should not have gone on strike. They have important role to play in taking the country forward, and welfare programmes and laws are framed keeping this thing mind.

Through you, Mr. Deputy Speaker, I would request the hon. Minister that the laws and provisions made to give them

justice should be framed in a way that these justice is meted out to them and they are benefited with these amendments.

With these words I conclude.

[English]

**THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI T. ANJIAH)** : Respected Deputy Speaker and hon. members, I note with a great sense of satisfaction that the Dock Workers (Safety, Health and Welfare) Bill has been supported by one and all. I am grateful to the hon. Members for their various suggestions. As regards the points for clarification raised during the discussion, I would like to clarify at the outset that the scope of the Bill is limited to the welfare of workers engaged in loading and unloading of cargo and work incidental thereto.

[Translation]

Mr. Deputy Speaker, Sir, Several hon. Members have discussed this in detail and have demanded that the Bill should be made comprehensive. That is a separate thing. At present the main problem is that within the existing framework of the Act, sometimes it become difficult to take action. With this amendment that difficulty will now be over. The punishment has also been enhanced and the duties of the inspectors have also been increased. An Advisory Committee is also being constituted to oversee their work.

Mr. Deputy Speaker, Sir, in addition to the 11 major ports, small ports, have also been covered under this Bill. This means that we are trying to cover in this Act all the dock workers, port workers and other medium port workers. Its scope is being enlarged. Under it, Committees at the Centre and the State level will be formed in which experts will be appointed. In the Committee experts are always appointed. The experts and directors of safety available with us will also be associated with these committees. The safety officers available with us will implement this Act. All these things are being done to bring down the number of accidents through this Act. In the accidents that had occurred, some

[Shri T. Tnjina]

workers were killed. In such cases compensation is paid to their families and their children are given employment. But such accidents should be avoided as far as possible.

As you have stated, a worker should not carry more than 60 Kgs. Presently, ILO is discussing the issue as to what should be the load that should be handled by a worker and how seriously loading and unloading affects the health of the workers. It is true that the labourers in this line have to work hard. I can say that it is a very strong and powerful union. In India this is the only union which can play a dominant role. The people in other unions are also powerful but this union is more powerful. People in this union get their demands accepted without going on strike. We will accept them happily. I have all along been saying to the workers that there is no need for them to go on strike. After the demands are submitted, we will convene a meeting of the Government officers, officers of the local management and the trade union leaders and discuss the demands and find a solution. But what happens is that due to inter union rivalry, each union claims to be in a position to get more from the management. The result is that the workers suffer. Ultimately this results in loss to the workers. It has always been the intention of the Government that with the increase in the price rise, the wages should also be increased particularly according to the new index. We have always been of the view that it is not proper to give notice of strike. Six months before the expiry of the agreement, discussion should be initiated so that on the expiry of one agreement the other immediately comes into force. What is happening at present is that after an agreement is reached, some other leader presents more demands. This rivalry between different unions harms the interests of the workers.

I handled one strike. I discussed the problem with all the parties. Besides the affected trade unions, other parties to the dispute should also be consulted. As regards the recognised unions, they can have more seats but that does not mean

that other unions should be avoided. It is not that the other unions should be eliminated. All the people should be consulted. We have given our suggestions.

You are aware that Shri Daga does find some lacunae. He says that there should not be rules in the Act. In the present Parliamentary system rules are made under every Act. Shri Jain has said that they will not get a chance to raise objections to the Rules. But in the Act itself, it is not possible to provide each and every thing; otherwise it will become a voluminous book. Labour Acts are so many that it is very difficult to combine them. Dock workers job is different from that of textile workers and factory workers. All these things are different.

The Act we have presented here has been discussed in detail. Earlier the workers had to face many difficulties in loading and unloading. With this Act, those workers will be covered. We have brought this Bill after discussing the matter with the people.

So far as I think, it will be beneficial to the worker. In this Act safety and other welfare aspects have been covered fully. Efforts will be made to implement it very soon.

I think there is no need to speak more on this subject. All other things have already been mentioned. Provision for medical facility has also been made for them. This will be beneficial to the workers. Hon. Members have stated that there should be uniform Act for all the workers regarding safety. We will meet you and discuss with you in this connection. Whatever is possible in this connection, will be done.

Finally, I request all the hon. Members to support this Bill.

[English]

MR. DEPUTY SPEAKER : The question is :

“That the Bill to provide for the safety, health and welfare of dock

workers and for matters connected therewith, be taken into consideration."

*The motion was adopted.*

**MR. DEPUTY SPEAKER :** The House will now take up clause-by-clause consideration of the Bill. Clauses 2 to 16. The question is :

"That Clauses 2 to 16 stand part of the Bill."

*The motion was adopted.*

*Clauses 2 to 16 were added to the Bill.*

*Clause 17 (Provision relating to jurisdiction)*

**Amendments made :**

Page 8, line 18,—

for "the first day" substitute—

"within six months from the first day" (1)

Page 8, line 26,—

for "the first day" substitute—

"within six months from the first day" (2)

(Shri T. Anjiah)

**MR. DEPUTY SPEAKER :** The question is :

"That Clause 17, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 17, as amended, was added to the Bill.*

**MR. DEPUTY SPEAKER :** Clause 18. The question is :

"That Clause 18 stand part of the Bill."

*The motion was adopted.*

*Clause 18 was added to the Bill.*

*Clause 19 (General Provision for punishment for other offences)*

**Amendment made :**

*General Provision for punishment for other offences*

"19. Any person who contravenes any provision of this Act shall, if no other penalty is provided for such contravention under this Act, be punishable with fine which may extend to five hundred rupees." (3)

(Shri T. Anjiah)

**MR. DEPUTY SPEAKER :** The question is :

"That Clause 19, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 19, as amended, was added to the Bill.*

**MR. DEPUTY-SPEAKER :** The question is :

"That Clause 20 stand part of the Bill."

*The motion was adopted.*

*Clause 20 was added to the Bill.*

*Clause 21 (Power to make regulation)*

**MR. DEPUTY-SPEAKER :** Now we take up Clause 21, there are two amendments Nos. 4 and 5 by Shri T. Anjiah

**Amendments made :**

Page 10,—line 9,—

for "docks" substitute "decks" (4)

Page 10, line 22,—

for "dock" substitute "deck" (5)

(Shri T. Anjiah)

**MR. DEPUTY-SPEAKER :** The question is,

"That Clause 21, as amended, stand part of the Bill".

*The motion was adopted.*

Clause 21, as amended, was added to the Bill.

Clauses 22 to 25 were added to the Bill.

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

SHRI T. ANJIAH : I beg to move :

“That the Bill, as amended, be passed.”

MR. DEPUTY-SPEAKER : The question is :

“That the Bill, as amended, be passed.”

*The motion was adopted.*

MR. DEPUTY-SPEAKER : Now we go to item No. 11.

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14.58 hrs.

SALES PROMOTION EMPLOYEES  
(CONDITIONS OF SERVICE) AMEND-  
MENT BILL.

[English]

THE MINISTER OF STATE OF THE  
MINISTRY OF LABOUR (SHRI T.  
ANJIAH) : I beg to move—

“That the Bill further to amend the Sales Promotion Employees (Conditions of Service) Act, 1976, be taken into consideration.”

The Sales Promotion Employees (Conditions of service) Act, 1976 was enacted to regulate conditions of service of sales promotion employees as defined in that Act. The definition of “Sales promotion employee” covers only sales promotion employees drawing wages not exceeding Rs. 750 per mensem in the case of persons drawing wages not including any commission, and Rs. 9,000 per annum in the aggregate in the case of persons drawing wages including commission, or commission only.

It is proposed to amend the definition of “sales promotion employee” contained in the Act so as to cover all sales promotion employees, other than persons who are employed in a supervisory capacity and who draw wages exceeding Rs. 1,600 per month, and persons employed or engaged mainly in a managerial or administrative capacity, and also make necessary consequential changes in Section 6 of the Act. It is also proposed to amend Section 4 of the Act to cover, expressly, the various matters relating to earned leave and cash compensation in lieu of earned leave in respect of which rules have been made.

With these words I move the Bill and request that the Bill be taken into consideration and passed.

MR. DEPUTY-SPEAKER : Motion moved :

“That the Bill further to amend the Sales Promotion Employees (Conditions of Service) Act, 1976 be taken into consideration.”

Shri Ayyapu Reddy.

SHRI E. AYYAPU REDDY (Kurnool) : Mr. Deputy-Speaker, we welcome this Bill and our Party wholeheartedly supports this Bill. We are very happy that the welfare legislation for the protection of sales promotion employees has been brought about.

Let me take this opportunity to congratulate Shri T. Anjiah, whose services to the cause of labour and for the weaker sections are very well-known. We are very happy that he is in charge of this very important portfolio—the Labour portfolio—and he has already brought in a number of changes in the labour welfare legislations. During the last session also number of welfare legislations of the Labour Department were introduced and passed and in this session we are happy that two Bills, one the Dock Workers (Safety, Health and Welfare) Bill and the Sales Promotion Employees (Conditions of Service), Amendment Bill have come up and we are passing them without much controversy.