

SHRI ANANDA GOPAL MUKHOPADHYAY (Asansol): She has made a very good speech. Let her now withdraw the Resolution.

SHRI XAVIER ARAKAL (Ernakulam): Considering the second Resolution of Shri Kodiyan, I request the hon. Member to withdraw her Resolution.

MR. DEPUTY SPEAKER: She is pressing her Resolution. Before putting that to the vote, let me dispose of the amendment. Shri A. Neelalohithadasan is not present. I shall not his amendment to the vote of the House.

SHRI P. VENKATASUBBIAH: We are not accepting the amendment and we are opposing the Resolution.

SHRI SATYASADAN CHAKRABORTY (Calcutta South): Mr. Deputy-Speaker, Sir, the amendment moved is for a strong Centre which the ruling party does not want to accept. They are indicating thereby that they do not want to have a strong Centre. Therefore, let them accept the Resolution of the hon. Member.

MR. DEPUTY-SPEAKER. I shall put Amendment No. 1 moved by Shri A. Neelalohithadasan to the vote of the House.

Amendment No. 1 was put and negatived.

MR. DEPUTY-SPEAKER: Now, I shall put the main Resolution to the vote of the House:

The question is:

“This House is of the opinion that a reappraisal of the existing Centre-State relations with a view to give more financial powers and greater autonomy for the States in consonance with the true concept of federalism is necessary and in this context calls upon the Central Government to immediately convene a Conference of Chief Ministers along with representatives of recognised political parties”.

The motion was negatived.

16.5 hrs.

RESOLUTION RE: CENTRAL LEGISLATION FOR AGRICULTURAL WORKERS

SHRI P. K. KODIYAN (Adoor): Mr. Deputy Speaker, Sir, I beg to move:

“This House calls upon the Government to take early steps to enact Central legislation to protect the interests of the vast millions of agricultural workers of our country who are subjected to ruthless forces of exploitation as wage earners in agriculture and who remain by and large unprotected by the existing labour laws.”

Mr. Deputy Speaker, Sir, I am glad that I have got an opportunity to raise the problems and difficulties in this august House of the vast millions of agricultural workers of our country who continue to be most oppressed, most neglected and at the same time the most exploited section among the working people of our country.

Sir, the number of agricultural workers is not small. They perhaps constitute the largest section of workers in India. According to the 1971 census, the total number of agricultural workers was 47.48 million and now that number must have exceeded even the 50 million mark. According to the 1971 census, they constitute more than 1/4th of the total work force in India and they also constitute about 1/3rd of the total work force in the country side. They supply about 42 per cent of the physical labour required in Indian agriculture. Such a vast number of workers who have been playing a very vital role in the agrarian economy of our country have all along been neglected and ignored, though since independence there has been considerable progress in our agriculture. The production of foodgrains is more than doubled. The production of other agricultural crops also has substantially increased. The income from agriculture also has substantially

increased. But even though the income from agriculture has increased, the additional income has not gone to the benefit of the millions of agricultural workers of our country. The benefits have gone largely to the landlords and other richer sections in the country-side of India. Now, Sir, the main defect in the agrarian programme of this country, or, rather, in the whole scheme of agricultural development in this country, has been that the human factors involved in the matter of production have been completely ignored and have not been taken sufficient care of. The small and marginal farmers and sharecroppers and agricultural workers constitute the bulk of the human factor involved in agriculture. As I have already pointed out, Sir, the agricultural workers constitute the largest section among the workers. But, in the whole process of planning for development of agriculture, their requirements and their needs have not been taken into consideration. Just as investment of finance and other inputs and also application of modern technology are necessary for agricultural development, so also, meeting the needs and requirements of the human factors involved in agriculture is also equally essential for the development of our agrarian economy.

We have various rural development programmes in our country. But these rural development programmes are formulated and implemented by and large without the active cooperation of the vast sections of our toiling masses in the countryside.

The ILO, that is, the International Labour Organisation, through their various conventions and recommendations, have emphasised the point on Member-countries that rural workers should be actively associated in the formulation and implementation of rural development programmes.

Sir, so far in our country the agricultural workers' organisations and even the organisations of peasants are

not at all actively associated in the process of formulation and actual implementation of our development programmes.

Now, Sir, I do not want to take the time of the House in going into in detail on the working conditions of the agricultural workers in India. But I have to point out to the attention of the honourable House certain salient features in this regard.

Sir, it was thought that as a result of the land reform the rural workers and the landless agricultural workers would be benefited. It was thought that the available surplus land as a result of implementation of the ceiling laws will be distributed among them. But that hope has not materialised.

According to the Ministry of Agriculture, out of the estimated surplus land of 68.60 lakh acres only 45 lakh acres have been declared surplus and only 15.76 lakh acres have been actually distributed among landless persons. But the Planning Commission does not agree with the Agriculture Ministry's estimate of surplus land. The Commission's estimates of potential surplus land is 215 lakh acres.

So also is the case in regard to the scheme for distribution of house-sites among the landless people. That also has not been properly implemented. In several areas the land distributed for house-sites are either unfit for human habitation or are far away from the usual places of work of the landless. In many cases, the land distributed are under the illegal possession of the landlords and others. Millions of landless rural workers continue to live in huts erected on lands belonging to landlords and others and they are being subjected to eviction in many States. About the distribution of Government lands also the progress has not been satisfactory.

As you are aware, the bulk of the agricultural workers come from the down-trodden scheduled castes or so-

called Harijans among the Hindus and they are subjected to not only the usual economic exploitation by the landlords and other vested interests in the rural areas but also they are subjected to social inequalities and social oppression. The number of atrocities have tremendously increased and this House had the occasion to discuss this grave problem. There has not been any improvement insofar as the problem of atrocities on these people is concerned, whether it was under the Janata rule or the Congress rule. I do not want to enter into a dispute whether the atrocities were more under Congress rule or here was an increase under the Janata rule. This is immaterial insofar as their suffering is concerned. Irrespective of the political colour of the ruling party at the Centre or in the States, the Harijans in our country have been suffering for a pretty long time and they still continue to suffer. The latest incident in Kafalta in Almora district is a grim indication of what is in store for the Harijans and other backward sections in our country.

This vast section of the rural agricultural workers, whose number as I pointed out earlier now exceeds fifty million, has been kept away from the benefits of the various labour legislations in our country. This is because the bulk of the agricultural workers are casual workers. The hon. Minister may point out that the various labour laws are applicable to agricultural workers. I agree, it is in respect of a microscopic minority among them who are permanent workers mostly employed in the State farms or in modern agricultural farms which are organised on a capitalistic basis. But the bulk of the agricultural workers who are mostly casual labourers are not benefited by any of the labour legislation except the Central Minimum Wages Act of 1948. The history of this Act is a sad commentary on the performance of the Central and State Governments. Though the Act

was passed in 1948 and it was decided two or three years later that it should be made applicable to agriculture also, there was no serious attempt on the part of the State Governments to enforce the provisions of the Act, i.e., to announce minimum wages for agricultural workers under the Act. It was by September, 1964 that this Act came into force, more or less, throughout the country. Before that, some State Governments had announced minimum wages, but they never cared to revise the wages. It is now compulsory, under the Act, that every 3 or 5 years the minimum wages should be revised. And some of the State Governments, you would be surprised to know, Mr. Deputy Speaker, Sir, took 10 years for revising the wages. Assam took as long a 14 years to give effect to the provision of minimum wage. Maharashtra took even a longer period than Assam in revising the wages. Such an enormous time-lag in revising the wages renders the minimum wage legislation rather meaningless. In the 1960s and the early part of the 1970s, the revision of minimum wages was made in comparatively shorter periods—but in all cases not necessarily sticking to the stipulated time-limit.

But the most serious aspect of the whole problem of minimum wage legislation was that even the inadequate and low wages fixed by the State Governments, compared to the bare needs of workers, were seldom implemented. No State Government cared to set up an effective enforcement machinery. In many States, revenue officials and block development officers were asked to enforce the law. Those officials neither knew the wage problems in agriculture, nor did they find time to deal with them. The result was that the statutorily-fixed minimum wages merely remained on paper. No wonder, then, that the National Commission on Labour had to make this observation about the implementation of minimum wages in relation to agriculture, viz. "The imple-

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 mum Wages Act had remained a dead letter in all the States."

Here, the main problem is the lack of enforcement machinery. There was no effective enforcement machinery. And, of late, there has been some improvement, and the position has improved in some States like Kerala, West Bengal and to some extent in Bihar and Punjab, in setting up the enforcement machinery. But even these are not adequate. By and large, the law remains unimplemented, taking the country as a whole.

This is a very important point, viz., the setting up of an enforcement machinery. Whenever law you make, unless there is a machinery to enforce that law, and there are adequate number of officers and other employees to take care of the implementation of the law, there is no use enacting any legislation—not only in respect of the minimum wages, but also of any other subject.

In this connection, I want to impress upon the hon. Minister that here must be a separate enforcement machinery in the Ministry of Labour at the Centre, as well as in the Labour Departments in the States, that is to say there must be separate labour wings at the Centre as well as in the States, because the existing Labour Departments there are already over-burdened with so many problems in relation to disputes in the industrial and factory sectors etc. Therefore, if it is entrusted to them, it will not be possible for them to do justice. That is why I am emphasising this point that a separate labour wing is to be set up in the States as in the Centre exclusively to look after the problems of implementation of the Minimum Wages Act as well as whatever other laws that may be made applicable to them.

The main question is regarding the central legislation for protecting the rights of agricultural workers. Now this has been a long-standing demand of the agricultural workers of India and their movement; and those who had been working among the rural

poor had been voicing this demand for quite a number of years. I should say their voice fell on deaf ears, so far as the Centre was concerned and most of the States were concerned. I am happy to state that it was the United Front Government of Kerala under the leadership of Shri C. Achuta Menon which accepted this long standing demand of the agricultural workers and enacted a legislation for them: "The Kerala Agricultural Workers Act of 1974." It was a pioneering piece of legislation, though it is not sufficient; it has several drawbacks, but it was a pioneering piece of legislation which will inspire the agricultural workers and rural workers of our country. According to this Act, there is a provision for security of employment; there is also a provision for settling disputes. The State Government is empowered not only to enforce the Minimum Wages Act but even to fix wages at a higher rate. If the State Government thinks it necessary in appropriate cases, it also regulates the working conditions, working hours of workers; it also provides for setting up provident fund for the agricultural workers. I should say certain steps were taken by the Central Government in this respect. I congratulate my hon. friend the former Minister of Labour, Shri Ravindra Varma, who is sitting here, for having convened, for the first time, a rural worker's conference on an all India level to discuss problems of unorganised rural workers; and that conference was held, I think, in 1978. In that conference, the question of central legislation was raised and discussed. Then there were various proposals. One proposal was that there must be a model legislation from the Centre. But most of the members who took part in the discussion were not in favour of a model legislation, but they were for a central legislation. Then another proposal was made by some members who spoke that the legislation should be enacted by the State not by the Centre. Any how, the principle of having a central legislation for agricultural workers was emphasised by most of the

participants in that conference. And the hon. Minister then gave an assurance that this will be considered and a central standing committee on rural unorganised labour would be constituted and that committee was constituted in July 1979. The first meeting of the Central standing committee was held in January 1979. Everybody in the committee agreed that the central legislation must be there; they were almost unanimous. A Sub-committee was appointed to go into the details and make necessary recommendations; two other sub-committees were also set up to go into the other aspects such as bonded labour, housing, social welfare, workers' education, etc. All these sub-committees had done their work and I think they had submitted their reports also. But then that government fell and since then the committee, i.e. the main committee on rural unorganised labour, has not met so far. I do not know why that committee is not being convened. What is the attitude of this government towards the working of that committee? The hon. Minister may explain the government's reaction. I appeal to him to convene a meeting of the central standing committee. The reports of the sub-committee should be discussed and a decision on central legislation should be taken by that committee.

So far central legislation is concerned, there is unanimity among the national trade union centres in India. Last year in October a national convention was held in New Delhi under the joint auspices of Bharatiya Khet Mazdoor union which I represent which is connected with the AITUC, All India Kisan Sabha led by the Marxist Party, INTUC, led Indian National rural labour federation and Khet Mazdoor panchayat which is led by H.M.S. That convention unanimously adopted a resolution on the question of central legislation. This resolution was presented to the then Labour Minister Shri J. B. Patnaik and the Agriculture Minister.

Before concluding, I should like to refer to some essential features which the central legislation should contain. One is the trade union right. Agricultural workers, the moment they organise themselves into a union, even at the slightest symptom of the workers preparing themselves for a legitimate struggle for their rights, there is a terrible reaction from the landlords and the rural vested interest; violence is being used; workers are terrorised. Even trade union functionaries are harassed. There is a deliberate attempt to suppress the workers, to prevent the workers from exercising their trade union rights. False criminal charges are filed against the trade union functionaries as well as the workers. From our experience, we find that the local administration, particularly administration at the lower levels, more especially the police, very often collude with the landlord and vested interests and workers are harassed, trade union persons are harassed. Therefore, the proposed legislation should provide for trade union rights. The functionaries of this trade union should be given protection as is given to the functionaries of the trade unions in the organised sector.

Then comes the security of employment. Employment Guarantee Scheme is in Maharashtra. In the absence of it, there must be some unemployment allowance or some such thing. It need not be exactly as it is in Maharashtra, better schemes can be formulated. The other things are—regulation of working conditions, legislative protection to migrant workers, adequate compensation to the injured or on loss of his life.

SHRI MOOL CHAND DAGA (Pali): He has taken 45 minutes. How much more time will he take?

MR. DEPUTY-SPEAKER: He is going to complete. He has taken only 29 minutes.

SHRI MOOL CHAND DAGA: Is there no limit for him?

MR. DEPUTY SPEAKER: The Mover should be given more time, you will agree.

SHRI P. K. KODIYAN: There should be proper machinery for enforcement of wages. As I pointed out earlier, there should be effective enforcement machinery and social security scheme.

Finally, I should say that some of the measures which some State Governments have taken are worth emulation by other States. For example, the Kerala Government has recently announced a scheme—Pension Scheme for Agricultural Workers. West Bengal also has announced a scheme that an agricultural worker who has reached the age of 60 will be entitled to a pension of Rs. 50/-p.m.

In conclusion, I would appeal to the hon. Minister that the Central legislation may not be delayed any further. It is a most essential requirement in order to develop the trade union movement among the rural workers and we will be acting according to the recommendations of the International Labour Conference.

I once again appeal to the hon. Minister to come forward in the shortest possible time, if possible in the current Session, with a Bill for Agricultural Workers.

MR. DEPUTY-SPEAKER: Resolution moved:

“This House calls upon the Government to take early steps to enact Central legislation to protect the interests of the vast millions of agricultural workers of our country who are subjected to ruthless forces of exploitation as wage earners in agriculture and who remain by and large unprotected by the existing labour laws.”

SHRI MOOL CHAND DAGA: I beg to move:

That in the resolution,—

after “Central legislation” insert “during the current session”.

(1)

SHRI R. L. P. VERMA (Kodarnia): I beg to move:

That in the resolution,—

add at the end—

“and provide the agricultural labourers all the welfare measures to ameliorate the conditions of their children and women for a bright future.” (2)

MR. DEPUTY-SPEAKER: The Resolution and amendments are now before the House.

17 hrs.

*SHRI K. ARJUNAN (Dharmapuri): Mr. Deputy Speaker, Sir, I rise to welcome the Resolution of Shri Kodyan demanding central legislation for protecting the rights of agricultural workers. We have the Minimum Wages Act, which unfortunately has not been implemented by many States in our country.

The industrial workers have a strong trade movement and organisation to support and ventilate their grievances. There is no such trade union organisation for the agricultural workers. According to 1971 census, 753 lakhs of people are engaged in agriculture, out of whom 475 lakhs are agricultural workers. This vast work-force deserves and demands the attention of the Central Government and also of the State Governments. In order to ensure that all the States implement the Minimum Wages Act for the benefit of the agricultural work-

*The original speech was delivered in Tamil.

(Shri K. Arjunan)

ers, there must be a Parliamentary Committee comprising of Members of Lok Sabha and Rajya Sabha, just like Parliamentary Committee for the welfare of Scheduled Castes and Scheduled Tribes. I request that the Labour Minister should take initiative in this direction.

I take this opportunity to commend the General Budget for 1980-81, which has given prominence to rural development. Shri Kodiyan belongs to the C.P.I., hailing from Kerala. In spite of the fact that the Kerala Government has had enacted many meaningful and purposeful labour welfare legislations, if Shri Kodiyan has been prompted to bring forward this Resolution, it only emphasises the need for the Central Government to think of a legislative measures for the benefit of agricultural workers. The C.P.I. is one among the multi-party Alliance in Tamil Nadu. This Alliance gave numerous assurances to the people of Tamil Nadu before the recent Assembly Elections. One of the assurances was that the Alliance, if returned to power, would honour the 9 point demand of the Agriculturists Association. The AIADMK assured that all the agricultural loans would be repealed. I am sure that the C.P.I., which is committed to the upliftment of agricultural workers, would urge upon the AIADMK Government in Tamil Nadu to implement the assurances given to the people of Tamil Nadu, in particular to the Agriculturists Association. If the AIADMK Government fails to honour its words to the people of Tamil Nadu, I hope that the C.P.I. would withdraw from the Alliance

Shri Narayanswamy Naidu, the leader of the Agriculturists Association, and other office bearers of the Association were charged with criminal complicity by the AIADMK Government before the Elections. Now the AIADMK has been returned to power, with Shri Ponniayan

who has been known for his corrupt practices in charge of Justice Department, I wonder what kind of justice these office-bearers of the Agriculturists Association can expect from him. If the C.P.I. as a member of the ruling alliance in Tamil Nadu fails to move the AIADMK Government in honouring its pledges, then the people of Tamil Nadu will lose their faith in the C.P.I. as a party committed to fight for the rights of agricultural workers.

The leader of Dravida Munnetra Kazhagam. Dr. Kalaingar Karunanidhi, was the champion of rights of backward classes, scheduled castes and scheduled tribes, who predominate agriculture in our country. When there was DMK Government in Tamil Nadu, he constituted a special Police Force to protect the rights of agricultural workers in the States. I have no hesitation in declaring here that D.M.K. alone can usher in an era of welfare for the agricultural workers. I wish that the C.P.I. keeps up to its professed sympathies for the agricultural workers and ensures that the AIADMK Government honours its plighted words to the Agriculturists Association before the recent Elections to the Assembly; otherwise the CPI will lose its credibility. I support Shri Kodiyan's Resolution.

PROF. N. G. RANGA (Guntur):
Mr. Deputy-Speaker, Sir, I am very glad to associate myself with this Resolution. I am also happy that the Mover of the Resolution did not unnecessarily bring any political partisan discussion into it.

Agricultural workers have been neglected for a very long time not only by the Indian Government but also by the International Labour Office. We felt in 1935 when we all came here into this House, in the Central Legislative Assembly, on behalf of the Congress to urge that the International Labour Office should take up the consideration of the conditions and needs of the agricultural work-

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ers. The late N. M. Joshi, the great labour leader, who was then on the executive of the ILO tried his best to get the ILO interest itself in the plight and in the need for welfare and progress of agricultural workers. And to a very great extent, he had succeeded. With the result, ILO had passed some conventions. But what was the use of ILO passing any convention there when the Government here in India was not prepared to come to the rescue of the agricultural workers? The British Government introduced a Bill for payment of wages. I brought forward an amendment saying that it should be extended to the agricultural workers also. The British Government did not agree. They said that they had no machinery to enforce that law. I suggested that there would be the village panchayats, the revenue officers and they should also pick and choose a few champions of the agricultural workers in any particular locality, constitute a committee and entrust that committee to look after the implementation of that Act. They did not do anything.

Afterwards, we achieved freedom and then came this Minimum Wages Act. Shri Jagjivan Ram was then in charge of that Bill. I wanted it to be extended to agricultural workers also. With great difficulty we were able to get it extended but subject to one condition. Since agriculture continued to be a State subject, we had to incorporate in it a provision giving freedom to the State Governments to give effect to it. And what the State Governments have done is writ large in our history. They ignored that Act. Wherever it was possible, they gave a nominal implementation to it to small sections on the periphery of agriculture, labour in so-called plantations and in some mechanised concerns and so on. They were content, with that and they did not do anything more. That has been the condition till now.

It stands to the credit, as my hon. friend has said, of the Governments in Kerala and also in West Bengal to begin to do something in this direction. Kerala has gone ahead also in passing that legislation. I think, in getting that legislation passed, all political parties were agreed. So, it was an all-party and a non-parisan legislation. I am not prepared to say that the same legislation should be accepted as a model for other States. But on similar lines, legislation should have been initiated by all the State Governments also. As my hon. friend just now said, in Tamil Nadu Mr. Karunanidhi, had gone ahead in providing necessary police protection to such labour as are willing to undertake the risky jobs of organising themselves and raising their demands. Then why is it that all the labour leaders and all those who are interested in labour work belonging to all the political parties starting from Congress to Communists—CPI, CPI (Marxist), CPI (Marxist-Leninist), have failed to organise agricultural workers? We must go into it. I started organising agricultural workers in 1923 into their own unions and also the kisans owning lands into other set of organisations. As far as the land-holding peasants were concerned, smaller people, I succeeded to a very large extent. But when it came to agricultural labour, I did not succeed.

Communist friends in some Districts in Andhra also tried and they also failed. Then we used to have general conferences at the district and State level for agricultural labour. When I was in charge of the Andhra Provincial Congress Committee in 1946—1951, I organised an Agricultural Labour Congress and similar Agricultural Labour Congress wings were to be organised in almost all the States by the State Congress Committees. Nevertheless, we could not go down to the grass-root level and develop the trade union organisation among the agricultural workers. We did organise a few strikes. We burnt our fingers

very badly. Our labour unions began to raise their demands for higher wages, humane conditions of working and for several other things everywhere. It was a sad experience of failure. Why? Mahatma Gandhi understood these things much better than we did. He realised that our people, most of the agricultural workers, happened to be the Scheduled Castes, Harijans and tribal people. They were living in sub-human conditions. There was not even independent communication through their own habitations, their own huts, for their huts were not their own. For instance, in Tanjavur and other districts in Tamil Nadu, the sites belonged to the land-holders. The pathway also had to go through the land-holders' boundary bund. They were completely helpless. They were untouchables on top of it. So, he said to all the Congress people to which at that time large numbers of the elders of these Communist friends then belonged: "Let us first of all get rid of this devil of untouchability."

MR DEPUTY-SPEAKER: You also know that they were called 'Sudras'.

PROF. N. G. RANGA: 'Sudra' is a little higher. A Harijan is much lower than the 'Sudra'.

AN HON. MEMBER: 'Panchama'.

PROF. N. G. RANGA: Yes, 'Panchama'. So we fought against untouchability, we are still fighting. To a large extent it has released most of the Harijans from its terrible, fatal grip.

Then he said: "Let them have their own house-sites". They are coming to have house-sites. That is where the relevance of the 20-point programme comes in. It goes to the credit of Mrs. Indira Gandhi to have spared crores and crores of rupees to provide lakhs and lakhs of these people, more and more of them, with house-sites, their own independent house-sites. It also goes to the

credit of the Communist Party and Rajaji then in the Tanjavur district to have declared the sites on which the Harijans were then living to be their own property. Later on, I think the DMK Government and now the AIADMK—whether it is AIADMK or DMK it is the same thing for me—have also declared it to be their own property. That had to be done. It has not yet been done in Bihar, U.P. and several States in North India. In Punjab the sites are not there for the poor people. They have to be provided with huts and houses. Where were they? They were living wherever it was possible for them—on the canal bunds, road sides, tank bunds, anywhere and everywhere—and they were at the mercy of the local land-holders and also the police (even today). Even today there are millions of them. To their rescue Indiraji is coming now.

Only when they become independent and have something of their own by way of house or house-site can they begin to consider themselves as workers. Shri Kadiyan has said that the moment they begin to organise themselves, the landlords will start terrorising them. I have gone, Mr. Rajagopal Naidu has accompanied me, after Indiraji set the example to us, to several places in Bihar as well as Marathwada where Harijans were massacred or persecuted or suppressed, and even their small belongings were taken away by those who became enraged just because those workers who happened to be Harijans not only liberated themselves from untouchability, but also began to demand reasonable wages. So, we have had that experience. Protection has to be given to them. It is from these levels we have to rise. So much has got to be done.

I am very glad that my hon. friend Shri Ravindra Varma, who co-operated with me at the Youth Congress level in those days when we were fighting for freedom, became the Labour Minister in the Janata Govern-

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ment. It goes to his credit to have called a conference, to have established the standing committee, to have appointed these three sub-committees and got their reports which are now available to the present Government. I am quite confident that Indiraji and her Government with all our support, would try to give the best possible consideration to these reports and try to have the necessary political and legislative steps in order to initiate trade union organisation and labour protection for agricultural labour. These things have to be done one after the other. I would certainly like the present Government to study very carefully the legislation passed and also the administrative steps that are being taken by the Maharashtra, Kerala, West Bengal and Bihar Governments and then begin to work in the direction of achieving as much protective legislation for the agricultural workers as is now available for industrial workers.

In certain sections of industrial labour, labour is enjoying social security. Where is social security for agricultural labour? Even personal security is not there for Harijans. People talk of old age pension. I am glad one of these Governments has already initiated it. We need it very badly. A bill was sought to be introduced by Mr. Rajagopal Naidu in order to provide old age pension to these people.

Industrial workers have had workmen's compensation for a long time. Machines have been introduced into agriculture now, and yet there is no protection for the agricultural worker from accidents from tractors, harvesters and various other things. There are also snakes and men are bitten and killed. They use harrows and ploughs and get themselves hurt. There is no protection for them. Some protection has got to be given to them, but who is to give? The so-called landlords themselves are very poor. Therefore, it is the duty

of the State to take up this responsibility. It should not be a contributory thing, it should be entirely the State's responsibility.

My hon. friend Shri Kodiyan said that they should be free to organise themselves into trade unions. He assumes that there would be people good enough to organise them into trade unions, and that such people should be given protection. But where are those people to organise them? I have tried to train and send hundreds and hundreds of workers to villages, but after one or two years there is no maintenance for them. Therefore, I am suggesting that the Government itself should undertake responsibility to maintain in every village an honorary agricultural labour welfare worker, give him Rs. 100 or Rs. 200, not a salary but a mere maintenance, to meet his creature needs so that he would be an honorary man and, therefore, he would not be liable to be dismissed by anybody and everybody under the Government service but he would be directly responsible to the district magistrate. Some such suggestion I have made. I am glad to say that the sub-committee was able to accept it. Such people also have got to be provided by the Government. Some people may ask. "Why should they be provided?". For poor people, we are asking for lawyers to be maintained by the Government in order to protect them in courts. Similarly, for agricultural workers, the organisers should be provided an honorarium in order to help them to maintain themselves, independent of their local landholders and other people. Their job would be to help these people to organise themselves. From that level onwards we have got to go step by step. There is so much of other legislation which is now available for an industrial worker. Is maternity benefit there? A woman is obliged to give birth to a baby by the roadside. There is nobody to look after her. Are their proper medical facilities?

What is it that we have done for these people? Not only now, not only during the British days, from the days of the Mughals, their plight has been so miserable. In one sense, I would like to amend what my hon. friend, Mr. Kodyan has said that their wages have not improved. Their wages have been rising but seasonally. (Interruptions) I am only supporting you; I am only strengthening your point of view; I am adding some points which you have missed because I have had more experience in this sphere than any of you here. Only seasonally, their wages are more or less reasonable. But what happens to the major part of the year when they do not have any employment at all? Is anybody thinking about them? The Maharashtra Government has said, at least one man has got to be provided with employment and another State Government has said, they will pay Rs. 50. What is Rs. 50? We political freedom-fighters are getting Rs. 200 a month. We know what it is like. It goes nowhere. That only shows at what level, miserable, sub-human sub-historical level, we are obliged to rise from.

Even Rs. 50 is a big thing for them. The agricultural workers may naturally be obliged to welcome it. They feel grateful to the Government because they have given at least Rs. 50 where there was not even 50 p. But Rs. 50 is nothing. It should be at least Rs. 150 or Rs. 200, what is now being doled out to the freedom fighters. From that stage we have got to hasten to raise them.

In the interest of the landholders themselves, in the interest of the whole land-holding class itself, they should support these demands. From that level onwards we should begin to calculate the prices of agricultural commodities that we have got to pay, that all these people, salaried people, in all the cities have got to pay.

The other day, I was interrupting my hon. friend, Prof. Madhu Dandavate, when he said that his railway-men should be paid as much as those who are employed in the State enterprises. "What about the Harijans, the tribal people, the backward classes and these agricultural workers? What are they getting? Even today, on an average, they do not get even Rs. 150 a month, possibly Rs. 200, in a month. What is Rs. 200 when compared to other people.

I want, therefore, these people also to be raised. You have got to have national rural housing policy—now, Indrajai has got it—house-site policy.

MR. DEPUTY-SPEAKER: A group insurance scheme for the entire peasant community and then the Government paying the subscription will help a long way. That can also be thought of.

PROF. N. G. RANGA: Plus all these things also have to be done. We have got to make a beginning somewhere. Therefore, the Centre has got to take a hand. They must have a legislation from here.

How much, we do not know. But whatever can be enforced at the Centre, let it be done and for whatever cannot be enforced at the Centre but can be done only with the help of the State, let them have this as a model law and let that model be available to be adopted by the State Government. Whichever State Government is not willing to adopt it or develop it will be scorned. It will place itself at the mercy of public opinion and we will be able to develop the needed public opinion in order to force the State Governments also to do it.

[Prof. N. G. Ranga]

I can assure my hon. friend that, with the willing cooperation of all political parties, Indiraji would be able to move in this direction—provided they would cooperate and our friends who are representing other classes of people, apart from agricultural workers, also cooperate. With the cooperation of all of us it would be possible, and we cannot get a better time. Just as we did not have a better time than that of Mahatma Gandhi in order to fight the demon of untouchability, we cannot get a better time than this tenure that the people have given Indiraji, when it should be possible to help her mobilise support from all sections of this House. I do not mean to say that everybody would feel the same way as I feel, but everybody can be persuaded to work and move in the direction of this resolution in which Shri Kodiyan would like to move and our people would like to move. Mr Varma had tried his best, but without much success, because, at that time, that Government unfortunately did not give as much push as one would have expected.

Let us move in this direction and let us see that the Resolution is accepted unanimously.

SHRI RAVINDRA VARMA (Bombay North): Mr. Deputy Speaker, Sir, I rise to support the Resolution that has been moved by my hon. friend Mr. Kodiyan and so ably supported by my distinguished friend Prof. Ranga. In fact after what Rangaji has said, there is not much to say in support of the Motion. He spoke with knowledge, and experience and the warmth of feeling that have always characterised the manner in which he has worked for the poor peasants and the agricultural workers of our country. I have had the good fortune—in the forties—to move with him and to tour many of the districts in Andhra and see the sincerity and the spirit of dedication with which he was devoting himself to the cause of agricultural workers.

The dimensions of the problem have been referred to by both the Hon. Members who spoke before me. In our country, it is well known that 80 per cent of our people live in the rural areas. About 86 per cent of rural labour households are agricultural labour households, and nearly 335 million people live in these households. In 1971, out of a total work force of 230.48 million, 160.35 million were workers in the rural sector. The rural work force increased to about 199 million in the year 1978. The fact that the vast majority of our working force lives and toils in the rural sector must have made it imperative for any Government, any Trade Union Organisation, any voluntary Association to give the utmost consideration to the problems of this vast majority of our working force. But as my distinguished friend Prof. Ranga said—and, before him, Shri Kodiyan,—it is most unfortunate that, somehow or the other, in the history of our country, we find that neither Governments nor Trade Unions have been able to devote the attention that this vast majority of our working force deserves and demands. Any policy that the Labour Ministry follows or the Government follows, unless it deals ably and effectively with the problems and the demands of this vast section of our working force of our country, will deal only with a fringe of our working force. Yet, unfortunately, during the last many years or decades to which my hon. friend Shri Ranga referred, Governments have been devoting their attention only to the fringe of the working force in the urban sector. I am not saying that their problems are not important, and Attention should not be devoted to their problems. But the condition of our rural work force has been already described. Their low incomes, the fact that their employment is seasonal and intermittent, the fact that their incomes are scanty, the fact that they do not have the power of organisation behind them, either to demand more wages or to ask for amenities or social security or even to invoke the provisions of the Acts that we have

on the Statute Book, should have drawn the attention of the Government as well as our trade union organisations to the sad plight of our work force in the rural areas. Unemployment, under-employment, seasonal employment, increasing indebtedness, and the decreasing number of working days available to our rural work force and agricultural workers have added to the problems of our agricultural workers. I shall not take the time of the House dealing with problems of indebtedness and unemployment, much as they are germane to the problems and the condition of our workers in the rural areas. I wish to point out some of the reasons why unfortunately this work force, this overwhelming majority of the work force, has not received the attention that they deserve, and their problems demand.

First of all, unlike our urban workers who live in concentrated areas where there is an agglomeration of population, the rural work force is dispersed. They are dispersed in distant, far-flung areas over five hundred to six hundred thousand villages in our country. There are no means of communication for them to avail of. They live far away from the lime-light of publicity. If injustices happen in urban areas, the newspapers publish reports about them; if wages are denied, if there are injustices, they are referred to in the newspapers. Urban workers have the privilege of living under the constant gaze of the press or conscious and militant public opinion. The urban workers again inhabit the nerve-centres of our polity and our economy and they can paralyse these nerve centres in a flash. Therefore, it has been possible for them to demand and receive much more attention than our rural workers who live and work in a dispersed manner in the distant villages of our country.

The total dependence of the rural workers on the landlords or cultivators, or other employers, the absence

of alternative sources of employment, the absence of mobility as far as professions or vocations are concerned, absence of diversity in the economy and the possibilities for employment in the rural areas which inhibit the bargaining power of our rural work force, leave them with a Hobson's choice. Oftentimes they have to choose between reconciliation with exploitation and reconciliation with starvation. They have to live somehow, and their poverty, their mud-huts and hovels, and the problems created by the poor incomes they receive are multiplied manifold by the fact that there is poor organisation to support the demands of these workers. And these organisations, such as exist, do not enjoy the legal protection that the organisations of urban workers enjoy. It is, therefore, an undeniable fact, unjustifiable and inexcusable fact, that there has been neglect of the problems and the requirements of our work force in the rural areas.

There was reference made to legislative protection. All problems cannot be solved by legislation. There is no doubt about it. But it is necessary for the Government to provide legislative protection to the weaker sections of the community. On that, there can be no difference of opinion in this House. There is the Minimum Wages Act, and my hon. friend quoted a statement from an authority or a tribunal, I suppose . . .

AN HON. MEMBER: National Commission on Labour.

SHRI RAVINDRA VARMA: The National Commission on Labour, which has stated that the Minimum Wages Act has almost become a dead letter. There are the Trade Union Act, the Workmen's Compensation Act, the Provident Fund Act and other Acts. But these Acts only touch the rural work force marginally, as my distinguished friend, Prof. Ranga, has pointed out. He has been crusading for the extension of this legislative protection to our rural work force, but unfor-

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Unfortunately they still do not enjoy the legislative protection that they require. Law must protect the right to organise and the right to register Unions. Law must protect security of employment, safety in places of employment, and provide safety from accidents and insurance against accidents. Law must protect conditions of work, hours of work and wages; provide a machinery for the fixation and revision of minimum wages and above all, ensuring that the actual wages received are equivalent to the minimum wages

Now, Sir, unfortunately, though the Industrial Disputes Act has provisions which protect the urban worker, both the trade-unionist and members of the trade union, from the possibility of charges of conspiracy, and provide protection against certain kinds of criminal suits, and assure the right to organise and register as a trade union, these rights are not available to the rural worker. As my distinguished friends have pointed out, the conditions in which the agricultural worker or an organiser of agricultural workers has to function are much more grave or much more serious and much more challenging, as you very well know, Mr. Deputy Speaker. In the rural areas any movement made even to assert your rights is regarded often times as subversive of the existing socio-economic order, and immediately you attract the charge of subversion, and the overzealous local administrator invokes sections of the Indian Penal Code and the Indian Criminal Procedure Code and to ensure law and order which is a blanket term used to roll up and cover all such legitimate movements and it becomes very difficult for the agricultural worker to organise himself in a trade union.

Law and statutes are not adequate unless they are backed by two things to which my hon friends have referred an efficient machinery for the enforcement of law and statutes for the detection of infringement of statutes, for punishment and for redressal. Now, Sir, if the statutes are to be implemented, then there must also be

organisations of the beneficiaries which are capable of ensuring the enforcement of law. There must be a statute. There must be an administrator who is imbued with the will and the ability and invested with the authority to enforce law, and there must be a popular organisation which is able to channelise the awareness of the beneficiaries and ensure that the statutes are honoured through their implementation. Here, therefore, I can refer as my hon. friends have referred, to such things as the Minimum Wages Act and the Bonded Labour Act and their administration, which have amply proved the necessity for a more efficient machinery for implementation and inspection. The organisation of rural workers, therefore, is crucial both for securing legislation for protection, and for securing the implementation of legislation which is put on the statute book for protection.

My hon. friend, Prof. Ranga raised a very valid point. He said, why is it that people do not come forward to organise rural workers. It is true that people do come forward but they are confronted with great difficulties. These difficulties arise because of the dispersed location, total dependence on the employer, division into different interest groups with different demands—wage earners, sharecroppers and small farmers—my hon. friend is familiar with the entire ground—the interplay of caste prejudices to which my hon. friends have made a reference, problems created by vested interests who want to foil or frustrate the efforts at organisation, in some cases, by building up counter-organisations for confronting the organisation of workers the attitude of the administration which often thinks that it is a challenge to the inviolable right to private property, the tardy presence of the administration in the rural areas, the bias of the lower echelons of the administration and the intertwining of the interests of the administrator at the lowest level with the vested interests of the areas where the challenges are made by the agricultural workers. As my hon. friend, Prof. Ranga and my good friend, Mr. Kodiyan have said

the problems are also compounded by the fact that there is lack of legal protection and lack of financial resources and lack of cadres. These are interconnected. Now Government cannot undertake the responsibility for starting an organisation. It should not. But the Government should create conditions for the promotion of voluntary organisations, strong and effective voluntary organisations. For that, it is necessary that first of all the legal handicaps should be removed; administrative indifference and hostility should be removed; the conspiracy between the lower echelons of the administration and the vested interests must be scotched. For this purpose, it is necessary that Government declares its policy and formulates programmes for the furtherance of policy.

Sir, our Government—the Government of India—ratified the Convention Number 141 of the International Labour Organisation. By ratifying the Convention, the State of India, the Government of India, took upon itself the responsibility to create conditions for the promotion of effective organisation of rural workers and the rural poor. This means that all kinds of assistance should be rendered to those who are engaging themselves in the task of creating these organisations,—for programmes, for running the organisational machinery of these organisations, for projects. Unless the Government follow up the ratification of the Convention with such steps it will not be possible for the Government to fulfil the responsibilities that it has taken upon itself by ratifying this Convention.

Sir, my hon. friend's resolution primarily deals with the necessity for a Central Legislation. He referred to the Kerala Act. My hon. friend, Prof. Ranga said that it might be necessary to amend this Act in one way or the other. But, the crux of the question is: do we need a Central Legislation—a piece of Central Legislation or not? Here, Sir, I may be permitted to congratulate my distinguished friend Shri

Anjaiah, the hon. Minister, who has assumed the responsibilities of the Labour Ministry, I wish him well, I know he is a trade unionist himself and so well aware of the problems of agricultural labour as well as industrial labour. He has been a minister in Andhra Pradesh. But, that is a small part of it. Ministers come and go. All of us know it. Or at least I should know that. But, our devotion to certain causes... (Interruptions).

PROF. MADHU DANAVATE (Rajapur): Ministers are casual workers!

SHRI RAVINDRA VARMA: Our devotion to causes are more important than the offices that we hold temporarily.

Therefore, Sir, I have no doubt in my mind that he will be as convinced as the hon. mover of the Resolution himself that we need a Central Legislation which will assure security of employment and safety.

I talk of safety again and again because the number of accidents in agricultural operations has increased. No survey has been conducted all over the country. But, as far as I know, in the neighbouring State of Haryana where a survey was conducted, reports say that over a thousand workers are maimed during harvesting in the rabi season every year. The Haryana Agricultural University had conducted a survey. It came to the conclusion that 25 accidents occur in the use of every thousand power tillers. This is only in one State. Agricultural machinery, tractors and threshers are used to-day, and power tillers are used in almost all the States. Therefore, the number of accidents is perhaps likely to increase. I wish they do not. But, they are likely to increase and, therefore, it is necessary for us to ensure that such facilities like compensation for accidents, insurance etc. are extended to the agricultural workers as well. I also want to refer to the hazards that have been created by the extensive use of pesticides, especially where child labour is employed. It can perhaps be argued that they are more prone to such hazards. Therefore, my case is that it has become absolutely necessary for us

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to extend these measures for the provision of accident insurance, measures to protect the workers in the places of work, to extend the facility of Provident Fund, social security etc. to our rural workers also. Why is it that we cannot extend these amenities to them? Unless we extend these facilities of social security etc. to the 75 per cent or 80 per cent of our workers who live in our rural areas, how can we claim that we have a policy or we have a programme to provide social security and security of employment to our workers?

Sir, I shall not take more time of the House. I will only say that I am in total agreement with my Hon. friend Shri Kadiyan. To some extent, a beginning was made in this direction by the previous Government. It tried to correct the imbalance in the attention that was being given to the urban worker and the industrial worker. A special conference was organised for the first time. A standing committee was set up and it set up three sub-committees and distinguished luminaries like Prof. Ranga, Mr. Kadiyan, Mr. Chitta Basu and many others worked on these committees. Their reports are available. I see no reason why any government or any Opposition party should approach this question with a partisan attitude. This is a national issue on which there is need for national introspection and on which there is need for correction of course, for ensuring that legitimate attention is paid to the demands and problems of the vast majority of our workers who work in the rural areas. Therefore, I will appeal to my hon. friend to accept this Resolution. In fact, I have a suspicion that he will find it very hard to say that he does not accept this Resolution.

SHRI CHINTAMANI PANIGRAHI
(Bhubaneswar): Hon'ble Deputy Speaker Sir as has been pointed out by my hon'ble friend Mr. Kodian, the number of agricultural workers in 1961

was only 17.5 per cent of the total work-force in the country but in 1971 they constituted 307 per cent of the total work force. This increase is a matter of concern. Sir, one could have read the Asian drama by Myrdal wherein he pointed out that whatever measures were taken in India regarding land reforms, because there was lack of political will, such measures were not successfully implemented. Therefore, in 1974 it is for the first time that central Government, Indian National Congress and the Indian National Trade Union Congress jointly formulated the plan to see that something effective could be done to improve the living conditions of the vast majority of the agricultural workers who are suffering from poverty and are in the unorganised sector.

Sir, I am very happy that Mr. Anjiah who has now taken over charge and who is part of the trade union movement will do his best for improving the lot of the agricultural workers.

Sir, in 1974 it was decided to fix land ceilings and that the surplus land should be distributed and the land distribution programme was effectively implemented in all the States. From 1977 till 1979 there was absolutely no land distribution and all the programmes which were started till 1977 were dropped. I say from my own experience that in Orissa itself whereas Congress government distributed 1.10 lakh acres of land immediately when Janata Party came to power not only that a single acre of land was distributed but also all the programmes were completely stopped and 4 thousand acres were evicted.

Sir, you know—as it was being referred to by our friend Mr. Varma—in the Cr. PC. and Penal Code out of the 411 clauses or so 81 clauses relate to protection of property. Therefore, our society is a property based society. Almost all the laws which have been framed have been giving security to the property owners. What we did

was this. With the approval of the Central Government the Congress Government in Orissa decided that whenever there is a clash between the landless agricultural workers, share croppers and landlord, the police will not go to the help of the rich landlord. This is the first time that the Congress government in Orissa decided to take such a step. It was something new. Police had to go to the help of the poor. It is something which has been done for the first time. But, immediately the Janata Government came into power, almost the first thing which they did was to delete that provision.

MR. DEPUTY-SPEAKER: The Mover of the Resolution does not belong to the Janata party.

SHRI CHINTAMANI PANIGRAHI: Sir, I have every sympathy for Mr. Kодиyan. We are working together in respect of taking measures for helping the agricultural workers. I support his contention but what happened was that during the last 2½ years, whatever programmes were undertaken previously, were completely stopped. No programme was implemented so far as land reform measures are concerned.

With regard to surplus land, I would like to bring to the notice of the hon. Minister the estimate which was made in the year 1974. The estimate of surplus land available was 68.60 lakh acres. We dispute this figure. But how is it that out of that, only 15.76 lakh acres have been distributed up-till now? Why? At least the minimum of 68.60 lakh acres ought to have been distributed. This distribution of land to the landless is really one of our greatest achievements. When you go to the bank for loan the Banks asks, have you got any land? Because of this distribution of land to them these landless people got social dignity too. Whenever they approached a bank, they said, 'yes, we have got land' and they got the loan which they wanted. Land helped them to get loans from the banks. But what hap-

pened during the last 2½ years? During the last 2½ years all these loans were stopped. They did not get such loans. All such programmes were halted. I urge upon the Minister to see that immediate measures are taken in this regard so that the rest of the surplus lands which have not been distributed, be distributed.

Sir, the INTUC and the Indian National Rural Labour Federation are taking steps for organising the unorganised sector of the rural labour force. I am very happy to know that the Central Government, in the Labour Ministry, has again been trying to see how to help this unorganised sector. They are taking some new steps in this direction. These 15.76 lakh acres of surplus land should be distributed immediately. The lands concerned have to be properly identified and actual possession should be given to the recipients. It must be entered in the revenue registers. All the formal proceedings have to be completed in giving land to the landless speedily.

About the distribution of house-sites it has been announced in the Budget that 8 lakhs of people will be given house-sites in the rural areas. It is a very good programme which needs to be implemented. Regarding the minimum wages Act, this is not being implemented effectively by most of the States. It is my submission that this should be properly and effectively implemented.

Further to liquidate the rural indebtedness, an Act was passed, but no State has implemented it properly. Forty-eight per cent of the loans incurred by rural and agricultural workers today are still from the money-lenders. This is because the Act for the liquidation of the rural indebtedness has not been properly implemented. Will the hon. Minister let us know the progress made in this direction?

[Shri Chintamani Panigrahi]

The Rural Works Programme is one of the good programmes to provide employment in the rural areas. Under the Labour Guarantee Scheme, I would suggest that the hon. Minister might ask the State Governments that every Panchayat should keep a register where these rural workers who do not get employment throughout the year—they now get work for 180 days in 365 days—should get their names registered. In that case, it would be known that such and such number of persons want work. That would be very helpful and our effort should be to give employment to every rural worker, and the work should be guaranteed throughout the year.

Then, for the industrial workers, the Government has fixed the minimum wages of Rs. 500 per month. A sweeper who cleans the floor in Rourkela Steel Plant gets Rs. 500 a month, why should not a rural worker, an agricultural worker, who sustains this country by producing crops get Rs. 500 per month. A sincere effort needs to be made in that direction, and this should be guaranteed for an agricultural worker also.

In spite of the scheme to abolish bonded labour, 22 lakhs of bonded labour is still there. Why should it not be abolished and serious efforts made in that direction?

About the consumption credit the Government gave direction to the banks that rural workers, Harijans, Adivasis etc. should get the consumption credit, but it is not being implemented. This needs to be taken care of.

I must make one appeal to the hon. Minister. Like the industrial workers, the rural workers, the agricultural workers should be organised and whatever facilities are being offered to the industrial workers in the shape of security, medical aid, time limit etc. should be slowly, not today or tomorrow, ensure for these workers also. The Minister should see that the Cen-

tral Government has a model Bill which should be sent to all the State Governments so that there is uniformity throughout India in this respect.

The Government which has tried in the past to come to the rescue of the rural workers should expedite the massive programme, the rural employment programme, announced in the budget and they should see that it is implemented properly. It would go a long way in solving their problems.

MR. DEPUTY-SPEAKER: Shri Chitta Basu. There are two more speakers, Shri E. Balanandan and Shri Daga. They would speak next time.

SHRI CHITTA BASU (Barasat): Mr. Deputy-Speaker, Sir, I deem it a great pleasure and a part of my responsibility to discharge to associate myself, with the resolution, moved by my friend, Shri Kodiyan. I also deem it a pleasure and my duty to congratulate the veteran kisan leader, Prof. Ranga who also gave a full-throated support to the motion.

The central point of the motion is: do we or do we not require a Central legislation for the agricultural workers of our country? And I want to build up a case to show that nothing short of a Central legislation can remove the grievances and pitiable condition of life and work of agricultural workers of our country. There is the necessity of a Central legislation which is to be applied in all the States.

18 hrs.

Our country is an agricultural country and it is good that the organisation like Planning Commission has come to realise the importance of agriculture in our economy. It is reported that the Planning Commission has recently decided to develop India's agrarian economy.

