

[Shri Samar Mukherjee]

repeated here. That has to be understood. What is totalitarianism? Though there was not a plan to shoot one particular leader on a particular day. But the logical result of totalitarianism would be mass murder of the Opposition leaders and the liquidation of the entire opposition forces so as to retain herself in power. This is the logical result. Sir, the credit should be given to the people of India. Credit may also be given to Indira Gandhi and her government because by putting all the Opposition in jail her government helped the Opposition forces to unite against totalitarianism. Sir, it seems no lesson has been learnt by my friends sitting on the Opposition benches today. I would say they are living in a fools' paradise. This censure motion has been brought as a political cover to all the crimes committed by the ex-Prime Minister and that is why I totally oppose this censure resolution.

MR. DEPUTY-SPEAKER: Mr. Govindan Nair. He is not here. So, we take up now the next item on the agenda. The Prime Minister will reply tomorrow. Mr. Sathe

19.34 hrs.

HALF-AN-HOUR DISCUSSION
ENGAGEMENT OF WORKERS THROUGH
CONTRACTORS

SHRI VASANT SATHE (Akola):
Sir, I am raising this discussion regarding engagement of workers through contractors.

19.34-1/2 hrs.

[SHRI SONU SINGH PATIL in the Chair]

Sir, as I said, I was inviting the attention of the House to the situation of contract labour, particularly in the iron-ore mines. Sir, the matter has arisen out of the condition of iron-ore mines employees in Bhilai. There because of the conflict between the contractors and the contract labour a very unfortunate incident occurred where more than a dozen employees were

shot dead in Bhilai. Therefore, the question is a larger implication,—during the President's rule in Madhya Pradesh. The problem is wider. But in the reply which was given by the Ministry, it was stated that the Minister of Steel and Mines, Shri Biju Patnaik, gave this reply on 28th July 1977 where he said that "the employment of contract labour to total labour in public sector Iron Ore Mines under various undertakings is indicated below." In Bhilai steel plant, it is stated that it is 60.98 per cent. See the magnitude of the contract labour. In Rourkela Steel plant, it is 47.52 per cent. In the National Mineral Development Corporation Limited, it is 55.86 per cent. In Bolani Iron Ore Limited, it is 45.78 per cent. According to the terms and conditions of the Employment of the Contract Labour, the statement says that they are regulated in accordance with the Contract Labour Regulation and Abolition Act and the rules framed thereunder. The management of public sector mines tries to ensure that the interests of contract labours are safeguarded and statutory provisions are observed. But in these places, although the statutory minimum wage is Rs. 11.20, the workers get less than Rs. 50 and the rest of the amount goes to the contractors

Now, this is a well known thing. The Contract Labour Regulation and Abolition Act of 1970 says that a contract labour is a labour which is employed for occasional and intermittent process. Therefore, when we know that in a number of industries these workers work not for months but for years—together. Can they be called intermittent or of casual nature? Therefore, my humble submission is kindly imagine that out of the total employees, nearly 61 per cent of employees are contract labour and they work there for years together. According to the policy of the present Government, they want to have employment-oriented programme of industrialisation. And here in Bhilai, they are threatening to mechanise the digging of iron ore by complete mechanisation

process, with the result, thousands of employees will be thrown out of job. What is your object? Although technically it has been shown that the cost of production is lower if it is done by manual labour through the workers than through the mechanised method, now, economically also—but more than that I would submit the human also—are you not going to have this consideration that thousands of employees will be thrown out of job? I would ask a progressive revolutionary like my friend, Mr. Biju Patnaik, even if theoretically you were to draw some benefit by mechanisation, what would you prefer? Would you prefer giving work and bread not only to the contract labour but to their families to their children or will you insist on mechanised ore digging? What is the work that you are going to do? Does it require sophistication? Is it the type of work which must be done in a mechanised way, like furnace or something like that? If the operation is only digging and carrying, why do you insist on mechanisation?

THE MINISTER OF STEEL AND MINES (SHRI BIJU PATNAIK): Do not ask me.

SHRI VASANT SATHE: Do not get away by saying that it was decided previously. I was critical even of the previous government whenever such occasions arose. It is not a question of this or that government; the nation is ours. You have the charge now and your policy clearly is employment oriented. I want a categorical assurance from the hon. Minister that at least in his ministry, in steel mines, iron ore mines, he will see to it that bread is not snatched from the mouth of the poor workers and that they are not exploited by the contractors. The minimum wage is Rs. 11.20; they get less than Rs. 5. They are mainly adivasis of Chattisgarh area; they are ignorant and poor. Why cannot they be organised in a cooperative society? It

should be your job, your department's job; you supervise and see that there is a cooperative. They are under your direct control. You should see that they get the minimum wage. So, are you going to consider those employees, who are not, as the law requires intermittent or casual? They are permanent workers. Why do you not treat them as your permanent employees. Wherever there is permanent work, you should do away with contract labour. Secondly, why do you not bring them under some cooperative? Thirdly, what will you do to ensure that they get minimum wage as well as assured employment, which will not be taken away by mechanisation? I should like clarification from the hon. Minister and an assurance, not to me, but to those thousands and lakhs of employees in the country working in various iron ore mines, an assurance that they are not going to be deprived of their bread. I think that it would be a good gesture. May I request the hon. Minister to clarify the policy.

PROF. P. G. MAVALANKAR (Gandhinagar): I am glad that Shri Sathe has brought up this half an hour discussion; this matter requires urgent attention and urgent implementation. I hope as a result of this half an hour discussion, some concrete steps in terms of urgent attention and urgent implementation will become possible. Before I ask my question Sir, please look at the answers given to the original question. It is my general complaint, I find increasingly that the answers given by several of our ministers—this has been happening for many years; I do not know why the janata government ministers are not trying to set the matter right—are vague, or sometimes, the answer is different while the question is on something else; the answer is not to the point. Take for instance part (a) of this question: "Whether the contractors indulge in various malpractices and thrive at the cost of labour". My good friend Shri Biju Patnaik's answer is there; it contains

[Prof. P. G. Mavalankar]

nothing about this. I hope now at least he will give a reply to the question whether the contract labour are being exploited and malpractices of contractors take place on a large scale; and if these are facts, will he take urgent steps to see that those malpractices are brought to the minimum. I do not think they can be eliminated; but they can be at least brought to the minimum.

Then, Sir, please look at the part (c) of the question. Mr. Sathe asks, whether Government propose to ban employment of workers in public sector mines through contractors. Now, please look at the answer. It reads:

'The employment of contract labour in public sector mines as in other establishments is being governed and regulated by the provisions of the Contract Labour (Regulation and Abolition) Act, 1970 and the rules thereunder.'

Is this an answer?

Now, Sir, I wanted to speak on this not only because of my interest in labour and my concern for the contract labour and their exploitation, but also because I wanted to bring to the notice of this House that quite often the answers to the unstarred questions are not relevant and we cannot get half-an-hour discussion on every question. This is one occasion when I wanted to say that there should be at least some substantial, more relevant and more honest answers.

About the exploitation of contract labour, I would like to ask my friend, Mr. Biju Patnaik, whether it is a fact or not that quite often, the contractors, not only in the private sector but also in the public sector under takings, such as mines of which he is charge, are found to be hand-in-glove with management with regard to employing these people for this or that job? If that is so, what is the Gov-

ernment's solution to this matter because we cannot allow this especially in public sector, since it is the public sector which should become an object lesson to private sector units as to how labour should be employed and treated.

If labour is to be employed—I include unskilled labour also—if they are to be employed almost on a permanent basis, why should they not be made permanent? Why should they not be given certain benefits which are given to the permanent employees? So, I hope he will answer this.

Finally, my point is that I find such exploitation of contract labour not only in his Ministry but in other Ministries as well. I would like to point out on this occasion that this practice of exploitation of contract labour has been taking place in P. & T. and also in Railways. We have got several thousands of people as casual labour in Railways and in P. & T. for 10, 11 and 12 years. It is going on. Mr. Biju Patnaik may say 'I can only take the responsibility for my Ministry but not for P. & T. and Railways'. I would request him on this occasion to please convey our request to his colleagues, the Railway Minister, Prof. Madhu Dandavate and the Communications Minister, Shri Brijlal Verma that exploitation of casual and contract labour in Railways and P. & T. should be stopped. I hope the hon. Minister will give some satisfactory answer today.

SHIRI CHITTA BASU (Barasat):
Sir, I am quite grateful to my hon. friend, Mr. Sathe, because although the scope is very limited on the occasion of half-an-hour discussion, an important aspect of the labour life of the country has been brought to the notice of this House. It will be unfair here to mention that it merely reflects an insignificant sector of our contract labour, i.e., the workers engaged in iron ore mines. There are lakhs of contract labourers not only in the private sector but also in the public sector.

Sir, I raise this question from the point of view of the problems of the contract labour of our country as a whole. The problem of contract labour has been engaging the attention of not only the Congress Government but the previous British Government also. In this connection, I only want to mention that the Whitley Commission, in early twenties, pleaded for the abolition of the contract labour system in India. The problem of contract labour has to be considered as a whole. Even the Whitley Commission in the 1920's discussed the problem when we were not even independent and recommended that this obnoxious system of contract labour should be abolished. It was taken up by the Rege Committee and they also recommended its abolition. There was a case in the Supreme Court in 1960 between Standard Vacuum Oil Co and their workmen. I do not want to go into the details. In all this background, the Contract Labour Regulation & Abolition Act was passed in 1970. That Act is not being implemented in this case and in other cases also. Particularly it is being violated in the public sector, which has to be taken as a model employer, like rail ways, P. & T., Steel and Mines etc. Under clause 10 of the Act, it is obligatory for the contractors to get licences from the licensing authority. May I know from the hon. minister whether these labour contractors are really licensed contractors? So far as I know, they are not.

Secondly, there is a provision here for total abolition and regulation of the contract system. The public sector, which is a model employer, should abolish forthwith this obnoxious system of contract labour. The question is about intermittent, casual and non-parential nature of work. These categories of workers should not be called intermittent if they have been given 120 days work in the previous 12 months. If the industry is of a seasonal nature, if a worker puts in 60 days of work in a year he should not be called a casual worker. In the iron ore mines, the workers work

hard for 365 days in the year. Therefore, no contract labour system can be continued there. I rely on section 9 of the Act, by which the government by a single stroke of the pen can abolish the entire contract labour system in the iron ore mines, particularly in the public sector. Will the hon. Minister of Steel and Mines implement effectively the provisions of the law, which he is bound to do?

SHRI K. LAKKAPPA (Tumkur): Mr. Chairman, Sir, my friend, Mr. Sathé has raised a very important discussion regarding exploitation of man by man. That is, in a society people are being exploited by all means, but the Constitution says that all protection should be given without discrimination and exploitation of man by man should be stopped. These are the socialist measures that you have to adopt. About this I am asking you, the dynamic Minister, but not the dynamite Minister. Sir, contract labour system and the abolition of it has been raised in this House for a number of times and I had also raised in the previous Lok Sabha. This has been, of course, pertaining to only Steel Ministry. But there is a principle involved in it. As Mr. Mavalankar said, in various public undertakings in our country millions of people are working, but the exploitation has been continuing and even in spite of the abolition of the contract system and the Act being in force, implementation is not there. Therefore, it is very necessary. In some places, in quarries the people are working at the risk of their life and there is no insurance system and there is no security for them and the contractors take even their wages just like in bonded labour. It is a bonded labour system. In our State we have abolished the bonded labour system, but wherever we want to ameliorate them, legislation is very necessary. No doubt we pass a number of legislations, but their implementation is not there. Whether it comes under the Ministry of Railways or Labour there is a joint responsibility and therefore, I urge upon the

[Shri K. Lakkappa]

Government to take up this issue earnestly. Will you kindly tell me what is the machinery that you are going to adopt for implementing, in letter and spirit, all these legislations and at what point of time you would see that at least this kind of exploitation is stopped either in your Ministry or in any other Ministry and a society of understanding, a society of mutual respect and a society of equal living standards in this country is established. I would like to know this. I hope the hon. Minister would give a categorical reply and not an evasive type of reply as this is a most important matter. Sometimes when we raise this kind of important discussions, there will not be any report in the press and when there are acrimonious discussions, they will be reported. This is a very important discussion and therefore, I request you to kindly give a categorical answer to this question.

20 hrs.

THE MINISTER OF STEEL AND MINES (SHRI BIJU PATNAIK): Mr Chairman, Sir, I wish to take the technical protection of the House that the House may rise at 8 O'Clock for the simple reason that if I were to elaborate on this problem, the answers will not be palatable either to this side of the House or that side of the House. We pass many laws in this House, namely, the minimum wages law for agricultural workers. This is like one of those laws. Who does not use, in this country, the contract labour? Everyone in this country does it. Anybody who builds a house, uses contract labour. State Governments, municipal corporations, co-operatives, private parties and all individuals use them. Contract labour makes roads for us, roads on which we go by cars. They make them, working in the heat and rain; and they sweat for us. These men and women put tar on the roads. They are on contract labour. This is our society. How dare you talk of

contract labour? Do you wish me to do this? If the whole House demands it with one voice let us get on with this job; and I am all with you.

I did not wish to dilate on this question of contract labour. The mine in question has been operating for the last 15 years. They have introduced mechanization for crushing. The technology of steel has changed. Formerly, they used lump ore in the blast furnace; it was for the hand labour to break the lump ore.

Now we have to use crushing machines for sintering, for improving productivity and for other reasons. That is the way of the world. We get fine dust; but the hand-labour uses only hands to produce lumps.

I know something about this industry, and its problems. I have been trying to operate on the whole canvas of the mines all over the country, which are under the purview of this Ministry. How to get these men a living wage, a home to live, education for their children and all the rest of the things? One of the mechanized mines is Kiriburu, which is having a strike; it is under the CPL-controlled union. Not CPM.

I asked the question the other day. Workers in the public sector are getting Rs. 500/- a month. Mr. Sathe said that these workers on contract are getting Rs. 5/- a day. Those who are getting Rs. 500 p.m. are on strike; and next door to them, people are getting Rs. 5/-. Where is justice? What sort of society do we want to build? The organized sector is fleeing, at the cost of the disorganized sector. Is it the sort of society which we want? 80 per cent of the landless workers in the villages do not get even one rupee a day. A clerk in the LIC gets Rs. 1500/-. A liftman in the Shipping Corporation gets Rs. 1500/- or Rs. 2,000/-. What sort of a wage policy should we have? Has this Parliament ever, during the last 30 years, thought of a wage-and-incomes policy, to be discussed, adopted

and finalized? Have you ever discussed the proposition that a minimum number of 5 or 7 essential items must be supplied at a fixed price to all the people—and how to do it? You have discussed the continuous increase in the price index and increase in DAs. There have been increase in the price index, more of DAs, more increase in price index and more of DAs, and a continuous rise in prices. Is this what the Parliament has been debating for the last thirty years? I can only tell Shri Sathe that this matter is engaging my attention, as an experiment, as to what to do with these 5,000 people. I do not know how much I will succeed but this problem of contract labour is a national question. I hope this House will utilize its mind ..

SHRI VASANT SATHE: We are with you

SHRI BIJU PATNAIK: ..to find a way so that this scourge is eliminated for all times from the entire nation, from everywhere. I do not know what the previous Government did. They claimed they removed bonded labour from the Adivasi areas. But what we see now in the entire country is nothing but bonded labour. Contract labour is taken to tea gardens. From my State of Orissa they are taken to the tea gardens of Assam as contract labour over a period of the last 50 years. In fact, it is through their blood and sweat that the tea gardens of Assam have been developed. Contract labour are taken even outside the country, all over the place.

A reference was made to section 10. A committee has been set up on this question and it is going to submit its report next month, in September. But what is the use of that report? How do you implement it? How will you pay the wages? Where is the money to come from? All these things must be seriously debated in this House and a firm policy established if you want to give the smallest comfort to the poorest sections of the workers.

I am thankful to Shri Sathe for having raised this question, even though is an empty House. Nobody sits when such questions are raised. You can see the interest of the House; never mind the newsmen; this shows where we are. I am interested to know how many Members of Parliament are truly interested in this. All the empty shouting you will find in the headlines, because empty shouting interests the people. We are interested in cheap popularity, not in any serious effort. That is why I am worried.

I am grateful to Shri Sathe for having given me this opportunity to unload myself. You have to find out a machinery, a way, and we will implement it. I thank you once again.

MR. CHAIRMAN: The House stands adjourned to meet again tomorrow at 11 A.M.

20.09 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Friday, August 5, 1977/Sravana 14, 1899 (Saka).