

**Shri B. R. Bhagat:** That is how the workers feel about it.

**Shri Daji:** Please do not mix up the two issues.

**Shri B. R. Bhagat:** Let us know the opinion from the person to whom the shoe pinches. I have no doubt that the workers will vote that the industry should be nationalised. That is my answer to Mr. Dandekar.

**Shri Daji:** The workers will not vote for it. The working conditions there are worse.

**Shri B. R. Bhagat:** I think the hon. Member is not speaking from his heart.

**Shri Daji:** The Bonus Bill has been passed. It exempts public sector undertakings from the payment of bonus.

**Shri B. R. Bhagat:** The conditions of employment in the public sector undertakings are a model for the private sector.

**Mr. Deputy-Speaker:** Shall I put the amendment to vote? I now put the amendment to the vote of the House.

*Amendment No. 1 was put and negatived.*

**Mr. Deputy-Speaker:** The question is:

"That clause 3 stand part of the Bill."

*The motion was adopted.*

*Clause 3 was added to the Bill.*

*Clause 4 was added to the Bill.*

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

**Shri B. R. Bhagat:** I beg to move:

"That the Bill be passed."

**Mr. Deputy-Speaker:** The question is:

"That the Bill be passed."

*The motion was adopted.*

13.50 hrs.

### COAL MINES PROVIDENT FUND AND BONUS SCHEMES (AMENDMENT) BILL.

**The Deputy Minister in the Ministry of Law (Shri Jaganatha Rao):** On behalf of Shri A. K. Sen I beg to move\*:

"That the Bill further to amend the Coal Mines Provident Fund and Bonus Schemes Act, 1948, be taken into consideration."

The Coal Mines Provident Fund and Bonus Schemes Act, 1948 contemplates two schemes for the workers in the Coal-mining industry—one for giving them a quarterly bonus and the other instituting a compulsory contributory provident fund. While the bonus scheme has increased considerably the earnings of the coal labour, the Provident Fund scheme has catered to the basic necessity of social security by making provision for their old age. Both these schemes have contributed substantially towards development of a settled and contented labour force in a vital industry. Furthermore, the C.M.P.F. Scheme has played a very vital role in the economic development of the country by pooling the individual savings of a large community of workers and has provided a perennial source of finance for the planned development of our country.

The Schemes under this Act have made considerable progress during these 16 years. Originally the C.M.P.F. Act applied only to the States of Wcs' Bengal and Bihar but now it extends to all the coal areas in the various States, including their ancillary organisations. The number of subscribers to the Provident Fund has increased from 2.96 lakhs in 1948 to 4.25 lakhs in 1965. The rate of compulsory contribution to the Provident Fund has been enhanced from time to time and from 6½ per cent of the basic wages alone in the beginning it has now come up to 8 per cent of the total

\*Moved with the recommendation of the President.

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emoluments. In addition to this there is a provision in the Act to permit members to make voluntary contributions in excess of their compulsory contribution. The cumulative effect of these has been a steep rise in the annual contribution to the fund from Rs 58.6 lakhs in 1951 to Rs. 7 crores in 1965. The Fund under the P.F. Scheme has now swollen to Rs. 51 crores. The entire amount has thus been made available for our Plans.

The working of the Act from 1948 to 1965 has shown that the employers' failure to remit contributions timely to the fund has been a regular feature. The very fact that apart from 543 prosecutions under trial there are 788 recovery proceedings for the realisation of a sum of Rs. 1.2 crores underlines the extent of default. These defaults delay the issue of annual statements of members' Provident Fund Accounts leading to dissatisfaction among them.

The existing definition of the term 'coal mine' in the Act was based on the definition of the term 'mine' in the Indian Mines Act, 1923, which was repealed by the Mines Act, 1952. It is necessary to revise the definition of the term 'coal mine' on the lines of the definition of 'mine' in the Mines (Amendment) Act, 1959, to make it more comprehensive.

It is also proposed to clarify that the term 'coal mine' includes a lignite mine, as lignite is a sort of brown coal and a lignite mine at Palana in Rajasthan, has already been covered under the Rajasthan Coal Mines Provident Fund and Bonus Schemes framed under the Act.

By an amendment of the Act in 1950, the Act was applied to all "employees in or in connection with a coal mine who get their wages directly or indirectly from the employer" and thus the employees working in Colliery Offices and ancillary undertakings such as coke ovens, workshops and hospitals, etc., were brought under the Act.

It is now proposed to include such undertakings in the term 'coal mine'.

The definition of the term 'employee' is to be revised on the lines of definition of this term in the Employees' Provident Funds Act, 1952, to make it clear that the term includes employees employed by or through a contractor in a coal mine. Mails, sweepers, domestic servants and teachers employed by coal mines are allowed provident fund at present on a voluntary basis. It is proposed to include them and apprentices and trainees who receive wages or stipend from the employer within the term 'employee' to enable them to get the benefit of provident fund on a statutory basis.

The definition of the term 'employer' is to be revised on the lines of the definition of the term 'owner' in the Mines (Amendment) Act, 1959. It is also to be clarified that in the case of a coal mine owned by a Company, such company or the Managing Agent who manages the Colliery, shall be deemed to be the employer.

The provisions regarding composition of a Board of Trustees to administer the Fund, and appointment of Officers and staff by the Board are contained in the Coal Mines Provident Fund Scheme, 1948, framed under the Act. It is considered necessary to make provisions for these matters in the Act itself on the lines of the provisions made recently in the Employees' Provident Funds (Amendment) Act, 1963. It is also proposed to provide in the Act that the Board of Trustees shall be a body corporate having a perpetual succession and a common seal as in the Employees' Provident Funds Act, 1952.

It is proposed to make a new provision in the Act on the lines of the provision in the Employees' Provident Funds Act, 1952, to provide for transfer of provident fund accumulations from other Provident Funds to the Coal Mines Provident Fund and from

the Coal Mines Provident Fund to other Provident Funds on transfer of the employees from one establishment to other, to ensure continuity of their Provident Fund.

The Act provides for recovery of unpaid provident fund or bonus dues as an arrear of land revenue from an employer, but there is no provision in the Act, for an authoritative assessment of these dues. It is accordingly proposed to make a provision in the Act to empower the Coal Mines Provident Fund Commissioner, the Assistant Commissioner, Coal Mines Provident Fund or any other officer authorised by the Central Government to assess these dues on the lines of the provision made recently in the Employees' Provident Funds (Amendment) Act, 1963.

The Act provides for penalty of imprisonment upto six months or fine upto Rs. 1,000 or both for contravening any of the provisions of the Act or the Schemes. Experience has shown that legal proceedings have to be initiated against some employers after short intervals. It is accordingly proposed to provide enhanced penalty of imprisonment upto one year or fine upto Rs. 2,000 or both, as in the Factories Act, 1948, for contravening any of the provisions of the Act or the Schemes within 2 years of a previous conviction.

In the light of the experience acquired, it is considered necessary to empower the Inspectors to search any coal mine and seize any accounts books, registers and relevant documents, and to confer some other powers on them for effective implementation of the provisions of the Act and the Schemes, on the lines of the provisions made recently in the Employees' Provident Funds (Amendment) Act, 1963.

It is proposed to provide that in addition to any contribution, administrative charges and damages may be recovered as arrears of land revenue. Some courts have held that a Director

of a company does not come within the meaning of an employer under this Act. This has been causing difficulty in realising the Provident Fund dues. The Ministry of Law have advised that in case of default by coal mines in the public sector, Government cannot be prosecuted unless there is a specific provision to that effect in the Act. It is proposed, therefore, to make suitable provisions in the Act to meet these difficulties on the lines of similar provisions in the Mines Act, 1952, as amended by the Mines (Amendment) Act, 1959.

Any amount due from an employer under any scheme framed under the Act may be recovered by the Central Government as arrears of land revenue. In actual practice, certificate cases under the Coal Mines Provident Fund schemes are filed by the Coal Mines Provident Fund Commissioner. The Chief Labour Commissioner administers the Coal Mines Bonus Schemes. The Coal Mines Provident Fund Commissioner is authorised to recover unclaimed bonus under these schemes. It is necessary to empower the Central Government to delegate any power or authority or jurisdiction exercisable by it under the Act and the schemes to these and other officers for the administration of the Act and the schemes.

There is a provision in the Coal Mines Provident Fund Scheme, 1948, for delegation of powers by the board of trustees to its chairman, Coal Mines Provident Fund Commissioner and other officers of the board. It is proposed to make this provision in the Act on the lines of similar provisions made recently in the Employees' Provident Funds (Amendment) Act, 1963.

Provisions exist at present in the Coal Mines Provident Fund and Bonus Schemes for payment by employers of provident fund contributions and bonus and recovery of the members' share of provident fund contributions from the employees. It is proposed to make these provisions in the Act on

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the lines of the provision in respect of provident fund contributions in the Employees' Provident Funds Act, 1952.

In view of certain difficulties experienced in giving the benefit of provident fund to the employees employed by or through the contractors, new provisions have been made in the Employees' Provident Funds (Amendment) Act, 1963, to enable the contractors to recover the amount of the members' contributions from such employees and to make it obligatory on the contractors to pay to the employer the amount paid by the employees on account of the employees of the contractors. It is proposed to make similar provisions in the Act, to avoid any such difficulty in continuing the benefit of provident fund and bonus to the employees employed by and through contractors in coal mines.

Since the Patna High Court ruled in a writ petition in April, 1962, that no interest can be charged on delayed payment of provident fund dues, interest can no longer be charged, while the employees have to be paid interest on their accumulations by the Fund. It is, therefore, necessary to make provision in this regard in the Act on the lines of the existing provision for this purpose in the Employees' Provident Funds Act, 1952.

It is proposed to make necessary consequential amendments to the Schedules. It is also proposed to make a provision in the Second Schedule that deposit of bonus money remaining unclaimed for a period of six months by the employees in the Reserve Account established under the Coal Mines Provident Fund and Bonus Schemes shall absolve the employers of their liability towards their employees to the extent of the amount so deposited.

Sir, I move.

**Mr. Deputy-Speaker:** Motion moved:

"That the Bill further to amend the Coal Mines Provident Fund and Bonus Schemes Act, 1948, be taken into consideration."

**Shri Mohammad Elias (Howrah):** Although this Bill has come very late, I welcome it and I support it, and the Bill is good as far as it goes. But before making any observations on this particular amending Bill, I would like to make some general observations.

First of all, Government want an integrated social security scheme throughout the country and that was why this separate Department of Social Security was created. But we cannot understand why the provident fund scheme for coal mine workers should be a separate one. Already there is one employees' provident fund scheme which covers the employees in all industries. So, I do not know why there should be a separate scheme for the coal mine workers, especially when the workers have suffered very much and there is also top-heavy expenditure in running this too big administration. There are other difficulties also to which I shall come later on.

14 hrs.

I would now like to say a word on the bonus schemes. These bonus schemes are very much harmful from the workers' point of view, as is known to anyone who is connected with the trade union movement in this country; bonus is given as deferred wages, and since the coal mines workers are very low paid workers this scheme was introduced to compensate for their low wages. But all the trade unionists are now demanding the abolition of this scheme. As you know, these three or four central trade unions quarrel among themselves on various Government policies. But here these three central

trade union organisations have jointly demanded, and have been agitating for a long time, the abolition of this bonus scheme and for its merger with the basic wage. A memorandum was submitted on January 14, 1965 to the Central Wageboard for coal mine workers by these three organisations. I shall read some portions therefrom:

"Historically speaking, the present bonus scheme in the coal industry is unrelated to what the workmen wanted when the claim for bonus was made or to the independent authority recommended. The present bonus scheme represents the irrelevant concept of good behaviour and attendance and is unconnected with the profit of the industry or individual units of the industry. The present bonus scheme has benefited the mine-owners as the price of the coal includes the cost of payment of bonus without their having to pay bonus to mine workers. The Board is invited to reconsider the bonus scheme in the light of the various malpractices on the part of the employers arising from the peculiar nature of the miners' bonus and failure of the measures devised so far to counteract these malpractices".

Then again:

"The Board is invited to reconsider the bonus scheme in the light of the fact that the existence of attendance bonus for nearly two decades has not made any difference to the degree and extent of the coal industry. The Board is invited to reconsider the bonus scheme in the light of the fact that the present stability of the labour force in the coal industry is the result of the steady production as a result of economic development in the country as also the result of a steady wage structure introduced since 1956".

This is the main reason given here for which the three central trade union organisations want that the bonus scheme should be abolished. On this occasion, I once more reiterate this demand of the trade unions representing all shades of political opinion for the abolition of the scheme which deprives the workers of their just due.

Secondly, there is no justification for continuing the coal mines provident fund as a separate category. I have already explained why we want that this separate scheme should be abolished, although Government have come forward to amend the Act to do away with some lacunae. The Bill was originally passed in 1948. In 1958 an amendment was brought forward, to effect a little improvement in it. Then after 6 years of its working, when hundreds of lacunae have been found, Government come forward with a little improvement to improve the working of the scheme. That is why we demand that we want the whole scheme to go; we want the so-called bonus scheme which only deprives the workers of their due to be abandoned. These are by way of general observations I wanted to make.

Coming to the Bill itself, I would say that the amendments proposed will not fully satisfy the workers. The Bill was originally passed in 1948. It was amended in 1951 and 1958. It still contained so many lacunae. What has been happening all these years. The employers in many cases have willfully violated the coal mines provident fund scheme. According to the annual report of the CMPF, the amount outstanding upto 31st March, 1963 was as much as Rs. 1.75 crores. As regards the bonus scheme, while the quarterly average number of workers who received bonus went up from over 270,000 workers in 1962 to 305,000 workers in 1963, the quantum of bonus decreased over this period from Rs. 4.26 crores to Rs. 4.22 crores. The government inspectorate detected as many as 3,747

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irregularities in 1963 in the administration of the scheme. Despite such colossal frauds in the fund, the Government has taken 14 years to wake up to straighten out this scheme.

Then about the work of the administration of the CMPF scheme. A huge sum of over Rs. 16 crores is held by the CMPF in suspense account. What sort of account is this? A large number of workers have not received their annual statements. Thousands upon thousands of workers have not received the annual statement showing how much money is lying to their credit in the account, what is the interest accrued, how much is the contribution of the employer and how much more is due and so on. Under the Act, this is obligatory on the fund to do so.

Then there is the question of non-receipt of contribution cards from employers. The employer has to give a card showing his contribution. That is also not given, I am detailing these things from one of the reports itself. In any case, the whole organisation is rotten and the only beneficiaries are the unscrupulous employers. Hence my suggestion is to scrap it completely and merge it with the employees provident fund scheme so that the huge amount now being spent to maintain this huge organisation can be saved.

There is also this fantastic position in the CMPF that while the number of accounts is 15.56 lakhs, the total labour force is approx. 5 lakhs. Probably, steps are not taken to reduce or eliminate the non-effective or dead accounts.

There is a clause in the Bill which mentions that the employees' representative will not be elected from the trade unions. What is the mentality of Government, I cannot understand. In the proposed section 3A(1)(f), it is mentioned that one representative will be elected from non-trade union organisations. The five lakh workers in

the coal industry are all represented through recognised trade unions and these three central trade union organisations are recognised by Government. As such, if anybody has to be taken as the representative, he should be from these three organisations. But Government purposely provide and the amendment says that this representative will not be taken from the trade unions but from outside. I do not agree, I oppose this Clause.

Finally, Government says that it wants an integrated all-India social security scheme. If we have to achieve that goal, we have to abolish this separate scheme for coal mine workers and bring forward a scheme so that all industrial workers are covered by the Employees' Provident Fund Scheme and not by separate scheme like this.

**Shri Himatsingka (Godda):** The provisions of the Bill are generally good and are necessary for the benefit of the employees, and we are happy at the improvements suggested in the various Clauses.

The definition of a coal mine is being made very wide, and it is now going to cover even mines in small villages where five maunds of coal may be employed. It will be very maybe employed. It will be very hard for these employers and employees to be able to follow what is happening. Therefore, I feel that there should be some limit on the number of employees employed by a coal mine to make it come within the scope of the Bill.

One Clause says that the employees employed through a contractor will also be regarded as employees. That is good, there is no reason why they should not get the benefit, but what happens if the employees are very temporary, if they are employed on small jobs by a contractor for six, eight or twelve months? Will they also become members of the provident fund scheme, and will their contri-

tribution go into the general fund of the scheme? I feel there must be some time limit, some period of service, to enable an employee to be included in the scheme. Otherwise, there will be a lot of difficulty in collecting their money and paying them back when they cease to work.

I find that the amount that is due from an employer can be recovered as arrears of land revenue. That gives ample power to the Government to realise the money in a simple manner and speedily and without any difficulty. I therefore do not understand the necessity of Clause 10(f) which imposes a penalty if the Government does not recover the money as arrears of land revenue. It seems to be unnecessary in view of the power they have taken, and I feel that this provision should not find a place in the Bill.

Under Clause 10(b) certain persons are to be named as persons who will be regarded as employers within the meaning of this Act. When somebody is nominated on behalf of a firm, association or company, he should have the benefit of showing that something has happened in spite of his taking all possible steps. In such circumstances, he should not be held responsible for anything that may have gone wrong.

In this connection, I want to raise one general question which is prominent in my mind. When the provident fund used to remain with different owners, the employees could get loans whenever they wanted them for any necessity in their family, but now when the money is collected by the Provident Fund Commissioner, it has become almost impossible for an employee to get a timely loan from Government. I feel that there should be some machinery to enable employees to get the loans they are entitled to under the general rules of the scheme, when they need them. I feel that provision should be made for this under the rules. With these suggestions, I support the Bill

**Shri N. Dandekar** (Gonda): Subject to one comment that I shall presently make, I am entirely in favour of this Bill. As has been pointed out in the Statement of Objects and Reasons, this Act is being amended after a number of years, the last amendment having been made in 1951. As things move on pretty rapidly these days, the need for extensive amendments is fairly obvious.

The only observation in that connection that I have to make, is whether right now is the proper time, for this. I find that in October, 1964 the following additional question was referred to the Wage Board for the Coal Mining Industry:

"To review the present system of paying attendance bonus with a view to suggest such modification as it might consider to be necessary and desirable."

The Bill as well as the principal Act deal both with the question of the Coal Mines Provident Fund and the Coal Mines Bonus Scheme. In fact, in many ways there is nothing very novel about the Provident Fund; but the Bonus Scheme is of course, one of the most essential things in the coal mining industry. And notwithstanding what some people might say, I am quite clear in my mind that the attendance bonus scheme has had a very considerable effect upon not only maintaining but improving the output of coal.

It is really an unpleasant thing to work in these coal mines down below at very high temperatures and so on. And so, regular attendance was always one of the most difficult things to secure; and quite rightly therefore, there is this attendance bonus scheme.

But, in view of the act that this very scheme is under consideration by the Coal Mining Industry's Wage Board at the request of Government. I do wonder whether this is the proper time to have come with an amendment to this Act, because it may well

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involve contradictory amendments having to be made when the Wage Board reports on the same matter in due course. That, of course, is a matter for Government to decide, I merely put that forward to indicate that this Bill is perhaps a little premature.

Secondly, I am glad that in the main the Statement of Objects and Reasons makes it clear that what is intended is to bring this old Act into line with the Mines Act, the Employees' Provident Fund Act, 1952 and so on. I would like to mention here that there are really quite clear-cut distinctions between what one might call social security legislation and another lot of legislation which is concerned with operating conditions, or rather, with controlling operating conditions. For instance the Mines Act or the Factories Act is concerned with the terms and conditions of work and all that goes with it, in terms of safety and so on. On the other hand the Employees Provident Fund Act 1952 and the Employees State Insurance Act of 1948 are social security measures. Primarily the way I look at this Coal Mines' Provident Fund Act and the Bonus Scheme (Amendment) Bill is to consider as to how far its provisions go along with and establish a common pattern with the two other social security enactments, the Employees Provident Fund Act and the Employees State Insurance Act. It is in the light of my examination from that particular angle that I have put forward certain amendments. And in the case of one amendment relating to contract employees, the main intention is that this poor employee who has to go from pillar to post should have his employer specifically included in the Act; that is, that the Act should make clear who is the principal person responsible as an employer and who is the secondary person responsible as an employer. Contract labour generally gets a pretty raw deal and if they are to get a proper deal in respect of these matters, primarily the

person to be got hold of is obviously the contractor. If for some reason he escapes in some way or another, then certainly the principal employer must be got hold of. Consequently, my amendment in relation to that particular matter are designed to make it quite clear that in so far as employees engaged by a contractor are concerned, he would be the principal person; and the other employer would be the secondary person. I have one or two other amendments concerning which I will speak in due course when the Bill comes up, clause-by-clause. But I assure the Government that this measure, subject to some doubt in my mind as to whether it should not be delayed a bit, has my full support. And I have indicated briefly the main reasons for some of the amendments that I have tabled.

Dr. Melkote (Hyderabad): Mr. Deputy-Speaker, I stand here to support this Bill wholeheartedly. This Bill was long overdue. The provisions made here were necessary but the main clause which affects the working class is the workers who are engaged by contractors. As the hon. Member Shri Dandekar pointed out, they have had a very raw deal all these years and therefore it is in the fitness of things that the Government thought it necessary to bring in certain improvement in their conditions and also with regard to providing them with a bonus scheme. I would only add this much that there have been various provisions for penalising those people who did not observe them. Such provisions have been in existence for a long time and one would like to know from the Government as to in how many cases they have taken action. There have been many people who did not conform to the Act and still were dealt with very leniently. The workers thereby suffered a lot. I would, therefore, plead with the Government that apart from enacting this Bill and bringing in various provisions for penalising, they should take sufficient measures to see that the provisions in

the Act are acted upon by the employer or the contractor. Apart from saying that I support wholeheartedly this Bill, I have nothing further to add.

श्री बड़े (खारगोन) : उपाध्यक्ष महोदय, जो बिल धाया है इसका मैं समर्थन करता हूँ। मैं समझता हूँ कि कुछ खामियां थीं जिनको दूर करने के लिए यह बिल लाया गया है। देर धायद दुस्त धायद। बेशक देर से ही यह बिल लाया गया है लेकिन सही दिशा में यह एक कदम है। इस साल जो बिल धाप लाये हैं इसका कारण यह है कि यूनियंड और कर्मचारियों ने अपनी धावाज उठाई थी और उनकी धावाज के धागे शासन को झुकना पड़ा है। मध्य प्रदेश में कोलमाइंड बहुत है। चूकि मैं वहां से चुन कर धाया हूँ इसलिए मुझे उनका कुछ धनुभव है। जहां जहां कोलमाइंड है, वहां वहां कांटेक्ट है। उनके ऊपर यदि बोनस का प्राविडेंट फंड की प्राविजंड को धाप लागू करते हैं तो वे कहते हैं कि ये मजदूर हमारे नहीं हैं और इस वास्ते ये जो प्राविजंड हैं ये उन पर लागू नहीं होते हैं। धब धापने कहा है कि कोई भी मजदूर वाई एंड घू लंगाया जाएगा उसको कोलमाइंड का मजदूर समझा जाएगा। वह उसके धन्दर धाणगा। यह बहुत सुन्दर प्राविजन है। इसके लिए काफी दिनों तक वहां के जितने मजदूर ये उन्होंने धावाज उठाई थी।

बोनस बिल धभी धार पांच रोज पहले यहां पास हुआ था। उस में एप्रेंटिस शब्द नहीं था, उसको धलन कर दिया गया था और उन पर बोनस बिल की प्राविजंड लागू नहीं होती थी। लेकिन इसमें एप्रेंटिस शब्द को शामिल कर लिया गया और कहा गया है कि एप्रेंटिस जो होंगे उन पर भी इस

बिल के प्राविजन लागू होंगे। इसके लिए भी शासन धन्यवाद का पात्र है।

बोनस और प्राविडेंट फंड का जो धलन धलन प्राविजन बनाया है, इसके बजाय पूरा जो बोनस बिल था उस में ही इसको लागू कर देते और इसको यहां से धलन कर देते ती धच्छा था। धभी हमारे कम्प्यूनिस्ट मित्र ने कहा कि इसको यहां से स्क्रीप कर देते तो धच्छा होता। यदि ध्रांपं ऐसा करते तो मजदूर धापको और भी धन्यवाद देते।

1962-63 की जो एनुअल रिपीट है धान वी बकिंग ध्राफ वी कोल माइंड प्राविडेंट फंड स्कीम, उस में लिखा हुआ है कि एडमिनिस्ट्रेशन के ऊपर लाखों रुपया धर्ष होता है। इसमें लिखा हुआ है :

"The rate of administrative charge was 3 per cent. of total emoluments till the 30th September, 1962 . . . During the year under report a total sum of Rs. 15,58,275-85 nP. was deposited on account of administrative charges as against Rs. 13,66,319-12 nP. raised during the previous year."

पन्द्रह लाख रुपया केवल इस पर धर्ष होता है। जब बोनस बिल पर बहस हुई थी उस में इसको भी शामिल कर देते तो बहुत धच्छा होता।

डिफाल्ट है कितने हैं, यह भी क्या धापने देखा है? जब कभी स्ट्राइक होती है तो उस स्ट्राइक को धाप इस्लीमल करार दे देते हैं। वहां मध्य प्रदेश में भी ऐसा हुआ है। जब स्ट्राइक को इस्लीमल करार दे दिया जाता है तो उस धर्ष के लिए प्राविडेंट फंड और बोनस सब धरम हो जाता है। इसमें धापने लिखा है :

"The total amount of bonus forfeited and credited to the reserve account of the fund comes

[श्री बड़े]

Rs. 1,40,239.03 nP. as at the end of 31st March, 1963. Out of this a total sum of Rs. 711.54 nP. has been refunded to various coal mines for disbursement among workers after obtaining sanction from the Central Government and Rs. 305.06 nP. is still lying in suspense account pending verification. The net balance standing to the credit of this account comes to Rs. 1,39,222.43 nP."

एक लाख रुपया सस्पेंस एकाउंट में धारण रखा हुआ है क्योंकि जिनका यह रुपया है वे इल्लीगल स्ट्राइक में शामिल हो गये थे। जब एम्प्लायर और एम्प्लायी का झगड़ा होता है तो स्ट्राइक भंगर होती है तो उसको इल्लीगल करने का एक बड़ा सवाल सामने आ जाता है। भंगर उसको इल्लीगल करार दे दिया जाता है तो उन बेचारों का बोनस और प्राविडेंट फंड दोनों खत्म हो जाते हैं। इस वास्ते स्ट्राइक को इल्लीगल करार देने से पहले उस पर आपको गम्भीरता से विचार करना चाहिये कि वह लीगल है या इल्लीगल। भंगर इल्लीगल भी उसको करार दे दिया जाता है तो उसके बाद भी आपको यह देखना चाहिये कि क्यों न उनको प्राविडेंट फंड और बोनस मिले। प्राविडेंट फंड उनकी पगार में से काटा जाता है और ये लीगल इयूड में आता है। यदि स्ट्राइक को इल्लीगल भी घोषित कर दिया जाए तो उनको प्राविडेंट फंड और बोनस न मिले, वे खत्म हो जाएं, यह उनके प्रति अन्याय है। इस प्रकार की बात नहीं होनी चाहिये।

कोलमाइंड की जो डेफीनीशन की गई है वह बहुत एग्जास्टिव है। हमारे हिम्मत-सिंहका जी बोल रहे थे तब उन्होंने इस का विरोध किया था क्योंकि इसमें उनको नुकसान है और मजदूरों को लाभ है। इसका कारण यह हो सकता है कि उनका इंटिरेस्ट कोल-माइंड में होगा। कोलमाइंड की जो व्याख्या की गई है इसमें प्रासपास का एरिया भी आ

जाता और वह भी उसकी डेफीनीशन में आ जाता है। यह बहुत एग्जास्टिव है।

जहां तक पनिशमेंट का सम्बन्ध है मैं समझता हूँ कि एग्जैम्पलरी पनिशमेंट आपने रखी है। मैं ने एक उदाहरण भी दिया था। एक जूता मारने के लिये किसी ने कहा कि 25 रुपये की सजा है। पच्चीस रुपये और रख कर ही दूसरा जूता मारने की परवानगी दे दो। इस प्रकार से जो पनिशमेंट धाम तौर से होना चाहिये उसके बजाय इसमें एग्जैम्पलरी पनिशमेंट रखा गया है और रिपीटीशन आफ फ्रफेन्स के लिये और ज्यादा पनिशमेंट रखा गया है। यह बहुत अच्छी बात है।

इसके साथ साथ मुझे यह कहना है कि आपने जो बोनस देने का प्राविजन रखा है वह कोल माइन्स के जो मजदूर हैं उन के लिये भ्रम है। उनके वास्ते क्यों बोनस बिल लाने की शासन की नीति है यह मेरी समझ में नहीं आता है। सब एम्प्लायीज के लिये एक बोनस बिल है और कोल माइन्स मजदूरों के लिये दूसरा बोनस बिल ध्राये तो इस में शासन की कोई नीति होगी। वैसे तो मैं इसका समर्थन करता हूँ लेकिन मेरे जैसे कामन मैन की समझ में नहीं आता है कि कोल माइन्स के मजदूरों के वास्ते भ्रम से बोनस बिल क्यों है। मिनिमम वेज और एक्जुथल कास्ट आफ लिविंग का जो डिफरेंस होता है वह उनको दिया जाना चाहिये ऐसा दिया गया है। मैं समझता हूँ कि इस प्रकार से कोल माइन्स के लिये भी होना चाहिये।

मेरे एक कम्प्यूनिस्ट मित्र ने कहा कि जो रिक्लमाइंड यूनियन्स नहीं हैं उन का एक प्रतिनिधि नहीं होना चाहिये। एक प्राविजन इस बिल में है जिस में इस तरह का होना चाहिये। ऐसा लिखा है। मैं समझता

हूँ कि मेरे मित्र ने जो क्लॉज 3(ए) है उसको देखा नहीं है। उसमें लिखा हुआ है :

"six persons representing employees, appointed by the Central Government after consultation with such organisations of employees as may be recognised by the Central Government in this behalf and of whom at least one shall be an employee himself and at least one shall be a person who is not a member of any such organisation."

छ: धादमियों की कौंसिल में वह चाहते हैं कि एक प्रतिनिधि उन का हो जो कि रिक्ल-नाइज्ड यूनियन्स के नहीं हैं। मैं समझता हूँ कि धाज इन्टक धीर दूसरी जो कम्युनिस्टों की यूनियन है उन दोनों में झगड़े घक्कर चलते हैं। बहुत से मजदूर ऐसे होते हैं जो कि उन दोनों से धलग रहते हैं। वह किसी यूनियन में नहीं हैं। मैं समझता हूँ कि उन के वास्ते रिप्रेजेंटेशन ज्यादा होना चाहिये। हमारे यहां मध्य प्रदेश में चूँकि कम्युनिस्टों की यूनियन धीर इन्टक झगड़ा चलता रहता है इसलिये बेचारे गरीब मजदूरों का उन के बीच में कचूमर निकल जाता है। ये लोग किसी भी यूनियन में नहीं हैं। बहुत से ऐसे मजदूर हैं जो इन दोनों में किसी यूनियन को नहीं चाहते। नये वे कम्युनिस्टों की यूनियन के के मेम्बर हैं धीर न इन्टक के मेम्बर हैं। लेकिन उन के लिये केवल एक धादमी प्रतिनिधि के रूप में रखने की मांग की गई है। यह नहीं होना चाहिये। इस लिये जो प्राविजन बिल में रक्खा गया है मैं उस का समर्थन करता हूँ।

Shri K. N. Pande (Hata): Sir, I welcome the amendments to this Act because by bringing in these amendments the Ministry has tried to bring the two Acts very close to each other, and at this time it is sorely needed. There was a time, when two different types of schemes were in operation for the coalmine and other workers. Now, the time has come when there

should be only one scheme, one provident fund scheme, to be applied to all the persons whether they are working in the coalmines or elsewhere. I think the Minister should consider that aspect of the matter, and I hope that he will give the assurance that the workers who are being provided with all these benefits will continue to get them.

I want to point out one thing. Although I have got great respect for Shri Himatsingka still, I was a bit surprised to hear his speech in which he said that this scheme should not apply to those workers who are working under the contractors. While giving his argument in this connection, he stated that those workers are temporary and that they are taken for the work simply for a small period. That is what is being done by the contractors; they are misusing this opportunity. The workers working under the contractors can never be permanent because the contractors are in the habit of employing them only temporarily. After a few months, the contractors terminate the services of these workers and then re-take them. How can these workers be ever permanent under these contractors? Therefore, in order to safeguard the interests of these people the amendment has been brought forward by the Minister. I think he must be thanked for doing that.

Then I just want to remind the hon. Minister about the realisation of arrears. I have found that in spite of strong action to be taken as provided in the Bill, there is a huge amount lying with the employers, and the Government is not able to realise all that money roughly it comes to 12 per cent of the total amount which is to be collected from the employers. It is also a matter of surprise that even the contribution made by the employees is not deposited by the employers; that is also consumed. I was also surprised to read one observation made by the Patna High Court. I have great respect for the judgement of the high courts, but I want

[Shri K. N. Pande]

to say that if there are such employers who consume the money which represents the contribution made by the employees—the employees invest their money in order to earn more money out of it—there should be a penalty imposed, or may I ask why interest should not be charged on that money if they do not pay it, or if they delay the payment of that money to the Government? I think some amendment should be brought forward so that the employers will be forced to deposit the money, the hard-earned money, of the employees in the Fund and in the bank in time.

Then, I want to make one more point. When deposits are bringing more and more interest, at a time when the rate of interest has been revised, why not a greater interest be fixed for the money deposited by the workers? If you deposit money for five years in a fixed deposit, you can get 7 per cent interest. Whereas here, when crores of rupees are with the Government, crores of rupees of the employees, they get interest only at the rate of four and a half per cent. This injustice should also be removed. Some steps should be taken to see that the money by way of provident fund is deposited in such securities and in such a manner that more and more interest will be earned by the workers.

Although it is not related to the amendments before the House, I want to bring to the attention of the Minister that he should try to bring more amendments to the provident fund scheme. The scheme was initiated in 1952. Since then, times have changed and the times have changed tremendously. The value of money has also gone down now. There are some industries where the rate of contribution has been increased from 6½ per cent to eight per cent. There are so many industries which are making huge profits. Therefore, why should not the workers in these factories be given the benefit of enhancement of contribution? My proposal to the Minister is that this matter does not

require any amendment to scheme or the Act. The power rests with the Government, and the Government can extend the area of coverage and can bring more and more industries under this scheme and let the employees have the benefit of contributing 33-1/3 per cent of their earnings. The Government can compel the industry also.

For example, about the sugar industry I have put a question here, and the assurance was given by the Minister that the sugar industry will be covered as soon as possible. I do not know when the decision will be taken on that matter. I hope the hon. Minister will consider it, because, if an assurance is given in the House, it should be implemented without delay.

With these words, I support the Bill.

Shri Dinen Bhattacharya (Serampore): Mr. Deputy-Speaker, Sir, the House expected that after all when the Government was bringing some amendment in respect of the provident fund scheme for the coalmine workers a full-scale amendment would be brought forward to the whole provident fund scheme in which the employees of the other industries are also covered. I do not know. Probably the Government has no explanation for it. What is the necessity for maintaining a separate provident fund scheme for coal mine workers and another scheme for other industrial workers? It is high time that there is an integrated scheme to cover all the employees in coal mines, other industries and in government establishments.

So far as the present amending Bill is concerned, I welcome it because some workers who were so long deprived of this facility will now be covered by it. But that does not remove all the lacuna which exist. I do not find any provision for looking into the functioning of the organisation dealing with the provident scheme of the coal mine workers. There are serious drawbacks. Firstly,

there are as many as 15.56 lakhs of members' accounts on the books of the fund, live or dead, while the total labour force is near about 5 lakhs. No effort has been made to reduce the dead account. Then, what about defaulters? There is no provision under which an employer can be forced to pay his dues and if he does not pay, some deterrent punishment being given to him.

**Shri Jagannath Rao:** It is provided in the Act.

**Shri Dinen Bhattacharya:** I know, but in how many cases was this provision applied? Whenever such cases of default are brought to our notice, we refer it to the Provident Fund Commissioner or the concerned department. But they say, whether the minister admits or not, they plead their inability to take any action. Suppose the certificate procedure is issued. I do not know why years lapse but the defaulting employer goes scot-free. He does not bother about certificate procedures. I can quote hundreds of such cases if there is time.

So, the functioning of the organisation responsible for dealing with the provident fund scheme must be looked into and the defects that are palpable must be rectified. Some steps must be taken to see that the defaulting employers are made to pay up their dues in time. The number of claims outstanding for 3 months and more and for 6 months and more rose to 20,076 out of a total of 21,764 cases pending settlement. These cases mostly pertain to the collieries situated in Bengal and Bihar, where private colliery employers dominate the coal industry. If a worker dies and even after 3 months or 6 months, his widow or minor children do not get the payment, what is the use of these social security measures? Prompt steps must be taken to see that bona-fide claimants get their dues in time. 6 months' time is given in other cases and 3 months' time in the case of coal mine workers. But I know cases where 2 years have lapsed, but still

the claimants are not duly paid. This must be looked into.

If the government wants to see that the provident fund scheme as a social security measure benefits the workers, some provision must be made so that a worker may get some loan in time. I have made this suggestion previously also. In the other provident fund scheme, there is a provision for loan, but loans are given very rarely. The paraphernalia for getting a loan are so many that it is not possible to benefit by it. I know of cases where loans are not given by the employers even when the worker's wife is suffering from TB and dying. But in cases where the factories are exempted from the provident fund scheme, like the jute workers there is no difficulty in getting periodic loans in case of necessity. But in factories not exempted from it, it is very difficult to get a loan. Why does not the government come forward with an amendment of the Provident Fund Act, so that in bona-fide cases, loans are given? Otherwise, the poor workers are really a prey to the moneylenders. On the pay day, these moneylenders stand at the gate and the pay packet of the workers goes into the hands of the moneylenders, for payment not of the original loan, but the interest. This may be looked into and an amendment may be brought on the lines I have indicated, so that at least the minimum benefit of getting a loan in case of emergency may be given to the workers covered by the scheme.

With these words, I appeal to the government to bring forward comprehensive legislation integrating the whole provident fund scheme of the country, so that every time we may not have to deal with the cases departmentally. This kind of patch-work is not enough.

श्री बाबूजी (भरजा) : उपाध्यक्ष महोदय, मैं कोयला काम में विद्यमान निधि तथा अविश्वसनीय योजनाएँ (समीक्षा) विधिके का स्वागत करता हूँ।

## [श्री बाल्मीकी]

मुझे पिछले पांच सात साल में कोयला खान के क्षेत्र में जाने का अवसर मिला है, और वहां मैं ने उनकी कार्य पद्धति और उनकी जीवन धारा को समझने का प्रयत्न किया है। किन्तु वहां सारा काला नजर आता है और मनुष्य के दस्त्र भी वैसे और कार्य भी उसी ढंग से चलता है।

हमारे संविधान के अन्दर मानव-उत्थान की भावना प्रदर्शित की गयी है। सामाजिक सुरक्षा और सामाजिक न्याय की दृष्टि से कोयला खानों के कर्मचारी इस विधेयक से लाभान्वित होने जा रहे हैं, इससे मुझे भारी प्रसन्नता है।

यह बात अवश्य है कि आपके प्रयत्न चलते हैं, लेकिन प्रयत्न मंथन गति से चलते हैं। सामाजिक सुरक्षा का काम जितना अधिक बढ़े उतना ही उसका मानव जीवन पर गहरा प्रभाव होता है। जब तक मनुष्य की मानसिक अवस्था गहिर रहती है, गिरी हुई रहती है, तब तक उस के मन में उत्थान की भावना नहीं आती है। सामाजिक सुरक्षा मंत्रालय इस बात के लिए उत्तरदायी है कि हमारे उन मजदूरों को इस प्रकार के लाभ मिल सकें।

मैं इस बिल के उपबन्धों और संशोधनों को अच्छा समझता हूँ, हालांकि कुछ मित्रों ने यह विचार प्रकट किया है कि इन संशोधनों से उन मजदूरों को पूरे तरीके से लाभ नहीं होगा। लेकिन मैं मानता हूँ कि अब तक मजदूरों को भविष्य निधि और लाभांश का जो लाभ नहीं मिलता था, वह अब उन को प्राप्त होगा। सब से प्रसन्नता की बात यह है कि वे कर्मचारी, जिन को "स्वीपर" नाम से प्रकट किया गया है और बरेलू कर्मचारी भी इस बिल से लाभान्वित होंगे। मैं समझता हूँ कि सामाजिक दृष्टि से यह एक बड़ा अंश उद्देश्य है। यह बात बहुत अच्छी है कि

मजदूरों की तरफ सरकार का ध्यान गया है।

माननीय उपमंत्री ने "कोयलाखान" की परिभाषा बहुत व्यापक और अर्थशील कर दी है, जिस से उस का क्षेत्र बहुत बढ़ जाता है। चूंकि माननीय उपमंत्री महोदय का नाम "जगन्नाथ" है, इसलिए यह परिभाषा उन की प्रतिभावना को भी प्रदर्शित करती है और उनकी व्यापक दृष्टि का द्योतक है। मैं समझता हूँ कि उस से हमारे कर्मचारी लाभान्वित हो सकेंगे।

इस बात की भी व्यवस्था की जानी चाहिए कि भविष्य निधि और अधिलाभांश उन मजदूरों के हाथों में जा सकें और किसी भी प्रकार से कर्जदारों का उन पर जोर न हो। लेकिन मैं सदन को साफ तौर से कहना चाहता हूँ कि मैंने धनवाद और श्रिया के क्षेत्रों में जा कर देखा है कि वहां पर सब से बड़ी हवेलियां उन मारवाड़ियों की हैं, जो उधार धन देते हैं — जो उदारता से धन देते हैं, लेकिन जब दस्ती, पठान की प्रवृत्ति से, बड़ी कठोर प्रवृत्ति से और डंडे के बल पर उस धन को बसूल करते हैं। सामाजिक सुरक्षा मंत्रालय का यह उत्तरदायित्व है कि वह उन मजदूरों की सुरक्षा की व्यवस्था करे और उन को कर्जदारों के चंगल से बचाये।

यहां पर एक माननीय सदस्य ने कर्ज का सवाल उठाया। जिस देश में हम रहते हैं : उस में कहावत है : "ऋणं कृत्वा वृत्तं पिबेत्," जिस का तात्पर्य यह है कि कर्ज ले कर भी पीना चाहिए, कर्ज लेकर आनन्द उठाना चाहिए, जीवन की मौज लेनी चाहिए, कर्ज ले कर शादी करनी चाहिये, कर्ज लेकर बिरादरी की बड़ी दावत करनी चाहिए, रोटी करनी चाहिए, कर्ज लेकर अपने बाप-दादाओं का नाम अंश करना चाहिये। और नहीं, तो कम से कम मैं उस दायरे में आता हूँ, लेकिन

मैं सामाजिक-कार्य-कर्ता होने के नाते एक बलशाली ढंग से धीरे धीरे अपनी आत्मा की पूरी शक्ति से उन कुरीतियों का मुकाबला करने का प्रयत्न करता हूँ और सुधार के लिये लड़ता हूँ। हमारे भाई वहाँ भी हैं और वे भी इस कुरीति से प्रभावित होते हैं। इसलिए यह आवश्यक है कि कोयला खानों में—धीरे धीरे म्यूनिसिपैलिटीज में भी—कूड़ा लेने के छोटे छोटे साधन उपलब्ध किये जाने चाहिए। भविष्यनिधि में जितना धन हो, उस के आधार पर मजदूरों को कर्जा मिलना चाहिए, ताकि उन के छोटे छोटे काम धन्धे चल सकें।

यह अच्छा है कि धीरे धीरे हमारे कर्मचारी ठेकेदारी की कदृष्टि से, उस के कष्टदायक जान से बच सकेंगे। सरकार ने ठेकेदारों के यहाँ काम करने वाले मजदूरों को जो सहूलियतें और सुविधायें प्रदान की हैं, उन के लिए मैं उपमंत्री महोदय को धन्यवाद देता हूँ। जैसा कि इस मदन में बार बार आश्वासन दिया गया है, इस मदन में ठेकेदारी का उन्मूलन करने के लिए एक व्यापक बिल लाया जायेगा। मेरा सुझाव है कि इस धोर विशेष ध्यान दिया जाये।

इस बिल के पेज 3, क्लॉज 2 (3) के अनुबन्ध (2) के (1) 4 में जो "स्वीपर" शब्द का प्रयोग किया गया है, मुझे उस पर विशेष आश्चर्य है। मलकानी कमेटी ने—स्कैंडलिंग कन्डीशन्स एन्व्हायरी कमेटी ने यह मत प्रकट किया था कि जो भाई सफाई का काम करते हैं, जो सैनिटरी कन्डीशन्स का सुधारने का काम करते हैं, उन के लिए किसी आदरसूचक शब्द का प्रयोग किया जाये, जिस से उन के प्रति आदर और सम्मान प्रदर्शित हो सके। आप देखें कि रेलवेज में "सफाईवाला" शब्द प्रयास है। इस मंत्रालय को भी वह शब्द धरना चाहिए। मेरा सुझाव है कि माननीय मंत्री जी यहाँ पर ऐसा प्रस्ताव लायें कि "स्वीपर" के बजाये "सफाईवाला" शब्द का प्रयोग किया जाये। वह शब्द उन की

प्रतिभावना को ज्यादा अच्छी तरह जाहिर करेगा।

लेकिन मैं सरकार की उदासीनता और हठीलेपन को भी समझता हूँ। सरकार कमेटी कायम करती है और आशा करती है कि सारी दुनिया उस की रिपोर्ट में दी गई सिफारिशों पर धमल करे, लेकिन वह खुद उस के बारे में कोई कदम नहीं उठाती है। जब सामाजिक सुरक्षा मंत्रालय के अधीन स्कैंडलिंग एन्व्हायरी कमेटी बनी और जब उस कमेटी ने "सफाईवाला" शब्द का प्रयोग किया, तो इस बिल में भी वही शब्द प्राना चाहिए।

जिस तरह से हम दक्षिण में "घोटी" शब्द का विरोध करते हैं, उसी तरह हम "स्वीपर" शब्द का भी विरोध करते हैं। जो कदृष्टि "घोटी" शब्द में है, वही "स्वीपर" शब्द में भी है। जो लोग इस देश की चार दीवारी में, चाहे म्यूनिसिपैलिटीज में और चाहे कोयले की खानों में, सफाई का काम करते हैं, उन के लिए आदर सूचक शब्द का प्रयोग किया जाना चाहिए।

इस लिए इस "स्वीपर" शब्द पर मेरा पसंदनल आश्चर्य है। मुझे आशा है कि मंत्री महोदय इस तरफ विशेष ध्यान देंगे। एक सामाजिक कार्यकर्ता की दृष्टि से मैं चाहता हूँ कि इस बिल में "सफाईवाला" शब्द का प्रयोग किया जाये। मैं कानून को बहुत बारीकी से नहीं देखता हूँ, लेकिन जब कोई बात निगाह के सामने आ जाती है तो मैं उस में दखल देता हूँ और स्पीकर साहब तथा डिप्युटी स्पीकर साहब की कृपा से दो तीन बार बड़े होने पर समय भी मिल जाता है।

मैं यह भी चाहता हूँ कि मंत्री महोदय उन एरियाज की नैग्लिजेंस और बहुत ही बुरी लैकिंग सैनिटरी कन्डीशन्स की तरफ भी ध्यान दें। वहाँ पर मल सफाई

[श्री बाल्मीकी]

की दृष्टि से ड्राई टाईप का सिस्टम है, चारों तरफ़ ड्रापिण्ड पड़ी रहती है और बन्दू फेली रहती है। वह इन बातों को तभी दूर कर सकेंगे, जब वह सफ़ाई वालों को धावास की सहूलियत देंगे, उन के जीवन-यापन के लिए उचित वेतन देंगे, उन को धावश्यक सहूलियतें दे कर उन क जीवन-स्तर को कुछ ऊंचा उठाने का प्रयत्न करेंगे, ड्राई टाइप सिस्टम को हटा कर वेट टाइप सिस्टम, माइन सिस्टम लागू करेंगे।

इन शब्दों के साथ मैं इस संशोधक विधेयक का स्वागत करता हूँ और धाराशा करता हूँ कि माननीय उपमन्त्री जी ज़रूर इस तरफ़ ध्यान देंगे और उन लोगों के जीवन को सुधारने के लिए प्रयत्न करेंगे।

**Shri Warlor (Trichur):** Sir, it is well and good that we welcome the suggestions contained in this amending Bill. The condition of the coal mine workers is horrible. It is most risky. One has to see how they work and in what conditions they work to know what are the conditions actually obtaining there. We had occasion to go to some of the coal mines. We found that even cooking coal was not given by the mine owners to these coal workers. They are not working in open cast mines. Nowadays they are working with very great risk to their lives. But their conditions of work still remain the same with all that the Government has done through legislations. In 1958, I remember, I had occasion to speak on the very same subject. At that time a major demand was that the contribution made by mine owners or the employers should be on a par with what is collected as contribution from the workers. Until then the workers had been contributing about 8 per cent whereas actually the employers had been contributing only 6-1/4 per cent. On that occasion the Government gave us a promise that they would consider

the matter sympathetically. Finally the Government decided—it is well and good and we are thankful to them for that—that it must be on a par with the contribution made by the workers, that the employers' contribution must be on the same level or same percentage as the contribution made by the workers. But I ask the Government, even after doing that, for which we are thankful—I have expressed our thanks—why not the employer be asked to contribute more than the workers. How can you equate the poor worker with the rich employer?

15 hrs.

**Mr. Deputy-Speaker:** Now it is 3 O'Clock. We will take up the next item of business. He will continue his speech tomorrow.

15.04 hrs.

MOTION RE: STATEMENT ON OIL POLICY—contd.

**Mr. Deputy-Speaker:** The House will now take up further consideration of the motion moved by Shri S. M. Banerjee about the statement on oil policy. Dr. L. M. Singhvi will continue his speech. I find he is not here. Shri P. C. Borooah. I will call the Minister at 3.00 p.m.

**Shri P. C. Borooah (Sibsagar):** Mr. Deputy Speaker, Sir, coming as I do from an oil-bearing area with ONGC right in my home town, Oil India at 25 miles and AOC at less than 100 miles from my place, I feel naturally interested not only in our oil policy, but in everything that concerns oil.

In the statement the hon. Minister said that important developments had taken place in the oil industry of India since the last session of Parliament and he had to restate the oil policy in that context in order to remove the misgivings created by the interested parties to mislead the public. How far this debate has been