

SHRI SATYASADHAN CHAKRABORTY: You said in your election manifesto, that during the Janata regime, it was there. What is happening now?

(Interruptions)

MR. SPEAKER: Mr. Das — Question No. 82.

## ORAL ANSWERS TO QUESTIONS

### Labour Export racket in the Country

\*82. SHRI A. C. DAS:

SHRI VIRDHI CHANDER JAIN:

Will the Minister of LABOUR be pleased to state:

(a) whether any labour export racket for Middle East is continuously going on in India;

(b) if so, details thereof; and

(c) details of efforts being made to smash such type of rackets?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI DHARAMVIR): (a). No Sir, but some cases of exploitation and cheating of emigrants and intending emigrants by unscrupulous elements have been reported to the Government from time to time.

(b) 158 individual complaints of alleged exploitation and cheating, breach of contract and non-payment of dues etc. have been reported between September, 1981 and June, 1982. All these cases have been referred to the appropriate authorities for investigation.

(c) The following steps have been/are being taken to prevent exploitation and cheating of workers:—

(i) A pamphlet giving the details of living and working conditions in various Gulf Countries alongwith the minimum expectation of wages and peculiar features of the labour laws of those countries have been published and circulated to the various State Governments.

(ii) Steps are being taken to advertise a list of 'Dos' and 'Donnts' for the prospective emigrants at the P.O.E.'s office as also at the embarkation points, so as to enlighten them regarding their right and duties.

(iii) The matter of giving wide publicity to unscrupulous agents being convicted by courts is under examination.

(iv) Giving wide publicity through All India Radio and Doordarshan is also being considered.

(v) A Bill to regulate Emigration is in the process of finalisation for introduction in the Parliament, which, when enacted, will give sufficient powers to the Government to regulate the working of the recruiting agents.

SHRI A. C. DAS: It is an admitted fact that there are some rackets operating in our country. I am glad that Government has taken a lot of measures; and there is a proposal to introduce a Bill—to review emigration—which is in the process of finalization. But may I know from the Government whether it proposes to set up its own organization or agency to recruit labour to the Middle East countries, in view of the malpractices indulged in by the racketeers?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI BHAGWAT JHA AZAD : As the system is today, we have got under the Supreme Court's orders certain conditions, under which the agents or the firms, either through themselves or through their agents, are getting the labour. Whenever we get complaints of such nature, the first thing we have to do is to contact the Embassy of a particular country, find out the actual posting and accordingly we take action against the agent or the employer as the case may be.

SHRI A. C. DAS: It is stated here that "158 individual complaints of alleged exploitation and cheating, breach of contract and nonpayment of dues etc. have been reported between September 1981 and June 1982." May I know from the Government what is the appropriate authority

and what is the result of investigation and how the 158 people have been benefited by the investigation and what action has been taken against the guilty? What is the number of persons in jails in these countries for travelling without valid documents?

**SHRI BHAGWAT JHA AZAD:** We have individual complaints as I have said in the reply; and in such cases, at present, what we have to do is that we refer the case to the police for investigation. We have received 158 individual complaints of exploitation, cheating and other charges. In the case of serious irregularities, the first thing we do is that we put the firm behaving in this manner on the prior approval list; that means we do not allow them to export any further till we clear their cases. In the case of minor irregularities we ask the Embassy concerned to find out and do the needful in this case. 127 cases were referred to the police for investigation; in 1980-81, some of them had been convicted; some of them could not be. 111 cases are under investigation. In both these, our instrument of punishment is that we put the firm on the prior approval list. As on today, under the Supreme Court order, they are free to export and we cannot do anything; that means we do not do anything in these cases. Therefore, the major punishment is this. In the case of minor irregularities we ask the Embassy to see how far they can be settled.

**श्री वृद्धि चन्द्र जैन :** अध्यक्ष महोदय, मंत्री महोदय ने काफी विस्तृत जवाब दिया है। मैं इस संबंध में यह जानना चाहता हूँ, जैसा कि उत्तर में बताया गया है -

"The following steps are being taken to prevent exploitation and cheating of workers.

(a) A pamphlet giving the details of living and working conditions in various gulf countries along with the minimum expectation of wages and peculiar features of the labour laws of those countries have been published and circulated to the various State Governments."

इस संबंध में आपने पंपलेट्स सर्कुलेशन के बारे में कहा है, लेकिन संसद सदस्यों और विधायकों को ये पंपलेट्स नहीं मिले हैं। कोई पब्लिसिटी नहीं हुई है -- इस संबंध में स्पष्टीकरण दें।

दूसरा मैं यह जानना चाहता हूँ कि इस संबंध में इमीग्रेशन ला क्वा इस सेशन में लाने जा रहे हैं? अंत में मैं जानना चाहता हूँ . . . ।

**अध्यक्ष महोदय :** एक ही प्रश्न पूछिए, आप तो पूछते जा रहे हैं।

**श्री वृद्धि चन्द्र जैन :** क्या श्रम विभाग अपने अधीन इससे संबंधित किसी एंप्लाय-मेंट कारपोरेशन की स्थापना करने जा रहा है?

**श्री भगवत भा राजाद :** अध्यक्ष महोदय, ये पंपलेट्स छपवा कर विभिन्न राज्य सरकारों को, जहाँ से श्रमिक भाई आते हैं बाहर, भेजे गए हैं। यदि माननीय सदस्यों को नहीं मिले हैं तो हम भिजवा देंगे। इसके अलावा जल्द से जल्द हम संबंधित बिल ला रहे हैं। तीसरी बात जो उन्होंने पूछी है, इसका जवाब पहले ही दिया जा चुका है कि केन्द्रीय सरकार अपने स्तर पर कोई कारपोरेशन स्थापित करने नहीं जा रही है। इस समय चार राज्य सरकारों को अंतर्गत, महाराष्ट्र, केरल, तमिलनाडु और उड़ीसा में कारपोरेशन है। उनके ऊपर यह जिम्मेदारी है कि उनको मजबूत किया जाए, बजाए इसके कि केन्द्रीय कारपोरेशन की स्थापना करें।

**SHRI E. BALANANDAN:** This is a very serious matter. The answer given by the hon. Labour Minister is too general. And he has assured that a Bill is coming. That is all right. But I want to mention through you, that there are rocketeers of many types, there are people and organisations which are sending workers to other countries, there are individuals who promise the employment seekers that they will be provided with employment

while they take twenty thousand, twenty-five thousand or sixty thousand rupees from these people and finally they do not give any employment. I have myself brought to the notice of the Minister several cases of this type. Therefore, till we finalise the Bill, is the Government going to take any steps, to see that if any complaint is made, by anybody who has been cheated by these racketeers, will they be enquired, and will any definite instructions be given to the Police to register cases and to see that these people are booked and promptly punished?

SHRI BHAGWAT JHA AZAD: Yes. I fully agree with the hon. Member that complaints are made, and they come to me. I had given their number. I had given their number in 1980-81, and what action was taken, and I gave it in detail. There have also been complaints in 1981-82 and I have taken action on them also. I said that there are two kinds of complaints. One was about the conditions of service, that allured them and which were not being fulfilled. They are the major ones. One important case has been referred to me by Shri Vajpayeeji about Libya and in that we had to immediately stop exporting of labour and till we got the report we could not permit them or give them the clearance. Similarly we got some reports about two firms. We have put them also in the list. In major cases we put them in prior approval lists and in minor cases we asked the Ambassadors to look into them. We get reports and send them to the Police and we do full investigations. Later the cases are sent to the courts and thereafter conviction also takes place.

DR. SUBRAMANIAM SWAMY: I know something about these rackets, because... (Interruptions)

MR. SPEAKER: You have no truck with them? (Interruptions)

AN HON. MEMBER: Mr. Swamy should be arrested... (Interruptions)

DR. SUBRAMANIAM SWAMY: The reason is... (Interruptions)

MR. SPEAKER: Do you want to export them?

DR. SUBRAMANIAM SWAMY: All communists should be exported. I am in favour of it, and to Soviet Russia but not to China. (Interruptions)

AN HON. MEMBER: Why not to U.S.A.? (Interruptions)

AN HON. MEMBER: What about him? (Interruptions)

DR. SUBRAMANIAM SWAMY: To doubt my integrity is a crime. Please take notice of it.

Most of the recruiting agencies are in Bombay. Therefore, I have special knowledge. And secondly, the Estimates Committee has set up a Sub-Committee to examine this question. I was a Member of that Sub-Committee. I am speaking... (Interruptions)

AN HON. MEMBER: Is it a part of the question?

DR. SUBRAMANIAM SWAMY: I am speaking something which may sound strange but it is based on sound information. As the Minister said, some people are taken, they are cheated and they are dumped half way or somewhere. I would like to know whether it is a fact that some of the countries which received Indian labour have made it clear to the Government of India that certain categories of people will not be acceptable. I would like to know from the Minister, whether he has seen Press reports to say that for example, Saudi Arabia has made it clear that they do not want Sikhs and Sardars there. The recruiting agents have also told me that the Government also acquiesces in that malpractice. I want to know whether the Government will ensure that in the export of our labour there will not be discrimination between the communities and they go strictly by talent and ability and particularly that they will ensure that Sikhs from the Punjab get their share in the Middle-East.

SHRI BHAGWAT JHA AZAD: Sir, people are sent outside only according to

the need in that particular country, and according to the kind of people that are required, skilled, semi-skilled or otherwise. Not that they are just picked and sent there. There are firms there who have taken this job in those countries. Some of them are Indians and some of them are foreigners. Under the present directions of the Supreme Court under which we are guided, they can either recruit directly or through the agents. No such labour which are not required in a particular contract for the kind of job, is sent. Therefore, there is no such discrimination. It is true that when we get the demand of a particular type of labour according to the description of the job from the companies, only they are sent. Therefore, there is no discrimination between Sardars or non-Sardars. Rather the hon. Member is making that discrimination.

DR. SUBRAMANIAM SWAMY: The whole Punjab knows that. And he is saying like this. If tomorrow the report goes in Punjab that Sardars are not welcome and the Government denies it, what will they think of this Government?

SHRI BHAGWAT JHA AZAD: I assure the hon. Member that I would like to draw upon his expert knowledge about this racketeering so that he can guide me as to how best I can do in this matter.

MR. SPEAKER: Guide in what?

THE PRIME MINISTER (SHRIMATI INDIRA GANDHI): There was some such news. But when I was in Saudi Arabia I was told that there would not be any discrimination.

DR. SUBRAMANIAM SWAMY: Then you keep on going to Saudi Arabia so that this does not happen.

PROF. N. G. RANGA: Similar export of labour used to be carried on under the indentured labour system. Then there was agreement between one country and another. In those days, the Government of India, which was British Government at that time, used to reach an agreement with such Governments as that of Malaysia and Ceylon in order to ensure minimum decent economic and social conditions for

our labour. There was what was known as *kangani* system by which the so called racketeers or middlemen, who used to recruit these people, used to be... (Interruption)

DR. SUBRAMANIAM SWAMY: I object to his pointing towards me.

PROF. N. G. RANGA: The hon. Member seems to have some knowledge about them.

अध्यक्ष महोदय : उन्होंने यह तो नहीं कहा कि चोर की दाढ़ी में तिनका ।

PROF. N. G. RANGA: Those kanganis used to be registered and they were employed. Their activities used to be regulated. Would the Government make some study into the past experience and ensure that in future at least the kind of legislation that they are going to have, would provide for steps to ensure proper behaviour on the part of these middlemen on this side and also proper treatment on the part of the Government, who would be receiving our labour?

SHRI BHAGWAT JHA AZAD: It is a good suggestion that I should see through the past about this kangani system. I must admit that according to the age of the hon. Member, he has disclosed much more facts than I knew. Some of them I do not know. I will try to go through the past records and certainly ensure, as is our intention, that middlemen in this country should give proper behaviour and no cheating on this side and where they are employed, they should get decent working conditions.

SHRIMATI INDIRA GANDHI: As I informed the House on an earlier occasion, I fully agree that the interests of our workers should be safeguarded. However, what has actually happened is that such employment markets are being closed to us. And these people there are looking towards the Philippines and other countries for their labour. That also is harmful to our people because they could make good money there.