

A (3) A-3 44

**THE CONSTRUCTION WORKERS
(PROTECTION AND WELFARE)
BILL, 1981**

SHRI M. KALYANASUNDARAM
(Tamil Nadu): Sir, I beg to move:

"That the Bill to provide for welfare and protection of employment of the construction workers and for matters connected therewith, be taken into consideration."

Sir, the Bill is dated 1981 I am requesting the House to take into consideration this Bill, introduced in 1981, now, at the close of the year 1985.

Sir, I gave notice of this Bill on the very first day of my entry into this House in 1981 and now I have the privilege of moving it for the consideration of the House at the fag end of my term. I am lucky that I am alive and I am able to request the House to take the Bill into consideration.

Sir, this is a very very innocuous Bill. In fact, the Government themselves should have come forward with such a measure in pursuance of the directives of the Supreme Court and also the assurances given by them several times in the other House.

Before I make my point, Sir, I want to read out to the House the Objects and Reasons of the Bill so that it can form part of the proceedings of the House.

"The construction workers number nearly two crores in India"—now it may be a little more—

"Out of whom 20 lakhs are in the State of Tamil Nadu alone. Construction has been an age-old industry in our country. The superb monuments found all over this country are symbols of a civilization built by the blood and sweat of these toiling masses. Since Independence, various developmental work like dams roads, industries and bridges have been undertaken and crores of rupees have been spent through budgetary provisions and Five Year Plans."

"But the position of the workers involved in all this activity is appalling. They have no security of employment; they get very low wages and have no educational, housing or creche facilities. Accidents are very frequent while medical facilities are almost nil; neither safety measures are enforced nor any compensation paid to the victims of accidents. Most of the labour welfare legislations do not apply to the workers involved in this industry and these workers who are the pillars of this modern world, are neglected by the very world which they have built face insecurity and live in wretched conditions."

This is the brief Statement of Objects and Reasons which defines the purpose of this Bill. The Government have given an assurance and I want to ask the hon. Ministers who are responsible for this—both the Law Minister and the Labour Minister—when they propose to bring such a Bill.

My Bill is not so radical. It contains about 56 clauses, all enabling provisions. They only confer powers on the Government so that they can decide the quantum of relief based on the availability of resources. So there may be criticism of this Bill that this is not radical enough. Nobody will accuse it as a radical measure to protect these weaker sections of society who contribute so much to increase the national wealth. On that score it cannot be criticized. So I would even now urge upon the Government to consider whether they can confer a privilege on me, being one of the eldest trade union workers, to accept this Bill. If they can do so, it will not be an honour to me personally but to those who contributed to the production of this Bill. I do not claim any credit for myself. It is a collective product. I discussed it with the actual workers in the field, the trade unionists who are engaged in protecting these workers, I took the help of some lawyers. because I am not a lawyer, and I have taken even the help of our

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staff, parliamentary staff, in finalising this Bill. So this is not my individual effort. It is a collective effort of all concerned. In spite of that the Bill may be defective in some respects. I look to all senior and able Members of this House to correct it, if necessary, and to see that this is passed as early as possible.

It is more than three years since the Supreme Court judgment came out. I am very unhappy to find that in our country the Judges are more liberal and more loyal to the Constitution than the Members in this House. The day before yesterday, we saw how the fishermen were treated. There was an attack on the fishermen, their dignity and honour. Their means of livelihood was sought to be deprived. After all, the fishermen live on their catamarans. A catamaran is a wooden float, the cheapest equipment by which a fisherman makes his living and produces some fish for the society. It is the Supreme Court which helped them on the basis of a petition. Similarly, the Madras High Court helped the situation to bring the teachers' strike to a happy end. I feel that all concerned must be happy about it, whether the State Government or the teachers or those parties which helped the teachers. All of them must feel happy about the directive given by the Madras High Court in this matter. I want to know why we should allow the Supreme Court to find out these lapses on our part. Another important thing is that when this writ petition was before the Supreme Court, the attitude adopted by the advocates representing the Union Government, the Delhi Administration and the Delhi Development Authority is very strange. When the Judge says that the children below the age of 14 should not be employed in the ASIAD projects, these representing the Government of India argued that construction industry is not included in the Scheduled of

the Prevention of Children Employment Act. What a strange argument; That Act was passed in 1938 by our foreign rulers. They had to take note of the horrible conditions of our children. But the advocates who represent the Government are not even aware of the Constitution. Article 24 of the constitution categorically prevents the employment of children below the age of 14 in any hazardous industry. Did they act under instructions from the Government or did they act on their own? In both the cases, the stand taken by our advocates is regrettable. They do not even try to understand the policies and principles which guide our Constitution and our democracy. That is the level of our pleaders. Am I to blame them or am I to blame the Law Ministry which gave them the directives? Similarly in the same judgement, the lawyers have taken a stand that construction workers cannot be brought under these directives. It was for the Supreme Court to point out the existence of Contract Labour Act. These industries become the principal employers. I want the Government to bear in mind that in all these projects the State Government or the Central Government or the public sector undertaking become the principal employers because all these projects are financed by them and sanctioned by Parliament. The Government has to take the responsibility for providing the elementary amenities for these workers and for giving them some security of service. So, the responsibility of the Government is statutorily upheld by the Supreme Court. Now, it is for the Government to implement it through proper legislation and also through other organisational methods.

Another point which I want to bring to the notice of the hon. Minister is that even where public sector construction agencies operate they operate

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only through contractors. The Hindustan Steelworks Construction Corpn., the National Buildings Construction Corporation, the National Projects Construction Corporation and all these public sector undertakings only employ labour through contractors. They supply all construction materials. And what do the contractors do? They only bring the labour. And nobody knows whether they fully utilise the building materials like cement and steel provided to them in the process of construction. That also is not sure. So, they only supply the labour. And they make huge profits as was seen in the last floods in Tamil Nadu. Many of those roads which were laid recently broke away and they were unable to stand even this much of rain. That is how the contract system loots our country. And the money spent on our projects may not be fully utilised and the benefits are denied to the society. The benefit is diverted to the contractors, aided in many cases by corrupt bureaucrats and even some corrupt politicians. Even political parties fix the rates for these contractors that for so much work, so much commission should be given. I do not mind political parties collecting funds from people for their own politics. It is the people who should keep up the political parties. But the rate should not be fixed and collected from the Government funds. It is a diversion of Government funds through the contractors, through the projects for certain political purposes and political parties. So, the contract system has got its own evil. So, I appeal to the Government to see that the contract system is abolished. I don't say that everything should be abolished. Have a limit, say a project which will not cost more than Rs. 10 lakhs or a project which lasts only up to two months can be excluded. I am prepared that such of those projects which will cost below Rs. 10 lakhs and which may be completed within two months may be excluded from any of the provisions of this Act or from all

the provisions. I am only concerned with the bigger projects by the Government, by the public sector. So, there should be a proper legislation to protect the interests of the workers and also to ensure that the money intended for the project is properly utilised in the best interest of the nation. That is why I took efforts to study the problems and bring about this draft Bill. Now this Bill seeks to appoint inspectors. And they are Government inspectors like the factory inspectors. These inspectors will visit the project areas to see whether the labour laws are properly observed or not and to ensure that amenities like medical facilities, drinking water, conservancy, etc. are provided. When a project takes two to three years for completion, is it such a big thing to ask for? Can't these amenities also form part of any project? I would like to ask the Finance Minister and the other economic Minister to consider this. In any project, this provision for amenities for the workers also must be included as part of the estimate. I am not asking for something impossible. When the workers contribute so much of their labour in the construction of these public roads and buildings, it is but their right to get protection and other amenities and they have a right to the safety of their lives. This clause seeks only measures for appointment of inspectors and empowers them to visit the project sites. Then there is a provision to have subordinates under them. There is the provision of drinking water there. The provisions relating to medical facilities and safety provisions are also there. None of these sections can be said to be coercive. These provisions only enable the Government to quantify these benefits and take appropriate measures through rules and regulations. The powers are given only to the Government to frame rules and regulations under which these benefits can be regulated or conferred. So, that can be

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decided later, on the basis of the resources available or in relation to each project separately. So, these things can be done after a careful study. This Act does not arbitrarily demand anything or conferred anything. Then there is the provision for a canteen here. How a canteen should be run, how much subsidy should be there, what should be the price of the edibles is not mentioned. There is only a provision of a canteen here. How it should be run is a matter to be regulated by rules.

Then some provisions have been made in regard to recreational facilities, creches, etc. Women are working, children are working, women with babies-in-arms are working. It is an elementary human right to confer these facilities on them. These are the facilities enumerated in these clauses enabling the Government to provide them to the workers. Either the contractor should provide all these things or the Government themselves should provide and adjust the cost from the bills of the contractor. In whatever way it can be done, it is left to them. There is no rigidity. The Bill has been so carefully drafted that the Government cannot find it difficult to accept it.

Then, Sir, I have already stated about the wasteful expenditure in the contract system. This Bill seeks not only to protect the construction workers but also protects the Government public interest in the construction by enforcing certain regulations in the contractors and on the department. Our Constitution proclaims socialism as one of its aims. I do not want to ridicule anybody who speaks about socialism.

SHRI KALP NATH RAI (Uttar Pradesh): You must tell us what is socialism.

SHRI M. KALYANASUNDARAM: When you want to implement socialism, why should you object to this Bill? What is meant by socialism? Socialism means prevention of exploitation.

exploitation of man by man. Here you are allowing Government resources to be exploited by contractors and corrupt people and you want the worker to shed his blood to build the projects.

SHRI KALP NATH RAI: You tell us what to do. I support you.

SHRI M. KALYANASUNDARAM: The entire society labours for the projects. You know how Lenin also worked in the beginning in 1921 for the construction of metro in Moscow. He went along with the workers and carried the baskets, to inspire them. Even Nehru sometimes offered that. Where are we now? Where is that generation of selfless workers now? If anybody joins the ruling party or a political party, how soon could he become a Minister or some Chairman somewhere, is the only ambition. That is how the society itself is getting corrupt. My dear Shri Kalpnath Rai, we want that socialism with the help of the working class and not with the help of the Birlas, the Tatas and the multinationals.

SHRI KALP NATH RAI: I agree with you.

SHRI M. KALYANASUNDARAM: Those who are not in power, must agree with me. Those who are in power, I do not know, what they do. Now you are not in power and it is easy for you to join me and support me.

SHRI KALP NATH RAI: Always the socialist forces inside the Congress have been successful against the reactionary forces.

THE VICE-CHAIRMAN (SHRI M. P. KAUSHIK): Let him continue Mr. Kalp Nath Rai.

SHRI M. KALYANASUNDARAM: You must allow us to enjoy. We are not quarrelling.

THE VICE-CHAIRMAN (SHRI M. P. KAUSHIK): This dialogue has been going on for too long.

SHRI M. KALYANASUNDARAM: He wants to put his views through me.

THE VICE-CHAIRMAN (SHRI M. P. KAUSHIK): He has the chance to say anything he likes.

SHRI M. KALYANASUNDARAM: Let us modernise our thinking also. We must certainly modernise the whole country; we are a country of more than 70 crores people. A man is born not only with his belly; with his two hands and the brain also. So he works and contributes; give him what is due to him for his labour. He who shall not work, shall not eat. But what do we find in our society? He who does not work shall eat as much he likes and even if he can not eat, he will swallow as much as he can. That is the system. So, people will lose faith in us. It is more than 38 years now that we attained our independence. Recall what we had promised to the people during the struggle for freedom. Also recall what we have been saying every year and every five years, before every election.

SHRI KALP NATH RAI: Idea is the material force when we talk of socialism, Marx said.

SHRI M. KALYANASUNDARAM: The idea is what grips the masses. That is what Marx said. Let us be faithful to the ideas. I do not say any particular political party can build socialism; it is the masses of the country, the workers, the farmers and those who are in power must guide and must pave the way and give them the facilities. Let us take the experience of other countries, which have done away with poverty and unemployment. Poverty and unemployment are not a curse of God; it is all man-made. However advanced and modernised a country may be, it has to fight against corruption. Let us learn the lessons of those countries. U.S. also is very much advanced. What is the rate of unemployment and rate of inflation there? What is the rate of corruption? Corruption is in worst form in the U. S. and in Japan

Not a year passes when accusations of corruption by high-placed people are not levelled. What does it mean? Let us try to learn how to eradicate poverty and unemployment. We cannot eradicate poverty and unemployment by just modernising somehow or other. We must radically change the system also; the system should be such that it helps in fighting poverty and unemployment, corruption and black money. Black money and corruption are the vices of this system. Recently, I was very much pained to see a Port Trust Chairman being arrested for being in possession of Rs. 45 lakhs worth of foreign currency, in a foreign bank. He was held in high esteem, as a very good man and as a very efficient officer. It took sometime for people to believe that such a thing could have happened. There were even some who felt that somebody else might have done it and foisted it on him. But I am prepared to believe it. I do not blame him. Where did he get the money from? Who paid it? For what purpose did they pay? They would not have paid it for nothing.

So long as you invite modernisation from multi-nationals either from Japan or America or West Germany, you cannot prevent such things, people having money in foreign banks and so on. It is inherent. I once said in this very House earlier, as soon as Mr. Reagan came to power in America, the clamour of the multi-nationals was that the restriction on the accounts of promotional expenses should be removed. For corrupting people, it is known by the dignified term 'promotional expenses'. The argument advanced by them is that in the Third World countries, they have to pay the politicians and officers to sell their projects, to sell their goods. Therefore, they said, there should not be any restriction. This was the demand they made of President Reagan as soon as he came to power and the Act was amended. This is how they are corrupting the Third World countries. And you want to modernise with the help of such people. You may modernise. But the employment potential will be reduced and poverty and unemployment will increase. We have

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got sufficient manpower. Harness this manpower. If our manpower and natural resources are sufficiently harnessed and properly utilised, we can develop more than we can by using modern technology. By using modern technology manpower is a powerful technology. We can match with modern technology.

Do not misunderstand me, that I am opposing modern technology. No. Modern technology means, you give relief to the people, enable them to live better, to work less and to earn more. Modernisation does not, should not, mean less employment and starvation. Even in the last two years, employment in the ports and docks has been getting reduced. Where there were 3,000 workers, there are only 1,500 workers now. Computerisation in the offices and containerisation in the mode of transport. This is the purpose of modernisation! Is this the purpose of modernisation? I have seen modernisation in construction. Modernisation should not mean reduction in unemployment, but giving modern facilities. To some extent, in the Railways, there is at least a semblance of it. Railway coaches are taken to the project sites, the workers are allowed to cook their food and sleep there. No kitchen is run. During the period of their leisure, they are allowed to cook by themselves and take their food. In our own country, it is possible. It is being done in the Railways. It can be improved. Similarly, in other projects, it can be done. It is not impossible. I am not asking for anything bigger for the workers. This can be done according to our capacity. You need not give them chicken with every meal. Give them some roti, dal and some potato. This will be enough for our workers. Even this they are not able to get in a healthy manner. They are unable to get wholesome food. They have to eat along the dust. In such horrible conditions they have to work. It is inhuman for us to boast that we have achieved so much, done so much, during the past five or six Plan periods. And who has paid for it, who has suffered, who has sacrificed? Take any dam. People have died during the construction. Can we not

put a memento there for those who died during the construction of those dams, projects? A slip down and he is dead. Where is the remedy. Before you take him to the hospital he dies on the way. How many deaths have taken place in many of these projects? Nobody knows. The poverty is such that the contractor will pay them some five hundred or one thousand rupees for the funeral and the people will cry and forget. That is how labourers are working on these projects. Even death goes unnoticed, accident goes unnoticed. I have only suggested inquiry into the accident in the Bill. I am not asking anything more than that. Construction work has become a stable industry. If our country has to progress, it is not enough to rely on modernisation. It is no use rushing to Japan or America or West Germany for developing our economy, boosting our industry and for construction of new projects. What are you going to do with this huge manpower, unlimited manpower and with our natural resources? Should they starve and die? This is my question. So, this Bill only seeks to confer the status of a workman under the Industrial Disputes Act to these workers of the construction industry. Nothing more than that.

Other things are left to the Government to define through regulations I, therefore, appeal to the Government to consider this Bill. There is no justification in opposing this Bill if you stand for principles which you are proclaiming to the people. So, kindly accept this Bill and I am concluding with this so that other Members also may support.

I seek the support of all sections of the House and if there are any suggestions, I am prepared to accept the amendments in improving the Bill.

The question was proposed.

श्री कल्प नाथ राय : आदरणीय उप सभाध्यक्ष महोदय, माननीय कल्याणसुन्दरम् जी द्वारा जो बिल लाया गया है, मैं उसका समर्थन करता हूँ। हिन्दुस्तान के संविधान में हमने समाजवादी समाज बनाने का जो संकल्प लिया है उसको भंगे नजर रखते हुए यह जरूरी है कि कंट्रैक्ट सिस्टम को

अबोलिश किया जाए। देश में लाखों लोग मुल्क के डैम, रोड कंस्ट्रक्शन केनाल कंस्ट्रक्शन, फारेस्टरी के काम में लगे हैं। उनको सम्मानजनक ढंग से इस देश में काम करने का अवसर दिया जाए। हमारे देश के प्रधान मंत्री श्री राजीव गांधी जी ने इसी सदन में इस बात की घोषणा की कि समाजवाद ही कांग्रेस पार्टी का उद्देश्य है और हम उसी दिशा की तरफ जाने के लिए कटिबद्ध हैं। उन्होंने योजना, विकास और दिशा तीनों को ही समाजवादी बताया है और हम इस संविधान के माध्यम से समाजवाद समाज की स्थापना के लिए वचनबद्ध हैं।

कांग्रेस पार्टी ने हमेशा देश की जनभावनाओं के साथ अपने को आइडेंटिफाई किया है यही कारण है कि हिंदुस्तान में कांग्रेस पार्टी ही जनता की पार्टी है। अपनी सारी मार्क्सवादी, वैज्ञानिक, समाजवाद विचारधारा के बावजूद हिंदुस्तान की कम्युनिस्ट पार्टी मास पार्टी नहीं बन सकी है क्योंकि वह जन भावनाओं के साथ नहीं रही है।

सन् 1942 में जब पूरा मुल्क आजादी के लिए लड़ रहा था सारे देश का बच्चा बच्चा अंग्रेजों को हिंदुस्तान से खदेड़ने का संकल्प ले रहा था तो उस समय कम्युनिस्ट पार्टी ने जनभावनाओं का आदर नहीं किया और अंग्रेजों का साथ दिया। इसलिए वह जनता से कट गयी। जनता की ताकत कौन था? उस जमाने में कांग्रेस पार्टी में बड़े बड़े सामंत, प्रतिक्रियावादी थे। लेकिन जमींदार प्रथा का खाला, बेगारी को समाप्त, बैंकों का राष्ट्रीयकरण राजाओं के प्रिवीपर्स को समाप्त, वीस नूत्री कार्यक्रम से सभी कार्यक्रम समाजवाद की दिशा को मजबूत बनाने वाले कदम हैं। कांग्रेस पार्टी जहां तक एक तरफ राष्ट्रवादी है शनलिस्ट है वहीं दूसरी तरफ लोकशाही, लोकतंत्र में विश्वास करने वाली है, समाजवाद की आर्थिक पालिसी को मानने वाली है और वहीं सेक्यूलर भी है। उसकी सारी दिशाएं मिलकर उसको इतना शक्तिशाली बनाती हैं कि वह जनता के साथ आइडेंटिफाइड है।

में आपकी विचारधारा से सहमत हूँ, मैं चाहता हूँ कि कांग्रेस पार्टी में समाजवादी ताकत मजबूत हों, उनकी ताकत से राष्ट्र मजबूत हो। मैं कन्ट्रैक्टुअल सिस्टम के अबोलिशन का पक्षपाती हूँ। मैं चाहता हूँ कि कन्ट्रैक्ट सिस्टम जो प्रध्याचार की बुनियाद है जो कि हमारे मजदूरों के शोषण पर आधारित है, वह खत्म हो। हम इस सिस्टम को नहीं चाहते हैं हम तो चाहते हैं कि इस मुल्क में एक लैंड आर्मी बने। सरकार लैंड आर्मी बनाये जिसमें कि सारे पढ़े लिखे लोग, इंजीनियर्स, ओवरसियर्स, स्किल्ड लेबरर्स, अन-स्किल्ड लेबरर्स सबको लाया जाये। मैं देश के प्रधान मंत्री श्री राजीव गांधी जी से प्रार्थना करूंगा कि हिंदुस्तान के संविधान में एक और प्रावधान किया जाय "राइट टु वर्क"। इट शुड बी ए फंडामेंटल राइट, राइट टु वर्क। हिंदुस्तान के हर एक नागरिक को काम का अवसर मिलना चाहिए जो भी काम हो क्योंकि हमने समाजवाद की स्थापना का संकल्प अपने संविधान के माध्यम से लिया है। इसलिए आप समाजवाद की बात करें और मुल्क में कौड़ों बेकार हों तथा मुट्ठी भर कन्ट्रैक्टर देश को लूटते रहें हैं, यह बात ठीक नहीं है। इससे हम जनशक्ति को सही पैमाने पर मोबिलाइज नहीं कर सकते हैं।

उपसमाध्यक्ष महोदय, मैं आपके सामने कहना चाहता हूँ :

"Let there be a Land Army. Manpower is our most superior resource and it can be effectively utilised through a national conscription scheme of social reconstruction which can be introduced through an Act of Parliament. Under such a legislation every able-bodied graduate should be required to serve the nation for one or two years on a minimum stipend. It should be planned on a basis suiting our national and regional needs. Individuals may be given a choice of service befitting their age and health and educational background. The national service may be divided into five divisions. Cultural divi-

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son: youth with artistic and creative talents in performing arts should be organised under this scheme. Regular visits of 6 to 12 months duration may be organised shifting them to the countryside from one region to another, creating a new cultural awakening among the young. Through their art performance and creative media, they can assist in generating new enthusiasm about the national economic plans and infuse a sense of unity and discipline and other issues of the social advancement and family welfare."

Engineering and Construction Division: Building roads, dams, canals and public utility buildings like schools, hospitals, digging tubewells, construction of solar and bio-gas plants, and maintenance of public utilities and civic centres for community activities in villages and smaller townships. This division can also be responsible for fighting soil erosion, and assisting in effort of land reclamation and reforestry in the arid zones of the country. It should also be equipped for quick re-deployment at times of natural disasters, like typhoons, floods and dam bursts.

Education and Scientific Division: This division should take charge of spreading adult education and literacy in all parts of the country. Exploration and efficient utilisation of natural resources, innovation and application of agro-industrial technology, development of renewable energy resources public and personal hygiene, propagation of scientific attitudes and principles of civic responsibility through adult and mass educational activities.

Health and General Fitness Division: Millions of man-hours are wasted every year due to lack of fitness of our working people. The division shall provide the nation with a kind of 'doctor on bicycle'—(Chinese barefoot doctor) type of programme under which immunisation and first-aid services can be provided at grassroot levels to the masses. Rules of public health and hygiene can be spread to the villages by the opening up of new rural health centres and their proper maintain-

ance in rural sectors. HGFD will ascertain that streets and public places are kept clean and the nation is free from seasonal epidemics. Environmental and curative programmes may fall under this division.

Civil Administration Division: This division shall provide auxiliary force to police our roads and highways, to supervise city traffic, and to keep a social check up on anti-social elements. Such a volunteer force can also oversee the police services at the State and Centre levels and help to provide additional manpower to increase effectiveness of the civil law and order authorities.

Our police and administrative services have to perform under extremely taxing conditions. Political interference and monetary temptations are serious impediments in maintaining high standards and integrity in public services. Such impediments can be minimised by the introduction of a service as suggested above.

All students should be required under the National Conscription Service to do at least one year of the service of his/her choice before qualifying for a degree. On a voluntary basis, perhaps, such a scheme can also be introduced for teachers and university professors. All promotions irrespective of ranks, in colleges, universities and governmental departments can also be required a six-month to one year additional refreshing stint with the NRS. Agricultural and medical institutions have already introduced a kind of extension services for their graduates. Universities and institutions of higher learning in social sciences, life sciences and humanities can also introduce such schemes in their curricula.

Admittedly, a NRS legislation is not going to be popular with the urban voters. But considering the challenges before the country, where lakhs of educated unemployed youth are facing utter frustration and self-dejection due to lack of job opportunities, efficient utilisation of our manpower becomes necessary."

Taming of our youth power must be given top priority in the Seventh Plan. Mobilisation of the youth is imperative for utilisation of tremendous amount of creative energy which is otherwise likely to turn into a basin of destructive violence. The introduction of NRS will forge a long overdue cultural revolution so urgently needed for India's National Reconstruction.

आदरणीय उपसभाध्यक्ष महोदय, मैं आदरणीय कल्याण सुन्दरम जी के इस कंट्रैक्चुअल लेवर सिस्टम के पक्ष में हूँ। अगर अमरीका को अपने डालर पर गुमान है या अगर योरोप के मुल्क डालर के बल पर सारी दुनिया को कंट्रोल करना चाहते हैं तो हिन्दुस्तान अपनी मैनपावर पर गर्व कर सकता है। मैन पावर का इस्तेमाल कैसे होगा। सातवीं पंचवर्षीय योजना का लक्ष्य है प्रोडक्शन और प्रोडक्टिविटी। प्रोडक्शन और प्रोडक्टिविटी तब होगी जब मुल्क के हर खेत पर कैनल का पानी पहुँचेगा, हर लैंड इर्रीगेटेड होगी, जब मुल्क में फारेस्टरी का आलराउंड डेवलपमेंट होगा, जब मुल्क में एनीमल हसबैंडरी का चतुर्विध विकास होगा, जब कैनल गंगा और कावेरी को जोड़ेगी, तब हिन्दुस्तान का एग्रिकल्चर डेवलप होगा। इस डेवलपमेंट के लिए डैम कंस्ट्रक्शन, रोड कंस्ट्रक्शन, नेशनल हाइवे कंस्ट्रक्शन जैसे सारे कामों को करने के लिए हिन्दुस्तान की मैनपावर का इस्तेमाल करना है। यह सही है कि हम तनद्वाह देते हैं, लेकिन हिन्दुस्तान में दस लाख लोग ऐसे हैं जिनको आप कहें कि हम केवल दो वर्ष खाना देंगे और दो वर्ष के बाद नौकरी देंगे, उनको सब काम करने पड़ेंगे तो दस लाख नौजवान लैंड आर्मी में भरती हो जाएँगे और अपनी ताकत से सारे देश के नक्सों को पलट सकते हैं। आदरणीय राजीव गांधी जी जब कांग्रेस पार्टी के जनरल सेक्रेटरी थे तो उन्होंने लैंड आर्मी का नारा दिया था। मैं चाहता हूँ कि हमारे प्रधान मंत्री जी राजनीति में आने से पहले लैंड आर्मी को दिये अपने नारे को प्रधानमंत्री बनने के बाद कार्य रूप में परिणत करें। मुल्क में जितना फारेस्ट होना चाहिए उतना नहीं है। उस काम को करने के लिए लैंड आर्मी काम में आ सकती है। जितना दूध दही हिन्दुस्तान के आदमी को मिलना

चाहिए नहीं मिल रहा है। अजबे किस्म की एनीमल हसबैंडरी को अपना कर और योरोप के विकसित देशों की तकनीक अपना कर हम उस समस्या को हल कर सकते हैं।

हिन्दुस्तान का 70 फीसदी वाटर वेस्ट हो जाता है। हिन्दुस्तान के चालीस हजार गांवों में ड्रिपिंग वाटर का प्रोब्लम है, 38 साल के आजादी के बाद हम 38 हजार गांवों में पीने का पानी का इंतजाम नहीं कर सके हैं। यह 70 फीसदी पानी जो वेस्ट हो जाता है उसको कंजर्व करके इरीगेशन के लिए इस्तेमाल करना। ड्रिपिंग वाटर के लिए इस्तेमाल करना, देश को दोलत को बढ़ाना-ये काम केवल लैंड आर्मी कर सकती है।

1400 करोड़ रुपए की लागत से टिहरी डैम बनेगा। पंचेश्वरी, करनाली, मालू बांध बनाने के लिए 40,000 करोड़ रुपया खर्च होगा। बिना विश्व बैंक की सहायता के ये डैम नहीं बन सकते। इन डैमों के निर्माण के लिए सबसे बड़ी चीज है लैबर और इस लैंड आर्मी की ताकत से बड़े-बड़े डैमों का निर्माण हो सकता है, बड़ी बड़ी थारवा सहायक जंसी नहरों का निर्माण हो सकता है। हिन्दुस्तान के नौजवान नहीं कहते कि हमको तनद्वाह दीजिए। हम उनको खाना कपड़ा देंगे और दो वर्ष तक उनको यह काम करना पड़ेगा। जो लोग सफल हो जाते हैं उन दस लाख लोगों को लैंड आर्मी में भरती कर फारेस्टरी के काम में, एनीमल हसबैंडरी के काम में, कनल कंस्ट्रक्शन के काम में डैम कंस्ट्रक्शन के काम में, एग्रिकल्चरल डेवलपमेंट के काम में रुचि के अनुकूल वांट देंगे। इससे हमारे देश का विकास भी हो जाएगा। डालर की ताकत से हिन्दुस्तान की जनता की ताकत ज्यादा है।

महोदय, लेनिन ने समाजवादी समाज की रचना की। कौरिया में मैंने देखा कि किम लुंग सुंग ने उत्तरी कौरिया का निर्माण किया। भूखा नंगा कौरिया जो था वहाँ आज खाने की समस्या नहीं है, कपड़े की समस्या नहीं है, रोजी रोटी की समस्या नहीं है। रोटी

[श्री कल्पनाथ राव]

काड़ा और मकान, दवा शिपा, आदि किन लिंग सुंग ने अपने देश की जनता को दिया है। इसमें भी कम से कम समाजवाद है, जनता का रोजी रोटी की समस्या नहीं है। हिन्दुस्तान में अगर विकासशील देशों का नेतृत्व करना है, हिन्दुस्तान और अगर सारी दुनिया में समाजवादी उपनिवेशवादी और नव-उपनिवेशवादी ताकतों में जुल्मों ज्यादातियों के खिलाफ दुनिया में शांति की आवाज मजबूत बानी है तो हिन्दुस्तान को आर्थिक दृष्टि से मजबूत बनाना होगा और आर्थिक दृष्टि से हिन्दुस्तान को मजबूत बनाने के लिए शोषण पर आधारित जो भी इकनामिक आर्डर है उसको समाप्त करना पड़ेगा। हमें भूमि सुधार कानूनों को युद्ध स्तर पर लागू करना होगा। हमें मैन पावर का इस्तेमाल अपने यहां पूरे तरीके से करना होगा।

आदरणीय उपसभाध्यक्ष महोदय, हमारे पुराने फ्रीडम फाइटर और हमारे महान कम्युनिस्ट पार्टी के नेता कल्याण सुंदरम जी को कांटेक्टुअल सिस्टम को अबोलिशन करने के लिए जो प्रस्ताव लाए हैं, मैं उसका समर्थन करता हूँ। मैं सरकार से चाहता हूँ कि हिन्दुस्तान के संविधान में कम से कम इस बात का अमेंडमेंट करना होगा कि राइट टू वर्क हर ईथान का अधिकार होता चाहिए। श्रीमति इंदिरा गांधी को मैं बधाई देता हूँ कि उन्होंने इस दिशा में बहुत काम किया। कल्याण सुंदरम जी, आपको स्मरण होगा कि हिन्दुस्तान के संविधान में सोशलिज्म वर्ड को निहान देना श्री उतको संसद से पास करा देना कोई मामूली काम नहीं है। It is not an ordinary work. इसलिए मैं विश्व की उस महान नेता श्रीमती इंदिरा गांधी को भारत की करोड़ों करोड़ जनता की तरफ से धनवाद-करता हूँ जिन्होंने जीवन भर संघर्ष किया लोकशाही के साथ और हिन्दुस्तान में समाजवाद जाने का प्रयत्न किया। श्रीमता, दुनिया के कई मुल्कों में पूँजीवाद है, दुनिया के कई मुल्कों में समाजवाद है, जहाँ समाजवाद है वहाँ लोकतंत्र नहीं है, जहाँ लोकतंत्र है वहाँ समाजवाद नहीं है। हिन्दुस्तान ही एक ऐसा देश है जहाँ आजादी की लड़ाई लड़ने वाले स्वतंत्रता

संग्राम के सेनानियों ने कहा कि हम समाजवाद का गुदगुदी गौदी से हटकर तीसरी दुनिया का निर्माण करेंगे जिसमें पेट भी भरेगा मन भी मजबूत होगा, उर्में लोकतंत्र भी होगा, समाजवाद भी होगा, जिसमें आर्थिक समानता भी होगी, सिविल राइट्स भी होंगे। यह एक नई परिकल्पना के साथ आजादी की लड़ाई के सेनानियों ने इस संविधान को बनाया था और उस संविधान के तहत 38 साल हिन्दुस्तान में लोकशाही को हम मजबूत बनाते आ रहे हैं। लोकशाही को मजबूत बनाने के लिए ही श्रीमता इंदिरा गांधी ने बैंकों का राष्ट्रीयकरण करके एक कदम उठाया, राजाओं का प्रिवी पर्स समाप्त करके दूसरा कदम उठाया और 20 सूची कार्यक्रम को पूरे देश में बनवाकर तीसरा कदम उठाया। आप जान लीजिए, कल्याण सुंदरम जी कि जो हमारी पार्टी के 20 सूची कार्यक्रम के विरोधी है वे भी कहते हैं कि वे इसके समर्थक है क्योंकि जनता की ताकत के सामने उनको यह बोलने की हिम्मत नहीं है कि वे 20 सूची कार्यक्रम को नहीं मानते हैं। हमेशा कांग्रेस पार्टी ने समाजवाद के साथ अपने को आइडेंटिफाई किया है। बड़े-बड़े विरोधी बड़े-बड़े प्रतिक्रियावादी चारों खाने चित्त हो गये। 1972 के बाद बैंकों का राष्ट्रीयकरण और महाराजाओं के प्रिवी पर्स समाप्त करके श्रीमता इंदिरा गांधी ने दुनिया को दिखा दिया कि भारत की महान जनता जनता आजादी की लड़ाई में उनके साथ है, भारत की महान जनता समाजवादी कार्यक्रम के साथ है और इंदिरा जी ने कहा— इंडिया विल वा डेमोक्रेटिक सोशलिस्ट रीक्यूलर रिपब्लिक। यह महान उपलब्धि है। आपने जो प्रस्ताव रखा है वह इसी सोशलिज्म की दिशा को मजबूत बनाने वाला है। इस लिए मैं आपके कांटेक्ट लेकर अबोलिशन सिस्टम का समर्थक हूँ और चाहता हूँ कि यहां सारा काम लैबरर्स के माध्यम से हो, लैड आर्मी के माध्यम से हो, उनकी सर्विस कंडीशंस ठीक हों, उनको ऐफिशियेंट बनाया जाए उनका ऐक्सप्लायटेशन बंद हो। जो बीच के लुटेरे हैं, जो पूरे मुल्क को कांटेक्ट के माध्यम से खत्म करना चाहते हैं, उनको आपको समाप्त करना

चाहिये। श्री इन्टरनेशनल इन्दिरा गांधी एयर पोर्ट का निर्माण हो रहा है। उस एयर पोर्ट के निर्माण में भी सब-स्टेड्स मॉडरिज इस्तेमाल में लाया जा रहा है। इन्दिरा गांधी के नाम पर बनने वाले एयर पोर्ट के कॉन्स्ट्रक्शन में कॉन्ट्रैक्ट इस तरह की घायली इस तरह का प्रस्ताव कर रहे हैं। दिल्ली में लेकर गांधी तक के बीच में जो लाखों कॉन्ट्रैक्टों की फीज है वे किसी न किसी तरह से मुल्क को एक्सप्लॉइट कर रहे हैं। वे किसी न किसी तरह से केवल पैसा बनाने का काम कर रहे हैं। इस लिये इस कॉन्ट्रैक्ट सिस्टम को बन्द करना चाहिये और मैन पावर का इस्तेमाल राष्ट्रीय कॉन्स्ट्रक्शन के लिये किया जाना चाहिये? इन्हीं शब्दों के साथ श्री कल्याण सुन्दरम जी ने जो बिल पेश किया है, उसका समर्थन करता हूँ और आपको भी धन्यवाद देता हूँ।

SHRI S. W. DHABE (Maharashtra):
Mr. Vice-Chairman, Sir, this is a very important Bill and this important Bill has to be considered in the background of our labour situation in our country. Though we talk much about toiling masses and poor workers and about giving them benefits, but in the last 35 years, we could not do much for them. Whatever benefits have been given, they have been given to the organised workers.

Steel workers, textile workers, engineering workers and those who are organised, and they could get some benefits because of the strength of collective bargaining but so far as unorganised workers are concerned, who are in very large numbers, we have failed to give them relief. We have failed to create conditions for their development and growth. We have not framed laws for them so that they get benefit. Roughly, 80 per cent of the workers are employed in the unorganised sector. Hardly 20 to 25 per cent are employed in the organised sector. If that is the position, the existing laws do not give them protection. I will give two examples. One law for service conditions had been made. It is called the Industrial Employment Standing Orders Act of 1946. It applies to establishments

having more than 100 factory workers. In all contracts where five to ten persons are employed in the construction work, this Act does not apply to them. This is the oldest Act, Factories Act of 1948. It was made applicable to factories. It was also applicable in the State like Maharashtra where the Act was amended in 1957 and where model standing orders were issued. I am glad that the Delhi Administration has gone one step ahead. They have also framed model standing orders. According to the Industrial Standing Orders Act, 1946 if within six months, standing orders are not framed by the employer, they are ready to face to prosecution and pay the fine and therefore this Act had been amended in Maharashtra also to provide model standing orders by which if the employer does not issue the standing orders within the stipulated time he is liable for penalty but the employers automatically apply. Now, this Act has not been amended up till now. This Act is of 1946. So many years have passed but it is still there on the Statute Book. So many changes have taken place. My friend, Shri Kalpnath Raj said something about the Late Prime Minister, Smt. Indira Gandhi. Sir, during the days of emergency, when workers were deprived of their right to bonus in the loss making units, in this House as well as also in the other House, when we opposed that Bill.

One additional reason was given by the Labour Minister at that time. Mr. Raghunatha Reddy. He said, "you are only talking of the organised working class. What about the unorganised working class?" He said that this amended Act would apply to establishments employing less than 20 but more than ten. The Act was amended in 1975 by Mr. Kalp Nath Raj must bring pressure on his own Government. Even after ten years, the notification has not been issued. So the workers of establishments having less than 20 employees do not get bonus. Is bonus meant only for those who are getting higher wages? In fact the very content of bonus is that where the wages are low less than living wages the bonus will fill up the gap between the actual wage and the living wage.

[Shri S. W. Dhabe]

That is why we have applied it to Central Government employees and others. Sir, I take this opportunity to appeal to my friend who knows the trade union movement, at least to implement the Act that has been passed, amending the bonus Act. The Government can also give a directive to state undertakings. Therefore, this is one thing where we are lagging.

Another thing is that in 1973, the ILO passed a convention on rural workers organisation, we adopted it in 1978. We are a party to the convention now. Though minimum wages have been fixed for rural workers and the notification has been issued, from 1954 up till now we could not implement minimum wages for the rural workers. The basic reason given by the Planning Commission is that they are not organised in a trade union movement. The rural workers are not organised. Therefore, unless they organise themselves and bring pressure, land reforms will not be implemented and they will not get land. Neither is there a machinery for redressal of their grievances. Even if they want to file a cause for getting minimum wages, there is no agency through which they can move. The convention was adopted here in this House and in the other House. But even now we have not amended the Trade Union Act. We have not provided any legislation for the service conditions of rural labour. You talk so much of the rural economy. All over the world it has been accepted that giving good emoluments to the rural workers, giving them land, giving them social security and job security will improve production. They will produce more. What is the reason that for the last seven years, we could not even have a legislation for the service conditions of agricultural labour? And we could not provide a machinery even for the solution of rural disputes. For industrial disputes, I can go to a labour court, an Industrial court and the national tribunal. But for the rural workers,

there is no machinery. Only they can give an application to the SIDO at the administrative level. I appeal to the Government that the time is now ripe for amending the Act, having accepted the ILO convention for rural workers organisation or a new legislation should be brought to give protection to rural workers. Now in the present Trade Union Act there is no protection for them. The Industrial Disputes Act does not apply to them. And if they cannot organise trade unions peacefully, then the only alternative for them is to turn Naxalites. We are experiencing it on the Andhra-Maharashtra border, in Chandrapur district, where the rural workers know that they are getting only four or five rupees a day while their expenditure is ten to fifteen rupees a day. So they are attacking the farmers and taking away the crops from the field. That is the only alternative for them. Don't think the rural workers will keep quiet. The symptoms are there. Therefore, a channel must be created to solve their problems. A channel must be created for a healthy and democratic trade union movement for the rural workers. And what applies to the rural workers also applies to the construction workers. What about the position of construction workers? We have seen what happened during the Asiad. The minimum wages were not paid, Contractors from Bihar got the work, and labour from Bihar and other States was brought. They were treated as bonded labour. The Supreme Court gave a direction. When we think of formulating the 7th Five Year Plan what is the position of construction industry in the economy of our country? The priorities you are placing are not correct. Are you going to have labour-intensive industries or are you going to have very small computerised industries where labour will not be required? You have to make a choice. Labour-intensive industries must be promoted. Construction industry has to play a vital role. The main problem today is unemployment and unemployment can be solved

on a large scale only if construction industry stabilises. I shall read out a small statement on construction industry.

“Construction industry has a vital role to play in the national development programmes. Construction costs account for the largest single element in the expenditure budget of the developing world. The expenditure on construction, in most of the developing countries today ranges between 50 to 60 per cent of their annual plan budgets. Even in the developed world the statistics indicate that the construction industry contributes annually about 10 per cent to the Gross National Product. In India the construction industry has traditionally remained neglected though it provides employment to a very large Indian labour force, probably next to agriculture. It is estimated that 5 per cent of the total labour force in the country and another 5 to 10 per cent derive their livelihood from construction material equipment and associate industries. About 10 per cent of the labour force, directly or indirectly, is dependent for its livelihood on construction industry. Construction activities provide employment directly or indirectly to a vast number of skilled, semi-skilled and unskilled labour force.”

What is the investment? It is a very interesting piece of information given here by the Information Department of the Government of India—

“Employment Potential for Building Industry Statement 10th January 1985”—

[The Vice-Chairman Dr. (Shri-mati Sarojini Mahishi) in the Chair]

“According to the estimates prepared by the National Building Organisation of the Ministry of

Works and Housing an investment of one crore in pucca residential building construction would generate an employment of 565 manyears—one manyear is equal to 273 mandays.

The breakup of the estimate for generation of employment for skilled and unskilled workers is 184 manyears and 381 manyears respectively. Therefore, one-third workers are employed in skilled and the rest in unskilled. Further an investment of one crore will generate employment of 35 manyears for supervisory work by technical and non-technical personnel. Building material accounts for more than 70 per cent of the cost of urban areas; substantial indirect employment is also generated in building material and supporting industries. It is estimated to be 1.6 times through the investment on residential building construction in urban areas. The indirect employment in building material is estimated at 904 man years.”

This shows the vast potential of the construction industry. But we are more worried about the textile industry, we are more worried about the jute industry, we are more worried about the steel industry, but we are not worried about an industry which has got a potential to give 10 per cent of the Gross National Product. Therefore, you must first stabilise construction industry. Unless you stabilise construction industry, the workers will not have job security. When you ask for the rights of the construction workers, even if a legislation is passed by Parliament, it will be difficult to implement it unless you create the infrastructure. And, Madam, 4.00 P.M. from that point of view, this Bill is very important. The Bill has a number of very good provisions. There is a provision which says that the contract labour system should be abolished. Such other provisions are there.

[Shri S. W. Dhabe]

There is one clause here, clause 37, about which I want to say something. It says, "The appropriate Government shall give priority to workers' co-operatives in construction work undertaken for any government or quasi-government department or organisation without requiring it to pay earnest money deposit". I think the words "workers' co-operative" should not be used here.

SHRI M. KALYANASUNDARAM: It only means labour co-operatives.

SHRI S. W. DHABE: It should be "labour co-operatives" only. I say this because the words "workers' co-operatives" have a specific meaning. I think he should amplify this since it will not be possible to have workers' co-operatives if there is a contractor. If there is a contractor, they will not be able to form the workers' co-operative. So, it should be worded as labour co-operatives.

Then, Madam, there are penalties provided in this Bill. There is a clause which says that an employer or contractor who is found guilty of contravening section 5 shall be liable to be punished with imprisonment for a term which may extend to two years or a fine which may extend to five thousand rupees or both. This is contained in clause 39. I have my own doubts about this provision because the contractor may give the fine and he may be let off. There is what is called the Mathadi Gange Act in Maharashtra, in which there is a similar provision according to which every contractor who employs the mathadi workers has to get them registered. This should be included here also. Then, Madam, there is clause 5 which says that every employer or contractor, as the case may be, on whose site construction activity is carried on continuously for six months or more, shall employ the number of permanent workers as the appropriate government may prescribe in this behalf. I do not agree with this provision of

six months. I say this because once you fix the period of six months or fix any period here, then they will see to it that they do not employ permanent workers and, therefore, there should be no period mentioned here. You know what happens in other cases. If the worker is to be employed continuously for 240 days—that is the provision—they will employ him only for 239 days and on the next day they will terminate him.

SHRI M. KALYANASUNDARAM: It is recasualisation.

SHRI S. W. DHABE: They will terminate their services and they will not employ them after the period if you fix the period. So, the indication of time should be there in the provision. If it is there, it will be only counter-productive. That is what I feel about this provision.

Then, Madam, the Bill has made other labour welfare Acts applicable to the construction workers also which is a very good thing. The most important provision in this Bill, I think, is relating to the welfare fund. I do not think that the Government has taken any steps up till now to constitute a welfare fund for the construction workers in the country. Such a welfare fund has been constituted in the case of workers in many other industries including the coal industry, manganese industry, and even in the case of the bidi industry. But there is no welfare fund for the construction workers. This is one industry, the construction industry, where there is a large amount of exploitation and I think the constitution of a welfare fund for the construction workers will go a long way in ameliorating the sufferings of the construction workers. Therefore, from this point of view, Madam, clause 32, is a very important clause. The Government should take a hint from this and they must immediately take steps to constitute a welfare fund for the construction workers.

Madam, as I said earlier, many other Acts like the Workmen's Compensation Act, the Payment of Wages Act, the Industrial Disputes Act, the Minimum Wages Act, etc. are being made applicable to the construction workers through this Bill. This is a very good provision. This Bill has been very meticulously drafted and I must congratulate my senior colleague, Shri Kalyanasundaram, for having taken pain for framing the clauses in great details all of which are meant for the welfare and security of the construction workers. I only want to add that the time has now come in the country, when we should have, not only for the construction workers, but also for all kinds of workers, a Minimum Conditions of Service Act so that all the workers are assured of the minimum conditions of service like security of job, leave, wages, etc. So, I would like to suggest that there should be such an Act for all kinds of workers and if you frame a new legislation for minimum conditions of service for labour, that will go a long way in preventing exploitation of labour and in assuring them job security. This will, in turn, not only increase production, but will also increase the standard of living of the workers.

With these words, Madam, I support this Bill and I request the Government to accept it. I think the House can unanimously accept it. If this is accepted, a new chapter will be opened in the life of the construction workers. Thank you, Madam.

*SHRI JAGADISH JANI (Orissa): Madam, Vice-Chairman, I rise to support the Construction Workers (Protection and Welfare) Bill, 1985. At the outset, I extend my thanks to the honourable Chair for having given me the opportunity to speak.

Madam, Lakhs of workers are presently engaged in the Construction of buildings, dam reservoirs etc. all

over the country. When we visit any town or city we find a good number of buildings. We become very happy to see the architecture of those buildings. We become very happy to see the buildings which are of tourist interest. When we appreciate the Construction activities at the same time, we should also think about the welfare of the workers who construct these buildings.

Madam, sometimes the Construction workers meet with some accidents during their work. But the employer or constructors by whom they are engaged ignored these workers. They do not give them suitable compensation. They do not make any arrangement for their treatment. I suggest the Government to pay suitable compensation to the next Kith and Kin of the workers who become victims of the accident. Those who are injured should be given proper medical treatment. When these workers fall ill and they fail to attend the work they do not get any wages on the days when they do not work. They should be given wages even if they do not attend the work due to their illness.

Our Prime-Minister Shri Rajiv Gandhi has been taking steps for the upliftment of the people from all sections of the society. Therefore, we should not ignore the genuine problems of these workers. It is high time to take all possible steps for the welfare of these workers. Honourable Minister Shri Dalbir Singh is an efficient and young Minister. He is aware of the problems of the Construction Workers. I am sure he will take necessary steps for the welfare of these workers.

Now I would like to suggest the Government for the abolition of contract system. The Construction workers should be organised. Despite all protections have been provided in the existing laws the Construction Workers are continuously exploited by the contractors. They collect commission

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[Shri Jagdish Jani]

from the workers engaged in the Construction activities. Government of India should take some steps to put an end to their exploitation.

Honourable Member, Kalpnath Babu who was speaking before me highlighted many problems of the construction workers. I do not wish to repeat those points. But I would like to give a few suggestions to the Government which should be implemented at the earliest.

Firstly, a country-wide survey should be conducted to find out the number of workers engaged in construction activities. Some schemes should be prepared for the upliftment of those workers.

Secondly, steps should be taken to organise them. If they are organised, they can protect their interest.

Thirdly, a fund should be created for them to enable them to take loan or grant from that fund at the time of their need.

Fourthly, the Construction Workers are very poor. They are not able to maintain their families. How can they get money to provide education to the children when they are so poor? Therefore free education should be provided to the children of the Construction Workers. Present rate of wages should also be enhanced.

This Bill has been brought forward before this House by Honourable Member Smt. M. Kalyana Sundaram. This is a progressive Bill. This Bill seeks to provide welfare and protection to the Construction Workers. Therefore I support this Bill whole heartedly and thank you once again for having given me the opportunity to speak.

With these words I conclude my speech.

श्री विठ्ठलराव भाधव राव जाधव (महाराष्ट्र) : उपसभाध्यक्ष महोदय, मेरे महोदय, मेरे बजुर्ग साथी कल्याण सुन्दरम् साहव ने यह जो बिल लाया है, कंस्ट्रक्शन-वर्कर्स के बारे में, उसकी भंग मराना करता हूँ, इस कारण से कि

इनके जो मुझाव है, कंस्ट्रक्शन वर्कर्स के बारे में, मंत्री महोदय और सरकार उसको स्वीकार करें और एक ऐसा कंप्रेहेंसिव बिल लायें, इस महत्वपूर्ण समस्या के बारे में, जिससे सारे देश में फैले हुए दो करोड़ कंस्ट्रक्शन-वर्कर्स को न्याय मिले।

उपसभाध्यक्ष महोदय, इन्सान की मूलभूत तीन आवश्यकतायें हैं—रोटी, कपड़ा और मकान। रोटी और कपड़ा तो कृषि से आता है, लेकिन मकान की दूसरी समस्या है, आज कंस्ट्रक्शन वर्कर्स हमारे देश में या दुनियां में मकान बनाने के लिये लगे हुए हैं। अब सवाल यह है, यह बहुत ही मूलभूत समस्या है, आज तक हमारे कंस्टीट्यूशन में, या और किसी उद्योग में इतना ध्यान नहीं दिया गया कि इस उद्योग में कितने लोग लगे हुए हैं। आज हम शहर में देखते हैं, बम्बई जैसे शहर में, जो बहुत बड़ा शहर है, यहाँ 45 लाख लोग स्लम में रहते हैं, उनके पास मकान नहीं है, रहने के लिये घर नहीं है, तमिलनाडु मद्रास में भी तकरीबन 50 प्रतिशत लोग स्लम में रहते हैं। दिल्ली में मैं मानता हूँ ज़रूर कम हो चुके हैं, राजधानी होने की वजह से यहाँ कुछ इम्प्रूव हो चुका है, कुछ नई विस्डिंग बनायीं गयीं हैं, क्योंकि हमारी राजधानी में भारी दुनिया के लोग आते हैं, तो हमारी गरीबी का प्रदर्शन न हो और इस कारण से दिल्ली में ज्यादा काम हुआ है। लेकिन फिर भी यह प्रश्न जो है, बड़ा गंभीर प्रश्न है। यह केवल शहरों का सवाल नहीं है, यह देशांतरों का भी सवाल है। आज तक हम सोचते हैं कि हमारे यहाँ क्या होना चाहिये। जब हम कहते हैं कि बम्बई में 45 लाख लोग स्लम में रहते हैं। जब हमारे महाराष्ट्र में, जहाँ 30-35 हजार देहात है, उनमें जब घर देखते हैं, मिट्टी से और पत्थरों से बने हुए हैं, जहाँ कोई सडस की व्यवस्था है, बाथ-रूम की व्यवस्था है, खाना बनाने के लिये चूल्हा है या और सुविधा है, एक प्रकार से स्लम से बेहतर

वह मेमी-स्लम है। यह देहात का सेमी-स्लम है। यह एक प्रकार से बड़ी गम्भीर समस्या है।

आजादी के बाद 38 साल से हम देख रहे हैं बम्बई में, दिल्ली में, मद्रास में, कलकत्ता में 30-35 मंजिल बिल्डिंग बनी है। एक तरफ देखने के बाद लगता है कि इस देश में प्रगति हो रही है और देश प्रगति के उत्तम शिखर पर चला जा रहा है और दूसरी तरफ हम देखते हैं सोपड़ियों में, तो लगता है कि हम फिर नरक की तरफ जा रहे हैं। यह जो इम्बेलेन्स है, हमने समाजवाद का नारा दिया था आजादी के पहले भी और आजादी के बाद भी और मेरे दोस्त कल्याण गुन्दरम कम्युनिस्ट पार्टी के नेता हैं, मैं जानता हूँ कि दुनिया की सारी कम्युनिस्ट पार्टियों ने या कम्युनिस्ट देशों ने अपने देश में रहने की समस्याओं को कैसे हल किया। हमारे देश में भी एक प्रांत में कम्युनिस्ट पार्टी है, वेस्ट-बंगाल में उनका राज है और उसको देखने के बाद यह नहीं लगता कि यह कम्युनिस्ट-पार्टी का राज है, वह तो लगता है कि कोई गुण्डों का राज है। आज जो कलकत्ता का समस्या है, वह बम्बई से भी बहुत खराब है क्योंकि कलकत्ता को देखने के बाद लगता है, जैसा प्रधान मंत्री जी ने कहा था कि कलकत्ता इज ए डाइंग सिटी, हम भी जब कांग्रेस अधिवेशन में कलकत्ता गये थे, तो वहाँ जाने के बाद देखा लोग कहते हैं कि जब कांग्रेस की सरकार यहाँ थी, तो उस वकत कलकत्ता अच्छा था और अब जो सरकार आयी है, उसने सारे कलकत्ता को स्लम बना दिया है... (ध्वजवाहन)...

उपसमाध्यक्ष महोदय, ऐसी कोई बात नहीं है। मैं अपने दोस्त, बुजुर्ग दोस्त कल्याणगुन्दरम जी की आइडियोलोजी से अलग नहीं हूँ। मैं वही आइडिया रखता हूँ। मुझे भी कम्युनिज्म से प्यार है लेकिन मैं कम्युनिस्ट नहीं हो सका। कम्युनिस्ट लोग जब भी हिन्दुस्तान में आति हुई तो उससे अलग हट गए

और इसी लिए वे लोगों से हट गए। हमारे महाराष्ट्र में कामरेड डांगे हैं। कामरेड डांगे बहुत बड़े क्रांतिकारी हैं। मैं कहता हूँ कि कम्युनिस्ट वर्ग, मजदूर वर्ग में वे महात्मा गांधी के बराबर हैं। सारी कम्युनिस्ट दुनिया उनको ऐसा मानती है। कामरेड डांगे ने अपनी गलती देखी तो बाकी कम्युनिस्ट उनसे अलग हट गए, डांगे भी अलग हो गए। जब हम समाजवाद का नारा देते हैं, जब हम मानवता के हित की रक्षा की बात करते हैं तो हमारा फर्ज होता है कि सरकार समाजवादी कदम उठाती है तो उसके साथ चलें। कम्युनिस्टों की क्या नीति रही है? जब जनता पार्टी सत्ता में आई 77 में तो कम्युनिस्ट बी० जे० पी० के साथ हो गए जिसकी समाजवाद में कोई आस्था नहीं है। उनकी नीति समझ में नहीं आती। सारी दुनिया का सबसे बड़ा कम्युनिस्ट देश रूस भारत की सहायता करता है, हर स्टेज पर भारत की मदद करता है, लेकिन हमारे सारे कम्युनिस्ट लोग जब इन्दिरा जी समाजवाद का नारा लगाती थीं तब इन्दिरा गांधी जी की टीका-टिप्पणी करते थे। इस देश में समाजवाद कौन लाया है। इन्दिरा गांधी ही समाजवाद को बड़े पैमाने पर लाई हैं। आर्थिक विषमता को नष्ट करने के लिए इन्दिरा गांधी ने अपने शरीर का एक-एक ड्राप भी दिया। गांधी जी की हत्या इसलिए नहीं हुई कि गांधी जी पाकिस्तान को 50 करोड़ रुपया देने वाले थे। मैं ऐसा नहीं मानता। इन्दिरा जी की हत्या इसलिए नहीं हुई कि वे पंजाब को खालिस्तान बनाने से रोकना चाहती थीं। इसके पीछे बहुत बड़ा साजिश है। दुनिया के सबसे उन्नत देश अमरीका के प्रेसिडेंट रूसेवेल्ट और विल्सन के विचार डेमोक्रेसी के बारे में मने पढ़कर बताए हैं। रूसेवेल्ट साहब ने कहा है कि अमरीका का जो समाजवाद है कि वह केपिटलिस्टों और पूंजीपतियों का है जो गरीबों को एकतन्त्राइट करना चाहते हैं। वह समाजवाद, वह लोकशाही वहाँ चल रही है। वह समाजवाद नहीं है। हिन्दुस्तान गांधी जी के आदर्श पर, समाजवाद, नान-एलाइनमेंट और सेक्यु-

[श्री विट्ठलराव माधवराव जाधव]
 लरिष्म के आदर्श पर प्रागे बड़ रहा है।
 गांधी जी ने सारी दुनियां को स्वामिमान
 सिखाया, निर्भय बनाया और सिखाया
 कि हर इन्सान को दुनियां में जीने का
 अधिकार है। यह जो बड़े-बड़े लोग हैं,
 कल ही पढ़ रहा था कि किलोस्कर के
 50 उद्योगों पर छापा मारा गया।
 कितना धन जमा किया, 10 लाख रुपया
 दिखाते हैं और 1 करोड़ का काम करते
 हैं। जब तक ऐसे लोगों को खत्म नहीं
 करेंगे तब तक हमारे देश में समाजवाद
 नहीं आ सकता। उपाध्यक्ष महोदय,
 अभी कल्पनाश राय कह रहे थे कि
 एयरपोर्ट में क्रेक आ गए। इसी तरह
 बम्बई और घाने के बीच ब्रिज बना
 पांच-छः साल पहले, उसमें भी क्रेक आ
 रहे हैं। क्यों? ये जो विल्डस हैं, कंस्ट्रक्शन
 करने वाले लोग हैं सारा पैसा ये खा
 जाते हैं और जो कामगार है उनके
 शरीर पर लंगोटी भी नहीं होती। जो
 कंट्रैक्टर हैं उनके पास इतना रुपया है कि
 वह पांच लाख की मर्सीडीज में घूमता है,
 कोई कहता है कि 10 लाख की मर्सीडीज
 मिल रही है तो वह उसे खरीद लेता है।
 यह उसके बाप का पैसा नहीं है, कामगार
 की मेहनत का पैसा है जिस पर ये
 लोग चैन कर रहे हैं।

इंदिरा जी ने जब 1969 में यह
 नारा लगाया था कि बैंकों का राष्ट्रीय-
 करण करना चाहिए तो उस वक्त जो
 लोग हमारे में ही से थे कि इंदिरा
 जी तानाशाह हो गई हैं, कांग्रेस को
 अपने घर का बनाना चाहती हैं। इंदिरा
 जी ने कभी किसी से पैसों का भी लाभ
 नहीं उठाया। 5 हजार करोड़ से 50-60
 हजार करोड़ से भी ज्यादा धनराशि बैंकों
 में जमा हो चुकी है।

उपसभाध्यक्ष महोदय, सवाल यह
 है कि ये दो करोड़ लोग जो कंस्ट्रक्शन
 वर्क में लगे हुए हैं, यह जो भ्रष्टाचार
 हो रहा है, उसका निवारण कैसे किया
 जाए। यह सबसे बड़ा सवाल है। मैं
 चाहता हूँ कि ये जो विल्डस हैं यह सिस्टम
 धर्षोलिख किया जाए। जैसे प्राप पब्लिक
 सेक्टर इंडस्ट्रीज चला रहे हैं, जैसे देश

की और इंडस्ट्रीज चल रही हैं, पब्लिक
 इंडस्ट्रीज की तरह चला रहे हैं।
 जैसे देश की और इंडस्ट्रीज का इन्फ्रा-
 स्ट्रक्चर खड़ा किया जा रहा है, वैसे ही
 पब्लिक सेक्टर में भी होना चाहिए।
 जैसा महाराष्ट्र में कोयामोपरेटिव सोसायटीज
 बनाई जा रही हैं, उसकी तरह से उनका
 भी जिम्मेदार बनाया जाए ताकि उनमें
 जैसे 1:6:84 के अनुपात में सीमेंट,
 कंक्रीट तथा सैंड प्रयोग होना चाहिए,
 वह हो रहा है कि नहीं उसको देखने
 के लिए, उतकी पहचान करने के लिए,
 इन्स्पेक्टर्स होने चाहिए। जैसे भाऊ
 टैनावाजी की मशीनरी आज उपलब्ध
 हो रही है, उसी तरह से इसमें भी
 इंट्रोड्यूस की जाए। तो यह सबसे बड़ी
 समस्या हमारे सामने है। हम देखते हैं
 कि सिर्फ कंट्रैक्टर्स ही नहीं बल्कि उस
 क्षेत्र के जो इंजीनियर हैं, उन्होंने भी
 हर शहर में अपनी कोठियां बना रखी
 हैं। खेत में काम करने वाला आने घर
 को दुस्त नहीं कर सकता; मगर एक
 ओवरसियर, गांव में सब कुछ बना सकता
 है, वह दो चार सौ रुपए रोज मुफ्त में
 पाता है। यह भ्रष्टाचार कब तक चलेगा।
 तो मैं मंत्री जी से कहना चाहूंगा कि
 इसके बारे में एक ऐसा कंस्ट्रक्शन विंग
 लाया जाए कि जहाँ दो करोड़ लोग
 लगे हुए हैं, उस इंडस्ट्री को भी नेशनलाइज
 किया जाए। या उसे कोयामोपरेटिव सेक्टर
 में दीजिए या सामुदायिक सेक्टर में
 लीजिए या पब्लिक सेक्टर में लीजिए।
 इस लिहाज से इस विल की तरफ हमें
 सोचने की जरूरत महसूस हुई है।

उपसभाध्यक्ष महोदय, यह जो काम
 करने वाले कामगार हैं, दिल्ली में
 काम करने वाले को यदि 20 रुपया
 रोज मिलता है तो दिल्ली के बाहर
 20-25 मील दूरी पर काम करने
 वाले को केवल 5 रुपया मिलता है।
 वहाँ कान्ट्रैक्टर की मर्जी पर है कि वह
 कितना दे। गांव में यदि 100 लोग
 बेकार हैं तो सौ लोग उसके दरवाजे पर
 आकर खड़े हो जाते हैं। वह कहता है
 कि 5 रुपए में काम करेगा। तो यह
 सोचता है कि आज की राटी तो चली
 चली 5 रुपए मिल जाएंगे। इस तरह

में अगर उसको 20 रुपए मिलने चाहिए तो भी वह 5 रुपए में काम करता है। और वह बेचारा 8 घंटे काम करता है, सीमेंट में अपने हाथ मलता है, उसके ऊपर रियेक्शन होता है; उससे कई बीमारियां होती हैं। वह रात दिन अपने सिर पर टोपला उठाकर ले जाता है, कितनी ही ऊंचाई पर काम करना पड़े वहां जाता है, अगर भर जाता है तो कोई उसका मुआवजा नहीं मिलता है और गरीब की जान भुगत में जाती है। कोई अमीर मरता है तो उसको हैडक्वार्टर में ले जाते हैं, 10 लाख खर्च करते हैं और 50 लाख रुपया निकालते हैं। लेकिन गरीब को न्याय कौन दे। मैं तो इनको धन्यवाद इसलिए देता हूँ कि उन्होंने दो करोड़ जो लोग इस काम में लगे हैं इनकी समस्या को उठाया है। मैं समझता हूँ कि यह सबसे बड़े राष्ट्रभक्त हैं, उन्होंने देश की मूलभूत समस्या को बहुत अच्छी तरह से, अध्ययन करके उठाया है। यह समय था चुका है कि हम पार्टी की सारी दीवारें तोड़कर चाहे वह कम्युनिस्ट हो या सोशलिस्ट हो, समाजवादी में विश्वास रखने वाले जो भी हैं, उनको इकट्ठा होकर समर्थन करना चाहिए। इस देश को 72 करोड़ की आबादी को आगे लाने के लिए तेजी से हमारे प्रधान मंत्री राजीव गांधी जी दौड़ रहे हैं। मैं यह नहीं मानता कि साइंस और टेक्नालाजी से हमारे लोगों को काम नहीं मिलेगा।

महोदया, 1950 में पंडित जवाहरलाल नेहरू इंडस्ट्रियल पालिसी रेजोलूशन लाए थे तो वे कहते थे कि टुडेज इंडस्ट्रीज धार दि माउथ टैम्पल्स आफ इंडिया।

"Today's industries are modern temples of India."

उस वक्त भी लोगों ने कहा था कि कामगार कम हो जायेंगे क्योंकि उनका यह डर है कि ये लोग हर क्षेत्र में जायेंगे और हमारी जो मानोपली है एक्सप्लॉएटेशन की वह खत्म हो जायेगी। और जो उनकी एक्सप्लॉएटेशन को मानोपली है वह उस को छोड़ना नहीं चाहते। इस लिहाज से वे जो

पूजीपति हैं उनके यहां जो काम करने वाले हैं उनके जो वासेज हैं मेज्योरिटी है जो अमेरिका में, न्यूयार्क में 100-100 150-150 मंजिल में बैठे हुए हैं। उन लोगों की मानोपली को तोड़ने के लिए इंदिरा गांधी ने विशेष की थी, बैंकों का राष्ट्रीयकरण किया था, उसके बाद प्रिवि पर्सज का एबोलिशन किया था। इसीलिए इंदिरा गांधी की हत्या कर दी गई क्योंकि आगे चल कर इंदिरा गांधी इस देश में समाजवाद के लिए आर्थिक विषमता को लड़ाई तेज करने जा रही थीं और वे यह चाहते थे कि उनको कोई न रोके। इसीलिए महात्मा गांधी की भी हत्या कर दी गई। जिस आदमी की वजह से इस देश को आजादी मिली, लाखों करोड़ लोग उसके पीछे गये, अंग्रेजी राज एक पत्ते की तरह उड़ गया, इतना पावर फुल नेता गोतम बुद्ध के बाद यही पैदा हुआ। महात्मा गांधी और श्रीमती इंदिरा गांधी इस देश में समाजवाद और आर्थिक विषमता को लड़ाई लड़ने जा रहे थे, अमरीका के दलालों ने उनकी हत्या कर दी जिन्होंने अपना खून बहाया देश की आजादी के लिए, अपना खून बहाया गरीबों की भलाई के लिये, वे गरीब उनको कभी नहीं भूलेंगे। तब चाहे कम्युनिस्ट हो, सोशलिस्ट हो गरीबों की भाषा कितनी ही बोलता हो इस देश के हरिजन, गिरिजन, गरीब आदमी इंदिरा गांधी के पीछे ही रहेंगे। क्योंकि वह हमेशा समाजवाद के लिए लड़ती रही। अगर हम समाजवाद को पीछे हटा देंगे तो वे गरीब लोग हमें भी अपने आप हटा देंगे। इसलिये मैं चाहता हूँ कि इसके बारे में बहुत ही अहम कदम उठाना चाहिए। बापू जी ने कहा था, मुझे बापू जी का वह वाक्य याद आता है उसको मैं यहां कहना चाहता हूँ : अगर भगवान ने मुझ से पूछा कि तुम्हें पुनर्जन्म देना है तो किस रूप में दिया जाए तो बापू जी ने कहा मुझे रोटी के रूप में पुनर्जन्म दिया जाए। इसलिए कि हिन्दुस्तान के लोगों को रोटी, कपड़ा और मकान की जरूरत है। इन तीन बातों की उनको जरूरत है। अगर हमें कॉन्स्टीट्यूशन में कोई परिवर्तन करना है तो जरूर करना चाहिए

[श्री विठ्ठलराव माधवराव जाधव]
 और इन लोगों बुनियादी जरूरतों को उसमें लाना चाहिए जिससे हिन्दुस्तान की आम जनता खुश रह सके। यह मैं चाहता हूँ और इस लिहाज से ऐसा कम्परोहेंसिव बिल लाया जाए इस सदन के अन्दर जिससे जो लोगों का एक्सप्लॉए-टेशन हो रहा है कॉन्ट्रक्टर वर्ग के द्वारा वह न हो सके और उन लोगों को आर्थिक और समाजिक न्याय मिले। मेरे दोस्त, मेरे अधिक दोस्त हंसराज भारद्वाज जी यहाँ बैठे हुए हैं जो रात-दिन गरीबों के बारे में सोचते हैं और यह उसी से आ रहे हैं जिसमें से मैं गुजर चुका हूँ, उनसे भी कहता हूँ कि एक कम्परोहेंसिव बिल लाना चाहिए। इससे हमारे देश का माहौल अच्छा रहेगा, और सिर्फ इससे समाजवाद ही नहीं आयेगा बल्कि आर्थिक विपन्नता भी नष्ट होगी। एक शक्तिशाली भारत 21वीं सदी में पहुंचा देगे। इन विचारों के साथ मैं अपनी बात समाप्त करता हूँ।

THE MINISTER OF STATE IN THE DEPARTMENT OF RURAL DEVELOPMENT (SHRI CHANDULAL CHANDRAKAR): In fact, this Bill is the need of the hour because large number of construction workers are working day and night and yet they are not getting their due share.

Mr. Kalyanasundaram is a veteran labour leader. He said in the beginning that this Bill came to this House in 1980-81 and is still hanging fire. I hope that before long we will certainly have all the details and in the meantime I would only say that debate has been very useful and those who participated in it, supported the idea and the spirit behind this Bill. In fact, at the moment, the following Acts are applicable to the workers who are engaged in the building and construction industry. These are: Workmen's Compensation Act; Industrial Disputes Act, 1947; Minimum Wages Act, 1948; Employees Provident Fund (Miscellaneous Provisions) Act 1952; The Maternity Benefit Act, 1961; The Contract Labour (Regulation and Abolition) Act, 1970; Equal Remuneration Act,

1976 etc. These legislations do apply to them. But I agree, there are many more things which need to be done, particularly, in regard to safety and so many other things.

Madam, I would like to say one thing here that this is the only democratic country in the world—leaving apart communist and other countries—which has enacted a large number of legislations relating to labour. The Congress Party has always been helpful and sympathetic to the problems of labour. That is why you will find that from 1947 up till now, a large number of Bills have been passed in the interest of labour. As I said, there are many more things which are still to be done. But Madam, we should consider what all has been done for the workers. It is easy to point out what has not been done. But if somebody goes into the details of what all has been done, they will find that a large number of legislations have been enacted for the benefit of labour. Take, for example the Trade Union Act. The Act provides the right of association to all workers, including agricultural and rural workers.

SHRI S. W. DHABE: What about the protection to office-bearers?

SHRI CHANDULAL CHANDRAKAR: I am coming to that; protection, social benefits and other things.

Madam, the Central Government circulated a draft of the Agricultural Workers' Bill to all State Governments in 1982, requesting them to enact a law, keeping in view the local conditions. In view of the diversity of conditions—conditions are different in different parts of the country; they differ from place to place—it was thought that it will not be proper to have a Central law for agricultural workers. It was left to the states to enact their own legislation for agricultural workers. Keeping this in view, Kerala Government have enacted the Agricultural Worker Act. Therefore, it is not that we are ignoring the large number of workers working in this field, whether they are organised

or unorganised. In fact, they are not organised. The Government cannot ignore the interests of those who are not organised. Organised workers do have better advantages. Mr. Kalyanasundaram, Mr. Dhabe and others who are working in the field of labour know this very well. We also know about this. I have also been associated with the steel workers. Naturally, we have been fighting very hard for those who are already organised. But the Government has never ignored the interests of those who are not organised. That is why in 1982, we sent a draft of the Agricultural Workers' Bill to the States.

Now, so far as the other things are concerned, the Government has set up a tripartite committee to examine the question of social security and a welfare fund for the building and construction workers. The committee is likely to give its report in about four-five months. Therefore, it is not that we are not looking to the interests of the construction and building workers. In fact, Mr. Kalyanasundaram's Bill is a timely one. The construction and building workers have a number of problems. For example, we have always been fighting for the contract labour who face many difficulties. Those who are in this field know very well that the contractors exploit the labour. A large number of them are engaged in construction work, yet we find that the quality is not so good. Construction work in our country is done through labour. Efforts have been made by labour organisations so many times to abolish contract labour but we find that in construction work the number of contractors and contract labourers is going up.

During these days so many laws have been passed about labour in our country. There is no doubt about it, but the labour organisation in India is quite old. They have not succeeded in organising the labour and making them members of labour unions. In other parts of the world, not only organised labour but even unorganised

labour in large numbers have joined unions. Here what is needed is awareness among the labour. It is the work of the labour leaders to create awareness among them to see that they become members of various unions.

So far as agricultural labour is concerned, it is rather difficult for them to organise. It is not that they do not want to organise themselves, but as you know, they are spread out in about six lakh villages and they find it very difficult to organise themselves. Even in one State it is difficult for them to organise agricultural labour. Whatever may be the case, efforts are being made to see that the agricultural labour is also organised.

Coming to minimum wages, we find that quite a large number of labourers are not getting the minimum wages which are due to them. Shri Kalyanasundaramji has suggested that there should be inspectors etc. Already inspectors are there for the purpose of minimum wages to be paid to the agricultural labour, yet we find that the minimum wages are not being paid to them.

Mr. Kalyanasundaram has brought forward quite a detailed Bill. It talks about drinking water, conservancy, medical facilities, safety provisions, canteen, creches, recreation facilities, educational facilities, housing facilities, power to make rules relating to housing and other facilities.

SHRI S. W. DHABE: It is a comprehensive Bill.

SHRI CHANDULAL CHANDRAKAR: He has taken great pains in framing this Bill. He is a great labour leader and so he is fully aware of what is essential for the labour. Everybody accepts that these things are essential. This Government has also been doing a lot for the labourers who are engaged in the construction activity. Construction labour is also spread out to far off places and in cities like Delhi, Calcutta, Bombay and Madras. No doubt, the construction labourers are organised here and there but a large number of them are still not organised. It is our duty to help them

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and give them all these things. The most important thing is safety and social security. In fact I should say that there is a lacuna. Uptill now there is no arrangement for the safety of all these workers, for which the Labour Ministry is thinking and in fact working on such a Bill for the construction and building workers. In this respect the Government is trying to study in details the shortcomings, particularly in safety and security measures. And when Government is preparing such a Bill, whatever suggestions have been given, particularly by Mr. Kalyanasundaram, will certainly be studied and examined and all the good points—whatever are essential—will be included and taken care of in that Bill.

Today what we should think of is this. We have everywhere labour, whether it is organised labour or unorganised labour. The most important thing is, as Mr. Kalpnath Rai has suggested, whether we should have the right to work for all the labour provided for in the Constitution. In fact, Madam, as a Member of Parliament, I myself had brought a Private Members' Bill for right to work. In this regard when I studied the constitutions of about 100 countries, I found that in democratic countries nowhere in their constitutions was there a mention about the right to work. But in communist countries, there is such a mention about right to work along with duty to work. And there are some Communist countries which have put the duty to work first and in the second sentence only comes the right to work. So in this respect also, nodoubt right to work is essential, but duty to work has also to be provided along with the right to work.

Everybody knows that there are a large number of people in the rural and urban areas—educated, uneducated, skilled; semi-skilled—who are unemployed in our country. It is here that the contractors take advantage of it. The

people are in need and as it has been stated by some of the speakers, the minimum wage may be 'X' amount, but the labourer is not offered that amount. What could the labourers do? He has no alternative but to accept whatever he is given. It is here that the Government should come and find out and ensure that minimum wages must be given. Even inspectors are there who have been provided to check up on the minimum wages for agricultural labour. These inspectors are there in all the places. But we find that still we have not been able to fulfil the objectives of this Minimum Wages Act for agricultural labour. As Mr. Dhabe has said, if we do not pay them such wages, that is where the Naxalite movement comes. If the labourer who works the whole day does not get his due share, there is resentment and that resentment sometimes takes the path of violence. It is here that we should take care and that is why this Government, right from the time when the caretaker Government was formed in 1946 and when Shri Jagjivan Ram became the first Labour Minister, a number of legislations have been got passed by this Government. I think very few Ministries would have brought such a large number of legislations as this Ministry has. But we find that in implementation a lot of things have yet to be done. We find that in implementation there are many shortcomings.

The Labour Ministry is thinking of preparing a Bill for the safety of building and construction workers. In the proposed Bill, certainly the most important thing that we should think of is providing stringent laws by which those who ignore the laws should be given severe punishment. Punishment we have been giving here and there, but the punishment should be much more severe than what it presently is. Madam, apart from providing stringent punishment, in fact, our society should be such that we should try to see that such persons are boycotted. But what we have found in

the last few years is that many such people—well-known industrialist and some other people—who have been ignoring these laws continue to get the same respect as before. That is the thing which we have to take care of and create a sort of social awareness against those who commit such blunders, exploit the poor and yet go scot-free, without being punished. That is why, when we formulate such legislation we should put the best of our heads together and work so that such lacunae should not remain in our future legislation, whatever Bills we might prepare. I think in this respect there will be no two opinions in this House and all my friends here, whatever party they may belong to, will join hands and I am sure Members of Parliament from every party will be prepared to help us and we will certainly see that whenever such a legislation is made, such stringent measures will be provided for.

As I have said, about eight Acts are already there. There are a few other Acts which have been implemented. The following Acts are applicable to workers engaged in the building and construction industry. The Workmen's Compensation Act, the Industrial Disputes Act, the Minimum Wages Act, the Employees' Provident Fund (Miscellaneous Provisions) Act, the Maternity Benefit Act, the Contract Labour (Regulation and Abolition) Act, 1970, the Equal Remuneration Act and the Inter-State Migrant Workmen (Regulation and Employment and Conditions of Service) Act, 1979. For quite some time now there have been demands for comprehensive legislation for building and construction workers. Just as for the last four years this Bill has been hanging fire and has not been finalized, similarly the Labour Ministry has also been working for the last one and a half or two years. From this side some of the reports, the tripartite committee reports and others, are coming and, based on those reports and also Mr. Kalyanasundaram's Bill, we certainly hope that these workers engaged in building and construction

work will certainly be helped so that they could meet their minimum needs. In fact, the labourers who had built buildings like this Parliament House or such other huge buildings in our country have no house to live in; they live on pavements or in the open. Therefore, it is high time that whenever we provide such things we thought of improving their living and working conditions wherever they work they should be able to get safe drinking water and such other amenities. Their living conditions must be better. Our friend talked about the need of the poor people—*kapda*, *roti* and *makar*. These are the three needs. I think two other needs have to be added—education and medical facilities. These five things are in fact most important for an average worker, an average citizen. So, all these five should be provided whether he is an agricultural worker or he is a building and construction worker. I know there may be some financial constraints here, and there. But our intention is to provide them such minimum facilities.

Whenever Government has been considering this, various departments have been looking into these problems. Certainly we will see that that Bill will be brought soon not very late. I am sure, Mr. Kalyanasundaram will be here when the Bill comes and he will be certainly a happy person. He has been working very hard for the last four years. It started in 1981, and it came at the tag end of 1985. Our Labour Minister and Mr. Anjiah are certainly aware of all the problems of the construction and building workers. We have discussed this thing and he is keen that their safety should be taken care of first, because you know that whenever high-rise buildings are constructed, quite a number of people, quite a number of workers have given their lives too. Also quite a number of them, if they did not die, have become virtually crippled. They are not able to work. Either their hands or their legs are broken. They become crippled for the whole life. All these things would have to be taken care of

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when the Bill is brought. Certainly Government has decided and is actually working to bring the Bill quickly as soon as possible. As I said, some tripartite report is also coming. There is one more report which is coming. So, very soon our Labour Ministry will be finally preparing the Bill which will be introduced.

In this Bill which has been prepared by Mr. Kalyanasundaram, with 56 clauses, in fact, I find there he has dealt with practically all the aspects of it. There may be here and there certain things which will have to be adjusted according to the phrasology. Otherwise, he has taken a great pain in preparing this Bill. In fact, I must thank him that he has gone through this in much details. He has taken great care in preparing the Bill. Very reasonable demands are made here. Similarly, Government is preparing a comprehensive Bill in this respect. While preparing it, Government will certainly keep in mind various problems which are there.

Whenever a labour Bill comes, very often a large number of speakers ask what is happening to the agricultural labour. In fact this thing has been considered many times by the Central Government. The problems in each State differ from other States. In fact, in each State they differ from region to region. That is why Central Government thought that it will not be proper. If something is done here the other area may be unhappy. It may not be getting justice. It is with this idea that it has been sent to all the States. A draft Bill has already been sent so that they should legislate about agricultural workers, bring a Bill as soon as possible. Always, whenever a labour Bill comes either in this House or in the other House, every time reference is made about agricultural workers saying that nothing has been done or nothing is being done by Government. It is not that we have not done anything for these

agricultural workers. I must say that the Government has taken care of these workers and we do not want to ignore these agricultural workers who form the base of our country. Our agricultural workers work in summer, winter and rainy season; and yet they don't get their due share. So far as the Congress party is concerned, they can never forget about the interests of agricultural labourers. I wish to tell hon. Members—Shri Kalyanasundaram and Shri S. W. Dhabe that this Agricultural Labourers Bill has to be looked after by various States. The Kerala State has set a good example in passing a Bill in this regard.

Madam, having dealt with this Bill and having assured our veteran labour leader, Shri Kalyanasundaram. I think, he should have no objection in withdrawing this Bill. Once again I wish to tell him that we are already contemplating to bring a comprehensive legislation. We will certainly encourage that such Bills are brought forward immediately by the Government. Therefore, I hope that the whole House will agree that this Bill be withdrawn by Shri Kalyanasundaram in view of my assurance.

THE VICE-CHAIRMAN (DR. SHRI-MATI) SAROJINI MAHISHI): Now, will the hon. Minister allow the hon. Member to say a few words.

SHRI CHANDULAL CHANDRAKAR): I am just concluding. I am sure that the hon. Member, Shri Kalyanasundaram will withdraw this Bill; and the House would permit him to do so in view of the assurance given by me.

SHRI M. KALYANASUNDARAM: Madam Vice-Chairman, our Minister has successfully persuaded my hon. friend, Shri Dhabe also to withdraw the Bill that he moved. Now he has almost succeeded in persuading me also not to press for it in the light of his assurance. So how can I insist that this should be put to vote and defeated? Not necessary. I am prepared to withdraw the Bill to enable the

Government to bring forward a comprehensive Bill. I may tell him that my term will expire in June. So let me take it that he is prepare to bring the Bill before June.

With these few words, I thank the Minister and thank all those hon. Members who lent support to the Bill. I am sure that 2 crores of construction workers in the country will be very happy to bear the assurance given by the Minister that a comprehensive Bill would be brought forward.

THE VICE-CHAIRMAN (DR. SHRI-MATI SAROJINI MAHISHI):
Is it the pleasure of the House that

leave be granted to Shri Kalyanasundaram to withdraw the Bill?

SOME HONOURABLE MEMBERS:
Yes.

The Bill was, by leave, withdrawn.

THE VICE-CHAIRMAN: (DR. SHRI-MATI) SAROJINI MAHISHI): Now the House is adjourned till 11 o'clock on Monday, the 16th December, 1985.

The House then adjourned at fifty-nine minutes past four of the clock, till eleven of the clock, on Monday, the 16th December, 1985.