

PK-HMS/20/3.00

**SHRI V.VIJAYASAI REDDY (CONTD.):** So, I sincerely feel that instead of resorting to promulgation of Ordinance route, probably, hereinafter, the Government of India may directly introduce the Bill unless it is really warranted. So, this is the suggestion I have to make, Sir. My first suggestion is that the Government of India should make efforts to create banking infrastructure throughout the country. Secondly, promulgation of Ordinance should be avoided. Thirdly, the Act should also be made applicable to the workforce in the unorganised sector. Sir, my reference, particularly to the Clause 6 and also a proviso to that, which is applicable, according to my interpretation, only to male employees, may also be addressed. Thank you.

(Ends)

**SHRI D. RAJA (TAMIL NADU):** Mr. Vice-Chairman, Sir, the purpose of this piece of legislation is to amend the original Payment of Wages Act, 1936. Sir, Section 6 of the original Act talks about wages to be paid in current coin or currency notes. There, it says, "All wages shall be paid in current coin or currency notes or in both." This is what the original Act, 1936 says. This Act was amended in 1976 by inserting one clause, that is, "Provided that the employer may after obtaining the written authorisation of the employed

person pay him the wages either by cheque or by crediting the wages in his bank account." This is what the Amendment says. Now, we are trying to amend this Act further. The present Amendment says, "All wages shall be paid in current coin or currency notes or by cheque or by crediting the wages in the bank account of the employee-- Provided that the appropriate Government may, by notification in the Official Gazette, specify the industrial or other establishment, the employer of which shall pay to every person employed in such industrial or other establishment, the wages only by cheque or crediting the wages in his bank account. Sir, while discussing this Amendment, we should keep in mind certain other factors also. The Minister must clarify whether it is applicable to only organized sector, or, it is also applicable to the informal sector or the unorganized sector. The Minister should make this clear. If it is applicable to the unorganized sector, then, what is the preparedness? Are we in a position to implement this Amendment? Parliament can pass this, but Parliament should be realistic. Can it be implemented at this given point of time or in the coming period? Why I am asking this because, now, the banking sector is in crisis. What is the condition of rural banks? You please tell us, Sir, what the condition of rural banks is. Are rural banks effective? Do they have network across the country, in rural parts of our country? Please tell us. Please try to convince

us. Convince the Parliament because you have taken the route of Ordinance. Maybe, the Constitution allows this. But, at the same time, we have a very vibrant Parliament. Parliament is supreme. You must take Parliament into confidence. Maybe, you are in power today; tomorrow, somebody else will be in power. But, Parliament should be taken into confidence. Parliament represents the collective will of the people. So, I am asking, when you propose this Amendment, do you think it can be implemented now? Then, why are you proposing this Amendment?

(Contd. by PB/2P)

PB-ASC/2P/3.05

**SHRI D. RAJA (CONTD.):** It is because of the condition of the rural banks. They are in crisis, and the employees are agitating all the time. They cannot function effectively. The cooperative banks are also in crisis. They don't have adequate capital. In the entire banking sector, there is no adequate recruitment. What is rate of recruitment of employees in the banks? Without adequate bank branches across the country, without adequate number of bank employees, how can you impose this, how can you implement this? This is one thing, Sir.

The other is, if it is applicable to unorganized sector, there are problems. One is of agricultural workers. There is a demand. It is an old

demand. I repeat it. The demand is, the agricultural workers want a Central legislation so that they get identity, they get all social security benefits, everything. But we don't have a Central legislation for agricultural workers. How long can we continue like this? There is no legislation to cover a substantial working population of our country, the agricultural workers. Look at the living conditions of agricultural workers in this country! I am not bringing other social factors. I am bringing the economic factors. What is their wage, what is their pension, whether they have homes, houses to live in, and what social security have they got? So, why can't you think of bringing a Central legislation for agricultural workers?

Now, I am raising another issue which is related to migrant labourers. They move from one State to another. My colleague from Uttar Pradesh was mentioning that Uttar Pradesh workers are migrating to other States. But I keep seeing workers from different parts of the country -- from Odisha, from Bengal, from Bihar -- working in Tamil Nadu, Kerala and several other parts of the country. Now do these migrant workers have adequate protection? Sir, the unorganized workers don't have identity cards. That itself is a problem. They shift from one job to the other job according to the availability of job; they move from one profession to other according to availability of that employment. They are 'migrant labourers', Sir. They are not even able

to exercise their right to vote because they don't have their proper 'migrant worker card', identity card. The Labour Ministry must have come across this problem. I keep meeting several social organizations, civil societies. They all raise this issue. What is the identity card? Now after a big struggle, in some States, the 'construction workers' get that identity card as 'construction worker'. What about other sector workers like *bidi* workers or head-load workers? There are problems. Sir, some unions give it. I know when we organize them, when we organize the unorganized workers, we give identity card that he or she belongs to this 'union'. But, as a Government, how do you address their problem, this identity problem? It is a big problem. Without that, how can they have access to banking system? You may say, 'bringing people into banking system is a lofty goal'. Yes, people should come into banking system. But how can they come into banking system? That is what I am trying to ask. On one side, you don't have bank branches. There is no bank infrastructure spread over the country. On the other hand, the workers are not recognized as 'workers' and given their identity cards. Sir, they are 'Scheme workers'. What is this 'Scheme worker'? They are not treated as regular workers. They are just 'Scheme workers'. People are demanding that let these Scheme workers be treated as regular workers. What is the hurdle? I am asking the Labour Minister. What is the hurdle?

What is the difficulty in treating them as regular workers? I am asking it, Sir. They are workers. They are 'Scheme workers' because they are in particular Scheme implementation.

(Contd. by 2q/SKC)

SKC/2Q/3.10

**SHRI D. RAJA (contd.):** They are all Government schemes. After all, they are all Government workers. Why can't you treat them as workers? You don't treat people working under the Mid-Day Meal Scheme and the *Aanganwadi* workers as regular workers. These are some of the problems.

Now, let me take up one or two other issues. You were talking about minimum wages. Do you review the implementation of the Minimum Wages Act in different States at the national level? What is the present situation? Otherwise, why should Comrade Rangarajan or the trade unions demand raising the minimum wages to Rs. 18,000? On the one side, there is inflation and price rise and on the other, various economic factors which affect the living conditions of the workers. They ask for Rs. 18,000 as minimum wages, but the Government is not considering their demand. The Government is not taking up such issues at labour conferences or while talking to the trade unions' management. Why can't they accept this demand of having Rs. 18,000 as minimum wages for the workers? In the

same way, in the case of pensions, there is a demand for moving towards a universal pension scheme. We talk about several schemes, but we do not discuss having a universal pension scheme. Sir, you must be aware of the Arjun Sengupta Committee Report. It was the first effort to address the concerns of workers in the unorganized sector. That Committee said that there should be a universal social security cover for all those working in the unorganized sector. What efforts has the Government made to consider this? Why not? After all, they are all our citizens. Why do we want our economy to grow? Let me put this simple question: Why do we want our economy to grow? Why do we want a cashless economy and a digital economy? For fun! Why do we want the economy to grow? It is, after all, to meet the needs of our people, to improve the living conditions of our people and to help our people.

**THE VICE-CHAIRMAN (SHRI SUKHENDU SEKHAR ROY):** Now, please conclude.

**SHRI D. RAJA:** That is what we are trying to do, Sir, but what is the Government doing? What is the purpose of this amendment? They say, pay it in cash, cheque or through credit in the bank. My simple question is: where is money in the hands of workers in the unorganized sector? You give them money. I am not asking you to pay the workers out of charity or

pity. They are working. Ensure their minimum wage. Let the workers have money in their hands. Let the workers have the purchasing capacity. Then, if you ask them to transact through banks, I can understand the rationale. But now, without money in their hands, if you ask them to go to banks, it is irrational according to me. That is why I am questioning the very timing of this amendment. How can you implement this amendment without taking into consideration all these factors?

**THE VICE-CHAIRMAN (SHRI SUKHENDU SEKHAR ROY):** All right. Please, conclude now.

**SHRI D. RAJA:** Hence, I appeal to the Government and the Labour Minister to have a comprehensive approach. This *ad hoc* approach would help neither the Government nor the economy. There should be a comprehensive approach. This is what I thought I should point out at this point of time. There are other issues concerning workers.

**THE VICE-CHAIRMAN (SHRI SUKHENDU SEKHAR ROY):** Some other day!

**SHRI D. RAJA:** Yes, Sir; some other day. We should discuss the working and living conditions of the working class of this country. Perhaps if not now, some other time, we should discuss the conditions of the working people in this country.

Thank you, Sir.

(Ends)

(FOLLOWED BY HK/2R)

KLG-HK/2R/3.15

**श्री बसावाराज पाटिल (कर्णाटक):** माननीय उपसभाध्यक्ष जी, आदरणीय बंडारू दत्तात्रेय जी ऑर्डिनेन्स की जगह इस अमेंडमेंट बिल को लाए हैं, जो लोक सभा में पास हुआ है। जैसा अभी डी. राजा जी ने कहा, इससे पहले कॉइन्स से बैंक में या चैक से या किसी भी प्रकार से पैसे जमा करने की जो पद्धति थी, उसमें एक छोटा सा परिवर्तन ऑर्डिनेन्स के माध्यम से किया गया। इस परिवर्तन में एक विशेष बात यह है कि पहले उनसे ऑथराइजेशन लिया जाता था, अब यह ऑथराइजेशन नहीं रहेगा। इसकी यह एक सबसे बड़ी विशेषता है। दूसरी बात, जहां तक मैं समझता हूँ, यह पूरा ऑर्गेनाइज्ड लेबर्स के बारे में है, क्योंकि इसके अंदर खुला-खुला बताया गया है कि जहां पर एस्टेब्लिशमेंट्स एंड इंडस्ट्रीज हैं, और उनके नाम का भी उल्लेख किया गया है, ऑथराइजेशन नाम की इस एक प्रॉब्लम के कारण कई बार मालिक उनके एकाउंट्स में पैसे जमा नहीं करते थे, सैलेरी नहीं देते थे, उसके लिए इसमें एक सीधा-सीधा रास्ता बनाया गया है। इस दृष्टि से किसी विशेष परिस्थिति में, किसी लिटिगेशन के कारण, अन्यान्य कारणों से जो पैसे को रोका जाता था, अब इस अमेंडमेंट के बाद उसको रोका नहीं जाएगा, उनको देना ही पड़ेगा। इस नाते से इस बिल का अपना एक महत्व है और मैं जहां तक समझता हूँ कि अभी कृषि इत्यादि इसमें नहीं आएंगे। इसके बारे में सरकार अलग से सोच सकती है, क्योंकि कई बार पार्ट टाइम काम होता है, कई बार फुल टाइम

काम होता है, कभी एक दिन का काम होता है, कभी एक महीने के बाद होता है, तो यह एक अलग चीज है। यहां पर यह खुला कहा गया है - specify certain industries or other establishments where the employer should pay his employees only by cheque or by crediting his wages to bank account. इस बात को लेकर माननीय मंत्री जी श्रमिकों के हित में, एस्टेब्लिशमेंट्स के और इंडस्ट्रीज के हित में यह जो अमेंडमेंट लाए हैं, यह बहुत उत्तम अमेंडमेंट है। इससे उनका पैसा तुरन्त उनके पास जमा होता है और जहां-जहां यह एस्टेब्लिशमेंट्स और इण्डस्ट्रीज होती हैं, वहां पर ऐसी कैशलेस पेमेंट की समस्या बहुत कम पैदा होती है। इस दृष्टि से यह उत्तम परिवर्तन है, मैं इसका समर्थन करता हूँ। जय हिंद।

(समाप्त)

**SHRIMATI RENUKA CHOWDHURY (ANDHRA PRADESH):** Thank you, very much, for permitting me to speak on this issue. While many people may consider this as a continuing process of demonetization and its effect on the country, and the ruling Government may pat itself on the shoulders thinking that they are actually going to get more TRP ratings because of this step that they have taken. It shows a growing intolerance and, unfortunately, an egoistic attitude towards the common men. For a Government that claims that they worry about the ordinary citizens, this Bill shows a shocking lack of empathy where our workers are concerned. There doesn't seem to be a reality check on what the real life issues are for the

employees in this country at different wage hierarchy. All this looks lovely on paper. On black and white, it looks innocuous, unthreatening and assumedly a responsible step to take.

**MR. DEPUTY CHAIRMAN in the Chair.**

But is that what it really is? What was the overriding compulsion for this Government to bring in an Ordinance despite the fact that Parliament was in Session? First, they arrogantly bypass the Parliament and its democratic processes, then they bring in an Ordinance like this and now they slip in this Bill and demand that it should be passed and accepted. Sir, what is rising alarmingly is the absolute disconnect between the citizen and the reality checks.

(Contd. by KSK/2S)

KSK/AKG/3.20/2S

**SHRIMATI RENUKA CHOWDHURY (CONTD.):** Sir, as Mr. Raja had rightly pointed out, is there any concept and awareness of what working conditions are in this country? Obviously, they are not. You take away the right of the citizen and the employee by saying that you will be paid only by cheque. Are you aware as to how long the banks take to process a cheque? How many days' delay an employee faces in clearance of a cheque? How long does he have to do without cash? Sir, the 'without cash syndrome' is carrying on

even now. To date, as a citizen, I have no right to go to the bank and take out the amount of money that I want and the money that I have earned and which I have, in good will and trust, deposited in the bank. The banks are making money on my money, but I have no right to access my own money. I am curtailed, my rights are infringed on and the Government continues to carry on this steamrolling of our rights.

If an employee has to be paid by cheque, please give me these answers. How do you propose to do it in the unorganized sector? Where are your banking facilities? Do you have enough bandwidth for e-commerce and e-money? Are you able to actually access the citizens in the remote areas? In what distance, are the existing banks? Do you have adequate branches? Do you have a method by which you will facilitate the citizen to reach a bank? Sir, in rural and co-operative banks, the saddest state of affairs is that the people, who get a posting in the remote area, spend all their time and energy to get out of that posting and go somewhere else. The reality is that once in a week, maybe the bank will operate in rural areas. What happens to the employee then? Where does he go? You give us the alternative, give us the checks and balances, and then say, "You follow this or else..." But, you can't make sweeping reforms of what you think as reforms and, in one stroke, take away all the rights of a citizen. We are living

in an era of absolute uncertainty. Even if the Prime Minister of India today says something, citizens are not in a position to accept or believe it because the next day, the rule changes. During the initial period of demonetization, Sir, in 50 days, 68 rules were changed. Every day, we see people on television from the ruling party, including the Prime Minister, who threatened, intimidated, told us of terrible consequences. This is a democracy - by the people, for the people, of the people. These are the fundamental principles of democracy and this House reflects that democracy. Unfortunately, the Government doesn't seem to understand that. By bringing in this without laying down the infrastructure in the related areas, who is going to mitigate the misery of an employee when he will be without any money in his hand for the next so many weeks? Sir, regarding Anganwadi teachers -- of course, it is an honorarium; it is not a wage -- does this Government actually believe that the State Governments actually pay straight? Money devolved from the Central Government, which goes for payment of wages, is quite often not devolved on monthly basis, but it is actually clubbed together and delivered once in six months. How do you expect citizens to live? Can't you actually visualize that? Sir, through you, I appeal to the Minister that what he needs to look at is the option of paying by cheque partly and giving some part payment in cash. You can't do what

is proposed here. It is an illegal thing what this Government proposes to do. If you take away the right of a citizen and then enforce a law which says that if this is not done, you will be punished, that cannot happen. It makes a mockery of democracy, as well as what Mr. Raja has said about agricultural workers. As it is, this demonetization has affected agricultural workers.

(Contd. by 2T - GSP)

GSP-SCH/3.25/2T

**SHRIMATI RENUKA CHOWDHURY (CONTD.):** They do not go and purchase food and grain and keep it in their houses in tens or twenties of kilos. They buy a kilo or a half of a kilo, make do with that, and, next time, when they have the cash, they go and buy the rest. They don't have cards to swipe and pay because there is no existing bandwidth in any of the villages to start with. So, what happens to these people? Who cares about them? They do not count except for votes. Is that the attitude that we are going to collectively take in this esteemed House? Is this how we treat the people in the remote areas and villages of India? Is this the consideration for them when they are sick or when they need something that we are going to tell them, 'No, bad luck, your salary will come through cheque'? Who is going to fix the banks' accountability and ensure that the banks will encash their cheques in an optimum time period? Nothing is defined here. The

banks can take their own sweet time, earning interest on my money, and they may not even issue my money for five days, seven days, and, if God forbid, bank holidays come in, then all those holidays will be added. What happens to me as a citizen? Who empowers me? Who looks after my needs? I may have a crisis at home; a dying parent, a sick child. I may need medical attention for which I need to have my money. This is not endowing on me any kind of property of the Prime Minister or his Ministers or the Members of Parliament. This is not from their personal accounts that they are giving us benefits. It is my right, Sir. I have rightfully earned this money and I should have a right to choose as to how I need to take my salary and how I wish to spend it. As it is they have decided that unmarried girls are not entitled to keep that much gold as a married woman can keep. How bizarre and distorted is that to start with and to believe that there should be discrimination between an unmarried woman and a married woman or any citizen for that matter? This Government seems to have lost direction. There is an arrogance of belief that 'might is right' and that you will by-pass Parliament, bring in Ordinances, steamroll citizens and get praise from the people. Who do you care, he who praises you. Who are these people who are praising you? Are these the people who are connected with the remote corners of this country and the citizens of our

nation? Sir, as public representatives, we face them. We go into the remote areas. We represent the voice, the thought and the heart of the citizens of this country. What I am saying is not my belief system, Sir. This is what has been asked for by every citizen in the remote area. They are in a fine state of panic. They believe that their wages will not be paid on time. The banks will not clear it. They do not have savings. They have no ability to feed themselves for the time lag that the banks may take. Will the Government give direction to the banks, Sir?

Sir, in all this, so much talk and loud voice has been made about the benefits of demonetization, which will reflect very soon in the next five State elections. We will see the results and the Government will then begin to understand how this demonetization has helped them. Sir, I want to ask a question. What are these so-called benefits that this Government is talking about? As far as the money that came into the banks is concerned, so far we have no clarity or knowledge about how much black money, as they called it, came into the banking system. Bank managers were found wanting. You had the Prime Minister of India going to Lok Sabha and talking the way he did the other day. It is a sorry state of affairs that he did not answer any of the questions. Which bank has this Government taken action against?

**SHRI JAIRAM RAMESH:** He will speak today here.

**SHRIMATI RENUKA CHOWDHURY:** I know, I am waiting. Which bank did he take action against? Which bank manager has been hauled over the coals for the moneys that have been given away?

(Contd. by SK-2U)

SK/2U/3.30

**SHRIMATI RENUKA CHOWDHURY (CONTD.):** Which bank is going to be accountable and how will the Government ensure that they remain accountable in clearing cheques in optimum time? Which fora do the citizens go to if the bank is harassing them and not cashing their cheques because they are busy clearing the cheques of the ruling Government and their colleagues? Which bank remains accountable to the citizens? How do you propose to ensure that rural and cooperative banks actually have the money and you will have officers sitting in those areas delivering to the people? All these questions go unanswered and only contribute to absolute madness and mayhem. Sir, unfortunately, this Government believes that by appearing on television, by talking irresponsibly, by using the might of mathematics of their numbers in Parliament, they can subvert democratic

processes. But the beauty of India's democracy, Sir, as this Government will soon come to realize after March 8<sup>th</sup>, is that the fundamental principles of 'by the people', and that is an expression on other forums, an answer to this kind of arbitrary, unthought of legislations that they bring about and torture the citizens in the name of right and might. (Time-bell) Sir, I am concluding. It is this that we need to look at. Mr. Raja had raised a very relevant point about migrant labour. Is this Government aware that our citizens in Jorhat go across to China to work for wages and come back? Do you not care? Do you believe that you can stop them? Will you give them jobs otherwise? Will you ensure social security for them? None of these questions are even addressed, never mind answering, Sir. And if this is how the Government is going to conduct itself, they must look back at the history, the history where they claim nothing was done for so many years. Sir, if world-class institutions are there, if ISRO is launching satellites today, if every sixth citizen of India is a citizen in the world today contributing to international economies, if you think this is nothing, then after March 8<sup>th</sup>, Sir, they will understand that if nothing else -- every citizen has been empowered by this democracy, and empowered by the Constitution -- we come with the rights that have been given to us. Taking away our right is going to cost you very heavily. Thank you very much, Sir. Jai Hind.

(Ends)

**SHRI P. BHATTACHARYA (WEST BENGAL):** Sir, with your kind permission, I would like to bring certain matter for your consideration. Hon. Minister, in the Statement of Objects and Reasons, said that the Payments of Wages Act, 1936 states "the payment of wages of certain classes of employed persons..." May I put a question to the hon. Minister? What do you mean by 'certain classes'? Do you want to say only the permanent workers, or do you want to say the casual workers, or do you want to say the contractual workers, or do you want to say the migrant workers or whatever it may be? What exactly is your clarification? That has to be ascertained very clearly. Otherwise, I feel this Ordinance, which has already been promulgated and now it has been placed here to make it an Act, apparently looks a very good Act. But, Sir, I feel that the hon. Minister, possibly his officials, did not go into the details of the problems.

(Contd. by KS/2W)

KS-NKR/2W/3.35

**SHRI P. BHATTACHARYA (WEST BENGAL):** What are the problems that will crop up? Number one, if migrant workers, who are working in West Bengal, move to Bihar, in which banks would they operate their accounts? Who would decide that? Suppose, some workers from the State of

Jharkhand are coming to Birbhum, Bardhaman and other districts of West Bengal; suppose, they have their bank accounts in Ranchi or some other place in Jharkhand; would you ask them to open new bank accounts in West Bengal in their respective districts? How is it possible? There is no provision in the Act. The Statement of Objects and Reasons, very simply, states, "However, proviso to said section enables the employer to pay the wages to an employee either by cheque or by crediting the wages in his bank account after obtaining his written authorisation." What does 'in his bank account' mean? If a migrant worker leaves his present place of work and moves on to another one, Mr. Minister, could you clearly tell the House what he should do? What would be the banking arrangement or system? Are you going to change the banking law? Let us suppose, I have a bank account in Jharkhand; I am an agricultural labour. If I go to U.P., do I have to open another bank account there, or do I operate my previous account? How would it be possible? Would it transfer automatically? All such questions, which are pertinent, are cropping up. I would like the hon. Minister to reply. It is very clear that if I am a labourer, I have to labour and, as a result, I will get my wages. The Payment of Wages Act, 1936 has been changed so many times. But, Mr. Minister, I would like to know three things from you. Suppose any worker feels that he should leave the job and

change his profession, how would his payment be made? How would they go about doing this? What would be the process? Can you clarify this? In Bengal, there are several jute industries; many jute industries have closed down now. Workers who had been working there are now unemployed. They are moving from one place to another, trying to get into some other employment. Now, tell us, Sir, how would they get their wages? I know of a particular case where a jute mill worker left the job and joined work at another place, but there he didn't get proper wages. Then, he went to the Labour Directorate. The Directorate said that it depends on the present management; if they think that his payment should be less than what he got in his previous employment, he has to accept it, because there is no law in this regard. Hon. Minister, when you are amending the Payment of Wages Act, why are you not giving any pay protection to the workers? The existing provision says that if a worker who is getting paid at a job in a particular place goes to some other place, he would get the same wages there. Why have you not said anything about that here?

(CONTD. BY RSS/2X)

RSS/2X/3.40

**SHRI P.BHATTACHARYA (CONTD.):** This is a very simple and pertinent thing. So, my earnest request to the hon. Minister is that before going into

details and passing this Bill, kindly clarify all these things. It is very clear and it has been very clearly stated by Shri D. Raja, and I fully support his stand point in regard to the constitutional problems. If I work in a particular area, and shift to some other place, and if I do not get my wages there, that amounts to a serious violation of the Constitutional right, my personal right to get the wages. The Minister is not clear on this point what exactly he wanted to say and what exactly he wanted to do.

Sir, another very important thing is this. In this Bill, if you go in details, you will be surprised to see that the Government has not set any implementation authority who will look up and search the entire thing. I know the condition of the Labour Ministry in the Government of India. I know that he has no staff. He knows it very well how much staff he has. He knows how he is functioning. He knows how his conciliation Machinery is working, and the power of the conciliation machinery is known to the hon. Minister. Nobody bothers about the verdict of the CLC or DLC or whatever it may be. So, in this regard, I have a very simple question to the hon. Minister. If somebody violates Act, what steps are you going to propose? Kindly clarify this thing to this hon. House. What action are you going to propose, employers do not pay proper wages to the workmen? He will give the reply, go to the conciliation machinery, DLC or CLC or SLC. But, hon. Minister, you

know it very well what is their power. If your DLC writes a letter to the Director of a company to come, he sends a subordinate officer who has no power to take any action or any decision. Suppose, the management is not coming. In this regard, my humble submission would be, take some steps so that you can protect the workman. You have said it that however, the proviso to section enables the employer to pay the wages to an employee, either by cheque, or, by crediting the wages in his bank account, after obtaining his written consent. That is good. But, hon. Minister, would you kindly tell me one thing? Suppose, I am an employee in a particular area, and I am getting my wages by coins or by cash. If I go to some other place and say, "No, I will not authorize anything, I will be getting my wages again by cash." So many things are there which are to be clarified properly. Otherwise, Sir, my feeling is that after passing this Bill, the workers will be in soup. Apparently, they will be feeling very well. "All right, I will go to the bank; open an account in the bank, and my cheque will come; my cheque will be given to the bank online, or whatever it may be." But, what exactly will happen? You know the character of the Indian managements. I am not saying that all the managements are bad and corrupt. But I know some of the managements who are corrupt.

(contd. by 2y/KGG)

KGG/2Y/3.45

**SHRI P. BHATTACHARYA (contd.):** I know that some managements are not paying the amount to the labour class. What will you do about them? I would like to have your opinion in this regard.

Sir, before concluding, I would say a couple of important things to you. On building construction workers, Mr. Raja and other Members spoke. But, Sir, a very important part of it is, suppose a building worker dies, what will you do? So, all these things need to be taken into consideration before passing this Bill. I hope, in your reply, you will clarify all these things. With these few ideas, I would conclude. Thank you very much.

(Ends)

**SHRI SHANTARAM NAIK:** Sir, I would like to speak.

**MR. DEPUTY CHAIRMAN:** Already your party has taken more time. I can allow you for five minutes, if you adhere to that. Your party has taken 19 minutes extra! I was very liberal today.

**SHRI P. BHATTACHARYA:** You were extraordinarily liberal today, at least, to me!

**MR. DEPUTY CHAIRMAN:** At least you accepted it! Thank you. Mr. Shantaram, you can speak for five minutes. ... (Interruptions) ...

**SHRI SHANTARAM NAIK (GOA):** Sir, the Payment of Wages (Amendment) Bill is a piece of legislation regarding payment of wages, cashless payments. But, it covers a wider ambit. Therefore, the ambit started from 8<sup>th</sup> November, according to me, although the Government says that the process of demonetization started two months prior to 8<sup>th</sup> November. But, nobody was informed! Even the RBI took the decision on 8<sup>th</sup> November at 5.00 p.m. I don't know when the report was submitted to the Cabinet.

**MR. DEPUTY CHAIRMAN:** Speak on the Bill, please.

**SHRI SHANTARAM NAIK:** Sir, therefore, I began by saying that though it refers to wages, it refers more to cashless economy. Therefore, it takes us to demonetization. In fact, after demonetization, all the time, the Prime Minister was talking about cashless economy only. He forgot about demonetization and was speaking about cashless economy, 'Everybody should pay by cashless modes of payment.' This is a subject which has a wide ambit and, therefore, I am saying it. So, now, payment of wages will be by cashless modes, according to the PM. This process started on 8<sup>th</sup> November officially and unofficially two months prior to that.

Sir, to my Starred Question yesterday, the Finance Minister replied the whole thing—two supplementaries—in two minutes! It never happens. A question of such a magnitude was covered by the Finance Minister in two

minutes! Then, there were three-four more supplementaries, one minute each. Why is the Government treating this aspect of economy in such a casual manner? Therefore, this Bill also will be treated in a casual manner, according to me unless you become serious about the cashless economy.

In your own State of Goa, which is administered by the BJP, how did you deal with this? The BJP Government in Goa announced that it was the first State going cashless. It was front-page news in many newspapers. Thereafter, the BJP workers themselves had to meet and pass a resolution and request their own Government to withdraw that notification regarding cashless economy.

(Contd. by KLS/2Z)

KLS/SC/2z-3.50

**SHRI SHANTARAM NAIK (CONTD):** This is how you began with the cashless economy. Secondly, the point is that we wanted to know -- because what was to be told to us by the Prime Minister, who assumed the role of the Finance Minister as to how the process started--whether the letter was written under Section 7 by the Government of India to the RBI or RBI *suo motu* took a resolution under Section 26(2). This is what we are entitled to know. This aspect is a part of this Bill. If you are saying that you are transgressing, you are going astray of what I am saying-- all these

questions are related—then, we wanted to know whether Section 7 was adopted or Section 26(2) was adopted. Secondly, after this cashless economy came into force and everything you say is fine, कंट्री अच्छी चल रही है। क्या फिगर्स आ रहे हैं? Today I got an Unstarred Question and the figure was that in Goa the tourist inflow has increased. This is incorrect. This is the reply I got that tourist inflow increased after demonetization whereas everybody knows that most of the hotels get 20 to 30 per cent occupancy. The is what the hotel owners told me. This is the case with every hotel. If there is inflow of tourists in Goa, why has that percentage decreased? Why have you given a different reply in Parliament? Therefore, I don't think you take this matter seriously. (Time-bell) I will take one more minute, Sir. I was talking about unemployment. How much unemployment has been created after this demonetization? How many people have been retrenched, laid off or dismissed? Can anybody give figures? MoS Finance is not there. I don't know MoS Sitharamanji knows it. These things are linked to both the Ministries. You should also know those figures. The Labour Ministry, of course, is dealing with one aspect, but you are dealing with so many things like Start-up, Make in India, etc. Everything is with you. Therefore, these figures of layoffs and dismissals should be with you. You must acquaint us with those figures. Secondly, everybody knows as to what was the fate of

contract labourers. The employers did not wait even for seven days. All of them were asked to go home. They said, “We will call you when needed.” Thousands and thousands of workers lost their job in first 15 days. ... (Interruptions)... In 15 days, lakhs of people lost their jobs.

**श्री नीरज शेखर :** इन्हें हंसी आ रही है।..(व्यवधान)..

**श्री शान्ताराम नायक :** आपको बाद में रोना पड़ेगा। ..(व्यवधान)..

**एक माननीय सदस्य :** अभी रोना स्टार्ट कर दीजिए।..(व्यवधान)..

**श्री शान्ताराम नायक :** आज प्राइम मिनिस्टर हंस सकते हैं, हमारा मज़ाक उड़ा सकते हैं क्योंकि फिगर्स उनके पास हैं। जो फिगर्स वे बताएंगे, वे हमें सुननी पड़ेंगी। ..(समय की घंटी).. आप इस पर विचार कीजिए और इस बिल का सच्चा उपयोग कीजिए।

(समाप्त)

**SHRI ANANDA BHASKAR RAPOLU** Sir, allow me for a minute.

**MR. DEPUTY CHAIRMAN:** You have not given your name. ... (Interruptions)... No, please. ... (Interruptions)... You did not give your name earlier. This is not the way.

**SHRI ANANDA BHASKAR RAPOLU:** Your kindness. ... (Interruptions)... Your kindness. ... (Interruptions)... Just one minute. ... (Interruptions)..

**MR. DEPUTY CHAIRMAN:** One minute. ... (Interruptions)...

**SHRI ANANDA BHASKAR RAPOLU (TELANGANA):** Respected Deputy Chairman, in specific I would like to point out about the power-loom sector

tragedy following the demonetization. The cash crunch, as created, and with this Bill, I can understand the intentions and ulterior motives of the Government to divert the contract employment and unrecorded employment which is the order of the day.

(Contd by 3A/SSS)

SSS-GS/3.55/3A

**SHRI ANANDA BHASKAR RAPOLU (CONTD.):** Underemployment is there throughout and lakhs of powerloom workers have lost their livelihood after November 8<sup>th</sup>, 2016. Even after that, they wanted to hold some *mela* and show some fancy wherein they did not address what exactly is ailing the powerloom sectors, the money transactions and wages. But after knowing all these inadequacies and the tragedy and trauma, the Union Labour Minister who is dearer to the weaker sections is coming out with this type of a proposal! It shows that they are just unconnected with the people and they are going to get disconnected with the people. Thank you very much.

(Ends)

**SHRI SUKHENDU SEKHAR ROY (WEST BENGAL):** Sir, with your kind permission, I would just invite the attention of the Government and the House only to one legal angle of this Bill, if you kindly permit me. I won't give any speech.

**MR. DEPUTY CHAIRMAN:** Okay.

**SHRI SUKHENDU SEKHAR ROY:** Sir, in the Statement of Objects and Reasons, it has been stated that “Section 6 of the Act provides that all wages shall be paid in current coin or currency notes or in both. However, proviso to the said Section enables the employer to pay the wages to an employee either by cheque or by crediting the wages in his bank account after obtaining his written authorisation.” But there is no mention about the written authorisation by the employee in the Amendments that have been made in Section 6. Normally the employees render service and in lieu of that he gets the wage. So, without his written authorisation which was earlier in the proviso of Section 6, this has been deleted. So, the object of this Amendment is not only to change from currency or coins and but also through bank cheques. It has also deprived the workers of their legitimate...

**MR. DEPUTY CHAIRMAN:** Maybe there is an omission. The Minister may react.

**SHRI SUKHENDU SEKHAR ROY:** I am inviting the attention of both the Government and this House to this.

(Ends)

**MR. DEPUTY CHAIRMAN:** Mr. Minister, please give the reply to this also.

**THE MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY  
OF LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA):** Hon.

Deputy Chairman, Sir, first of all, there were 14 Members who spoke about the Payment of Wages (Amendment) Bill, 2017. I compliment all of them and I wish to thank them all. I have keenly observed their very interesting commitment to the lives and welfare of the workers. I respectfully submit to the House that all Members are welfare-minded towards the workers. My Government, led by Narendra Modiji, is very sensitive towards the poor, working labourers. For that only we have had that vision. That is why the Prime Minister said "श्रमेव जयते". We feel that our worker is not only a worker, we feel that he is "श्रम योगी" and that he is a "राष्ट्र निर्माता". That is why we are very sensitive towards the workers' issues. The main purpose of the Amendment is that exploitation of workers is going on regarding minimum payment and also a cut in the payments and there is no transparency and no proper functioning. That is why we have ensured the payment of statutory minimum wage also. Particularly, I am stressing that all the Members were interested in compliance of social security. Compliance of social security is very, very important which I will explain later on after a few minutes.

(Contd. by NBR/3B)

