

LOK SABHA

**SYNOPSIS OF DEBATES
(Proceedings other than Questions & Answers)**

Tuesday, September 22, 2020 / Bhadrapada 31, 1942 (Saka)

SUBMISSION BY MEMBERS

Re: Farm Bills and fixing the MSP for 22 agricultural products.

**THE MINISTER OF AGRICULTURE AND FARMERS WELFARE;
MINISTER OF RURAL DEVELOPMENT; MINISTER OF PANCHAYATI
RAJ AND MINISTER OF FOOD PROCESSING INDUSTRIES (SHRI
NARENDRA SINGH TOMAR)** *replying to the issues raised by several
Members, said:* The agitation going on now a days is led by farmers. These are
Congress inspired people and it is known to the whole country. The farmers will
really be benefited by the agricultural reforms and the growth rate of agriculture
will increase. Technology will be accessible to farmers. We will witness
unprecedented and revolutionary changes in the field of agriculture. Prime Minister
has said that the MSP will continue. The MSP of rabi crops has already been

announced by the Government before its sowing season starts. This shows the commitment of the Government for the MSP. The earlier Government did not accept the recommendations of the Swaminathan Committee. Our Government accepted those recommendations and enhanced the MSP by 1.5 times. Infrastructure fund to the tune of Rs. 1 lakh crore has to be made available to our villages. Farmers have to be given access to technology. Food processing plants, warehouses and cold storage are to be set up as well. For proper implementation of all these, the legal reforms were essential.

***MATTERS UNDER RULE 377**

- (1) **SHRI GOPAL JEE THAKUR** laid a statement regarding need to set up an Indian Institute of Technology and a National Institute of Technology in Darbhanga, Bihar.
- (2) **SHRI DHARAMBIR SINGH** laid a statement regarding need to augment railway services in Bhiwani-Mahendragarh Parliamentary Constituency, Haryana.
- (3) **SHRI KHAGEN MURMU** laid a statement regarding need to set up an Airport in Malda Uttar Parliamentray Constituency, West Bengal.

* Laid on the Table as directed by the Chair.

- (4) **SHRI RAJENDRA AGRAWAL** laid a statement regarding need to set up a full-fledged Akashvani Kendra in Meerut.
- (5) **SHRIMATI ANNPURNA DEVI** laid a statement regarding need to set up industries in Kodarma district, Jharkhand.
- (6) **SHRIMATI SANGEETA KUMARI SINGH DEO** laid a statement regarding socio-economic development of weavers of Subarnapur district of Odisha.
- (7) **SHRI RAJU BISTA** laid a statement regarding implementation of FRA Act in West Bengal.
- (8) **SHRIMATI APARAJITA SARANGI** laid a statement regarding need to take stringent action against perpetrators of crimes against women in Odisha.
- (9) **SHRI SUDHAKAR TUKARAM SHRANGARE** laid a statement regarding need to confer Bharat Ratna Award on Dr. Shivling Shivacharya Maharaj Ahmedpurkar, the great saint of Ligayat sect.
- (10) **SHRI MITESH PATEL (BAKABHAI)** laid a statement regarding need to ensure payment of compensation to land oustees in Anand Parliamentary Constituency, Gujarat.

- (11) **SHRI RAMDAS TADAS** laid a statement regarding need to provide funds under Pradhan Mantri Awas Yojana (Urban) to Maharashtra in time-bound manner.
- (12) **SHRI AJAY MISRA TENI** laid a statement regarding need to amend the official Languages Act, 1963.
- (13) **DR. NISHIKANT DUBEY** laid a statement regarding connecting Deoghar with Eastern Dedicated Freight Corridor.
- (14) **SHRI RAVI KISHAN** laid a statement regarding need to establish a Fishery University in Eastern Uttar Pradesh particularly in Gorakhpur.
- (15) **SHRI KODIKUNNIL SURESH** laid a statement regarding compensation to flood victims in Kuttanad region of Kerala.
- (16) **SHRI GAUTHAM SIGAMANI PON** laid a statement regarding privatization of LIC.
- (17) **SHRI MARGANI BHARAT** laid a statement regarding assent to DISHA Act of the Government of Andhra Pradesh.
- (18) **SHRI RAHUL RAMESH SHEWALE** laid a statement regarding need to shift the Waste Treatment Facility at Deonar in Mumbai to other place.

- (19) **SHRI DULAL CHANDRA GOSWAMI** laid a statement regarding need to take adequate remedial measures to prevent land erosion caused by Ganga, Kosi and Mahananda rivers in Katihar Parliamentary Constituency, Bihar.
- (20) **SHRI RAMSHIROMANI VERMA** laid a statement regarding need to desilt Chittaurgarh and Kohargaddi dams in Shrawasti Parliamentary Constituency, Uttar Pradesh and make Chittaurgarh dam as a tourist spot.
- (21) **SHRI KESINENI SRINIVAS** laid a statement regarding need for upgradation of Base Tower Stations of BSNL.
- (22) **SHRI HANUMAN BENIWAL** laid a statement regarding need to look into the alleged irregularities by a cement company in Nagaur district, Rajasthan.
- (23) **SHRI CHANDRA PRAKASH CHOUDHARY** laid a statement regarding need to waive off fee of students of private schools/colleges during lock down period.
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THE OCCUPATIONAL SAFETY, HEALTH AND WORKING

CONDITIONS CODE, 2020

AND

THE INDUSTRIAL RELATIONS CODE, 2020

AND

THE CODE ON SOCIAL SECURITY, 2020

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI SANTOSH KUMAR GANGWAR) *moving the motion for consideration of the Bills, said:* I, while moving the motion for consideration of these three labour Codes, would like to say that if a system is not kept variable and dynamic, it may ultimately prove to be ineffective in achieving its stated objective in the changing scenario. In line with this fundamental principle, we have taken the measures to frame a simple, more effective, transparent and compatible with the changing technologies labour code system in lieu of the present complex labour codes. As many as 44 central labour laws are a big number in itself and several problems crop up in the way of their implementation. Nobody would have imagined 70 years back that work from home could be done and one can serve more than one employer at a time. The international labour world has also accepted this changing work scenario and accordingly, labour laws

have been comprehensively amended. If India does not make necessary changes in its laws in tune with the changing times, we may lag behind in the development of industries and in the welfare of labourers also. For this very purpose, 29 central labour laws have been amalgamated into four labour codes and the fundamental rights of the labourers have been safeguarded through these labour courts. Under the wide consultation process, we have made suitable provisions after interacting with trade unions, employers associations, State Governments, experts of the field, international labour organizations and general public also. I would also like to inform the House that all the labour codes have been put out on the website of the Ministry in the public domain for two-three months. We have received as many as 6,000 comments from the stakeholders during this period. After such a comprehensive consultation process, we have given the final shape to the provisions of these codes. The Parliamentary Standing Committee had also made 233 recommendations after detailed discussion with the stakeholders. The Ministry has accepted more than 74 per cent of the recommendations. We are going to lay down an online process for issuance of registration and license in a time-bound manner. It is also being made mandatory for giving appointment letters to all the workers. A system is also being put in place for re-skilling of the workers. The importance of trade unions has been recognized for the disposal of disputes, therefore, the trade unions have been recognized for the first time at the

level of the organization, state and also the national level. I would, therefore, request all the hon. Members to kindly consider these labour codes and also pass them.

SHRI PALLAB LOCHAN DAS *initiating said:* Today's historic session of this House will be written in golden letters because such a huge labour reform had never been carried out earlier. We have amalgamated 13 laws in the wages code. If there are only ten workers in an organization, wages code will be implemented even there as well. If the organization is hazardous or it is life-threatening establishment, the wages code benefit could be given even to the one worker. The definition of migrant worker has been modified for the first time. Now, any worker coming to work by himself or through an employer will be entitled for the benefit meant for migrant workers. A database of migrant workers will also be set up. We have introduced a mandatory provision to issue appointment letters to all the workers. Annual health checkup of all the workers will have to be carried out. Our State Government has brought a policy for protection of wage compensation for tea garden workers in Assam. The definition of family has also been extended. The tea garden workers face organized exploitation and we have checked it. We have changed the threshold limit in the industrial code as well. The supervisory workers were not included in the industrial code earlier and now we have included them. We have increased their

wages to Rs.18,000 per month. Another important provision has been made in this Bill which will ensure all the benefits to the workers which are normally given to the permanent employees for a similar work. They will be entitled even for gratuity benefits. Our Government has made a very important provision in this Bill for social security. All workers will be covered under the ESIC and EPFO. Labour reforms are very important for a new India. A good beginning has been made under the stewardship of the hon. Prime Minister and the hon. Home Minister.

SHRI PINAKI MISRA: These three Codes consolidate 25 Central laws which is an extraordinary event. Unfortunately, the excessive use of delegated legislation can create all sorts of problems. Some health and safety standards ought to have been defined in the Code itself. The clause 127 allows the Central and the State Governments to exempt any establishment from the provisions of this Code. This is something which should not be allowed in the Code. The State of Odisha has taken many welcome initiatives like the Shramik Shayata helpline, Migrant Labour help desk, Seasonal Hostels for Children for Migrant Workers, the strengthening of anti-human traffic unit etc. which can be considered by the Government. The ‘appropriate government’ in clause 2 needs to be relooked and the State Government ought to be the ‘appropriate government’ for the purpose of occupational safety, health in Central Government factories and other major ports.

Clause 2 of the Code talks of 'Chief Inspector' which reminds us the Inspector Raj of the old days. I think the nomenclature in this regards needs to be changed. The definition of workers also needs to be relooked. The basic benchmark for workers should be Rs. 30,000. The Code on Social Security mandates Aadhaar verification. The Government is requested to have a relook at it. I also urge upon the Central Government to relook the Sections 100(2) and 100 (3) of the Social Security Code because they infringe upon the powers of the state government. The Industrial Code allows the Centre or state government to undo quasi-judicial court's order by legislation or by executive action. I believe that this is not going to stand the scrutiny of the courts. There are many other provisions in Industrial Relations Code which have diluted the provisions with regard to trade unions and strikes. These provisions are not desirable at all. The Bill does not require the Registrar to decide on the approval/refusal of the registration of trade unions within a fix time limit and also to give reasons for refusing registrations. That is not a happy situation.

SHRI MARGANI BHARAT: I suggest for consideration of the hon. Minister to take up the registration of gig workers and platform workers on a mission mode so that we can see all of them covered under the social security benefits. With regard to the constitution of the Board of Trustees of the EPFO, I suggest to appoint 15 Members from the State Governments on rotation basis so

that all the States would be given the opportunity. I request the Government to look into the matter of superannuated bank employees and quickly update their records. The workers and the unions have been opposing Clause 28 (1) of this Bill which says that any establishment which employs less than 300 workers can hire and fire workers without any permission from the Government. This Clause should be withdrawn. My next point is that the companies should not be allowed to hire people only during the season and fire them once the work is over. Even in Government undertakings, employees are being appointed only on contract basis. I request the Government of India to absorb them permanently in their organization. There are only 38 ESI empaneled private hospitals in Andhra Pradesh. More private hospitals are needed to be empaneled. New ESI Hospitals were sanctioned for Kakinada, Rajahmundry, Guntur, Nellore, Visakhapatnam and Vizianagaram. I would request the hon. Minister to kindly share the present status of these hospitals which are to be started.

DR. VIRENDRA KUMAR: A large number of Indian people comprise of labourers, workers and those engaged in commercial establishments. The Government has made a detailed discussion on the 29 Central Labour Laws which govern the wage security, social security and better working conditions for all these people and all the provisions relating thereto have been contained. For the first time in the country, our hon. Prime Minister has taken a revolutionary

decision to incorporate more than two dozen labour laws into four laws. This will promote e-governance. When these laws will be implemented, it will be evaluated continuously. I believe that whatever deficiencies will be there, immediate action will be taken. The provisions of this Bill would provide such arrangements that contractors will not be able to make any irregularity. If there is any negligence, it will be the responsibility of the principal employer to pay all the money to the workers. There is also a provision for the protection of workers working in various sectors. These bills will be a milestone in the welfare of labourers in the coming time.

SHRI DILESHWAR KAMAIT: Through these Codes, 13 important central labour laws have been simplified and rationalised by merging together. Better working conditions and health facilities at the workplaces will also play an important role in the welfare of workers as well as the economic development of the country. The nation will be more productive with a healthy workforce . In this code, the workers will also be given the benefit of social security like permanent employees. The code also provides for the constitution of a security committee. There is also a provision for the convenience of women employees. With the implementation of these three important codes, the labourers will be happy, industrial relations will be cordial, and production increases.

SHRI DILIP GHOSH: This law has been brought by the Government to protect the interests of industries, industrialists, and labourers of the country. I belong to Bengal. There is tea industry in the north of Bengal, the jute industry in the south, and the coal industry in the border area. The condition of these three industries is also poor and lakhs of employees associated with the tea industry are in a miserable condition. Unfortunately, today's State Government is giving 20 percent of the plantation land for real-estate development, petrol pumps, etc. But there is not even an inch of land for the labourers. So, they do not get the facilities of the Central Government schemes. They also do not get the facility of a housing scheme. Despite our Hon'ble Prime Minister's repeated insistence, many industries have retrenched the labourers. Therefore, the Bill provides for a salary of at least the last 15 days for the skill development of the one who will be removed. The labourers will also have to contribute to the industry by maintaining discipline. This will contribute in the development of the country. Due to this law reform, notices will have to be given at least 60 days before the strike. The Bill takes care of the workers of all industries. This will bring transparency in the labour law and protect the interests of labour, industry, and industrialists all over the country.

SHRI JAYADEV GALLA: There is no doubt that this is a humongous exercise to bring nearly 45 enactments together. So, I compliment the Government for its stupendous work on these Codes. I will start with the Social Security Code.

In this regard, I suggest that computation of PF should be calculated on basic wages and not to include commission or performance-based bonus, businesses expenses, leave encashment, etc. So, they may be removed from the definition of 'wages'. Similarly, under Clause 142, the Code is making Aadhar mandatory to receive benefits. My question is, is it not a violation to the prevailing Supreme Court judgement? The Code is also silent on international workers. There is no definition on 'international workers'. There is clarification needed on this also. While we welcome fixed term employment, we also foresee a danger of companies avoiding permanent employment. So, it is good to add a minimum and maximum tenure for fixed term employment. Again, the Code says that the rescaling fund needs to be created with the Government. So, the Ministry should also make its contribution financially to make this rescaling a success. Similarly, the Code introduces 14-day notice to be given for strike. This should be uniformly applied for all sectors. With regard to welfare related provisions, I would suggest for the consideration of the Government to retain the provisions as mentioned in the existing Factories Act. Otherwise, this would impact the MSMEs the most. My second point is about overtime. I would suggest that this should be paid out monthly. I expect the Government to please act on them positively.

SHRI VINOD KUMAR SONKAR: I would first like to point out that Babasaheb Bhimrao Ambedkar Ji, as Labour Minister, was the first to bring labour

laws in this country. I would like to congratulate our Hon'ble Prime Minister that after Babasaheb Bhimrao Ambedkarji, a holistic law has been enacted for the labourers of this country by this Government. The need for such a law was being felt for a long time. Of course, it will also have industrial growth in the coming time and more than 50 crore labourers will also be benefited in this country. In all, 15 laws are being abolished through four codes. The Parliamentary Committee related to Labour Department had made 233 suggestions and out of those 174 suggestions have been accepted. Now, under this law, an employer will have to issue appointment letters to the labourers so that they can get all kinds of social and legal benefits. Under this law, the Centre will constitute a Commission in the interest of labourers, industries, and trade. Similarly, the States will also constitute the Advisory Board. The interests of unorganized labourers in the country will also be protected after the enactment of this law. So, with this law, we are going to build a new India. The youths are continuously being subjected to exploitation due to outsourcing and contracts. Hence, I would like to urge that a national policy on contractual workers and outsourcing should be formulated in order to protect the youths from exploitation in the country.

SHRI P. RAVEENDRANATH KUMAR: Firstly, I must compliment the steps taken to safeguard security of women at their workplace both in physical terms as well as the financial and self-developmental aspects. As we can see for

ourselves that through these reforming enactments our hon. Prime Minister is building a strong backbone for our country's economy with labourers and workers being brought into the forefront of nation-building. Considering the current economic turbulence, this Bill will exponentially help in the growth of our GDP. I would also like to give a few suggestions regarding this Bill. First of all, the Government should make it mandatory for the contractors to register the workers engaged in the construction industry under ISM Act. Moreover, routine audits and inspections should be conducted by the concerned agencies to enforce the same. More than 50,000 families in my State are dependent on the Cine Industry for their livelihood. Hence, I would like to bring to the notice of the hon. Minister that necessary notification should be placed to widen the definition of contracts labours in Clause 2 (1) (m) of the Occupational Safety, Health and Working Conditions Code, 2020 by specifically mentioning cinema and entertainment industry.

SHRI RAJU BISTA: This Bill encapsulates the Prime Minister's vision of Reform, Perform and Transform. Never have I witnessed such a big reform even after 72 years of the independence of India. About 29 labour laws have been merged into these four Labour Codes which will go a long way in ensuring the wage security, social security and healthcare security for 50 crore labours of organized and unorganized sectors. Moreover, this Bill provides guarantee of minimum wage to all the labourers. It also provides guarantee of equal wage to

both men and women. Every labourer will be provided the facility of health check up once in a year. All the labourers of organized and unorganized sectors will avail of the benefit of pension (EPFO) scheme. With the passage of this Bill, no employer will be able to make payment of wages in kinds more than 15 per cent which stands to mean that all the labourers will receive Rs. 300 as minimum wage in cash in West Bengal. Now I would like to raise an issue of my Constituency where the labourers do not have any right on land till today because land is a State subject. The laws enacted during British era are still in effect in West Bengal. I would like to request that on the lines of the FRA Act, 2006 a law is required to be enacted to provide *praja patta* to the workers engaged in tea gardens and Cinchona gardens. With the passage of this Bill, I will certainly say this much to our people that the hill will smile.

SHRIMATI NAVNEET RAVI RANA: Today, a good piece of Bill has been brought in by the Ministry of Labour and Employment and I support it. Scant amount is paid to the workers as pension which does not make their both ends meet. Hence, I would request the hon. Minister that he should accept their demand of raising the amount of pension to Rs. 7000-8000. Besides, I would like to beseech the hon. Prime Minister to provide a House to every labourer. A provision should also be made in this Bill that the payment of wages to any labourer will not be withheld in case they move to the court.

SHRI HANUMAN BENIWAL: Today the Minister of Labour and Employment has brought in three Bills in the Lok Sabha and all of the three Bills are related to labourers. One of them is the Industrial Relations Code, 2020. Now, the Company having less than 300 employees will not be able to lay off workers without getting approval from the government. The Code On Social Security, 2020 replaces 9 laws related to social security which will secure healthcare facilities, income protection for the labourers. To set up industrial edifice cannot even be imagined without labourers. The labourers working in heavy industries in the country including Rajasthan are not being paid even the minimum wage despite the provisions to this effect already exist. Oil, Gas and Coal are extracted from Barmer of our Rajasthan. But the companies engaged there do not provide employment to the people of that village. Hence, I would like to request the hon. Minister that the matter be looked into and ensure that 80 per cent local people are provided employment.

SHRI C. P. JOSHI: Such a big reform, be it in the agriculture sector or in the labour sector, can be ushered in this country only by such sort of people that can feel the pangs and miseries of labourers. I can say that no one had so far thought about the labourers of unorganized sector. There was shortage of facilities for them. In such a scenario these Codes will turn out to be the tools for bringing social and economic revolution in the lives of crores of labourers in the country.

Numerous irregularities were prevalent in the unorganized sector which have been addressed to by the hon. Prime Minister. The *inspector raj* causing a lot of difficulties for the employers and other people will come to an end.

ANNOUNCEMENT BY THE SPEAKER

Re: Sitting of the House.

HON. SPEAKER: Hon. Members, I have to inform the House that the sitting of the Lok Sabha fixed for Wednesday, 23.09.2020 will commence at 6 PM.

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SNEHLATA SHRIVASTAVA
Secretary General

**Supplement covering rest of the proceedings is being issued separately.

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NOTE: It is the verbatim Debate of the Lok Sabha and not the Synopsis that should be considered authoritative.

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