

Shri Warrior: In view of the fact that our research institutes are only manned by our own scientists, may I know whether any foreign scientists also are being requisitioned for examining these highly sophisticated hardware?

Shri A. M. Thomas: In the first place, if we view it from one aspect, it is not advisable to associate foreign scientists; if we view it from another aspect, foreign scientists may not be prepared to come to our research establishment and part with their know-how; so, there are limitations on both sides.

Shri M. R. Krishna: May I know whether all these items which have been captured from the enemy have been repaired in the defence workshops, and whether in regard to those things which we are not able to repair for want of spare parts, the Defence Ministry is trying to return those things to America and UK and get in return the equipment which we are already using?

Shri A. M. Thomas: We have not launched on any programme to repair these vehicles, although the weapons system is being closely studied by us.

Shri M. R. Krishna: What about the replacement of those things which we cannot repair? Can we not get something in return for them from Britain and America?

Shri Hem Barua: May I know whether the attention of Government... May I know whether . . .

Mr. Speaker: I am listening. The hon. Member may continue.

Shri Hari Vishnu Kamath: The Speaker's attention alone is not enough. He wants Government's attention also.

Shri Hem Barua: May I know whether the attention of Government has been drawn to a statement made by President Ayub Khan very recently that after a just solution of the Kashmir dispute, the two countries must reduce their arms strength, and if so, in that context, may I know whether Government have tried to ascertain from the Pakistani sources or from the US sources the backlog of US arms and ammunitions that Pakistan still has in her possession?

Shri A. M. Thomas: In fact, our defence preparedness has been programmed in the context of the Chinese threat, so that we cannot relax in our efforts at all. With regard to what President Ayub said, I have not got any specific information in order to say either yes or no to the question.

Mr. Speaker: The Question Hour is over. Shri Bagri's question has been transferred to the 25th; he does not know it himself.

12.00 hrs.

SHORT NOTICE QUESTION

Payment of Bonus by Private Coal Mine Owners

S.N.Q. 8. Shri Indrajit Gupta:
Dr. Ranen Sen:
Shri Mohammad Elias:
Shri S. M. Banerjee:
Shri Daji:

Will the Minister of Labour, Employment and Rehabilitation be pleased to state:

(a) whether it is a fact that due to the non-payment of the statutory minimum Bonus of 4 per cent by most of the private coal mine owners, widespread agitations and unrest are taking place in the mining areas;

(a) whether hunger strikes by Miners' Trade Union Leaders and workers have been launched all over the country as a protest; and

(c) what Government propose to do to enforce compliance by the mine owners of the provisions of the Payment of Bonus Act?

The Deputy Minister in the Ministry of Labour, Employment and Rehabilitation (Shri Shah nawas Khan): (a) Letters have been received from workers' organisations functioning in collieries stating that bonus has not been paid in terms of the Payment of Bonus Act, 1965 and threatening to take direct action in case the managements do not comply with the provisions of the Act.

(b) According to available information, Shri Kalyan Roy, General Secretary, Indian Mine Workers' Federation and one other retrenched workman of Bankola Colliery (Raniganj) have gone on hunger strike with effect from 2-3-1966. It has also been reported that Dr. Raj Bahadur Gaur, President, Singareni Collieries Workers' Union (AITUC) went on hunger strike from 1st to 3rd March, 1966 and that Shri Shyam Lal Valmik, Vice-President of I.N.T.U.C., Chandermatta, M.P., has been on fast from the 8th March, 1966.

(c) Employers have been advised to complete payment of bonus to their workmen by the 31st March, 1966, failing which necessary action will be taken against them for contravening the provisions of the Payment of Bonus Act, 1965.

Dr. Ranen Sen: Complaints are made by several trade unions belonging to different Central trade union organisations in regard to the refusal of the coal mine-owners to act up to the provisions of the Payment of Bonus Act since last January, what was Government doing for the last three months to see that the mine-owners did abide by the provisions of the statutory regulations passed a few months back?

Shri Shah nawas Khan: The Indian Mining Association had asked for extension of period for payment of the

bonus. The Chief Labour Commissioner, the competent authority to give extension, sanctioned extension till 31st Dec. 1965. Thereafter, the managements again came up to say that an increase had been sanctioned in coal prices from 24th December and they had no time to collect it; therefore, they wanted some more time. This request was turned down. But later on, they have been given an extension upto 31st March. I am given to understand that most of them have agreed to make an all-out effort to make the payment within this period.

Dr. Ranen Sen: Under section 10 of the Payment of Bonus Act, the employers whether they are running at a loss or not, have to pay 4 per cent or Rs. 40, whichever is more. And then, under section 21 of the same Act, if Government find that the employers are not paying the bonus, they have the authority to proceed under this section to issue certificates so that the workers are enabled to realise the arrears that are due to them. May I know why, in spite of these clear sections in the Payment of Bonus Act, the Government showed so much hesitation and so much of a soft corner for the employers who are defying and violating the Payment of Bonus Act passed in this House?

The Minister of Labour, Employment and Rehabilitation (Shri Jagjivan Ram): It is a fact that they have delayed the payment of bonus, but they approached the Government for extension of time on the plea that the increase in the price of coal incidental to the payment of bonus was sanctioned only in December last and they had not collected any money to pay the bonus. They further approached the Government that they were prepared to spread over the payment of bonus in four instalments, but the workers were not agreeable to accept that. When they approached me for this, I told them that they could negotiate with the workers' organisations, and if the workers agreed to that, they could make the payment as agreed to. When

I was last month in the coal fields, I collected the employers and the workers to see whether any amicable settlement can be achieved, or any agreement that will be acceptable to both the parties, can be devised. The employers insisted that they have not got the money to pay the bonus. The total amount for the collieries comes to about Rs. 2.5 crores. I advised them that they should not consider the industry as a whole. Let such units as are in a position to pay the bonus pay their workers, and let those who are not in a position to pay the bonus face the consequences under the Act. Ultimately the employees, representatives of the unions agreed that if they could make the payment of bonus in full by the end of March, no direct action would be taken by them. As a matter of fact, no formal extension has been given. This grace period of one month has been, so to say, granted by the workers themselves. No notices have been issued by the Regional Labour Commissioner calling for explanation from the employers as to why they have delayed the payment of the bonus.

Shri S. M. Banerjee: I would like to know whether it is a fact that violation of sections 10 and 21 are cognizable offences, and I want to know why the Regional Labour Commissioner or the Chief Labour Commissioner had to wait for the trade union leaders to go on a hunger strike, whether belonging to INTUC or AITUC, and why he did not proceed straightway to prosecution and threatening of dire consequences, auctioning their property etc. in compliance with these provisions.

Shri Ranga: And then shut up the mines and have unemployment.

Shri Jagjivan Ram: Several notices have already been issued to the defaulting employers, and explanations have been called from them. The plea that they have urged is that they were approaching the Government for further increase in the price

of coal, and as I have said, the workers have granted this grace period of one month, and the legal consequences will follow after the expiry of this one month.

Shri Prabhat Kar: In view of the fact that section 10 is the only beneficial section of the Bonus Act to the workers, what steps do the Government propose to take to see that the minimum bonus at least is paid? In every industry today, this minimum of four per cent is not being paid, and a situation will be created wherein they resort to hunger-strikes. 31st December 1965 was the last date given by the Chief Labour Commissioner within which the bonus should be given, but no steps have been taken against the employers and the employers are not persuaded to give it. Already, the NCDC has paid the bonus; it is only the employers in the private sector who are complaining about the rise in the price of coal and are not paying bonus to the workers. What steps do the Government propose to take, when the NCDC has paid it and the other private sector industries will not pay?

Shri Jagjivan Ram: As I have said, I have nothing to add. If, during this grace period, they do not pay the bonus, the legal consequences will follow.

Shri A. P. Sharma: Prior to the enactment of the Bonus Act, there were less difficulties so far as the workers were concerned in respect of getting the bonus in the various industries; perhaps they were negotiating together and the employers were made to pay bonus to the workers. Now, may I know whether it is not a fact that after enacting the Bonus Act, this attitude of the employers is compelling the workers to resort to direct action, and so, what specific action do the Government propose to take against such employers particularly in the private sector, who are out to violate the Bonus Act.

Shri Jagjivan Ram: Perhaps the hon. Member is confusing that in certain industries bonus was being paid by collective bargaining. In certain industries, no bonus was being paid under the Payment of Bonus Act. The minimum of four per cent is payable in all industries. Resistance is being put by the employers no doubt in certain sectors where bonus was not payable before the passing of the Payment of Bonus Act, and they have to pay a minimum of four per cent bonus. We have been trying to bring the workers and the employers to an agreement on this point. Failing that, the legal consequences as provided under the Payment of Bonus Act will follow.

Dr. Ramesh Sen: But why are you taking so much time?

Mr. Speaker: Order, order.

Shri K. N. Pande: Could you look to this side also, Sir?

Mr. Speaker: I am looking to all sides.

श्री बड़े : जितने कोल माइनर्स हैं या उन के मालिक हैं उन्होंने यह कंडिशन प्रेसिडेंट कर दी थी कि जब तक कोल की कोमत बढ़ेगी नहीं तब तक वह बोनस नहीं देंगे। मैं जानना चाहता हूँ कि क्या उन्होंने अब वह कंडिशन छोड़ दी है या आप ने इस को स्वीकार कर लिया है कि कोल प्राइस बढ़ेगी तभी वह बोनस देंगे। जब उन के खिलाफ कामिजबल आफेंस बनता था तब नोटिस वगैरह देने की क्या जरूरत थी बजाय ऐक्शन लेने के।

श्री जगजीवन राम : बात यह है कि जो कोल माइन प्रोनर्स हैं वह चाहते हैं कि दाम और बढ़ें। दाम कुछ बढ़े भी हैं। लेकिन हम इस पर निर्भर नहीं करते कि दाम बढ़ेंगे तब वह बोनस देंगे। बोनस तो उन को हर हालत में देना है। 31 मार्च तक की अवधि है। इस बीच में अगर वह नहीं देंगे तो कानूनी कार्रवाई की जायेगी। अभी तक कानूनी कार्रवाई नहीं की गई इस की

बजह यह थी कि यह प्रयत्न हो रहा था कि अगर समझौते से रास्ता निकल आये तो अच्छा है। यह मजदूरों के या राष्ट्र के हित में नहीं होगा कि 800 कोलमिनीज में से 100 या 200 कोलमिनीज बन्द कर दी जायें बोनस के सवाल को ले कर।

Shri K. N. Pande: In view of the fact that this is not a complaint of one or two coal mines, but this is a general complaint in all the industries that the employers are delaying payment of the minimum bonus on the ground that they are in a process to take up the matter to the Supreme Court, in respect of the Provision where they are required to pay bonus even if there is a loss, and, if that is so, will the Minister think it proper to convene a conference of both the parties in order to solve the dispute before the workers are compelled to resort to direct action?

Shri Jagjivan Ram: That is what we have been doing. As a matter of fact, in some industries bonus has been paid; in others, the minimum bonus has been offered, but the workers have refused to accept the minimum bonus; they say "we are getting more and we should get it." But where the matters are coming to a head, the appropriate governments are bringing the workers and the employers together and are trying to find out some solution which will be acceptable to both the parties.

श्री रामसेवक यादव : बोनस भुगतान अधिनियम के अन्तर्गत सेंडल लेबर कमिश्नर को अधिकार है नोटिस और दुसरी कानूनी कार्रवाई करने का। मैं जानना चाहता हूँ कि इस सम्बन्ध में भूख हड़ताल वगैरह शुरू होने के पहले उन्होंने कोई कार्रवाई नोटिस वगैरह की थी या जब भूख हड़ताल हो गई तब की।

श्री जगजीवन राम : मुझे हड़ताल से बहुत पहले।

Shri P. E. Chakraverti: May I know whether the Government has

taken into account the fact that whether bonus is paid or not, the easy process of enhancement of the price of coal makes the colliery owners, always adamant in fulfilling the obligations which they are called upon to perform and if so whether government will make it clear to them that a price reviewing committee will be set up before there can be any rise in coal price?

Shri Jagjivan Ram: That unfortunately has been the practice that whenever any benefit is granted to the workers, a price increase has to be given to the colliery owners to compensate them for the increase in the benefits to the employees.

Shri Warior: In view of the fact that the government have already given concessions in price in December, itself and the only plea from the mine-owners is they have not collected it, what justification has government got to agree to the argument of the mine-owners that they will pay only after collecting it? Is there any provision in the Act for that?

Shri Jagjivan Ram: Where from does the hon. member conclude that the government has agreed to that argument? We have not agreed to that argument.

श्री रामेश्वरानन्द : मैं निवेदन करना चाहता हूँ कि सरकार जो नियम बनाती है उस के आधार पर मालिक लोग काम नहीं करते और जो उन को मजदूर को देना चाहिये उसे वह नहीं देते। मजदूर सरलता से जो मांग करते हैं उस को भी सरकार नहीं सुनती। जब वह बेचारे भूख हड़ताल करते हैं या गड़बड़ी करते हैं तभी यह सरकार सुनती है। क्या सरकार को इस में आनन्द आता है कि जब कुछ बलिदान हो जायें तभी वह उन लोगों की सुनवाई करे।

श्री जगजीवन राम : सरकार पहले भी सुनती है। माननीय सदस्य से ध्यान नहीं दिया,

अभी मैंने श्री राम सेवक यादव के प्रश्न के उत्तर में बतलाया कि कानूनी कार्रवाई नोटिस वगैरह देने की भूख हड़ताल के पहले ही कर ली गई थी। भूख हड़ताल का सरकार पर कोई असर नहीं पड़ता।

श्री रामेश्वरानन्द : अध्यक्ष महोदय . . .

अध्यक्ष महोदय : अब क्या वह कहे कि आनन्द आता है। अब आप लोग बैठ जाइये।

श्री बागड़ी : इस तरह से कहने का मतलब क्या है। (Interruptions).

अध्यक्ष महोदय : मैंने श्री बागड़ी से कहा है कि वह बैठ जायें।

श्री बागड़ी : वह इतना रोब क्यों डालते हैं कि मंत्री महोदय पर भूख हड़ताल का असर नहीं पड़ता है।

श्री रामेश्वरानन्द : मैंने कोई ऐसी बुरी बात तो कही नहीं है।

अध्यक्ष महोदय : अब आप बैठ जाइये।

श्री रामेश्वरानन्द : जब कोई बड़ा आन्दोलन होता है, मजदूर भूख हड़ताल करते हैं तभी सुनवाई होती है। इसलिये मैंने कहा कि आनन्द ही आता होगा।

अध्यक्ष महोदय : माननीय सदस्य भी परवाह नहीं करते कि मैं क्या कह रहा हूँ।

Shri N. Sreekantam Nair: May I know whether the government is aware of the fact that the entire question of bonus to workmen in India including those in coal mines and other industries, is hanging in the balance because more than a score of cases have been taken to the respective High Courts and many to the Supreme Court and these cases are being so delayed as to make it difficult for the respective tribunals and State Governments to come to a decision of forcing or inducing the employers to pay the bonus? If so, will government

see to it that the proceedings before the Supreme Court are expedited by the legal advisers of the government, so that the fundamental questions of sections 10, 34 and other sections involved are finally decided one way or the other?

Shri Jagjivan Ram: It is a fact that some employers are banking on this that a number of cases are pending before the several High Courts and a case is pending before the Supreme Court also. It is fortunate that has come to the Supreme Court. We are taking all possible steps to expedite the decision of the Supreme Court.

WRITTEN ANSWERS TO
QUESTIONS

आकाशवाणी के माध्यम से वाणिज्यिक
विज्ञापन

* 512. श्री म० सा० द्विवेदी :

श्री प्र० चं० बरुआ :

श्री भागवत झा आजाद :

श्री सुबोध हंसदा :

श्री स० चं० सामन्त :

श्री विद्वनाथ पाण्डेय :

श्री रा० बरुआ :

श्री राम सहाय पाण्डेय :

श्री हलजीत सिंह :

श्री बर्मासिंहगम :

क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या आकाशवाणी तथा टेलीविजन के माध्यम से विशिष्ट प्रकार के वाणिज्यिक विज्ञापनों का प्रसार करने सम्बन्धी प्रस्ताव इस समय किस अवस्था में हैं ;

(ख) वाणिज्यिक प्रचार कार्यक्रमों की रूपरेखा क्या है ; और

(ग) आकाशवाणी तथा टेलीविजन को इस से कितना लाभ होने की सम्भावना है ?

सूचना और प्रसारण मंत्री (श्री राम बहादुर) : (क) से (ग). मामला अभी विचारधीन है ।

Strengthening of Links of Assam with
other Parts of the Country

*513. **Shri Shree Narayan Das:**
Will the Minister of Defence be pleased to state:

(a) whether the question of increasing, strengthening and diversifying physical links of Assam with other parts of the country has been studied from the defence point of view;

(b) if so, the result of such a study;

(c) if not, whether the matter is likely to be taken up in the near future;

(d) whether the Government of Assam have made any suggestions in this regard; and

(e) if so, the important suggestions made and the reaction of Government thereto?

The Minister of Defence (Shri Y. B. Chavan): (a) to (e). The question of improving links between Assam and other parts of the country has been reviewed from time to time including from the defence angle. As a result, a number of projects relating to road, rail, air and tele-communication links are either under way or are under examination. Some suggestions have been received from the Government of Assam and these are under examination. It will not be in public interest to disclose details.

Diplomatic Relations with German
Democratic Republic

*514. **Shri Narayan Reddy:**
Shri Warrior:
Shri Indrajit Gupta:
Shri Vasudevan Nair:
Shri Prabhat Kar:
Shri Rameshwar Tantia:
Shri Himatsingka:
Shri S. M. Banerjee:
Shri Bhagwat Jha Azad:
Shri M. L. Dwivedi:
Shri P. C. Borooah:
Shri S. C. Samanta:
Shri Subodh Hansda:
Shrimati Savitri Nigam: