

# LOK SABHA DEBATES

Vol. LIX First day of the Fifteenth Session of Second Lok Sabha No. 1

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## LOK SABHA

Monday, November 20, 1961/Kartika  
29, 1883 (Saka)

The Lok Sabha met at Eleven of the  
Clock.

[MR. SPEAKER in the Chair]

### ORAL ANSWERS TO QUESTIONS

#### Bonus Commission

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- \*1. { Shri P. G. Deb:  
Shri Ram Krishan Gupta:  
Shri S. M. Banerjee:  
Dr. Ram Subhag Singh:  
Shri P. C. Borooah:  
Shri Sadhan Gupta:  
Shri Damani:  
Shri D. C. Sharma:  
Shri Tangamani:

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

(a) whether the Bonus Commission  
has started its work; and

(b) if so, whether it will cover the  
public sector projects?

The Deputy Minister of Labour  
(Shri Abid Ali): (a) Not yet.

(b) Public sector establishments not  
departmentally run and which com-  
pete with establishments in the  
Private sector will be included with-  
in the purview of the Commission.

Shri P. G. Deb: May I know the  
specific reasons why the constitution  
of the Bonus Commission was delayed  
for so many months?

The Minister of Labour and Em-  
ployment and Planning (Shri Nanda):  
It is a new proposition altogether and  
the question of public sector arose—  
whether there should be a representa-  
tive of the public sector undertakings  
also. That was one reason. The em-  
ployers also did not agree among  
themselves as to whether there should  
be one representative or more on  
their side. That was another reason.  
There was also some controversy  
about the Chairman of the Com-  
mission.

Shri Sadhan Gupta: May I know  
whether the Commission is empower-  
ed to revise certain criteria laid down  
by industrial courts' such as full  
bench formula, or the Muir Mill's  
case, which restrict the worker's right  
to earn bonus.

Shri Nanda: Yes, Sir.

Shri S. M. Banerjee: May I know  
whether all the workers working in  
private and public undertakings and  
who are governed by the Industrial  
Disputes Act will be covered by the  
Bonus Commission?

Shri Nanda: The answer which has  
been given already clearly indicates  
what is going to be included.

Shri Tangamani: Recently the  
Supreme Court held that in the case  
of banking companies certain reserves  
need not be disclosed. I would like  
to know, in view of the reply given  
by the hon. Deputy Minister that  
Government is going to include public  
sector establishments, whether in the  
case of banks in the private sector

and also the Reserve Bank that decision of the Supreme Court will not be observed and will be brought in line with other industries.

**Shri Nanda:** This matter was considered specifically and in view of the fact that there is a Tribunal dealing with this question it was decided that this fact should be brought to the notice of the Commission and for the time being I do not think anything more is going to be done.

**Dr. Ram Subhag Singh:** May I know whether Government have made any estimate of the amount which has got to be paid as bonus by the various factories?

**Shri Nanda:** This question does not arise at the moment. They are going to decide the principles on which it is going to be paid.

**Shri Tyagi:** Is the bonus to be related to the profits earned by a company, or will it be an incentive one—more production more bonus?

**Shri Nanda:** I am not the Commission; it is the Commission which is going to lay down the principles.

**Shri Tyagi:** I would like to know whether in the terms of reference it has been mentioned that the Commission should decide about this principle of bonus in relation to the profit earned by a company or in relation to the work done?

**Shri Nanda:** The profits constitute a very major element in this matter; but production also should be taken into account.

**Pandit D. N. Tiwari:** May I know whether any time-limit has been fixed for the submission of the report?

**Shri Nanda:** No, Sir.

**Shri S. M. Banerjee:** May I know whether Government is likely to take a decision about those employees working in different public sector establishments which are not covered

by the terms of this Bonus Commission, for example, Defence, Railways, etc?

**Shri Nanda:** It does not mean that if the Bonus Commission does not consider the case of certain categories of employees that they are not going to be rewarded for their good work in other ways.

**Shri T. B. Vittal Rao:** May I know whether the Commission has been finally constituted and if so who is the representative from the workers' side on the Commission?

**Shri Nanda:** The composition has been fixed in terms of the number of representatives, but the names have not been finalised yet because they have not been received from some of the parties.

**Shri Rajendra Singh:** Will somebody from labour side be taken on the Commission?

श्री राम सिंह भार्गव : क्या टर्मस आफ रेफरेंस में मिनिमम वोनस देने का भी उल्लेख है जैसा कि बम्बई, अहमदाबाद और इन्दौर में एग्जिक्ट के द्वारा मिलना रहा है ?

**Shri Nanda:** It is open to the Commission to consider that aspect.

#### Public Sector Projects

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- \*2. { **Shri M. B. Thakore:**  
**Shri P. G. Deb:**  
**Shri S. M. Banerjee:**  
**Shri Ajit Singh Sarhadi:**  
**Shri Prakash Vir Shastri:**  
**Shri Rameshwar Tantia:**  
**Shrimati Maada Ahmed:**  
**Shri Basumatari:**  
**Shri Vidya Charan Shukla:**  
**Shri Chuni Lal:**

Will the Minister of Commerce and Industry be pleased to state:

(a) whether any decision has been taken about the location of major Public Sector Projects in different States;

(b) if so, where; and