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Title: Withdrawal of the Payment of Wages (Amendment) Bill, 2016.

HON. SPEAKER: Now, item No. 13 – Shri Bandaru Dattatreya to move for leave to withdraw the Bill.

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA): Respected Madam Speaker, I beg to move for leave to withdraw a Bill\* further to amend the Payment of Wages Act, 1936.

HON. SPEAKER: Motion moved:

"That leave be granted to withdraw a Bill further to amend the Payment of Wages Act, 1936."

SHRI N.K. PREMACHANDRAN (KOLLAM): Madam Speaker, thank you for providing me this opportunity to oppose the withdrawal of the Bill.

I strongly oppose the move to withdraw the Bill but I fully support the contents of the Bill. Why am I opposing the withdrawal? It is well known that the Payment of Wages (Amendment) Bill, 2016 was introduced on 15<sup>th</sup> December, 2016, just one day prior to the day on which the House was adjourned *sine die*. That shows that the intention of the Government was not to pass the Bill during the last Session.

Subsequently, on 28<sup>th</sup> December, 2016, the Government has issued an Ordinance giving effect to the legislation which had to be passed by this House. Now, the Government is trying to withdraw the Bill on the ground that they want to replace the Ordinance by a Bill, by means of a piece of legislation. This is under rule 110 (b).

Madam, if you refer to Rule 110 (b) you will see that there is no provision to withdraw such a Bill. I will read Rule 110 which says:

"The Member in charge of a Bill may at any stage of the Bill move for leave to withdraw the Bill on the ground that:

1. the legislative proposal contained in the Bill is to be dropped."

The Government is not dropping the legislative process of the Bill. They are pursuing with the Bill. So, that provision is not applicable.

Coming to Rule 110 (b), it says:

" (2) the Bill is to be replaced subsequently by a new Bill which substantially alters the provisions contained therein."

This is the provision by which the Government can withdraw the Bill.

My point is, there is no substantial alteration or material change between the Payment of Wages (Amendment) Bill, 2016 introduced on 15<sup>th</sup> December, 2016 and the proposed Bill the Government want to introduce now. If that be the case, how can the Government withdraw a Bill which is already pending before the House?

My second objection is, the intention of the Government is to replace the Ordinance already promulgated by His Excellency the President of India. Suppose, the Government want to make an amendment to the Bill, the Government would have to definitely come with a suggestion to have an official amendment to the existing Bill of 2016. The Ordinance will thus be replaced.

The only new clause which has been introduced in the new Bill is Clause 3 which gives effect to the actions taken by the Government in pursuance of the implementation of the Ordinance. I do agree with it and fully support it. My point is according to Rule 110(b) the Government is not empowered to withdraw a Bill which is not having substantial alterations in the provisions of the Bill. Mere repeal of Ordinance is not a material, substantial alteration of the provisions of the Bill. Hence, I strongly oppose the present Bill but fully support the contents of the Bill.

SHRI BANDARU DATTATREYA: Madam, Speaker, the senior Member of Parliament, Shri Premachandran has to really appreciate that withdrawal of the Bill is one part and introducing the new Bill is another part.

Trade Unions had been demanding since long that the payment of wages should be done in a transparent manner so that the workers are not exploited. This Act was passed in 1936. I am saying all this is because a major technological transformation has come. Earlier, the payment used to be made through kind and cash and automatically their payments used to be cut. We want to do it in a transparent manner. We are now moving to the digital process. In the digital process all payments should be made through the bank account or through cheque. So, it is in the interest of workers. The urgency was to see that the workers are not exploited. You have mentioned that the Bill was introduced on 15<sup>th</sup> December. We have come to the House for its withdrawal in accordance with the procedure. You may find out small technical reasons to oppose it but it is really in the interest of the workers and is the need of the time. That is why we had come up with an Ordinance. Now, the Ordinance has to be replaced for which this Bill has come. I think we should welcome it.

HON. SPEAKER: The question is:

"That leave be granted to withdraw a Bill further to amend the Payment of Wages Act, 1936. "

*The motion was adopted.*

SHRI BANDARU DATTATREYA: I withdraw the Bill.