

Sixteenth Lok Sabha

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Title: The Payment of Gratuity (Amendment) Bill, 2017- Bill passed.

HON. SPEAKER: Now, I am again requesting all of you that this Bill is very important for the employees. This Bill is also important for women.

... (*Interruptions*)

HON. SPEAKER: Hence, I am requesting all of you once again to allow the passage of this Bill as it is very important for both the employees and women. Please allow the House to transact the business.

... (*Interruptions*)

THE MINISTER OF CHEMICALS AND FERTILIZERS AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI ANANTHKUMAR): I would like to state here that the Payment of Gratuity (Amendment) Bill, 2017 is a very important piece of legislation which is going to benefit millions of our workmen. Therefore, I would request all the political parties to cooperate and pass this piece of legislation. ... (*Interruptions*)

HON. SPEAKER: Shri Jyotiraditya ji, what do you want to say?

SHRI JYOTIRADITYA M. SCINDIA (GUNA): Madam, this is a very important Bill that requires discussion with every Member of this House. It is incumbent on the Government to make sure that there is order in the

House. ... (*Interruptions*) This Bill cannot be passed in a fashion like this. Every single Member has to participate in this debate. ... (*Interruptions*)

HON. SPEAKER: It is okay. Hon. Minister.

... (*Interruptions*)

श्रम और रोजगार मंत्रालय के राज्य मंत्री (श्री संतोष कुमार गंगवार): मैं प्रस्ताव करता हूँ:-

“कि उपदान संदाय अधिनियम, 1972 का और संशोधन करने वाले विधेयक पर विचार किया जाए।”

मेरे द्वारा पेमेंट ऑफ ग्रेच्युटी बिल, 2018 सदन में विचार के लिए रखा जा रहा है।...(*व्यवधान*) आप सभी जानते हैं कि ग्रेच्युटी एक सामाजिक सुरक्षा उपाय है जो पाँच साल तक की नियमित सेवा के पश्चात प्रत्येक वर्ष के लिए 15 दिनों की मजदूरी के बराबर होती है। ...(*व्यवधान*) इसकी वर्तमान में अधिकतम सीमा 10 लाख रुपये है।...(*व्यवधान*) इस ग्रेच्युटी की अधिकतम सीमा को सरकारी कर्मचारियों के लिए सातवें वेतन आयोग द्वारा 20 लाख रुपये कर दिया गया है। ...(*व्यवधान*) इसलिए इसी पृष्ठभूमि में, आज सभी प्राइवेट और पब्लिक सेक्टरों में लगे हुए कामगार बंधुओं की ग्रेच्युटी सीमा को रिवाइज करने की आवश्यकता है। इसलिए यह प्रस्तावित है कि ग्रेच्युटी की अधिकतम सीमा सूचित करने के लिए केन्द्र सरकार को सशक्त बनाने का प्रस्ताव है।...(*व्यवधान*) जैसा आपको बताया है, इसके अतिरिक्त मैटरनिटी बेनिफिट एक्ट, जो मातृत्व अवकाश पहले 12 सप्ताह का था, उसको 26 सप्ताह कर दिया गया है। ...(*व्यवधान*) चूंकि ग्रेच्युटी निरंतर सर्विस तक दी जाती है, इसलिए ग्रेच्युटी एक्ट में 12 सप्ताह के मातृत्व अवकाश को भी नए परिवर्तन की पृष्ठभूमि में बदलने की आवश्यकता है

। ... (व्यवधान) 12 सप्ताह की अवधि को संशोधित कर ऐसी अन्य अवधि जो केन्द्र सरकार द्वारा संशोधित करने का प्रस्ताव है ।... (व्यवधान) मेरा माननीय सदस्यों से आग्रह है, मेरी सभी सदस्यों से बात हो चुकी है और वे सभी सहमत हैं कि कृपया सर्वसम्मति से इसको पास करने का कष्ट करें जिससे कि इसको राज्य सभा में ले जाकर पारित करवाया जा सके ।... (व्यवधान) धन्यवाद ।

HON. SPEAKER: The question is:

“That the Bill further to amend the Payment of gratuity Act, 1972, be taken into consideration”.

The motion was adopted.

... (व्यवधान)

माननीय अध्यक्ष: मैं मानती हूँ कि इस पर चर्चा होनी चाहिए, दोनों बातें महत्वपूर्ण हैं । मैं मानती हूँ कि चर्चा होनी चाहिए, but it is not possible, क्योंकि यह करना भी आवश्यक है।

... (व्यवधान)

HON. SPEAKER: The House shall now take up clause by clause consideration of the Bill.

The question is:

“That clause 2 stand part of the Bill.

The motion was adopted.

Clause 2 was added to the Bill."

Clause 3

Amendment of Section 2A

HON. SPEAKER: Shri N.K. Premachandran, are you moving your Amendment No. 3?

SHRI N.K. PREMACHANDRAN (KOLLAM): Yes, Madam. I fully support the Bill. My amendment is that this may be made from retrospective effect from 1.3.2016. ... (*interruptions*)

I beg to move:

Page 1, line 11, --

for "such period"

Substitute "twenty six weeks or such higher period". (3)

HON. SPEAKER: I shall now put Amendment No. 3 to Clause 3 moved by Shri N.K. Premachandran to the vote of the House.

The amendment was put and negatived.

HON. SPEAKER: Shri Adhir Ranjan Chowdhury. He is not present.

The question is:

“That Clause 3 stand part of the Bill.”

The motion was adopted.

Clause 3 was added to the Bill.

... (interruptions)

Clause 4 Amendment of Section 4

HON. SPEAKER: Shri N.K. Premachandran, are you moving your Amendment No. 4?

SHRI N.K. PREMACHANDRAN : Madam, I beg to move:

Page 1, line 14, --

for “such”

Substitute “twenty lakh rupees or such higher”. (4)

HON. SPEAKER: I shall now put Amendment No. 4 to Clause 4 moved by Shri N.K. Premachandran to the vote of the House.

The amendment was put and negatived.

HON. SPEAKER: Shri Adhir Ranjan Chowdhury, are you moving your Amendment No. 7?

SHRI ADHIR RANJAN CHOWDHURY (BAHARAMPUR): Madam, I beg to move:

Page 1, line 14, --

for “such amount”

substitute “such amount, being not less than the amount of gratuity payable to the Central Government employees.”.

(7)

HON. SPEAKER: I shall now put Amendment No. 7 to Clause 4 moved by Shri Adhir Ranjan Chowdhury to the vote of the House.

The amendment was put and negatived.

The question is:

“That Clause 4 stand part of the Bill.”

The motion was adopted.

Clause 4 was added to the Bill.

... (interruptions)

Clause 1

Short title and commencement

Amendment made:

Page 1, line 3, --

for “2017”.

substitute “2018”. (2)

(Shri Santosh Kumar Gangwar)

HON. SPEAKER: There is an amendment No. 5 given by Shri N.K. Premachandran. Are you moving your amendment?

SHRI N.K. PREMACHANDRAN : Madam, I beg to move:

Page 1, lines 4 and 5, --

for “on such date as the Central Government may, by notification in the Official Gazette, appoint”

substitute “with effect from 1st January, 2016”. (5)

HON. SPEAKER: I shall now put Amendment No. 5 to Clause 1 moved by Shri N.K. Premachandran to the vote of the House.

The amendment was put and negatived.

HON. SPEAKER: The question is:

“That Clause 1, as amended, stand part of the Bill.”

The motion was adopted.

Clause 1, as amended, was added to the Bill.

... (interruptions)

Enacting Formula

Amendment made:

Page 1, line 1, --

for “Sixty-eighth”

substitute “Sixty-ninth”. (1)

(Shri Santosh Kumar Gangwar)

HON. SPEAKER: The question is:

“That Enacting Formula, as amended, stand part of the Bill.”

The motion was adopted.

The Enacting Formula, as amended, was added to the Bill.

The Long Title was added to the Bill.

... (interruptions)

HON. SPEAKER: The Minister may now move that the Bill, as amended, be passed.

SHRI SANTOSH KUMAR GANGWAR: I beg to move:

“That the Bill, as amended, be passed.”

HON. SPEAKER: The question is:

“That the Bill, as amended, be passed.”

The motion was adopted.