

SHRI SHYAMNANDAN MISHRA: No, Sir; with all respect to you, I kept on saying till the last moment that my name also occurs there and I cannot abdicate in favour of Mr. Gupta.

MR. SPEAKER: The first name was Mr. Guha's and I think he agrees..

SHRI SHYAMNANDAN MISHRA: That cannot be; that is not regular procedure. If his name comes first, and if he goes out, the second person comes in his place; it cannot be any person coming at any stage getting himself catapulted like this.

SHRI S. M. BANERJEE: In future it will be decided that if Mr. Mishra wants to leave early and he wants to speak the same day, my party will not allow it.

SHRI SHYAMNANDAN MISHRA: Please do that; you have never obliged me.

SHRI S. M. BANERJEE: We have obliged you several times.

SHRI JYOTIRMOY BOSU: I have been rising on a point of order to point out that Mr. Raj Bahadur had said something which was not correct. I regret to say that; he is a very good man socially; I have regard for him. Here is a motion under rule 184 and a motion for discussion under 193 which was admitted in your wisdom.

MR. SPEAKER: Not 193.

SHRI JYOTIRMOY BOSU: 184; I shall give you; it is item 29. Why is this wrong statement made here that it is defamatory; there is nothing defamatory. Let the papers be laid on the Table of the House.

SHRI RAJ BAHADUR: You said today.

SHRI JYOTIRMOY BOSU: My discussion was admitted by your goodness; it was discussed in the Business Advisory Committee. An option was given and now I insist that...

SHRI RAJ BAHADUR: He should not utter any names. That is what I say. The name must be expunged.

SHRI JYOTIRMOY BOSU: In item 29, there is no name in that.

MR. SPEAKER: I will see.

श्री हुकम चन्द कछवाय: शैड्यूल्ड कास्टस और शैड्यूल्ड ट्राइबज एमेंडमेंट बिल कब आ रहा है ?

SHRI RAJ BAHADUR: About the Scheduled Castes and Scheduled Tribes Bill, I do not think we have given any assurance that we are bringing it this session.

Sir, the name must be expunged. He made a defamatory statement. It should be expunged.

SHRI JYOTIRMOY BOSU: Under what rule? This is a democratic institution, not an institution of the Fascists.

MR. SPEAKER: You said that the name was involved. He says, no; he did not have anything like that in that motion. It is in 193, not in 184. 193 is not admitted yet.

SHRI JYOTIRMOY BOSU: Let 184 be admitted. No name is there.

13.34 hrs.

**COAL MINES LABOUR WELFARE
FUND (AMENDMENT) BILL***

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR): I beg to move for leave to introduce a Bill further to

[SHRI R. K. KHEDILKAR]

amend the Coal Mines Labour Welfare Fund Act, 1947.

MR SPEAKER The question is—

“That leave be granted to introduce a Bill further to amend the Coal Mines Labour Welfare Fund Act, 1947.”

The motion was adopted

SHRI R. K. KHADILKAR: I introduce the Bill

MR. SPEAKER: We should punish ourselves for all this by denying ourselves lunch every day! (*Interruption*).

We adjourn for lunch and re-assemble at 2.30.

13.35 hrs.

The Lok Sabha adjourned for Lunch till Thirty Minutes Past Fourteen of the Clock.

The Lok Sabha re-assembled after Lunch at Thirty-four Minutes past Fourteen of the Clock

[MR DEPUTY-SPEAKER in the Chair]

STATUTORY RESOLUTION RE. DISAPPROVAL OF PAYMENT OF BONUS (AMENDMENT) ORDINANCE AND PAYMENT OF BONUS (AMENDMENT) BILL

MR DEPUTY-SPEAKER: We will now take up the resolution by Shri Kachwai and the Bill by Shri Khadilkar on bonus

श्री कृष्ण कच्छवाय (मुरैना) उपाध्यक्ष महोदय, मैं निम्नलिखित सकल्प पेश करता हूँ

“कि यह सभा बोनस सदाय (सशोधन) अध्यादेश, 1972 (1972 का अध्यादेश सख्या 8) का, जो राष्ट्रपति द्वारा 23 सितम्बर,

1972 को प्रख्यापित किया था, निरनुमोदन करती है।”

उपाध्यक्ष महोदय, इस बिल में बोनस की न्यूनतम राशि को प्रतिशत से बढ़ा कर 8.33 प्रतिशत करने की जो व्यवस्था की गई है, मैं उस का स्वागत करता हूँ। परन्तु यह दुख की बात है कि विद्यमान बोनस कानून की अन्य कठिनाइयों और कमियों को दूर करने का प्रयास इस बिल में नहीं किया गया है।

सर्वप्रथम बोनस के कानून में बोनस की परिभाषा स्पष्ट रूप से लिखी जानी चाहिए। बोनस के दो स्वरूप हैं। जब तक प्रत्यक्ष वेतन जीवन वेतन के स्तर पर नहीं आता है, तब तक बोनस विलम्बित वेतन अर्थात् देरी से दी हुई तन्त्रवाह है। प्रत्यक्ष वेतन जी न स्तर के स्तर पर आने के बाद बोनस का स्वरूप मुनाफ़े में साझेदारी का होता है। यह परिभाषा स्पष्ट रूप से कानून में आनी चाहिए, वना यह सभावनीय है कि न्यूनतम बोनस राशि की कल्पना को कोई अदालत में ग्राहवान, चुनीती, दे सके।

आज बहुसंख्यक मजदूरों को जीवन वेतन नहीं मिल रहा है। इसलिए उनके लिए बोनस तो देरी से दी हुई तन्त्रवाह ही है। इसलिए आवश्यक है कि जीवन वेतन न पाने वाले हर एक वेतन-भोगी मजदूर को बोनस का हक दिया जाये और इस को कानून में लाया जाये। चाहे मिल में काम करने वाला मजदूर हो या खदानों में, चाहे सरकारी कर्मचारी हो या घरेलू कर्मचारी, चाहे निजी क्षेत्र का मजदूर हो या सरकारी क्षेत्र का, जो जो व्यक्ति वेतन पाने वाला है, उस को बोनस मिलना ही चाहिए। इस विषय में औद्योगिक मजदूर और अनीद्योगिक मजदूर में भेदभाव नहीं किया जाना चाहिए।

इस दृष्टि से इस बिल में बहुत कठिनाइयाँ हैं, आज उन सत्यानों के कर्मचारियों को बोनस

†Introduced with the recommendation of the President.