

SHRI SAMAR GUHA: Unfortunately this is the lesson for many of us that unless one creates a disturbance, one is not heard.

MR. SPEAKER: I am prepared to meet that, if you are under this impression. Look at this gentleman.

SHRI SAMAR GUHA: If you allow me, I shall do it.

MR. SPEAKER: I am helpless now. You can force it over my ears. But, I am not listening to this.

SHRI SAMAR GUHA: Sir, I shall not raise unnecessary things. I will do this only if I am permitted by you.

MR. SPEAKER: I have not permitted you.

SHRI SAMAR GUHA: Then I shall sit down.

MR. SPEAKER: When I was standing I could not permit you.

SHRI SAMAR GUHA: If I am not permitted to raise this, what respect shall I have from my people?

SHRI SHYAMNANDAN MISHRA: The hon. Minister who replied to the question is keeping tightlipped. Why is he now tightlipped when he has already replied to the question of Prof. Guha?

MR. SPEAKER: Please do not make it complicated. Already he has agreed to sit when I am standing. You have placed these facts and also your observations. These will be conveyed by the Minister to the Prime Minister.

SHRI S. M. BANERJEE: The motion is already there.

MR. SPEAKER: I have no objection for discussing anything in this House if you will go on doing this every time. But, what do you want me to do now?

SHRI ATAL BIHARI VAJPAYEE: Before discussion, you will kindly ask the Law Minister or the Home Minister to make a statement on the im-

portant constitutional points that have been raised. Otherwise, no useful discussion can take place unless the Law Minister comes out with a statement.

12.38 hrs.

STATUTORY RESOLUTION RE. DIS-APPROVAL OF ADDITIONAL EMOLUMENTS (COMPULSORY DEPOSIT ORDINANCE AND ADDITIONAL EMOLUMENTS (COMPULSORY DEPOSIT) BILL

MR. SPEAKER: We shall now take up the next item—items 11 and 12. The two will be taken up together. Mr. Banerjee says....

SHRI S. M. BANERJEE (Kanpur): Sir, this cannot be discussed here.

MR. SPEAKER: You move the motion under item No. 11. That is the only thing I have with me.

SHRI S. M. BANERJEE: Sir, I rise on a point of order. There are two things.

MR. SPEAKER: What is your point of order?

SHRI S. M. BANERJEE: My point of order is this. About item No. 11 I have no objections, as notice has already been given, because you have asked for it. Once it is discussed, then it calls for a further discussion. My point is this. I do not know whether you have gone through the papers.

MR. SPEAKER: There are two.

SHRI S. M. BANERJEE: I would invite your attention to the various rules of this House, particularly to rule 186 (viii) at page 80 of the Rules of Procedure. It reads thus:

"It shall not relate to any matter which is under adjudication by a court of law having jurisdiction in any part of India."

Motions are being disallowed in this House if a case is sub judice or it is before a judicial or even a quasi-

judicial body. When we discuss such matters, we are very cautious, and we do not refer to certain things which might prejudice the court case or the case before the tribunal.

I would invite your kind attention to the Supreme Court rule which was issued yesterday. The report says:

"The five-Members Constitution Bench of the Supreme Court, on Monday...."

—that is, yesterday—

"...admitted a writ petition challenging the Additional Emoluments (Compulsory Deposits) Ordinance promulgated on July 6, reports PTL."

Item No. 12 is actually the Bill which has been challenged in the Supreme Court. The case has been argued by our ex-Minister Shri M. C. Chagla yesterday, and

"The Court issued *rule nisi* to the Union Government asking it to show cause why the petition should not be granted."

It is not a question of a similar thing, but it is a question of the same ordinance to replace which the Bill has been brought. That has been challenged in the Supreme Court, and the Constitution Bench of the Supreme Court in its wisdom has issued the rule.

A point may be raised by the hon. Minister that the court has not granted stay. Of course, I agree that it has not granted stay. The report further says:

"The court, however, refused to issue *ex-parte* stay as requested by the petitioner."

I am not concerned with that. In the court itself, the same points have been argued by my friend Shri M. C. Chagla as have been argued by Shri Somnath Chatterjee and some of us following his arguments. The report further says:

"One of the six grounds on which the ordinance has been challenged is that the provisions of the deposit scheme to be framed under the ordinance would have overriding effect over all existing laws and enactments of both Central and State Governments, leading to encroachment upon the legislative powers of the state...."

This was exactly what was argued by my hon. friend Shri Somnath Chatterjee. We supported him and followed his arguments. This was one of the arguments. Further, the report says:

"As it is, the ordinance has the effect of rendering nugatory several provisions of the Payment of Wages Act, the Payment of Bonus Act, the Minimum Wages Act and the Industrial Disputes Act, all valid acts promulgated by Parliament, the petition".

Whatever laws we have passed here are also going to be affected by this Bill when it becomes an Act. I know that the ordinance has the force of law. But in this case, I would request you not to permit any discussion on this Bill because unless the Supreme Court holds a firm view either this way or that way, unless they declare this infructuous or *ultra vires* the Constitution or say that it is an encroachment on the rights of the States or not, we cannot discuss this. Even according to the Rules of Procedure, this cannot be discussed, because rule 186 (viii) clearly says:

"it shall not relate to any matter which is under adjudication by a court of law having jurisdiction in any part of India."

and this is being applied throughout the country.

So my point is this that the rule and convention also here has been not to discuss a matter under adjudication by a court. Here this is an approval Motion. So it cannot also be discussed, though I am in favour of its discussion—I am one of the sig-

[Shri S. M. Banerjee]

natories to it. But this also comes under that provision of the rule since the Supreme Court is seized of the matter. So I submit that the rule and convention will apply in this case.

Apart from this, there have been other instances. When a court case was going on in the case of the Bastar Maharaja who was murdered, we wanted to raise this issue. Your predecessor then ruled that it was *sub judice* because the court was seized of the matter. So we changed our mode of attack instead of referring to the murder, we took up the issue of the appalling poverty of the people, the Adivasis, there.

There have been other cases also I know the Government can say that Parliament is supreme. I agree, but when the highest judiciary in the land, the Supreme Court, is seized of the matter, I submit we cannot proceed with this. The same ordinance has been challenged on the same grounds as were urged here. At that time, when the issue of legislative competence was raised, you in your wisdom said 'I cannot decide the constitutional point'. But fortunately, the Supreme Court which is the highest judicial authority in the land is seized of the matter, we should refrain from proceeding with this now.

MR. SPEAKER: There are rulings on this and they have been announced.

SHRI S. M. BANERJEE: Let the Law Minister explain the legal aspect of the matter.

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): I can reply. There is no necessity to trouble the Law Minister.

SHRI SOMNATH CHATTERJEE (Burdwan:) On a point of order. Kindly look at art. 123(2). It gives power to Parliament to pass a resolution or motion disapproving an Ordinance. It is in exercise of this that Shri Vajpayee and others have

tabled a motion. This is a motion contemplated by the Constitution itself.

This motion has been moved not only under the rules of procedure of this House but also under a constitutional provision. Rule 186 will also apply to such a motion. But the relevant clause says:

"it shall not relate to any matter which is under adjudication by a court of law having jurisdiction in any part of India."

The highest court in this country has been *prima facie* satisfied that there are good grounds to challenge the

validity of the Ordinance. Once a rule *nisi* has been issued, it means that; otherwise no notice is issued to Government. Kindly look at the statement of objects and reasons.

"The Bill seeks to replace the said Ordinance with certain modifications which are mainly of a clarificatory or procedural nature."

The Ordinance is now sought to be adopted in the shape of a Bill or Act. If the Ordinance is struck down by the Supreme Court, the Bill will necessarily fall with it because the Bill does nothing more than seek to replace the Ordinance.

The motion sought to be moved by Shri Vajpayee cannot be discussed under rule 186. If that motion cannot be discussed, then the Bill cannot be discussed because it is a constitutional provision and that provision cannot be suspended by us. Therefore, without a discussion on the merits of the motion, we cannot discuss the merits of the Bill.

श्री सच्चु लिनये (बांका) : अध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न प्रस्तावों के तहत नहीं है। मेरा प्वाइंट ऑफ़ ऑर्डर रूल 171 और 173 के तहत है, लेकिन मुद्दा वही है, आप चैप्टर 3, पेज 74-75 को देखें—इस में रेजोल्यूशन की फार्म के बारे में यह कहा गया है—रूल 171—

"A resolution may be in the form of a declaration of opinion, or a recommendation; or may be in the form so as to record either approval or disapproval by the House of an act or policy of Government, or convey a message;"

इसी से मेरा सम्बन्ध है —

"or may be in the form so as to accord either approval or disapproval by the House of an act...."

ये इस संकल्प के द्वारा अपनी असहमति रिकार्ड करना चाहते हैं—इनका रेजोल्यूशन इस प्रकार है —

"This House disapproves of the Additional Emoluments (Compulsory Deposit) Ordinance, 1974 (Ordinance No. 8 of 1974) promulgated by the President on the 6th July, 1974."

अब हम में एडमिनिस्ट्रिविटी के बारे में रूल 173 है—मैं रेजोल्यूशन के बारे में चर्चा कर रहा हूँ, मॉशन के बारे में नहीं कह रहा हूँ —

"In order that a resolution may be admissible, it shall satisfy the following conditions, namely:—

इसमें मैं (5) की तरफ आप का ध्यान आकृषित करना चाहता हूँ —

(v) it shall not relate to any matter which is under adjudication by a court of law having jurisdiction in any part of India.

अब, अध्यक्ष महोदय जटिन प्रश्न हमारे सामने यह है कि माननीय सदस्य श्री अटल बिहारी वाजपेयी का यह संबैधानिक अधिकार है कि वे अपने इस संकल्प के ऊपर बहस करवा कर सदन का फैसला करवा सकते हैं। साथ ही साथ एडमिनिस्ट्रिविटी का जो नियम है—वह नियम कहता है कि जब तक अदालत के सामने जो मामला है, उस का फैसला

नहीं होता है, तब तक इस पर बहस नहीं हो सकती—इसलिए मैं इसके बारे में आप का निर्णय चाहता हूँ।

MR. SPEAKER: It is a statutory resolution.

श्री अटल बिहारी वाजपेयी (ग्वालियर):
यद्यपि संकल्प मेरा है

श्री एस० एन० बनर्जी : उस में मेरा नाम भी है, लौटरी में मेरा नाम पीछे हो गया, नं० 2 हो गया।

श्री अटल बिहारी वाजपेयी : जब यह विधेयक पेश किया जा रहा था, उस समय प्रतिपक्ष ने संबैधानिक आपत्ति उठाई थी। उस समय यह कहा गया था कि यह सदन या संसद् इस तरह के विधेयक पर विचार करने का अधिकार नहीं रखती है, जिस विधेयक के अन्तर्गत राज्यों के अधिकार पर अतिक्रमण हुआ है। उस समय आप ने यह निर्णय दिया था कि संबैधानिक पहलुओं पर फैसला देना मेरा काम नहीं है, यह अदालत का काम है। अब यह मामला अदालत में पहुँच गया है

श्री सोमनाथ खट्वा : उन्होंने एडमिट किया है।

श्री अटल बिहारी वाजपेयी : अगर सुप्रीम कोर्ट प्राथमिक सुनवाई के बाद मामले को रद्द कर देती तो कठिनाई पैदा न होती, लेकिन उन्होंने इसे एडमिट कर लिया है। सरकार के नाम "रूल-नीशी" जारी कर दिया है, इससे परिस्थिति और ज्यादा पेचीदा हो गई है। सुप्रीम कोर्ट ने जो कार्यवाही की है, इस सदन को उसे ध्यान में रखना चाहिए! ...

MR. SPEAKER: There are various ruling on this.

[Mr. Speaker]

"The rule of *sub judice* cannot stand in the way of legislation. If the rule of *sub-judice* were to be made applicable to legislation, it would not only make legislatures subordinate to the courts in that matter....".

So far as the vires of the legislations are concerned, that is a different matter.

"... But would make enactments impossible because numerous cases concerning a large number of statutes await at all times adjudication in one court or the other. Parliament's main function to make laws will thus come to a standstill. This is neither sanctioned by the Constitution, nor justified on merits. Legislatures being supreme and sovereign in the matter of making laws there is no bar on their work in the field of legislation."

"The members, however, refrain from referring to the facts of a case pending before a court, when a Bill is under discussion in the House.

The then Speaker held that discussion on a Bill, the subject-matter of which is *sub judice* by virtue of an appeal pending in the Supreme Court, is also in order provided members refrain from referring to the facts of the particular case under appeal, as thereby the debate in the House could not prejudice the hearing of the appeal by the Supreme Court.

A Bill seeking to replace an ordinance can be discussed in the House notwithstanding the fact that the Ordinance has been challenged in a court of law and the court has issued rule nisi to the Government."

SHRI MADHU LIMAYE: Your ruling is correct in respect of item 12. But the point of order has been raised about item 11, i.e. the Resolution.

MR. SPEAKER: Resolution also is covered because it says further:

"A point of order was raised in the House that the Resolution which had been moved disapproving of the Essential Services Maintenance Ordinance, 1968, could not be discussed as the Ordinance was pending adjudication before courts of law. The point of order was ruled out on the ground that the rule of *sub judice* does not apply to legislation and the Resolution to disapprove the Ordinance is in the nature of legislation because all it seeks to do is to disapprove the Ordinance, i.e. to repeal the legislation which is in force and that an Ordinance has the same force as a law of Parliament."

So, it is very clear. We can go ahead with the Resolution. Shri Vajpayee.

श्री अटल बिहारी वाजपेयी (ग्वालियर)
अध्यक्ष महोदय, मैं सकल्प पेश करना हूँ कि :

"यह मन्ना गजुपति द्वारा 6 जुलाई, 1974 को प्रख्यापित अनिश्चित उपलब्धिया (अनिवार्य निक्षेप) अध्यादेश, 1974 (1974 का अध्यादेश सख्या 8) का निरन्तरोत्पन्न करती है।"

अध्यक्ष महोदय, इस अध्यादेश के द्वारा, जिसे देश के 1 करोड़ 80 लाख मजदूरों और कर्मचारियों द्वारा काले-अध्यादेश की संज्ञा दी गई है, सरकार ने मजूरी, वेतन और महंगाई भत्ते में होने वाली वृद्धि को अनिवार्य रूप से जमा करने का प्रबन्ध किया है। मजूरी और वेतन में जो भी बढ़ोतरी होगी उस का 100 फीसदी एक वर्ष के लिए जमा होगा और महंगाई भत्ते का 50 फीसदी सरकार दो वर्ष के लिए खर्च करने के लिए सुरक्षित रखेगी।

अध्यक्ष महोदय, यह अध्यादेश जिस उद्देश्य के लिए निकाला गया था, उसके

बारे में यह कहा गया था—मैं वित्त मंत्री द्वारा विये मये बक्तव्य में से उद्धृत कर रहा हूँ—
उन के अनुसार—

“बढ़ती कीमतों और बढ़ती महंगाई पर दुष्चक्र को टानने के लिए कुछ प्रभावकारी कदम तत्काल उठाया जाना जरूरी था जिस से मूद्रास्फिनि के दबाव को रोका जा सके।”
बढ़ती कीमतों और बढ़ती महंगाई—दोनों के दुष्चक्र को रोकने के लिए यह कदम उठाये जाने का दावा किया गया है। अनजाने में ही वित्त मंत्री महोदय ने मान लिया कि कीमतें पहले बढ़ती हैं और महंगाई बाद में बढ़ती है। अब अगर दुष्चक्र तोड़ना है—मैं मानता हूँ यह दुष्चक्र तोड़ा जाना चाहिए—तो पहले प्रहार कीमतों पर होना चाहिए, आमदनी पर नहीं, लेकिन इस अध्यादेश के द्वारा जो मजूरी है, जो मजूरी कर्मचारी अर्जित करते हैं, जो मजूरी उनके पमीने की कमाई है, जो मजूरी उनके परिश्रम का फल है, जो वे अर्जित कर चुके हैं, उसे उन्हें लेने में वंचित किया जा रहा है। लेकिन कीमतें रोकने के लिए, मूल्य-वृद्धि पर नियन्त्रण लगाने के लिए कोई प्रयाम नहीं है।

13 00 hrs.

इस योजना के बारे में तीन बाने मुख्य हैं। पहली बात तो यह है कि जबरिया जमा की योजना है, इसमें कर्मचारियों और मजूरों की इच्छा का सवाल नहीं है, वे देने के लिए विवश हैं—यह उनके साथ बलात्कार है। दूसरे इस योजना में छोटें और बड़े का भी भेद नहीं किया गया है। सभी पर समान रूप से सरकार हमला कर रही है। सब धान 22 पसेरी तौल रही है। तीसरी बात यह है कि मजूरी को एक वर्ष के लिए और महंगाई भत्ते को दो वर्ष के लिए जबरदस्ती जमा किया जायेगा लेकिन यह अबधि समाप्त होने के बाद जमा रकम तुरन्त वापिस नहीं की जायेगी, उसे पांच साल में वापिस किया जायेगा। सरकार उसको वापिस करने में 5 वर्ष लगायेगी। इसका धर्य यह

है कि कर्मचारी और मजूर पांच वर्ष तक अपनी अर्जित आय में वंचित रहेंगे।

श्री एम० रामगोपाल रेड्डी (निजामाबाद)
इन्स्टे भी मिलेगा।

श्री अटल बिहारी वाजपेयी : मैं उम व्याज की भी चर्चा करूंगा।

यह स्पष्ट है कि वेतन वृद्धि मूल्य वृद्धि का कारण नहीं है, उमका परिणाम है। पहले महंगाई बढ़ती है, बाद में वेतन या महंगाई भत्ता बढ़ाने की माग होती है। लेकिन कारण को दूर करने के बजाये, बीमारी की जड़ का इलाज करने के बजाये सरकार मजदूर और कर्मचारियों को उनके परिश्रम के फल से वंचित करना चाहती है। वह रोग के लक्षण को ही रोग मान बैठी है। एक अनाड़ी वैद्य की तरह से वह बीमारी का ऐमा इलाज कर रही है जो बीमारी से भी ज्यादा खराब है। बीमारी है मूल्य वृद्धि की और इलाज यह किया जा रहा है कि कर्मचारियों और मजदूरों को उनकी अर्जित आय से लाभान्वित न होने दिया जाये।

कुछ लोगों ने अनिवार्य जमा को बेज फीज कहा है, मेरी दृष्टि में यह बेज-कट है केवल भविष्य के लिए इसे लागू नहीं किया जा रहा है, केन्द्रीय कर्मचारियों को जो महंगाई भत्ता 1 अप्रैल से मिलना चाहिए था, यद्यपि अध्यादेश 6 जुलाई को जारी किया गया है। लेकिन उस महंगाई भत्ते को भी इस अध्यादेश की लपेट में ले लिया गया है। 1 अप्रैल के बाद भी केन्द्रीय कर्मचारी महंगाई भत्ते की दो किस्तों को प्राप्त करने के अधिकारी हो गए हैं लेकिन वह भत्ता उन्हें नहीं मिलेगा क्योंकि अध्यादेश बीच में आ गया है। मेरा निवेदन है कि यह काला अध्यादेश अम-जीबी वर्ग को उसके अधिकार से वंचित करने का कदम है, यह उसकी कमाई पर खुला डाका है, यह दिन बढ़ावे की

[श्री अटल बिहारी वाजपेयी]

लूट है, यह मेहनतकशों पर हमला है और यह उन के माथ अन्याय है ।

एक करोड़ 80 लाख कर्मचारी आज महंगाई से पीड़ित हैं । महंगाई सरकार की गलत नीतियों का नतीजा है । उम महंगाई से निपटने के लिए कर्मचारियों और मजदूरों को आज खपया चाहिए, उनके परिवार का बजट बिगड़ रहा है । उनका जीवन स्तर नीचे जा रहा है इस लिए इस प्रध्यादेश का कोई औचित्य नहीं है । यह बात स्पष्ट है कि मूल्य लगभग 25 प्रतिशत प्रतिवर्ष की दर में बढ़ रहे हैं जब कि वेतन और मजूरी में 5 प्रतिशत में भी ज्यादा की बढ़ोतरी नहीं हुई है । दूसरी कड़वी सच्चाई यह है कि कुल कीमत, टोटल कास्ट, में मजूरी बेज-कास्ट का अंश निरंतर घटता जा रहा है । यह बात सुनने में बड़ी विचित्र लगती है मगर यह सच है कि आज जहां उद्योगों में मुनाफे बढ़ रहे हैं वहां मजूरी की वास्तविक मजूरी में कमी आ रही है । मजदूरों के परिश्रम से, प्रयत्न से उत्पादन बढ़ता है, उत्पादकता में वृद्धि होती है, मुनाफे का अम्बार लगता है, कुछ लोग उम से लाभान्वित होते हैं लेकिन मजूरी में कमी आनी है ।

श्राप नेशनल कमिशन आन नेवर, 1969 की रिपोर्ट देखें, उसका अंश मैं उद्धृत कर रहा हूँ :

"To sum up, we note that increases in money wages of industrial workers since independence have not been associated with a rise in real wages, nor have real wage increases been commensurate with improvements in productivity. Simultaneously, wage costs as a

proportion of total costs of manufacture have registered a decline, and the same is true about workers sharing the value added by manufacture."

रिजर्व बैंक ने भी एक सर्वे किया था, उसकी रिपोर्ट प्रकाश में आ चुकी है । यह 1650 कम्पनियों का सर्वे था । मैं माननीय वित्त मंत्री का ध्यान उस रिपोर्ट के एक अंश की ओर दिखाना चाहता हूँ :

"For all the 1,650 companies studied, the component of manufacturing expenses in the total value of production rose from 62.6 per cent in 1970-71 to 63.1 per cent in 1971-72, while there was marginal fall in the component of remuneration to employees from 15.4 per cent to 15.3 per cent."

वित्त मंत्री यह कहकर संतोष न करें कि जो भी कमी आई है वह माजिनल है यद्यपि माजिनल कमी भी वेतन और मजदूरी में क्यों आनी चाहिए ? मुनाफा बढ़ता है तो कर्मचारी या मजदूर की आमदनी क्यों घटना चाहिए ? इसका अर्थ यह है कि आज जो देश में महंगाई हुई है उसके लिए कर्मचारी या मजदूर को मिलने वाला वेतन अथवा महंगाई भत्ता जिम्मेदार नहीं है । उसके कारण हमें और जगह ढूँढने पड़ेंगे । यह जो अध्यादेश निकाला गया है इस के साथ अध्यादेशों की एक श्रृंखला निकाली गई है और ऐसा लगता है कि सरकार अध्यादेशों के बल पर राज करना चाहती है । संसद के सामने अध्यादेशों पेश कर दिए जाते हैं, संवैधानिक औचित्य का भी ध्यान नहीं रखा जाता है । लेकिन एक बात देखने लायक है । सबसे अधिक बौद्धा बंधी बगी तनकबाद पाने वाले बर्ग पर डाला गया है । मध्यम वर्ग पहले से ही पिस रहा है, उसके लिए जीवन बापन करना

कठिन है। जबरिया जमा योजना उसके लिए जीवन के बोझ को उठाना असह्य कर देगी।

सरकार ने कहा है कि देश में मुद्रास्फीति के कारण गंभीर परिस्थिति पैदा हो गई है। मैं उद्धृत कर रहा हूँ : समाज के सभी वर्गों को अस्थायी रूप से कुछ बनिदान करना आवश्यक हो गया है। इसलिए कम्पलमरी डिपॉजिट के साथ कम्पनियों के डिबिटेंड पर रेस्ट्रिक्शन लगाने वाला अध्यादेश भी जारी किया है लेकिन आप दोनों अध्यादेशों की तुलना करें। तुलना से यह स्पष्ट हो जायेगा कि कम्पनियों के डिबिटेंड पर नियन्त्रण करने वाला अध्यादेश मालिकों और अफसरों के निजी खानों को नहीं छूना। उन की जेब नहीं काटता, उन की आज की आमदनी नहीं घटाता। उन्होंने जो कुछ कहा है उस से उनको बचित नहीं करता। कम्पनियां इम बान मे रोक दी गई है कि 33 33 फ्रीसदी मे अधिक मुनाफा न बाटे। लेकिन मुनाफा रहेगा उन्हीं के पास। वह मुनाफा सरकार नहीं ले रही है, वह कम्पनियों को उपलब्ध होगा जब कि मजदूर और कर्मचारी की कमाई सरकार ले रही है।

दूसरी बात यह है कि जिस का मैंने पहले उल्लेख किया था। अनिवार्य जमा कानून सब पर लागू है। चपरत्सी पर भी लागू होगा और मैकेट्री पर भी लागू होगा। लोक सभा की लाइब्रेरी में काम करने वाले डी० पी० पांडे पर भी लागू होगा और कैबिनेट सिक्रेट्री श्री बी०डी० पांडे पर भी लागू होगा। दोनों पांडे इस की लगेट में पकड़े गये। लेकिन यह समानता का व्यवहार नहीं है। क्या 100 रु० कमाने वाला 3,000 रु० कमाने वाले की श्रेणी में रखा जा सकता है? जो अधिक कमाते हैं क्या उन को अधिक बलिदान नहीं करना चाहिए? जिनकी मजदूरी कम है, तनखाह कम है, क्या

उन के साथ भी वही व्यवहार करना चाहिए जो ऊंचे से ऊंचे अधिकारी के साथ किया जा रहा है? क्या यह सामाजिक न्याय की दिशा में बढ़ता हुआ कदम है?

अध्यक्ष महोदय, डिबिटेंड्स वाला कानून उन्हीं पर लागू होगा जो अपनी ईविट्टी का 12 परसेंट से अधिक डिबिटेंड पाते हैं। वह अगर कम है, और डिमांड किताब में कम दिखाना असम्भव नहीं है, तो उन्हें उस से मुक्त रखा जायगा। 1972 में किये गये एक सर्वे के अनुसार 3,772 कम्पनियों में से केवल 309 कम्पनियों ने 12 परसेंट से अधिक डिबिटेंड उम साल के लिये घोषित किया था। केवल यही 309 कम्पनिया सरकार की गिरफ्त में आयेंगी, लेकिन इकोनामिक टाइम्स सर्वे के अनुसार केवल 105 कम्पनिया प्रभावित होंगी जब कि एक करोड़ 80 लाख कर्मचारी और मजदूर सभी इन अध्यादेश की गिरफ्त में ले लिये गये।

अध्यक्ष महोदय, मूल्य वृद्धि के कारणों में हमें गहराई से जाना होगा। केवल कर्मचारियों और मजदूरों को उन के अर्जित वेतन से, महंगाई भत्ते से बचित कर के हम मूल्य वृद्धि की मसम्या पर विजय नहीं प्राप्त कर सकते। मूल्य वृद्धि का सब से बड़ा कारण है मुद्रा की आपूर्ति में, मनी सपलाई में अंधाधुंध वृद्धि। रिजर्व बैंक के अनुसार मुद्रा की मनी सपलाई प्रतिवर्ष 15.16 फ्रीसदी की दर से बढ़ रही है इस के विपरीत मान के उत्पादन और सेवाओं के विस्तार में जो वृद्धि हो रही है वह नगण्य है। 1956 में जनता के पास नोटों के रूप में जो पूंजी थी वह 2,218 करोड़ की थी जो 1974 में बढ़कर 11,000 करोड़ रु० से ज्यादा हो गई।

[श्री घटल बिहारी वाजपेयी]

मूल्य वृद्धि का दूसरा कारण घाटे की अर्थ-व्यवस्था है। प्रति वर्ष 700 से ले कर 850 करोड़ ६० तक की घाटे की अर्थ-व्यवस्था की जा रही है। केन्द्र और राज्यों के बजट घाटे के बजट होते हैं। घाटे को पूरा करने के लिये ओवर ड्राफ्ट का तरीका अपनाया जाता है। प्रथम योजना में 123 करोड़ ६० के ओवर ड्राफ्ट किये गये थे। दूसरी योजना में यह राशी बढ़ कर 268 करोड़ हो गई और 1972-73 में यह 421 करोड़ तक पहुंच गई। इस बार आम बजट दो बार पेश हुआ है। रेलवे बजट भी दो बार पेश हुआ है। करो के बोझ में आम आदमी जिस में कर्मचारी शामिल है, मजदूर भी है, वह पिना जा रहा है। इतना भारी कगधान 26 वर्षों में कभी नहीं हुआ। लेकिन फिर भी स्थिति क्या है? 123 करोड़ ६० के नये टैक्स लगेंगे और 200 करोड़ ६० का खर्चा घटेगा। पता नहीं वह घटेगा कि नहीं, सरकार का इरादा है नगर सरकार के बहुत से इरादे केवल कागज पर रह जाते हैं, कृत्य में नहीं आते। लेकिन अगर मान लीजिए वह घट भी गया तो भी केन्द्र का घाटा 325 करोड़ ६० का होगा। इस में रेलवे का 56 करोड़ 44 लाख का घाटा शामिल है।

मंहगाई का तीसरा कारण है सरकार के अनुत्पादक व्यय में बढ़ोतरी। पहले कहा गया था अनुत्पादक व्यय 2 फ्रीसदी प्रतिवर्ष से अधिक नहीं बढ़ने दिया जायगा। लेकिन वह 14 फ्रीसदी प्रतिवर्ष की दर से बढ़ा है। मंहगाई का सब से बड़ा कारण है काला धन। काले धन की समानान्तर अर्थ-व्यवस्था चल रही है। काले धन से लोग भोग विलास की वस्तुएं खरीदते हैं। उद्योगपति भोग और विलास की वस्तुओं का उत्पादन करते हैं, उन में अधिक लाभ होता है। आवश्यकता की वस्तुओं का उत्पादन पीछे छूट जाता है। काले धन की राशि 4,000 करोड़ से ले कर

10,000 करोड़ तक बढ़ायी गई। बाणू कमीशन ने विमूर्च्छाकरण का सुझाव दिया था, सरकार ने उसे स्वीकार नहीं किया है। अभी भी जो पैकेज है, जिन कदमों की चर्चा वित्त मंत्री पैकेज के रूप में करते हैं मुद्रास्फीति से लड़ने के लिये, उस में काले धन के निकालने के लिये कौन सा ठोस कदम उठाया जा रहा है, इस का संकेत नहीं दिया गया है। अब माननीय चव्हाण साहब की शोली में, बल्न में कोई और कानून हो शास्त्रागार में कोई और खंजर हो तो वह पार्लियामेंट की बैठक म्यगित होने तक प्रतीक्षा न करें, उस को मदन के सामने ले आये। अध्यादेशों द्वारा लोगों को आश्चर्य में डालने की नीति छोड़ दें। जो भी कदम उठाना है उस पर ससद की सहमति प्राप्त करें। काले धन के निकालने के लिये सरकार कठोर से कठोर कार्यवाही करे, सदन का समर्थन उस को प्राप्त होगा। सरकार को पहला काम करना चाहिये डीमोनीटाइजेशन, और दूसरा काम उद्योगपतियों से पैसा ले कर चुनाव लड़ना बन्द कर देना चाहिये।

अध्यक्ष महोदय, मूल्य वृद्धि के लिए आवश्यक वस्तुओं के उत्पादन में गिरावट भी एक कारण है। जैसा मैं ने पहले कहा कि उद्योगपति विलास की वस्तुओं के उत्पादन को बढ़ाने पर अधिक बल देते हैं क्यों कि उस से अधिक मुनाफा होता है और आवश्यकता की वस्तुओं के उत्पादन की उपेक्षा हो रही है। जरूरत की चीजों पर टैक्स लगाने की सरकार की नीति भी मंहगाई के लिये जिम्मेदार है। अभी जो बजट आया यद्यपि कहा गया है कि ऐसी वस्तुओं पर टैक्स लगे हैं जो आम आदमी के प्रतिदिन के जीवन के लिये आवश्यक नहीं हैं। लेकिन कुल मिला कर आप बाजार की हवा देखें, पाव देखें तो वित्त मंत्री द्वारा प्रस्तुत बजट से और रेलवे बजट से मंहगाई बढ़ी है, मूल्य सूचकांक में वृद्धि हुई है। जब अप्रत्यक्ष कर बढ़ते हैं चाहे एक्साइज ड्यूटी के रूप में हों, या जिन्कीकर

के रूप में, तो उस का प्रभाव मूल्यों पर पड़ता है।

अध्यक्ष महोदय, प्राइवेट और पब्लिक सेक्टर में जो क्षमता है उस का पूरा उपयोग न करने के कारण भी उत्पादन में कमी है और आवश्यकता की वस्तुएं उपलब्ध नहीं हैं। करो की चोरी रोकने में सरकार असमर्थ रही है। उस दिन श्री गणेश ने एक सवाल के जवाब में बताया था कि आय कर, सम्पत्ति कर और भेट कर आदि देनदारों से 31 मार्च, 1974 तक, 874 करोड़ 50 लाख रुपया बकाया है। ये देनदार छोटे छोटे देनदार नहीं हैं, बड़े बड़े मगरमछ हैं। कितना आयकर, कितना सम्पत्ति कर माफ कर दिया, अगर इस का हिमाब लगाया जाए, तो कर्मचारियों का जितना धन आप रोकना चाहते हैं, वह उस की तुलना में नगण्य ही बैठेगा।

अन्धकार के कारण भी मूल्य-वृद्धि हो रही है। वनस्पति का दाम किसने बढ़ाया? नियमित कपड़े के मूल्य में वृद्धि करने के लिये कौन जिम्मेदार है? उत्तर प्रदेश में चुनाव के दिनों में चीनी की कीमत में वृद्धि की इजाजत देने का फैसला किन ने किया? इस के बदले में क्या लिया गया, उस की म चर्चा नहीं करता लेकिन अगर व्यापारों दाम बढ़ाए, तो वह दोषी है और अगर सरकार दाम बढ़ाए, तो वह आर्थिक विकास के लिए दाम बढ़ा रही है। यह बात किसी के गले से नाचे नहीं उतर सकती है।

अध्यक्ष महोदय मेरा निवेदन यह है कि अगर मुद्रा-स्फीति से लड़ना है, तो सरकार आर्थिक समस्याओं की बुनियाद में ना कर उन को हल करे। ऊपर में लीपा-पोती करने में, मजदूरों और कर्मचारियों को बलि का बकरा बनाने से, जो वर्ग पत्रों से महंगाई से पीड़ित है, उस को और ज्यादा उलीठन पहुंचाने में, समस्या हल नहीं होगी।

कभी कभी यह कहा जाता है कि महंगाई केवल भारत में ही नहीं है बल्कि यह दुनिया के और देशों में भी बढ़ी है। दुनिया के और देशों में महंगाई बढ़ी है इस में सदेह नहीं है लेकिन उन से हमारी तुलना गलत है। अगर एक विकसित देश में 10 फीसदी महंगाई बढ़ी है, तो वहां पर मजदूरों की आमदनी 15 प्रतिशत बढ़ी है। इस स्थिति में वधे बचाये वेतनभोगी वर्ग को खर्चा नहीं कहा जाएगा। दूसरी बात यह है कि 60 फीसदी लोग ऐसे हैं जो गरीबों के नीचे बगाली का जीवन बिताते हैं। उन में मुद्रा-स्फीति की मार सरकार की क्षमता नहीं है। उन की मांगें लचीली नहीं हैं। आज मजदूर की आमदनी का 60 से 95 फीसदी खर्चा भ्रानाज पर होता है, खाने की चीजों पर होता है उस में वह कमी कैसे कर सकता है? अमेरिका में स्थिति भिन्न है। वहां पर 20 से 25 फीसदी खर्चा खाने की चीजों पर होता है।

अध्यक्ष महोदय, जित्त मंत्री महोदय कहते हैं कि कर्मचारियों को, मजदूरों को महंगाई भना न देने से हम 500 करोड़ रुपया बचा लेंगे लेकिन क्या इस बात को वे न भ्रम-प्रदाय कर सकते हैं कि कर्मचारी अपना खर्चा चलाने के लिए कर्ज लेने को मजबूर होंगे, रुपये का चलन रुकेगा नहीं। सरकार अगर आज उन को हाया नहीं देगी, तो उन का खर्चा कैसे चलेगा। वे अपने लोगों से जा कर ऋण लेंगे और अपनी आवश्यकताएं पूरी करेंगे। उन की आवश्यकताएं ऐसी नहीं हैं जिन को काटा जा सके। बच्चों को दूध चाहिए, बीमारों को दवा चाहिए। छोटे में स्कूल में रहने के लिए स्कूल भत्ता चाहिए। आज तो 260 रुपये इन्डियन गेजुं बिक रहा है।

श्री अटल बिहारी वाजपेयी । बन जी माहब कह रहे हैं कि 275 रुपये बटल है । अब ऐसी स्थिति में कर्मचारी, मजदूर को अपना काम चलाए । शिन्धे माहब कहते हैं कि दिल्ली में केन्द्रीय कामचरिया के लिए हमने राशन का दुकानों में गेहूँ का इन्तजाम कर दिया है मगर दिल्ली मारा देश तो नहीं है । कई राशन को दुकानों पर अनाज उपलब्ध नहीं है, कृषकों को राशन मिलना नहीं है और राशन की जो प्राप्ति मिलता है, वह जमा अनाज से वह जरा हमारे मंत्री महोदय खा कर देखें ।

श्री एस० एम० बनजी । श्री राशन की दुकानों पर लिखा हुआ है, अनाज नहीं है, कृपया मागने का कष्ट न करें ।

श्री अटल बिहारी वाजपेयी । हरेक कर्मचारी की वित्त मंत्री जी के सामने प्रदर्शन करना पड़ेगा कि जबरिया जमा मागने का कष्ट न करें । यह जबरिया है, स्वीच्छक नहीं । उनको अनिवार्यतः देना पड़ेगा और एक मार कर देना पड़ेगा ।

अध्यक्ष महोदय, रुपये की कीमत निरन्तर घटती जा रही है । अगर 1956 के दामों के हिसाब से हम देखें तो रुपये की कीमत 25 पैसा रह गई है । उस दिन सरकार ने एक मवाल के जवाब में बताया था कि रुपये की कीमत 28 पैसे रह गई है । अब जो पेशाब लेने वाले लोग हैं, उन की क्या हालत है । सच्चा ये तो रुपया उतना ही मिलता है, लेकिन उस की कीमत क्या है

13.26 hrs.

[Mr DEPUTY-SPEAKER in the Chair]

श्री कुछ हमारे कांग्रेसी मित्र कह रहे थे कि जो जबरिया जमा कराया जाएगा, उस पर 11 फीसदी व्यय मिलेगा । 11 फीसदी व्यय मिलेगा, यह सच है लेकिन जब इन्फ्लेशन की वरें 27 फीसदी हों, तब

कितना रुपया रह जाएगा । पांच साल बाद जो दिया जाएगा उस की कीमत कम होगी । मुद्रा-स्फीति उस रुपये की कीमत को घटा देगी । (व्यवधान)

कुछ और बातें हैं, जिन का मैं संक्षेप में उल्लेख करना चाहूंगा । उदाहरण के लिए वित्त मंत्री महोदय ने इस बात का ख्याल नहीं किया कि अध्यादेश जारी करने से पहले जिन मजदूरों ने समझौते के द्वारा अपनी मजदूरी या अपने भत्ते में वृद्धि कराने में सफलता पाई थी, उन का क्या होगा ? क्या वह भी बचित किये जायेंगे ? क्या उन्हें बचित करना न्यायपूर्ण होगा ?

दूसरी बात यह है कि अनिश्चित मजदूरी और वेतन का भुगतान एक वर्ष के बाद होगा और अनिश्चित महंगाई भत्ते का भुगतान दो वर्ष के बाद होगा । क्या हरेक कर्मचारी के दो दो हिसाब रखने पड़ेंगे और अगर दो दो हिसाब रखने पड़ेंगे, तो कितना खर्च होगा ।

तीसरी बात यह है कि उन कारखानों में काम करने वाले मजदूरों का क्या होगा, जिन का कोई टाइम स्केल आफ पे नहीं है । आपने अध्यादेश में टाइम स्केल आफ पे की बात कही है । कुछ ऐसे लोग हैं जो जितना काम करते हैं, उतनी मजदूरी ज्यादा पाते हैं । उन के एड-हाक इन्कीमेंट होते हैं लेकिन विधेयक के द्वारा वही लिया गया है which is due to the employees in accordance with the time-scale of pay,

लेकिन जिन का टाइम स्केल आफ पे नहीं है, उन की क्या स्थिति होगी ।

चीथा सवाल यह है कि एम्प्लाइज जैसे के आर्डेनेन्स फॅक्टरियो में काम करने वाले एम्प्लाइज और दूसरी जगह काम करने वाले एम्प्लाइज के बारे में क्या होगा ? आज स्थिति यह है कि वह ज्यादा काम करते

हैं तो ज्यादा कमाले हैं लेकिन इस अजादेस के कानून बनाने के बाद अगर बे ज्यादा काम करेते तो चाटे में रहेंगे । तो बे ज्यादा काम क्यों करेते ? भविष्य मे जाको मिलेगा हम आशा से बे आज ज्यादा काम मही करेते ।

उपाध्यक्ष महोदय, जब सरकार अपने कर्मचारियों को महगाई भत्ते से बंचित कर रही है, तो प्राइवेट मालिकों को किस मुह से कहेगी कि उन्हे मजदूरों के साथ न्याय करना चाहिए । कमीशन कमाने वाले भी कठिनाई मे पड़ेगे । उपाध्यक्ष महोदय, पता नही, वित्त मंत्री के कौन मलाहकार है ?

श्री मधु लिवये : उन को भी मानूम मही है ? प्रधान मंत्री के सचिवालय ने मस्वीदा भेजा है ।

श्री अटल बिहारी वाजपेयी : प्रधान मंत्री का सचिवालय एक ममाभान्तर मरकार बन गया है । नीकरग्राहों के इशारे पर देश की अर्थनीति निर्धारित की जा रही है । अमेरिका के नये प्रेसीडेंट का मैं एक उद्धरण देना चाहता हू । वित्त मंत्री इस पर गभीरता से विचार करें । प्रेसीडेंट फोर्ड ने अभी कहा है

“American wage-earner and the American housewife are a lot better economists than most economists care to admit.”

इन अध्यादेशों के बारे में अगर जनता की प्रतिश्रिया जाननी है, तो केन्द्रीय कर्मचारियों या मजदूरों की पत्नियों से पूछिये ।

श्री एस० एम० बनर्जी : इन मिनिस्टर्स की पत्नियों से भी पूछ कर देखें ।

श्री अटल बिहारी वाजपेयी : मिनिस्टर्स की पत्नियां नही बता सकती । मैं यह मांग करने वाला हूँ कि आप जब केन्द्रीय सरकार

और मजदूरों को मजबूर कर रहे हैं इस संकट के समय अपना बलिदान करने के लिए, तो मंत्री चाहे वे केन्द्र के हों, चाहे राज्यों के हों, पांचायत के मेम्बर और स्टेट एम्प्लोयीज के सदस्य, वे क्या कर रहे हैं । आप लोग भी आगे आएं और वहाँ कि जितनी हमारी तदख्वाह है, जिनना हमारा भत्ता है, उस का 10 फीसदी जमा किया जाए और कांग्रेस के मेम्बर इस को पारित कर के बतायें । (ध्वजबान)

मैं यह मांग करना चाहता हू कि कम्पलसरी डिपोजिट का कानून वापस ले लेना चाहिए और सदन को यह अध्यादेश रद्द कर देना चाहिए, लेकिन अगर सरकार अपने पाशवी बहुमत के बल पर मजदूरों या कर्मचारियों के जीवनयापन के स्तर को घटाने पर तुली हुई है, तो मैं मांग करना चाहता हू कि 400 रुपये तक पाने वाले मजदूरों और कर्मचारियों को हम जबरिया जमा से मुक्त कर दिया जाना चाहिए ।

एक बात और है कि मजदूरों या कर्मचारियों ने कलकितव वारगेनिंग कर के 6 जुलाई से पहले या उस के बाद समझौता के के अगर कुछ प्राप्त किया है, तो वह इस विधेयक की परिधि मे नही आना चाहिए ।

उपाध्यक्ष महोदय, यह ठीक है कि विधेयक में कहा गया है कि कठिनाइयों का विचार किया जाएगा, लेकिन किसी परिवार मे अगर शादी है, जबान बेटी बेटी है और बिना दहेज के शादी नही होती, क्या उसे मुक्त नही रखा जाएगा ? किसी परिवार में कमाने वाला अकाल मृत्यु को प्राप्त हो जाए, परिवार का बजट गिगड जाए, परिवार का भविष्य अंधकारमय हो जाए, क्या उसका खयाल नही रखा जाएगा ? मैं नही चाहता हूँ कि इस संबंध में सरकार को या सरकारी अफसरों को कोई भेदभाव या

[श्री प्रबल बिहारी शंजयजी]

पक्षगत करने का मौका दिया जाए। हमने इन प्राणय के ससोधन दिए हैं और चाहा है कि कानून कठिनार्थों का उल्लेख होना चाहिये और सब कर्मचारियों के साथ एक सी नीति का व्यवहार होना चाहिये।

मैं आशा करता हू कि सबन मेरे इस सकल्प को स्वीकार करेगा और इस अध्यादेश का निरनुमोदन करेगा और अगर वह ऐसा नहीं करता है तो फिर जो हमने ससोधन रखे है उन पर हम कदम कदम पर लढेगे, एक एक धार पर इस बारे में लड़ाई होगी मैं आशा करता हू कि जित मन्त्री खुले दिमाग से बैठे है और ऐसा नहीं करेगे जैसा कल श्री चटर्पाध्याय जी ने किया था। अगर वह खुले दिमाग से बैठे है तो इन कालि अध्यादेश की भी कुछ कालिख कम की जा सकती है। देवे कितनी कम होती है।

MR. DEPUTY-SPEAKER. Resolution moved:

"This House disapproves of the Additional Emoluments (Compulsory Deposit) Ordinance 1974 (Ordinance No. 8 of 1974) promulgated by the President on the 6th July, 1974".

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): I move":

"That the Bill to provide, in the interests of national economic development, for the compulsory deposit of additional emoluments and for the framing of a scheme in and for the framing of a scheme-in-connected therewith or incidental thereto, be taken into consideration".

SHRI MADHU LIMAYE: On a point of order.

MR. DEPUTY-SPEAKER: Unless he has made his speech, he has not

moved it. He is in the process of moving it.

श्री मधु लिमये: मुझ तो किया है लेकिन वे भाषण न दे। मेरा प्वाइंट ऑफ ऑर्डर है। इस प्रबल में बिल नहीं आ सकता है। पहले आप मेरा वाइट ऑफ ऑर्डर मुन लें।

श्री यशवान् राव चव्हाण: इंट्रोडक्टी स्टेट्ज पर तो इन्होंने रज किया था।

श्री मधु लिमये यह नया है। इतनी मुखता मैं नहीं करूंगा कि उम्मी का दुबाग उठाऊ। प्रबल जी की आज्ञा का पालन कर रहा हू कि कदम कदम पर लढेगे।

SHRI YESHWANTRAO CHAVAN: The circumstances necessitating the promulgation of the Ordinance as a part of the various anti-inflationary measures adopted by Government have already been explained in the statement I said on the Table.

SHRI MADHU LIMAYE: On a point of order.

MR. DEPUTY-SPEAKER: He has a point of order. I have to listen to him

SHRI YESHWANTRAO CHAVAN: If you order me, I sit down.

श्री मधु लिमये. जिन मुद्दों पर निर्णय उस दिन हो चुका है उनको मैं उठाना नहीं चाहता हू। इनके स्टेटमेंट ऑफ आर्बजैक्ट्स एंड रीजन्स को देखे।

MR. DEPUTY-SPEAKER: Your point is that this Bill cannot be moved for consideration.

SHRI MADHU LIMAYE: Yes.

मैं समझता हू कि यह विधेयक चर्चा के लिए नहीं आ सकता है। इसके स्टेटमेंट ऑफ आर्बजैक्ट्स एंड रीजन्स के पैज 15 पर यह लिखा है

*Moved with the recommendation of the President.

"The Bill seeks to replace the said Ordinance with certain modifications which are mainly of a clarificatory or procedural nature."

MR. DEPUTY-SPEAKER: Even assuming there are changes how does it stand in the Bill being moved?

इन्होंने कहा है कि आर्डिनंस में और इस विधेयक में थोड़ा फर्क है लेकिन वह फर्क केवल प्रक्रिया के सम्बन्ध में है। अब आपके पास अगर आर्डिनंस नहीं है तो इसे आप मंगा लें। और यह बिल है। आर्डिनंस के सैकशन 2 को आप देखें और हमके भी क्लॉज 2 को देखें। इसमें नया एकमप्लेनेशन जोड़ दिया गया है। उनी तरह पैज 3 पर एकमप्लेनेशन जोड़ दिया गया है। इससे स्पष्टीकरण नहीं होना है। जो आर्डिनंस की मूल धारारों हैं उनमें बुनियादी परिवर्तन किया जा रहा है। कुछ बतों में आपके सामने उदाहरण के तौर पर रखना चाहता हूँ।

MR. DEPUTY-SPEAKER: What is your point of order?

श्री मधु लिमये : स्टेटमेंट आफ प्राव-
जैक्टस एण्ड रीजंस में इन्होंने सदन को गुमराह
किया है। सही स्थिति सदन के सामने नहीं
रखी और इसलिए इस विधेयक के बारे में
गलत धारणा हो सकती है। इनके स्टेटमेंट
आफ प्रावजैक्टस एण्ड रीजंस पर विश्वास
करके मैंने आर्डिनंस देखने का पहले प्रयास
नहीं किया था। लेकिन जैसे जैसे सरकार का
असली स्वरूप सामने आने लगा तो मैंने भी
सोचा कि इसको छोड़ना नहीं चाहिये, देखना
चाहिये। मैंने फिर आर्डिनंस और विधेयक
दोनों की तुलना करनी शुरू कर दी। इस
काम में लाइब्रेरी में जो रिसर्च असिस्टेंट्स हैं
उन्होंने भी मेरी बड़ी मदद की और हम दोनों
जब बैठे तब हमको पता चला कि इसमें बड़े
बुनियादी परिवर्तन किए गए हैं। यह जिन्दागी
और मौत का सवाल है। एक करोड़ अस्ती
लाख मजदूरों का यह सवाल है। बुनियादी
परिवर्तनों का ही मैं केवल उल्लेख कर रहा हूँ।

श्री मधु लिमये : अगर उन्होंने कहा होता
कि विधेयक विद सम चेंजिज और उसकी
सूची (इंटरप्रांज) क्या उनको सदन
को गुमराह करने का अधिकार है? मैं तर्कों
में नहीं जाना चाहता। मैं मुद्दों को रखता हूँ।
आप क्लियर दें।

इनके तथाकथित स्पष्टीकरण का नतीजा
होगा कि हमारी बम्बई लेबर यूनियन ने हिन्दु-
स्तान लिबर के साथ एक करार किया। मैं
इलस्ट्रेशन दे रहा हूँ। एक अप्रैल 1970 से
वह लागू होने वाला है—

MR. DEPUTY-SPEAKER: You are making a full-scale submission where-
as you are talking on a point of order.
Let me clarify the position. You
raised the point of order that this
Bill cannot be taken into considera-
tion. I would like you to confine to
that. What are the grounds?

श्री मधु लिमये : प्वाइंट आफ आर्डर
समझेंगे कैसे। स्टीम रोलर घुमाने में काम नहीं
चलने वाला है (इंटरप्रांज)

अध्यक्ष महोदय, आर्डिनंस में 21
सैकशंस हैं और इसमें 27 है। एक तो एक्स्ट्रा
आएगा ही रिपील वाला लेकिन 6 अतिरिक्त
हैं। एक-एक सैकशन में नई बातें जोड़ दी गई
हैं। आप मुझे यह एस्टैब्लिश क्यों नहीं करने
देते हैं? उसके बाद मैं आगे करने वाला हूँ कि
इसमें महत्वपूर्ण परिवर्तन किए गए हैं जिससे
आर्डिनंस का पूरा स्वरूप परिवर्तित हो गया
है।

MR. DEPUTY-SPEAKER: Assuming
ing there are changes how does it
stand in the Bill being moved.

SHRI MADHU LIMAYE: Unless
I give you illustrations how you will
understand?

[श्री मधु लिम्बे]

स्टेटमेंट आफ् प्रावर्जैक्टम तो निरुध्म के अनुसार दिए जाते हैं और स्टेटमेंट आफ् प्राव-
र्जैक्टम एण्ड रीजन्स इसकी जानकारी के
लिए होते हैं कि लोग मसजे कि इसका उद्देश्य
क्या है ? ये गुमराह मिमलीड करने के लिए
नहीं होते हैं । तो मेरा प्वाइंट आफ् आर्डर
पहला है स्टेटमेंट आफ् प्रावर्जैक्टम एण्ड
रीजन्स के ऊपर । हम लोग जब बिल देते हैं
तो हमको स्टेटमेंट आफ् प्रावर्जैक्टम एण्ड
रीजन्स देने पड़ते हैं, इनको भी देने पड़ते हैं ।
स्टेटमेंट आफ् प्रावर्जैक्टस एण्ड रीजन्स में कोई
गुमराह करने वाली बात नहीं होनी चाहिए ।
यह मैं कामनसेंस की बात कर रहा हूँ । इसमें
कोई नियम उप-नियम की आवश्यकता नहीं
है । स्टेटमेंट आफ् प्रावर्जैक्टम एण्ड रीजन्स
में सदन को गुमराह करने का प्रयत्न नहीं करना
चाहिए । यह मेरा पहला प्वाइंट है । इसके
लिए आपको देखना पड़ेगा कि जो परिवर्तन
किए गए हैं वे कन्वैरिफिकेटरी हैं या बुनियादी
हैं, कैसे हैं ?

MR. DEPUTY-SPEAKER: Now,
you please conclude.

मजे मधु लिम्बे . समाप्त कैसे करूंगा ?
यह अभी पूरा नहीं हुआ । हर विधेयक के साथ
क्लाजेज के स्पष्टीकरण के लिए नोट होते हैं ।
इस बिल में जगनूअकर नहीं दिया गया है ।
कई लेजिस्लेशन में आपको निकाल कर बता
सकता हूँ जिसमें हर क्लाज के स्पष्टीकरण
का नोट होता है । इसमें इसलिए नहीं दिया
क्योंकि इनके ऊपर यह नौबत और जिम्मे-
दारी आती और इनको यह कहना पड़ना कि
ये आर्डिनेंस से अलग हैं । तो मेरा कहना है कि
हर विधेयक के साथ क्लाजेज का स्पष्टीकरण
करने वाला प्रापन उसके साथ साथ जुड़ा हुआ
रहता है और वह इसके साथ नहीं है, यह मेरा
इसके बारे में दूसरा मुद्दा है । और यह इन्होंने
जाननूस कर किया है । इसमें मैं सीधे इनके
सदहेतु के बारे में संदेह व्यक्त करता हूँ । मुझे

इसमें कोई संदेह नहीं है क्योंकि इन्होंने जान-
बूझ कर यह एक्स्प्लेनेटरी नोट नहीं दिया है
जब कि दूसरे बिलों के बारे में बराबर देते हैं ।
फाइनेंस बिल के बारे में आपने दिया है ।

मेरा तीसरा यह आरोप है । सैंक्शन 20
आर्डिनेंस को आप देखें और इस विधेयक का
सैंक्शन 17 देखें । अब इसमें भी इनकी मोटिव
के ऊपर हमें हमला करना पड़ेगा । मैं व्यक्ति-
गत चहूण साहब की बात नहीं कर रहा हूँ,
मैं सरकार की बात कर रहा हूँ ।

MR. DEPUTY-SPEAKER: Motives
are not a point of order.

श्री मधु लिम्बे अच्छा, छोड़ देता हूँ ।
बड़े अच्छे उद्देश्य में सरकार प्रेरित हो गई है
यही मान कर चलता हूँ ।

अगर आप देखेंगे तो आपको पता होगा
पहले मर्नवे मैने क्लाज 17 के बारे में अर्ज
किया था कि यह भी सर्बोर्डिनेट लेजिस्लेशन
में आता है ।

MR. DEPUTY-SPEAKER: Now,
you are discussing merits of the Bill.

श्री मधु लिम्बे : नहीं, नहीं, मेरिटम में मैं
बिलकुल नहीं जा रहा हूँ । उम समय जब हम
लोगों ने यह सवाल उठाया था ता गोडने
साहब ने कहा कि यह सर्बोर्डिनेट लेजिस्लेशन
नहीं है, यह कण्डिशनल लेजिस्लेशन है ।

MR. DEPUTY-SPEAKER: Now,
you explain to me how Clause 17 as
it stands will stand in the way of the
Bill being considered. That is the
limited question.

श्री मधु लिम्बे : मैं वहीं बता रहा हूँ कि
आर्डिनेंस में जा इस क्लाज का कंटेंट है वह
सीधे सर्बोर्डिनेट लेजिस्लेशन में आता है । इसके
बाद मैं ये चालाकी करके उसका क्लॉ मैकिंग
पावर के दायरे से हटा कर बिल की मून बाडी
में ले आए और आपके सामने सफाई क्या दी :

This is conditional legislation. This is not governed by the Rule relating memorandum of delegated legislation.

इसलिए मैं कह रहा हूँ कि डेनीगेटेड लेजिस्लेशन के बारे में जो आपके नियम हैं उन की अवहेलना, उनका उल्लंघन करने के लिए, उनके ऊपर लीपापोती करने के लिए इस क्लॉज का जो कंटेंट रूल मेकिंग पावर में था उसको बदल कर 17 में लाए हैं और उसकी कोई सफाई या स्पष्टीकरण नहीं दिया है। आज तक मैंने बहुत सारे विधेयक देखे। लेकिन इसमें एक के बाद एक फ्राड भरे पड़े हैं।

श्री सनपाल कपूर (पटियाला) : उपा-
रज्ज महोदय, यह जो इनकी मर्जी आए कहने जायं फ्राड, झूठ, दगाबाजी, यह क्या है ?

श्री मधु लिमये : यह कास्टीगेशनल एक्मेशन है फ्राड।

committed a fraud on the Constitution, on the Parliament's power of legislation.

चव्हाण माहव ने कोई फ्राड इण्डियन पीनल कोड में किया है यह मैं नहीं कह रहा हूँ।
.... (अवधान) ये मेरा समय बिगाड़ रहे हैं।

MR. DEPUTY-SPEAKER: Order please. Let us not lose more time, Mr. Sat Pal Kapur. Leave him to me. Mr. Madhu Limaye, you have made your point.

श्री मधु लिमये : आप ऐसा कैसे कहते हैं ? मैं नये नये प्वाइंट दे रहा हूँ और आप कहते हैं कि यू हैव मेड यॉर प्वाइंट।

MR. DEPUTY-SPEAKER: Mr. Madhu Limaye, please conclude. You have made your point.

श्री मधु लिमये : आप मेरे मन में जो बातें हैं वह क्या जाते हैं ? मेरा जो मुद्दा है स्टेटमेंट

आफ आबजैक्ट्स एण्ड रीजन्स के बारे में उसके ऊपर दो प्वाइंट मैंने दिए। अब क्लॉज 10 देखिए।

MR. DEPUTY-SPEAKER: Mr. Madhu Limaye, kindly sit down. You have made a number of points and I am exercised with this main point in what way this Bill cannot come before the House. You have made those points.

SHRI MADHU LIMAYE: No.

MR. DEPUTY-SPEAKER: You have made that.

श्री मधु लिमये : मैं नया प्वाइंट रख रहा हूँ। मैं पुनश्चित नहीं करना चाहता। मैं रिपीट करता ही नहीं। जिनके पाम मुद्दे नहीं रहते हैं वे रिपीट करते हैं। अब आप सैक्शन 10 देखें विल का। इसके ऊपर मैं बहुत नहीं बोलने वाला हूँ। समय बचाने के लिए मैं संक्षेप में अपनी बात कह रहा हूँ। श्री सोमनाथ बेंटर्जी माहव चूँकि लाइयर हैं बहू रखेंगे। हमने तो कभी ला पढ़ा नहीं। सैक्शन 10 देखें.....

MR. DEPUTY-SPEAKER: You have made that point. I think you are again outside the scope of the point of order.

श्री मधु लिमये : एक मिनट में मैं खत्म करता हूँ। सैक्शन 10 मव-मैक्शन (3) देखे, इसके अन्दर सरकार को स्कीम बनाने का, योजना बनाने का अधिकार दिया गया है और उनकी शर्दावली क्या है।

"and this Section shall have effect notwithstanding anything contained in any law."

इसका मतलब है कि राज्य सरकारों के द्वारा लिस्ट (2) और लिस्ट (3), स्टेट लिस्ट और कान्फरेंट लिस्ट के तहत वैध तरीके

[श्री मधु लिमये]

से, संवैधानिक तरीके से जो कानून बनाए गए हैं, ये एक आर्डर के द्वारा, एक नोटिफिकेशन के द्वारा उन कानूनों को खत्म करना चाहते हैं। इस पार्लियामेंट के कानून से नहीं, एक नोटिफिकेशन और आर्डर के द्वारा उन कानूनों को ये खत्म करना चाहते हैं। क्या हम तरह इस सदन को दूसरों के अधिकारों पर अतिक्रमण करना चाहिए? जब हम सदन के प्रिविलिज के बात करते हैं तो हम लोग इस बात का भी ध्यान रखते हैं कि हमारा सदन दूसरे विधिमंडलों के अधिकारों पर अतिक्रमण न करे।

MR. DEPUTY-SPEAKER: Mr. Banerjee, what do you want?

SHRI S. M. BANERJEE: Sir, I would like to make a submission.

MR. DEPUTY-SPEAKER: We are concerned with the point of order. You are aware of the point of order.

SHRI S. M. BANERJEE: Sir, when you were not in the Chair, we raised a point of order on this.

MR. DEPUTY-SPEAKER: I am not concerned with what happened before I came to the Chair. I am prepared to listen to you. I only want you to be relevant.

SHRI S. M. BANERJEE: Sir, why should not anticipated irrelevance?

MR. DEPUTY-SPEAKER: I will allow you. Mr. Madhu Limaye has raised a point that this Bill cannot be taken up for consideration. This is the point of order. I would like you to confine your submissions to this only.

SHRI S. M. BANERJEE: Sir, I am only on this point. I have three points. When the Speaker quoted the ruling that this can be discussed even though the highest judiciary, the

Supreme Court is seized of the matter....

MR. DEPUTY-SPEAKER: What do you say about that?

SHRI S. M. BANERJEE: You are writing something. Please hear me, Sir.

MR. DEPUTY-SPEAKER: I am trying to summarise and categorise the points raised by Shri Madhu Limaye.

SHRI SOMNATH CHATTERJEE (Burdwan): Please don't write out the judgment before hearing us.

MR. DEPUTY-SPEAKER: No, no.

SHRI S. M. BANERJEE: I rely on the observation made by Shri Limaye regarding clause 10 of the Bill. I will not develop it, it will be developed more effectively by Mr. Somnath Chatterjee. Thirdly, once this Bill becomes an Act, all the legislations passed by this august House, namely, the Payment of Bonus Act, the Payment of Wages Act, the Minimum Wages Act, the Industrial Disputes Act, etc. will become infructuous.

MR. DEPUTY-SPEAKER: All this can be said when the Bill is taken into consideration. How do they stop us from proceeding with this?

SHRI S. M. BANERJEE: Should a Bill be discussed which will negate all the other Acts passed by this House?

MR. DEPUTY-SPEAKER: You can throw out clause 10 or even the entire Bill if you can when it comes up for consideration.

SHRI S. M. BANERJEE: They are in a huge majority. How we can throw out anything unless you come to our rescue?

SHRI SOMNATH CHATTERJEE: Sir, the point I am going to make is one of great substance and I request

the Finance Minister to listen to me. So far as this House is concerned, our power is supreme within the legislative list assigned to Parliament, i.e. Lists I and III. But if we want to amend any law made by Parliament it can be done only by enacting another legislative provision. We can certainly do it. But the question is, has the Parliament the power to provide that a Joint Secretary or Deputy Secretary or Under Secretary can stop the operation of any Act or change the operation of any Act solemnly passed by Parliament.

MR. DEPUTY-SPEAKER: The main point is, What stands in the way of this Bill being taken into consideration.

SHRI SOMNATH CHATTERJEE: We cannot abdicate our function. We are allowing the bureaucracy and the Government to ride rough-shod over an Act which has been enacted by the Parliament. The application of a statute which has been duly enacted by this House cannot be altered by a Scheme which is nothing but rules to be framed by the bureaucracy and the Government.

MR. DEPUTY-SPEAKER: That is exactly what we should consider now.

SHRI SOMNATH CHATTERJEE: Can the House allow a subordinate legislation to alter an Act which has been passed by this House? I cannot understand, by rule-making power, you give the power to the bureaucracy to affect the operation of a statute passed by the Parliament. Can the Parliament allow the laws to be tinkered by the bureaucracy? Can the rulemaking power affect the operation of the laws?

MR. DEPUTY-SPEAKER: That is exactly what we should consider now.

SHRI SOMNATH CHATTERJEE: Before we continue with the consideration of it, I ask, can a rule-making power affect the operation of a statute Clause 10 says....

MR. DEPUTY-SPEAKER: Before the Minister moves a formal motion for consideration, we have started considering it.

SHRI SOMNATH CHATTERJEE: It says:

"...every scheme framed under this section shall have effect notwithstanding anything contained in any law (other than this Act) for the time being in force...."

It means, whether it is a State law, whether it is a Municipal law, whether it is a Central law, it is subject to the rule-making power of the Central Government by notification which is to be done by an Under Secretary. This cannot be done. The Parliament will be failing in its duty if it allows that.

MR. DEPUTY-SPEAKER: Nothing prevents the House from throwing out this clause.

SHRI ATAL BIHARI VAJPAYEE: Is it to be decided by majority vote?

MR. DEPUTY-SPEAKER: Of course the House has to decide it. How else do we do it.

SHRI SOMNATH CHATTERJEE: A similar provision was made in the companies Act, When an objection was taken. I am happy, the Law Minister realised the importance of it and he withdrew that.

SHRI H. N. MUKERJEE (Calcutta—North-East): Sir, may I submit you have got to apply your mind to it. It goes into the root of the parliamentary working. On the face of it, it is clear that certain other Acts, like, the Payment of Wages Act are going to be violated by subordinate legislation, by the application of rules under the authority of the Government. If a Bill purports to do that, to me it is clear—it may or may not be clear to you; you have to apply your mind to it—that it is exactly at this point of time that you are called upon to intervene and save the time of the House from proceeding with a frivolous and gratuitous legislation which is being opposed on other counts also.

[Shri H. N. Mukerjee]

Therefore, from a purely constitutional aspect, I feel, you are called upon to abjudicate upon it here and now.

MR. DEPUTY-SPEAKER: Let us hear the Minister.

SHRI YESHWANTRAO CHAVAN: Sir the major point, really speaking, is whether there is any procedural or rule making position here which is coming in the way of consideration of this Bill at this stage. The essence of the constitutional points which the hon. Members have tried to raise was considered at the introduction stage by you. The major point is, whether there is anything unconstitutional in the law which may be considered by this House or not and on that you have given your ruling....

SHRI MADHU LIMAYE: You do not have an open mind.

SHRI YESHWANTRAO CHAVAN: On what?

SHRI MADHU LIMAYE: On clause 10.

SHRI YESHWANTRAO CHAVAN: I have an open mind. As long as the House is considering it, it has an open mind. You cannot take the position that the House cannot consider it.

SHRI MADHU LIMAYE: Whether Government can by notification or by an exercise of its rule-making power or by an order modify a statute. That is the point.

SHRI YESHWANTRAO CHAVAN: Any rule-making power of Parliament is maintained because whatever rules and schemes that we make under the rules are ultimately laid on the Table of the House and the Parliament can modify those schemes. There is no question about power of Parliament being curtailed.

14 hrs.

Another point that Mr Madhu Limaye raised was about modification. Under rule 71 we can introduce the

Bill with or without modification So, modifications are permitted.

The main point that he raised was about the Statement of Objects and Reasons. It is mentioned in the Statement of Objects and Reasons, in the first paragraph:

"...The Ordinance provides for compulsory deposit—

(a) for a period of one year of the whole of the additional wages; and

(b) for a period of two years of one-half of the additional dearness allowance."

This is the essence of the Bill. This is the Ordinance. As far as this particular part of the Ordinance is concerned, it is not changed. What is being changed, by certain modifications in the rules etc., and clarifications, is how it is to be brought about. As far as the Ordinance is concerned as I have pointed out, it is not modified. Certainly we have made some modifications, and these modifications are permitted under the rules.

श्री मधु लिमये : आपने एकमपनेनेटरी नोट्स क्यों नहीं दिए ?

SHRI YESHWANTRAO CHAVAN: Giving explanatory notes is a matter of convenience. In the case of small Bills explanatory notes are not normally given. In the case of big Bills which are rather complicated, certainly explanatory notes are given. In the case of a small Bill like this with 20 clauses, explanatory notes are not given.

He also raised a question about Clause 17. Really speaking, this does not come at this stage. However, since he has raised the point, I am mentioning it. Clause 17 corresponds to Clause 14 of the original Ordinance. It is the same. I do not know what changes he thinks, we have made in this.

श्री मधु लिमये: आप बैठ जायें तो मैं बता दूंगा।

SHRI YESHWANTRAO CHAVAN: I do not want to carry on this dialogue. According to me, Sir, this point of order is not valid.

श्री मधु लिमये: आपसे डावलता वरना ही बेकार है। आप अपने मन से कानून कमी नहीं बनाते हैं। (व्यवधान)

MR. DEPUTY-SPEAKER: Mr. Madhu Limaye, please sit down. You have raised a point of order and the Minister has replied. The matter can be settled only by a ruling from the Chair. Now I am going to give my ruling on this point of order.

Mr. Madhu Limaye's contention is that this Bill cannot be taken up for consideration and he has given a number of grounds. I tried to note them down. The first ground is that the Bill differs in its provisions of the Ordinance....

SHRI S. M. BANERJEE: Substantially.

MR. DEPUTY-SPEAKER: Whatever it is that is the first ground. The second ground is that the Statement of Objects and Reasons is misleading...

SHRI MADHU LIMAYE: In the light of the Ordinance.

MR. DEPUTY-SPEAKER: The Minister has said that the modifications in the Bill are only of a clarificatory nature whereas, in Mr. Madhu Limaye's opinion, these are substantial. This is the second ground.

The third ground is that there are no explanatory notes to the provisions of this Bill.

The fourth ground is that Clause 17 is misleading. In Mr. Madhu Limaye's opinion, it involves delegation of legislation....

SHRI MADHU LIMAYE: It came within the rule-making clause. In the Bill it was deliberately transferred to mislead the House.

MR. DEPUTY-SPEAKER: In your opinion, this involves delegation of legislation but here it is put outside that purview. But according to the Law Minister, the other day, this is not delegation of legislation; this is conditional legislation; this was what he said. Regarding clause 10 you say this, and this point is reinforced by Mr. Banerjee that it involves executive of delegation of legislation....

SHRI S. M. BANERJEE: It comes under the same thing....

MR. DEPUTY-SPEAKER: To the extent that it renders all the other Acts passed by this House....

SHRI S. M. BANERJEE: I have mentioned certain Acts.

MR. DEPUTY-SPEAKER: Order please. I will name these Acts for you if you like. One is the Payment of Wages Act. Another is Payment of Bonus Act. There are so many other Acts. It is not only here but I have read in the papers also that these are the grounds made somewhere else. Lastly my very respected senior colleague Prof. Mukerjee wants me to apply my mind to this. Whether I should come in the way of this Bill. That is what he asked me to do. I will deal with these points one after another.

Firstly nothing prevents the Government from coming with the Bill modifying the Ordinance. Nothing prevents them. This is Rule No. 71 which is well-known. We discussed this a few days back.

SHRI MADHU LIMAYE: No controversy over that.

MR. DEPUTY-SPEAKER: You give up that point?

fore I rule that this Bill should be considered.

श्री मधु लिमये : यह ग्राउण्ड मैंने दिया ही नहीं था । मैंने कहा था :

He has no right to mislead the House; he should specify what changes he has made.

MR. DEPUTY-SPEAKER: With regard to the Statement of Objects and Reasons, the question is, whether modifications are clarificatory or they are of a substantial nature. This is a matter of opinion. You think they are substantial; they think they are clarificatory. That is exactly the subject matter for discussion.

SHRI MADHU LIMAYE: You have even powers to revise the statement.

MR. DEPUTY-SPEAKER: I hold this is a matter of opinion. The House should consider this matter.

SHRI ATAL BIHARI VAJPAYEE: Have you no opinion in this matter?

MR. DEPUTY-SPEAKER: The role of the Chair is to guide the proceedings of the House. It has to act as a catalyst. I said that My role is to set in motion thoughts and ideas and so on and things like that, but the House will formulate and come to a decision.

श्री मधु लिमये: लेकिन यह एवः दीवार की तरह खड़े हैं । बिनाजा श्री कॅटेनिस्ट एजेंट आप बनिगें, प्रवाह तो रुकः ही जायेगा ।

MR. DEPUTY-SPEAKER: Not every Bill has an Explanatory Note. It is not there with reference to every bill. That is not the ground. With regard to Clauses 17 and 10, these are matters which can be brought when a discussion on these Clauses is taken up. With regard to what Prof. Mukerjee said, I may respectfully submit the duty of the Chair is not to obstruct discussion but to facilitate discussion. And there-

SHRI SOMNATH CHATTERJEE: It cannot be disputed that a most unusual type of power is being sought to be taken by Government. This Bill involves a proposal for delegation of legislative power. According to rule, it has to be accompanied by a Memorandum explaining such proposals and drawing attention to the scope and stating also whether they are normal or exceptional in character. An unusual and exceptional provision is being incorporated. It is not of a normal character.

Sir, this is a most glorious understatement and a misleading statement that can ever be made. The delegation of legislative power is of the most abnormal, unusual and exceptional character that has been prescribed. This is not of a normal character. It only gives a misleading idea to the Members of the House. Unless a proper memorandum regarding delegated legislation is submitted, we cannot proceed with the further discussion of this Bill.

SHRI YESHWANTRAO CHAVAN: Sir, again this is trying to express an opinion whether it is abnormal or not. We do not think that it is abnormal. It is very normal rule-making power that has been mentioned in the Memorandum submitted.

Therefore it is normal.

SHRI SOMNATH CHATTERJEE: What is the exceptional delegation? Kindly give your ruling on this.

श्री मधु लिमये : उपाध्यक्ष महोदय, नियम 69(2) आप देखें, मैं उसको पढ़ना चाहता हूँ :

"Clauses or provisions in Bills involving expenditure from the Consolidated Fund of India shall be printed in thick type or in italics."

बहु हिन्दी विधेयक है मेरे पास, वित्त मंत्री जी बतायें कि इसमें कौन सा क्लॉज इंटेलिक्स में है ?

MR. DEPUTY-SPEAKER: You read the proviso also.

श्री मधु लिमये : वह तो आपको करना है, मुझे पढ़ना है। जो मेरे लायक है वही मैं कहूँगा। क्या हिन्दी के लिये यह नियम लागू नहीं है ? क्या हिन्दी को कनिष्ठ दर्जा दिया गया है ?

श्री अटल बिहारी वाजपेयी : यह आपत्ति बहुत ही गम्भीर है, भविष्य में ध्यान रखना होगा।

श्री मधु लिमये : इस सदन में 150/200 सदस्य ऐसे होंगे जो अंग्रेजी नहीं जानते हैं और हिन्दी के साथ-थोर अन्याय हो रहा है। इस पर आपको रुलिंग देनी चाहिये।

MR. DEPUTY-SPEAKER: Just a minute. Now let us not mix up too many issues. But I think that since Mr. Limaye's point is very minor, I would dispose that off.

श्री मधु लिमये : जो ग्राउण्ड मैं नहीं लेता, उसकी आप चर्चा कर रहे हैं।

MR. DEPUTY-SPEAKER: I Just wanted to dispose of this. This is a relatively minor point. It has been printed in thick type.

SHRI S. M. BANERJEE: In that case, my submission will be this. You will declare that all the Hindi Bills... (Interruptions).

MR. DEPUTY-SPEAKER: I think the only substantial point is the one raised by Shri Chatterjee. But that is again for the House to decide whether this delegation of legislation is of a normal or exceptional character. Mr. Chatterjee holds that it is of an

exceptional character. The Minister said that it is normal.

SHRI SOMNATH CHATTERJEE: You have to give your ruling on it. This is a matter relating to the procedure of the House.

SHRI C. M. STEPHEN (Muvattu-puzha): Sir, there are stages for the Bill. After passing that stage only this Bill came to the House. The Bill has got to be scrutinised at the stage of asking for leave for introducing the Bill. The leave was asked for; the matter was fully discussed. The title of the bill etc., to be introduced was discussed here. Even the constitutional question was also discussed. And then the House took a decision that the Bill be introduced. So the Bill once it has been introduced, then it is governed by rule 74. We cannot go beyond that.

The Bill is introduced. Subsequently, "the Member incharge makes one of the following motions". Then it is taken up. So my submission is that once this Bill is introduced and once the Member has moved the Bill for consideration, all these minor things and fringes cannot be gone into. That is a closed chapter; the House must be permitted to proceed straightway to consider the Bill. All the other things fall completely.

SHRI S. M. BANERJEE: What about my motion?

MR. DEPUTY-SPEAKER: I have seen your motion but let me first refer to what Mr. Stephen has said. I am sorry I cannot uphold the submission of Mr. Stephen. At the stage of motion for leave to introduce the Bill we considered certain objections and, also, we considered the legislative competence of this House and the House decided on that. We will not go into that question. But if at the stage of consideration certain serious lacunae are discovered or brought to the attention of the House as, for example, if the

[Mr. Deputy-Speaker]

delegation of legislation is normal or not, it is a matter of opinion and for the House to decide. The House is competent to pronounce on that. But if in course of that certain things are discovered, then nothing prevents the House from deciding that discussion of the debate or of any particular clause may be adjourned. It does not mean once it is introduced we must go through it. But whether this delegation of legislation is normal or exceptional, again, it is a matter of opinion and for the House to decide. It is not for me. The Speaker can make a preliminary examination of certain things, but once the matter has come before the House then it is for the House to decide.

SHRI H. N. MUKERJEE: Sir, do we have in our possession a statement in regard to these proposals about delegated legislation being of normal character? We do not. I want to draw your attention to Rule 70:

"A Bill involving proposals for the delegation of legislative power shall further be accompanied by a memorandum explaining such proposals and drawing attention to their scope and stating also whether they are of normal or exceptional character."

This statement should come not now when the points of order have been raised but in a memorandum stating in so many words that this is of normal character.

MR. DEPUTY-SPEAKER: What does the rule mean? I will read:

"A Bill involving proposals for the delegation of legislative power shall further be accompanied by a memorandum explaining such proposals and drawing attention to their scope and stating also whether they are of normal or exceptional character."

This Rule requires this should be done. Once this is done then, I think, the requirement of this rule is met.

They have come forward with it and stated it is of normal character. As far as the rule is concerned they have fulfilled the requirement.

SHRI YESHWANTRAO CHAVAN: Sir, the circumstances which necessitated the promulgation of the Ordinance as a part of the various anti-inflationary measures adopted by the Government have already been explained in the Statement I laid on the Table of the House on Monday. I would not also repeat what is already there in the Statement of Objects and Reasons.

Sir, I must however emphasise the fact that this measure does not at all amount to a wage freeze. There is no embargo on wage revisions. There would also be no interference in any manner with the normal process of wage negotiations. The Scheme would only immobilise for a temporary period additional wages and part of additional dearness allowances. While additional wages would be fully immobilised for a period of one year through compulsory deposits, half of the additional dearness allowance would be similarly immobilised for a longer period of two years. There will be no reduction in the emoluments of an employee compared to what he was drawing before the Ordinance, by the operation of the Scheme.

Government fully recognise that the temporary immobilisation, particularly of 50 per cent of additional D.A. might cause hardship. However, we have tried to mitigate this hardship by offering an attractive rate of interest, viz. 2½ per cent above the bank deposit rate which is today 10 per cent. Repayments of the deposits would be in five equal annual instalments from the expiry of the period for the respective deposits, but interest due would be paid in full along with each repayment. To the extent that the temporary immobilisation of additional emoluments will help to reduce the pressure of demand, it would confer benefits on all sections of the commu-

nity particularly fixed income earners. I would, however, like to emphasise that the decision to immobilise additional emoluments in no way implies that we regard wage increases as the primary source of inflation. Hence this measure alone would not be sufficient to contain the inflationary forces and stabilise the economy. What is contemplated is an attempt through a series of measures to break the vicious circle of money incomes endlessly chasing prices and this is one such measure.

I have taken the opportunity to make certain modifications in the Bill which are mainly of a clarificatory or procedural nature. I would like to draw particular attention to the following.

The definitions of the terms 'additional dearness allowance' and 'additional wages' have been made exhaustive to cover various situations. Clause 2(b) defines additional dearness allowance as the increase in dearness allowance which may be sanctioned after the date of the Ordinance with reference to the rates in force prior to such sanction. Explanation I inserted under this sub-clause is to clarify that where D.A. payments are not sanctioned as such but are linked to a cost of living index or any other factor any automatic payment, after the date of the Ordinance, consequent on any rise in such cost of living index or other factor will be deemed to be additional dearness allowance. Explanation II clarifies the position in regard to employees who enter service after the date

of the Ordinance. In the case of a new entrant additional DA will be computed with reference to the rates which were applicable to his post on the date of the Ordinance.

Clause 2(c) defines 'additional wages' and mentions exemptions to wage increases. It has been made clear that computation of additional wage would be with reference to the rates in force before the Ordinance and the rates thereafter. When wages are paid on piece rate basis if the piece rate remains the same, no amount would be impounded irrespective of the quantum of earnings. In some establishments, in addition to a fixed time wage incentive wages are paid for production above a base level. Increased earnings under such incentive schemes also would not be affected so long as the rate of incentive range remains the same. This way I have taken special care to ensure that incentives for additional production are well maintained.

I would also particularly draw the attention of hon. Members to item (v) of this sub-clause. In the ordinance, exemption was given to wage increase in pursuance of the recommendations of the Third Pay Commission. In the Bill, wage revisions of State Government employees in pursuance of recommendations of Pay Commissions appointed by the State Governments which reported before the date of the Ordinance have also been placed on the same footing. In addition I have proposed in the Bill exemption for wage revisions in pursuance of the recommendations of the Committee

[Shri Yeshwantrao Chavan]

constituted before the date of the Ordinance, by Parliament, Supreme Court or any High Court because of the nexus between the scales of remuneration for these categories of employees and those of the Central or the State Government concerned, as the case may be

The scope of the term 'additional wage' has been clarified by explanations thereunder. Where wage revision made after the 6th July, 1974, takes retrospective effect, arrears up to that date will not form part of the additional wages. However differences between the pre-revised wages on the 8th July, 1974 and the revised wages payable to an employee after that date will constitute additional wages.

Explanation II under this sub-clause seeks to clarify the position in regard to payments of bonus including incentive and production bonus. To encourage efforts towards larger production it has been proposed that in computing additional wage, higher bonus payments would be attracted only where the rate of bonus is raised after 6th July, 1974. Thus higher bonus payments becoming due to an employee on account of larger production in a Unit, but the rate remaining unchanged would be exempt.

Clause 3 covers all employees in the organised sector. Employees of establishments under public charitable and religious trusts have also now been included. Provisions have, however, been made in clause 17 to give exemptions to any establishment or category

of employees working in any establishment where the public interest or the peculiar circumstances of the case so require and also to exempt from depositing additional wages totally or partially to avoid hardship.

Clause 6 relates to procedural arrangements for deduction of compulsory deposits, their accounting and remittance to the nominated authorities. Briefly every employer will be responsible to make deductions on account of additional wages and one half of the additional dearness allowance while making salary payments to the employees maintain employee-wise accounts of the compulsory deposits and remit the amounts compulsorily deducted to the nominated authorities for eventual deposit with the Reserve Bank of India.

In making compulsory deductions it will be ensured that an employee does not suffer any diminution in his wages as a result of the operation of the scheme. The explanation below this clause accordingly provides for set-offs for compulsory contributions to any provident or other fund out of additional wages or additional dearness allowance.

Clauses 12, 13, 16 and 22 are new and clauses 14 and 20 have been amplified. I would not burden the House with the details about these clauses which are designed to ensure smooth implementation of the scheme in the non-Government sector. I may add that the provisions included therein are generally on the lines of the provisions contained in the Employees'

Provident Funds and Family Pension
Fund Act, 1952.

Mr. DEPUTY-SPEAKER: The ques-
tion is:

These and other minor changes made in the Bill are either by way of clarification to make the intentions clearer or procedural refinements to ensure its smooth implementation.

Sir, I move.

MR. DEPUTY-SPEAKER: Motion
moved:

"That the Bill to provide, in the interests of national economic development, for the compulsory deposit of additional emoluments and for the framing of a scheme in relation thereto and for matters connected therewith or incidental thereto, be taken into consideration".

Shri Banerjee has given a motion well in time, at 10 a.m. this morning to the Speaker seeking to move that the debate on the Additional Emoluments (Compulsory Deposit) Bill, 1974 be adjourned.

In view of the very strong feelings that Members have on this Bill, I see no objection to admitting this motion. The hon. Member may move it and I shall put it to the House.

SHRI S. M. BANERJEE: I have already given the reasons for this, and so I need not mention them again. I move under rule 109 that the debate on this black bill be adjourned. I beg to move:

"That the debate on the Additional Emoluments (Compulsory Deposit) Bill 1974, be adjourned."

"That the debate on the Additional Emoluments (Compulsory Deposit) Bill, 1974, be adjourned."

Let the Lobbies be cleared.

The Lok Sabha divided:

Division No. 12]

[14.36 hrs.

AYES

Bade Shri K. V.
Banera, Shri Hamendra Singh
Banerjee, Shri S. M.
Bhattacharyya, Shri S. P.
Brahman, Shri Rattanlal
Chandra Shekhar Singh, Shri
Chandrappan, Shri C. K.
Chatterjee, Shri Somnatn
Chaudhary, Shri Ishwar
Chowhan, Shri Bharat Singh
Das, Shri R. P.
Goswami, Shrimati Bibba Ghosh
Gowder, Shri J. Matha
Halder, Shri Madhuryya
Halder, Shri Krishna Chandra
Huda, Shri Noorul
Jordar, Shri Dinesh
Kachwai, Shri Hukam Chand
Kalingarayar, Shri Mohanraj
Kathamuthu, Shri M.
Krishnan, Shrimati Parvathi
Lalji Bhai, Shri
Mavalankar, Shri P. G.
Mehta, P. M.
Modak, Shri Bijoy
Mohammad Ismail, Shri
Mukerjee, Shri H. N.
Mukherjee, Shri Samar
Mukherjee, Shri Saroj

Muruganantham, Shri S. A.
 Patel, Kumari Maniben
 Pradhan, Shri Dhan Shah
 Ram Kanwar, Shri
 Saha, Shri Gadadhar
 Sambhali, Shri Ishaque
 Sen, Dr. Ranen
 Shakya, Shri Maha Deepak Singh
 Verma, Shri Phool Chand.

NOES

Ahirwar, Shri Nathu Ram
 Ansari, Shri Ziaur Rahman
 Appalanaidu, Shri
 Babunath Singh, Shri
 Banamali Babu, Shri
 Barman, Shri R. N.
 Barupal, Shri Panna Lal
 Basappa, Shri K.
 Basumatari, Shri D.
 Besra, Shri S. C.
 Bhargava, Shri Basheshwar Nath
 Bhattacharyya, Shri Chapalendu
 Chandrika Prasad, Shri
 Chavan, Shri Yeshwantrao
 Chhuttan Lal, Shri
 Daga, Shri M. C.
 Das, Shri Anadi Charan
 Das, Shri Dharnidhar
 Dasappa, Shri Tulsidas
 Desai, Shri D. D.
 Dhamankar, Shri
 Doda, Shri Hirald
 Dube, Shri J. P.
 Dumada, Shri L. K.
 Engti, Shri Biren
 Ganesh, Shri K. R.
 Ganga Devi, Shrimati
 Gautam, Shri C. D.
 Gogoi, Shri Tarun
 Gomango, Shri Giridhar

Gopal, Shri K.
 Gotkhinde, Shri Annasaheb
 Gowda, Shri Pampan
 Hari Kishore Singh, Shri
 Hashim, Shri M. M.
 Ishaque, Shri A. K. M.
 Jadeja, Shri D. P.
 Jamilurrahman, Shri Md.
 Jeyalakshmi, Shrimati V.
 Jha, Shri Chiranjib
 Joshi, Shri Popatlal M.
 Kailas, Dr.
 Kakodkar, Shri Purushottam
 Kale, Shri
 Kamble, Shri T. D.
 Kamla Kumari, Kumari
 Kapur, Shri Sat Pal
 Kasture, Shri A. S.
 Kavde, Shri B. R.
 Kedar Nath Singh, Shri
 Kinder Lal, Shri
 Kotoki, Shri Liladhar
 Kotrashetti, Shri A. K.
 Kulkarni, Shri Raja
 Lakshmunarayanan, Shri M. R.
 Lutfal Haque, Shri
 Mahajan, Shri Y. S.
 Maharaj Singh, Shri
 Majhi, Shri Gajadhar
 Majhi, Shri Kumar
 Mallikarjun, Shri
 Mandal, Shri Jagdish Narain
 Manhar, Shri Bhagatram
 Maurya, Shri B. P.
 Mirdha, Shri Nathu Ram
 Mishra, Shri Jagannath
 Mohammad Tahir, Shri
 Mohammad Yusuf, Shri
 Mohan Swarup, Shri
 Murmu, Shri Yogesh Chandra
 Naik, Shri B. V.
 Painuli, Shri Paripoornand
 Palodkar, Shri Manikrao

Pandey, Shri Damodar
 Pandey, Shri Krishna Chandra
 Pandey, Shri Narsingh Narain
 Pandit, Shri S. T.
 Partap Singh, Shri
 Patel, Shri Arvind M.
 Patel, Shri Natwarial
 Patil, Shri C. A.
 Patil, Shri Krishnarao
 Patil, Shri T. A.
 Peje, Shri S. L.
 Purty, Shri M. S.
 Raghu Ramaiah, Shri K.
 Rai, Shrimati Sahodrabai
 Ram Singh Bhai, Shri
 Ram Surat Prasad, Shri
 Raut, Shri Bhola
 Ray, Shrimati Maya
 Reddi, Shri P. Antony
 Reddy, Shri K. Ramakrishna
 Roy, Shri Bishwanath
 Rudra Pratap Singh, Shri
 Sadhu Ram, Shri
 Saini, Shri Mulki Raj
 Samanta, Shri S. C.
 Sanghi, Shri N. K.
 Sankata Prasad, Shri
 Sarkar, Shri Sakti Kumar
 Sathe, Shri Vasant
 Satpathy, Shri Devendra
 Savant, Shri Shankerrao
 Shankar Dev, Shri
 Shankaranand, Shri B.
 Sharma, Shri A. P.
 Shivnath Singh, Shri
 Shukla, Shri B. R.
 Sinha, Shri R. K.
 Sohan Lal, Shri T.
 Stephen, Shri C. M.
 Suryanarayana, Shri K.
 Uikey, Shri M. G.
 Verma, Shri Sukhdeo Prasad
 Virbhadra Singh, Shri
 Yadav, Shri N. P.

MR. DEPUTY-SPEAKER: The result of the division is: Ayes 38; Noes 117, The Motion was negatived.

MR. DEPUTY-SPEAKER: We proceed with the consideration of the Bill.

SHRI SOMNATH CHATTERJEE (Burdwan): We are sure that this is a most pernicious measure brought by the Government. We charge that this Bill is nothing but a declaration of war against the struggling working class of this country. Sir, this will not achieve its so called objectives of controlling inflation, but Sir, it will surely achieve and is bound to achieve this; it will force starvation of 18 million working people of this country and their families which will comprise about nine crores of people. Sir, according to us, this is a thoroughly unconstitutional Bill. A very laborious attempt was made by the hon. Law Minister on the last occasion to somehow make out a case of the legislative competence of this House to discuss this Bill. But, certainly, we have not been convinced by him. Now that the hon. Supreme Court has found that there is a strong *prima facie* case, which has persuaded the Supreme Court to admit a writ petition and issue a *rule nisi* against the Government, it was all the more necessary that this Government, if they had any respect for the Supreme Court, although they say so many things, they should have postponed the discussion on this Bill until the Supreme Court, the highest judicial body in this country decided about its validity. Sir, the other important aspect is, whatever the hon. Finance Minister may say, this is nothing but a measure to impose a wage freeze. Sir, the fact that this Government could not wait for Parliament to be summoned, which was going to sit within 16 days, and the fact of promulgation of this Ordinance shows its utter disrespect for the legislative processes and for Parliament's supremacy in this country. After they have obtained this massive majority as they remind us from time to time, they have thrown all the

[Shri Somnath Chatterjee]

canons of decency and decorum so far as Parliamentary institutions are concerned and they do not even bother to issue Ordinances with regard to financial matters. Just before a fortnight before the House was going to sit, such an important measure, which is going to affect a very large section of the common people of this country was promulgated as an Ordinance, which, Sir, we very much condemn. Sir, we are discussing today... (Interruptions) Sir, unless the House is brought to order...

MR. DEPUTY-SPEAKER: You can go to the Lobby or the Central Hall.

SHRI SOMNATH CHATTERJEE: Sir, we are discussing this Bill under the shadow of the brutal murder of three workers of a wagon factory at Bharatpur in Rajasthan by the trigger happy police acting at the behest of an un-sympathetic administration. Instead of controlling black money and inflation, the result of this anti-people measure has been that the blood of the working people has been spilt in this country. Sir, can anybody deny that with galloping inflation, the working people of this country have been groaning under an extremely difficult financial condition which has been primarily brought about by a bankrupt economic policy and the rule of black money to which this Government has surrendered for its own partisan purpose? This black money economy has been fostered by this ruling party and the people of this country cannot or will not ever remain a subject of their mercy. Sir, this galloping inflation has immobilised the earnings of the common people of this country. The value of rupee has been reduced by reason of rising prices. How long will the working class, the common people and the middle class people, go on tolerating this type of legislation? Their very subsistence is now being threatened.

Sir, I am very happy to note that the working class in this country is

ments (Compulsory Deposit) Bill

getting united, more and more united on this anti-people measure, Sir, I can only state that if such policies are adopted in future, the kind of repression that was let loose during the railway strike, people's voice cannot be muzzled for ever by such repressions. So far as the Statement of Objects and Reasons of this Bill is concerned, kindly see what a hoax is being perpetrated on the people. It says:

"Periodical revision of wages and adjustment in the rates of dearness allowance which have been adopted as remedies for moderating the impact of rising prices have been proving ineffective."

As if DA is given as a matter of bounty. The very basis of DA is that the real income is reduced because of the inflation and rising prices. The method of providing DA only partly compensates the workers for the increase in the cost of living that has already taken place; it is not for future increase in prices. Therefore, DA is the minimum provision that has to be made. DA never keeps pace with the rising prices. But in the name of controlling inflation this Government has thought it fit to impose a cut on DA, which is the minimum required to offset somewhat the rising prices in this country.

A sermon has been given in the statement of objects and reasons, by this Government which has hardly any *locus standi*. It must practise first what it tries to preach. It says:

"In the circumstances, urgent steps aimed at breaking this vicious circle of money incomes chasing prices became inescapable. These measures undoubtedly involve some sacrifices by different sections of the community."

A wonderful selection has been made for this purpose. The ordinary people of this country numbering 18 million, out of whom at least 60 per cent have a monthly income of less than Rs. 500, are being asked to make sacri-

see. The sacrifice is being asked to be made by that section of the people who are already in utter misery and do not get even two square meals a day. This Government is unable to give them food, the essential commodities and the medicines for the sick. They are unable to arrange for the education of the children. This Government which is sitting in an ivory tower with the monument of luxury in Rashtrapati Bhavan—ministerial luxury has become the last word in luxurious living in this country—it is they who are giving sermons to the common people, whose actual wages may be 500 but whose real wage is less than Rs. 100. You are asking them to bear the greater brunt of the sacrifice, as an apology to show that they are not against the working class only but also against the rich people, they have tried to bring forward that Bill putting restrictions on dividends and Income-tax Payers Bill which we shall discuss later. This Government is not entitled to give this sermon. Their intention is to go on putting pressure on the working people so that they remain in their mercy.

Who is responsible for this rising inflation? Are the working class responsible for it? The position today is the result of the bankrupt, pro-capitalist and anti-people economic policies of the present regime. Because of such policies, inflation has become galloping and the poor and relatively poor people who have been already suffering hardest are going to get the worst of the government measures.

In the name controlling inflation, the real income of the workers is being reduced further. What is the investment climate in this country? What is the position with regard to future generation of employment opportunities? So far as the cut in the Plan outlay is concerned, it is over Rs. 400 crores. There are no new employment-oriented industries which are being set up, there is no creation of new income and the jobs are becoming more and more scarce. With lesser investment, lesser number of jobs would be avail-

able. In this context, what should have been done and what has been done? Government should have generated more employment opportunities by creating a climate for investment. Instead of that, they have chosen as their target of attack the income of the existing employees. This is really a wonderful economy.

You cannot generate more employment, you cannot give new avenues of employment for people to earn their livelihood in a decent manner, unemployment is increasing by leaps and bounds and you have taken this opportunity to get hold of persons who have niggardly income.

The economic policy of this government is nothing but surrender to vested interests. It takes the Government years to formulate the so-called Five Year Plans which they cannot implement. The targets are never fulfilled. I doubt very much whether the economic policy of this Government has got any mooring; assuming there are some moorings, whatever moorings have been there have been completely lost and now it is only a drift.

In the name of policy decisions, ad hoc measures are being taken like this, which will not solve the problem of inflation by any means whatsoever. Has the price of any commodity in this country gone down since the 6th of July? Have the anti-inflationary measures been found to be visible in any sphere of economic activity in the country since this measure been in force? You could not wait for the Parliament to meet and you thought it necessary to make a law by promulgating an Ordinance. Now that more than a month and a half have passed, what is the effect of this measure on prices?

The amount which is expected to be immobilised by this measure is Rs. 450 crores per year or Rs. 900 crores in two years. Out of this 60 per cent will come from the wages and allowances of people earning up to Rs. 500. About 18 million salaried people are

[Shri Somnath Chatterjee]

affected by this measure, a majority of whom cannot afford it.

Have the Government any economic thinking? Only in February this year they reduced the incidence of income-tax because, they say, this is one of the recommendations of the Wanchoo Commission. But they did not implement the major recommendations of the Wanchoo Commission because they dare not touch the black money. Did the Government not realise in February-March this year that the economic condition in this country will be such that they cannot afford to lose any income? Is this mobilisation of resources? For pampering the rich income bracket, in February-March the highest income-tax rate was brought down from 90 to 70 per cent. Within six months you launch your attack, not on the high-income bracket but on those who are earning Rs. 500 or less. Could you not anticipate in February-March that in four or five months the economic condition of this country will be such that you have either to mobilise resources or generate your own resources? Is there any economic thinking in the Government? They reduce the income-tax rates which will benefit the highest income brackets and then they come out within five months with this obnoxious measure.

It is well-known that about 73 to 80 per cent of the middle-class families budget represents expenses on food. Without reducing the cost of food, how can you possibly give any relief to these people or to check inflation? Unless you want that more and more people should starve, unless you want that those people who are getting two meals a day will now get one meal a day and those who are getting one meal a day will be on streets, how are you going to control either inflation or how are you going to help in any manner these people in the country who are already facing great difficulties. With 67 per cent of the population below the poverty line, the

Government living in luxury is now even impounding bonus and gratuity of the common working class in the country. It is a completely shameless proposal. Bonus is no longer anybody's grace. It is a deferred wage. They earn it by their labour. So far as additional wages are concerned, because of rise in prices, by reason of their struggle, they earn it. But this Government impounds it.

What will happen to the money? This money will lie in the coffers of the Reserve Bank. He says, "After five years, I will give you with a very tempting rate of interest of 11½ per cent. What more do you want?" With the rise in prices and the fall in money value of the rupee, it will become less than 1 per cent.

The greatest sacrifices are being asked from the common people who can bear the least. Out of Rs. 900 crores that they expect to immobilise. Rs. 300 crores will have to be paid as interest. They will have processing costs. How much processing cost they will incur? It may be anything between Rs. 50 crores to Rs. 100 crores in five years. They have given a bounty of Rs. 100 crores to the rich people in the last Budget by reducing the rate of income-tax. Therefore, Rs. 300 crores to Rs. 500 crores will go out of the Government sources. This is a sort of apology, as an anti-inflationary measures. If that all it will create deflation. It will not stop inflation at all. It will only mean that the economy of this country will be completely crushed.

So far as public distribution is concerned, this Government has surrendered itself to big hoarders, smugglers and blackmarketeers. In the matter of wheat take-over policy, they have surrendered. What about the Government's performance about the public distribution system? I will give only two figures. In May, 1974, wheat distributed through the public distribution system was 4.18 lakh tonnes. As against that, the corresponding quantity in May, 1973, was 6.8 lakh tonnes. During five months period from Janu-

ary to May, 1974 the total quantity of wheat distributed through the public distribution system was 22.73 lakh tonnes while in the corresponding period, it was 27.40 lakh tonnes. Now, with the dismal performance in the public distribution system, with lesser and lesser procurement, with their surrender to the black-marketeers and hoarders, with their switch over from the wheat take-over policy, how do they expect to control or contain the prices of foodgrains, at least one item of foodgrains? These people are giving lectures to the people to tighten their belts and make sacrifices. They do not even make an attempt or an apology of an attempt to make the necessities of life available to the common people in the country. After 27 years, we heard only yesterday, unless the Parliament brings certain laws under the Ninth Schedule, they are unable to do anything. Why, during the last 27 years have land reforms in this country not been brought about? How can you produce more food in this country unless you get the people involved in the process of agriculture: You will have landlords, you will have kulaks, and you want to generate more resources in this country. How is it possible?

I was astonished to get one figure. I will just tell you. By raising only five paise per kilogram of foodgrains, the big farmers and traders in this country have made Rs. 4,000 crores. This could not have been done without the Government's connivance and blessing. What action has been taken? Mr. Ganesh says that he will go and have a *dharna*. Somebody says that he would go to the railway station to find out what is happening. This is an abject admission of their inability and complete bankruptcy not only to grapple with the problem but even to think about what the problems are. In what way will this inflation be checked. No action is taken against those people who are responsible for the rise in prices, but you are jumping on those common people who are forced to pay high prices because you

are in league with those hoarders and black-marketeers. If this is the policy of the Government, we cannot expect any proposal from them which will be for the benefit of the common people of this country.

So far, no attempt has been made to control the money supply. The other points, Mr. Vajpayee has referred to. My time is very limited. I would submit that this Government would be well advised to withdraw this legislation or, at least, minimise the rigours of it.

Kindly see, Sir,—this is the wonderful economic policy of this country—by supplementary budgets they are seeking to raise more taxes than the original budgets. This is the wonderful taxation policy, this is the wonderful economic policy, of this country. I believe, in world history this has never happened in the past the original taxation proposals have been, within five months, exceeded by supplementary taxation proposals. This is the only regime where this has happened. It is this Government which has brought this country's economy to rack and ruin. The common people are at the mercy of hoarders and black-marketeers, the Government's only friends in this country.

Sir, I oppose this Bill.

MR DEPUTY-SPEAKER: Before I call the next speaker, I would like to make one or two observations. This is a very far-reaching piece of legislation in which the members feel very deeply involved. A few hundred millions of people are involved in this. Therefore, in all fairness, the members should have full opportunity to make their submissions and the Government also should be able to put its case across. However, we are limited by time. We have allotted four hours to this debate and there is a time limit also within which this Bill should be passed. Therefore, I would only put this to the members to keep this in mind and try to be brief and precise.

THE MINISTER OF PARLIAMEN-
 TARY AFFAIRS (SHRI K. RAGHU-
 RAMAIAH): I would like to mention
 that it is the unanimous recommenda-
 tion of the Business Advisory Com-
 mittee that we should try to pass this
 Bill and also the next one today itself
 sitting late if necessary. I am only
 conveying the wishes of the Business
 Advisory Committee.

PROF. MADHU DANDAVATE
 (Rajapur): You want to put the
 time allotted to us also in compulsory
 deposit.

MR. DEPUTY-SPEAKER: You will
 get interest on that.

Mr. Stephen.

SHRI C. M. STEPHEN (Muvattu-
 puzha) The Bill that we are con-
 sidering now is, admittedly, an extra-
 ordinary piece of legislation; this does
 not belong to the normal category.
 This is a type of Bill which would
 be painful for anybody to move, pain-
 ful to support and even for this House
 painful to pass. But nevertheless
 there are occasions in the life of a
 nation and of public men when in the
 discharge of public duties, if you are
 convinced that it is a duty, you will
 have to do certain painful things. It
 is in this spirit that I approach this
 Bill and I offer generally to support
 the Bill.

15 hrs.

Before going to the arguments there
 are one or two things to be emphasised.
 One is what it is not. It is not
 a wage freeze Bill. Nothing stands
 in the way of negotiations being con-
 ducted, wages being reduced, bonus
 being negotiated, etc. I am prompt-
 ed to make one observation after
 hearing Mr. Somnath Chatterjee. This
 Bill is not an effort for resource
 mobilisation at all. Whatever money
 is deposited will not be available to
 the Central or State Governments.

This is not an effort to mobilise re-
 sources. This is an effort to tackle
 the inflation which this country faces.
 There is demand-pushed inflation
 taking on the character of wage-price
 spiral setting in. The inflation which
 is now very fast moving up is taking
 on the character of hyper-inflation.
 Through this Bill the Government is
 appealing to wage earners that for
 one year period they may not rush
 to consumption, to the full extent of
 the money which they may be hav-
 ing cruel though it may be. This is
 the strategy behind the Bill.

As far as I am concerned, there is
 one major problem for the workers
 of this country. The major problem
 is this. It is the rise in prices. They
 are the worst-affected people. Look-
 ing to the index figures, taking 1960
 as the base year, we find this. The
 figures were moving up at snail's pace
 upto 1972-73. It was not a gallop
 at all. In 1969-70 this is 177; 1970-71,
 186, 1971-72, 192; 1972-73, 207
 and thereafter what we find is, it is not
 moving up, it is a gallop. From
 March to May, from 207 that has
 moved up to 228. In December it
 was 260, in January 264, in February
 267, in March 278 in August 283, in
 May, 294. In one year, that is from
 middle of 1973 to middle of 1974 it
 is a jump from 207 to 294. This is
 the position; 50 per cent of jump is
 there. The result is this. The mecha-
 nism evolved earlier, namely, neutra-
 lising it by DA by giving more money
 to workers, so that their real wages
 rise, has ceased to operate. The more
 money you get, the more the real
 wages are sagging.

It is this dilemma which the work-
 ers of this country are now facing.
 This is a dilemma not for the higher
 paid people and not even for the upper
 class people. This is a dilemma which
 the workers are now facing. Who-
 ever may be responsible for this
 dilemma the dilemma is there.

As far as the workers are concerned,
 therefore there is a stage of hyper

inflation, galloping inflation, which has already started. It is horrifying. We will not be able to compensate the whole of it. Where is the mechanism? In the extraordinary situation that has proved to be inefficient or inappropriate or inadequate. To me it appears that this D.A. mechanism was invented but the purpose for which it was invented had failed. So, there must be a fresh thinking made on it. We should have a fresh look at it. For dearth of time, I do not want to go into details of it. As per sources of inflation, there are some types of inflations. One is because of excess demand. It may be that because of fall in production more and more of money is coming into the market. Population is growing. All these factors are creating excess demands. If the production moves up, there will be no extra demand. When there is cost push inflation, that is to say, if the raw material price goes up, as a result of this the price of a product too will go up. That is what we call 'cost push inflation'. The contagion of inflation has come from the neighbouring countries. Finally the wage spiralling inflation comes in. As far as inflation in this country is concerned we find that all these aspects are there. One after the other is coming up. When there is excess demand, inflation comes in. When that is going up, to meet it more of money will have to be put into the pocket. As a result of that the wage for a price spiralling sets in. Now that is practically going out of the hands. So, the question is; what is the solution to this? If we are to tackle the inflationary aspects there are two methods of dealing with them. On the one hand, you have to raise the production; and on the other hand, you curtail the money supply. If these two things can be done then, certainly inflation can be tackled. But, is it an easy solution? That is the question. May be the Opposition parties may say that this is due to the wrong policy followed by Government. The problem is before us. How to tackle that is the question. Is there any proposition being brought forward? Here is

the picture of the money supply and the production figures. We find that they are very appalling. From the Reserve Bank of India paper it will be seen that as far as the consumer goods are concerned, taking the 1960 as the base year in September, 1972 it goes upto 169 whereas the cost of living has jumped up. And from there not today, to September, 1973 it was 157. Once in 1969 it has fallen down. It is not sustaining the level. It is moving down. With respect to the consumer goods industrial index general index the picture is the same. It was 200. But, in September 1973, it was 199. Gradually the production has come down. Whoever may be responsible for it that is the position which is there. The question is: Can we increase the production overnight? On the other hand the money supply figures are also very revealing. As has been pointed out already by my friend it started with Rs. 5,000 crores in 1961 it had gone up to Rs. 17,815 crores—I mean money resources and not the money circulation—and the money circulation figure for the year is Rs. 11,587 crores. It was Rs. 15,453 crores in June 1973. Today it is Rs. 17,850 crores. Therefore the money supply figure has increased but the production has decreased. Inevitably the result is that the price will definitely move up. So long, upto 1972-73 we found a sort of relationship between the two. So much so, there was no let-up in consumer price index. The moment that relationship disappears and once we take an out of balance position, the cost of living index also started picking up. That is the dilemma that I have in view. Here is the position in which the workers' interests can be safeguarded only by pegging the prices. The prices can be pegged only by the increase in the production on the one hand and of curtailing the money supply. I think increase in the production is not immediately possible. It will take a little time for the production to take up the momentum. Therefore, the products available to the country being the same would it

[Shri C. M. Stephen]

be in the interests of the workers to get the money supply being added on that? Already there is money supply to the extent of Rs. 17,000 crores and the economists also tell us that the velocity of the money is going up and added to that the dearness allowance increase during the current year will be to the tune of Rs 900 crores. If that is the position added to this with production remaining the same and not making remarkable breakthrough would it be in the interests of the price position to add on to this additional amount also into circulation and build up the pressure against the consumer goods.

Sir, much has been said about black-money. Black-money is a menace and must be fought but I would submit with respect to the essential consumer goods which the workers want, I do not know to what extent black-money will add to rise in prices. Black-money is used for hoarding. That is a different problem and has to be tackled in a different way. I am at a particular question. Supposing I get Rs. 6 crores in my hand tomorrow and I as a person—if I do not go in for hoarding—this Rs. 6 crores will not build up pressure on the consumer goods whereas if Rs. 6 crores is distributed among one crore of people that money will go immediately in the market to build up pressure on the essential consumer goods. Therefore, when we try to immobilise the money in the market it will have to be seen which type of money has to be immobilised. Certainly, the workers will have to participate in the sacrifice that the nation is being called upon to make. What else is the alternative? For one, do not have any other alternative. If more money is coming in then the prices will certainly move up. On the one side production has to be raised and on the other side during the interregnum some interim measures have to be evolved. It is in that spirit that this Bill has been evolved.

I would like to quote from an article written by Valey Giscard d'Estaing, a very well-known economist and President of France. He has written an article on 'Four types of inflation':

"The fourth type of inflation is self-induced inflation. That a price rise should trigger a rise in all types of income in itself is natural and even desirable because that shows that economic agents, beyond the world of monetary illusion, are reasoning in terms of purchasing power."

The real difficulties begin when the deep-seated inflationary pressures—for example, those leading to any one of the three previously described types of inflation—have toned down and yet inflation continues for the simple reason that rising incomes cause rising prices. Then a new inflationary mechanism goes into action independently, and it is all the more serious in that there are no built-in brakes to it."

"It must be acknowledged that to fight this inflation, which is the gravest type in modern countries, economic thinking is no more advanced than medical thinking about ways of stopping the spread of cancer cells. As in the case of cancer development often moves in an accelerated fashion because the more agents become aware of inflation, the more they try to anticipate it by even higher incomes"

"In order to combat this type of inflation, support has often been expressed for an essentially voluntary incomes policy, which in fact is nothing more than solidarity in moderating the rise of incomes"

"However efforts at arriving at a concerted policy have shown how hard it is to obtain willing consent on this type of voluntary regulation. to the point that some governments have succumbed to the temptation of moving to the stage of regulatory measures;..."

"It is striking to see that this essential field of economic activity is the only one not to have some self-regulating mechanism."

What is said here that there is structural difficulty to be overcome. What I am pointing out is that this is just what is done here. It says further:

"Therefore, there is a structural difficulty to be overcome here. It resembles somewhat the structural difficulty of the monetary explosion brought about by the process of monetary creation by the banks in France. Eventually, the government had to impose its control by creation that factor draws off part of. With each cycle of monetary creation that factor draws off part of the monetary substance until the mechanism can no longer operate. A form of incomes policy might, for example, consist not of just an instantaneous and ephemeral policy but a structural and permanent one, providing for a sort of reserve factor that would cut back by means of temporary taxes or savings at each cycle of the wage-price rise, part of the excess liquidities created thereby, thus braking and then stopping the inflationary process almost automatically."

This cut-back is what is attempted by this law. It is certainly a painful thing, but this cut-back of the additional wages going on as a result of the reserve factor in order to put a brake on the inflationary spiral is what is attempted here.

Having said this I would say that this Bill would have justification or it will have validity only if the income policy has got an equal character everywhere. It is not the worker only who is concerned. Two factors are necessary. One is that there is a particular section among the workers who are low-paid, who have no wages to be cut back at all, to whom unless the whole wage is given, starvation and death would be the only alternative. I have tabled an amendment requesting

that employees who are drawing pay up to Rs. 300 must be exempted from the operation of this measure. I have also requested that at least those workers who have got minimum wages under the statute must not be brought within the purview of this measure. Those who are getting the statutory minimum wage should not be brought within the purview of this measure. Under the law of this country, accepted by the Supreme Court and every other court and tribunal nobody shall be paid anything less than the statutory minimum because that is the bare subsistence level. If he gets some more dearness allowance if that is also to be taken away, you will be condemning him thereby to complete starvation and death, that will amount to a sort of sadism and absolute savagery. Therefore, I have asked for exemption for those categories of workers, and that amendment has got to be accepted. Otherwise what will happen is this. After all, the worker must have his morsel of rice, because tomorrow he has to go and work. For that morsel of rice, he will take a loan from an usurer or he will have an industrial strike in the establishment in order to get money as advance so that he may take back money from what is being deposited. Then it will not be industrial peace that you will be having. Therefore, I submit that this policy will have validity and rationale only if the lowest cadre is left out of the Government's calculation.

Secondly, I would submit that if production bonus is varied, Government should not touch it. But this law says that production bonus and incentive bonus also would come within the purview of this. If higher bonus is given, Government want that also. If raising of production is part of the strategy to fight inflation, then penalising production bonus and incentive bonus makes it lose all its rationale. I have moved an amendment in this regard also.

Thirdly, Government have adopted the principle in this Bill that if in a particular grade of pay an employee

[Shri C. M. Stephen]

gets an increment, that will not be touched. On the same principle, I would submit that the bonus which an employee is entitled to get under the Bonus Act should not be touched. The legal advice that we have got is that the bonus which an employee gets under the Bonus Act would not come within the net of this legislation. This Government of Kerala took that view in all their companies and disbursed bonus on that basis also. Now, if this Bill is passed, that also would be manipulated, because now it has been provided that the bonus that a person gets under the Bonus Act also will come under the net of this legislation.

I would submit this is absolutely cruel. I understand the strategy of cutting back part of the additional emoluments is a painful necessity under the present circumstances. But for heaven's sake, do not take it to a draconian position, a senseless position which would assume the character, if I may repeat the word, of merciless, sadism rather than of tackling the problem. Assume not an attitude of everything or nothing. That is not the attitude to be taken up.

MR. DEPUTY-SPEAKER: Can I impound your additional time now?

SHRI C. M. STEPHEN: Before that I will sit down.

Therefore, my approach to the Bill as I submitted is this: broadly I support the strategy behind the Bill, but I have tabled certain amendments to safeguard the interests of the lower paid workers. What was statutorily guaranteed to them under the Bonus Act, what they got as a return for improvement in production—if these are built into the Bill I shall be happy to support the Bill. Otherwise, it will be very difficult to say 'yes' to the Bill as it is framed.

DR. RANEN SEN (Barasat): The previous speakers, Shri Vajpayee and Shri Somnath Chatterjee referred to the promulgation of the Ordinance a

fortnight before Parliament was due to meet. What was the occasion? It was to corner Rs. 450 crores from the working population and for this the Ordinance was necessary. The Government could not wait for Parliament to meet, discuss the matter fully and come to a conclusion.

This is an obnoxious Bill and during the last 13 years, as far as I remember, such an obnoxious Bill has not been put before Parliament by Government. At one stroke of pen, all the labour legislation, the Payment of Wages Act, the Minimum Wages Act, the Industrial Disputes Act, the Bonus Act, all these have been nullified. I am not speaking from the legal or juridical point of view; I am speaking from the point of view of the working class who for the last 100 years have fought glorious battles for better legislation and sacrificed their lives for that, as a result of which during the latter part of the British rule and in this Congress rule certain good laws, at least partially good laws, were passed. Now at one stroke of the pen, all these laws are being nullified.

15.23 hrs.

[SHRI ISHAQUE SAMBALI in the Chair]

It is said that this is part of a package deal to fight inflation. As Shri Stephen has shown, prices have been rising, galloping. To a question put to Mr. Chavan whether by these measures, including this one, the price rise would be halted, Shri Chavan was helpless: he could not give any guarantee that the prices would be pulled down.

Shri Stephen says it is not a wage freeze. Then what is it? Not only is it a wage freeze, but this is an erosion in the wages of the worker. I will quote certain things at the appropriate time.

Government and its policies are responsible for this galloping inflation, and the working class have to pay for it. They are the victims of the stupidity and criminality of the Government that sits in power in India today. The whole of the additional wages and 50 per cent of the DA are impounded as a result of this. Sir, what is happening in the coal industry? A government machinery was set up. When the document was ready, when both the sides, the CMA, BCCL and the trade unions agreed on certain points, the management said that they have got orders from Delhi not to sign the document. That is stalled. Similarly, in the case of the steel industrial negotiations were taking place. Before the negotiation table, the Steel Authority of India limited comes with the Government order and says 'What is the good of discussing?; there cannot be any wage rise! If this is not wage freeze, then what else is wage freeze?' Before the 6th of July this year, an agreement was reached between the workers of Bata, Calcutta, numbering about 12,500 and the Management of Bata. The earlier agreement expired in December 1973. Earlier, they refused to come to any agreement. There was a strike. As a result of the strike, in the month of June, they got a rise of Rs. 73/- per month. By one stroke, that is nullified. Prices are rising. If there is no increase in the wages, then, there is erosion in the real wages. As a result of this, even the managements are afraid that there will be labour unrest. The management of Bata wrote to the labour Minister of West Bengal. I quote:

"Subsequently, on the 6th July 1974, the Central Government promulgated the 'Additional Emoluments (Compulsory Deposit) Ordinances, 1974' by which, it would appear, that the 12,500 workers involved in the settlement, will be deprived of the immediate relief

and full benefits, concerning the additional wages and dearness allowance plus a lump sum amount."

But, Government says that this will result in increased production. I can give hundreds of examples like this—these cases have come up during the last three months. Let us take the Electronics Corporation of India Limited. Their memorandum, their statement to the Government of India is—I quote:

"If the full additional wage and 50 per cent of D.A. accruing under the agreement are impounded then there is an actual reduction in emoluments. Because the agreement only stipulates merger of D.A. in the basic wage. If the workers are deprived of this because it is 'addition' to wage then they suffer a cut in emoluments."

This is not wage freeze, according to Mr. Stephen. Then, Sir, let us take the case of tea garden labour. They were getting a daily wage of Rs. 3.05, in the area as from where Mr Stephen comes and in the north, from where I come. Under a recent agreement, at least as far as West Bengal is concerned, they got an increase of 40 paise. Instead of Rs. 3.05, they will get Rs. 3.45. According to this law, this is immediately impounded. Is it a joke or what? Is it not a war on the working class? They are attacked now. Sir, no amount of demagoguery or whatever eloquence Mr. Stephen has is going to convince the working class; the working class is going to fight.

Sir, a section of the employers is already afraid. The other day, the Chairman of FICCI made a statement in Calcutta that the whole industrial relations will come to naught. Sir, I will give another example. The HINDALCO workers entered into an agreement with their management. As

[Dr. Ranen Sen]

a result of this agreement, there has been a little increase in their wages. Immediately, this is impounded. There are other examples. I am not going into many examples because I do not have time. This is at a time when black money is operating as the parallel economy; in fact, it is the dominant economy. Mr. Chavan does not rule—it is the black money that rules. Mr. Wanchoo has said that—in those days when he made the report—black money amounted to Rs. 7,000 crores. Now, it is more than Rs. 10,000 crores. In the Wanchoo Committee itself there was another opinion that it was Rs. 10,000 crores. Now, it may be Rs. 12,000 crores, if not more. The exchequer is losing about Rs. 1400 crores every year because of this black money economy. Rs. 450 crores are taken away from the workers whereas Rs. 1400 crores of black money is allowed to remain intact. I am sorry Mr. Stephen said by implication that the workers are responsible to some extent because wage increase leads to price increase.

SHRI C. M. STEPHEN: I never said it.

DR. RANEN SEN: This question was raised in the Indian Labour Conference in 1958 when Mr. Nanda was Labour Minister, Mr. Naval Tata made this statement and Mr. Nanda said, it is affallacious theory. If it was fallacious in 1958, how can it be correct in 1974? What is the percentage of people affected? It is less than 2 crores. Our population is 55 crores. Can giving something to 2 crores affect the national economy? It is stated that the workers are getting more. But even the Government of India has agreed that in real wage of the workers is going down. A survey of the industries shows that the wages and salaries of the workers as a percentage of the value added by manufacture has fallen from 55.8 per cent in 1960 to 53.3 per cent in 1969. The Reserve Bank bulletin last year has confirm-

ed it. So, the workers' share of the value added to manufacture is falling and the workers are made the victims of this scheme. This attempt was made in 1965 by Mr. Morarji Desai. Even the INTUC in those days objected to it and ultimately it had to be withdrawn. In May 1971 when the Prime Minister mooted this proposal with the trade unions, the AITUC rejected it saying, "We are not going to tolerate any direct or indirect wage freeze" and she had to withdraw it.

It is said that the workers are not producing enough. If we take 1960 as the base year, the productivity of the workers increased 100 per cent during the last 14 years. This is also admitted by the employers' organisations. But there is scarcity of goods because the employers have deliberately curtailed production. Who does not know that Lever Brothers deliberately wanted to cut production in Ghaziabad? It was the workers who resisted it and the Government was forced to apply pressure on the company to raise production. The full capacity is not utilised by the employers in the textile and so many other industries. The textile millowners have refused to produce standard cloth, but no steps have been taken against them, except statements in the press and platitudinous appeals to the employers. Are the employees responsible for curtailing production? Are the employees responsible for power shortage all over India? It is due to the short-sighted policy of the Government. 10 or 20 years before, they should have raised the power production. There is scarcity of raw materials. I know for certain, at least in the State of West Bengal, small and medium scale industries are closing down because there is no coal or ferrous or non-ferrous metals available. At the same time, they are available in the black-market. Government say that there is shortage because production is less. But then how could they be avail-

able in the blackmarket at a higher price? Then, things are also being smuggled out? What is the government doing about it?

There are provisions in this Bill as to how this amount will be deducted, how it will be retained and so on. After two years the Government will come out with a statement that several crores of rupees have not been paid by the employers to this fund. We are saying this out of our experience. When Shri Khadilkar was the Labour Minister he said that Rs. 29 crores have not been paid by the employers to the provident fund. In the same way, this money is also going to be embezzled. What is the provision to deal with them? Here it is stated that provided the court may for adequate and special reasons, to be recorded in the judgment, impose a sentence of imprisonment for a term lesser than three months, which will mean till the rising of the court. As the saying goes, once beaten twice shy. What measures are the Government going to take to see that the workers money will not be embezzled by the employers? As Shri Ganesh is present here, I say that the Government will not be able to prevent that, and will not prevent that even if they are able to; Government can do it and they have got the power, but they will never do it. Even if they have not got the power, they can have the power here and now, but they will not do it. That is why this proviso has been brought in surreptitiously. Under this provision the magistrate has the discretion to give a lower punishment in case the employer embezzles the money due to the workers provided he gives the reasons in writing.

This is a blatant attempt to freeze the wages of a large number of workers who are already suffering, the most down-trodden people, the casual labourers who may be earning Rs. 3 a day. If they get 25 paise more, it will be frozen.

Already there are strikes in India. I warn the Government that no amount of repression can stop this strike and no amount of prevarication by people like Shri Stephen will satisfy the workers. I say on behalf of the All India Trade Union Congress and the Communist Party of India that the workers are going to fight against it till the last, fight against it lock, stock and barrel to see that this Bill is not implemented, even though it may be passed here. I oppose this Bill.

SHRI CHAPALENDU BHATTACHARYYA (Giridih): Mr. Chairman, Sir, this Bill has been brought forward as part of a package to control inflation.

There are various budgetary, monetary and fiscal measures possible to control this little understood phenomenon that is called inflation. The question is: Does inflation have multiple causes or could it be that this little understood phenomenon is being confused with its effects? Volumes have been written about inflation, about growth inflation, about inflation resulting from demands or from swelling of money supply or cost, about self-inflation of wages and prices, about the cost-push inflation or the demand-pull inflation. Whatever the nature of this inflation, what is extremely worrisome in the present case is the rate of this galloping inflation.

I will not go over the ground which my hon. friend has covered. So many factors are responsible for this increasing inflationary rate. For instance, if the landed interests do not pay tax or if there is evasion or if there is smuggling or blackmoney or if there are shortfalls in production or if there are unexpected expenditures, all add up to fuel inflation. Coming to the Bill for combating it, as a trade unionist and as one who has been associated with labour movement and given the best years of my life in the cause of

[Shri Chapalendu Bhattacharya]

labour and, particularly, the most down-trodden sector coal mines labour in my region, I naturally feel shy and I have the same allergy and doubts about this sort of control as the British trade unionists had, when John Mayard Keynes mooted similar proposal in 1940 in his book "How to pay for the War". But as an economist, in the context of the grim situation, I think, we have to accept it and make the best of it. I do not say, whether the note of inflation will be brought down by this alone. Other things being equal, if we make a multi-pronged attack, for instance, with this dividend limitation, with this Additional Emoluments Bill as proposed, with the Compulsory Deposit Scheme Bill, decrease in money supply, credit squeeze, increase in savings and, along with that, increase in production both in the factories and in the farms, may be we shall have turned a corner.

For this, what is needed is this. Primarily, inflation is not an economic but a sociological phenomenon. A new consensus has to be built. Here is not a question of knocking one point off the Opposition or off the Government. A new consensus of all the political elements, of the trade unionist elements, has to be found so that we can successfully combat it because the threat to India's economy was never grimmer. This consensus shall have to be reflected in labour participation, in management, and in the factories, in a new form of performance, production and efficiency bonus which should better be put out of the purview of this Bill.

We have to combat what we may call stagflation or stagnation and inflation, going side by side in India's economy today.

Lastly, the portion of the emoluments and allowances which you want to withhold should be fully

ments (Compulsory Deposit) Bill

protected against future price increase. For that, I humbly submit, just 2 1/2 per cent extra interest is not enough. I suggest you kindly give thought to this. So far as this amount which you are withholding from the workers is concerned, they must be fully compensated against future price increase.

AN HON. MEMBER: How?

SHRI CHAPALENDU BHATTACHARYYA: By increasing the amount. If in the next five years the amount goes up by 50 per cent, rather than 2 1/2 per cent, you should fully compensate them for this increase. I am suggesting this for the consideration of Government. I do think that, if we close our ranks, if we rally the workers, if we do not hold out threats across the benches-- after all, these threats will mean further loss of social consensus further industrial unrest, further increase in prices and further suffering of the less protected sections of the people-- if we do not hold out threats and if we constructively try to build up the social consensus, we probably will be able to make it India's economy and India's policy are under attack, from internal as well as external sources. Now is the time to close our ranks at least on this issue.

I would bring to the notice of the Lok Sabha a peculiar aspect of the wage structure. A staid journal like the Economic Journal has brought this out. They say that, whereas on the minimum of the scale, the salary increase has been of the order of 20 per cent over the last 20 years, on the maximum of the scale the increase has been of the order of 44 per cent. In the mines, the increase is just 8 to 12 per cent. So, in spite of this Bill, there is a case, a strong case for revision of wages in the coalfields if we are to successfully combat the energy crisis. After all, we have to substitute petroleum by coal. The

position has been made somewhat difficult because the white-collared workers in the LIC, IOC and banks have been given much higher wages than what has been given for the workers in the coalfields. In fact, the workers there receive practically inversely to the proportion of the hazards which these workers have to face, and they face these hazards daily, every hour, every minute of their working in the coalmines. Reference to that imbalance was made by Dr. Ranen Sen. He suggested that this imbalance should be rectified. I will say that this inflation is a phenomenon and we have moved into, as it were, the stage of Alice in Wonderland, where you have to run as fast as you can, just to remain where you are if not falling back. This process has got to be reversed. The wage-price spiral has got to be broken at some point, and an effort has to be made to reverse the process.

With these suggestions, I support the Bill.

*SHRI J. MATHA GOWDER (Nigiris): On behalf of Dravida Munnetra Kazhagam, I rise to express my views on the Additional Emoluments (Compulsory Deposit), Bill which seeks to provide, in the interests of national economic development, for the compulsory deposit of additional emoluments and for the framing of a scheme in relation thereto, and for matters connected therewith or incidental thereto.

Sir, we have heard many times on the floor of this House the Government saying that the current inflation in the country is part of an international phenomenon and India is no exception to that. I want to point out how fallacious this argument of the Government is by quoting certain statistics.

During the past year the inflationary price spiral in the United King-

dom was 13.5 per cent; in France it was 12.2 per cent; in Japan the price increase was 25 per cent. But in India the price increase on account of inflation during the past six months was 25 per cent. Here it is pertinent to point out the per capita income of these countries. In England the per capita income during this period was 1513 U.S. dollars; in France 2106 U.S. dollars; in Japan 1288 U.S. dollars. But in India it is a paltry sum of 73 U.S. dollars. When the per capita income in the United Kingdom is 1513 U.S. dollars, the price increase on account of inflation is 13.5 per cent. But, in India where the per capita income is just 73 U.S. dollars, the price increase has been 25 per cent in six months; i.e., 50 per cent in one year. Sir, I want to stress the point that in these circumstances any comparison of what is obtaining in India today is rather odious. With the per capita income of 1513 U.S. dollars, a British citizen may be able to bear the inflationary strain. But, in India where the per capita is just 73 U.S. dollars, we have to bear this factor also in our minds that this per capita income has been arrived at after adding up the incomes of Birlas, Tatas, Dalmias and also the wages of poor agriculturists, plantation labour and industrial workers. If you exclude the incomes of Birlas, Tatas and Dalmias, the per capita income of an agricultural labour or a plantation labour or an industrial labour may average only a meagre sum of 2 U.S. dollars. With this pittance of a wage, the labour is expected to fight the fury of inflation. Now, the Government, unmindful of their pitiable plight, have come forward with this legislation providing for a compulsory deposit of any additional emoluments they may get after a great deal of agitation under the Industrial Disputes Act.

The hon. Member who preceded me pointed out that the labour in the country is greatly agitated and upset

*The original speech was delivered in Tamil.

[Shri J. Mehta Gowder]

as this legislation is to make further inroads into their already meagre wage. They are already semi-starved and in all probability this Bill will completely starve them out. I want to warn the Government that the worker in an empty stomach is not likely to be worried about the consequences of his action. If the Government try to lynch the labour force of the country, it is certain that the labour force will surely drive the Government back to the wall.

16. hrs.

In Assam, Karnataka and Tamil Nadu, the plantation labour gets as wage Rs. 3 a day. With this paltry sum he is expected to feed himself and his family in the midst of alarming rise in the price of essential commodities. As a result of some awards, under the Industrial Disputes Act, the plantation workers may get an increase of Re. 1 a day. The Government have now pounced upon this also and want that 50 per cent of the increase should be put in a compulsory deposit for a year or two. With the prevalent conditions in the country, I am sure that within these two years they will die of starvation. In the *Times of India* of 26th August, there is a cartoon on the front page; I would just read the caption underneath this cartoon.

"If we take the shortages and budget trends into account, it will be just 900 and not 900 million, Sir."

Perhaps this cartoon depicts the true state of affairs in the country. If the ruling party happens to be in power upto the year 2000, instead of the population going up to 900 million as a result of implementation of economic welfare programmes by the Government, it will dwindle to 900 only. The present economic crisis is a sure indication of millions of starvation deaths to come and also the likely annihilation of the entire labour force

of the country, if such steps like the Bill under discussion are taken by the Government to control the situation. Sir, if the Government had implemented the economic programmes successfully, if the Government had also formulated correct economic policy, the country would not have been brought to this sorry pass. It is only because of wrong and faulty economic policies of the ruling party, we are facing today the financial crisis of unprecedented magnitude.

SHRI C. M. STEPHEN: Whatever might be the reasons, should there not be a solution?

SHRI J. MATHA GOWDER: This Bill affecting the wages of workers is not the solution. If the Government are true to themselves, they should realise and own their mistakes and then only they will be able to find proper solution. But the primary desire of the ruling party is to stick to the Chair at any cost even if the people do not stick to the ruling party. The ruling party is interested only in perpetuating its regime. The fertilisers are imported for the ostensible reason of augmenting agricultural production. But, instead of distributing the fertilisers to the real cultivators, they are given to the people who are the favourites of the ruling party. Naturally the agricultural production will go down. When the national wealth is not in the hands of real producers of wealth, we cannot expect any improvement in the economy of the country. This Government—I have repeated this several times on the floor of this House—easily succumb to the threats of monopoly houses in the country and do not hesitate to extend concessions after concessions to them. When the monopoly houses, indisputably responsible for the growth of black-market and black money, enjoy all the patronage of this Government, inflation of this nature will be the only consequence. All this is done by the Government with the only ulterior motive of sticking to power.

A Joint Committee of both the Houses has been set up to examine the Plantation Labour Amendment Bill. I am a member of this Joint Committee. This Committee is finding out as to what should be done to ameliorate the conditions of plantation labour. On the one hand the Government have referred this Plantation Labour Amendment Bill to the Joint Committee, and on the other, Mr. Chavan and Mr. Ganesh have come forward with this Bill to take away 50 per cent of any additional money that the plantation labour may get. If the Government think that the people of this country are gullible, then they are mistaken. I am sure that the people of the country are bound to teach them a lesson in 1976 Elections.

In the end, I would say that no Government of any country in the world here succeeded by practising deception on the workers. Our Government is not going to be an exception to this general rule. Unless the agricultural labour, plantation labour—both tea and coffee plantation labour—are exempted from the purview of this Bill, I would like to warn this Government that there will be violent agitation in the country in which my hon. Friend Shri Stephens will also join and we are not afraid of going to prison for fighting the cause of the workers.

With these words, I conclude.

SHRI VASANT SATHE (Akola): I am reminded of the phrase which our Prime Minister uttered during the recent AICC discussion a well-known phrase which says 'The path to hell is strewn with noble intentions'.

PROF. MADHU DANDAVATE (Rajapur): The way to help is paved with good intentions.

SHRI VASANT SATHE: Or, it is paved with the best of intentions.

The measure is said to be part of a larger package programme that is about to come. I do not know what other things are in the package. This measure seeks to impound all higher emoluments and wages of the working class; at least, that is the intention behind it; if it was good, I do not know whether this is one of those intentions which would be paving the path, I do not know, where....

SHRI SAMAR MUKHERJEE (Howrah): To hell.

SHRI JAGANNATHA RAO: To heaven.

SHRI VASANT SATHE: As the Finance Minister had agreed even while presenting the budget, this measure by itself will not achieve the desired result. So, I would like to know what more are Government going to do to achieve the result? After all, what is the result to be achieved ultimately? The ultimate aim is to contain inflation and containing inflation means containing the prices. It has no other meaning; whatever economic jargon you may use, shorn of all the economic verbiage, all that it means is to contain the prices. That is what we mean when we say that we want to contain inflation.

One of the fiscal measures adopted for that purpose is to withdraw the money supply, because as against the supply of goods, the money supply is higher, and, therefore, the money supply has to be curtailed so that automatically the prices may come down. That is the object.

SHRI R. S. PANDEY (Rajnandgaon): Production must also be increased.

SHRI VASANT SATHE: Simultaneously, we also say that our measures must give an impetus to production, because ultimately production of larger amount of goods alone will be commensurate with the money supply and thereby bring down prices.

[Shri Vasant Sathe]

Now, will this measure have the effect of withdrawing the money supply of those forces or those sections which create inflationary pressure? Secondly, will it give an impetus to production? These are the two tests that we must apply. Now, let us apply both these tests and see whether this measure will achieve the object.

The first thing that we have to consider is this. Who has enough money to go to the market and say "You are willing to give this item for Rs 5 instead of Rs 2 which in its price, and I am willing to throw that money, and, therefore, give it to me. He is the man who creates pressure in the price market by increasing the price by an artificial demand. Such people are those whose income we may take theoretically to be above Rs 500 p.m.

DR. KAILAS (Bombay South): How many such people are there?

SHRI VASANT SATHE: According to the statisticians and economists of the Planning Commission in this country, those whose income is above Rs. 300 constitute 17 per cent. Their number comes to hardly about a crore. Out of this one crore, 70 per cent are those who are self-earning and whose incomes you cannot control.

They are below the limit of income-tax but above Rs. 300 per month, self-earning people. So all that you can now control is who? The 30 per cent fixed income group either in government service, clerks or peons, or the wage-earners in textile mills, coal mines or other sectors. The complete additional income of about 30 lakh people is going to be impounded plus 50 per cent of the DA. How much are you going to impound? How much impact will it have in terms of having an impact on prices in the country, on money supply in the country? Therefore, the real money

supply of Rs. 4,000 crores or Rs. 10,000 crores now in terms of black money, which is really creating havoc in terms of cornering goods, will remain undisturbed. See the result of these measures in recent times. They started cornering goods; they have the black money. They cornered inventories, cotton, steel, cement, every item they could think of which is non-perishable.

DR KAILAS: Salt and paper also.

SHRI VASANT SATHE: They have started cornering.

SHRI SAMAR MUKHERJEE: They corner officers and Ministers

SHRI VASANT SATHE: What are we doing about this? They are still investing in buildings at the Backbay in sky scrapers. They got cement for that. We cannot touch them. Whom are we touching by this? At one stroke, we antagonise 30 lakh people.

You have also included in this those whose income is below Rs 300 a month because you have not excluded the minimum wage earning group. What is the concept of minimum wage? I am sure I can appeal to the heart of the Finance Minister. He may have his difficulties. The concept of minimum wage, by any stretch of imagination, is what is the minimum essential for making two ends meet.

So may I request that at least the statutory minimum and along with it the DA which only maintains the minimum mind you—be protected. If the moment we say minimum, you say 'All right. Basic minimum I will exclude but dearness allowance No that will not do, because that dearness allowance is only to neutralise the minimum. Therefore, will you spare at least the statutory minimum fixed and the special allowance or dearness allowance whatever you call it? I really do not understand it. The purpose is not going to be achieved.

Coming to the second aspect, production, with one stroke, you will create such ill-will in the working class that it will immediately affect production—in coal mines, in textiles, in all essential commodities. Instead, why don't you think in terms of giving incentive to production? Let us have round the clock work system.

SHRI R. S. PANDEY: Cut down holidays.

SHRI VASANT SATHE: We can do away with holidays which are common.

AN HON. MEMBER: Give them wages for that.

SHRI VASANT SATHE: We can have a holiday by rotation once a week. You can work round the clock for all the thirty days. You can even reduce the working hours from eight to six and have your shuts. You can do this by rationalisation and you will have greater production; you can tell the working class 'whatever is the additional production; you will have only 25 per cent of the additional production as your share and the rest will go to the country.' If you do this, the working class will readily cooperate with you.

Therefore, what I would submit is, there are measures to impound money circulation. One hundred and thirty economists of the country gave a suggestion—SEMIBOMBLA. The suggestion was to impound Rs. 30/- out of Rs. 100 of all bank deposits. Who have bank deposits in this country? Naturally, it is the bigger people who have deposits. Impound 30 per cent of it. You need not keep it permanently. You can impound and give it back after a certain period in the form of what you are going to do here. Why not accept that suggestion? Instead of impounding poor man's wage, poor man's additional income, why not impound the deposits in the banks? So, Sir, there are measures. It can be thought of. We can sit together; you can sit with the

economists of the country and find out ways and means; a package deal can be found to immobilise the income in the hands of those who have plenty. After all, black money or white money is money that is put in use. You should control the use. The best way to control black money is to control the operation of black money. No man can just put his money in his coffer. He will use it; he will bring it out to corner some goods; he will bring it out in the form of investment in bullion; he will bring it out in the form of investment in buildings; in stocks or in some other form that is obvious to the naked eye. He will bring it out in the form of constructing buildings in Vasant Vihar, Rs. ten lakhs worth of buildings. But, your man goes and values it; he says it costs only Rs. one lakh. Whom are you going to fool? Why is it not so obvious to the naked eye of your income-tax officers and your other officers? Impound this money and you will get the black money. Then, you will have to control the prices. Why can't you have a control on prices in this country? The working class says, 'You control the price; dearness is controlled; don't give us dearness allowance.'

In an economy of shortages, Sir, the only thing that is required to be done is to regulate and control the supply and control the prices. There is no other method known in the world of restricting and regulating supply. Make it equitable at fixed prices. This is the only way and you have, therefore, to impose discipline on the distributive mechanism of the country. Immediately when we start thinking of disciplining the distributive mechanism, we in this country seem to know only one way and that is bureaucratise; take over and give it to the bureaucracy. I beg of you, for God's sake, don't do that. Don't nationalise; don't bureaucratise; don't surrender and give more and more powers to these people who really do not know the business.

AN HON. MEMBER: Why don't you socialise

SHRI VASANT SATHE: This can be thought of, but in a different aspect, in a different context. You can discipline the existing distributive mechanism. This is not impossible. I will conclude by saying this. I am really sceptical about this, unless you tell us the other package, as a part of it. Today, what is happening? Sir, we say to the country. 'This method will have its impact after some time.' But our other measures like increasing the railway fares and freight overnight push up the prices by 10 per cent. So, the people say, "What is this package? On the one hand you say you are taking measures which will reduce prices in the days to come. But that very evening prices are going up." We cannot face today even our wives and explain it to them. We are really pushing the people to the wall. I am sure the people are willing to sacrifice provided we create a feeling in them that their sacrifice is worthwhile, that they are a party to the productive process and we are able to control the prices.

SHRI P. M. MEHTA (Bhavnagar): Sir, this Bill is the outcome of the utter mess and failure of this Government has failed to hold the price is the result of political adventurism in the sphere of economy. The Government has failed to hold the price line, to contain inflation and to maintain the due pace of production. That is why this situation has arisen. The statement of objects and reasons starts by saying:

"Controlling inflation today is the single-most important task facing the country."

Who created this inflation? Did the employees and workers working in the Government offices or factories or mills or ports or railways create it?

Inflation is created by the wrong economic policies of the Government. The objective of containing inflation will not be achieved by this measure. On the contrary, it will adversely affect production. You have touched the income of the workers. The real income of the workers will be eroded. This Bill seeks to impound 50 per cent of the DA and 100 per cent of the wage rise. DA is meant to neutralise the rising prices. The neutralisation is not 100 per cent; it is much less. Even that you do not want to give. You want to impound 50 per cent of it. It will result in the erosion of the real income of the workers. It will create unrest and discontent among the workers and it will adversely affect production, which is the crying need of the hour. You cannot increase production by legislation. Government have neglected production all the time. They have not maintained the supply of raw materials and power and they have not removed the bottleneck of transport. Only yesterday we discussed the case of wagons remaining in stations and goods not being cleared by traders to create artificial shortage. The cumulative result of all this is low production and for that you are now asking the workers to make these sacrifices. So, this measure will not serve the object of the Government

The whole approach of this Government is anti-labour. We have the example of the recent railway strike. They could certainly have avoided that strike if they had started negotiations in time and settled the issues across the table. But they went on the path of confrontation, harassed and victimised the workers and followed an anti-labour policy.

If only the Finance Minister follows some of the suggestion that have been given, he could have this much of money without tears. But he has chosen to adopt a policy which will hit hard the working class.

It is mentioned in the Financial Memorandum:

"In the case of employees of the Government or local authorities, the Scheme will be operated through the Central or State Government agencies and in other cases mainly through the Employees' provident Fund Organisation."

Hon. Finance Minister, don't you know how the Employees' Provident Fund Organisation is functioning? It is in an utter mess. About 8 million accounts are still in arrears. Even the public sector undertakings do not carry out the directions of the provident fund authorities in regularly collecting and depositing the provident fund accounts. Lakhs of rupees are in arrears in the public sector plants and some textile mills. Even though the trade unions have demanded that amount slips should be prepared by the management for their own employees, no one takes the Employees' Provident Fund Organisation seriously. It has become utterly ineffective and corrupt. If an employee has to get some money from this organisation after his retirement, or wants to get a loan while in service, he finds he has to be almost a slave of this organisation. Now, you are adding to his slavery by handing over the Scheme to the Provident Fund organisation.

Then, an employee, a worker, is asked to produce an estate duty clearance certificate. This matter was taken up with the Central Board of Direct Taxes, *ex-officio* Under Secretary to the Government of India, Ministry of Finance. They say that the requirement of the certificate could not be done away with in view of the statutory liability imposed on the trustees, and that the amendment of the relevant Section of the Estate Duty Act will be considered when the amendment of the Estate Duty Act is just taken up.

All these points were brought to the notice of the Finance Minister also. But nothing has been done.

Under this Bill, they hand over the Additional Wages Scheme and the Compulsory Deposit Scheme to the Provident Fund organisation. I do not know what is the fate of workers in this country if they are handed over to such an organisation which is ineffective, inefficient and corrupt, doing nothing at all.

Lastly, it is good that the white-collar employees are kept out of the orbit of this Bill. Practically, the time-scale people are not covered under this Bill. It is good that they are kept out of the purview of this Bill. But the employees, the workers, without having any time-scale, though they are getting less than what the time-scale people are getting, will be obliged to impound their additional wages and dearness allowance under this Bill. This should be amended. The employees, the workers, without having time-scale should not be compelled to mound their additional wages and dearness allowance. I hope, the Finance Minister will give due attention to these suggestions of mines.

श्री राम सिंह भाई (इंदौर) :
 सभापति महोदय, मैं इस बिल का समर्थन करने के लिए खड़ा हुआ हूँ। आज देश की दुर्भाग्यपूर्ण स्थिति है। उस स्थिति में से देश को उबारने के लिए शासन जो प्रयत्न करे उस में श्रमिकों को भी अपना योगदान देना चाहिए, थोड़ा कष्ट भी सहन करना चाहिए। मैं कोई अर्थ-शास्त्री नहीं हूँ, ज्योतिषी भी नहीं हूँ और राजनीतिज्ञ भी नहीं हूँ। मैं एक मैदानी रचनात्मक श्रमिकों का कार्य करने वाला कार्यकर्ता हूँ। उसके नाते अनुभव के आधार पर जो कठिनाइयाँ इस बिल से पैदा होने वाली हैं उन्हें मंत्री महोदय के समक्ष रखना चाहता हूँ। मैं ऐसा मानता हूँ कि इस बिल को

[श्री राम सिंह भाई]

लाने के पहले झूठा होता जो केन्द्रीय श्रम संगठन है उन से मंत्री महोदय सलाह कर लेते क्योंकि यह बिल ऐसा है कि जिस में सब श्रम संगठनों के सहयोग की बहुत जरूरत है। अगर एक का भी असहयोग होता है तो उस का बुरा परिणाम उत्पादन के ऊपर पड़ सकता है। दूसरे, शासन को यह मोचना चाहिए था कि जिन प्रतिष्ठानों के श्रमिकों के ऊपर यह लागू होने जा रहा है उन के ऊपर थोड़ा बजन डालते, थोड़ा शासन बर्दाश्त करता और जिन पर यह लागू होता है उन को आवश्यक बस्तुएँ अनाज और कपड़ा कम से कम आवश्यक फेयर प्राइस शाप्स से मिल सकता तो मैं मानता हूँ कि किसी प्रकार का विरोध इस में पैदा नहीं होता क्योंकि उन्हें आवश्यकता की बस्तुएँ वाजिव भाव पर मिल जाती और फिर उन के वेतन में से, महंगाई भत्ते में से, बोनस वर्गैरह में से बचत करना चाहते हैं तो वे देने के लिए खुशी खुशी तैयार होने या दूसरा तरीका यह था जिसमें कोई बबडर पैदा नहीं होता, श्रम आयोग की सिफारिश के अनुसार प्राविडेंट दो प्रतिशत बढ़ा आप 8 से 10 प्रतिशत करदे तो दो परसेंट तो मजदूरों के वेतन में से कट कर जमा होता और दो परसेंट कारखाने वालों को सरकार के पास प्रतिशत बचत जमा होती। मजदूरों को कोई कष्ट भी नहीं होता और कोई विरोध ऐसी बात भी पैदा नहीं होती क्योंकि श्रम आयोग ने 8 से 10 परसेंट सिफारिश प्राविडेंट फंड करने की है।

यह बात सही है कि उत्पादन आवश्यकता से कम होने के कारण और लोगों के हाथ में पैसा आने के कारण मुद्रा प्रसार होता है और उस के कारण भाव बढ़ते हैं। मुझे कहने में कोई भय नहीं

होता, आप अगर आंकड़े उठाकर देखेंगे तो 1972 के शुरू से मजदूरों के वेतन रिवाइज हुए हैं, डीअरनेस एलावंस के रेट रिवाइज हुए हैं, बोनस की दर रिवाइज हुई है और पे कमीशन और प्रोव्यूटी कानून जिनके ऊपर का यह कानून लागू हुए हैं उन के सब के वेतन बढ़े हैं इस में कोई शक नहीं है। मैं मजदूर कार्यकर्ता हूँ, मेरे पास आंकड़े हैं। जब आप ने खादिलकर फारमूले के अनुसार बोनस देने की नीति अपनाई और उस फारमूले की शुरुआत हुई भाव के ऊपर असर पड़ा। एक तो पिछले वर्ष सूखे के कारण उत्पादन बहुत कम हुआ दूसरा लोगों के हाथ में पैसा आया। मैं एक छोटी सी मिसाल देता हूँ। मैं इसी साल फरवरी के महीने में नेपालगंजा गया। वहाँ मेरी यूनियन है, मैं उस का प्रेसीडेंट हूँ। मैं ने उन के साथ, प्रोडक्शन बोनस का समझौता किया। 120 टन रोजना प्रोडक्शन आता था और मैं ने मैनेजमेंट के साथ यह तय किया कि प्रोडक्शन हम बढ़ाएँगे, प्रोडक्शन बोनस कितना देगे? हमारा उन के साथ 32 परसेंट का तय हुआ और 120 टन के बजाय 165 टन रोजाना प्रोडक्शन आने लगा। जिन रोज वह प्रोडक्शन बोनस बाटा गया एक दिन पहले बाजार में गेहूँ का भाव 180 रुपये क्विंटल था बढ़कर 200 रुपये क्विंटल हो गया। मैं ने पूछा तो मालूम हुआ कि प्रोडक्शन बोनस जो मिला है। मजदूरों की पे के दिन और एडवांस के दिन आप उसी क्षेत्र में जा कर देखे भाव दो दिन पहले बढ़ जायगा, दो दिन बाद घट जायगा। आदमी के पास पैसा आता है उस की खरीदने की शक्ति होती है तो भाव बढ़ जाते हैं। आज मेरे प्रदेश में यह हाल हो रहा है कि महाराष्ट्र से ट्रकों से शराब आ रही है, हरियाणा पंजाब से शराब आ रही है। क्यों? बहुत

शरद पतिता क्लोन है ? इतने तो नू-बिपति हमारे महां नहीं हैं और जो है बे तो बिदेशी पीमेंगे, देशी क्यो पीने लगेंगे ? तो सवाल यह है कि गरीब के हाथ में जिस रोज पैसा आता है श्रमिक उसी रोज खर्च कर डालता है। दूसरे रोज पठान के पास जाता है और ब्याज पर उधार लाना है। मैं तो जैसे और समय के सदुपयोग और बचत में विश्वास रखता हूँ और सेविंग में बहुत ज्यादा विश्वास रखता हूँ। किसी भी तरह से हो श्रमिक को सेविंग करनी चाहिए। उसे सिखाना चाहिए। मजदूर कामकर्ता का खास धर्म है कि वह मजदूरो को सेविंग करना सिखाए। हम तो यह मानते हैं कि अगर बीमार को दवा पिलानी है और वह दात नहीं खोलता है तो नाक भी दबानी पडती है इसमें कोई शक नहीं। अगर हम नहीं करते है सरकार करने जाती है उस में सहयोग नहीं देते हो तो विरोध भी क्या करे ? लेकिन मैं यहाँ एक बात कहना चाहता हूँ कि 3 सौ रुपये से कम पाने वाले जो श्रमिक हैं उन के बचत कुछ को छोड़ कर बचत बढ़े नहीं है कुल टोटल में ऐसे 40 परसेंट होते हैं। और मैंने इस सम्बन्ध में एक अमेडमेट दिया है 300 रुपये तक पाने वालों के लिये।

श्री अटल बिहारी वाजपेयी : उस पर डटे रहिएगा।

श्री राम सिंह भाई : मैं ता डटे रहने वाला नहीं हूँ आप डट सकते हैं। मैं तो कमजोर और बुढ़ा आदमी हूँ कहा तक डटा रह सकता हूँ।

श्रीमन् इस बिल के अनुसार वो भेद भी हो गये हैं—एक सफेदपोश और दूसरा शारीरिक श्रम करने वाला। आप यह देखें कि इस में आपने टाइम ये स्कैज वालों को छूट दी है। जिस के अनुसार जिन

का प्रमोशन हाई-पोस्ट पर हो उन को इन्कलूड नहीं किया गया है। इन्कीमेंट पर भी बन्दिश नहीं लगाई है डेपूटेशन और ट्रांसफर वालों को भी आप ने छूट दी है और जिन को बडी-जवाबदारी का काम करना है उन को भी छूट दी है—ये सब चीजें सफेदपोशों पर लागू होती है शारीरिक श्रम करने वालों पर लागू नहीं होती है। इस लिये आप ने इस में जो प्रतिबन्ध रखा है इसमें रेशनलाइजेशन की छूट की खास जरूरत है।

आप ने 103 मिलो का टैक-ओवर किया है उन में नई मशीनरी लगाई है। आज हिन्दुस्तान में टैक्सटाइल इण्डस्ट्री में 4 लूम चल रहे है, स्पीनिंग में चार साइडे चल रही है। अब अगर 2 लूम से 4 लूम करने जायेंगे तो यदि दो लूम का एग्ज 55 रुपये बचत है तो 4 लूम का 65 रुपये बचत बढ़ाकर से-टपरसे-ट बचत बढ़ाना होगा लेकिन डीअरनेस टैक्सटाइल इण्डस्ट्री में जो ग्रीसतन 350 रुपये प्रति श्रमिक मिल रहा है वही मिलेगा, इस प्रकार दो से 4 लूम करने पर 350 रुपये का कम्पनी को सेविंग होता है। श्रीमन् आप यह देख कि आप ने इसमें ऐक्स्ट्रा वर्क लोड की स्थिति में बढा हुआ बचत देने की गुंजाइश नहीं रखी है। अगर आदमी ज्यादा काम करता है तो उसे ज्यादा बचत मिलना ही चाहिये। उस पर प्रतिबन्ध नहीं होना चाहिये करना रेशनलाइजेशन नहीं होने वाला है। इस के बारे में मेरा एक सशोधन है कि एडीशनल वर्क के लिये जो उसका बचत बढ़ता है तो जमा नहीं किया जाना चाहिये।

जहाँ प्रोडक्शन बोनस दिया जा रहा है अध्यादेश के बाद उस की पहले की दर में यदि रद्दोबदल करेंगे तो उस के लिये जमा होने की बात है। इस का अर्थ यह लगाया जा रहा है कि जिस प्रकार 8 33 परसेंट

[श्री राम सिंह भाई]

बोनस से ज्यादा देने पर वह रकम जमा होती है तो इस में प्रोडक्शन बोनस लागू करने में तो वह भी मजदूरों को नहीं मिलेगा। मैं निवेदन करना चाहता हूँ कि एडीशनल वर्कलोड इन्सेन्टिव और प्रोडक्शन बोनस जिस जगह और जिस ढंग से शुरू किया जाने उस क बारे में खुलासा करने की जरूरत है कि वह रकम जमा नहीं होगी वरना उत्पादन बढ़ाने में कठिनाई आयेगी।

होशंगाबाद में एक यूनीयन है जिसका मैं प्रेजिडेंट हूँ वहाँ पहले रोजाना हॉटाल होती रहती थी, रोजाना उत्पादन गिर कर 4 टन प्रोडक्शन ही रह गया था, मजदूरों ने बुरी हालत कर दी थी। उन के साथ बैठकर बात की और रोजाना की औसत 6 टन प्रोडक्शन ठहरा, 6 टन से ज्यादा आने पर 50 परसेंट प्रोडक्शन बोनस मिलेगा। नतीजा यह हुआ कि आज वहाँ 4 टन के बजाये 9 टन प्रतिदिन प्रोडक्शन आ रही है, मजदूरों को उत्पादन बोनस मिल रहा है। अगर आज उन से कहा जाय कि तुम हॉटाल के लिये बाहर निकलो तो वे निकलने को तैयार नहीं है—इस तरह स्थिति हम को हर जगह पैदा करनी चाहिये, इस तरह का प्रोत्साहन मजदूरों को मिलना चाहिये।

मैंने इन्दौर के अन्दर इन्सेन्टिव बोनस की स्कीम लागू की। जहाँ पर एफिशिन्सी 65 आती थी अब 80 और 81 आ रही है। इसी तरह से सिपिंग के अन्दर प्रति-स्पिण्डल उत्पादन 4 औंस आती थी लेकिन अब साढ़े चार औंस आ रही है। जहाँ 66000 स्पिण्डल्स हैं आप अन्दाजा लगा सकते हैं कि इसका कितना फर्क पड़ा होगा। श्रीमान् मैं इस बात को मानता हूँ कि सेविंग करनी चाहिये लेकिन जो बोडी पगार पाने वाले लोग हैं, कम वेतन के लोग हैं, जो रोज काम के लिये लड़ते हैं और रोज वेतन पाते

हैं उन को इस कानून से कठिनाई होगी। टैक्सटाइल वालों को इतनी कठिनाई नहीं होगी। मैं टैक्सटाइल मजदूरों का भी प्रतिनिधित्व करता हूँ, उन को ज्यादा कठिनाई नहीं होगी। लेकिन एक दिक्कत अवश्य हुई है—अहमदाबाद में टैक्सटाइल लेबर एसोसियेशन ने अपना एक एग्जीमेन्ट किया। वहाँ ऐसी प्रथा चली आ रही है कि जो एग्जीमेन्ट अहमदाबाद में होता है वही सारे गुजरात की मिलों पर लागू होता है। अभी हाल में वहाँ सभी मिलों में 45 से 50 रूपया महीना वेतन बढ़ाया गया जो अहमदाबाद में तो लागू हो गया लेकिन दूसरे क्षेत्रों की मिलों पर लागू नहीं हो पाया था कि इसी बीच में आप का ब्राइडेंस निक्ल गया। अब अहमदाबाद को छोड़ कर गुजरात की अन्य मिला के मजदूरों को इस का लाभ नहीं पहुँच सकेगा। इसलिये इसका समाधान निवालने की आवश्यकता है।

इसी तरह से महाराष्ट्र में होता है—जो फैसला बम्बई में होता है वही महाराष्ट्र की मिलों पर लागू होता है। बम्बई में राष्ट्रीय मजदूर कांग्रेस ने एक समझौता किया, जिस के अनुसार 50 परसेंट की वेतन वृद्धि हुई, अब बम्बई वालों के तो वेतन बढ़ गये, लेकिन महाराष्ट्र के दूसरी जगहों के मजदूरों को उस का फायदा नहीं पहुँच पाया। इस पर भी विचार करने की जरूरत है।

श्रीमान् हमारे अहमदाबाद में मजदूर महाजन सभ ने ऐसी बाइयो के लिये जो बे पड भ्रूण्डा लगाती है एक सेवा बैंक बताया है। फटे कपड़े, बोतल लेना, बरतन देना, झाड़ू बनाना ऐसा घडा करती है। उन बाइयो के लिये ऐसे कामों की स्कीम बनाई जो दूसरा कोई काम नहीं कर सके आज ये रोजाना काम कर के पेट भरने वाली

बाइयां भी सेबिज करने गयी हैं। इन कामों के लिये नेतृत्व की जरूरत है नेता ही उनको बिगाड़ते हैं और नेता ही उनको बनाते हैं, योग्य नेतृत्व ही तो ये सारे काम हो सकते हैं।

इस लिये मैं आप से निवेदन करना चाहता हूँ कि सब का सहयोग लेने के लिये सब से बात करनी चाहिये और सब से बात करने के बाद हमें देश को बनाने के लिये इन मौजूदा परिस्थितियों से निकलने के लिये समस्या का हल निकालना चाहिये।

SHRIMATI M. GODFREY (Nominated-Anglo-Indians): Mr. Chairman, Sir, I think that the Bill has come at a most inopportune time when prices of everything are going up by leaps and bounds. Even this very small increase in D.A. is not going to help the people to tide over the terrible rise in prices, particularly of essential commodities leaving aside the luxury goods.

Now, whomsoever we come across, everybody says that the price of wheat is so much, the price of sugar is so much and the prices of other essential commodities in the market are so prohibitive that the house wives feel that it is very difficult to feed the members of the family. Even the small increase that has been given the Government wants them to deposit that as a compulsory deposit. I think it is impossible for the workers to think of savings. Although Government wants to inculcate in the minds of the workers the savings habit I dare say that it is not possible for them to think of savings with such a rise in prices. There is no salvation for their family at all. As Mr. Stephen said those who are getting upto Rs 300 a month should be exempted. I would go a step further in saying that those who are getting even Rs. 600 should be exempted. Because in these hard days, even with the controlled family that we have, that is, husband and wife with two children.

MR. CHAIRMAN: Madam will you please come to the front seat? We have not been able to hear you.

SHRIMATI M. GODFREY: I was telling that it is very difficult even for a small controlled family to live with a salary of Rs. 600 to pay for the house rent, feed the children and to pay for school fees. So, the first thing that Government should try to do is to control the prices. It would be better if the Government would try to give the workers the essential things, that is food, housing and clothing. Government, if it has determined to give to its workers food, clothing and perhaps a small house to live in then the workers will themselves voluntarily come forward to deposit the money with Government instead of their making it a compulsion on them to do so. The workers feel that the rupee value must remain the same for a year or two. What is the value of the rupee that is given to them? This is a small increase that you are giving them. With this, they will not be able to purchase food article for two days. And even this small increase which the Government wants to give, it wants to cut it. Besides, if the Government is considering this rise in wages and salaries are needed by the workers most at the present moment then what is the use of giving a rise but withholding it. I do not think it is a correct attitude to be taken for workers. If the wages of the workers are not relieved when they need it most the additional emoluments will not be of any value at a later stage. It is just like giving a sweet to the child but asking him not to eat it. The Government is offering increase in dearness allowance but taking it away in the form of compulsory deposit. The Government just wants to satisfy themselves that they are trying to relieve the conditions of the workers but in this way they are just throwing false hopes. The Government should realise at this time it is essential that people are enabled to live in what they are getting.

The riots and the unrest among the people are not for any change in the

[Shrimati M. Godfrey]

Government but they are there because everybody feels he cannot cope with the price-rise. It is the price-rise which is upsetting the Government everywhere. I hope Government would think of controlling the price so that everybody may be happy and be living in peace. It is high-time that the Government thinks of some ways distributing essential commodities because nobody wants money as money cannot buy them anything. It is much better that the Government thinks of as to how to provide food and clothing to the poor workers.

I do not want to say very much but would only request that the Government may look into this matter and try to alleviate the sufferings of so many poor people who are really on the verge of starvation.

Lately it has come in the papers about persons digging the graves and selling the bones so as to purchase food. I think it is the last stage that in our country people have bowed to such low occupation. Government must look into it seriously. It hurt me also very much to read about ladies taking up to other ways of earning for their living. This is very sad. I would really beg of the Government to do something so that they may stop this kind of life and, particularly, the younger generation should feel that they are living in a country where Government is wanting to help them and cater to their needs. With this I request that the first part of the Bill be implemented but the later part where the compulsory deposits are required to be made be postponed to a later date.

SHRI KRISHNARAO PATIL (Jalgaon): Mr. Chairman, Sir I would like to support this Bill which is one of the measures of a package. Some measures have already been declared. Out of those measures one is under discussion and some of the measures will be taken in future. Of course, though late Government has ultimately come with some substantial measures for which I must express my satisfac-

tion. We all agree—irrespective of party and group affiliation—that the country is passing through economic crisis of great magnitude and of complex nature. So, ultimately we have to find out some solution for this. We have to analyse the causes of inflation for this purpose. We have done it a number of times and there has been discussion in this House regarding the causes as well as the solutions. So, I do not want to repeat the series of causes again.

I have heard the speech of Shri Atal Bihari Vajpayee and of most of the champions of the organised working class. I do not want to go into that controversy, but the situation is so grave, that if we take into account the gravity of the situation, the question comes before us whether this country, this Government and the people in general are prepared mentally to face the situation and secondly whether as a corollary to that, the people and all of us are prepared to place national interest above the individual or sectional or institutional interest. These are the two important general questions that arise.

Shri Vajpayee had made some analysis and given some causes according to his own view point. I think there is no difference on that, and so, I do not want to repeat the whole thing. All of us know the general causes namely decline in agricultural production, increase in money supply and so on. Of course, there is some difference of opinion in regard to the latter. But it is clear that because of enormous money supply in circulation, inflation has taken this shape. According to my own assessment during the last two or three years, the increase in money supply has been more than Rs. 3000 crores. Some hon. Members have attributed the blame to Government saying that Government are alone responsible for this. I do not understand whether Government have really

adopted this sort of bankrupt economic policy. Was there no genuine reason to adopt these measures in order to raise the additional burden of money required? I do not want to refer to the 1971 war and all that, or the drought that followed thereafter. But is it not the duty of this country, and particularly of Government to face the drought situation and to save the people who are likely to suffer from starvation? It was the duty of Government and they have done that duty. According to my own assessment, during the drought period, there was stagnation in the industrial field also. One thing is certain that we have suffered a lot, but then we know that the people in general have also suffered a lot. Arguments have been advanced here from the organised sections of labour. But as representatives of the people can we afford to forget those vast sections of the people who are just leading their life and who are below the poverty line? They are 22 crores.

PROF. MADHU DANAVATE: Now 67 per cent
17 hrs.

SHRI KRISHNARAO PATIL: We shall have to take into account the hardship of the people who are not actually represented here. They are leading a life below the poverty line. That is why we have to think about them. I think Government has done the right thing to come with this measure. We are much worried about a sort of scarcity psychology.

की मुकाम चन्द कलुषाम (मरेवा) : प्राज की तनकाह और भत्ता काट लें तो क्या होगा ?

SHRI KRISHNARAO PATIL: Yes, Shri Vajpayee mentioned it. Let us start with MLAs and MPs. Actually, since a year back many members from this side have been having a 10 per cent cut in their salaries.

Government had promised to effect economy to the extent of Rs. 400 crores last year. I think the actual figure of the economy effected is Rs. 270 cro-

res. I think that is something—it is a step in the right direction.

We know that the object of the Bill is to withdraw some amount from recess liquidity, in circulation. It is a limited object. If as a result of this whole package of measures we can save Rs. 2,000 crores and we get the benefit of normal seasons in the next two years we will be in a position to check the pressure on circulation, the velocity of circulation and thus we can be in a position to normalise the situation and stabilise prices.

Then I would request the Finance Minister to expedite the Bill on ceiling on urban property. That would be a great help to change the psychology of people in the country. It is long overdue. We have been waiting for that. I suggest that at least in the next session it must be brought.

Then we have to deal with the people indulging in hoarding and profiteering. These vested interests have started a process of undeclared war against the masses. They do not bother about the independence of this country; they do not care for the hardship of the common people; they do not bother about anything except their own profit. That is why I would request Government not to rely on the traders and big businessmen. Government must take stern measures against black money. Black money must be attacked and unearthed. Ultimately all this is essential to bring the situation back to normalcy.

SHRI P. K. DEO (Kalahandi): I have been listening to the various speeches and find that except a feeble support from very few members, the consensus of the entire House is that the Ordinance should be thrown out lock, stock and barrel.

17.04 hrs.

[SHRI VASANT SATHE in the Chair]

I do not think any persuasion would be needed to support the Resolution so ably moved by my hon. friend, Shri Vajpayee, disapproving of the Ordinance and the Bill, Sir, what is the use of having an Ordinance when the

[Shri P. K. Deo]

House was going to sit in 15 days time. This special power exercised by the executive is adding insult to the injury on the Legislature which is a sovereign body and which goes into all aspects of the question so far as the welfare of labourers is concerned. Sir, to me it is waging a war against the working class. Sir, in order to find some scapegoat, some alibi, some excuse and to strengthen his arguments and build up his case, the Finance Minister has stated that this is a package deal to fight inflation. Who is responsible for this inflation? It is your own creation. It is the result of persistent pursuit of wrong policies and priorities over all these years. This is the ultimate result. Now, you are going to face the music and you try to pass on the baby to somebody else; you are asking the working class to be prepared for some sacrifice. You are impounding the additional wages, savings and dearness allowance of the working class which is nothing but wage-freeze. Already, the increase in wages is not commensurate with the rising prices. To me, it amounts to adding insult to the injury. In this country, we pay lip sympathy to the working class. Whatever little good we have done by way of legislations like Payment of Wages Act, Bonus Act, Minimum Wages Act, Industrial Disputes Act etc. all the good that has been done is going to be undone by these very measures that you are going to take.

Sir regarding purchasing power you have very rightly pointed out that it is going down every day. Unless there is more supply of goods, by merely impounding the additional wages that the working class is to get, you are not going to solve the problem. You are just tinkering with the problem. You will hardly touch the fringe of the problem.

Sir, regarding black money, you have expressed your concern in your most eloquent speech and other speakers also spoke about black money and expressed their concern. The easiest

method of stopping black money, as suggested by Mr. Jaya Prakash Narayan would be that all the political donations which various parties receive at the time of elections should be declared, the accounts of the political parties should be audited and should be available for public scrutiny. This only can stop black money whose circulation has created all these problems. Lastly I would like to say....

MR. CHAIRMAN: This suggestion is simplistic.

SHRI P. K. DEO: We can at least make a beginning. Then, Sir, Article 43 of the Constitution under the Directive Principles of the State Policy, says:

"The State shall endeavour to secure, by suitable legislation or economic organisation or in any other way, to all workers, agricultural, industrial or otherwise work, a living wage."

How are you going to provide a living wage? There is constant erosion of the value of the rupee and after two years, the purchasing power of the people will further go down. Are you going to provide a living wage? You are not going to provide a living wage. This is unconstitutional, illegal and this is against all principles of so called socialism you profess. This has to be thrown out lock, stock and barrel.

SHRI RAJA KULKARNI (Bombay-North-east): Sir, the measure under consideration is an exercise in tight rope walking on various issues related to the role and status of wages under inflationary conditions. It is exactly the indecisive mind and doubtful conditions in which this exercise is undertaken that has created doubts about the achievements of this measure. The Finance Minister clearly, stated that this is not a ban on wage revision, it is not a wage freeze. Constitutionally and legally he is correct. But at the same time, when the Bill freezes the purchasing power as on 6th July, it has its repercussions.

It acts as a restraint on wage revision in all undertakings, public or private. So far as public sector undertakings are concerned, there has been restraint, direct and indirect, and various types of controls over wage revisions. In that background, when this is considered, the dividing line between wage freeze and freezing of the purchasing power becomes very thin. One does not know what it will achieve when we are doing this tight rope walking on this concept.

It has been said that this is not mobilisation of resources but immobilisation. Out of Rs. 900 crores which might have to be paid as additional DA to 18 million workers, Government is attempting to immobilise Rs. 450 crores plus the wage increases that will come. The question is, whether this immobilisation can and will achieve the purpose or there should be an open attempt to mobilise the resources by calling it a saving. The Government is putting it into a compulsory deposit. If deposit is not saving, what else is it? It is a fixed time deposit which means it is nothing else but savings. Saving is nothing else but mobilisation of resources. But it will be said, "We are not going to spend it or invest it. It will not be spent for developmental or any other purpose. Therefore, it is immobilisation." Taking the money away from circulation and funding it into the Reserve Bank—partly it is immobilisation and partly it comes under mobilisation. Under such tight rope, walking between mobilisation of resources and immobilisation for the purpose of withdrawing the money from circulation, one does not know how far this is a decisive attitude which will help in fighting inflation.

The main objectionable thing is putting wage money on par with dividend money. That is what the working class is objecting to.

While it is true that every money is in circulation and while we do agree with the Finance Minister that what is needed today to fight inflation is to curb the money supply, the

aggregate money demand has to be curbed and, therefore, the money has to be withdrawn from circulation. What type of money has to be withdrawn from circulation? The money which causes inflation, the money which is available for saving and investment, that has to be taken out of circulation. In this context, if you are touching the wages, is there any element of saving in any of the wages that are being paid in any industry or commercial undertaking? Whether you take the minimum wage, or the need based wage, fair wage or living wage, there is no element of saving. Because they are required for immediate consumption. Now you are asking the workers to sacrifice the present consumption in the ultimate, national or future interest. But a curb on present consumption will hit production. And production is already moving around the level of zero growth rate because of shortage of power, shortage of raw materials, bottleneck of transport, mismanagement, the operation of the parallel economy and so on. Under these circumstances, the only motivating force for pushing up production, which as the ultimate measuring rod for fighting inflation, is the moral of the workers. If the workers are hit by the present curb on consumption, that will affect production. You should also remember that the entire wages are not paid in cash. About 15 per cent of the wages are already deducted for provident fund or Employees State Insurance. Government are already mopping up those resources from the savings of the workers. Therefore, this measure should have been avoided.

We would have preferred some other measures rather than this. For instance, it was open to the Government under the difficult economic conditions to raise the provident fund contribution in all industries to ten per cent. It would have helped the Government in mobilising resources instead of immobilising the circulation of money. If it is not sufficient, there are some other measures which are followed in other countries. One is

[Shri Raja Kulkarni]

to decide the standard ratio between the labour cost and the total cost of production. But Government have avoided that measure, which is adopted in other countries, and have taken to this unusual method which is risky. I wish all success to the measure of the Finance Minister and I support it with this observation that we have our own reservations.

PROF. MADHU DANDAVATE (Rajapur): Mr. Chairman, Sir, even in this debate, I would not like to take a complacent attitude as if there is no problem of inflation. It has been one of the great achievements of this Government for the last several years that today inflation in our country is one of the highest in the world.

SHRI C. M. STEPHEN: No

PROF. MADHU DANDAVATE: One of the highest in the world. I am very careful about using the words. I will give the statistics. The International Monetary Fund figures that have been published in December, 1973 indicate that among the highest figures relating to inflation first stands Chile with 528 per cent, second comes Vietnam with 59 per cent and we have got a distinguished mark of being the third on the list with 24 per cent. These are the figures that are available. From these figures, it is very clear that the problem of inflation is tremendous. But if the problem of inflation is to be tackled, my only plea with the Finance Ministry is that one of the rules regarding economic development and the problems of curbing inflation is that let there be an approach of equality of sacrifices.

If at all the burdens of development are to be borne, why is it that it is only the organised working class in the country, the landless people in the country and the peasantry in the country should suffer the pangs of burden. Therefore, my contention is that you try to understand this particular balance aspect and do not try to

put more burden on the industrial workers, the organised labour in this country.

It is argued that, after all, for one year and two years only the additional emoluments are going to be put as compulsory deposits and they are going to be made available to the workers and it is considered as some sort of a saving which will help the economy of the country and also the workers. But here let me point out that in the present conditions, if the dearness allowance is improved, if the emoluments are improved, they are not to give affluence to the industrial workers. They are badly hit. The additional dearness allowance and the additional emoluments are a must for the workers. It has been clearly established that for the last several years, the rupee value has edinwlded by leaps and bounds. I do not want to quote all the figures. In 1950, the value of the rupee was 99.1, taking the base (1949—100); in 1960, it was 80.6 in 1970, it was 44.2; in 1973, it was 31.6 and in May, 1974 it was 28.0. The value of the rupee has come down to 28.0.

That being the position, with such a position of dwindling value of the rupee, if additional allowance is offered, if additional emoluments are offered, to the workers, it is not that they are going to improve the affluence of workers. It is a must for them for their daily expenditure. If this is going to be put as a compulsory deposit in the case of increased wages for one year and 50 per cent of D.A. for two years, in that case, during the intervening period, the workers are not going to cut down their expenditure. What is likely to happen is that they will borrow loans, they will get loans from money-lenders, they will draw loans on an exorbitant rate of interest. As a result of that, if you take into account the loans taken in the course of two years along with the interest that they pay on loans, you will find that this amount will outstrip the amount that they are likely to get back after two years along with

in increased rate of 2.5 per cent interest. Therefore, their burden will increase and, as a result of that, the problem will not be tackled at all.

In this particular case, I would not like to take a negative approach. Don't try to tax the workers. Whom should they tax then? It is here that I would like to put positive solutions. Very often, we are told that the inflationary situation has grown. But every time, it is told, as one of the Members said, it is the organised working class which is generating more pressure, demanding more dearness allowance and, as a vicious circle, the inflation is growing. If you go through the Approach Document of the Fifth Plan, if you also go through the valuable work that has been put in by the National Council for Applied Economic Research, you will find that they have very clearly brought out how it is that not only the organised working class in the country which is responsible for growing inflation but there are other factors which are also responsible.

You always talk in terms of a package deal. Package deal is a very favourite thing of our Finance Minister and also of the Prime Minister. Therefore, I would like him to tackle this problem of inflation only on the basis of a package deal. If the package deal is to be undertaken, there are six or seven important factors. I would only cursorily refer to them in a minute. Unless she is able to have an overall tackling of the problem, the inflation cannot be tackled merely by impounding the increased dearness allowance and increased wages.

The first and foremost thing is the excess demand in relation to the goods available. There is no adequate availability of goods. Secondly, there are persons with unearned income in the form of black money. The Wanchoo Committee made an estimate in 1969-70 that it was to the tune of Rs. 7,000 crores. The National Council of Applied Economic Research has said that, in 1971, the black money was of the

order of Rs. 7,280 crores and by November, 1973 it had increased to Rs. 10,273 crores. If that is the extent of the black money, then naturally there is a scramble for purchasing things from wholesale dealers and you find the prices going up. So, that aspect has to be tackled.

Then, we have an increased cost of production, but you find that the actual productivity is not in commensurate with the increased cost of production. Therefore, the entire emphasis has to be changed. To reduce the cost of production, we must take up to small unit technology.

A very important aspect that is neglected by our Government and as a result of which there is an inflationary pressure on our economy is that the priority given by our Government is for capacity creation and not for capacity utilisation. Unless they shift the priority from capacity creation to capacity utilisation, it will not be possible for them to augment the production in the country. Therefore, that shift also has to be ensured.

Then there are failure of large scale investment programmes in the absence of assured supply of essential commodities. The failure is on the production front; it is not due to the workers; it is due to the inequitable distribution of raw materials, secondly, managerial inefficiency, and thirdly, injustice that is done to the workers by way of lack of adequate production incentives.

Then there has been the ever-mounting deficit financing; in the First Five-Year Plan it was Rs. 333 crores and now on the eve of the Fifth Five-Year Plan it is Rs. 2,000 crores. This deficit financing has to be curtailed. The non-developmental expenditure which has mounted to 67 per cent has to be curtailed.

If all these aspects are dealt with in a cumulative manner, then only the inflationary pressures in our country will be controlled.

[Prof. Madhu Dandavate]

Here I must point out one thing. You say that it is not a wage-freeze. But when the amount that is impounded is not going to be available to the workers for direct expenditure here and now, that itself is wage-freeze. What else is wage-freeze? Whereas on the one side you are prepared to introduce wage-freeze by back-door, on the other side you are not prepared to unearth the black money in the country. Our Finance Minister claims that, in 1946, they tried this experiment of demonetisation in India, but it failed; in Ceylon they tried in 1970 but it failed. If it failed in 1946, in India it was because of the fact that 76.5 per cent of our entire currency in 1946, which consisted of ten-rupee and hundred-rupee notes, remained completely untouched. As a result of that, there was not sufficient contraction in the circulated money in the country. But there are a number of countries in which, effectively, demonetisation was undertaken and it was successful. My contention is that, even if the Finance Minister undertakes demonetisation of ten-rupee and hundred-rupee notes in isolation, that measure is not likely to succeed. Therefore, demonetisation itself has to be a part and parcel of a package programme in which, along with demonetisation, other things also have to be undertaken. Here the Raj Committee's recommendations are extremely important. The recommendation of the Raj Committee of clubbing agricultural and non-agricultural income, on which a number of Chief Ministers have given their resentment, has to be implemented so that the loophole of a considerable portion of non-agricultural income passing off untaxed in the form of agricultural income can be plugged. Also the concept of ceiling will have to be widened so that income, property and expenditure are all brought into the entire ambit of ceiling. If this package programme is undertaken, we can assure you that there will be full cooperation from the industrial labour as well as the peasantry in this

country. If such a package programme is undertaken, then in that case these cursory, piecemeal and halting measures like impounding the increase in the wages of the working class and fifty per cent of the increase in the dearness allowance will not be required. I conclude by warning the Finance Minister that merely by votes being taken in this House this problem will not be solved. Industrial peace in this country can never be developed by taking votes in Parliament. You have to win the confidence of the organised labour in the country. Approach the central trade union organisations in the country. You have to have some dialogue with them. Fortunately we have some very good support with them. You should sit with them, bring all central organisations together; you should discuss with them the problems facing you, to fight inflation. If they are taken into confidence then alone your scheme will work. If you try to rub the organised labour in the wrong way as this Bill does, you will not be able to achieve the object of the Bill. The object of the Bill itself will be defeated. You can get the Bill passed by voice vote or by division. But so long as organised working class fight for their rights, this Bill will never be pushed through. I warn the Finance Minister that all the benefits and facilities which have come to working class in this country and other countries in the world have come not only by mere legislation. They are all the ultimate consequence of the organised pressure of the struggle of the working class outside. It is only through legislation reflecting the aspirations of the labour and working class that you can achieve your objectives. Or else, the pressure of the working class will compel this Government to change its orientation to win the battle for the working class in this country.

श्री मूल नम्बर डांवा (पाली) :
समाप्तिसि महोदय, मैं तो एक बात पुछता हूँ
कि पिछले 27 सालों में हम ने क्या जादू
किया और अब आगे 5 सालों में क्या जादू

होने वाला है। मेहरबानी करके यह बतला बाँटिए कि 5 मालो में कितना रुपया इकट्ठा हो जायेगा और पाच साल के बाद क्या हालत हो जायेगी कि जिस दिन आप सारा रुपया चुका सकेंगे और मूलक की हालत सुधर जायेगी। सरकार के अन्दर 1 करोड़ 20 लाख प्रादमी काम करते हैं 35 लाख भेरे ब्याल से उत्पादन का काम करते होंगे सब की एकाउण्टेबिलिटी ले लीजिए। मुझे तो अफमोस यह है कि जा मेज न हमें मूद्रा को रोकने के लिए लाने चाहिए उन को हम नहीं लाते। मैंने कई बार कहा है—आप आक्टोफर एनाउन्स देते हैं एक शटके से रहिए कि हम इस का बन्द करत है। आज नाखा हजारा मकान सरकारी नौकरो ने बना गये हैं मरवार से लान लेकर बनाये हैं, लेकिन उन में रहने नहीं है रहते हैं सरकारी क्वार्टरों में उन को विरगये पर चढाया हुआ है। हजारा-नाखा रेलवे कर्मचारी फ्री यात्रा करते हैं—आप बतलाइये कौन-सा मरवारी नौकर उत्पादन का काम करता है। आप की कोल माइन्ज है दूसरी माइन्ज है जहा हजारा वर्कर्स काम करत हैं जहा आज घाट की अर्थ-ब्यवस्था चलानी पडती है। आप ने कल का र्हाँ, फूड कार्पोरेशन का डटा देखा हागा कितना रुपया हमें देना पडना है। हम ने बड़े-बड़े बाघ बनाये हैं करोडा रुपया बिजली और पानी के लिए इन्वेस्ट किया है क्या उन से सही रिटर्न आता है ?

अभी राज बमेटी का जिक्र किया गया। वास्तविकता यह है कि हम जो कदम उठाना चाहते हैं उन को उठा नहीं पाते हैं। मैं अभी अभी साचवा हूँ आप 5 साल के बाद कितनी धनराशि 11 परसेण्ट ब्याज के साथ चुका सकेंगे। आपका कहना ठीक है कि आज बड़ी चिन्ताजनक हालत है, उस से सबको त्याग की भूमिका निभानी होगी, लेकिन ब्रह्म त्याग सर्वमं कराइये। आज बड़े-बड़े इन्कटर्स हैं इन्जीनियर्स हैं, लायर्स हैं, उन की ग्रामदनी पर इन्कम टैक्स नहीं लगता है।

मैंने बहुत से पान वाले देखे हैं जिन की बड़ी ग्रामदनी है, स्मगलर्स हैं और दूसरे बड़े बड लोग हैं उन को कोई टच नहीं करता है। हम लोग सिर्फ उन्ही लोगों को टच करते हैं जो हमारे हाथ में होते हैं जिन से ऊपर हमारा अधिकार हाता है। ऐसे बहुत से धन्धे हैं जिन में लाग प्राइवेट प्रिक्टिस करते हैं, काम करने हैं टेलर्स को ले लीजिए, ऐसी दुकानें हैं जहा एक बार्शट की सिलाई 15 रुपए से 50 रुपए तक लगती है—लेकिन इन की ग्रामदनी को कोई टच नहीं करता है।

हमारा 78 परसेण्ट रवेन्यू आज एड-मिनिस्ट्रेशन पर खच होता है—पहले कितना खच होता था और आज कितना खचं हा रहा है—इतना कैसे बड गया—क्या आप अभी साचते हैं। रोजाना इन की तनख्वाहे बढती जाती हैं। अभी कल ही रेलवे की बात हो रही थी—यहा जितना रुपया खर्च हाता है सब अनप्रोडक्टिव कामो पर खच होता है—इस को रोकिए। जो अन-इकानामिक डग में और अनप्रोडक्टिव कामो पर खच हो ते उस के खिलाफ हम कदम नहीं उठाते हैं—इन न जा प्रोडक्टिव कामो में लगा हुआ है उस के मन में असन्तोष पैदा होता है, इस से हमारे मजदूरो में असन्तोष फैलता है। अटल बिहारी जी अभी कह रहे थे कि इस का 60 परसेण्ट पर अमर पडगा, लेकिन इस से भी ज्यादा तो गरीब मजदूर हैं। जहा हमें कदम उठाना चाहिये, वहा हम नहीं उठाते हैं, जहां से हम ले सकते हैं वहा से नहीं ले पाते हैं हर एक आदमी गाली देता है। जहा-जहा पैसा जमा होता है ये बनिये ये पूजीपति इन को किस लिये पैदा किया है इन का जरिया कौन है ? इन का जरिया आप के अफिसर्स हैं। सरकारी कर्मचारी उस बनिये से मिलता है, उस पूजीपति से मिलना है तो वह फूलता उगता है। यह मारी गडबड तो हमारे घर में ही है। इस सेजर से आप कितना रुपया चुका सकेंगे — मुझे तो इस में शक है भेरे ब्याल से यह काम ज्यादा उपयोगी साबित नहीं होया।

MR. CHAIRMAN: Mr. Thevar Kindly cooperate with me. Restrict your speech to three minutes because we are already short of time.

SHRI K. MAYATHEVAR (Dindigul): Mr. Chairman, Sir, I thank you very much for having given me this opportunity to contribute my views on this Bill on behalf of my party.

Sir, this Ordinance was promulgated just three days prior to the commencement of this House. I do not know the reason why in such a hurry this was promulgated. No invasion took place over this country either by Pakistan or by China. Why was this Ordinance promulgated? That too was against the poor working class people numbering about 1½ crores or so. We expected that this Government would bring forward a Bill to check the inflation and arrest the risen prices in this country against the blackmarketeers, black-money holders etc.

I would draw your attention to what had happened in Bangladesh on 22nd July, 1974. They introduced a new legislation in their Parliament for inflicting a death penalty on black marketeers, smugglers and the anti-national elements in that country. This is a small country which has got less than even one-fifth of our country's population. We are legislating so many acts in this House which are unwise. I consider this Bill as unwise, unconstitutional, unethical and illegal one. Therefore, I demand that this Government should withdraw this. This Bill is unconstitutional, illegal and *ultra vires* in the legal sense of the term. Of course this Party has got a majority to get this bill passed. Tomorrow, after passing of this Bill, somebody might file a writ petition in the court. Already I learn there are more than a dozen writ petitions filed in the Supreme Court of India. And, if tomorrow, this Bill is set aside by the Supreme Court or they hold this as invalid or un-

constitutional, we will not be able to face the people as they will consider us as unwise legislators.

That is why I request the hon. Minister to think over once again before passing this Bill.

I am very much astonished to find penal provisions in Section 14 of this Bill. I request that the Government may kindly withdraw the penal provisions enshrined and laid-down in Section 14, namely, lines 15 to 20 which deal with the penal provisions against the employees. I fail to understand whether these employees on whose back you are stabbing are they criminals, black-marketeers, profiteers or counterfeit currency holders. You are penalising the workers who are meeting the life and death problem in their day-to-day life. Therefore, I request the Government to withdraw these penal provisions

So far as my view is concerned, if this Government is earnest to consider the recommendations made by Wanchoo Committee, there are so many recommendations this Committee made for digging out black money but this Government failed to consider even an iota of those recommendations. Then what is the use of appointing so many Committees and wasting lakhs of rupees if the Government of India does not want to accept their recommendations. Therefore, I request the Government to consider the Wanchoo Committee's recommendations.

I oppose the Bill tooth and nail on behalf of my party.

श्री रामोबर पंडे (हजारीबाग) :
 सभापति जी, इस बिल का हृदय से समर्थन तो नहीं किया जा सकता, दिककत यह है कि जिस मकसद से यह बिल लाया गया है। मैं नहीं समझता कुछ हद तक भी उस मकसद में सफलता मिलेगी। जैसा कि कह गया, इनका एक मकसद यह था कि कुछ

एफ्ल्यूएन्ट सोसायटी के लोग, ज्यादा पैसा खर्च करने वाले लोग, जिनके पास अधिक पैसा है वह चीजों की कीमत बढ़ा रहे हैं और इसलिए चीजों के दाम घटते नहीं बल्कि बढ़ते जा रहे हैं। तो जिनके हाथ में ज्यादा पैसा है उनके हाथ से वह पैसा छीना जाये, उनके पास पैसा कुछ कम किया जाये, मैं समझता हूँ यह बात वाजिब थी, उचित थी और इस तरह था कोई भी कदम दुर्भाग्यपूर्ण या असहयोगपूर्ण कदम नहीं होना लेकिन आज क्या स्थिति है उसका आप मूल्यांकन करे तो पता चलेगा कि आज एक मजदूर जिनकी तनख्वाह 3 रुपए रोज है, जो आज सौ रुपए महीना कमाता है, 8 घंटे मेहनत करता है अन्नरख की खदानों में, मैंगनीज की खदानों में या लोहे की खदानों में उसका तान रुपए में पेट नहीं भरता। फिर वह मजदूर सिर्फ अकेला ही नहीं है, उसका परिवार और बाल बच्चे भी है। उसके सामने अपने परिवार की समस्याएँ भी हैं। अगर मेहनत करने के बाद वह थोड़ी लड़ाई करता है, थोड़ी तानक बँदखाता है और उसके बल पर उनको कुछ हासिल होता है तो आप कहते हैं कि यह तो ज्यादा खर्च करने वाला हो गया। अगर उसकी तनख्वाह तीन रुपए से चार रुपए रोज हो गई तो आपकी निगाह में वह ज्यादा खर्च करने वाला हो गया, उसकी बजह में कीमतें बढ़ जायेगी—यह बात मेरी समझ में नहीं आई।

आज हालत क्या है उसका एक नमूना मैं आपके सामने रखना चाहता हूँ। 1967 में कोयला खदान मजदूरों के बेज का रिबोजन हुआ। तब से पांच साल जब पूरे हुए तो मजदूरों ने माँग शुरू की कि हमारी तनख्वाह की बढ़ोत्तरी होनी चाहिए, हमारे वेतन में सुधार होना चाहिए। 1972 में कॉर्किंग कोल का नेशनलाइजेशन हो गया तो कहा गया 6 महीने बँटो जरा स्टैब्लाइज करने दो फिर सुम्हारी तनख्वाह बढ़ेगी। फिर जब 6 महीने

ही नहीं साल भर बीत गया तो कहा गया नानकॉर्किंग कोल का नेशनलाइजेशन होगा। वह भी कर लिया तो कहा गया कि हमारी तनख्वाह का क्या होगा तो बोले थोड़ा सा स्टैब्लाइज करने दो फिर तनख्वाह बढ़ायेंगे। तुम तकलीफ में हो यद्दहम मानते हैं, इसी बुनियाद पर नेशनलाइजेशन किया गया कि कोयला खदानों के मजदूरों को उचित तनख्वाह नहीं मिलती। राष्ट्रीयकरण के बाद सरकार ने यह उचित समझा कि उनकी मजदूरी में सुधार के लिए कमेटी बनाई जाये। एक वार्डपार्टिट्ट कमेटी भी बनी। मई में उस कमेटी में समझौता या सहमति जो भी कहिए, वह हुई। फिर वह समझौता या सहमति सरकार के पास आई और इसी बीच प्राइजेन्स भी आ गया। तो आज उनकी स्थिति क्या होगी? 1967 में जो उनकी मजदूरी थी उसमें आज जो कुछ पैसा उनको मिलने वाला था उसको आप कहते हैं कि हम से लेंगे और पांच साल के बाद देंगे। पिछले दस सालों में पैसा मिला नहीं और आप कहते हैं अगले 5 सालों तक हम देने वाले नहीं हैं। आप उम्मीद करते हैं कि कोयले का उत्पादन बढ़े। कोयले का उत्पादन इस लिए बढ़े कि अधिक बिजली पैदा हो और उससे अधिक उद्योगीकरण हो, देश में अधिक उद्योग-धंधे चल सकें, कल-कारखाने चल सकें। आपके इस्पात की अधिक पैदावार हो। लेकिन क्या आप समझते हैं मजदूरों को दुखी और नंगा रखकर, उनकी तनख्वाहें काटकर अपना उत्पादन बढ़ायेंगे? यह सन्ध्व नहीं है।

इस सम्बन्ध में मैं एक सुझाव देना चाहता हूँ कि जिस तरह से आपने इसमें प्रावधान रखा है कि वेतन आयोग के द्वारा जिनकी तनख्वाह निर्धारित की जायेगी चाहे वह केन्द्रीय सरकार के कर्मचारी हों या राज्य सरकार के कर्मचारी हों, उनके वेतन को नहीं छुआ जायेगा, उसी प्रकार से मन्त्रीजों से मेरा निवेदन है कि जिस प्रकार से आपने उन पर कृपा की है कोयला खदान मजदूरों पर

[श्री दामोदर पांडे]

भी आप कृपा कर दीजिए कि जो कमेटी आपने बनाई है, जो कमेटी सरकार ने बनाई है, उस कमेटी ने जो सिफारिशें दी हैं उन सिफारिशों को कम से कम आप न छुएँ। उस कमेटी की जो सिफारिशें हैं उनमें कोई कटौती नहीं होनी चाहिए, यह मेरी आपसे दरखवास्त है।

दूसरे में यह निवेदन करना चाहता हूँ कि जैसा आप जानते हैं यह बहुत बड़ा देश है और इसमें काफी इम्बैलेन्स है। खासकर देश का पूर्वी क्षेत्र बड़ी खराब स्थिति में है। बंगाल, बिहार, उड़ीसा के मजदूरों की तनख्वाह की हालत बहुत खराब है। सौराष्ट्र महीना भिन्ना है। और किसी भाई ने कहा 67 प्रतिशत ऐसे देशवासी हैं जिनको वह भी नहीं मिलता। मैं मानता हूँ उनको नहीं मिलता लेकिन क्या 67 प्रतिशत देशवासी 8 घंटे काम करते हैं तब उनको नहीं मिलता है या बेकार रहते हैं तब नहीं मिलता है? जब उनको रोजी नहीं मिलती तो मजदूरी भी नहीं मिलती लेकिन यह मजदूर 8 घंटे घरती की छाती चीरकर आपको कोयला और लोहा देते हैं। तब भी उनको खाने के लिए रोटी नहीं मिलती। तब आप उनसे क्या उम्मीद कर सकते हैं? यदि इम्बैलेन्स को देखा जाये तो ग्रहणदावाद, बम्बई और पंजाब में तीन सौ, चार सौ रुपये से कम मिनिमम वेज नहीं है तो क्या उस स्तर तक यह मजदूर भी आप मन्त्रे इस बात की व्यवस्था नहीं होनी चाहिए? मैं चाहता हूँ कि जो कम से कम तनख्वाह पाने वाले लोग हैं उनमें स्तर पर भी बाँके मजदूरों की तनख्वाह नीचे नहीं जायेगी इसकी व्यवस्था विल में हार्न चाहिये। मैं चाहूँगा मन्त्री जी इस बात का आश्वासन दें कि कम से कम 3, 4 सौ रुपये तक अगर तनख्वाह की बढ़ोतरी होगी जिसकी सम्भावना है क्योंकि आज पूर्वी क्षेत्र में मजदूर जागरूक हुए हैं और उन्होंने कुछ ताकत पैदा की है जिसकी वजह से उनको कुछ हासिल होगा, इसलिये जो हासिल

होगा उसको अगर आप ले लेंगे तो उनमें बड़ी बेचैनी होगी। इसलिये एक स्तर तय कीजिये कि मिनिमम स्तर पर जो तनख्वाह होगी उस तक तनख्वाह में जो बढ़ोतरी होगी उसको नहीं छुआ जायेगा। इस के बारे में एक निश्चित मत होना चाहिए।

SHRIMATI PARVATHI KRISHNAN
 (Coimbatore) Your coal miners will lose if you say like that. Do not spoil your speech like this.

SHRI DAMODAR PANDEY: That is about minimum wage For coal miners, I have said separately

मेरा दूसरा मुद्दा है बहुत से पूर्व-वक्ताओं ने कहा कि यह जो कुछ भी हम कर रहे हैं उसका एक ही मकसद है कि उत्पादन में बढ़ोतरी हो और ऐसा वातावरण तैयार किया जाये कि देश में कृषि और औद्योगिक उत्पादन बढ़े। तो औद्योगिक उत्पादन बढ़े इसमें कम से कम आप जो तनख्वाह निर्धारित करेंगे बहुत जगह इसे टिव बोनस स्कॉम लागू की गई है, कुछ प्राइवेट और पब्लिक सेक्टर में है। अब स्थिति यह है कि इसे टिव बोनस पर भी कटौती शुरू हो गई। वित्त मन्त्री ने कहा जो रेट इसे टिव का है उसमें कटौती नहीं करेंगे। लेकिन उसका इम्प्लिकेशन क्या है उसको मैं यहाँ पर रखना चाहता हूँ। मेरा सुझाव है कि इसे टिव बोनस का जो आज का रेट है जैसे आज कहते हैं कि जो तनख्वाह की बढ़ोतरी होगी या डी० ए० बढ़ेगा तो कोई भी इसे टिव बेसिक वेज और डी० ए० से लिफ्ट रहता है आप उसका रेट न भी बढ़ायें तो इसे टिव की कम बढ़ जायेगी। इसलिए तनख्वाह में और डी० ए० में जो बढ़ोतरी करेंगे उसकी वजह से अगर इसे टिव बोनस का गेट बढ जाता है तो उसको भी काट लेता है। अगर इस तरह की स्कीम होगी तो यह इसे टिव होगा या डिसइसे टिव होगा? मैं समझता हूँ यह डिसइसे टिव होगा। तो इनसे टिव बोनस पर किसी तरह की कोई कटौती

नहीं होनी चाहिये। जोभी स्कीम लागू हो वह लागू रखी जाय चाहे रेट कुछ रखें लेकिन तनक्वाह बढ़ने वजह से प्रगर इंसेंटिव बढ़ता हो तो उस में कोई कटौती नहीं होनी चाहिये।

एक तरफ आप यह कहते हैं कि लोगों के हाथ में पैसा कम जाना चाहिये जिस से चीजों का दाम न बढ़े। तो कम से कम पब्लिक और प्राइवेट सेक्टर में जहाँ मजदूर रिमोट कोर्नर्स में काम करते हैं वहाँ आज उन को खाने को अनाज नहीं मिलता, कम से कम उन मजदूरों को तो आप ऐश्वर्य कीजिए कि आप फेयर प्राइम शोप्स से उन को जरूरत की चीजें देगे। नहीं तो मिल मालिक को आज्ञा दगे कि कम से कम वही दुकाने खोल और जो जरूरी सामान है जीवन के लिये वह फेयर प्राइस शोप्स की मार्फत उन को मल्लाई किया जायगा। इस की गारन्टी होनी चाहिये। इस के अलावा मजदूर कुछ नहीं मागता। उस को खाना, कपड़ा और रहने की सुविधा दीजिये, चाहे उस की सब तनक्वाह ले लीजिये तो हमें कोई ऐतराज नहीं होगा।

SHRI P. G. MAVALANKAR

(Ahmedabad): Mr. Chairman, Sir, I rise to register my strong protest against this anti-people, anti-labour, anti-trade Union Bill that has been brought before this House today. Sir, I would like to ask, at the very outset, a fundamental question to the Minister of Finance. He has brought his package through a series of Ordinances. Several weeks have passed since the issuance of these Ordinances. I would like to ask him, from the date of issue of these Ordinance, till today, has he been able to arrest the rising prices? Indeed, in the intervening period, prices have risen further. Therefore, his cure is not producing the result. Now, he says that some time has to be allowed before the results are out. Then, I would ask, what was the hurry of going it through Ordinances? You could have done it through legislative measures. You do it through Ordina-

nances because you wanted to do the trick and you expected some magical results to follow quickly. But this has not produced the results. Therefore, my feeling is, Government has been totally bankrupt, I repeat this word—Mr. Chavan did not like it when I said the same thing while speaking on the Temporary Restrictions on Dividends Bill—with regard to the solution of the economic problems. Instead of trying to find out who is the main culprit, instead of trying to attack the fundamentals, it only tries to attack those who, in any case, reharassed and tortured. These 18 million people, whom you are going to touch with this kind of Bill, are they going to run away. Could you not have asked them to curb consumption and restrict money supply by saving? Why are you forcing them with this kind of scheme of deposits? The answer is obvious. Because, you know that you cannot touch the people whom you ought to touch. And because, you know that you can jolly well touch these people. Although the workmen are well organised, unfortunately, yet, as my friend Mr. Dandavate rightly warned, they have not yet come to a stage when organised labour outside can have any meaningful pressure on the legislative processes inside this House. That stage has not yet come unfortunately. It will come. It is bound to come. Therefore, I say, this measure is anti-labour. I would quote only a short paragraph from the issue of First August 1974 of the monthly bulletin of the National Labour Organisation, called "National Labour" published from Ahmedabad. I quote from the editorial:

"The whole thinking amounts to be anti-labour. The Ordinance permits annual increments, advance increments, enhanced increments, and promotions. But, a worker who gets an opportunity to earn a wage-rise after four or five years, is denied the opportunity and is asked to deposit the amount with the Government."

[Shri P. G. Mavalankar]

Then, Sir, it says further:

"It is very difficult to expect a minimum wage earner to sacrifice for no fault of his own."

So, the main point is, this Bill of the Government has created not only discontent among the workers; it has created I dare say, a total wrath among the working classes of this country. In the name of national economic development, what this Government has done and is doing is to further play havoc with the already harrassed people belonging to the working class, the lower middle class and the middle class. Government are not helping the labour. They are actually helping to exploit the fixed wage earners and the workers. Government's intention is to immobilise money supply and they say that by this scheme of deposits, they will be able to do it. I would ask the hon. Finance Minister, what a pittance are you going to have by way of deposits? It will be a pittance. After all, how much the workers are going to save? If you ask every worker to save one rupee is it going to be a massive amount for which you want that the workers should sacrifice? It is an insult to the working class and it is an insult to the poorer people. You say that you must not spend an extra rupee because it will amount to unnecessary consumption. But the extra one rupee would only enable him to get one-fourth of the food that he needs and if he does not get that extra one rupee or two rupees, by way of dearness allowance etc., how is he going to survive? He will not be able to make both ends meet. He will not be able to do it, even with great difficulty. If he deposits this amount he will not be able to do it at all. Therefore, my charge is, this Congress Government which has been in office for the last several years, has been talking all the time in terms of interest of labour. But all their pro-labour slogans are only vote-catching

ments (Compulsory Deposits) Bill

devices. They think that the labour can be fooled. But, I would say, for the last some years, there has been a tremendous awakening on the part of the workers. They are not going to be fooled now.

This Government's attitude against labour has been recently proved during the railway strike, the Indian Airlines strike earlier and the present Air India pilots' strike. The Government do not want to consult the workers' representatives. They want to ride roughshod over the wishes of the people.

18 hrs.

I come from Ahmedabad, the city of textile mills where there are 1,25,000 organised workers. The Majur Mahajan of Ahmedabad and other workers' unions would be ready to cooperate with the Government, but Government have not taken care to invite the suggestions from the trade unions and the working classes. My friend Shri Ram Singh Bhai referred to "SEWA". It does not mean service. It means the "Self-Employed Women's Association" of Ahmedabad which was started recently under the auspices of Majur Mahajan. They have come out with their own bank. Thousands of illiterates, wage-earning women have joined it. So if you want workers' participation and cooperation you will get it if only your attitude is pro-labour and not anti-labour.

This measure will cause untold hardship to the working classes. It will entail heavy administrative work and unnecessary extra expenditure because 18 million new accounts, man by man, month by month will have to be maintained and it will create more complications. Therefore, in the name of the working class and the ordinary middle class people, I want to register once again my protest against this Bill in as strong a manner as possible. In the name of breaking the vicious circle, Government are only breaking the backbone of the working classes.

बीसवीं वीणा होखती है (बम्बई मध्य) : सभापति बहीदय, इस बिल के बारे में जो तकरीरें हुई हैं, उनको मैंने सुना, सिर्फ़ विरोधी पक्ष की ही नहीं बल्कि जो रूलिंग पार्टी के मेम्बर्स हैं उनकी भी। सब यही कहते हैं कि यह ठीक नहीं है और यह बुरा है और इसका असर बुरा होगा लेकिन रूलिंग पार्टी के सदस्य ऐसा नहीं कहते कि हम इसका विरोध करेंगे। उनसे हिम्मत नहीं है। वे यह कहते हैं कि यह ठीक नहीं है और इसमें सुधार होना चाहिए। वे यह नहीं कहते कि हम इसका विरोध करते हैं और फिर भी कहते हैं कि हम जनता के साथ है और जनता के साथ रहना चाहते हैं। वे ये विधेयक लाये हैं और पहले द्रष्टांने आर्डिनेन्स निकाला था। आर्डिनेन्स ता तभी आता है जब कि टेज में आडमिन्स आता है, जब भारी आर्थिक मकट हो या कोई दूसरा मकट हो। लेकिन हमारी गवर्नमेंट ने यह आर्डिनेन्स निकाला है टु पुट बि व्हेल बन्टू इनटू कम्प्लीट डिस्आर्रर। दस आर्डिनेन्स को निकाल कर बिन्के ऊपर हमला किया गया है। समाजवाद का मूल मूह मे रखते हो और किमके ऊपर हमला किया। गरीब लोगों के ऊपर, मजदूरों के ऊपर, किसानों के ऊपर जिनके लिए आप समाजवाद लाना चाहते हैं, उन पर हमसे हमला किया गया है। क्या यह बिल समाजवाद लाने के लिए मदद कर रहा है? आप ने किमके ऊपर हमला किया है? मजदूरों के ऊपर। यह जेबकतरी का काम आप छोड़िये। आपके ब्लैक-मार्केटियर्स इसको करते हैं और स्मगलर्स इसको करते हैं और आप भी उनका अनुकरण कर रहे हैं। यह पीकेटमारी का घधा आप मे क्यों किया? मजदूरों की पीकेट आप मार रहे हैं, उनकी जेब को आप काट रहे हैं क्योंकि आप देख सकते हैं कि उनकी जेब मे पैसे हैं जो पैसे काले बाजार बालों के पास पड़े हुए हैं उनको निकाल लो, लेकिन आप ब्लैक-मार्केटियर्स को नहीं पकड़ रहे हैं। आज जनता भूखा मर रही है, देश में भूखमरी है और लोगों को अनाज नहीं मिल रहा है और कीमतें

बढ़ती जा रही हैं हद से ज्यादा। आप ने क्या किया। आप ने गेहू का व्यापार पहले अपने हाथ मे लिया, फिर उसको छोड़ दिया और अब तीसरी बार आप कुछ और सोच रहे हैं। व्यापारियों ने आप को ठगा है। आप ने कहा कि 50 परसेंट लेवी लेंगे, यह करेंगे, वह करेंगे लेकिन हुआ कुछ नहीं। आप ने क्या यह सोचा है कि यह जो अनाज है, जीवन की आवश्यकता की वस्तु है, इनके लिए दुकानें खोलें और कीमतों को फ्रीज करे। यह आप ने नहीं सोचा है लेकिन जिनके बन्धा पर खड रह कर आप सोच रहे हैं कि ममाजवाद लायेंगे यह ममाजवाद आप लाने नहीं जा रहे हैं वल्कि आप भाडवलदारों की आर्थिक नीति को अजमा रहे हैं और वही नीति का अनुकरण कर रहे हैं और अगर इस नीति का अनुकरण करके आप समाजवाद का लाने की माचते हैं तो वह ममाजवाद नहीं आयेगा बल्कि और कोई 'वाद' आप ले आयेगे। (व्यवधान) अगर आप आर्गेनाइज्ड वर्किंग क्लामेज, सर्गठित मजदूर वर्ग पर हमला करेंगे, तो इससे देश का भला होने वाला नहीं है। यही मजदूर है, जो कि आप के देश को बना रहा है आप नहीं बनायेगे और न ये वाला-बाजारी बनायेगे और न कंपैटलिस्ट्स से यह बनने वाला है। हम काम करते हैं घाठ घटा और घाठ घटा काम करने के बाद हम कहते हैं कि अगर ज्यादा तन्खाह हो जाये या महंगाई भत्ता थोड़ा सा मिल जाये, तो उसको कटवा दो। कीमतें कम होती नहीं हैं और महंगाई बढ़ती जाती है। आप कीमतों को रोकिये तो कोई मजदूर आप के पास डियरनेस एलाउस मागने के लिए नहीं आयेगा। हमें मामूम है कि मजदूर के हाथ में जो पैसा आता है तो वह उसको बाजार में फेंक देता है। उसके हाथ मे कुछ नहीं आता है। राशन शाप्स मे अनाज नहीं मिलता है और उसका कोई इन्तजाम नहीं करने वाला है। मजदूरों को जो बड़ोतरी मिलेगी या डी० ए० मिलेगा, वे कितने लोग हैं। इन दो करोड लोगों के लिए आप इतना कर रहे हैं

[श्रीमती रोजा देशपांडे]

श्रीर कह रहे हैं कि इससे जो देश में आर्थिक संकट आया है, उसको हम रोकने वाले हैं। आप इन मजदूरों के पास जाइए, आप इन किसानों के पास जाइए और आप इस देश की जनता के पास जाइए और उनसे जा कर पूछिये कि उनके पास क्या सुझाव है। वे आप को अच्छी तरह से बता मने हैं लेकिन आप की यह ब्योरोक्रेसी और आप के जो ये बड़े बड़े एकेनामिस्ट्स है यह आपको कोई अच्छे सुझाव देने वाले नहीं है। आप जनता के पास जाइए और उसमें जा कर पूछिये। मजदूर वर्ग आपके साथ रहेगा अगर आप उनको कुछ महायता देने वाले है। अगर आप उनके ऊपर हमला करोगे, ता याद रखिये यही मजदूर वर्ग आप के साथ लड़ेगा और यह आगनाइज्ड लेबर आपके खिलाफ लड़ेगी। हा, प्रोडक्शन को सेक्टोज करने का मजदूर का कोई इगदा नहीं होता है। क्या आप समझते है कि मजदूर आप के दुश्मन है या काश्तकार इस देश के दुश्मन है? दुश्मन ता और कही है और वे आपको दिखाई नहीं देते है। यहा पर बडी ट्यूबलाइट्स लगी है और दूसरी जगह भी लगी है लेकिन हमारे दिमाग की ट्यूबलाइट क्यों नहीं जलती है। वह अच्छी तरह जलेगी तभी काम ठीक होगा। यह आर्डेनिन्स निकाल कर आप किरके साथ दुश्मनी उठा रहे है। आप दुश्मनी उठा रहे हैं इस देश की जनता से और इम तरह का हमला अगर इस आर्डेनिन्स से हुआ, तो आप यह ध्यान में रखिये कि ये मजदूर आप के साथ लडेगे और जैसे कि आप ने रेल वर्मचारियो को कुचल दिया, वैसे आप पूरे देश की जनता को कुचलने लगे, तो आप अपनी इम जिन्दगी में और इस राज्य में समाजवाद लाने वाले नहीं हैं इस बिल की क्लोजेज पर जाने की कोई जरूरत नहीं है। मुझे तो इसमें एक भी क्लोज ऐंकी नहीं दीखती, जो अच्छी हो, सभी बुरी हैं और इसलिए मैं इस पूरे बिल का विरो करती हूँ।

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI K RAGHU RAMAIAH). Sir, yesterday the Business Advisory Committee considered the business before the House and made a recommendation. The report of the Committee was presented to the House this morning. The suggestion is that we should sit late and pass this Bill as well as the Compulsory Deposit Scheme (Income-tax Payers) Bill. I have made this request to the leaders of the Opposition, most of whom are present here. So, I would suggest that the House may sit until both the Bills are passed. That is the sense of the House.

MR CHAIRMAN Is it the sense of the House that we should sit until both the Bills are passed?

SEVERAL HON MEMBERS Yes

THE MINISTER OF FINANCE (SHRI YESHIWANIRAO CHAVAN). Sir I would say that we had a very interesting debate in the sense that many people both on this side and that side also made reasoned speeches and some excitable speeches. I should say My main argument is that the entire opposition is based upon certain basic misunderstandings of the proposition that I have brought forward. The speech that I heard just now the speech of the hon lady Member, Shrimati Roza Deshpande was a very eloquent speech. I heard her first speech and that also in Hindi. I must congratulate her on that. It was a very good speech.

I would say that all the speeches and arguments are based on wrong assumptions. This is not a Bill to fight with the working class. We on this side of the House can never think in terms of having a fight with the working class. We have accepted the working class as a vanguard of this country. It is not a struggle with the working class... (Interruptions). We know more about the people than you do. We are here because we know the people more intimately than you do.

The main point is that there is no question of freezing wages; there is no question of taking away any fundamental right of the working class. Our party has fought for the rights of the working class. It is not these people alone, on that side of the House, who talk in the name of working class.

There is inflation and we are trying to find out how we can fight inflation. We have never taken a position that inflation today is the result of dearness allowance and wages that we pay to the working class. Not at all. The working class is not at all responsible for the price rise and inflation. The working class, the small peasantry, the small farmers, the poor sections are the victims of inflation. The argument is given that dearness allowance is given to neutralise the rise in prices. I agree. But what we have seen in the last three or four years is that the dearness allowance which was meant to perform this task has failed to do so. In fact, it has proved to be a sort of Incentive for further price rise. There is no question of taking away the right of having dearness allowance or the right of having additional wages. Whatever they are entitled to get as a result of their fundamental right of collective bargaining, it is their fundamental right. We stand for it and we will also fight for it if it is necessary. It is not a question of fighting with the working class as such.

What we are trying to do is to persuade them, their representatives of the working class sitting on this side also, and we are also trying to find out how we can get over it. I have never said that this is the only way of fighting inflation. Are we merely to watch the prices rising, the increased dearness allowance being given, the increased wages being given, their cancelling out each other and inflation growing further? Are we to just sit back and watch helplessly as leaders of public opinion? Prof. Madhu Dandavate claims to be a leader of the public opinion. As he is a Member here, I do consider him to be a leader of the public opinion. Are we merely going

to satisfy ourselves by merely saying that this is what we have said in Parliament and do nothing else?

We have to think about certain package measures. The word package is not a favourite word. It is a word that normally every Government talks about. He has also given some advice about the package deal. I agree with him with the suggestions that he made. But we have to take those steps, one by one

Here, we have merely immobilised 50 per cent of the dearness allowance and the additional wages that are likely to be given. What we have done, really speaking, is a sort of temporary, for the time being, stopping operation. It is a deferred payment with additional rate of interest. This is not only for one class of wage earners. We have also brought it for other class of wage earners, for the dividend earners and we will have to do for other classes also, as we go along. We are also trying to see that the governmental expenditure will have to be reduced. We have also to see that governmental deficit financing is reduced. We have to see and think in terms of bringing about constraints on consumption of certain important and scarce materials like paper, cement and other things. We have also to see that we take away the sluggishness from the productive processes of agriculture and industry. We have to do all these things. For that we need the cooperation of all sections of the people, including the working class. I would request Shrimati Roza Deshpande as the representative of all those who oppose this Bill—because she belongs to the younger generation and naturally we look forward to the younger generation with a little hope—to think in terms of creating a constructive attitude in the working class. If you want them to fight, let us prepare them for fighting inflation. This is one way of fighting inflation and that is what we are trying to do. Merely telling them to fight is not good. I would assure her that we also

[Shri Yashwantrao Chavan]

know something of the working class. They are wise people; they are not unwise. They know where the trouble is. They should be told properly. It is our duty as leaders of public opinion to tell them. I understand the difficulties of my friends, I share their worries and anxieties. You fight for more dearness allowance and get them increased dearness allowance. Take it, for the sake of argument, that this Ordinance is withdrawn. It is not going to be withdrawn. But let us take it for the sake of argument. How do you proceed further? Do we allow the money supply as it goes on merrily? It, really speaking, cancels whatever dearness allowance you get them for rise in prices. Let us see. We have taken this new step. Let us watch this. As practical persons, as persons trying to deal with certain situations, we must watch what effect it has. I do not promise any immediate result. We have to watch for a certain time. This is not merely a slogan for fighting this or that. We are trying to find out the concrete measures. You all accept that it is a serious problem. Prof. Dandavate has said that this is one of the worst problems that our country faces, he has said that we have the highest inflation in the world. I agree with him. It is a fact of life. But the point is, how do you fight it. This is one way, we think, we can fight it successfully. Some members asked me what we were doing for more production, what we were doing for unearthing black money. They have repeated the same questions and I have repeated the same arguments once, twice and thrice. I do not want to take more time of the House. (Interruptions)

SHRI SHYAMNANDAN MISHRA (Begusarai): What is the result? What is the result in terms of greater production (Interruptions).

SHRI YESHWANTRAO CHAVAN: For result, you must wait.

AN HON. MEMBER: For how long?

SHRI YESHWANTRAO CHAVAN: Even for results, you must wait.

MR. CHAIRMAN: At least nine-months.

SHRI YESHWANTRAO CHAVAN: This is not a magical lamp that I am carrying or you will be carrying. We are dealing with a very complex economic situation where we have to work on many fronts (Interruptions)

SHRI SHYAMNANDAN MISHRA: Another Maharashtra seems to know your constitution better. He asks us to wait for nine months.

SHRI YESHWANTRAO CHAVAN: After all these years, if you have to understand me, you have only to become a Maharashtra. I am sorry, I did not expect this from you.

SHRI SHYAMNANDAN MISHRA: You are missing the point.

SHRI YESHWANTRAO CHAVAN: I am only returning the point to you. You ask me, what results we have got. These are all matters which take time. It is not like taking some action in the morning and expecting results in the evening. This is not the position. You have to work continuously for some time. Then alone we can get results. I would say that if you proceed in this way you will get results, but you have neither the patience... (An hon. Member: nor the wisdom) nor are you willing to accept our word for it. Let us understand all the issues which are involved. This is not a fight of the working class. This is a call for cooperation to the working class and I am sure the working class will give that cooperation. Thank you.

MR. CHAIRMAN: There was some point raised about statutory minimum wage. Would you like to say something about it?

SHRI YESHWANTRAO CHAVAN: I have dealt with it.....

MR. CHAIRMAN: If you want you may say when we come to Clause by-clause.

PROF. MADHU DANDAVATE: Regarding the Time Table, the hon. Minister of Parliamentary Affairs said about that. It was expected that this will be over by 5-30 or 6. Unfortunately this time-table was not known to the Members. You will find, the next item is the statutory resolution to be moved by Shri Madhu Limaye, and then Mr. G. P. Yadav's name is there. None of them expected that this will come up. If you make frequent changes in the time-table....

MR. CHAIRMAN: They expected it all right. All these things were decided in the Business Advisory Committee.

PROF. MADHU DANDAVATE: If the discussion was over by 5-30 or 6, it was all right. It has taken so long. They are not prepared.

MR. CHAIRMAN: You can arrange. Meanwhile we may send for them.

SHRI PRIYA RANJAN DAS MUNSI (Calcutta South): If you permit me I want to ask one word from the hon. Minister. This is about black money. I will ask if you just permit me for one minute.... I want to know one thing.

MR. CHAIRMAN: Why not you do it at the time of the other reading?

SHRI PRIYA RANJAN DAS MUNSI: I was satisfied with the reply of the hon. Minister. I just want only one point. In the other discussion apart from other suggestions, I made a proposal when the Finance Bill was discussed. In our fight to unearth black money and to fight inflation, we have seen that the binami property is acquired in various names. I said that in my suggestions but unfortunately I do not find any reply in the proceedings. I said that any individual who wants to purchase a piece of land or construct a house must get an eligibility certificate. Because, only then, we will

know whether he is eligible to do it or not. I wanted him to enquire into the matter. But unfortunately I did not get any satisfactory answer in this regard.

MR. CHAIRMAN: How does it arise now? Order please.

SHRI PRIYA RANJAN DAS MUNSI: You told nine months; you cannot allow even one minute.

श्री अटल बिहारी वाजपेयी (खालियर) : समापति जी, मेरे सवाल पर और वित्त मंत्री जी के प्रस्ताव पर जो चर्चा हुई है उसे एक नए रूप में ही कहें कि सदन का बहुमत यदि मैं कहूँ

श्री राम सहाय पांडेय : जरूरत कह देंगे ।

श्री अटल बिहारी वाजपेयी : लगभग सभी सदस्य इस कदम के पक्ष में नहीं हैं । जिन्होंने भाषण दिया है धार अंत में इस विधेयक का समर्थन करने का आग्रह किया है, उन्होंने भी अपना पूरा भाषण इस कदम की प्रालोचना में दिया है । इसका निष्कर्ष यह है कि जहाँ सदन मुद्रास्फिति के कारण उत्पन्न गम्भीर परिस्थिति से समान रूप से चिन्तित है वहाँ सदन को यह भी लगता है कि केवल मजदूरों और कर्मचारियों के अतिरिक्त-वेतन और अतिरिक्त-सहाई भत्ते को बलात् रूप से जमा करने मात्र से समस्या हल नहीं होगी । फिर भी वित्त मंत्री जी ने कहा है कि हम और भी कदम उठा रहे हैं । अच्छा होता, अगर पूरी तस्वीर सदन के सामने आ जाती ।

प्रधान मंत्री जी ने एक नेशनल पार्लिसी ग्रान प्राइस, वेजेंड, प्राफिट्स और इनकम के बारे में उल्लेख किया था, मैं जानना चाहता हूँ वह नेशनल और रेशनल-पार्लिसी कहाँ है ? आखिर वेतन भोगी क्या कितना है ? 43 फीसदी लोग अपनी रोजी आप कमाते हैं, 33 फीसदी लोग सम्पत्ति से सम्पत्ति अर्जित करते हैं, शेष से शेष

[श्री अटल बिहारी वाजपेयी]

प्राप्त करते हैं और बाद में उन का भ्रनयं करने हैं। भ्रव जो वेतन भोगी वर्ग बचता है, वह करीब 1 करोड़ 80 लाख है....

डा० कैलाश : हम का 5 गुना कहिए । 1 करोड़ 80 लाख को 5 से गुणा कीजिए । अर्थात् 43 फीसदी का बड़ा भाग इन लोगों में आ जाता है ।

श्री अटल बिहारी वाजपेयी : मैं परिवार की बात कह रहा हूँ । उस संख्या को तो मैं मूसीवात के लिए जोड़ने को तैयार हूँ कि इनने लोगों को आप मूसीवात में डाल रहे हैं । लेकिन जहाँ तक हम कानून का प्रभाव है वो तो वेतन भोगी वर्ग या मजदूरी के द्वारा जीवनयापन करने वाले वर्ग तक सीमित है तो भ्रव बाकी के वर्ग का क्या होगा ? कई कांग्रेसी मित्रों ने सुझाव दिया कि सरकार 300 रुपये तक जिन की आमदनी है, वम से कम 300 रूपयों तक छोड़ दे । मैंने 400 रुपये कहा था, वे 300 की बात करने हैं, मैं 100 रूपये कम करने को तैयार हूँ, आप कांग्रेसी सदस्यों के सुझाव को मान लीजिए । 300 रूपये की आज कीमत क्या है, एक परिवार उस में किम तरह से जीवनयापन कर सकता है, लेकिन वित्त मंत्री तो 300 रूपया कमाने वाले को भी छूट देने को तैयार नहीं हैं ।

इसी लिये मैंने कहा था कि चपरासी और उच्चाइन्ट मैकेटरी दोनों को एक ही तराजू में तोना जा रहा है । क्या यह सामाजिक न्याय की कल्पना के अनुसार है । श्री रामसिंह भाई वर्मा ने यह सुझाव दिया कि आप मजदूरों और कर्मचारियों के लिए निश्चित कीमत पर ज़रूरत की चीजें उपलब्ध कराने का प्रबन्ध करिये । पब्लिक डिस्ट्रीब्यूशन सिस्टम को मजबूत करने की बात हो रही है, उसके अंश के रूप में यह कदम उठाया जा सकता है, लेकिन वह भी नहीं किया जा रहा है ।

समापति जी; आप जब सवस्य के नाते बोल रहे थे तो आप ने यह बात बड़े बलपूर्वक कही थी कि न तो इस काम से उत्पादन बढ़ने वाला है और न जिन का वेतन और मजदूरी रोक रहे हैं उन पर यह आरोप लगाया जा सकता कि वे बाजार में जा कर पैसा खर्च करते हैं— इस लिए मुद्रास्फिति बढ़ जाती है । विम मंत्री जी ने बड़ी चतुरता से ऐसे तर्क जिन का उत्तर नहीं है, अपने भाषण में से छोड़ दिये हैं । उन्होंने श्रीमती रोजा देणपाण्डे को बर्खाई दे दी । उन्होंने कह दिया कि कांग्रेस सदस्यों ने जिन्होंने विरोध में भाषण दिये हैं उन को कठिनाई को वे समझने है । मतलब यह है कि भत्ते ही उन्होंने भाषण दिये हैं लेकिन वित्त मंत्री जी मनाने को तैयार नहीं है कि उन्होंने ये भाषण दिल से दिये हैं । वे जानते है कि चुनिये लोग मजदूर क्षेत्र में काम करते हैं इसलिए उन को ऐसा भाषण देना आवश्यक था । . . .

श्री यशवन्तराव चव्हाण : जैसे आप को देगा पडता है ।

श्री अटल बिहारी वाजपेयी : अभी कांग्रेसी मेम्बरों के बारे में कह रहे थे, भ्रव मेरे बारे में कह रहे है । अगर मेरे बारे में कह रहे हैं तो वही बात अगर मैं वित्त मंत्री के बारे में कहूँ कि सरकार ने एक कदम उठा लिया, भले ही वित्त मंत्री दिल में उस कदम को पसन्द न करते हों लेकिन वे मजबूर हैं इस सदन में खड़े हो कर उसका समर्थन करने के लिए तो इसका कोई उत्तर है ? (ध्वजबान)

अनजान में अनायास इस सरकार के कम्पलमरी डिपार्जिट स्कीम ला कर श्री मोरारजी भाई के प्रति अपनी श्रद्धा का निवेदन कर दिया है । 1963 में जब वित्त मंत्री के रूप में श्री मोरारजी भाई कम्पलसरी डिपार्जिट स्कीम लावे तब वह प्रतिक्रियावादी थे और आज श्री श्री यशवन्तराव चव्हाण प्रगति वादी है ।

श्री यशवन्तराव चव्हाण : उस वक़्त भी हमने उसको बोट दिया था ।

श्रद्धालु बिहारी बाजपेयी : लेकिन हमने उक्त समय भी विरोध किया था। लेकिन एक अन्तर है। श्री मोरारजी ने ऐसा कदम उठाने से पहले कर्मचारी सगठनों से बातचीत करने की जरूरत समझी थी जो अरुत वर्तमान वित्त मंत्री ने नहीं समझी। अगर सभी वर्गों को त्याग और बलिदान के लिए प्रेरित करना है तो क्या इनके लिए उनसे पहले सलाह करना जरूरी नहीं था? अगर पार्लियामेंट की बैठक क कुछ दिन पहले यह काला भद्रादेश निकानना आवश्यक था, और मुद्रास्तीति का सकट ऐसा सकट है जिसकी तुलना प्रधान मंत्री बुद्ध से करती है तो क्या हम सकट पर विजय पाने के लिए, देश के हर वर्ग को मघटित करके और मिलजुल कर हम समस्या का समाधान करना आवश्यक नहीं है? अगर कदम टुकड़ों में उठाये जा रहे हैं, कदम इस ढंग में उठाये जा जा रहे हैं जिनसे कर्मचारियों और मजदूरों को लगता है कि उसके ऊपर चीज थोपी जा रही है। नीतिमत्ता का तकाजा था कि देश में वानावरण बनाया जाता और लोग स्वयं कहते कि इन सकट काल में हम योगदान देने के लिए तैयार हैं।

मैंने एक सुझाव दिया था और मैं सशोधक के रूप में उस पर बल देने वाला हू कि आखिर हम कर्मचारियों, मजदूरों को महंगाई भत्ता और अतिरिक्त वेतन जमा करने के लिए कह रहे हैं मगर मंत्री लोग क्या करेंगे? पार्लियामेंट के मेम्बरों का क्या कर्तव्य है? राज्य विधान सभा के सदस्यों को भी इसमें प्रशदान देने के लिए कहा जायेगा या नहीं? लेकिन यह नहीं कहा जा रहा है।

श्री राम सहाय पांडेय : चूँकि बढ़ाई नहीं जा रही है।

श्री श्रद्धालु बिहारी बाजपेयी : तो आप पहले बढ़ावा लीजिए फिर प्रशदान कर लीजिए।

आखिर वातावरण कैसे बनेगा? कुछ कांग्रेसी मित्रों से यह सुझाव दिया कि आप प्राविष्ट फंड की दर बढ़ा सकते थे उससे कर्मचारियों का कटौतब्युधन बढ़ जाता है। आप भी वह मानते हैं कि तीन सौ करोड़ रुपये व्यय के रूप में इसमें देने पड़ेगे। तो इसको करने का एक तरीका वह भी हो सकता था। मगर सरकार को मलाह देने के लिए कोई आर्थिक विशेषज्ञों की समिति नहीं है। नौकरशाहों के आधार पर नौकरशाहों के स्तर पर फैसले होते हैं। वित्त मंत्री यह दावा कर सकते हैं कि बहुमत उनके साथ है। उन्होंने मेरे मित्र श्री मधुदंडवते को बड़ा मुह-तोड़ जवाब दिया मुझे भी दे सकते हैं। वह जानते हैं जानता क्या कहती है, जतना उनके साथ है तभी इतनी बड़ी सख्या में यहा बैठे हैं, लेकिन अगर जनता कल माथ धीतो यह आवश्यक नहीं है कि अपने वाले कल स भी साथ रहेगी। क्षमा कीजिए एक एक मंत्रालय पर जनमत अपने को अलग रूप में प्रकट कर सकता है। क्या यह कम्लमरी डिपार्टिमेंट स्कीम जिन पर लागू होने वाला है या सारे समाज की बात ले लीजिए—क्या सरकार इस पर रफरेडम के लिए तैयार है? क्या आप लोगों का बहुमत प्राप्त करके दिखा सकते हैं?

श्री राम सहाय पांडेय . 1976 में।

श्री श्रद्धालु बिहारी बाजपेयी : मैं चुनाव की चर्चा नहीं करना चाहता।

मेरा अभी भी निवेदन है कि इसमें कुछ सशोधक वित्त मंत्री महोदय स्वीकार करें। कांग्रेस मेम्बर का सुझाव मान लें। मेरे मित्र स्टीफेन ने सशोधन दिया है कि 3 सौ रुपये तक छोड़ दिया जाना चाहिए मैं उसको स्वीकार करने के लिए तैयार हूँ। आप श्रेय कांग्रेस वालों को ही दे लीजिए, हमें नहीं चाहिए। मजदूरों में कर्मचारियों में उनकी बाहवाही हो जायेगी हमें शिकायत

[श्री छटल बिहारी बाजपेयी]

नहीं है। हम तो केवल कर्मचारियों को बचाना चाहते हैं बाह्यवाही नहीं लूटना चाहते हैं। मैं उनके संशोधनको स्वीकार कराने की जबात कर रहा हूँ लेकिन वित्त मंत्री इसको करने के लिए तैयार नहीं हैं। वित्त मंत्री का तर्क यह है कि अगर लोगों को छोड़ना शूछ कर देंगे तो इसमें कोई बचेगा भी नहीं। लेकिन क्या मजदूरों और कर्मचारियों को पकड़ना ही काफ़ी है? मैं कहता हूँ पूरा कैंकेज कहां है? मुद्रास्फीति से लड़ने के लिए कौन से कदम उठाये जाने वाले हैं? काले धन के बारे में वित्त मंत्री ने कहा विरोधी दल जिन तर्कों को दोहरा रहा है मैं भी उन्हीं तर्कों को दोहराऊंगा। कालापन चलता रहेगा उससे चुनाव लड़ा जाता रहेगा, राजनीति दूषित होती रहेगी देश का वातावरण बिगड़ता रहेगा और मुद्रास्फीति के संकट से लड़ने के लिए जनता का जो मनोबल जगाने का काम है वह नहीं होगा। हम कोई धमकी नहीं देना चाहते हैं लेकिन अगर कर्मचारियों के जीवनस्तर पर हमला होगा तो कर्मचारी अपनी प्रतिक्रिया प्रकट करेंगे। मैं मानता हूँ वह प्रतिक्रिया शांतिपूर्ण होनी चाहिए, वह प्रतिक्रिया उत्पादन में किसी तरह की बाधा पैदा करने वाली नहीं होनी चाहिए।

श्री मधु लिमये : ऐसा क्यों ?

श्री राम सहाय पांडेय : पहले आपस ये तय कर लीजिए।

श्री छटल बिहारी बाजपेयी : आपने और राजा कुलकर्णी ने बहुत सी बातें तय नहीं की हैं, यह छोड़िये।

अगर सरकार कीमतों का बढ़ना नहीं रोक सकती और समस्या यह है कि मजदूरी बढ़ाना परिणाम है कारण नहीं है मजदूरी में बढ़ि नबीजा है उसका बीज नहीं है और अगर

मंहवाई जिस तरह से बढ़ रही है उसी तरह से बढ़ती गई तो फिर यह कदम आपके काम नहीं बेंगे, देश में ऐसी उथल-पुथल होगी जिस पर काबू पाना सरकार के लिए सम्भव नहीं होगा।

एक बात और कह कर समाप्त करना चाहता हूँ। कुछ भ्रय-शास्त्री कह रहे हैं, वित्त मंत्री उसका स्पष्टीकरण करें तो अच्छा है। भ्रय-शास्त्रियों का कहना है : "less than one per cent of the stock of money".

केवल यही मोबिलाइज होगा। और इतना पर्याप्त नहीं है। अगर यह पर्याप्त नहीं होगा, अगर इससे असंतोष उत्पन्न होने वाला है तो मैं समझता हूँ यह कदम सरकार के लिए महंगा पड़ने वाला है। अभी समय है वित्तमंत्री उचित संशोधन स्वीकार करके इस बुरी योजना को कम बुरी बना सकते हैं। हम देखें कि क्लाज बाई क्लाज कंसी-ड्रेशन पर इसकी प्रतिक्रिया क्या होती है। जहां तक मजदूर और कर्मचारियों का सवाल है वे इस कदम से बहुत असंतुष्ट हैं गुड हैं वे इसका विरोध करने की तैयारी कर रहे हैं। मैं चाहता हूँ कि वित्त मंत्री उनकी भावना समझे। सरकार टुकड़ों में फैसला करने के बजाये एक समन्वित नीति ले कर देश के सामने उपस्थित हो जिसके आधार पर इसमें संकट से लड़ा जा सके क्योंकि टुकड़ों में लड़ाई हारी जायेगी जीती नहीं जायेगी।

श्री मधु लिमये : सभापति महोदय, मैंने नियम 109 के तहत इस प्रस्ताव पर जो बहस चल रही है उसे स्थगित करने का प्रस्ताव किया है। इसके मैं संक्षेप में कुछ कारण बताऊंगा। मैं कोई लम्बा भाषण नहीं करूंगा। पहला कारण तो यह है कि साधारण तौर पर आपके नियमों के अनुसार जो निर्धारित समय होता है उस

समय के बाद सभा को चलने नहीं देना चाहिए। 6 वज्र के हैं, मैंने इन्तजार किया, मैं श्री अटल बिहारी वाजपेयी के भाषण में व्यवधान उत्पन्न नहीं करना चाहता था इसलिए मैं रुका रहा। तो एक मेरा कारण यह है कि 6 वज्र के बाद इस वृहस को चालू रखना सदस्यों के ऊपर बड़ा अन्याय है।

आप आइटम 9 देखिए। उस में यह है कि श्री रघुरमैया विजनेस ऐडवाइजरी कमेटी की 47वीं रिपोर्ट प्रेजेंट करेंगे। इस रिपोर्ट को सदन के सामने रखने के बाद दूसरे विषय स्वीकृति के लिए उस को रखा जाता है एक अस्ताव के रूप में। अभी तक इन रिपोर्ट पर स्वीकृति मदन की नहीं ली गई है। यह दूसरा कारण है।

और तीसरा कारण यह है कि अभी में राज्य सभा की गैलरी में गया वहां हमारे 21 सदस्यों के आचरण पर और व्यवहार पर गम्भीर बहस चल रही है। तो इस के ऊपर मुझे आपत्ति है। जब बहस सदन के सदस्यों के आचरण का मामला उठेगा तो उसकी चर्चा इस लोक सभा में होनी चाहिए या राज्य सभा में उसकी चर्चा होनी चाहिए? इसलिए मैं समझता हूँ कि इस बहस को स्थगित किया जाय और उस अवलम्बनीय लोक महत्व के प्रश्न पर चर्चा सदन में की जाय। अभी राज्य सभा में मैंने सुना कि 21 सदस्यों के हस्ताक्षर से एक लाईसेंस के लिए रिप्रजेन्टेशन दिया गया है। लाईसेंस पाने वाले पांडिचरी के व्यक्ति हैं।

सभापति महोदय : आप 109 तक ही सीमित रहे।

श्री मधु लिमये : 21 में से 18 सदस्यों ने कहा कि हमारे हस्ताक्षर जाली थे। तीन सदस्यों का कोई जवाब नहीं आया। तो ऐसी हालत में इस पर बहस स्थगित करके और कुछ बैठना ही है तो इस अविलम्बनीय लोक

महत्व के प्रश्न पर बहस करने के लिए 10, 15 मिनट दिये जाय।

श्री अटल बिहारी वाजपेयी : सभापति जी यह मामला उठा है। लोक सभा के कुछ सदस्यों के ऊपर दूसरे सदन में आरोप लगाये गये हैं वह आरोप कल समाचार-पत्रों में छपने वाले हैं। यह सदन और इस के सदस्य कल आम जनता की चर्चा का विषय बनने वाले हैं। यह जो नाम है यह कल प्रकाशित होने। मेरा कहना यह है कि अखबारों में वह चीज जाय और सारा सदन जनता की नजर में गिरे यह ठीक नहीं है। इसलिए इस सम्बन्ध में स्पष्टीकरण होना चाहिए।

SHRI MADHU LIMAYE: How can Prof. Chattopadhyaya make any statement in the other House about the conduct of our members?

MR. CHAIRMAN: The first point is: let us not side track the issue.

श्री मधु लिमये : एक तो बेर हो गई, दूसरे माननीय रघुरमैया की रिपोर्ट स्वीकृत नहीं की गई और तीसरे वह लाईसेंस आवेदन-पत्र और दस्तावेजों का महत्वपूर्ण मामला जो राज्य सभा में चल रहा है। . . .

MR. CHAIRMAN: Let us not side track the issue. The issue before us just now is whether under rule 109, we should adjourn the proceedings at this stage. On this—I do not know whether you were present here earlier—this day itself on Shri Banerjee's motion, the House has negatived it. Under rule 338, a motion shall not raise a question substantially identical with one on which the House has given a decision in the same session. This is the same day also.

श्री मधु लिमये : सस्टेंशियली सेम नहीं है।

MR. CHAIRMAN: Substantially the same; technically it may not be.

था रेलवे बोर्ड के पास ? क्या कोई नोटिस दिया गया था ? रात की तारीकी में इस को बाहर फिकवाया जा सकता है तो यहां नोटिस की क्या जरूरत है ? वैमैज में सामान वहीं उतारा जा रहा है या रेलवे प्रैमिजिज में सामान पड़ा हुआ है तो उसके लिए नोटिस की क्या जरूरत है । यह काम तो दिन के उजाले में भी आप कर सकते हैं । जब रेलवे प्रोटेक्शन फोर्स के लोगों को रेल कर्मचारियों से मिचटने के लिए कहा गया था हड़ताल के दौरान तो वे उनके सामने लाल पीली झंडे करके जाते थे, उनको डराते धमकाते थे लेकिन वही पुलिस वाले जब सरमायेदारों के सामने जाते हैं तो उनका सारा गुस्सा सबाम में बदल जाता है । ऐसा क्यों है ? मैं चाहूंगा कि कुछ व्यापारियों को पकड़ कर बाकायदा हथकड़ी लगाई जाए और उनको सड़कों पर घुमाया जाए और घुमाने के बाद जेल भेज दिया जाए । जब तक ये जेल में नहीं जाएंगे, जेल की रोटी नहीं खाएंगे, सी क्लास में इनको रखा नहीं जाएगा, मैं आपको यकीन दिलाता हूँ कि कुछ नहीं होगा । आपने फाइल किया तो उसमें कुछ नहीं होगा । फाइल वे दे देंगे । यह जो मिली भगत है इसकी इनक्वायरी अगर आप कर सकते हैं तो पार्लियामेंट्री कमेटी से करवाएं या कुरेशी साहब जिन जिन सोर्स से, इंटीलेजेंस से इन्वैस्टीगेशन करवा सकते हों तो उन से क्या करवाने के लिए तैयार हैं ताकि तमाम चीजें सामने आ सकें ?

जिन लोगों ने डीहॉडिंग कम्पेन में भाग लिया था बजाय इसके कि उनको इसके लिए बधाई दी जाती, उनकी प्रशंसा की जाती, उनको गिरफ्तार किया गया । मैं जानना चाहता हूँ कि क्या उनको छोड़ा जाएगा ?

13.00 hrs.

एक बात और अगर इस काम में, जो माल जमा हो गया है उसको निकालने में

जल्दी नहीं की गई, एकसम जल्दी नहीं लिया गया, तो हमारे जो लोग गिरफ्तार हुए हैं उनकी छोड़ा जाए या न छोड़ा जाए, हमारी जो मुहिम है इसको हम फिर शुरू करेंगे, डोरडिंग के खिलाफ आन्दोलन करेंगे और मैं आशा करता हूँ कि हमें आपका समर्थन प्राप्त होगा । नगर सेठ और नौकरसाह इतकी जो साजिम है उसके खिलाफ हम लोगों को उठना पड़ेगा और उसके खिलाफ मोर्चा लेना पड़ेगा, फिर चाहे उसके नतीखे कुछ भी हों ।

क्या आप कमेटी का निर्माण करेंगे ताकि इन्वैस्टीगेशन पूरा-पूरा हो ?

श्री मुहम्मद शफी कुरेशी : ज्यादातर इन्होंने तजबोजे ही रखी हैं । उन पर ज्यादातर अमल भी किया गया है । रेलवे का जो मौजूदा नियम है उस में कर्मफिसकेशन की हमारे पास ताकत नहीं । लेकिन अब हमने फौमला किया है जो जो ऐंशियल कर्मोडिटीज हैं पब्लिक कंजम्पशन की वे सात दिव के अन्दर अन्दर क्लियर नहीं होनी तो स्टेट गवर्नमेंट्स को इत्तिला दी जा रही है डायरेक्टर सिविल सप्लाइज को इत्तिला दी जा रही है कि वे चाहे उसको कर्मफिसकेट करें और अगर ऐसा वे नहीं कर सकते हैं तो जैसे कहा है सुपर बाजार या कॉन्सोप्रिटिव सोसाइटीज को ये चीजें बेचने के लिए दे दी जाएं ।

जहां तक व्यापारियों को पकड़ने का या मुंह कांठा करके घुमाने का सबला है स्टेट गवर्नमेंट्स ही ज्यादा इस पर अमल कर सकती हैं । हम तो फुलेस्ट कोन्सोप्रेशन स्टेट गवर्नमेंट्स को दे सकते हैं

श्री एस० एम० बनर्जी : दिल्ली में तो आप करिये ।

श्री मुहम्मद शफी कुरेशी : स्टेट गवर्नमेंट्स को बाकायदा इसकी इत्तिला दी है ।

Pradhan, Shri Dhan Shah
Reddy, Shri B. N.
Roy, Dr. Saradish
Saha, Shri Ajit Kumar
Saha, Shri Gadadhar
Sambhali, Shri Ishaque
Sen, Dr. Ranen
Shakya Shri Maha Deepak Singh
Vajpayee, Shri Atal Bihari.

Dixit, Shri G. C.
Doda, Shri Hiralal
Dube, Shri J. P.
Dumada, Shri L. K.
Engli, Shri Biren
Ganesh, Shri K. R.
Ganga Devi, Shrimati
Gangadeb, Shri P.
Garcha, Shri Devinder Singh
Gavit, Shri T. H.

NOES

Agrawal, Shri Shrikrishna
Ahrwar, Shri Nathu Ram
Ambesh, Shri
Ansari, Shri Ziaur Rahman
Appalanaidu, Shri
Arvind Netam, Shri
Babunath Singh, Shri
Banamali Babu, Shri
Banerjee Shrimati Mukul
Barupal, Shri Panna Lal
Basappa, Shri K.
Basumatari, Shri D.
Besra, Shri S. C.
Bhattacharyya Shri Chapalendu
Bhuvarahan, Shri G.
Bist, Shri Narendra Singh
Chandrakar, Shri Chandulal
Chandrashekarappa Veerabasappa,
Shri T. V.
Chandrika Prasad, Shri
Chaudhary, Shri Nitiraj Singh
Chavan, Shri Yeshwantrao
Chhotey Lal, Shri
Chhatten Lal, Shri
Chikkalingaiah, Shri K.
Dalbir Singh, Shri
Dalip Singh, Shri
Darbara Singh, Shri
Desai, Shri D. D.
Deshmukh, Shri Shivaji Rao S.
Dhamankar, Shri
Dharamgaj Singh, Shri
1917 LS—11

Gill, Shri Mohinder Singh
Gokhale, Shri H. R.
Gomango, Shri Giridhar
Gopal, Shri K.
Goswami, Shri Dinesh Chandra
Gotkhinde, Shri Annasaheb
Gowda, Shri Pampan
Ishaque, Shri A. K. M.
Jadeja Shri D. P.
Jagjivan Ram, Shri
Jamilurrahman, Shri Md.
Jitendra Prasad, Shri
Kadam Shri J. G.
Kailas, Dr.
Kakodkar, Shri Purushottam
Kamakshaiah, Shri D.
Kamble, Shri T. D.
Kamla Kumari, Kumari
Kapur, Shri Sat Pal
Kaul, Shrimati Sheila
Kedar Nath Singh, Shri
Kinder Lal, Shri
Kisku, Shri A. K.
Kotoki, Shri Liladhar
Kulkarni, Shri Raja
Lakshmikanthamma, Shrimati T.
Mahata, Shri Debendra Nath
Majhi, Shri Gajadhar
Malaviya, Shri K. D.
Mandal, Shri Jagdish Narain
Manhar, Shri Bhagatram
Mirdha, Shri Nathu Ram
Mishra, Shri Jagannath
Mohammad Yusuf, Shri

Mohapatra Shri Shyam Sunder
 Mohsin, Shri F. H.
 Murmu, Shri Yogesh Chandra
 Naik, Shri B. V.
 Negi, Shri Pratap Singh
 Nimbalkar, Shri
 Oraon, Shri Tuna
 Pahadia, Shri Jagannath
 Palodkar Shri Manikrao
 Pandey, Shri Damodar
 Pandey, Shri Narsingh Narain
 Pandey, Shri R. S.
 Pant, Shri K. C.
 Partap Singh, Shri
 Paswan, Shri Ram Bhagat
 Patel, Shri Natwarlal
 Patil, Shri E. V. Vikhe
 Patil, Shri Krishnarao
 Patil, Shri S. B.
 Patil, Shri T. A.
 Patnaik Shri J. B.
 Peje, Shri S. L.
 Purty, Shri M. S.
 Qureshi, Shri Mohd. Shafi
 Raghu Ramaiah, Shri K.
 Rai, Shrimati Sahodrabai
 Raju, Shri P. V. G.
 Ram, Shri Tulmohan
 Ram Prakash, Shri
 Ram Singh Bhai, Shri
 Ram Surat Prasad, Shri
 Ram Swarup, Shri
 Rao, Shrimati B. Radhabhai A.
 Rao, Shri Jagannath
 Rao, Shri M. S. Sanjeevi
 Rao, Shri P. Ankineedu Prasada
 Rathia, Shri Umed Singh
 Raut, Shri Bholu
 Ravi, Shri Vayalar
 Ray, Shrimati Maya
 Reddy, Shri K. Ramakrishna
 Reddy, Shri M. Ram Gopal

Reddy, Shri P. Narasimha
 Reddy, Shri Sidram
 Richhariyya Dr. Govind Das
 Rohatgi, Shrimati Sushila
 Roy, Shri Bishwanath
 Rudra Pratap Singh, Shri
 Sadhu Ram, Shri
 Saini, Shri Mulki Raj
 Samanta, Shri S. C.
 Sankata Prasad, Dr.
 Sarkar, Shri Sakti Kumar
 Satish Chandra, Shri
 Satpathy Shri Devendra
 Sethi, Shri Arjun
 Shahnawaz Khan, Shri
 Shambhu Nath, Shri
 Shankaranand, Shri B.
 Sharma, Shri A. P.
 Sharma, Shri Nawal Kishore
 Shashi Bhushan, Shri
 Shastri, Shri Sheopujan
 Shenoy, Shri P. R.
 Sher Singh, Prof.
 Shetty, Shri K. K.
 Shivappa, Shri N.
 Shivanth Singh, Shri
 Shukla, Shri B. R.
 Sinha, Shri Nawal Kishore
 Sinha, Shri R. K.
 Stephen, Shri C. M.
 Sudarsanam, Shri M.
 Sunder Lal, Shri
 Suryanarayana, Shri K.
 Swamy, Shri Sidrameshwar
 Uikey, Shri M. G.
 Venkatasubbaiah, Shri P.
 Venkatswamy Shri G.
 Verma, Shri Balgovind
 Vikal, Shri Ram Chandra
 Virbhadra Singh, Shri
 Yadav, Shri D. P.
 Yadav, Shri N. P.
 Yadav, Shri R. P.

MR CHAIRMAN: The result* of the division is Ayes 36; Noes 160.

The motion was negatived

MR. CHAIRMAN: Now I will put Mr. Chavan's motion for taking the Bill into consideration.

MR CHAIRMAN: The question is:

"That the Bill to provide, in the interests of national economic development, for the compulsory deposit of additional emoluments and for the framing of a scheme in relation thereto, and for matters connected therewith or incidental thereto, be taken into consideration."

The Lok Sabha divided;

Division No. 14]

19 hrs.

AYES

Agrawal, Shri Shrikrishna
 Ahirwar, Shri Nathu Ram
 Ambesh, Shri
 Ansari, Shri Ziaur Rahman
 Arvind Netam, Shri
 Azad, Shri Bhagwat Jha
 Bahunath Singh, Shri
 Bade, Shri R. V.
 Banamali Babu, Shri
 Banerjee Shrimati Mukul
 Barupal, Shri Panna Lal
 Basappa, Shri K.
 Basumatari, Shri D.
 Besra, Shri S. C.
 Bhatia, Shri Raghunandan Lal
 Bhattacharyya, Shri Chapalendu
 Bhuvarahan, Shri G
 Bist, Shri Narendra Singh
 Chandrakar, Shri Chandulal
 Chandrashekharappa Veerabasappa.
 Shri T. V.

Chandrika Prasad, Shri
 Chaudhary, Shri Nitiraj Singh
 Chavan, Shri Yeshwantrao
 Chhotey Lal, Shri
 Chhuttan Lal, Shri
 Chikkalingaiah, Shri K.
 Dalbir Singh, Shri
 Dalip Singh, Shri
 Darbara Singh, Shri
 Das, Shri Anadi Charan
 Desai, Shri D. D.
 Deshmukh, Shri Shivaji Rao S.
 Dhamankar, Shri
 Dharamgaj Singh, Shri
 Dixit, Shri G. C.
 Doda, Shri Hirralal
 Dube, Shri J. P.
 Dumada, Shri L. K.
 Engli, Shri Biren
 Ganesh, Shri K R.
 Ganga Devi, Shrimati
 Gangadeb, Shri P.
 Garcha, Shri Devinder Singh
 Gavit, Shri T. H.
 Gill, Shri Mohinder Singh
 Gokhale, Shri H. R.
 Gomango, Shri Giridhar
 Gopal, Shri K.
 Goswami, Shri Dinesh Chandra
 Gotkhinde, Shri Annasaheb
 Gowda, Shri Pampan
 Hari Kishore Singh, Shri
 Ishaque, Shri A. K. M.
 Jadeja, Shri D. P.
 Jagjivan Ram, Shri
 Jamilurrahman, Shri Md.
 Jha, Shri Chiranjib
 Jitendra Prasad, Shri
 Joshi, Shri Popatlal M.

*The following Members also recorded their votes for NOES.

Sarvashri Biswanarayan Shastri, G. S. Mishra and Chiranjib Jha.

Kadam, Shri J. G.	Patil, Shri Krishnarao
Kailas, Dr.	Patil, Shri S. B.
Kakodkar, Shri Purushottam	Patil, Shri T. A.
Karnakshaiah, Shri D.	Patnaik, Shri J. B.
Kamble, Shri T. D.	Peje, Shri S. L.
Kamla Kumari, Kumari	Purty, Shri M. S.
Kapur, Shri Sat Pal	Qureshi, Shri Mohd. Shafi
Kaul, Shrimati Sheila	Raghu Ramaiah, Shri K.
Kedar Nath Singh, Shri	Rai, Shrimati Sahodrabai
Kinder Lal, Shri	Raju, Shri P. V. G.
Kisku, Shri A. K.	Ram, Shri Tulmohan
Kotoki, Shri Liladhar	Ram Dhan, Shri
Kulkarni, Shri Raja	Ram Prakash, Shri
Lakshmikanthamma Shrimati T.	Ram Singh Bhai, Shri
Mahata, Shri Debendra Nath	Ram Surat Prasad, Shri
Majhi, Shri Gajadhar	Ram Swarup, Shri
Malaviya, Shri K. D.	Rao, Shrimati B Radhabai A.
Mandal, Shri Jagdish Narain	Rao, Shri Jagannath
Manhar, Shri Bhagatram	Rao, Shri M S Sanjeevi
Mirdham, Shri Nathu Ram	Rao, Shri Nagewara
Mishra, Shri Bighuti	Rao, Shri P. Ankineedu Prasada
Mishra, Shri G. S.	Rathia, Shri Umed Singh
Mishra, Shri Jagannath	Raut, Shri Bhola
Mohammad Yusuf, Shri	Ravi, Shri Vayalar
Mohapatra, Shri Shyam Sunder	Ray, Shrimati Maya
Mohsin, Shri F. H.	Reddy, Shri K. Ramakrishna
Murmu, Shri Yogesh Chandra	Reddy, Shri M. Ram Gopal
Naik, Shri B. V.	Reddy, Shri P. Narasimha
Negi, Shri Pratap Singh	Reddy Shri Sidram
Nimbalkar, Shri	Richhariya, Dr. Govind Das
Oraon, Shri Tuna	Rohatgi, Shrimati Sushila
Pahadia, Shri Jagannath	Roy, Shri Bishwanath
Palodkar, Shri Manikrao	Rudra Pratap Singh, Shri
Pandey, Shri Damodar	Sadhu Ram, Shri
Pandey, Shri Krishna Chandra	Saini, Shri Mulki Raj
Pandey, Shri Narsingh Narain	Samanta, Shri S. C.
Pandey, Shri R. S.	Sankata Prasad Dr.
Pant, Shri K. C.	Sarkar, Shri Sakti Kumar
Partap Singh, Shri	Satish Chandra, Shri
Paswan Shri Ram Bhagat	Satpathy, Shri Devendra
Patel, Shri Natwarlal	Savant, Shri Shankarrao
Patil, Shri E. V. Vikhe	Sethi, Shri Arjun
	Shahnawaz Khan, Shri

Shambhu Nath, Shri
 Shankaranand, Shri B.
 Sharma, Shri A. P.
 Sharma, Shri Nawal Kishore
 Shashi Bhushan, Shri
 Shastri Shri Biswanarayan
 Shastri, Shri Sheopujan
 Shenoy, Shri P. R.
 Sher Singh, Prof.
 Shetty, Shri K. K.
 Shivappa, Shri N.
 Shivnath Singh, Shri
 Shukla, Shri B. R.
 Siddheshwar Prasad, Shri
 Sinha, Shri Dharam Bir
 Sinha, Shri R. K.
 Stephen, Shri C. M.
 Sudarsanam Shri M.
 Sunder Lal ,Shri
 Suryanarayana, Shri K.
 Swamy, Shri Sidrameshwar
 Uikey, Shri M. G.
 Venkatasubbaiah, Shri P.
 Venkatswamy, Shri G.
 Verma Shri Baigovind
 Verma, Shri Sukhdeo Prasad
 Vikal, Shri Ram Chandra
 Virbhadra Singh, Shri
 Yadav, Shri D. P.
 Yadav, Shri N. P.
 Yadav, Shri R. P.

NOES

Banera, Shri Hamendra Singh
 Banerjee Shri S. M.
 Bhagirath Bhanwar, Shri
 Bhattacharyya, Shri Jagdish

Bhattacharyya, Shri S. P.
 Bhaura, Shri B. S.
 Brahman, Shri Rattanlal
 Chandra Shekhar Singh, Shri
 Chowhan, Shri Bharat Singh
 Dandavate Prof. Madhu
 Deshpande, Shrmati Roza
 Goswami, Shrimati Bibha Ghosh
 Haider, Shri Krishna Chandra
 Huda Shri Noorul
 Joarder, Shri Dinesh
 Joshi, Shri Jagannathrao
 Kachwai, Shri Hukam Chand
 Kathamuth, Shri M.
 Krishnan, Shrimati Parvathi
 Limaye, Shri Madhu
 Mavalankar, Shri P. G.
 Mehta Shri P. M.
 Modak, Shri Bijoy
 Mohammad Ismail, Shri
 Pradhan, Shri Dhan Shah
 Reddy Shri B. N.
 Roy, Dr. Saradish
 Saha, Shri Ajiit Kumar
 Shahstri, Gadadhar
 Sambhali Shri Ishaque
 Sen, Dr. Ranen
 Vajpayee, Shri Atal Bihari

MR. CHAIRMAN: The result of
 the divisions : Ayes 175; Noes 32.
 The motion was adopted.
 Clause 2—(Definitions.)

MR. CHAIRMAN: We will now
 take up clause by clause considera-
 tion. There are some amendments to
 clause 2. They may be moved.

SHRI C. M. STEPHEN: I beg to
 move:

*The following Members also recorded their votes:

AYES: Sarvashri Dharnidhar Das and Appalansaidu;

NOES: Shri R. P. Das.

Page 2,—

after line 41, insert—

“(v) any increase in wages consequent on the revision of the minimum rates of wages fixed under the Minimum Wages Act, 1948;” (107).

Page 2, line 42,—

for “(v)” substitute “(vi)” (108).

Page 2, line 5,—

add at the end—

“but does not include any additional dearness allowance payable as part of minimum wages fixed under the Minimum Wages Act, 1948.” (112).

SHRI RAM SINGH BHAI: I beg to move:

Page 2, line 41,—

add at the end—

“or additional workload” (50).

SHRI YESHWANTRAO CHAVAN: I beg to move:

Page 2, line 17,—

after “over” insert “and above” (52).

Page 3, line 25,—

for “the” substitute “an” (53).

Page 3,—

for lines 49 and 50, substitute—

“name, such person; and includes, in the case of a deceased employer, the legal representative of such deceased employer;” (54).

Page 4, line 11,—

for “made” substitute “framed” (55).

SHRIMATI PARVATHI KRISHNAN: I beg to move:

Page 3,—

omit lines 10 to 14. (63).

Page 4, line 27,—

omit “, including bonus,” (64).

SHRI RAJA KULKARNI: I beg to move:*

Page 2,—

for lines 1 to 5,, substitute—

“(b) ‘additional dearness allowance’ means such amount of dearness allowance as is earned as a result of a rate of neutralisation of the cost of living, higher than the corresponding rate prevailing prior to the appointed date.” (94).

Page 2,—

after line 47, insert—

“(bb) by any agreement/settlement entered into before the appointed day and providing for application of the appropriate scales of pay recommended by Third Central Pay Commission;

(bbb) by any agreement/settlement arrived at before the appointed date and submitted to the Government for approval or to Industrial Tribunal for making award and under which the date of benefit-payment falls after the appointed date.” (95)

Page 4, line 22,—

add at the end—

“given or made after the appointed date” (97).

Page 4, line 28,—

omit “or otherwise” (98)

Page 4,—

omit lines 29 to 31 (99).

*Amendments moved with the recommendation of the President.

Page 4,—
omit lines 32 to 35. (100)

Page 5, line 6,—
add at the end—

"including the portion merged into basic wages" (101).

SHRI YESHWANTRAO CHAVAN:
I beg to move;

Page 3, line 7,—
for "on the appointed day", substitute.

"immediately before the appointed day". (103).

SHRI P. M. MEHTA: I beg to move:

Page 2,—
after line 41, insert—

"(iva) any *ad-hoc* increase in the pay of the employees without any time scale on the basis of negotiations between the employees and employer.

(ivaa) any *ad-hoc* increase in pay to the casual workers and work-charged employees on the basis of negotiations between the employees and employer or otherwise." (113)

SHRI ATAL BIHARI VAJPAYEE:
I beg to move:

Page 3,—
after line 14, insert—

(vi) any amount payable to an employee as bonus as a result of increased profits or formulae linked with profits;

(vii) any *ex-gratia* payment stemming from a term or condition of employment arrived at between labour and management;

(viii) any advance or loan at the time of festivals or any other

occasion of dire necessity to the employee; and

(ix) any amount related in any way to a period before the appointed day;" (118).

Page 3, line 27,—
add at the end—

"and all kinds of allowances and salaries given to Central and State Ministers, Members of Parliament, Members of Legislative Assemblies and Councils" (119).

19 hrs.

SHRI C. M. STEPHEN: My amendment Nos. 107 and 108 are an amendment to the definition of the word "additional wages". I have sought that any increase in wages consequent on the revision of minimum rates of wages fixed under the Minimum Wages Act, 1948 must be excluded from the definition. That is to say, the wage shall not include this.

Amendment No. 112 is a related amendment, namely, any increase of dearness allowance as a part of the minimum wage fixed under the Minimum Wages Act should be excluded. These are part of the same thing, dearness allowance and additional wages.

The gist of my amendments is that the wages fixed under the minimum wages Act, the two parts they have, that is, dearness allowance and wages, must be excluded and there must be no compulsion for the deposit of that amount. That is what I am pleading for.

One submission more. The Government, when they promulgated this Ordinance, issued a press-note and there they made a commitment that the lowest paid workers will be exempted from the liability to deposit. I request the Government to stand by the commitment. What is the definition of the lowest paid worker? This country does not know anything lower than the minimum

[Shri D. K. Borooah]

wages fixed under the Minimum Wages Act. Those workers must be exempted. Otherwise, it will be a very callous thing. It must be for protecting those workers that this law must operate. Therefore, I am moving these amendments. This is the gist of my amendments.

श्री प्रदल बिहारी बाजपेयी : सभापति जी मैंने इस धारा में दो संशोधनों को पेश करने की अनुमति चाही है। पहले संशोधन 118 द्वारा मैं यह चाहता हूँ :

"Page 3,

after line 14, insert—

- (vi) any amount payable to an employee as bonus as a result of increased profits or formulae linked with profits;
- (vii) any *ex-gratia* payment stemming from a term or condition of employment arrived at between labour and management;
- (viii) any advance or loan at the time of festivals or any other occasion of dire necessity to the employee; and
- (ix) any amount related in any way to a period before the appointed day;"

अब अगर मुनाफा अधिक होता है कर्मचारियों को उस का लाभ मिलता है बोनस के रूप में तो मेरी मांग है कि उसे इस कानून की धारा से मुक्त रखना चाहिए। इसी प्रकार अगर मजदूरों और मालिकों के बीच में समय-समय के परिणामस्वरूप कोई वृद्धि होती है तो उसे सरकार को नहीं हड़पना चाहिए। पूजा के अवसर पर अनेक प्रदेशों में विशेष कर पश्चिमी बंगाल, आसाम और उड़ीसा में कर्मचारियों को कर्जा दिया जाता है या कभी आवश्यकता पड़ने पर और सह्यता भी जाती है वह इस में शामिल न की जाय। इस बात का हमें ध्यान रखना होगा

और 6 जुलाई से पहले जो भी सम्झौते ही गए हैं या कर्मचारियों और मजदूरों को लाभ मिलने वाला है उस को इस की परिधि में नहीं लाया जाना चाहिए।

मैं 119 वां संशोधन भी प्रस्तुत करूँ। उस के द्वारा मैंने यह मांग की है कि :

"and all kinds of allowances and salaries given to Central and State Ministers, Members of Parliament, Members of Legislative Assemblies and Councils."

इन को भी इस कानून की परिधि में लाना चाहिए। दोनों संशोधन बहुत ही उपयुक्त हैं। वित्त मंत्री महोदय अगर कोई उपयुक्त संशोधन मानना चाहते हैं तो मेरे संशोधन मान सकते हैं।

SHRI P. M. MEHTA: My amendment No. 113 reads as follows:—

"Page 2,

after line 41, insert—

“(iva) any ad hoc increase in the pay the employees without any time scale on the basis of negotiations between the employees and employer.

(ivaa) any ad hoc increase in pay to the casual workers and work-charged employees on the basis of negotiations between the employees and employer or otherwise.”

By clause 2(c), time scale employees and other categories of employees are excluded from the purview of this provision. This has created an anomaly. For instance, if an employee getting Rs. 1000 in a time scale gets his annual increment of Rs. 25 or Rs. 50, that increment will not be considered as an additional wage and will not be impounded. But if an employee getting a salary of Rs. 300 or Rs. 350 is given a rise of Rs. 15 after negotiations, that will be considered as an additional wage and will be impounded. An employee drawing Rs. 1000 a month

and getting his regular annual increment of Rs. 50 or so, will be protected. It is good that he is protected. But if an employee drawing a salary of Rs. 300 or Rs. 350 a month gets a rise of Rs. 15 as an annual increment after four or five rounds of negotiations, that increment will be considered as an additional wage and will be impounded. This anomaly should be removed. Any *ad hoc* increase, obtained after negotiations, in the pay of low-paid employees should not be impounded under the provision of this Bill. In the same way, any *ad hoc* increase in pay to the casual workers or workcharged employees or substitutes, who are low paid employees, and who get that increase by virtue of negotiations—it may be of the order of Rs. 5 or 10—will be impounded under the provision of this Bill. This is a gross injustice to the employees who have no time-scale, this is a gross injustice to the casual workers and workcharged employees. Therefore, I hope, the Minister will accept my amendment and remove this anomaly.

SHRIMATI PARVATHI KRISHNAN: My amendment is for deletion of explanation with regard to bonus. Regarding this point I will not take more time of the House. Because the point about Bonus has been discussed when the discussion on the Bill was there. The questions of production and incentive bonus have arisen many times and the workers arrive at collective agreements. On those agreements being arrived at, these are agreed to. You also want industrial production to increase. Incentive bonus is a principle which has been accepted. Here you want to say, yes, the negotiations can continue but you should not get it just now. Therefore, this is the idea, of impounding the bonus amounts for which the workers have been labouring throughout the year. These amounts are their due for the extra labour that they have put in. This bonus should not be touched. Mine is a very simple amendment for deletion of the explanation concerning this and I do not think the hon. Minister will reject it.

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SHRI RAJA KULKARNI: Sir, out of 8, I press two amendments 94 and 95. It relates to definition. Under old formula, the agreement was decided and brought about prior to the ordinance. Under the old formula of D.A. if because of rise in cost of living, if the DA rises, the ordinance is attracted. Instead of that kind of a definition, if the DA goes up as a result of additional dearness allowance amount which is earned because of the higher rates of dearness allowance, neutralisation, it is only under such kinds of circumstances that the ordinance should be attracted. That is my amendment No. 94 regarding the new definition of additional dearness allowance. Then about No. 95 I have said this. That refers to the category which is exempted, that is, those who should be exempted from operation of the ordinance. One is this. So far as Third Pay Commission recommendations to the Central Government and the State Government employees are concerned they are all exempted. But there are public undertakings. There agreements have been arrived at in 1970-71, 1972 and so on. They have agreed that whenever the Third Pay Commission gives its report and when those recommendations are accepted, they will be made applicable to public sector employees. Negotiations were going on how to apply them and when the question came of application the ordinance came in between. That ordinance need not be attracted in the application of the Third Pay Commission recommendation to public sector undertakings. Number two is this. This is about agreement having taken place prior to the date of the ordinance. Somehow or other the agreements had been submitted to Government for approval. Approval has not come from the Government. May be this is submitted to tribunal by way of award in terms of settlement and so on. That award has not come before the ordinance. In such cases this ordinance should not be attracted. So these should be exempted. That is all my submission.

SHRI YESHWANTRAO CHAVAN: I have already moved the Government

[Shri Yeshwantrao Chavan]

amendments Nos. 52, 53, 54, 55 and 103. which I am pressing.

I do not have to give any further explanation to this except that they are intended to remove some of the ambiguities in the procedures which are of a clarificatory nature.

Now, may I say something in reply to some of the amendments?

MR. CHAIRMAN: Of course.

SHRI YESHWANTRAO CHAVAN: Excepting amendment Nos. 107 and 108 moved by my hon. friend, Shri Stephen. I am opposing all the amendments. I am accepting his amendments because that is exactly our intention but we have not put it in specific words. We certainly do not want the minimum rates of wages to be fixed under the Minimum Wages Act of 1948. That we would like to stand apart.

As regards the other amendment of the hon. Member, that is, amendment Number 112. I would like to tell that if we accept this amendment, then other amendment would not be necessary. The special allowances which are related to the cost of living would also be included therein. That stands quite different from the definition and so, I would request the hon. Member not to press for that.

If I accept the amendment of Shri Raja Kulkarni, the what for is the Bill I do not understand. By you moving the amendments, you are negating the whole Ordinance.

SHRI RAJA KULKARNI: Discrimination should be removed.

SHRI YESHWANTRAO CHAVAN: I would request you to withdraw the amendment.

MR. CHAIRMAN: Now, I shall put the Government Amendments to the vote of the House.

SHRI S. M. BANERJEE: Is the hon. Member, Shri Raja Kulkarni withdrawing his amendments?

MR. CHAIRMAN: We shall consider that when we come to his amendments.

Now, the question is:

Page 2, Line 17,—

after "Over" insert "and above" (52).

Page 3, line 25,—

for "the" substitute "an" (53)

Page 3,—

for linos 49 and 50, substitute—

"name, such person; and includes, in the case of a deceased employer, the legal representative of such deceased employer;" (54)

Page 4, line 11,—

for "made" substitute "framed" (55)

Page 3, line 7,—

for "on the appointed day", substitute "immediately before the appointed day". (103)

The motion was adopted.

MR. CHAIRMAN: Now, we shall take up amendment Nos. 107 and 108 moved by Shri C. M. Stephen and which are accepted by Government.

The question is:

Page 2,—

after line 41, insert—

"(v) any increase in wages consequent on the revision of the minimum rates of wages fixed under the Minimum Wages Act, 1948;" (107)

Page 2, line 42,—

for "(v)" substitute "(vi)" (108)

The motion was adopted.

MR. CHAIRMAN: Now, I shall come to the amendment No. 50 moved by Shri Ramsingh Bhai. Are you pressing?

SHRI RAMSINGH BHAI: I withdraw my amendment.

MR. CHAIRMAN: Is it the pleasure of the House to grant leave to the hon. Member to withdraw his amendment?

Amendment No. 50 was, by leave, withdrawn.

MR. CHAIRMAN: Now, we take up amendment Nos. 63 and 64 moved by Shrimati Parvathi Krishnan. I think she is not here. Anyhow, I shall put them to the vote of the House.

Amendment Nos. 63 and 64 were put and negatived.

MR. CHAIRMAN: Now, we take up amendment Nos. 94, 95, 96, 97, 98, 99, 100 and 101 moved by Shri Raja Kulkarni. Are you pressing?

SHRI RAJA KULKARNI: I withdraw the amendments.

MR. CHAIRMAN: Is it the pleasure of the House to grant leave to the hon. Member to withdraw his amendments?

Amendment Nos. 94, 95 and 97 to 101 were, by leave withdrawn.

MR. CHAIRMAN: I shall now put amendment No. 112 moved by Shri Stephen to the vote of the House.

SHRI C. M. STEPHEN: In view of the clarification given by the hon. Minister, I withdraw my amendment.

MR. CHAIRMAN: Is it the pleasure of the House to grant leave to the hon. Member to withdraw his amendment?

Amendment No. 112 was, by leave, withdrawn.

MR. CHAIRMAN: I now put amendment No. 113 moved by Shri P. M. Mehta to the vote of the House.

Amendment No. 113 was put and negatived.

MR. CHAIRMAN: I now put amendments Nos. 118 and 119 moved by Shri Atal Bihari Vajpayee to the vote of the House.

Amendments Nos. 118 and 119 were put and negatived.

MR. CHAIRMAN: The question is:

"That Clause 2, as amended, stand part of the Bill."

The motion was adopted.

Clause 2, as amended, was added to the Bill.

Clause 3—(Persons to whom this Act applies.

MR. CHAIRMAN: Now, we take up clause 3.

SHRI ATAL BIHARI VAJPAYEE: I move:*

Page 5,—

after line 33, insert—

"Provided that any employee of the foregoing bodies, not wishing to avail of this scheme may opt out of the scheme by conveying his wish to his employer in writing." (2)

SHRI KRISHNA CHANDRA HALDER (Ausgram): I move:

Page 5, line 7,—

after "employee" insert—
"drawing a basic salary or remuneration of rupees one thousand six hundred and above per month," (38)

*Amendments moved with the recommendation of the President.

श्री अटल बिहारी वाजपेयी : सभापति जी, यह संशोधन बड़ा बुनियादी है। मेरा कहना है कि यह कम्पलसरी डिपॉजिट ठीक नहीं है डिपॉजिट अगर हो तो बालटरी होना चाहिए। इसी मांगय का मैंने यह संशोधन दिया है :

"Provided that any employee of the foregoing bodies, not wishing to avail of this scheme may opt out of the scheme by conveying his wish to his employer in writing."

मैं एक नया क्लॉज 3-ए भी जोड़ना चाहता हूँ

"Nothing in this Act shall apply to such employees as have chosen to opt out of this scheme under proviso to section 3."

मैं समझता हूँ यदि यह संशोधन स्वीकार कर लिए जायें तो फिर वित्त मंत्री के बिधेयक से हमारा कोई मतभेद नहीं रहेगा। संशोधन बहुत छोटे हैं लेकिन बड़े प्रभावकारी हैं और मैं वित्त मंत्री से प्रार्थना करूँगा कि इनको स्वीकार करे।

श्री एल० एम्० बनर्जी : सभापति महोदय, अटल जी ने जो प्रपोजिशन मूव की हैं, मेरी भी वही प्रपोजिशन हैं। अगर वाकई कोई बचत की स्कीम लाना है तो उसको बालटरी बेसिस पर होना चाहिए। जिस प्रादमी की हिम्मत बचत करने की हो वह बचत करे लेकिन कर्जा लेकर उसको बचत करनी पड़े, मैं समझता हूँ यह गलत है। मेरा सुझाव है कि यदि कोई कर्मचारी इस स्कीम में नहीं रहना चाहता तो वह अपना अनशन दे दे कि वह इससे अलग होता है और उनको दंडित न किया जाये।

मैं बार बार वित्त मंत्री जी से कहता हूँ कि वे इस स्कीम को बालटरी कर दें, कम्पलसरी होने से उसका बहुत नुकसान होगा।

SHRI YESHWANTRAO CHAVAN:
The only thing that I can say is that I deny myself the pleasure of accepting these amendments.

MR. CHAIRMAN: He having denied himself the pleasure, I shall now put the amendments Nos. 2 and 38 to the vote of the House.

Amendment Nos 2 and 38 were put and negatived.

MR. CHAIRMAN: The question is:

"That clause 3 stand part of the Bill".

The motion was adopted.

Clause 3 was added to the Bill.
New Clause 3-A

SHRI ATAL BIHARI VAJPAEYEE:
I beg to move*:

Page 5, after line 41, insert— ..

"3A. Nothing in this Act shall apply to such employees as have chosen to opt out of this scheme under proviso to section 3." (3)

MR. CHARMAN: I shall now put this amendment to vote.

Amendment No. 3 was put and negatived.

MR. CHAIRMAN: The question is:

"That clause 4 stand part of the Bill".

The motion was adopted.

Clause 4 was added to the Bill

Clause 5—(Additional Wages Deposit Account and Additional Dearness Allowance Deposit Accounts.)

SHRI ATAL BIHARI VAJPAYEE:
I beg to move*:

Page 6, line 6, for 'COMPULSORY' substitute 'VOLUNTARY'. (4)

सभापति महोदय, इस सशोधन के द्वारा मैंने यह आपत्ति पहले भी की थी और फिर दोहराना चाहता हूँ कि हर कर्मचारी के दो प्रकाउन्ट रखने की क्या जरूरत है? क्या इस से काम नहीं बढेगा, खर्चा नहीं बढेगा? एक वेतन में वृद्धि का प्रकाउन्ट भ्रम होना और ऐडिशनल डी० ए० के बारे में भ्रम प्रकाउन्ट होगा। तो कोई ऐसा ढग नहीं निकाला जा सकता कि दो प्रकाउन्ट्स की जगह एक प्रकाउन्ट रखा जाय? खर्चा कम हो, भोग कम लगाने पड़े? वित्त मंत्री महोदय को इस के बारे में क्या प्रतिक्रिया है? क्या इतना छोटा सा सुझाव भी वह सोचने के लिए तैयार नहीं है?

SHRI YESHWANTRAO CHAVAN:
I do not want to say anything.

MR. CHAIRMAN: I shall now put amendment No. 4 to vote.
Amendment No. 4 was put and negatived.

MR. CHAIRMAN: The question is:

"That clause 5 stand part of the Bill".

The motion was adopted.

Clause 5 was added to the Bill.

Clause 6.—(Duty of employer or other person to make deductions of additional wages and additional dearness allowance from emoluments.)

SHRI ATAL BIHARI VAJPAYEE:
I move*:

Page 6, line 22,—
for "two years" substitute "one year" (5).

Page 6, lines 29 and 30,—

omit "and one-half of the additional dearness allowance" (6)

Page 6, lines 32 and 33,—

omit "and the Additional Dearness Allowance Deposit Account, respectively" (7)

Page 6, line 38,—

omit "and one-half of the additional dearness allowance," (8)

Page 6, lines 42 and 43,—

omit "and the Additional Dearness Allowance Deposit Account, respectively" (9)

Page 7, lines 5 and 6,—

omit "and one-half of the additional dearness allowance" (10)

Page 7, lines 8 and 9,

omit "and the Additional Dearness Allowance Deposit Account, respectively" (11)

Page 7, lines 11 and 12,—

omit "and one-half of the additional dearness allowance" (12)

Page 7, lines 15 and 16,—

omit "and the Additional Dearness Allowance Deposit Account, respectively" (13)

Page 7,—

after line 16, insert—

"Provided that in a case where the employee gets a consolidated pay, the additional amount shall not be counted as his wages only, but an

*Amendments moved with the recommendation of the President.

appropriate portion of it shall be considered as Additional Dearness Allowance." (14)

Page 7, line 30,—

omit "separately" (15)

Page 7, line 31,—

omit "respective" (16)

SHRI KRISHNA CHANDRA HALDER: I move:

Page 6, line 18,—

after "made" insert—

"in respect of payments accruing due with effect from the 6th day of July, 1974".

Page 6, line 19,—

for "one year" substitute "three months" (40)

Page 6, line 22,—

for "two years" substitute "three months" (41)

SHRI YESHWANTRAO CHAVAN: I move:

Page 6, line 23,—

for "Act" substitute "section" (56)

SHRI ATAL BIHARI VAJPAEYEE: I move:

Page 7,—

after line 28, insert—

"(d) the Central and State Governments, the Secretaries-General of Lok Sabha and Rajya Sabha and Secretaries of all other State Legislatures in India shall, as and when salaries and any or all types of allowances are disbursed to Central and State Ministers, M.Ps, M.L.As. and M.L.Cs., shall deduct ten per cent from each of the emoluments so disbursed

and credit the amounts so deducted, in accordance with the scheme, to the accounts that are fixed for this purpose." (120)

MR. CHAIRMAN: As regards amendments Nos. 75—86, they are the same as those already moved.

श्री अटल बिहारी वाजपेयी : सभापति जी, यह धारा 6, जैसा कि वित्त मंत्री महोदय ने अपने भाषण में कहा था कि यह सारे विधेयक की जान है। इस में कहा गया है कि डिडकेशन का मतलब यह होगा :

"In the case of additional wages for a period of one year."

"In the case of dearness allowance for period of two years."

यह अन्तर करने की क्या जरूरत है? आप दोनों के लिये एक साल कर दीजिये। आखिर सरकार के सोचने के पीछे कोई तर्क पड़ति है कि नहीं? वेतन बढ़ते हैं वह बढ़ा हुआ वेतन कर्मचारी, मजदूर खर्चा न करे अग यह तरीका सोचने का है और इस दृष्टि से एक साल निर्धारित किया गया है तो फिर एक साल महंगाई भत्ते पर भी लागू होना चाहिये और अगर वित्त मंत्री वा यह कहना हो कि हम महंगाई भत्ता दो साल इसलिये नहीं देना चाहते कि दो साल महंगाई बढ़ने वाली है और फिर भत्ता बढ़ाने की माग भी होगी, तो मेरा कहना है कि एक साल बाद शायद यह स्थिति आ जाय वेतन के बरें में यह फैसला करना पड़े कि बढ़ा हुआ वेतन नहीं देंगे क्या कि आर्थिक सकट सुलझने के बजाय और गम्भीर हो गया तो दोनों के बारे में एक साल कर लीजिये, और अगर बढ़ाने की जरूरत पड़ी तो दोनों के लिए एक साथ संशोधन ले आइये। लेकिन महंगाई भत्ते के पीछे दो साल इस के पीछे क्या लौजिक है यह जरा वित्त मंत्री महोदय स्पष्ट कर दें।

SHRI S. M. BANERJEE: Mr. Chairman, Sir, I support these amendments. I have also given some amendments. One amendment is, Page 6, line 28, for "two years" substitute "one year". I fully endorse the logical arguments put forward by my hon. friend Mr. Atal Bihari Vajpayee. It cannot be two years in case of dearness allowance. The other amendment is, Page 6, lines 29 and 30 omit "and one-half of the additional dearness allowance" and again, Page 6, lines 32 and 33 omit "and the Additional Dearness Allowance Deposit Account, respectively". It goes on like this. Then, Sir, by pleading that this should be one year in both the cases, I would only request the hon. Minister, even at this fag end of the day, not to deduct or deposit a portion of the dearness allowance which has been sanctioned to the Central Government employees from 1st April 1974. At that time, this Ordinance was not in existence. The Ordinance was promulgated on 6th July 1974. As such, the increase of dearness allowance from 1st April 1974 and from 1st June 1974 can, by no stretch of imagination, come under the mischief of this Ordinance. This will amount to, excuse me if I may say so, cheating the Central Government employees if payment is withheld for so many months under one pretext or other and when it is deducted on the ground that the payment has been made after the promulgation of this Ordinance. It will be very unfair and unjust. I would request the hon. Minister to consider this point because a delegation of the Central Government employee, the National Council of the JCM, met him and pleaded not to deduct this amount. When the Act comes into existence, then, it may be deducted. But, that particular amount which was due to them from 1st April 1974 should not and cannot be deducted. With these words, I would request the hon. Minister to kindly consider this point. I do not expect an answer immediately. Let him ponder over this matter, think it objectively and come to a conclusion.

MR. CHAIRMAN: Let us now take up amendments to Clause 6. I will now put Amendment No. 56 to Clause 6 moved by Shri Yeshwantrao Chavan, to the vote of the House. The question is:

Page 6, line 23,—

for "Act" substitute "section" (56)

The motion was adopted.

MR. CHAIRMAN: I will now put Amendments Nos. 5 to 16 to Clause 6 moved by Shri Atal Bihari Vajpayee, to the vote of the House.

Amendments Nos. 5 to 16 were put and negatived.

MR. CHAIRMAN: I will now put Amendment Nos. 39 to 41 to Clause 6 moved by Shri Krishna Chandra Halder, to the vote of the House.

Amendments 39 to 41 were put and negatived.

MR. CHAIRMAN: I will now put Amendment No. 120 to Clause 6 moved by Shri Atal Bihari Vajpayee to the vote of the House.

Amendment No. 120 was put and negatived.

MR. CHAIRMAN: Now, the question is:

"That Clause 6, as amended, stand part of the Bill."

The motion was adopted.

Clause 6, as amended was added to the Bill.

Clause 7.—(Deposits to carry simple interest).

MR. CHAIRMAN: Now, we will take up Clause 7

Mr. Vajpayee, are you moving your amendment?

SHRI ATAL BIHARI VAJPAYEE: Yes, Sir. I beg to move.*

*Amendment moved with the recommendation of the President.

Page 7, line 38,—

after "calculated" insert—

"twice a year and" (17)

MR. CHAIRMAN: I will now put amendment No. 17 to the vote of the House.

Amendment No. 17 was put and negated.

MR. CHAIRMAN: The question is:

"That clause 7 stand part of the Bill."

The motion was adopted.

Clause 7 was added to the Bill.

Clause 8 was added to the Bill
 Clause 9—(Repayment of Deposits.)

MR. CHAIRMAN: There are a number of amendments.

SHRI ATAL BIHARI VAJPAYEE: I move*:

Page 8, line 18,—

for "two-years" substitute "one year" (18)

Page 8,—

after line 23, insert—

'Explanation.—for the purpose of this proviso, a case of extreme hardship means sickness or death or marriage of a family member of an employee or repayment of loans or borrowings taken by the employee earlier" (19)

Page 8, line 35,—

omit "equal" (20)

Page 8, line 36,—

after "instalments" insert—

"the first being fifty per cent of the whole amount and the rest in four instalments

being one-fourth each of the remaining amount," (21)

Page 8, lines 36 and 37,—

omit "or two years, as the case may be," (22)

Page 8, lines 38 and 39,—

for "compulsory" substitute "voluntary" (23)

SHRI KRISHNA CHANDRA HALDER: I move*:

Page 8, line 14,—

for "one year" substitute "three months" (42)

Page 8, line 18,—

for "two years" substitute "three months" (43)

Page 8, line 35,—

for "five" substitute "two" (44)

Page 8, line 36,—

for "annual" substitute "quarterly" (45)

Page 8, lines 36 and 37,—

for "one year or two years, as the case may be," substitute "three months" (46)

श्री अटल बिहारी वाजपेयी . इस संशोधन के द्वारा मैं ने यह मांग की है कि पृष्ठ 8 पर 23वीं पंक्ति के बाद निम्नलिखित जोड़ दिया जाए :

"Explanation: For the purpose of this proviso, a case of extreme hardship means sickness or death or marriage of a family member of an employee or repayment of loans or borrowings taken by the employee earlier."

अभी जो कुछ इस विधेयक में कहा गया है, उसके अनुसार सरकार ने सारे मामले को

अल्पवय छोड़ दिया है। क्या सरकारी अधिकारी यह फँसना करेंगे कि कोई कर्मचारी कठिनाई में है या नहीं है? क्या इस तरह के फैसले उचित होंगे? क्या मंत्री महोदय यह नहीं मानते कि कोई कर्मचारी कभी सचमुच में कठिनाई में आ सकता है और उस अवसर पर उस को हम कानून से छुटकारा देने की आवश्यकता पड़ेगी। जवाहरण के लिए बेटा का विवाह हो सकता है, परिवार में मृत्यु हो सकती है या ऐसी बीमारी हो सकती है कि कर्मचारी इस स्थिति में न रहे कि वह अनिवार्य जमा योजना में अपना दान दे सके, तो मैं समझता हूँ कि इस सम्बन्ध में अल्पवाद करने में कोई कठिनाई नहीं होनी चाहिए। वित्त मंत्री महोदय केवल प्रयोग का प्रथम मदस्य का एक संशोधन मान कर संतोष अनुभव न करें। अगर एक हमारा संशोधन भी मान लें, तो हिमाचल किताब जरा बराबर हो जाएगा।

SHRI S. M. BANERJEE: I fully support the amendment of Shri Vajpayee. The advantage of exemption will be given only to the favourite employees. In the case of employees who are really suffering, it will be left to the employers or bureaucrats to decide who will get the advantage of exemption. This proviso provides some guidelines. It says, if a man is sick or his daughter is to be married or some extreme and genuine hardship is there, in such cases he should be granted exemption. I think this particular expression in the proviso should be accepted without any hitch because the hon. Minister in this very Bill has agreed that there is need for exemption. Suppose there is a calamity, will not exemption be given in the case of an employee? In that case, this explanation should be accepted. I would request the Minister to accept it.

SHRI YESHWANTRAO CHAVAN: This clause itself is making provision to facilitate the withdrawal of money in case of hardship. What the hon.
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Members are trying to do is to define hardship. I would like to tell them that hardship is such a comprehensive situation that by definition we are trying to restrict its scope. That is why we do not think it is necessary to have a definition. Because, there may be occasions when a particular hardship may not be covered by the definition which is sought to be given here. So, I would say it is much better to keep it as it is, giving discretion to the person concerned. It is taking a human view of the matter and that purpose will not be served by the definition that they are trying to suggest

MR. CHAIRMAN: I will now put amendment Nos. 18 to 23 to clause 9, moved by Shri Atal Bihari Vajpayee, to the vote of the House.

Amendments No. 18 to 23 were put and negatived.

MR. CHAIRMAN: I will now put ~~MR. CHAIRMAN.~~ I will now put moved by Shri Krishna Chandra Halder, to the vote of the House.

Amendments Nos. 42 to 46 were put and negatived.

MR. CHAIRMAN: The question is:

"That clause 9 stand part of the Bill".

The motion was adopted.

Clause 9 was added to the Bill.
Clause 10.—(Power of Central Government to frame schemes.)

SHRI S. M. BANERJEE: I beg to move:

"That this House summons the Attorney-General of India to address the House and give his opinion on clause 10 of the Bill"

At the consideration stage this morning my hon. friends Shri Madhu Limaye, Shri Somnath Chatterjee, myself and others raised various objections to the provision as embodied in clause 10, whereby rules can be

[Shri S. M. Banerjee]

framed by the bureaucrats, ignoring the Committee on subordinate legislation or this House. Sub-clause (3) reads:

"A scheme framed under this section may provide that all or any of its provisions shall take effect, either prospectively or retrospectively, on such date, not being a date earlier than the appointed day, as may be specified in this behalf in the scheme and every scheme framed under this section shall have effect notwithstanding anything contained in any law (other than this Act) for the time being in force or in any instrument having effect by virtue of any enactment other than this Act."

When I raised this in the morning I got the impression from the hon. Speaker that we could better argue it at the consideration stage. What are the other Acts which will be affected by this? The Minimum Wages Act is ignored, the Industrial Disputes Act is negated and the Payment of Wages Act is completely ignored. So, this Bill, when it becomes an Act, will be so mischievous, so preposterous and so draconian that it will swallow all those laws which we in our wisdom, or our predecessors in their wisdom, passed to give certain benefits to the workers.

This is a very serious matter. That is why I have requested through a motion that this House should summon the Attorney-General to address this House to get certain clarifications from him on this particular clause 10, whether a particular legislation can negative all those legislations which we passed in this House. It is being done simply by a stroke pen by the bureaucracy. This is putting enormous powers in the hands of the bureaucrats. All the labour legislations for which right from Mr. S. M. Joshi and others laboured and got them passed are going to be ignored by this legislation. It is only because of thought-

less action of the Government. For the last 27 years, they have miserably failed. Because of the wrong policies of the Government, they now want to bring a legislation which will negative all the labour legislations passed by this House, whether it is the Payment of wages Act, whether it is the Minimum wages Act, whether it is the payment of Bonus Act, whether it is the Industrial Disputes Act.

So, through my motion, I request the House to summon the Attorney-General to address this House to get clarifications from him on certain points in regard to clause 10.

श्री मधु लिमये : महापति महोदय, आप की तवज्जह में खीचना चाहता हूँ संविधान की धारा 13 की प्रारंभ 13(3)(ए) में कानून की व्यवस्था की गई है :

"(a) "law" includes any Ordinance, order, by-law, rule, regulation, notification, custom or usage having in the territory of India the force of law;"

अब मेरा पहला सवाल है कि यह जो दसवीं कलाज है उस के सब-सेक्शन (3) में एक योजना बनाई जायगी, स्कीम बनाई जायगी।

"a scheme framed under this section...."
Who is going to frame the scheme?

कौन करेगा इस को? सेंट्रल गवर्नमेंट करेगी। तो इस का मतलब है कि सेंट्रल गवर्नमेंट लेजिस्लेट करेगी कलाज 10 के तहत। अगर इस बात को आप मानते हैं कि स्कीम लेजिस्लेट करने का अधिकार सेंट्रल गवर्नमेंट को दिया गया है, पार्लियामेंट नहीं कर रही है, यह सदन नहीं कर रहा है लेजिस्लेशन का काम, सेंट्रल गवर्नमेंट यानी कार्यकारिणी करेगी तो ऐसी हालत में मुझे पता नहीं, महापति महोदय, आप सबांदिनेट लेजिस्लेशन कमेटी

के सदस्य हैं या नहीं, लेकिन अगर आप हैं तो आप को यह मालूम होगा कि जो लेजिस्लेशन यह सदन नहीं करता है और सरकार करती है वह सारा इस कमेटी के पास जाता है। लेकिन मंत्री महोदय ने इस धारा का उल्लेख तक नहीं किया है अपने मेमोरेडम में। इसलिए मैं आप का अधिक समय न लता हूँ सिर्फ इतना ही कहना चाहता हूँ कि एक तो इस का स्पष्ट उल्लेख होना चाहिए था मेमोरेडम में, या उसमें कोई ऐसा प्रावधान होना चाहिए था कि यह योजना सदन के सामने आएगी और सदन के द्वारा उस पर मुहर लगाई जायेगी। मंत्री महोदय इसके ऊपर दोबारा पुनर्विचार करे और आपकी इजाजत से कुछ इस में संशोधन करने के लिए वह तैयार हो जाएंगे तो बहुत अच्छी बात हो जायेगी, आप तो सहमत उस के लिए दे ही देंगे।

SHRI YESHWANTRAO CHAVAN:

Sir, this point was raised before also. It is very difficult to accept the argument that this is some sort of a power taken under the legislation to override other legislations. This is the main argument given. The point that I am trying to make is this.

Please see Clause 25. It reads as follows:—

“Every rule and every scheme made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions...

That means, the House will have every opportunity to disapprove or modify any scheme that is laid.

श्री मधु लिमये : ठीक यही तो मैं कह रहा था। उस समय यह डिप्टी स्पीकर ने रूनिंग दी कि चर्चा का समय आया। तो उस का मैं जवाब चाहता हूँ। जब उन्होंने

बुद कहा है कि रूनिंग की तरह कम भी आयेगी तो यह सर्वाइजेंट लेजिस्लेशन है। उस समय तो कहा गया कि वोटिंग से तय होगा। चैयर की तरफ से रूनिंग नहीं दी गई।

सभापति महोदय : क्लॉक 10 पर आप कोई प्रमंडमेन्ट लाए हों तो उस पर विचार हो जायेगा।

श्री मधु लिमये : अगर आप इजाजत देंगे तो मैं दे दूंगा।

सभापति महोदय : अब इस समय कैसे देंगे ?

Mr. S. M. Banerjee has moved a motion to summon the Attorney-General of India to address the House and give his opinion on Clause 10. I shall put it to the vote of the House. The question is:

“That this House summons the Attorney-General of India to address the House and give his opinion on Clause 10 of the Bill.”

The motion was negatived.

20 hrs.

MR. CHAIRMAN: Regarding amendments Nos. 24 and No. 25, Mr. Vajpayee is not moving. Are you moving Mr. Chavan, your amendment No. 57?

SHRI YESHWANTRAO CHAVAN: Yes, I am moving.

I beg to move:

Page 9, line 32,—

for “made” substitute “framed” (57).

MR. CHAIRMAN: Are you moving No. 65, Mrs. Parvathi Krishnan?

SHRIMATI PARVATHI KRISHNAN: Yes, I am moving. I beg to move:

Page 9, line 17,—
 for "rupees two" substitute
 "rupee one" (85)

MR. CHAIRMAN: I will now put
 Government Amendment No 57 to
 the vote of the House.

The question is:

Page 9, line 32,—
 for "made" substitute "framed"
 (87)

The motion was adopted.

MR CHAIRMAN: I will now put
 amendment No 65 moved by Shrimati
 Parvathi Krishnan to vote.

Amendment No. 65 was put and
 negatived

MR CHAIRMAN: The question is.

"That Clause 10, as amended,
 stand part of the Bill"

The motion was adopted

Clause 10, as amended, was added to
 the Bill

Clauses 11 and 12 were added to the
 Bill

Clause 13—(Transfer of establish-
 ments)

SHRI YESHWANTRAO CHAVAN.
 I move all the four amendments. I
 beg to move:

Page 10, line 9,—
 after "the" insert "appropriate"
 (58)

Page 10, line 8,—
 after "is so transferred", insert "or
 the licence is so given" (104)

Page 10, line 12,—
 after "transferee", insert "or licen-
 see" (105)

Page 10, line 13,—
 after "such transfer", insert "or
 licence, as the case may be," (106)

MR. CHAIRMAN: I will now put
 the Government amendments to the
 vote.

The question is:

Page 10, line 9,—
 after "the" insert "appropriate"
 (58)

Page 10, line 8,—
 after "is so transferred", insert "or
 the licence is so given" (104)

Page 10, line 12,—
 after "transferee", insert 'or licen-
 see" (105)

Page 10, line 13,—
 after "such transfer", insert "or
 licence, as the case may be", (106)

The motion was adopted.

MR CHAIRMAN Now the ques-
 tion is

"That Clause 13, as amended,
 stand part of the Bill "

The motion was adopted.

Clause 13, as amended, was added to
 the Bill.

Clause 14.—(Penalties)

MR CHAIRMAN: There are
 amendments 26 to 32 by Shri Vajpayee
 and colleagues

SHRI HUKAM CHAND KACH-
 WAI (Morena) I beg to move*:

Page 10, line 24,—
 for "six months" substitute "one
 month" (26)

Page 10, line 24,—
 for "one thousand" substitute "two
 hundred" (27)

Page 10, line 31,—
 for "three months" substitute "one
 day" (28)

Page 10, line 32,—
 for "six months" substitute "seven
 days" (29)

*Amendments moved with the recommendation of the President.

Page 10, lines 33 and 34.—
for "one year" substitute "one
month" (30)

Page 11, line 8,—
for "six months" substitute "one
month" (31)

Page 11, line 8,—
for "one thousand" substitute "two
hundred" (32)

SHRI YESHWANTRAO CHAVAN:
I am moving amendment No. 59. I
beg to move:

Page 10, line 28,—
for "made" substitute "framed"
(59)

SHRIMATI PARVATHI KRISH-
NAN: I am moving amendment Nos.
66 to 69. I beg to move:

Page 10, line 31,—
for "three months" substitute "six
months" (66)

Page 10, line 32,—
for "six months" substitute "one
year" (67)

Page 10, lines 33 and 34,—
for "one year" substitute "two
years" (68)

Page 11,—
omit lines 5 to 9. (69)

MR. CHAIRMAN: I shall put
amendment No. 59 moved by Shri
Yeshwantrao to the vote of the House.

The question is:

Page 10, line 28,—
for "made" substitute "framed" (59)

The motion was adopted.

MR. CHAIRMAN: I shall now put
amendment Nos. 26 to 32 moved by
Shri Atal Bihari Vajpayee and others
to the vote of the House.

Amendments Nos. 26 to 32 were put
and negatived.

MR. CHAIRMAN: Now we take
up amendment Nos. 66 to 69 moved
by Shrimati Parvathi Krishnan and
her other colleagues.

SHRI M. KATHAMUTHU (Naga-
pattinam): Sir, I want to speak on
amendment Nos. 66 to 69. According
to the Bill, the penalty given to the
defaulters is very low. For that pur-
pose we have given our amendments.
By amendment Nos. 66 to 69, we want
to substitute for "three months", "six
months", "one year" by the words "six
months", "one year", "two years"
respectively. By our amendment No.
69, we want to omit lines 5 to 9 on
page 15.

I press all my amendments to the
vote of the House.

MR. CHAIRMAN: Now, I shall
put amendment Nos. 66 to 69 moved
by Shrimati Parvathi Krishnan and
her colleagues to the vote of the
House.

Amendments Nos. 66 to 69 were put
and negatived.

MR. CHAIRMAN: Now, the ques-
tion is:

"That Clause 14, as amended,
stand part of the Bill."

The motion was adopted.

Clause 14, as amended, was added to
the Bill.

Clause 15—(Offences by Companies.)

MR. CHAIRMAN: Now we take
up clause 15. There are amendments.

SHRI HUKAM CHAND KACH-
WAI: I move*:

Page 11, line 13,—
after "business of" insert "and
maintenance of accounts of" (33)

Page 11, line 13,—
omit "as well as the company," (34)

*Amendments moved with the recommendation of the President.

SHRIMATI PARVATHI KRISH-
NAN: I move:

Page 11,

omit lines 16 to 19. (70)

Amendments made:

Page 11, line 21,—

for "any" substitute "an" (60)

Page 11, line 21,—

after "committed" insert—

"by a company and it is proved
that the offence has been commit-
ted" (61)

(Shri Yeshwantrao B. Chavan)

MR. CHAIRMAN: Now, on
amendment Nos. 33 and 34, do you
want to say anything?

SHRI R. V. BADE (Khargone): I
want to say something on this. We
have given amendments that after
"Business of" the words "and mainte-
nance accounts of" should be added.
By amendment No. 34 we want to
omit 'as well as the company' on page
11, line 13. What is meant by the
Explanation—For the purpose of this
sub-section, the case of extreme hard-
ship means sickness or death or mar-
riage of a family member of the em-
ployee or repayment of loans or bor-
rowing taken by the employee ear-
lier'. Therefore, we have given this
amendment.

MR. CHAIRMAN: Now, I shall put
amendment Nos. 33 and 34 to the vote
of the House.

Amendments Nos. 33 and 34 were put
and negatived.

MR. CHAIRMAN: Now we take
up amendment No. 70 moved by
Shrimati Parvathi Krishnan. I shall
put them to the vote of the House.

Amendment No. 70 was put and
negatived.

MR. CHAIRMAN: Now, the
question is:

"That Clause 15, as amended,
stand part of the Bill".

The motion was adopted

Clause 15, as amended, was added
to the Bill.

Clause 16 was added to the Bill.

Clause 17—(Power to exempt)

SHRI HUKAM CHAND KACH-
WAI I move*.

Page 11,—

after line 46, insert—

"Explanation for the purpose
of this sub-section, the case of
extreme hardship means sickness or
death or marriage of a family
member of the employee or
repayment of loans or borrowings
taken by the employee earlier."
(35).

MR. CHAIRMAN: I put amend-
ment No. 35 to the vote of the
House.

Amendment No. 35 was put and
negatived

MR. CHAIRMAN: The question
is:

"That Clause 17 stand part of
the Bill"

The motion was adopted.

Clause 17 was added to the Bill.

Clauses 18 and 19 were added to the
Bill.

Clause 20—(Power to call for returns
and inspect accounts).

Amendment made:

Page 12, line 42,—

for "relevant" substitute "appro-
priate". (62)

(Shri Yashwantrao B. Chavan)

*Amendments moved with the recommendations of the President.

SHRI JAGANNATHRAO JOSHI (Shajapur): I move*:

Page 12, line 41,—

omit "or additional dearness allowance", (36)

MR. CHAIRMAN: I shall put amendment No. 36 to the vote of the House.

Amendment No. 36 was put and negatived.

MR. CHAIRMAN: The question is:

"That Clause 20, as amended, stand part of the Bill".

The motion was adopted.

Clauses 20, as amended, was added to the Bill.

Clauses 21 to 27 were added to the Bill.

New Clause 28

SHRI HUKAM CHAND KACHWAI: I move*:

Page 14,—

after line 21, insert—

"28. Annual Report on the working of the scheme under this Act shall be laid before both the Houses of Parliament every year." (37).

MR. CHAIRMAN: I now put amendment No. 37 moved by Shri Hukam Chand Kachwai to the vote of the House.

Amendment No. 37 was put and negatived.

Clause 1—(Short title, extent and commencement.)

SHRI JAGANNATHRAO JOSHI: I move*:

Page 1, lines 5 and 6,—

for "Compulsory" substitute "Voluntary". (1)

SHRI S. M. BANERJEE: Sir, the amendment is very simple. It says:

"For 'Compulsory' substitute 'Voluntary'."

We want this should be a voluntary scheme and anybody who can afford to save something... Sir, there is disturbance.

So, I would only request that even at this late hour, at the fag end of the day when they can possibly pass this Bill with their majority, the Finance Minister may kindly consider this very objectively. If he is unable to commit himself today, let us pass the Bill tomorrow. Let this be voluntary and not compulsory.

MR. CHAIRMAN: I shall now put amendment No. 1 to the vote of the House.

Amendment No. 1 was put and negatived.

MR. CHAIRMAN: The question is:

"That Clause 1 stand part of the Bill".

The motion was adopted.

Clause 1 was added to the Bill.

The Enacting Formula and the Title were added to the Bill.

SHRI YESHWANTRAO CHAVAN: I beg to move:

"That the Bill, as amended, be passed".

MR. CHAIRMAN: Motion moved.

"That the Bill, as amended, be passed".

SHRIMATI PARVATHI KRISHNAN: I hope that it is not too late even now for the hon. Minister to withdraw this Bill and not to press it. But I find that instead of withdrawing the Bill he is himself withdrawing from the House.

*Amendments moved with the recommendations of the President.

[Smt. Parvathi Krishnan]

As has already been spoken on the floor of the House today, this Bill is perhaps the most obnoxious measure that has ever been discussed on the floor of this House or was intended to be put on the statute-book since the last 27 years of our freedom.

The working class during all these years has put in every mite of its effort into building a new India in spite of all the conspiracies of the monopoly houses and the bankrupt policies of the Government; in spite of all these, production has been increasing and the workers have been putting forth their best and making sacrifices in order to make the country's economy forward. In spite of all that, this is the reward that this bankrupt Government today wants to give to the workers.

Today, as my hon. friend Shrimati Roza Deshpande has said, this Bill instead of its being called the Additional Emoluments (Compulsory Deposit) Bill should be called a pick-pocketing Bill. There is a bunch of pick-pockets there all raising their hands and supporting this measure that goes to hit at the wage packet of the working class.

AN HON. MEMBER: Who is the major pick-pocket?

SHRIMATI PARVATHI KRISHNAN: I do not know. Probably he has gone to get his scissors to do the pick-pocketing (*Interruptions*).

MR. CHAIRMAN: Let her not reduce it from the sublime to the ridiculous.

SHRIMATI PARVATHI KRISHNAN: It can never be sublime when Government come forward with a measure like this. How do you possibly call it sublime when it is not even ridiculous but something worse?

MR. CHAIRMAN: I am talking of the level of the debate and I am say-

ing that she has raised it to that sublime level. So, why should she bring in other things?

SHRIMATI PARVATHI KRISHNAN: I wish it is sublime...

SHRI S. M. BANERJEE: The level of the debate will rise so high that some time you will see us rising above the House.

SHRIMATI PARVATHI KRISHNAN: The hon. Finance Minister, speaking on the no-confidence motion did say that Government was absolutely helpless as far as prices were concerned. Two years ago, the hon. Minister came before this House with his financial policies saying that he was going to act on a war footing. Today, again we hear the same word from everybody. My colleague Mr. Stephen also said that we were fighting a war against inflation: Unfortunately, this war is not against inflation; this Bill indicates a war against the working class, and the working class is taking up that challenge and will take up that challenge. We are told in season and out of season that inflation is a global phenomenon. Of course, the Finance Minister, uttering one of those few words of truth,—sometimes he stumbles into it—and said that there was one part of the world where there was no inflation, namely the socialist part of the world.

If inflation is a global phenomenon in the non-socialist part of the world, I would like to warn this Government that every wage freeze move that has been there in the capitalist countries of the world has witnessed the global phenomenon of workers' resistance. That global phenomenon is coming to this country also. Let the Finance Minister understand, let the whole Government and all of you on that side understand that if such a shameful act as the passing of this measure takes place today, the flood-gates of the workers' worth will be upon you.

You talk of increasing production. It cannot increase when there will be increase in industrial unrest. This is the warning that is there and it is even now not too late for the hon. Finance Minister to withdraw this Bill, to be graceful and to earn the gratitude of the country, of the working class and of the people. This Bill is only worth that much.

SHRI B. V. NAIK (Kanara): It was very stimulating to hear the hon. lady member from the Communist Opposition to speak about the workers. I speak as one who has unlike the hon. member worked all his life for a living, which I suppose that many of us here who have no work experience or making a living or a livelihood....

SHRIMATI PARVATHI KRISHNAN: Does he want to give his autobiographical details here? (Interruptions).

MR. CHAIRMAN: Do not go into private life.

SHRIMATI PARVATHI KRISHNAN: He does not have any public life to talk about.

SHRI B. V. NAIK: What I am trying to say is that it would be a good thing for a change to put forth the views of people who have been wage earners, who have made a living out of wages. Therefore, I am trying to submit one or two points.

The entire scheme is that at the end of two years there will be a cessation of this particular Bill at which the entire additional emoluments as well as the arrears due plus the interest thereon will have to be pumped into the economy. (Interruptions). I am neither very pessimistic nor very optimistic, but being very realistic, I would like to know whether there is any provision as to how this excess money that will be pumped into our economy from 1975-76 to 1980-81 is going to be tackled. (Interruptions). You have been a member of the panel

on credit, Group No. I, in which MPs have participated. Many of them participated in the planning process in respect of credit and there has been a consensus of opinion that as far as the emoluments at least of the higher income groups are concerned, some sort of stabilisation ought to be there. At that time, we had used a clean word, that an income freeze at the higher, echelons of the income group in this country is inevitable.

I say this is a progressive first legislation with a considerable amount of teeth in it. I think this will be the beginning, just the tip of the iceberg, this is only the thin end of the wedge to control inflation. I have been saying repeatedly. (Interruptions).

SHRI S. M. BANTRJEE: The Bill may not be adopted, but you are going to be adopted by him.

SHRI B. V. NAIK: I would deem it honour to be adopted by Mr. Chavan. We are moving, for the information of my comrade, Mr. Banerjee, towards a system, a socialist system, and this will not only be by popular measures not by playing to the galleries—but will also be by taking hard decisions. I congratulate the Minister of Finance for having brought forward this piece of legislation. I am saying it with full of understanding. Mr. Banerjee has been a worker. I have also been a worker. I have earned my livelihood for twenty years as a worker. I have been a wage earner. I understand the working class, the wage earning class, as much as, if not better than the hon. Members of the Opposition.

श्री मधु लिवये (बांका) : सभापति महोदय अपने स्टीम रोलर बहुमत के आधार पर विधेयक को यह लोग पास करेगे ही । लेकिन क्योंकि वित्त मंत्री जी को पता है कि गरीबी और कंगाली क्या है—प्रधान मंत्री को पता नहीं है लेकिन इन को पता है इसलिये मैं केवल अन्त में उन से एक क्षणिक करण चाहता

[श्री मन्, लियये]

हू कि आप के इस विधेयक के चलते जो समाज के गरीब और कगाल तबके के लोग है उन के ऊपर जो अमर होने वाला है उस पर आप को कम से कम पुनर्विचार करना चाहिये ।

सब के पहले एक बात मैं कहना चाहता हू कि बम्बई में मिनिमम वेजेज ऐक्ट के तहत महाराष्ट्र में न्यूनतम मजदूरी निर्धारित की जाती है, दूसरे सूबा में भी की जाती है और हर 6 महीने के बाद एक स्पेशल अलाउन्स इन गरीब मजदूरों को दिया जाता है जो कौन्सिल ऑफ लिविंग इडेन्स के साथ जुड़ा हुआ रहता है और हर 6 महीने के बाद उस में परिवर्तन किया जाता है । तो जनवरी में जुलाई महीने तक 39 50 रु० इन को मिलता था और जुलाई के बाद इनको 57 50 रु० मिलन वाला था, 18 रु० अधिक । तो क्या अपन कानून के तहत इन लोगों का 9 रु० भी आप छीन लेंगे ? अगर नहीं लगे ना कम से कम इतना आश्वासन दे कि जो भी स्कीम आप बनायेंगे या कुछ लोगों को एग्जम्प्ट करने का आप को अधिकार मिला है तो कम से कम इस बात का आश्वासन दे कि जिन को न्यूनतम मजदूरी मिलती है उन का वेतन यदि इस दाम बढ़िके चलते बढ़ाया जाता है तो उन के ऊपर यह कानून आप लागू नहीं करेगे ।

SHRI Y S MAHAJAN (Buldana):
On this issue, Mr. C. M. Stephen's
amendment has been accepted

श्री मधु लियये मैं आप को और इनको बधाई देता हू कि इन का दिल पिघल गया ।

समाप्ति महोदय और वह भी भारत के रहने के पहले पिघला ।

श्री मधु लियये किसी के मुँह की वजह से यह सवाल हो जाये तो मुझे क्या एतराज ? मैं दोस्त को बधाई दूंगा ।

समाप्ति महोदय औद्योगिक विवादों को ले कर एक लम्बी प्रतिक्रिया रहती है बातचीत की ओर कभी कभी मामला एडजुडिकेशन में जाता है इंडस्ट्रियल कोर्ट में जाता है, प्रोवेट आर्बिट्रेशन होता है और उस में एक ऐसा प्रावधान होता है कि जो नया भत्ता का फार्मूला है वह फला फला तारीख से लागू किया जाये । क्या इस के बारे में आप ने कुछ कहा है ? जैसे हिन्दुस्तान लीवर में हम लोगों का जो विवाद था उस में प्रवाहं हुआ और उस में 1 अप्रैल 1970 में इन लोगों को बेनीफिट मिल रहा है । ता इन एग्जिड्स का क्या होगा ? इस के बारे में बातचीत कीजिये ।

श्री यशवन्तराव चव्हाण नहीं हुई ।

श्री मधु लियये कागिणश कीजिये ।
1 अप्रैल, 1970 में जा मिलन वाला था वह भी इस कानून की एकड में जायेगा ।

बाम्बे म्युनिसिपल कारपोरेशन की जा यूनियन है उन्होंने कहा जा वेतन कमेटी बँधी है, उस का जो कारपोरेशन में ममजाना हुआ था उस का यह आधार ही था कि । अगस्त 1972 से यह श्रेणिया लागू होंगी । तो उन के एग्जिड्स का क्या होगा ? और वित्त मंत्री जानन है कि म्युनिसिपल मजदूर समाज वर्ग का दलित वर्ग उस में अभिक होता है, तो उनके बारे में कम से कम, म्युनिसिपलिटो के जो मजदूर हैं, उन के बारे में आप को विचार करना चाहिये ।

इसी तरह से मैं कहना चाहता हू कि ऐमें उद्योगों में या ऐस्टेब्लिशमेंटस में जो मजदूर काम करते हैं जा पिछड़े और दलित वर्ग के हैं जिन को बहुत कम आमदनी मिलती है उन मजदूरों को एग्जम्प्ट किया जाय । और इतना भी यह नहीं मानेंगे तो मैं कहूँ कि वित्त मंत्री जो इनने साल सत्ता में रहने के बाद अपने बचपन की बातों को भूल गए हैं

श्रीर कंगाली और मरीबी क्या है, इस बात क भी वे भूल गए हैं. मुझे इस बात को कहने पड़ेगा। तो मंत्री महोदय इन प्रश्नों का उत्तर देने की मेहरबानी करे।

सभापति महोदय : प्राग जवाब दंगे।

श्री यशवन्त राव चह्माण : जी नहीं।

MR. CHAIRMAN: The question is:

"That the Bill, as amended, be passed."

The Lok Sabha divided:

Division No. 15

20.40 hrs. **AYES**

Agrawal, Shri Shrikishna
Ahrwar, Shri Nathu Ram
Ambesh, Shri

Ansari, Shri Ziaur Rahman
Appalanaidu, Shri

Azad, Shri Bhagwat Jha
Babunath Singh, Shri

Bananali Babu, Shri
Banerjee, Shrimati Mukul
Barupal, Shri Panna Lal

Basumatari, Shri D.

Besra, Shri S. C.

Bhattacharyya, Shri Chapalendu

Bist, Shri Narendra Singh

Chakleshwar Singh, Shri
Chandrakar, Shri Chandulal

Chaturvedi, Shri Rohan Lal

Chaudhary, Shri Nitiraj Singh

Chavan, Shri Yeshwantrao

Chhotey Lal, Shri

Chhuttan Lal, Shri

Darbara Singh, Shri

Das, Shri Anadi Charan

Das, Shri Dharnidhar

Deshmukh, Shri Shivaji Rao S.

Dhamankar, Shri

Dharia, Shri Mohan

Dixit, Shri G. C.

Doda, Shri Hiralal

Dube, Shri J. P.

Dumada, Shri L. K.

Engli, Shri Biren

Ganesh, Shri K. R.

Gangadeb, Shri P.

Gavit, Shri T. H.

George, Shri A. C.

Gill, Shri Mohinder Singh

Gokhale, Shri H. R.

Gomango, Shri Giridhar

Gopal, Shri K.

Goswami, Shri Dinesh Chandra

Gotkhinde, Shri Annasaheb

Gowda, Shri Pampan

Hansda, Shri Subodh

Har, Kishore Singh, Shri

Ilari Singh, Shri

Jadeja, Shri D. P.

Jamilurrahman, Shri Md.

Jha, Shri Chiranjib

Joshi, Shri Popatlal M.

Kadam, Shri J. G.

Kadannappalli, Shri Ramachandran

Kahandole, Shri Z. M.

Kailas, Dr.

Kakodkar, Shri Purushottam

Kale, Shri

Kamakshaiah, Shri D.

Kamble, Shri T. D.

Kapur, Shri Sat Pal

Kasture, Shri A. S.

Kaul, Shrimati Sheila

Kavde, Shri B. R.

Kedar Nath Singh, Shri

Kinder Lal, Shri

Kisku, Shri A. K.

Kotoki, Shri Liladhar

Krishnan, Shri G. Y.

Kureel, Shri B. N.

Lakshmikanthamma, Shrimati T.

Mahajan, Shri Vikram	Rao, Shrimati B. Radhabai A.
Mahajan, Shri Y. S.	Rao, Shri M. S. Sanjeevi
Maharaj Singh, Shri	Rao, Shri Nageswara
Mahata, Shri Debendra Nath	Rao, Shri P Ankineedu Prasada
Malaviya, Shri K. D.	Raut, Shri Bhola
Mallikarjun, Shri	Ravi, Shri Vayalar
Mandal, Shri Jagdish Narain	Ray, Shrimati Maya
Mandal, Shri Yamuna Prasad	Richhariya, Dr. Govind Das
Manhar, Shri Bhagatram	Rohatgi, Shrimati Sushila
Maurya, Shri B. P.	Sadhu Ram, Shri
Mirdha, Shri Nathu Ram	Saini, Shri Mulk Raj
Mishra, Shri G. S.	Samanta, Shri S. C.
Mishra, Shri Jagannath	Sanghi, Shri N. K.
Mohammad Yusuf, Shri	Sankata Prasad, Dr.
Mohapatra, Shri Shyam Sunder	Sarkar, Shri Sakti Kuma r
Munsi, Shri Priya Ranjan Das	Satish Chandra, Shri
Murmu, Shri Yogesh Chandra	Satpathy, Shri Devendra
Naik, Shri B. V.	Sayeed, Shri P. M.
Negi, Shri Pratap Singh	Sethu, Shri Arjun
Oraon, Shri Tuna	Shafquat Jung, Shri
Pahadia, Shri Jagannath	Shambhu Nath, Shri
Painuli, Shri Paripoornanand	Shankar Dev, Shri
Palodkar, Shri Manikrao	Shankaranand, Shri B.
Pandey, Shri Damodar	Sharma, Shri A. P.
Pandey, Shri Krishna Chandra	Shashi Bhushan, Shri
Pandey, Shri Sudhakar	Shastri, Shri Biswanarayan
Pandit, Shri S. T.	Shastri, Shri Sheopujan
Panigrahi, Shri Chintamani	Sher Singh, Prof.
Partap Singh, Shri	Shinde, Shri Annasaheb P.
Paswan, Shri Ram Bhagat	Shivnath Singh, Shri
Patel, Shri Natwarlal	Shukla, Shri B. R.
Patil, Shri E. V. Vikhe	Siddheshwar Prasad, Shri
Patil, Shri T. A. ♡	Singh, Shri Vishwanath Pratap
Patnaik, Shri J. B.	Sinha, Shri Dharm Bir
Pradhani, Shri K.	Sinha, Shri Nawal Kishore
Qureshi, Shri Mohd. Shafi	Sinha, Shri R. K.
Raghu Ramaiah, Shri K.	Stephen, Shri C. M.
Rai, Shrimati Sahodrabai	Suryanarayana, Shri K.
Rajdeo Singh, Shri	Swamy, Shri Sidrameshwar
Raju, Shri P. V. G.	Uikey, Shri M. G.
Ram Prakash, Shri	Unnikrishnan, Shri K. P.
Ram Surat Prasad, Shri	Venkatasubbaiah, Shri P.
Ram Swarup, Shri	Venkatswamy, Shri G.

Verma, Shri Balgovind
Verma, Shri Sukhdeo Prasad
Vikal, Shri Ram Chandra
Virbhadra Singh, Shri
Yadav, Shri N. P.

NOES

Bade, Shri R. V.
Bhaura, Shri B. S.
Banerjee, Shri S. M.
Bhattacharyya, Shri Jagadish
Bhattacharyya, Shri S. P.
Bhaura, Shri B. S.
Chandra Shekhar Singh, Shri
Chowhan, Shri Bharat Singh
Dandavate, Prof. Madhu
Deshpande, Shrimati Roza
Goswami, Shrimati Bibha Ghosh
Huda, Shri Noorul
Joarder, Shri Dinesh
Joshi, Shri Jagannathrao
Kachwai, Shri Hukam Chand
Krishnan, Shrimati Parvathi
Limaye, Shri Madhu
Mavalankar, Shri P. G.
Mehta, Shri P. M.
Modak, Shri Bijoy
Mohammad Ismail, Shri
Mukherjee, Shri Samar
Muruganantham, Shri S. A.
Roy, Dr. Saradish
Saha, Shri Ajit Kumar
Saha, Shri Gadadhar
Sambhall, Shri Ishaque.

MR. CHAIRMAN: The result* of
the division is: Ayes 160 Noes 97.

The motion was adopted.

20.35 hrs.

STATUTORY RESOLUTION RE. DIS-
APPROVAL OF COMPULSORY DE-
POSIT SCHEME (INCOME-TAX PAY-
ERS) ORDINANCE AND COMPUL-
SORY DEPOSIT SCHEME (IN-
COME-TAX PAYERS) BILL

MR. CHAIRMAN. Now we shall take
up the Statutory Resolution, which is
item No. 13, to be moved by Shri Ma-
dhu Limaye, and also the consideration
and passing of the Compulsory Deposit
Scheme (Income-tax Payers) Bill to
be moved by Shri Chavan.

श्री मधु लिमये (बाका) . सभापति
महोदय क्या यह इम सदन के साथ श्री मेरे
साथ ज्यादाती नहीं होगी कि अब पीने नौ
बजने वाला है और आप चाहते है कि मैं
इम बिल पर बोलू । क्या इस से कोई भला
होगा । इस से अच्छा तो यह है कि आप
इस को वैसे ही पास कर दीजिए । कल हम
एक घंटा और बैठ सकते है । (व्यवधान)

सभापति महोदय : ऐसा है कि मैं तो
इस मामले में इस सदन की गय के साथ जाऊंगा ।
बिजनेस। एडवाइजरी कमेटी मे यह निर्णय
लिया गया है कि दोनों बिल आज ही
पास किये जायेंगे ।

श्री मधु लिमये : कब तक ?

सभापति महोदय : जिन समय तक ये
बिल पास ना हो जाएं यह सदन बैठेगा
ऐसा निर्णय था ।

श्री मधु लिमये : आप पुनर्विचार बन
सकते है, इस वक्त पीने नौ बजे हैं ।

श्री हुकम चन्द कडवाय : (मुरैना):
कल हम दो घंटे और बैठ सकते है ।

*Sarvshri N. Shivappa and K Ra makrishna Reddy also recorded their
votes for AYES.