

385 Over Time Allowance BHADRA 7, 1966 (SAKA) Paid in Min. & Deptts. 386
of Central Govt. (HAH Dis.)

MR. DEPUTY-SPEAKER: Copies of the Agreement have been placed in the publications counter and Members may collect their copies from there.

SHRI SAMAR GUHA (Contal): Tomorrow or thereafter it should be discussed.

SHRI ATAL BIHARI VAJPAYEE (Gwalior): We have given notice of a motion for discussion.

MR. DEPUTY-SPEAKER: That will be looked into.

18.05hrs.

HALF-AN-HOUR DISCUSSION—Contd.
OVERTIME ALLOWANCE PAID IN VARIOUS MINISTRIES AND DEPARTMENTS OF CENTRAL GOVERNMENT—Contd.

श्री मूल बन्द डागा :

"The Government informed the National Commission on Labour in 1968 that there was a 15 to 20 per cent excess of staff engaged in routine duties like typing and despatch."

1968 में यह बताया कि प्रन्वह से बीस प्रतिशत खोबर स्टाफ भी काम कर रहा है।

"If the Ministry of Defence (for which full figures are not available), and the Railways (where the rate of growth is comparatively low) are omitted from consideration, then in all the other departments, during the four years from 1968-69 to 1971-72 the over-time expenditure went up from Rs. 9.78 crores to Rs. 16.84 crores, an increase of 72.2%."

SHRI S M. BANERJEE: What is he quoting from?

SHRI M. C. DAGA: The Pay Commission Report,

17th L.S.—14

SHRI S M. BANERJEE: Sir, are you allowing the Pay Commission Report to be discussed in this House.... (Interruptions).

MR. DEPUTY-SPEAKER: The Pay Commission Report is a public document accessible to any member. If any member wants to build up the case referring to that, how can I stop that?

SHRI S. M. BANERJEE: My point is that when we wanted a reply from the Finance Minister on the various recommendations; he said that Government have not applied their mind to this question. They are yet to take a decision. Shri Daga is trying to build his case from a report which is yet to be accepted by Government. He talks of Rs. 83.37 lakhs and Rs. 8 crores.

MR. DEPUTY-SPEAKER: There is no point of order. May be, Shri Daga is making a statement or building up a case in an over-convoluted manner. But I cannot help it.

श्री मूल बन्द डागा : मैं ने यह बतलाने की कोशिश की कि 73.2 प्रतिशत इन्जीन जो प्राप के खोबर टाइम एलाउंस में हुआ क्या वह खपया देने के बाद प्राप उन लोगों से पूरा काम ले लेते हैं या नहीं लेते हैं? सवाल यह है कि खपार प्राप के लोग काम करने में एक्सिस्ट नहीं हैं या काम करना नहीं चाहते....

श्री दत्त० एच० बैनर्जी : कौन नहीं करना चाहते ?

श्री मूल बन्द डागा : देखिये, इस तरह से सस्ती बाह बाही लेने से कोई फायदा नहीं है। ... (ब्यबन्ध)... यह बिलकुल बे-नुनियाद जो चाहते हैं कहते हैं वह चीप पायुलेंटी के पीछे पड वालों का कोई कहना नहीं चलेगा। जहाँ कटोयें खपया बेस का प्रा रहा है वहाँ हम चाहते हैं कि वह काम करें

of Central Govt. (HAH Dis.)

SHRI S. M. BANERJEE: Sir, the hon. Member is referring only to the same Pay Commission Report... (Interruptions)

SHRI M. C. DAGA: Every time, there is interruption.

MR. DEPUTY-SPEAKER: What am I to do? That is no excuse.

SHRI M. C. DAGA: What are the reasons? Even the Minister has admitted—I quote:

“More than normal absenteeism, agitation approach...”

MR. DEPUTY-SPEAKER: You go on quoting from this document and that document.

SHRI S. M. BANERJEE: On a point of order, Sir.

SHRI SHIV NATH SINGH (Jhunjhunu): Why? The Minister is there to reply. (Interruptions). If you have got a right to say, we have also got a right to say.

MR. DEPUTY-SPEAKER: Mr. Daga, you are quoting too copiously.

SHRI M. C. DAGA: I am only quoting the answer of the Minister.

MR. DEPUTY-SPEAKER: I am concerned with the time. You should build your case within the time given to you. You go on making too long quotations.

SHRI M. C. DAGA: How will I build a case?

MR. DEPUTY-SPEAKER: But there is a time-limit.

श्री मूल चन्द डागा : उपाध्यक्ष जी, जो कमियाँ उन्होंने बतलाई हैं—वे इस प्रकार हैं—

1. सामान्य काम से अधिक अनुपस्थिति का हीना,
2. काम के घंटों में कर्मचारियों द्वारा किये गये आन्दोलन,

MR. DEPUTY-SPEAKER: He is making a speech and you have a different point of view. The Minister is there to reply. You may not like what Shri Daga says but there is no point of order.

श्री मूल चन्द डागा : उपाध्यक्ष महोदय, यह आन्तर तो सरकार का भी है कि वह लोग काम नहीं करते। सरकार ने खुद कहा है कि वह काम नहीं करते।

MR. DEPUTY-SPEAKER: He should conclude now.

SHRI M. C. DAGA: The Pay Commission Report says:

“Many of the witnesses have strongly opposed they very system of overtime working. In their view the attraction of overtime has led to work being deliberately delayed, and to the accumulation of heavy arrears, with consequent loss of efficiency. On the other hand, some other witnesses felt that the system had existed for a long time and it would be very difficult to do away with it... They felt that the grant of a compensatory off for overtime work was not the ideal substitute for a person obliged to stay on beyond the prescribed hours in the public interest.”

MR. DEPUTY-SPEAKER: You are quoting too much; please conclude now.

SHRI M. C. DAGA: Even the employees have appeared before the pay Commission....

MR. DEPUTY-SPEAKER: Mr. Daga, you have taken more than 15 minutes now. Please conclude.

3. कर्मचारियों की ओर से सहयोग न दिया जाना, तथा

4. चार नये नियुक्त किये गये कर्मचारियों द्वारा कुशलता से काम न करना।

यें वे कारण जो मिनिस्ट्री द्वारा दिये गये हैं। मैं ओवर टाइम एलाउंस के खिलाफ नहीं हूँ जेकिन जो काम नहीं करते हैं; उनके खिलाफ हूँ। जो सारा काम करते हैं, उन को कोई इन्सेन्टिव नहीं दिया जाता है, इस लिये पूरा काम-पूरा दाम वह ध्यौरी लागू नहीं होती है। कुछ लोग तो ऐसे हैं जो दो घन्टे भी काम नहीं करते हैं, ऐसे निकम्मे लोगों को ओवरटाइम एलाउंस क्यों मिले ?

MR. DEPUTY-SPEAKER: Shri Dinen Bhattacharyya.

SHRI S. M. BANERJEE: I rise on a point of order, Sir.

श्री मुल चन्द्र डागा : ये लोग केवल अपनी सस्ती चामलूसी की बात करना चाहते हैं—इस का क्या मतलब है ? ये सिर्फ पॉलिटीकल गेम खेलना चाहते हैं...

MR. DEPUTY-SPEAKER: Shri Dinen Bhattacharyya. (*Interruptions*)

SHRI S. M. BANERJEE: You are working under the stooge of the employers; you are working under the dalal of employers.... (*Interruptions*) He is doing dalali...

श्री शिवदाथ सिंह : जो खुली दलाली करते हैं, उन से तो अच्छे हैं।

MR. DEPUTY-SPEAKER: Order please. I have called Shri Dinen Bhattacharyya.

SHRI DINEN BHATTACHARYYA (Serampore): Sir, arising out of the reply to this question...

SHRI S. M. BANERJEE: **

MR. DEPUTY-SPEAKER: This will not go on record.

SHRI DINEN BHATTACHARYYA: Arising out of this Question, I do not know how Mr. Daga....

MR. DEPUTY-SPEAKER: You put a question to the Minister, not to Mr. Daga. No speech please; only a question.

SHRI DINEN BHATTACHARYYA: Arising out of the Question and arising out of the speech made here...

MR. DEPUTY-SPEAKER: You put a question to the Minister. If you involve yourself in a cross-fire with Mr. Daga, I am not allowing.

SHRI DINEN BHATTACHARYYA: I am putting a question. The Question is regarding the payment of overtime allowance to the employees. Now, after long three years, the Pay Commission has come forward with their findings in which that aspect has also been dealt with. Nobody wants that there should be overtime unnecessarily. May I put a question to the Minister whether he will make it clear that there are scheduled working hours, and when any employee works beyond the scheduled hours, he gets overtime allowance on the basis of the prescribed rules. I know, in many government offices, there is discrimination in respect of payment of overtime allowance. Here in this Lok Sabha some technical staff, those who are in the Press, get overtime after eight hours, but there are some staff who work here 10 hours and 12 hours and do not get overtime at the same time at which the technical staff get; they get a mere pittance...

MR. DEPUTY-SPEAKER: May I say this that the Minister is not responsible for payment of overtime allowance in respect of the staff of Lok Sabha.

SHRI DINEN BHATTACHARYYA:
You have appointed a Committee....

MR. DEPUTY-SPEAKER: That is true. But this discussion relates to the others.

SHRI DINEN BHATTACHARYYA:
I do not know why this half-an-hour discussion was admitted. Mr. Ganesh, are you in a position to make a statement here on an issue that has been dealt with by the Pay Commission and which has not been fully discussed in your Cabinet? Mr. Chavan has said here that he could not say anything despite a long six-hour debate. Why was this allowed to be raised here, thus creating an atmosphere in the country that government employees do not work? He has made an allegation that government employees do not work. My question to the Minister is whether it is a fact that Government paid overtime allowance to him who worked overtime, whether there is misappropriation in any department, whether the accusation made here by Shri Daga is correct or not.

My last question is this. Is it a fact or not that those who are giving sermons against payment of overtime allowance and themselves—the Pay Commission—took Rs. 87,000 as their overtime dues?

डा० लक्ष्मीनारायण पाखेव (मंसूर) :
उपाध्यक्ष महोदय, यह कहना बजड होगा कि कर्मचारी कितनी प्रकार से काम नहीं करते हैं, वे कैसे ही बसा सेते हैं। जब कर्मचारियों से समय पर काम लिया जाता है तो उनको बसा देना भी अनिवार्य है। उन्होंने जो भी बसा लिया है, उस के लिये उन की पालता की। कर्मचारी अगर अतिरिक्त समय कार्य करते हैं तो उन्हें समयोपरि बसा मिलना चाहिए।

आज के विभिन्न विभागों में करोड़ों रुपया कर्मचारियों को भत्ते के रूप में दिया है। एक डरक आप कहते हैं कि हजारों

में बेदोजबारी है, बेकारी है, लोग एम्प्लॉयमेंट चाहते हैं लेकिन उनको एम्प्लॉयमेंट नहीं मिलती है। दूसरी ओर आप के पास काम बहुत ज्यादा है और आप को बसा दे कर अपने कर्मचारियों से काम कराना पड़ता है, जिस पर आप को करोड़ों रुपये खर्च करना पड़ता है—ऐसी स्थिति में आप नहीं निवृत्तियों क्यों नहीं करते? क्या आप ने इस पर विचार किया है?

जैसा कि आप ने अपने उत्तर में कहा है कि अधिकारी इस बात का निश्चय करना कि काम इतना महत्वपूर्ण है कि उस को अगले दिन तक टाला नहीं जा सकता, उसी दिन कराना जरूरी है—मेरी बात इससे प्रभावित हो जाती है।

ताकि वह कर्मचारी जो दिन भर मेहनत करते हैं, आपकी आज्ञा मानकर समय पर काम करके अपने उत्तरदायित्व से दूर नहीं जाते हैं उनके ऊपर कार्यभार बढ़े और नये आदेशों को भी काम मिल सके। यदि आप अनुभव करते हैं कि कार्यभार बहुत अधिक है और प्रायः सभी विभागों में ओवरटाइम सर्व्व होता है तो इस आधार पर मैं निवृत्तियों के बारे में क्या विचार है?

श्री हुकमचन्द कछवाय (मुरेना) : मैं मंत्री जी से दो चीज जानाकारी चाहता हूँ। पिछले साल भर में आपने कितना ओवरटाइम बसा लोगों को दिया है, किन किन फंटेगरीज के लोगों को दिया है, क्लास एक, क्लास दो, क्लास तीन और क्लास चार में से अधिक किन लोगों को दिया है? ओवरटाइम बसा निर्धारित करने के लिए आप के पास कौन सा तरीका है ओवरटाइम में काम करनेवाले का? जो लोग अधिकियों के साथ दौरा करते हैं उनको भी आप बसा देते हैं तो उनके और टैक्स पर जो काम करते हैं उनमें कितना अन्तर है? क्या ऐसे भी अधिकारी हैं जो धीरे पर कई क्लास में जाते हैं और कस्ट क्लास बसा देते हैं?

ग्राह्यरी बात यह है कि भत्ता जो दिया जाता है इसमें 8 घंटे में जो काम न कर सके उसी काम को दो घंटे में करते हैं उसके लिए भत्ता दिया जाता है या 8 घंटे में जो काम करते हैं, 8 घंटे में काम करने की उनकी जो योग्यता है उससे बचा हुआ जो काम होता है जो कि 8 घंटे में समाप्त नहीं हो पाता है उसको करते हैं और उसके लिए आप भत्ता देते हैं ? इस सम्बन्ध में क्या स्थिति है ?

SHRI C. K. CHANDRAPPAN (Tellicherry): There is a big campaign going in this country after the Pay Commission's report that overtime should be completely abolished. Sir, this is an anti-working class move which is launched by the private sector and which is run by the anti-working class elements and I am very surprised to see that Mr. Daga has fallen a victim to that...

SHRI M. C. DAGA: No, no. You have not understood me. Those people who do not work should not get. Those people who work should get.

SHRI C. K. CHANDRAPPAN: I am putting the question. While answering, I would like the Minister to state certain things so that Mr. Daga would not succeed in misleading the country. He has said that several crores of rupees have been spent by way of overtime allowance. Here is an answer. I hope the Minister will say as to what exactly was the amount spent by way of overtime allowances for the Ministries and the Departments in 1971-72 and whether it is correct that it was only Rs. 83.37 lakhs of rupees....

SHRI M. C. DAGA: That I have quoted.

SHRI C. K. CHANDRAPPAN: You might have.

Another thing. The Pay Commission report has come out very

much against making overtime payment. They have several arguments and I am not going into these arguments because it is essential that when you want the Government machinery to run effectively, there must be people to work overtime for the Government. The Government should say the Pay Commission have come out with a report saying that overtime should not be allowed but is it not a fact that the very Pay Commission has received from the Government Rs. 87,000 as overtime payments? The Commission itself has received Rs. 87,000 as overtime allowances. I would like the Minister to correct me if I am wrong.

Then, I would like to know the reaction of the Government. Is it in a position to say what exactly will be the attitude of the Government to this recommendation of the Pay Commission?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): This Debate has arisen from a reply which I gave. The matter is very simple, but certain extraneous matters have been brought into this.

MR. DEPUTY-SPEAKER: That is my problem.

SHRI K. R. GANESH: The problem is this. This issue concerns a very large number of Government employees and workers. The hon. Member will agree, I cannot take the position as he has taken in matters of entitlement of overtime and various other things. Sir, I want to emphatically record my disagreement with him that the Government employees are not working and yet they are getting overtime. This is not a fact. Any scheme, whether of overtime or any other thing, which is there, always has some loophole or other and there is some element of misuse and it is applicable to many other schemes.

SHRI M. C. DAGA: It is from your own answer. You have said that. Now you are denying your own answer. You gave it then in writing.

श्री मुकेश चन्ध कच्छवार : उपाध्यक्ष जी, जवा साहब का वाक्य रिकार्ड से बिकाल दिख जाये।

SHRI K. R. GANESH: The difficulty is this. Answers are given. He takes one answer here and one answer there and tries to make out a picture. Certain positions are taken by Ministries on certain aspects of the question. Suppose the question is as to why there is loss in public undertakings. In the answer they say, there are many other factors, managerial factors, underutilisation of capacity, labour relations etc. All these points would be brought in to give a complete picture and I do not think that the Government has stated that Central Government employees and workers are not working. That is not the position.

There is a history about overtime. So far as the workers are concerned they are entitled to it under the Factories Act. Everybody who is aware of the history of the working class knows about it. It was got after a very serious struggle of the Indian working class. The Factories Act came to being and they got overtime. Before the Second Pay Commission overtime was given to the workers and staff working in factories, industrial establishments and various other categories similar to them. Now, it was only after the Second Pay Commission that this was extended to the office staff. And now the Third Pay Commission has given its recommendation. Government has not taken any decision as far as the Third Pay Commission's recommendations are concerned. So I will not be able to express anything as far as the policy of the Government on the Third Pay Commission's recommendation is concerned.

First of all, it will be necessary to understand as to who are all entitled to the overtime according to this scheme.

Gazetted Officers are not entitled to overtime allowance. Employees who are getting a salary of over Rs. 800— including Dearness Pay are not entitled to overtime allowance. The supervisory staff is not included in this category; unless they fulfil certain other conditions, they are not entitled to overtime. Leaving the gazetted officers as also the employees who are non-gazetted employees and who are drawing a salary of Rs. 620 and above—the hon. Member, Shri Daga will also come to the conclusion—the overtime allowance is broadly given to the staff who are in the lower income bracket. The figure quoted by the hon. Member refers to the employees in respect of Secretariat Offices. The Pay Commission itself has given certain figures in their Report. For instance, in 1971-72, the total expenditure on overtime was Rs. 41.53 crores. The break-up for that is necessary to understand where this amount has gone. Out of Rs. 41.53 crores as overtime expenditure which the Pay Commission had indicated in their Report for 1971-72, the civilian establishments of the Defence Ministry took about Rs. 15.51 crores. Which means for those engaged in Ordnance and other factors in the production work. That the work depends upon the various factors. For instance, during the state of emergency, the work will be almost round the clock.

Then, Sir, the P & T took Rs. 10.17 crores and the Railways took Rs. 9.06 crores. So, these are the three departments that are involved in production. In such works, they are of a nature that is distinct from the pure office staff work. I must be false in putting these things because, it is necessary to understand the ramifications of some of these things."

SHRI M. C. DAGA: What are the criteria for the payment of overtime? This we want to understand.

SHRI K. R. GANESH: If the Member is asking as to what is the criterion for overtime, one simple answer is this. I do not know what he is asking. I shall give him both the answers. Though he is asking on what basis the overtime is given, I say that it is on the basis of eight hours work a day or forty-eight hours work in a week. That is laid down in the Factories Act. It is also laid down by the Second Pay Commission. It has been laid down in various other regulations also. The Railways and P & T also have got this laid down in their regulations. If he wants to know how does an employee work overtime, then, there are very definite rules that the Government has got. Only the head of the department or the very responsible officer has to certify that an employee is required, in public interest, to work overtime.

All the safeguards are there. It is true that the expenditure is very large. It is also true that we have to apply our mind to some of these things. But, Sir, certain concessions have come to the employees; the Indian workers have got that through various channels. The Second Pay Commission itself has given that to the workers. Now, it is for the Government to take all these factors into account when they come to the conclusion as far as the Third Pay Commission's recommendations are concerned.

There are various other questions which the Members have asked. I have given the break-up of the figure also. I shall end by saying that the

overtime figure is quite heavy amounting to Rs. 40 crores and odd. There is one more point which I would like to answer. A question was asked as to why, instead of giving overtime, we are not taking the unemployed persons in the job? Overtime is a contingent work. In factories, in various other industrial establishments, whenever there is need for extra work, overtime has got to be taken. In offices, during Parliament session, during budget preparation, and for various other contingent work, overtime has got to be taken. If the staff also is to be increased in the same proportion as the work is there, then with the various economics that we have got, and the various emergencies that we have from stage to stage in our country, it may not be possible to have such increase. That was why it was found that overtime to an extent possible could be taken.

Finally summing up the whole thing, I would only say that it will be necessary in a matter like this, where large expenditure is involved, for the employees' organisations and for the workers' organisations to check up wherever malpractices are there, apart from stricter control and stricter guidelines by the departments concerned. As I have already indicated, as far as the Third Pay Commission's recommendations are concerned, Government have taken no view about them. As regards some of the observations made by Shri Daga about the employees not working etc., these are matters which are not acceptable to Government, and they are as good workers as one would expect

18.36 hrs.

The Lok Sabha then adjourned till Eleven of the Clock, on Thursday, August 30, 1973/Bhadra 8, 1968 (Saka).