

About C. I. A., I leave it to Shri Vajpayee. These are only paper reports.... (Interruptions).

MR. DEPUTY-SPEAKER: I did not exactly follow what the Minister said.

SHRI RAJ BAHADUR: About C.I.A., I said nothing except that they are paper reports. I do not know from where they have come. He has said that it has come from Kuwait. What is the agency that has published the report, I do not know. How can I say anything about that?

We should verify our facts also. (Interruptions).

PROF. MADHU DANDAVATE (RAJAPUR): I want to bring to your notice a precedent in this matter....

MR. DEPUTY-SPEAKER: About what? Which matter?

PROF. MADHU DANDAVATE: The matter which was just placed before you. In this very House when there were atrocities at Faridabad and Varanasi, I had raised this issue in the House and I said that whenever there was a reference to such issues, it was not generally considered obligatory on the part of the Minister to make a statement, but the Speaker then said that the matter was very serious; when atrocities were taking place, the Minister should make a statement. Then Mr. K. C. Pant got up and made a statement; he assured that the matter would be inquired into and the details of the inquiry would be given.

144.30 hrs.

SATUTORY RESOLUTION re DIS-APPROVALS OF PAYMENT OF BONUS (AMENDMENT) ORDINANCE AND PAYMENT OF BONUS (AMENDMENT) BILL Contd.

MR. DEPUTY-SPEAKER: We now take up further consideration of the Resolution moved by Shri Kachwal and the Bill moved by Shri Khadlikar on bonus.

Shri Mohammad Ismail

श्री मोहम्मद इस्माइल (बरकपुर):

डिप्टी स्पीकर साहब, मैं जिन पत्रावलि को लेकर परसों बोल रहा था, उस को दोहराना नहीं चाहता हूँ। मंत्री जी सुनें या न सुनें, मैं तो बोलूंगा ही, क्योंकि मंत्री जी की भावत है वह न सुने, मनमानी करें.....

श्री हुकम चन्द कछवाय (मुरैना):

क्या ये यहाँ आपस में मटिंग करने आये हैं?

MR. DEPUTY-SPEAKER: I would only ask this whether the Minister of Labour is aware that his Bill is being discussed in this House.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR): We are consulting each other on that very thing, Sir.

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR AND REHABILITATION (SHRI BALGOVINID VERMA): I am listening, Sir.

MR. DEPUTY-SPEAKER: Here we have super men; people discuss a particular thing and also listen to what the Member is submitting.

श्री मोहम्मद इस्माइल: मैं अज कर रहा था कि 8.33 परसेन्ट जो आपने बोनस माना है, अब उसे कानूनी शकल दी जा रही है। लेकिन कानूनी शकल देते वक्त आप को इस बात को खयाल रखना है कि आज बोनस ईशू पर हिन्दुस्तान के मजदूर और कर्मचारियों का राइट इस्टेब्लिश हो गया है, उन के अधिकार कायम हो चुके हैं और सरकार ने भी इस को स्वीकार किया है, तो गवर्नमेंट एम्पलाइज को, जो नौकरी करते हैं, उन को नहीं छोड़ा जा सकता, उन को भी इस में इन्क्लूड करना चाहिए। यह नहीं होना चाहिए कि सिर्फ पब्लिक सेक्टर के लोगों को ही इसमें इन्क्लूड

किया जाय, बल्कि डिफेंस डिपार्टमेंट, रेल्वे वर्कशाप और रेलवे में जो लोग काम करते हैं, पी० एण्ड टी०, रिजर्व बैंक, और तरह तरह की जगहों पर लोग काम करते हैं, जो वेंज-अनर हैं, जिन को तनकवाह मिलती है, उन को भी इस में इन्क्लूड करना चाहिए। आज उनके अधिकार को न मानने का मतलब होगा कि आप उन को किसी तरह के आन्दोलन के लिए उकसायें और वे ऐसा सोचने को मजबूर होंगे कि जिस तरह से 8. 33 परसेन्ट बोनस हासिल किया है, उसी तरह से इन लोगों के लिये भी हासिल करें। अगर यही मनोवृत्ति रही तो ज़रूर यह चीज होगी। आप जानते हैं कि रेलवे की फेडरेशन ने, पी० एण्ड टी० और डिफेंस डिपार्टमेंट की यूनियन ने मिलकर एक साथ बोनस देने की मांग की है। यहां तक कि वह स्ट्राइक वॉलट भी लेने जा रहे हैं। अगर आपने यहां पर आज इसको कंसीडर नहीं किया, यहां पर डिक्लेयर नहीं किया तो उसके माने हैं कि जो फौसला रेलवे के मुलाजिमान ने लिया है, पी० एण्ड टी० ने लिया है उनको मजबूर होना पड़ेगा कि आन्दोलन करें और आपको मजबूर करें और आपके हाथ से बोनस के अधिकार को छीन लें। इसलिए मेरा कहना है कि जो तमाम एम्पलायज हैं, रेलवे के, पी० एण्ड टी० के और गवर्नमेंट सर्वेंट्स उनकी इस मांग को आपको मान लेना चाहिए और आज ही इस हाउस में डिक्लेरेशन देना चाहिए। आपने जो उम्मीद कायम की है, पब्लिक-सेक्टर को यह मिल रहा है तो नेचुरली गवर्नमेंट एम्पलाइज में भी यह चीज पैदा

होती है। आज उनको भी इसकी मांग करने का अधिकार है। वे क्यों इससे बंचित रहेंगे, इसका जवाब आपको देना पड़ेगा। जब आपने नुकसान का सवाल नहीं रखा, आप ने कहा नुकसान हो तब भी बोनस मिलेगा तो फिर गवर्नमेंट मुलाजिमीन ने क्या कुसूर किया है? वे भी वेंज अनर हैं। फिर उनके अधिकार को क्यों नहीं माना जायेगा, यह जवाब आपको यहां पर देना पड़ेगा। यदि आप जवाब नहीं देंगे तो फिर आप तयार रहिए, फिर आपको आर्डिनेन्स बगैर ही निकालना पड़ेगा। फिर आप कुछ मत कहिएगा। जरा भी जब आन्दोलन होता है तो आप डंडा लेकर खड़े हो जाते हैं मुलाजिमीन के खिलाफ। रेलवे में अगर उन्होंने किया तो आपने ट्रान्सफर किए, सस्पेंड किया और ब्रक इन सर्विस किया। ऐसी हालत में मैं कहूंगा कि आप इसको मंजूर करें, आज इस को डिक्लेयर करें।

इसके साथ साथ एक सवाल और है। बीस भादमी से ज्यादा जहां होंगे वहां पर बोनस मिलेगा। आज मार्बनाइजेशन का युग है, आप नयी नयी मशीनरी इन्ट्रोड्यूस कर रहे हैं। मनपावर कम हो रहा है और मशीन की ताकत बढ़ रही है। आपने ऐसा मार्बनाइज किया है कि बीस भादमी क्या, बीस से कम भी भादमी रहें तो वे भी पूरा प्रोडक्शन करके देंगे लेकिन वे अपने अधिकार से बंचित रहेंगे क्योंकि आपने बीस भादमी की लिमिट रख दी है। मैं चाहुंगा कि बीस भादमियों को बढ़ाकर यह रखें कि जहां पर दस भादमी काम करने उनको भी बोनस मिलने का अधिकार होगा।

एक बात और कह कर समाप्त करूंगा। कजुप्रल लेबर को टैम्पोरेरी बनाकर रखा जाता है—यह एक बहुत बड़ा सवाल है। इसी तरह से कान्ट्रैक्ट लेबर का सवाल है। उनको भी यह नहीं मिलेगा। आपके बड़े बड़े प्रोजेक्ट्स हैं जैसे हल्दिया प्रोजेक्ट, रेलवे में एलेक्ट्रिफिकेशन का बहुत बड़ा काम है, और भी इसी तरह के बहुत प्रोजेक्ट्स हैं जहां पर कान्ट्रैक्टर के हाथ में काम दिया जाता है। तो उन मजदूरों को क्या मिलेगा इस पर भी आपको डिक्लैरेशन देना पड़ेगा।

जहां तक प्राविडेंट फंड का सवाल है, जब तक आप उसको ठीक नहीं कर सकते हैं उस वक्त तक बोनस को प्राविडेंट फंड में जमा कराना, यह बात आपको शोभा नहीं देती है। इसलिए मेहरबानी करके प्राविडेंट फंड में जमा कराने की बात आप न रखें, वह बोनस सीधे मजदूर को मिलना चाहिए। इसी तरह से ट्रान्स्पोर्ट के जो वर्क्स हैं उनको भी इन्क्यूड होना चाहिए। रेलवे में, डिफेंस में, पी० एंड टी० में उनको यह अधिकार कायम हो गया है।

एक माननीय सचिव : खेतिहर मजदूर ?

श्री. मोहम्मद इस्माइल : अभी तो मैं इस प्राइनेन्स पर बोल रहा हूँ (व्यवधान)——

तो कॅज्युल वर्क्स, कान्ट्रैक्ट लेबर के बारे में खास तौरसे आप को यह डिक्लैरेशन देना होगा कि उनका क्या भविष्य होगा ? उनको बोनस मिलेगा या नहीं ? इन तमाम बातों का उत्तर मंत्री महोदय को यहां पर देना होगा।

श्री. रमरसिंह भाई बर्मा (इंदौर) : माननीय उपाध्यक्ष महोदय, अन्धादेश के प्राप्तर पर जो बिल यहां पर लाया गया है उसका मैं हृदय से समर्थन करता हूँ और आपसे भी निवेदन करना चाहता हूँ कि आप जल्दी घंटी बजाने का कष्ट नहीं करेंगे। मैं मजदूरों का कार्यकर्ता हूँ और मैं यहां पर कुछ ऐसी बातें बतला रहा हूँ . . . . .

MR. DEPUTY-SPEAKER: I have to. There is a time-limit.

श्री. राजबहादुर : आप भागर में सागर भर दीजिए।

श्री. रामसिंह भाई बर्मा : मैंने बें दिन भी देखे हैं जब बोनस को कारखानेदार अपनी दया, कृपा, बखशीश के तौर पर दीवाली दणहरे के त्योहारों पर देते और मजदूर सिर झुका कर उसे ग्रहण करते थे। बोनस आज का नहीं है, प्रथम महायुद्ध के समय से इसकी शुरुआत हुई। इस प्रथा को मिटाने और उसे मुनाफे का हिस्सा मानने के लिए हमारे राष्ट्रपिता महात्मा गांधी जी ने बहुत प्रयत्न किए और ऐसे ऐसे मामले प्राये कि इस बोनस का जजमेंट देने में कभी गांधी जी, कभी मदन मोहन मालवीय जी जैसे बड़े बड़े धुरंधर देश के नेता इस मामले में पड़े। उसके बाद जब कभी कारखाने ज्यादा मुनाफा करते तो उनमें से थोड़ा बहुत बोनस दे देते लेकिन 1922-23 बाद यह प्रथा भी बन्द हो गई। द्वितीय महायुद्ध के समय जब कारखाने अनाप-शनाप मुनाफा करने लगे उस वक्त यह

सवाल पैदा हुआ कि मजदूरों को बोनस मिलना चाहिए। उस वक़्त अंग्रेजों का राज्य था, राज महाराज लंदे हुए थे मजदूरों के लिए इन्साफ़ की कोई गुंजाइश नहीं थी और हड़तालें बगैरह होती रहती थीं तो उस वक़्त समझौते से एक प्राफिट शेयरिंग जैसी चीज उद्योग में करीब हुई और वह भी इस तरह कि अमुक प्राफिट होने तक बोनस एक पाई न मिले और उमके बाद ही बोनस दिया जाए। मुझे अच्छी तरह से याद है कि 1949 के बोनस के संबंध में बाम्बे में दो महीने तक स्ट्राइक भी चली, जिसमें श्री जयप्रकाश नारायण भी गिरे। आखिर में मजदूर बापिन काम पर गए ऐसा मामला सुप्रीम कोर्ट में गया और सुप्रीम कोर्ट ने यह निर्णय दिया कि अमुक प्राफिट से अधिक जो प्राफिट होता है तो ही मजदूरों को बोनस मिल सकता है और लास मेकिंग मिल्ल्स एवं कम प्रोफिट में तो मिल ही नहीं सकता है। लेकिन आज हम देखते हैं कि मजदूरों के संगठन के कारण मजदूरों की आवाज के कारण गवर्नमेन्ट ने एक सिद्धान्त स्वीकार किया और यह लास में कम से कम बोनस देने का सिद्धान्त स्वीकार किया - एक बोनस कमीशन बिठाया - कि लास देने वाली मिल्ल्स में भी 4 परसेंट बोनस दिया जाये। (व्यवधान) . . . . आप जरा सुनिये। यह सिद्धान्त मान लिया लेकिन यह चीज मिममैनेजमेन्ट के कारण और घोटाला भरी बैलेन्सशीट के कारण मजदूरों को उससे भी इन्साफ़ नहीं मिल सका।

मजदूरों ने फिर आवाज उठाई और मुझे अच्छी तरह से याद है कि 1970 के बोनस के संबंध में बाम्बे के मजदूरों ने दूसरी जगह के मजदूरों ने यह आवाज लगाई कि लास मेकिंग मिल्ल्स को चार परसेंट नहीं 8.33 परसेंट बोनस देना चाहिए। इसके संबंध में बाम्बे में हड़तालें हुईं, दूसरी जगहों पर भी हड़तालों का सिलसिला चला और हमारे श्रम मंत्री महोदय ने बीच में पड़कर श्रम प्रतिनिधियों से चर्चा करके यह ठहराया कि 1970 के बोनस के बारे में कोई रास्ता निकालना चाहिए। मुझे अच्छी तरह से याद है जब 1970 का बोनस 1971 में बाटा जा रहा था तो हमारे श्रम मंत्री महोदय ने मजदूर प्रतिनिधियों को सलाह दी कि जो मिल लास करती है उन्हें 4 परसेंट के बदले 5 परसेंट बोनस दिया जाये। जिन कारखानों ने 1 परसेंट प्राफिट किया हो उन्हें 6 परसेंट बोनस दिया जाये। और जिन्होंने 2 परसेंट प्राफिट किया हो उन्हें 8.33 परसेंट बोनस दिया जाये। यह फार्मूला निकाला गया और मैं मानता हूँ कि वह तरीका इतना अच्छा निकाला कि देश के अन्दर शांति हुई। किन्तु मजदूरों को सभी जगह और सभी को इसके अनुसार नहीं दिया गया, जहाँ मजदूरों के अच्छे संगठन थे, जहाँ बंध संगठित थे, वहीं एम्प्लायस ने दिया। उस वक़्त यह विचार था कि बोनस रिब्यूइंग कमेटी का जो निर्णय होगा और जब निर्णय होगा उस के पेट एंडवान्स बोनस दिया जा रहा है। मैं इस चीज का हृदय से स्वागत करता हूँ और यह

[श्री राम सिंह भाई वर्मा]:

बहुत अच्छी चीज थी। लेकिन बोनस रिब्यूइंग कमेटी की स्थापना बाद में हुई। हमारे श्रम मंत्री श्री बाडिलकर का जो फार्मूला था उस के अनुसार 1970 का बोनस बांट दिया गया। वह ऐडवान्स के तौर पर बांटा गया यह सोच कर के रिब्यूइंग कमेटी का निर्णय हो जाने के बाद इस को उम में ऐडजस्ट कर लिया जायेगा। जो अतिरिक्त निकलेगा या न निकलेगा, वह बाद में देखा जायेगा। इस के बाद बोनस रिब्यूइंग कमेटी की स्थापना हुई। अभी थोड़े दिन पहले ही उन का जो निर्णय आया वह एक राय से नहीं था। मजदूरों के प्रतिनिधि अलग थे, गवर्नमेंट और एम्प्लायर्स के प्रतिनिधि अलग थे। इस लिए हम किसी भी हालत में यह नहीं कह सकते कि 8.33 प्रतिशत बोनस का जो निर्णय है वह बोनस रिब्यूइंग कमेटी के निर्णय के आधार पर किया गया है।

हम गवर्नमेंट को मुबारकवाद देते हैं, श्रम विभाग को मुबारकवाद देते हैं कि उन्होंने एक बहुत जबरदस्त समाजवादी कदम उठाया और मजदूरों के पक्ष को मान्यता देते हुए जो मजदूरों के प्रतिनिधि थे उन्होंने जो सिफारिश 8.33 प्रतिशत की की थी उस को गवर्नमेंट ने मान्य रक्खा। यह एक बड़ी भारी चीज है। इसके लिए मैं मजदूरों के एक प्रतिनिधि के तौर पर गवर्नमेंट का हृदय से आभार मानता हूँ और श्रम मंत्री को मुबारकवाद देना चाहता हूँ।

मैं एक निवेदन करना चाहता हूँ। आप बहुत अच्छा काम करते हैं लेकिन नहीं मासूम क्यों आप की एक श्रावत हो गई है। जो नया कपड़ा होता है और कहीं फट गया हो तो उस में सड़े हुए कपड़े का षोणला लगते हैं, जिस से कोई मतलब नहीं निकलता।

आप ने श्रम प्रतिनिधियों को ले कर उन की राय से 1970 के बोनस का जो निर्णय किया। लेकिन मैं यहां पर एक सिद्धान्त संबंधी सवाल उठा रहा हूँ। आप का जो फार्मूला था 1970 के बोनस के संबंध में वह इस लिए निकला था कि बोनस रिब्यूइंग कमेटी का जो सुझाव होगा उस के बदले में ऐडवान्स दिया जा रहा है। आप ने जो निर्णय लिया है कि वह बोनस रिब्यूइंग कमेटी के आधार पर नहीं लिया है, सरकार के आधार पर लिया है। सरकार की राय है कि 8.33 मिलना चाहिए लेकिन इस आधार पर आप अपनी इस बात से मुकर गये। आप ने इस को 1971 से लागू किया जब कि आप ने निर्णय के अनुसार उस को 1970 से लागू होना चाहिए था? जैसा आप का फार्मूला था, आप ने ऐडवान्स बोनस दिया था। यह बड़ी महत्वपूर्ण बात थी? किन्तु अब इसको लेकर जगह जगह झगड़ें और अविश्वास की परिस्थिति पैदा हो रही है और लोग सोचने लगे हैं कि जब 1970 का बोनस ऐडवान्स मिला है तो इसको 1970 से लागू क्यों नहीं किया जाता।

में निवेदन करना चाहता हूँ कि जो आप का कार्रवाई है 1970 का उस के अनुसार कूल थोड़े कारखानों से मिला है। जहाँ ज्यादा संख्या में श्रमिक काम करते हैं। और ट्रेड यूनियनों से सम्बन्धित हैं वहीं मिला है। मैं ऐसा मानता हूँ कि इस मामले को ले कर भेदभाव नहीं होना चाहिये। मेरा निवेदन है कि आप किन्हीं मजदूरों को न लीजिये और किन्हीं को छोड़ दीजिए यह अन्याय है। सब लोगों को बोनस न मिले तो मेरी समझ में यह ठीक नहीं है। यह वर्तमान समाज में कैसे फिट हो सकता है? इस लिए मेरा निवेदन है, और संशोधन भी है, कि आप बोनस ऐक्ट में जो संशोधन करने जा रहे हैं उन में उस को 1970 से लागू कीजिए क्योंकि एडजान्त आप ने इस के बदले में दिया है, और उस को सब पर लागू करना चाहिये।

दूसरी बात यह है कि एक ही जगह पर, एक ही नगर के अन्दर अगर एक ही तरह का काम होता है। अलग अलग कारखानों में तो अमुख कारखानों में श्रमिकों को बोनस मिले और वही काम करने वाले दूसरे पास के कारखाने के श्रमिकों को न मिले तो इस को भी अन्याय कहा जा सकता है। आप बम्बई को लीजिये, अहमदाबाद को ले लीजिये, इन्दौर ले लीजिये। सभी जगहों पर टक्स्टाइल मिलें हैं। इन्दौर में 3 प्राइवेट सेक्टर में हैं और तीन को आप ने टेक ओवर किया है। वह गवर्नमेंट के हाथ में है और वही उन को चलाती है। अगर आप इन तीन मिलों के श्रमिकों पर इस कानून को

लागू न करें तो आखिर बोनस का मतलब क्या हुआ? आप किस आधार पर बोनस देते हैं? जो बोनस मिलता है, महंगाई भत्ता मिलता है, वे पुराने होने से उसको ले कर बोनस दिया जाता है। जब प्राइवेट सेक्टर के कारखानों में काम करने वाले श्रमिकों को बोनस दिया जा रहा है तब सरकारी अधिकार में चल रहे कारखानों में काम करने वाले श्रमिकों को क्यों न दिया जाय? क्या वे मजदूर नहीं हैं? यह हमारे समझने की बात है?

इसी प्रकार से गवर्नमेंट ने जो कारखाने टेक ओवर किये हैं, भले ही उन को स्टेट गवर्नमेंट चलाती हो या सेंट्रल गवर्नमेंट चलाती हो या वह कारपोरेशन के मातहत चलते हो सबको बोनस मिलना चाहिए। एक वलेंस शीट मेरे पास है। उसमें उन्होंने बोनस का प्राविजन किया है 10 लाख रुपयों का, लेकिन उस को 6 वर्ष से वांटा नहीं गया है। वलेंस शीट में हांते हुए भी उस को वांटा क्यों नहीं गया, यह समझने की बात है। इस के साथ साथ जो शहर के कारखाने हैं उन में काम करने वाले जो श्रमिक हैं। उन का साल आप कब से मानेंगे? जितने भी मौसमी कारखाने हैं उनका प्रक्तूबर के महीने से शुरू करते हैं। आप जो संशोधन करन जा रहे हैं उसे के अनुसार प्रक्तूबर, 1971 से बंध शुरू होता है और तभी से वे साल शुरू होंगे। और मई महीने तक वह कारखाना चलेगा। उस के बाद बोनस की बात आयगी। कहने का मतलब यह है कि आखिर उन को बोनस देन का आधार क्या

[श्री राम सिंह भाई बर्मा]

होगा ? इसी तरह से 'जिनिंग फंडीज' हैं वह भी इस से बंधी हुई है। आप के संशोधन के मुताबिक यह झकूती रह जाती है।

इस के साथ साथ में आप से यह भी निवेदन करना चाहता हूँ कि आप 8.33 प्रतिशत का संशोधन करने जा रहे हैं। यह प्राफिट शेअरिंग नहीं है। यह मजदूरों का वतन का हिस्सा हो गया है, उनकी मजदूरी है जो प्रोडक्शन बढ़ाने गरहाजिरी के प्रमाण और अनुशासन बढ़ाने क हिसाब से दिया गया है। इस के उपर आप को गम्भीरता से विचार करना चाहिये। आप को आंख बन्द कर के 8.33 प्रतिशत वेतन में मिला कर लागू कर देना चाहिये। एसा कर देने से मजदूरों में एक भावना पैदा होगी कि अगर आपको वेतन और डिअरनेस अलाउंस 8.33 प्रतिशत ज्यादा मिलता है तो उन को भी ठीक से काम करना चाहिये। अधिकांश मजदूर इसी बात को ले कर काम करते हैं कि व जितना ज्यादा काम करेंगे उन को उतना ज्यादा पैसा मिलेगा उन को बोनस के हिसाब से उस का प्रोडक्शन भी बढ़ाना चाहिये। इस तरह होने पर जो लोग बार बार गैर हाजिर रहते हैं वह भी सोचेंगे अगर उन को ज्यादा रकम लेनी है तो उन को महीने में ज्यादा दिन काम करना चाहिये।

मैं जाँ भी निवेदन कर रहा हूँ अपने अनुभव के आधार पर कर रहा हूँ। जो कैलकुलेशन का तरीका है, जो बोनस के कैलकुलेशन का तरीका है उस को सब लोग नहीं जानते हैं। सभी जगह के मजदूर इतने

होनियार नहीं है कि कष्टों तरीके से कैलकुलेशन कर सकें। इस को करने में पसीने भी जाते हैं। जब पसीना आता है तो मजदूर काम करना बन्द कर देना है ; श्रम विभाग इतना जबर्दस्त है कि कम से कम उसे भी आप कैलकुलेशन करना सिखाएँ और वॉलेंट शीट हाथ में ले और हाथ में लेने के बाद वह गिन कर बता दे कि इतना परसेंट इनका बोनस होता है। एक वॉलेंट शीट मेरे हाथ में है इस कारखाने ने जो प्राफिट किया है उसमें से एक साल में उस में से 26 लाख 74 हजार रुपये ब्रेचएवी के निकाल दिये हैं।

श्री हुकम चन्द कछवाय . किस मिल का है।

श्री राम सिंह भाई बर्मा : आपके क्षेत्र के पास की ही भारत कामर्स नागदा का है। 26 लाख 74 हजार रुपये उन्होंने वॉलेंट शीट में से प्राफिट में से कम कर दिए। बा क बचे हुए में से आप बोनस बाटेंगे तो यह गलत तरीका होगा।

मजदूरों को जितनी प्रचुइटी दी वह रकम कम करेंगे यह तो समझ में आ सकता है किन्तु न देने पर भी खर्च में डाल बोनस बचाना और फिर सरकार के टैक्सों की चोरी, भी फिर उस रकम को रिजर्व बनाने क लिये अलग रख, फिर बोनस शेयर्स देना शुरू करे और उससे अपना कैपिटल बढ़ा लेंगे तो इस तरह से तो काम नहीं चल सकेगा। 1970 के वर्ष में एसा ही इन्नों किया और 1971 में इसी भी तरह से निकल गया। ऐसे वॉलेंट शीट मेरे पास बहुत हैं। बकत

झायेगा तब बताउंगा। एसा भी देखने में आता है कि तीस लाख का कैपिटल 30 तारीख को या 31 तारीख को होता है लेकिन उसके एक दिन बाद ही यानी पहली तारीख को वह चार करोड़ कर दिया जाता है। इस तरह की जो चीजें हैं य सदन में घानी चाहिये। बोनस का कैलकुलेशन प्राप श्रम विभाग द्वारा कर करा देख लें कि कितना पेशीदा यह काम है।

SHRI S. M. BANERJEE (Kanpur): At the outset I should congratulate the workers' representatives Messrs. Satish Loomba, Ramanujam, Mahesh Desai and also Mr. Billimoria....

SHRI M. RAM GOPAL REDDY (Nizamabad): Not the Government.

SHRI S. M. BANERJEE: The moment he sits there, he thinks he is the Government. Do not change your seat. Even Mr. Billimoria who was not exactly representing the employees or industries but was representing the public sector undertakings has submitted a report along with the others and therefore my hearty congratulations. But it is really a sad commentary on the promises made by the various Ministers. When we read the report we feel that the main point about coverage had not been accepted by the Government. Now that bonus has been increased from 4 to 8.33 per cent, for which the Government deserve our congratulations and thanks, the price rise is attributed to the rise in bonus. This was actually the policy pursued by Mr. Morarji Desai; when he was the Finance Minister he was of the opinion that if there was any wage increase in the form of dearness allowance or bonus, the net result would be more inflation in the country because the workers did not know how to preserve that money and went on in an erratic manner and purchased all sorts of things and that was one

of the causes of inflation. We have several times exploded this wrong philosophy and the wrong economics of the Government.

I thought with the elimination of Shri Morarji Desai that policy had also gone. But now I feel the same policy is being pursued by the Government and the present Finance Minister is simply like the old wine in a new bottle. It has been said: Why have sugar prices risen? Because the workers had got bonus, and the employers wanted a rise in price. Why has coal price increased? Because bonus has been paid and the wage board award had been implemented in the coal mines.

They always pitch the consumers against the workers. I charge this government of starting a war against the workers through the consumers.

15 hrs.

It is known to the entire country, especially to the Members of Parliament, that there is black money to the tune of Rs. 7,000 crores circulating in the country. The suggestion of the Wanchoo Committee for demonetisation of hundred-rupee notes for unearthing black money was not accepted by the government. So, I say that the price rise is not in any way connected with the wage rise. Let the hon. Labour Minister make a survey of the whole matter and say with a clean heart whether the wage rise results in price increase. In fact, so far as the wages are concerned, there is complete erosion. Even if we take 1947 or 1949 as the base, the wages of the workers have not been protected. So, the AITUC and other trade unions demanded that the quantum of bonus should be raised from 4 to 8-1/3 per cent. There was a strike among the Kanpur textile workers, the entire market was paralysed and now it has been agreed to.

(Shri S. M. Banerjee.)

Now the question is whether it should be extended to other workers. The AITUC has said that every wage-earner should be given a bonus. What is the reason? With the rising prices and the utter failure of the government to hold the price line for the last 25 years after freedom, the wage earner who gets salary on the first as clerk or on the 10th as industrial worker, does not save anything out of his earnings. In fact, it is only with great difficulty that he is able to save his family from starvation. The majority of workers in this country are below the subsistence level or starvation level, or just above the starvation level. If they want to purchase garments, shoes or anything essential for domestic consumption, they could do it only when they get the bonus. So, the slogan has been "12 months of honest work and 13 months salary". They will work for 12 months and increase productivity but they should be paid salary for 13 months.

28 lakhs of Central Government employees have been ignored here. Shri Khadilkar, for whom I have the greatest regard, perhaps out of ignorance, misguided the Bonus Review Committee. I am reading from the report submitted by Shri R. P. Billimoria, Shri Mahesh Desai, Shri Satish Loomba and Shri G. Ramanujam. Para 3.15 says:

"On the issue of coverage all workers' organisations are unanimous that the Act should be extended to cover all wage and salary earners in all areas of employment.

At present some areas of employment are excluded from the purview of the Act itself, while some others have been excluded by the provisions of the Act or by Court pronouncements.

Although the Payment of Bonus Act, 1965 excludes workers in certain public sector establishments, they have been receiving bonus as *ex gratia* payments as if the Act

applied to them. Therefore, there is no valid reason why workers in such establishments should not be included in the Act itself. Hence, we recommend for their inclusion."

Coming to the Central Government employees, it is stated on page 24:

"... the Union Labour Minister is reported to have made a statement in Parliament that this issue is being taken care of by the Third Pay Commission, which is now in session."

The hon. Minister knows that the terms of reference of the Pay Commission do not include the issue of payment of bonus. This is far from truth. That is why I would say, out of ignorance, he has misled us. The two bodies, the Bonus Review Committee and the Third Pay Commission cannot be seized of the same issue. This is how they were misled.

I challenge I am prepared to resign my seat if it is proved that "bonus" is one of the items before the Pay Commission. It is not. I have given evidence before the Pay Commission, not once but twice and thrice. I even dream of the Pay Commission. I had myself been a Central Government employee. I represent the All-India Federation of the Railway employees and the Central Government employees. The bonus issue has nothing to do with the Pay Commission. 28 lakh Central Government employees, Railway employees, Defence employees, P & T employees, Civil Aviation employees and others cannot be deprived of the bonus. This is a glaring discrimination. It is wrong to say that this is before the Pay Commission when it is not before the Pay Commission. Therefore, I would request the hon. Minister, Shri R. K. Khadilkar, to realise his ignorance and say in this House that this has nothing to do with the Pay Commission and that the Government will take a decision in a day or two or even after some days.

I am happy to see the amendment of my hon. friend, Shri A. P. Sharma saying that the coverage should be extended to the Central Government employees and employees of the departmentally-run undertakings. Railway is an industry; Defence is an industry; Civil Aviation is an industry; C.P.W.D. is an industry; P & T is an industry and so on and so forth. I go a step further. My amendment is:

"Page 2,—

after line 8, insert

'Explanation.—Every employee means the employee of Central and State Governments including Defence, Railways, Posts & Telegraphs, Civil Aviation and Corporations, Municipalities, Local Bodies, Banks Insurance, Public Undertakings including all financial establishments, A.I.R. (including staff artists on contract), Hospitals, Educational Institutions including Universities, Colleges and Schools and all Establishments irrespective of the number of employees.'

"When I say this, I am aware of the colossal amount needed for that. It is not that I am doing for election purposes. Elections are not approaching soon....

MR. DEPUTY-SPEAKER: Why should you have a guilty conscience?

SHRI S. M. BANERJEE: I have no guilty conscience. I am only saying, anybody who is a wage earner today, with the rise in prices, is unable to purchase anything except his ration or food articles with the present salary.

I may tell you, one of the middle-class employees in Calcutta was saying, "From 1st to 5th, I am a capitalist; from 5th to 10th, I am a socialist; from 10th to 15th, I am a communist and from 20th, I am a terrorist because I want to do everything as I have no money." This is the mental condition of the employees today.

How can you ignore 28 lakh Central Government employees and other employees working in Corporations and departmentally-run undertakings? The question is: How have these employees been excluded from the payment of bonus?

Then, another thing is that anything above 8.33 per cent bonus will go to the Provident Fund. Has he got anything to save? He has no capacity to save. Can he save anything? No. There was recently a survey conducted by the Indian Statistical Institute in respect of about 480 families in Bombay to find out the extent of indebtedness. In respect of employees drawing Rs. 150—250, they found that there was indebtedness to the tune of Rs. 2,000 each cooperative loan, provident fund loan, cycle advance loan, festival advance loan, every type of loan. In respect of employees drawing Rs. 250—350, they were indebted to the tune of Rs. 1200 each. The indebtedness has increased so much.

Now, he says that anything above 8.33 per cent bonus will go to the Provident Fund. Who do not want to save for their wives and their children? They want to save. But they have no capacity to save. They want to save for their wives and their children. But they are unable to save. One of the workers in Kanpur said—I repeat it in Hindi:

"अगर भगवान भी हमारे घर प्राये, तो रोटी और कपड़े की शक्ल में प्राये, हमारी वह बेटियों की लाज बन कर प्राये, वना वह मन्दिर, मजिद, गुहारा और गिरजे में रहे।"

This is exactly the condition, and if this is the condition of the workers, how can they save? That is why, my hon. friend, Mr. Indrajit Gupta, has tabled the amendment:

"Pages 2 and 3,—

omit lines 32 to 48 and 1 to 3 respectively."

Regarding depositing in the Provident Fund, it should be voluntary; if

(Shri S. M. Banerjee.)

I can possibly contribute, I will contribute. Why should you force me to deposit in the Provident Fund which is not possible? This is not possible unless the workers, whether they belong to middle class or any class, are assured a need-based minimum wage. I can assure you with all the honesty at my command that it is not possible. It is not that the workers are provoked not to deposit in the Provident Fund. We want the workers to save, but with the meagre income that they get, they are unable to save. That is why I request Mr. Khadilkar, first of all, to make a statement in this House. The question of bonus to Central Government employees has not been referred to the Pay Commission. The Pay Commission is likely to submit its report; in the month of December they have to submit their report. I want to ask him whether he is prepared to accept any amendment. My amendment is there. Or let them accept Mr. A. P. Sharma's amendment. Or, let them bring another amendment. But let them not escape the issue or shelve the issue by saying that the Pay Commission will submit its report and then they would consider what would happen. Whatever good name he has earned by raising the percentage from 4 to 8.33, he will lose; people will forget it, and all the employees, Central Government employees, State Government employees, municipal employees, all those who have been deprived of this bonus will not leave the matter at this and will agitate. In Jullundur, the Working Journalists are on strike. In Haryana, the teachers have gone on strike. The matter is agitating the mind of every one. Naturally, Sir, all the wage-earners should be given the bonus. The Act should be amended accordingly.

I want an assurance in this House by Mr. Khadilkar that the question of depositing in the Provident Fund would be taken out of this. Let it not be compulsory; let it be on a

voluntary basis. If I have something to save, then I will save. There should be no compulsion.

Another thing is this: He is thinking in terms of seven days' work. For whom should you work? More production for the country or more profits for the employers? They have all earned more profits when the wages were eroded completely. I would request Mr. Khadilkar to come out fully and support one of our amendments—anybody's amendment—in this behalf.

The Railway employees have already taken a decision to strike....

MR. DEPUTY-SPEAKER: Please conclude.

SHRI S. M. BANERJEE: I want Mr. A. P. Sharma to vote for the amendment if at all His Federation has taken a decision to strike. The Defence employees, the P & T employees, all those Central Government employees, all those wage-earners, are marching ahead with the slogan for bonus.

SHRI A. P. SHARMA (Buxar): In this country, every payment, whether it is bonus or any kind of payment, made to workers in some form or the other, has got a history behind it. Payment of bonus also has a history in this country. Formerly, as explained by the previous speaker, Mr. Verma, bonus used to be paid at the sweet will of the employers as and when they liked. Sometimes, they used to pay at the time of festivals, sometimes they used to pay *ex-gratia* and all these payments were dependent on the sweet will of the employers.

This Bonus Act of 1965 has also a history behind it. The Bonus Commission was appointed on account of certain judgments given by the High Court in Ahmedabad and as a result of that decision of the High Court, the Bonus Commission was appointed. It was an irony of fate that the first

Bonus Act, 1965 excluded a large number of workers. When I say 'workers', I mean the industrial workers in this country, both in the public sector as also the workers employed by the Government departments. The workers' organisations started a movement, an agitation against this Act, and as a result of that, the Government conceded in principle to pay bonus to certain sections of workers employed in public sector undertakings. Although they were not covered by the Bonus Act of 1965, they were paid *ex-gratia*.

Then came the question of raising the minimum of 4 per cent to 8-1/3 per cent and I was happy that under the stewardship of our present Labour Minister, Mr. Khadilkar, this issue was settled, and although the Bonus Review Committee did not submit a unanimous report on this question, the Government was good enough to take the recommendation of the workers' representatives into account and came out with an ordinance as a result of which 4 per cent minimum bonus has been raised to 8 1/3 per cent.

But, as I said, every payment in this country has got a history. It appears that this payment of minimum bonus of 8-1/3 per cent to the rest of the workers in this country who are employed by the Government themselves is going to have a history too. It is surprising that the Government which is the biggest employer in this country, want all kinds of employers whether it is in the private or the public sector to do certain things but when it comes to themselves, they start pleading so many things and they start finding out arguments as to how not to do a particular thing. In this particular case, there is no justification as to why the Railway workers in this country—Railways being one of the biggest industries of the Government of India—should be excluded from the purview of this payment of 8-1/3 per cent minimum bonus. Then, the P. & T

workers, Defence establishment workers and workers employed in Government Presses, Civil aviation workers—why should they be excluded from the payment of 8-1/3 per cent minimum bonus? The argument is that the Government will have to incur a very heavy expenditure and the economy of the country is such at present that they are not in a position to meet that heavy expenditure. May I ask very humbly whether the Government did take this question of national economy into account when this 4 per cent minimum bonus was raised to 8-1/3 per cent in the case of other public sector undertakings? Why did they not take this question into account at that time? But I know at the time of payment of 8-1/3 per cent bonus to the Railway workers, to the P & T workers, to the Defence establishment workers and other industrial workers of the Government Departments, all these arguments are advanced. But, perhaps, the Government, as every employer yields inch by inch and yields to the organised force of the workers, is waiting for that time and they may be yielding at that time. But, I want to sound a note of warning at this stage to the Labour Minister that this matter is not going to rest here. We may pass something here in Parliament which workers may not like, which may not be to the liking of the workers outside the Parliament. But I would like to say that a great agitation is being built up in future, which, if it comes up, I am quite sure, Government will not be able to resist. There is no logic, I should say. We can resist anything in this country if there is logic behind what we do, but here, in this case, I should say, there is no logic behind it. The argument of the Government is that they are not able to make payment of 8-1/3 per cent bonus to public sector industrial employees. No heed has been paid by the Government to the legitimate demand of the organised labour in this country.

But, at the same time, efforts have been made to create confusion in the

(Shri A. P. Sharma.)  
country. The Joint Consultative Machinery is the highest forum of the Central Government employees. This point came up there and we were told that the Bonus Review Committee which had been set up will go into all those things and that they will go into the question of coverage of industrial employees of the Central Government. When we pursued the matter further we were told that Government will decide. But here in this honourable House the hon. Labour Minister said, which my friend also pointed out, that it is the Pay Commission which is taking care of this question. This is most unfortunate.

On the one side, you do not meet the legitimate demand of the workers. You have no logic to deny that demand. You create confusion by wrong arguments. Unfortunately such arguments sometimes are supported by some of our friends also.

Bonus is something which has long been paid to the industrial employees of the country. Employees in the private sector or public sector governed by the Industrial Disputes Act should be paid bonus. We want such employees to receive the bonus; they should be entitled to receive the bonus, and not anybody and everybody. Various questions have been asked. What will happen to State Government employees? What will happen to Municipal employees? What will happen to Central Secretariat employees? What will happen to 55 crores of people of this country? All these questions cannot be solved by denying this 8-1/3 per cent bonus to industrial employees of the Government of India. If you think this is going to solve the problem, I will declare here in this House that we are prepared to sacrifice whatever you are going to give. But that is not the point at issue. What you are attempting is only to sidetrack the issue. That is all. There is no comparison between the industrial employee and civil servant.

The civil servant is governed by certain conditions of service. He has some pay scales etc. It is wrong to compare industrial worker with the civil servant. On behalf of the INTUC and the National Federation of Railwaymen we have been telling the Government that it is wrong on the part of the Government to equate the industrial workers of the Government with civil servants.

In this, Government has an additional advantage. Government being an employer, when they fail with all arguments, they use the power as Government. This is what happens. This is a wrong thing for Government to do.

I will say with all the emphasis at my command that as one of the Members of the Government party I have been pained to move this amendment because I find that in spite of so much of pleadings and appeals with the Government, nothing has been done so far.

My request to the hon. Minister is only this that he may take note of the serious situation that is being created in the country on account of this issue and I request him to see that this country is not allowed to plunge into a struggle which would be unprecedented.

My hon. friends in the Opposition sometimes say 'You are a Member of the Government party; what will happen if your party decides to do it?' If the party decides something, as a member of the party, we are bound to obey it. But here it is not a question of the party. It is a question of a certain issue, and I would request the party and the Government to consider this issue on merits. I do not like to say much on this question, but I hope that Government will rise to the occasion and will not wait any longer. For, in this particular case, it will not be a question of one party or the other. The members of the ruling party are equally, and in fact,

more exercised and concerned about this question of minimum bonus. For my hon. friends in the Opposition, it may be a political question, but for us it is not a political question. They may be interested in discrediting the Government on certain issues, but here we are to strengthen the hands of Government and not at the cost of the interests of the people but by serving the interests of the people.

Therefore, I would request the Labour Minister that he should accept the suggestion made by me here and also outside. In fact, what he has said in his speech gives me some hope. He has said towards the last paragraph of his opening speech that—

“As I have said earlier, the present Bill only seeks to replace the Ordinance already promulgated. I may also add that the provisions made in the Bill relate only to the payment of bonus for one year, namely the accounting year commencing on any day in the year 1971. The provisions in the Bill are, therefore, transitional and temporary in nature.”

This sentence gives me some hope. He has further said:

“I am fully aware that there are some other issues agitating the minds of the hon. Members. Some of them have actually been raised in the House through questions and supplementaries on a number of occasions. As I have already explained in my reply, Government may have to come up with more comprehensive proposals for amendment when the final report of the Bonus Review Committee is reviewed and examined.”

This has roused some hope. With this hope, I would once again urge that Government should be careful to see that when they pass the Bonus Act, they include the railway employees, the defence employees and the P & T employees, and as a matter of fact, all those employees of the

Government of India who are governed by the Industrial Disputes Act.

My hon. friend Shri S. M. Banerjee wanted my support to his amendment....

SHRI S. M. BANERJEE: I want to support his amendment.

SHRI A. P. SHARMA: That is very good. My amendment is quite clear. I do not want to cloud the issue by adding so many things. The issue is limited. The issue is that the industrial employees of the Government should be paid a minimum of 8-1/3 per cent bonus, because as the biggest employer, Government must be a model employer or an ideal employer. Government will have no right to ask the other employers to do certain things which they themselves will not do as employer. So, I do not want that the issue should be confused. Already, enough confusion has been caused in this country and by these amendments which my hon. friends are moving, college and school employees, municipal employees, panchayat employees and village employees are also sought to be roped in, making it a big issue which might involve some Rs. 400 to Rs. 500 crores. The issue which I am seeking to raise is very limited, namely that all those Central Government employees who are governed by the Industrial Disputes Act should be covered under the Bonus Act.

SHRI S. M. BANERJEE: I would like to tell my hon. friend that I am prepared to vote for amendment No. 19 standing in the name of my friend Shri A. P. Sharma.

SHRI THA KIRUTTINAN (Sivaganja): First of all, I would like to congratulate the working class of this country, though this is a partial success of their struggle. The Payment of Bonus (Amendment) Bill now under consideration of this House is only a partial success of the labour force. According to this Bill,

(Shri Tha Kiruttinam.)

a section, and that too, a large section of the working class is not entitled, to bonus. The Government of India have conveniently excluded a large number of the working class from the benefit of bonus. This is a partial victory for the Government at the Centre of their divide-and-rule policy. By increasing the quantum of bonus to one section, the Minister of Labour has succeeded in dividing the working class into two groups and thereby he has avoided a united struggle for the present.

So while I welcome this Bill on merits, I cannot appreciate the Government's stand on it for obvious reasons. The House is well aware, and hon. members have also expressed it here, that this Bill has many shortcomings. The Government of India cannot claim it as a progressive measure. This Bill has come after a long period, after a continuous struggle and with threat of a total strike. So the Government was forced to surrender to the working class, as Pakistani soldiers were forced to surrender to Indian soldiers in Bangla Desh. This is a clear fight between the working class and the Government of India in which the working class has succeeded ultimately.

SHRI A. P. SHARMA: In his State, the working class fights the Government.

SHRI THA KIRUTTINAM: I said that the Government of India have surrendered to the working class.

SHRI DINEN BHATTACHARYYA: (Serampore): Tamil Nadu is no exception.

SHRI THA KIRUTTINAM: I have already mentioned that it is a partial success. I would still remind Government that the fight is to continue.

My point is that employees in public, undertakings, railways, posts and telegraphs department, defence

establishments, Central and State Government employees, employees of municipalities, hospitals and corporations should be included in this and they should be allowed the benefit of bonus. The biggest employer in the country, the Central Government, has escaped from the purview of the Bill. While Government are forcing the other employers to give bonus, Government themselves should set an example to others. Take, for example, the railways. This has been declared as an industry. But the pity is that it has not been covered by the Industrial Disputes Act and the Bonus Act. Why? Is it not an industry, is it not earning profit? Are the railway employees being paid more than their living wage? Not at all. Only because the Railways are under the control of the Government of India, the employees are denied their rights by Government. This is unfair on the part of Government.

I would like to warn Government. This is the crucial time. Do not drag on the issue. If you drag on the problem, you will have to face serious consequences. So I would appeal to Government to accept the amendments moved here to include the employees of public undertakings, Railways, P & T, defence establishments, Central and State government employees, employees of municipalities hospitals, and corporations.

This Bill fails to define the term 'bonus'. After a long interval, this Bill has come. Even now it has not solved the problem. If the Bill had defined 'bonus', it would have served as a guideline for the future as to what is bonus. Is it an *ex-gratia* payment? No. It has become an outdated formula. Is it profit-sharing as formulated by the Profit Sharing Committee appointed in 1948? It is not only profit sharing, but something else. Is it a formula enunciated by the Labour Appellate Tribunal in 1950? This was also not found correct. When the Supreme

Court has required to go into various questions connected with the calculation of bonus, this additional payment was justified on the ground that there was a gap between the wage paid to workers and the living wage. The Labour Appellate Tribunal formula with alterations by the Supreme Court was, however, criticised. The Court itself had suggested that the matter be examined again.

So Government appointed a Bonus Commission in 1961. It took four years to submit its report. In 1965 a Bonus Act was passed in which a minimum bonus of 4 per cent was fixed. This was also disputed on the ground that the minimum bonus should be paid even if there was no profit. Now this view has been accepted according to the present Bill.

It has also been accepted that Bonus is a deferred wage and it is a device to narrow the gap that existed between actual and need-based wages in this country. Bonus is not a favour bestowed upon employees by the employers.

Since Bonus was a deferred wage the payment of Bonus Act should not remain confined to a group of Industries. It must apply to all categories of employees in the Public sector as well as in the Private sector. Bonus is a social justice.

Social Justice in the matter of Bonus should mean extension of the benefits to those who are engaged in sectors other than organised, like agricultural workers, landless labours, small artisans etc. who are living to-day without any security or protection of social or labour law. On grounds of social justice it may well be asked why the minimum bonus should be denied to employees of public authorities such as Government servants, Railway employees, P & T and, others as minimum bonus

is in no way related to profitability or productivity but is merely an indirect wage boost. Railway men are deeply disappointed on the failure of the Union Government to extend the benefit of Bonus Scheme to Railway men. I should say, Sir, that exclusion of Railway men and other Industrial employees under the Government from the purview of the Bonus scheme is highly discriminatory.

Transport undertakings in some states have been nationalised and now they are under state controls. Previously the employees were eligible for Bonus. I do not know whether they are now eligible for Bonus.

Private Banks have been nationalised and employees are under the control of the Government of India. I have got my own doubt whether these employees come under the purview of this Bill. I request the Minister to clear these points. Certain Textile Mills have been taken over by the Government. Previously the workers were entitled for Bonus. I do not know whether the workers working in the taken over Textile Mills come under the purview of this Bill. If not, why such discrimination?

Next I should like to bring out the Production side.

The net production in 1960-61 was 13,294 crores. In 1970-71 it rose to 32,000 crores. There is 60 per cent increase in industrial production in ten years. This is the blood and sweat of the labourers. But what about the working class? You know that value of one rupee has come down to 44 paise. i.e., the value has gone down more than 50 per cent. It is an inference that the real wage of an employee has been reduced to 50 per cent.

At the same time the price line has gone up more than 100 per cent. Then you can calculate the real living wage of an employee.

(Shri Tha Kiruttinam.)

Don't you feel that the Government servants, Railway, P & T and other employees are affected by this price rise.

This Government allows for lapse of Income tax, gift tax and wealth tax. According to our Finance Minister's statement in this House, up to 31st March 1972 about 471 crores of tax is to be collected. According to Wanchoo Committee, there is Rs. 1500 crores of tax evasion in this country. But if this Government extends the Bonus Scheme to Government servants and the employees in the public sectors, the Government of India has to lose only Rs. 200 to Rs. 250 crores.

Next I would like to point out that I welcome the decision to raise the minimum Bonus from 4 per cent to 8.33 per cent. But I would like to stress that the maximum limit should also go. There should be no maximum limit. Lastly Sir, the labour problem is a state subject. So the powers to make the labour laws should be given to the state Governments. Then only you can find out which Government and which party in this country is progressive.

**श्री दामोदर पांडे (हजारीबाग) :** उपाध्यक्ष जी, सरकार का यह कदम जो 4 परसेन्ट से बोनस बढ़ाकर 8.33 परसेन्ट किया गया वह पड़ा सराहनीय कदम है और उसके लिए मैं सरकार को बधाई देना चाहता हूँ और श्रम मंत्री जी को बधाई देना चाहता हूँ। पिछले साल जब यह झगड़ा खड़ा हुआ था तो इन्होंने पार्लियामेंट में कहा था और बाहर भी कहा था कि बहुत जल्दी बोनस के मामले का हल निकालेंगे, उसके लिए बोनस कमिटी का जो बचन उन्होंने दिया था वह बचन पूरा किया। बोनस कमिटी के जो टर्म्स से संबंधित सदस्य थे और जो ऐसे शोग जोकि श्रमिकों से हमदर्दी रखते

थे वैसे मन्त्रियों को जो तजवीज हुई, वैसे मन्त्रियों ने बोनस कमिटी में जो कहा उसको उन्होंने मान लिया, इसके लिये वे बधाई के पात्र हैं।

दरअसल जैसा कि अभी कहा गया बोनस, एक डेफ़र्ड वेज ही है। एक झटके से पूरे देश के कल कारखानों में काम करने वाले मजदूरों की मजदूरी में साल भर तनखाह में करीब सवा चार परसेन्ट वृद्धि हुई तो यह एक बहुत बड़ा कदम था। लेकिन एक बात मेरी समझ में नहीं आती कि जब इतना बड़ा कदम आप उठा रहे हैं तो उसमें एक छोटा सा छेद क्यों छोड़ दिया जाये, एक छोटी सी कमजोरी क्यों छोड़ दी जाये जिसकी वजह से एक असंतोष का वातावरण फैला हुआ है। जब हम पब्लिक सेक्टर की बात करते हैं तो पब्लिक सेक्टर में रेलवे और वैंसी कपड़ा मिल ही नहीं जो कि सरकार ने ली है बल्कि पब्लिक सेक्टर में भी कल कारखाने हैं—हिन्दुस्तान स्टील पब्लिक सेक्टर में है, एन सी डी सी पब्लिक सेक्टर में है, डी वी सी पब्लिक सेक्टर में है और इनके अलावा और भी सैंकड़ों कल कारखाने पब्लिक सेक्टर में हैं। उन्होंने जो बोनस कमिटी का डिसेजन हुआ, जो सरकार का फैसला हुआ उसे शिरोधार्य कर लिया। आपने सारे मजदूरों को बोनस दिया लेकिन पब्लिक सेक्टर के एक हिस्से को आप बोनस दें और दूसरे हिस्से को न दें तो यह बात कल समझ में आती नहीं है। तो मेरी यह मान्यता है, नए यह दबाव है श्रम मंत्री जी से कि

जो भी वैसे सरकारी कल कारखानों में काम करने वाले मजदूर जो बोनस पाने के हक में बंचित रह गए हैं उन्हें भी वह हक दे और उस समय से दे जिस समय से कि और मजदूरों को मिल रहा है।

अभी एक साबल उठाया गया कि बोनस रेव्यू कमेटी के सामने यह मामला विचाराधीन है या नहीं। बोनस रेव्यू कमेटी में जो टर्म्स आफ रेफ्रेन्स हैं में उसे पढ़ देता हूँ :

"Whether establishments (other than factories) employing less than 20 workers, may be covered by the Act, and if so, upto what limit of employment? Should there be a separate formula for payment of bonus in these small establishments?"

इन रेफ्रेन्स में यह है कि कहां कहां बोनस मिलना चाहिए, इस रेफ्रेन्स में ऐसा कहीं जिक्र नहीं है कि सरकारी प्रतिष्ठान, सरकारी कल कारखाने, जो सरकार के अधीन चलते हैं उन्हें मिले या न मिले। इस में इसका कोई जिक्र नहीं है इसलिए मैं कहूंगा कि यह मामला बोनस कमेटी के विचाराधीन नहीं है। वैसे श्रमिकों के प्रतिनिधियों ने जो रिक्वेन्डेशन दी, उन्होंने जो अपना प्रतिबेदन दिया उसमें उन्होंने उन मजदूरों का भी जिक्र किया जो सरकार के अधीन काम करते हैं।

एक दूसरा विचार यहां यह है कि वे कमिशन इस मामले पर विचार करेगा या वे कमिशन में यह मामला विचाराधीन है या नहीं है तो उसके संबंध में भी मैं वे कमिशन की जो टर्म्स आफ रेफ्रेन्स हैं वह ध्यान से रचना चाहता हूँ :

"The principle which should govern the structure of emoluments and conditions of service of Central Government employees; what changes in the structure of emoluments and conditions of service of different classes of Central Government employees are desirable and feasible; death-cum-retirement benefit of Central Government employees;"

इस के अलावा दूसरे सवालगत हैं, लेकिन हम को यह मालूम हुआ है कि यह वे कमिशन के विचाराधीन है। यह स्पष्ट है कि वे कमिशन बोनस के मामले पर विचार नहीं कर सकता। अगर बोनस का मामला टर्म एंड कंडिशन ऑफ सर्विस में रहता तो भी यह बात समझ में आती लेकिन उसमें रिटायरमेंट बेंचिफिट और इनालुमेंट्स का जिक्र किया गया है, बोनस के मामले का खास कर जिक्र नहीं किया गया, इस लिए कोई बजह नहीं कि वे कमिशन इस मामले को अपने मन से उठाये और कोई फैसला करे। मेरी यह मान्यता है कि वे कमिशन इस पर विचार नहीं कर सकता। चूंकि वे कमिशन के विचाराधीन यह मामला नहीं है, बोनस कमेटी के सदस्यों ने कुछ कहा है सरकार को उन की बातों को मान लेना चाहिए और व्यावसायिक प्रतिष्ठानों में काम करने वाले कर्मचारियों पर, जैसे रेलवे, डाक तार विभाग और डिफेंस इस्टिब्लिशमेंट्स में अथवा सरकारी कारखाने जितने हैं जिन पर इंडस्ट्रियल डिस्प्यूट्स ऐक्ट लागू होता है, जिन पर प्रायः का बोनस ऐक्ट लागू हो सकता है, उन पर बोनस ऐक्ट को लागू करना चाहिए और उन की बोनस दिया जाना चाहिए। मेरी धारणा है कि इस संबंध में जो भी सुझाव पेश किए गए

[श्री दामोदर पंडे]

हैं उनको श्रम मंत्री जी को मान लेना चाहिए। जो भी असंतोष था उसे समाप्त करने की दिशा में यह एक प्रगतिशील कदम है। एक झटके से आप ने सारे मजदूरों को तरक्की दी, उन के हकों की आप ने हिफाजत की उन्हें पैसा मिला, उन के जीवन यापन क लिए आपने उन को सुख सुविधायें प्रदान की हैं, लेकिन जब सारे मजदूरों को यह मिलेगा तब उन लोगों पर इस को लागू न करना जो आप यहां के सरकारी कल कारखानों में काम करने वाले हैं, कोई न्यायसंगत नहीं जंचता। इसलिए मैं निवेदन कर्हगा कि उन कल कारखानों में काम करने वाले मजदूरों को भी इसमें शामिल कर लीजिए जो सरकार का काम करते हैं। आज जो असन्तोष बढ़ रहा है जैसे रेलवे में स्ट्राइक आदि की बात चल रही है, इसी तरह से दूसरे सरकारी प्रतिष्ठानों में वातावरण बन रहा है, उस को अगर सरकार ने जल्दी से जल्दी, समाप्त न किया तो हो सकता है कि उन में और भी असन्तोष बढ़े और वह एक दूसरा रूप धारण कर ले। आपको उस को हल करने के बारे में सोचना चाहिए। यह सब बातें बहुत काफ़ी नुकसान कर सकती हैं आने वाले समय में और सही दिशामें चलने वाले कामों को नुकसान पहुंचा सकती हैं। अगर उस को हल करने के लिए पहले से कदम नहीं उठाया गया तो मजदूरों में असंतोष बढ़ सकता है। आप उन को सन्तोष दिलाने के लिए जो उन की वाजिब मांगें हैं उन पर विचारकर तो कोई बजट नहीं है कि वह ठीक रास्त पर न आये और निर्णय न करे कि उन

को भ्रम में नहीं पड़ना है। मैं कहना चाहता हूँ कि बोनस रिब्यूइंग कमेटी ने जो रिफॉर्मेशनस की हैं आप उन को मान लें।

श्री धनशाह प्रबान (शहडोल) : सभापति महोदय, इस विधेयक में बोनस को न्यूनतम रकम को 4 प्रतिशत से बढ़ा कर 8.33 प्रतिशत करने की जो व्यवस्था की गई है उस का मैं स्वागत करता हूँ। पहली बात यह है कि बोनस सभी मजदूरों को मिलना चाहिए, जिन में से 35 लाख लोगों को ही प्राप्त हो रहा है। जिन्हें प्रति दिन वेतन मिलता है उन्हें भी बोनस मिलना चाहिए। वेतन-भोगियों की संख्या 1 करोड़ 70 लाख है। बचे हुए एक करोड़ 35 लाख लोगों को भी बोनस प्राप्त होना चाहिये, एसा मेरा निवेदन है क्योंकि बोनस बिलम्बित वतन है।

जब तक प्रत्यक्ष वेतन जीवन यापन के स्तर तक नहीं आता तब तक बोनस देरी से प्राप्त तनख्वा है। तनख्वा के नाते बोनस भुगतान को प्राथमिकता मिलनी चाहिये।

आज कानन के मुताबिक जिन संस्थानों में 20 से कम कर्मचारी काम करते हैं उन के कर्मचारियों को बोनस नहीं मिलता। यह गलत ख्याल है। जहां पर एक भी कर्मचारी भी काम करता है वहां पर उस को बोनस मिलना चाहिये।

नये उद्योगों को छूट दी गई है कि वे पांच वर्ष तक बोनस न दें। यह छूट भी गलत है। पहले वर्ष से ही बोनस देना प्रारम्भ होना चाहिये। बोनस की अधिकतम

मर्यादा 20 प्रतिशत रखी गई है। यह भी ठीक नहीं है। मजदूरों का बोनस जितना बनता है उतना पूरा दिया जाना चाहिये।

इस दिल में कहा गया है कि पिछले वर्ष की प्रतिशत से जितना अधिक प्रतिशत बोनस इस वर्ष मिलेगा वह अतिरिक्त बोनस की रकम मालिक प्राविडेंट फंड में जमा करेंगे। यह भी गलत है। मैं इस का विरोध करता हूँ। पूरा पूरा पैसा नकद मिलना चाहिये क्योंकि आज की मंहगाई का मुकाबला करने के लिये उन्हें इस पैसे का प्रयोग करना है।

15.52 hrs.

[SHRI R. D. BHANDARE in the Chair]

अन्त में मैं एक निवेदन मंत्री महोदय से करना चाहता हूँ। आप बोनस पर सीलिंग करने जा रहे हैं। मैं इस का विरोध करता हूँ। जिन उद्योगों में श्रमिकों को मालिकों द्वारा, अधिक बोनस दिया जाये, उन का राष्ट्रीय सम्मान किया जाना चाहिए। बढ़े हुए बोनस की बकाया राशि प्राविडेंट फंड में जमा कराना यथार्थता पर आधारित नहीं है। आज जितनी अधिक मंहगाई हो रही है उसे देखते हुए बोनस की बकाया रकम प्राविडेंट फंड में जमा करने से उनकी वर्तमान समस्या हल नहीं होगी।

इस विधेयक में जो छूटे हुए लोग हैं, जैसे रेल कर्मचारी, डाक तार विभाग, बीड़ी उद्योग के अन्दर काम करने वाले मजदूर इन सब को बोनस 8.33 प्रतिशत जरूर मिलना चाहिये। आज जो भी सरकारी या गैर-सरकारी कारखाने हैं वहाँ पर भी मजदूरों को 8.33 प्रतिशत बोनस

दिया जाना चाहिये। यह खुशी की बात है कि 4 प्रतिशत के बजाय 8.33 प्रतिशत बोनस कर दिया गया है। यहाँ के मजदूरों के लिये यह बहुत अच्छी बात है। सब प्रगतिशील विचारधारा के लोग निरन्तर ऐसी मांग करते रहे हैं कि बोनस की दर बढ़ायी जाये तथा श्रमिकों और कर्मचारियों को लाभ में हिस्सा बटाने का अवसर दिया जाये। यह विधेयक समाजवादी समाज स्थापित करने की दिशा में एक महत्वपूर्ण विन्तु अग्रगण्य कदम है। बल्लन और जीवनस्तर का जब तक सम्बन्ध स्थापित नहीं किया जाता, श्रमिकों की स्थिति में में सुधार नहीं होगा और उन में असन्तोष बना रहेगा।

SHRI M. RAM GOPAL REDDY (Nizamabad): Now a competition has started between the Opposition and a few members on the Congress benches who have been working in the labour field or who are leaders of labour, and this political timidity has crept into the hearts of the Congress members who are working in the labour field because their entire political career and political life is dependent upon those labourers. I want to say that, in this country, we are having 56 crores of people, and if all these members are pleading only for one crore of people or even less than that, it is unfortunate.

PROF. MADHU DANDAVATE (Rajapur): Do not hit at least your comrades below the belt.

SHRI M. RAM GOPAL REDDY: Every labourer, on an average, is getting not less than Rs. 300 per month in this country by way of provident fund, gratuity or bonus or anything.

[SHRI M. RAM GOPAL REDDY]

This works out to Rs. 3600 per year and it is 8 times the per capita income of India.... (Interruptions) You can dispute it. But they want more. Moreover, they are demanding bonus even for Railway workers and even for the P & T workers and no one knows the extent to which this list will be expanded. Sometimes, they are threatening the Government also. They are administering a warning also. But I can say that this Congress Government, this Government of Shrimati Indira Gandhi will not yield to any threats or warnings. It will care only for a reasonable debate and a reasonable plea. Unfortunately, that is conspicuously absent in this debate.

In this country there are several crores of agricultural labour whose income is not even Rs. 20 per month and these people do not care for them. Moreover, in the villages people are not getting any work for eight months a year. At least now we must have more factories so that we may generate sufficient employment potential and give employment to all these people. One main recommendation of mine would be that whatever bonus is going to be given and whatever gratuity and whatever provident fund will be paid must all be put into a fund and with that fund, new factories must be established and the sons of these very labourers must be employed in those factories as we are doing in our co-operative sugar factories. In our co-operative sugar factories, the poor kisans are purchasing the share amount and thereby helping in the establishment of the sugar factories. One boy is working in the field and the other boy is working in the factory and that is why there is no strike in our co-operative sugar factories. Now, everybody wants to threaten to go on strike unless you pay him bonus. It is a strange logic that I am not able to understand. If you want to prevent stoppage of

work, you have to pay money. I invite all these people who want to stop work, let them stop work, but there are hundreds of people who are ready to take up their place. The other day, there was a strike by the NOG's of Andhra Pradesh. I told the Chief Minister, 'Don't be afraid of their strike. For every one NGO on strike, I will bring 20 people who can draft better than these people.'

Sir, fortunately, the labour in our country is in a privileged position and they want to suck the entire blood of the poor people. I don't know why Mr. Sharma, a Congress Labour leader, a veteran labour leader, he is also administering the same threat to the Government.

Only one more point. Our Ministries are working efficiently when we put non-technical persons in charge of the Ministries. Take for instance the Ministry of Health. If a doctor is placed in the place of Shri Dikshitji, I am sure the Ministry will be doomed. So is the case with the Labour Ministry. Persons who were once labour leaders should not be put in charge of Labour Ministry. They may be put in charge of some other Ministries.

Thank you, Sir.

PROF. MADHU DANDAVATE (Rajapur): When I moved in this House my non-official Bill seeking to amend the 1965 Bonus Act, that Bill was rejected by an overwhelming majority. But, I want to recall that at that time, I had already warned the House that the Labour Minister, with the massive majority behind him, with the brute majority of this House behind him, may reject my amending Bill but by the pressure of the organised working classes in this country, step by step, every article of my non-official Bill will have to be accepted. And, I am very glad that unwillingly, but under the pressure of the organised working classes movement in this country, the minimum Bonus of 4 per cent has been increased to 3.33 per cent. That

is the signal preliminary victory of the Working classes in this country and I can assure the Labour Minister that they may reject our amendments, he may reject even the amendments of his Congress colleagues but, on the strength of the working classes outside this House, he will have to accept all the amendments that have been moved both by my colleagues on this side and the colleagues on the Congress Benches. Unfortunately the greatest tragedy of the Labour Ministry is that it takes a certain position but it refuses to follow the logical conclusion of that position. In 1965 when you introduced Section 10 into the Bonus Act which specifically provided that, whether an undertaking be making profit or loss, it must pay a minimum of 4 per cent bonus to the employees, from that very moment, you also accepted the logic of bonus as 'deferred wage.' If it is not a deferred wage but only a profit sharing why should those concerns which do not make profits be compelled to pay 4 per cent?

16 hrs.

The logic is this. In this country large number of industrial workers and agricultural labour live below poverty line. At least minimum wage should be offered to them. If it is not offered, there is this gap between the actual wage and the need-based minimum wage and partially this gap is to be filled up. Therefore it was decided that 4 per cent of minimum bonus should be paid whether it has got loss or profit. Bonus is a deferred wage and if once you accept this principle, you will yourself see that it ceases to be profit sharing, surplus sharing, prosperity sharing or *ex-gratia* payment. It does not exist in the form of *ex-gratia* payment; it exists in the form of deferred wage. When levels of minimum wage are reached in those concerns and undertakings in which need-based minimum wage is reached and they

get more profits, in that case bonus may amount to profit-sharing, or prosperity-sharing or sharing of surplus but till that level is reached, it continues to be deferred wage.

The logical corollary of this argument is that deferred wage cannot be for one set of workers and not so for some other set of workers. It is to be given to all workers. The gap between minimum wage and living wage exists in all sectors. Once you accept this point you will see the logical extension of this argument to extend the scope of the Bonus Act to other categories of employees engaged in Railways, Defence, Banks, private and public sector and local bodies. The Central and State Government employees must be brought within the ambit of the Bonus Act. This is because there is such a huge gap between the living wage and the actual wage. And, in one of the amendments that I have tabled I have said that bonus is a deferred wage. It assumes the character of profit sharing only after the actual wage attains the level of living wage.

Also, there is another amendment which I have given to incorporate the types of employers who have to pay this bonus, where I have stated specifically that, "every employee means the employee of Central and State Governments and Local Bodies, all public undertakings including departmentally run undertakings like Railways, P & T, Defence, Civil Aviation, Banks and Insurance Companies." Therefore, this logic of deferred wage is to be extended to all the categories. That is why I insist that these amendments should be accepted. These are not new. On the 8th September, 1971, there was a joint meeting of the Hind Mazdoor Sabha, INTUC, AITUC and in that meeting it was decided that the working class, the organised labour, must demand the minimum bonus of 8.33 per cent and that the scope of the Bonus Act should be suitably expanded to include workers of the various categories to which, I have

[PROF. MODHU DANDAVATE]

already made a reference. In this connection, the problem that has been raised by Shri M. Ram Gopal Reddy and others is that the working class in this country is a pampered class. What a pampered class? The monopolists in this country are not a pampered class....

MR. CHAIRMAN: Does he want to take notice of his remarks seriously? Let him confine himself to making his own observations.

PROF. MADHU DANDAVATE: Let us leave aside his observations. But I hope, Sir, you will agree that the Labour Minister has to be taken seriously. While winding up the debate on bonus some time back, he said that even when the working class organisation demanded certain minimum bonus, they should take into account the overall economic picture of the country and he had said unfortunately that the organised working class in this country was utilising its pressure to make its demand to the detriment of the unorganised sector in the rural areas. At that time, I had reminded the Labour Minister, and I would like to remind him again because public memory is short—that while talking in terms of not granting the demands of the organised working class in urban areas, he was taking shelter behind the rural sector; but while considering the demand of the rural areas, he had gone back to the question of resources again. In this country, even the agricultural labour, many of whom are Harijans and Adibasis, are not assured of a minimum wage at all. When we demand this bonus, we are demanding it also for the employees of the local bodies, the village panchayats, the zilla parishads etc. Therefore, we are not excluding the rural areas. We are not trying to take advantage of the fact that organised industrial workers are occupying a pivotal position and we have not utilised their position to suppress the unorganised sector of

the rural areas. On the contrary, it is this very Government which is not introducing agricultural income-tax to augment resources from the rich peasants.

Therefore, with a sense of responsibility, I would like to point out to the Labour Minister that when I make certain demands, I would also like to point out the resources available. Shri A. P. Sharma had said that if the employees of the local bodies in addition to the railway, defence and postal employees were to be given bonus, the amount of money required would be of the order of Rs. 250 crores. I would like to point out to him that Rs. 250 crores would be available even if Government take the Raj Committee report seriously. If Government decide to impose agricultural income-tax, unearth black money which is there to the tune of Rs. 7,000 crores in this country, try to have a ceiling on property, income and expenditure in the country, have capital levy in the country and streamline also the tax recovery machinery, then as the Wanchoo Committee's report has said conclusively, they can easily recover tax arrears of Rs. 470 crores....

SHRI JYOTIRMOY BOSU (Diamond Harbour): Which report? Interim report or final report?

PROF. MADHU DANDAVATE: There is only one Wanchoo Committee report, so far as I am concerned, because even the interim report is part and parcel of the main report. According to the Wanchoo Committee, Rs. 470 crores of Income-tax amounts are evaded by big industrialists and rich persons in this country. If the tax recovery machinery is streamlined, then even more than Rs. 250 crores will be available, and once this money is available, there should be no difficulty in accepting our demand and in accepting our amendment and implementing the amended Bill.

## Bonus (Amtd.) Bill

SHRI VASANT SATHE (Akola): While welcoming this Bill, the first point that I would like to make is that the provision regarding making the surplus bonus after 8.33 per cent payable to the provident fund may kindly be reconsidered for the simple reason, as the hon. Minister knows, that the employers are playing an utter havoc with this provident fund. The hon. Minister is aware of the crores and crores of rupees still to be recovered as the share not of the employees but even of the employers. Even the employees' share is yet to be paid to the Government. In addition to this, does he want that the hard-earned wages of the workers should be paid into the provident fund once again which will leave the money once again in the hands of the employers, because this Bill makes no mention of what steps are going to be taken by Government if the employers does not give it immediately?

Firstly, I would like to submit that this is not a percentage of his wage. 8 per cent is normal deduction. If it goes above this, suppose, in a particular industry a worker gets up to 20 per cent, then what would this provision mean? Will the rest of the amount be 8 per cent of his total annual wage? It will be in addition to that. Therefore, kindly do not make a provision of compulsory deduction which is what you are introducing here. You say that the present Bill is only for one year. I ask: how many crores of rupees do you expect to get from this surplus above 8.33? If the amount is not large, is negligible, why unnecessarily antagonise and irritate the employees because being a deferred wage it is a cushion? For whatever they take on credit from shopkeepers and others, bonus becomes a cushion to pay off; then for the rest of the year they again get credit. Hence the importance of bonus. Therefore, do not take it away. Taking it away and putting it in provident fund will operate as a great hardship. I beg of Government to reconsi-

der this and not press for putting this surplus into the provident fund.

Also kindly consider the amendment tabled by several members to enlarge the scope. Being a deferred wage, you cannot escape the logic of it, as my hon. friend, Prof. Dandavate, put it. If it is a wage, you will have to give a wage rise. Some day when we have reached a minimum wage in this country, the whole concept of bonus will have to be changed. Then it will not be a deferred wage, but it will really be profit-sharing. As long as you say that it is deferred wage, you will have to guarantee that minimum wage to cover the gap between real wage and living wage. That is why other employees are going to be covered. Let at least the industrial employees to whom the ID Act is applicable be covered. That is the simple logic of it. If you resist that, tomorrow what will happen? You will invite agitation. If there is a strike throughout the country for 10-15 days, apart from loss of wage to employees, how much will be the loss of production? After that, if you yield and give, what will be your position?

When you say that in a particular public sector it will be given, how do you stop giving it to other public sector undertakings, railways and others? In this context, I would beg of Government to make a special provision to make it applicable to those industries taken over by Government, because there the absurdity is even greater. There is a textile mill run by the Textile Corporation and another textile mill run by a private employer. In the latter, the employees get the bonus, but in regard to the former, you say he should not get the bonus. When Government is the ideal employer, workers cannot understand this attitude on the part of Government. On the one hand, you say that you are doing this for their benefit; on the other, you say you will not give this

## Bonus (Amdt.) Bill

[SHRI VASANT SATHE]

deferred wage to some. Therefore, at least to the extent of the minimum, you must make it applicable, because there the question of loss or profit does not arise. You may say that is a losing concern; therefore, we have to make an enactment to say that it should be paid. That logic will not apply, that argument will not go home.

Therefore, at least as far as those industries are concerned which are taken over, whether it is loss or no loss, loss or profit, you would make it applicable and make a provision to this effect.

These are the few points I wanted to make for Government's consideration. Government should accept some of the rational and reasonable suggestions made on both sides.

**श्री मूल चर्चा डाना (पाली):** सभापति महोदय, मैं एक बात कहना चाहता हूँ कि प्राविडेंटफंड के मामले में मेरा सवाल था कि आप व्याज कितना देते हैं ? मार्केट के अन्दर जिस रेट पर व्याज मिलता है वह व्याज देते हैं या क्या देते हैं ? आप तो बैंक दर से भी कम देते हैं । तो यह मेरी समझ में नहीं आता । इसके पीछे मुख्य आर्ग्यूमेंट मेरा एक यह था ।

दूसरी बात है कि आप जरा यह बताइए कि एक आइडियल फैमिली के लिए कितना रुपया चाहिए ? एक सेबरर ठीक तरह से जिन्दगी बिता सके इसके लिए उसको कितने रुपये मासिक खर्च की जरूरत है ? एक आदमी का परिवार है, उस के दो बच्चे हैं, उस के लिए कितने रुपये प्रति मास की आवश्यकता है ? आप एक तरफ प्राइमिंग को कंट्रोल नहीं कर सकते और दूसरी तरफ

आप कहते हैं हम उस को बेज 'नहीं' देना चाहते । जो उस को मिलना चाहिए उस को रोकना चाहते हैं तो यह क्या वाजिब बात है ? लोकतंत्र में सब से बड़ी बात तो यह है कि आप कहते हैं कि हम डिसपैरिटी कम करेंगे तो आप के पास डिसपैरिटी कम करने का तरीका क्या है ? आप उन को तन-बाह क्यों नहीं बढ़ाते हैं ? जितना ज्यादा आप उन को देंगे उतना ज्यादा उत्पादन बढ़ेगा । उतनी ज्यादा उनमें एफिक्टिबिलिटी आएगी, ज्यादा काम करने की ताकत आयेगी । अगर आप किसी को ज्यादा देते हैं तो उस से आप उम्मीद कर सकते हैं कि वह ज्यादा काम करेगा । लेकिन यह जो तरीका है, लोकतंत्र में सामाजिक और आर्थिक ढांचा आप बदलना चाहते हैं, आप के दिमाग में है कि इस पुराने स्ट्रक्चर को आप को बदलना है तो उस के लिए एक ही तरीका ऐसा है कि जब आप क्रांतिकारी कदम उठाना चाहते हैं तो क्यों नहीं तेजी से सारे कदम उठाते हैं ? धीरे धीरे उठाते हैं तो उस से आदमी कहीं नहीं पहुंचता है । कदम उठाने चाहिए और तेजी से उठाने चाहिए । धीरे धीरे उठाये हुए कदम कारगर नहीं होते ।

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR): Sir, I have listened with great interest and patience to the hon. Members who took part in this discussion but I must confess my disappointment; hon. Member Prof. Dandavate also could not go beyond a limited vision of horizon that is usually seen whenever people working among the workers, trade union leaders support the demand for wage rise. He had taken exception to certain of my observations; I shall come

to that later on. I expected that at least some hon. Members would make a plea, not from the sectional angle. Some hon. Members were agitated that there was some contradiction, that certain sections of the workers were not covered by the Bonus Act. At the same time, I would plead with them. Are they not supposed to take an overall view of the economy so that a wages-prices-incomes policy is operated in an integrated manner and adopted by this House. Not one hon. Member was there. I expected this from Prof. Dandavate. I know his background; at least he should take up that plea. I know everybody is very much exercised about the Government employees; particularly railwaymen and others are not being covered. Particularly Shri A. P. Sharma was very much agitated about it. I do realise his sincerity; I do not question the sincerity or earnestness behind the demand.

The time has come when those of us who plead for higher earnings for the workers must also pay some attention to other aspects of our economy. I was pleasantly surprised that only the other day the Chief Minister of Kerala, of all persons a man of communist persuasion, had to say something and issue a warning to the trade union leaders in this country—their demands are genuine; I do not grudge them that all the emphasis is on demand and never on the other aspects which are equally vital. When we make a demand for a wage rise, is it not proper that we look at the entire economic picture and say that it must be tagged somewhere to this? Leaving aside the bonus issue and coverage, I would like to know how it is detrimental to the workers' interest. If I may plead with you, the demand orientation and agitational approach to industrial problems or government employees needs a little change. Otherwise, I ask you earnestly, how shall we in the long run benefit the workers, whose interest we are very much here to serve?

Secondly, if we take the entire picture of the economy and keep it before our eyes while pleading for wider coverage, would it not be proper to say that the organised sector in our country is comparatively well off? I am not saying they are well off, but they are comparatively better placed than the rural poor, as Professor Dandavate has just now mentioned. So, I could have understood it and appreciated it if a plea had been made that before making any further demand on behalf of the organised sector, let the Labour Minister or Government give an assurance that they will try to protect the rural labour. It would have been a legitimate plea to make in this House at this juncture. But nobody mentioned it. That is why I said that their horizon is limited and narrow. If they try to represent the entire working class in this country, why do they want to exclude others? There are beedi workers, handloom workers, seasonal workers, who are not as privileged as the organised sector, who have not got the protection of the law. Since they are suffering, on this occasion I expected at least a word of sympathy, a little humble plea on their behalf.

PROF. MADHU DANDAVATE: I did not want to take more time today. Last time when this question was discussed, I referred to the linking of wage with productivity. I also referred to what steps can be taken in the direction of increasing production so that inflationary pressure can be checked and the prices can be brought down. I have discussed all that. You will find it in the record.

SHRI R. K. KHADILKAR: While making a plea for broadening the coverage of the Bill before us, I naturally expected a debate of a different magnitude. Therefore, I say I am disappointed.

Then a reference was made to price rise as a factor which erodes the earnings of the people. It was mentioned that money is eroded be-

[SHRI R. K. KHADILKAR]

cause of the price rise. So, a little effort was made in the provisions of this Bill, though it may be only symbolic, that a portion of the amount would be credited to the provident fund account, so that there will not be any inflationary pressure. But nobody looks at it from that angle.

PROF. MADHU DANDAVATE: How much is that amount?

SHRI R. K. KHADILKAR: I said that it is symbolic. I will give you the figure would be very very small, but an effort has been made. So, while we are coming forward to put on the statute book the Ordinance that we had promulgated after the interim report, a very humble attempt has been made to meet the demands from all sides of the House.

As I have said, this is a transitional measure. You must recognise that. When you look back at the history of bonus, as my hon. friend, Shri A. P. Sharma, pointed out, we first started with a "Commission" and, in 1965, we got 4 per cent statutory minimum. Not even eight years have passed. After 6—7 years, we have doubled it. We do recognise that because of the price rise the real earnings and their living standards could not be maintained. I do idealise that. But when somebody takes an exception and asks, "Why are you depriving them of that little pittance putting it in the Provident Fund?" I do not follow the argument.

I plead with my hon. friend Shri S. M. Banerjee. I know him for long; he himself was an employee and he will have to confess, if he is honest—I know he is honest and sincere—that Indian working class has got a better deal, a fair deal, during the last twenty years. When the working class was not organised, when the leadership was divided, even when it is divided today, the Government took the initiative to see

that their legitimate claims are met and are properly protected. If you keep these things in mind and when I come with this measure, I think, you will not make a certain demand which has not been there.

I would like to refute another wrong impression that has been created by some hon. Members. This issue has been raised on several occasions during the Question Hour. Mr. Banerjee and others always took it up saying, "Why don't you concede here and now? Why don't you refer it to the Pay Commission or the Bonus Review Committee?". I said then, "I presume all these things that are happening outside should be taken note of by a body like the Pay Commission which is considering the service conditions and emoluments of the employees."

SHRI S. M. BANERJEE: It is not true.

SHRI R. K. KHADILKAR: Whatever an employee gets, whether he gets as a bonus... (Interruption)

SHRI S. M. BANERJEE: It is not within the terms of reference of the Pay Commission.

SHRI R. K. KHADILKAR: I know about the Pay Commission or any body entrusted with the task of examining the service conditions and emoluments of employees, whether industrial workers or non-industrial workers, that is, employees in the Government sector, I do not think they are sitting in an ivory tower. They take into consideration the economic condition and the agitation going on in the country....

SHRI S. M. BANERJEE: When we mention about bonus, they say, it is not within the terms of reference of the Pay Commission. The Pay Commission is sitting in Delhi. You can ask them.

SHRI R. K. KHADILKAR: I never said that they are covered by the terms of reference. I now also admit that they are not covered by the terms of reference of the Pay Commission nor are they covered by the terms of reference of the Bonus Review Committee. Let us be very frank about it. Therefore, I would plead with the hon. Members to look at the history of it. While concluding my speech also, I reiterated and it was read out by my hon. friend, Shri A. P. Sharma, as follows:—

“As I have already explained in my replies, Government may have to come up with more comprehensive proposals for amendment when the final report of the Bonus Review Committee is received and examined.”

Let us look at the history of it. First you made a demand, “Whatever the final report, we want an interim Report and 4 per cent must be raised to 8.33 per cent.” That was your demand. Then, the interim report came. I may mention here that I have gone through all the old debates on the Bonus Commission and another debate that was initiated by Shri Chitti Basu. While intervening in that debate, I gave this promise. No one at that time ever thought that Government employees be covered. Not a single Member, not even Mr. Banerjee....

SHRI S. M. BANERJEE: How could I speak in the other House?

SHRI R. K. KHADILKAR: On any occasion, not a single Member said that, not even in 1965, when the Report was presented. Bonus as it is conceived, whether it is a deferred wage or a payment made with a view to sharing some profits with the employees, I do not want to enter into that controversy. But on no occasion they referred to bonus for government employees..

SHRI S. M. BANERJEE: At that time nobody referred to it because bonus was not considered to be a deferred wage. Now it is considered to be a deferred wage. P and T and Defence are not profit-making organisations. Now that bonus has been considered to be a deferred wage and all those working in public undertakings which are incurring heavy losses have been paid, we have demanded bonus for all Central Government employees.

SHRI R. K. KHADILKAR: May I repeat this again? I am just pointing out that they also felt that it was difficult to plead for bonus on behalf of government employees; that was the feeling....

SOME HON. MEMBERS: No, no.

SHRI R. K. KHADILKAR: Why did you not raise it at that time? You were here in this House when the Bonus Commission's report came before the House. (Interruption) Now this demand has been made that the coverage should be widened. That demand is there now. There seems to be no limit; some hon. Member was saying that it should cover even the local bodies.

AN HON. MEMBER: Why not?

SHRI R. K. KHADILKAR: I am just pointing out what is the demand. At this juncture I am not in a position to say anything about it. Just now I have come before the House to put on the Statute Book the Ordinance. I have not changed the basis of Ordinance materially anywhere. I must confess, when Mr. A. P. Sharma and others on behalf of the workers met me, I told them that they should bear in mind what I said at the end. That covers everything. In the final analysis, as I have said, after the Pay Commission's report is received, after the Bonus Review Committee's final report is received, Government can take some view about this—let us be very frank—bearing in mind the total impact on our economy; Government will certainly consider all these aspects and take a view.

श्री हुकम चन्द कश्यप (पूर्वा) : सभापति महोदय, जिन सदस्यों ने इस वाद-विवाद में भाग लिया और जिन सदस्यों ने मेरे प्रस्ताव का समर्थन किया है, मैं उन का आभारी हूँ। माननीय मंत्री जी ने जितनी बात मैंने रखी थी, उन सब का उत्तर नहीं दिया, जिसका मुझे बहुत दुख है। मैंने एक बात यह कही थी कि सरकार ऐसा कानून बनाये कि देश में जितने बेतन भोगी लोग हैं, उन सब को बोनस का अधिकार हो, लेकिन आप उस के बारे में बिल्कुल चुप रहे और एक शब्द भी नहीं कहा।

आप के इस बिल से केवल 35 लाख लोगों को लाभ पहुँचेगा। मेरा कहना है कि देश में ऐसे बहुत से लोग हैं जिनको आज बोनस का हक मिलना चाहिए, ऐसे करीब 1 करोड़ 35 लाख लोग बैठे हुए हैं जिन्हें इसका लाभ नहीं मिलगा। रेलवे कर्मचारियों की तरफ से बहुत ज़ोरों से मांग उठ रही है, पी० एण्ड टी० की तरफ से मांग उठ रही है, अलग अलग क्षेत्रों से मांग को बल मिलता जा रहा है, सभी लोग चाहते हैं कि बोनस हम भी मिलना चाहिए। जब तक आप बोनस का हक इन लोगों को देकर इस आवाज को नहीं दबायें, यह आवाज बढ़ती जायेगी और वे इस को लेकर रहेंगे। लेकिन आप को आदत पड़ी हुई है, जब तक कोई आन्दोलन न हो, मारपीट न हो, हानि न हो, तब तक आप उस बात को नहीं मानते हैं। मैं यही कहूँगा कि यह सरकार बंडे की है, बंडा लगायी और फिर ली अगर यह

सरकार बंडे को ही भाया समझती है तो फिर देश में वही शुरू होने वाला है और फिर आपको मजबूर होना पड़ेगा देने के लिए... (व्यवधान) ..

मैंने एक बात और कही थी कि देश में चाहे उद्योग घाटे में हों चाहे मुनाफे में लेकिन बोनस सभी में मिलना चाहिए परन्तु मंत्री जी ने उस सम्बन्ध में एक शब्द भी नहीं कहा। इसी के साथ-साथ आपने जो सीलिंग रखी है कि बोनस 15 प्रतिशत प्रोविडेंट फंड में शामिल कर दिया जायेगा तो वह भी अनुचित है। आज जो बढ़ती हुई महंगाई इस देश में है वह इस सरकार की गलत नीतियों के कारण ही है। इस महंगाई के कारण मजदूर दबा जा रहा है, और इसमें थोड़ी सी राहत देने के लिए जो बोनस को सहायित है उसको भी आप प्रोविडेंट फंड में रखना चाहते हैं—मैं इसका विरोध करता हूँ। जितना भी बोनस हो वह नकद रूप में मजदूरों को मिलना चाहिए—ऐसी मेरी मांग है। इस बात को आपको मानना होगा नहीं तो इसका परिणाम बहुत बुरा होगा आगे जाकर।

इसके साथ साथ जहाँ तक काश्तकारों की बात है, मैं पहले ही कह चुका हूँ कि जितने बेतनभोगी लोग हैं उनमें काश्तकार भी आते हैं। उनके बारे में किसी ने कुछ नहीं कहा लेकिन हम आपको याद दिला दें कि वह भी एक ऐसा वर्ग है जिसको बोनस मिलना चाहिए। मैं मंत्री जी से निवेदन करूँगा कि वे आज संगठित नहीं हैं, सारा देश इस बात को जानता है और इसी कारण उनके साथ अन्याय किया जाता है, उनका अपमान किया जाता है। वे साल भर काम करते हैं लेकिन उनको तनकाह मिलती है 20 पया महीना। उनके बारे में आपको चिन्ता हो सकती है क्योंकि आप मजदूरों का पक्ष लेने वाले हैं,

उनके आप काफी हितैषी हैं। लेकिन जब आप बड़े बड़े मालिकों से बात करते हैं तो पता नहीं क्यों आप चा हो जाते हैं। यहां पर तो आप कहते हैं कि उनका लाभ हाना चाहिए लेकिन जब मालिकों के साथ बातें हैं तो पता नहीं कौन सा नशा आ जाता है, कौन सा आप पर जाबू ही जाता है, कौन सा आपका उनके साथ लेन-देन हो जाता है कि आपके कदम उनके खिलाफ उठ नहीं सकते, आप उनके खिलाफ कोई ऐक्शन नहीं ले सकते। श्री रामसिंह भाई ने यहां पर अनेकों उदाहरण दिये। इस देश में अनेकों इस प्रकार के उद्योगपति हैं जो अपनी बैलेन्सशीट गलत-सलत बनाते हैं पैसा हजम करने के लिए। ऐसी स्थिति में आपने कौन सी ऐसी व्यवस्था की है जिसमें प्रत्येक उद्योगपति की बैलेन्सशीट देखी जा सके और जो कुछ उन्होंने उसमें रखा है उसकी जांच की जा सके कि आया कितना पया वे बताते हैं वह वास्तव में खर्चा हुआ है या नहीं? उन्होंने जितना रुपया निकाला है वह सही काम के लिए निकाला है या गलत काम के लिए निकाला है? वे लोग इस प्रकार से पैसे को चोरी करते हैं लेकिन सरकार उनके खिलाफ कोई कार्यवाही नहीं करती है। और बिटेन में जाकर मैं आपको नहीं कहना चाहता। . . . (व्यवधान) . . . चार को दाढ़ो में तिनका वाला मसल यहां पर चरितार्थ होती है। तीं मेरा इतना ही कहना है कि इनेन्स शीट को प्रानर चेकिंग भी होना चाहिए।

श्री-के-बाबू-बाबू मेरा यह भी कहना है कि साइड बीनेन्स का प्रश्न एक मूल प्रश्न है,

देश में सभी वर्गों में इसकी मांग बढ़ती जा रही है। अभी आप अंतरिम बिल लाये हैं। इससे साज भर के लिए लाभ होगा, एग्रा आरने बकतम में बनाया है। इसलिए आप एक विस्तृत बिल इस सदन में लायें और इस सदन को विश्वास में लें और फिर सभी क्षेत्रों में काम करने वाले कर्मचारी, प्रत्येक क्षेत्रनभोगी कर्मचारी चाहे वह घरेलू कर्मचारी हो, सरकारी कर्मचारी हो, उद्योग में काम करने वाला हो और फिर चाहे उद्योग भुनाफे वाला हो या घाटे वाला हो उन पर इसको लागू किया जाये। दूसरे जो धर्मका नियम बना है कि कम से कम 20 व्यक्ति जहां काम करते हों वहीं पर इसको लागू किया जाये उसमें भी संशोधन होना चाहिए। यदि एक व्यक्ति भी काम करता है तो उसको भी यह मिलना चाहिए। मैं चाहूंगा कि मंत्री महोदय इस प्रकार का एक विस्तृत बिल इस सदन में लायें। आज इस देश की करोड़ों जनता का ध्यान इसकी तरफ लगा हुआ है। अभी एक करोड़ 35 लाख लोग इसमें से छूट गये हैं उन्हें भी इसमें शामिल करना चाहिए। उनके साथ जो परिवार के लोग लगे हुए हैं वह भी आपको धुआ देंगे। अभी कौनों लोग आपसे आशा लगाये हुए हैं। इन कर्बनों के साथ मैं चाहता हूँ कि मैंने जो प्रस्ताव रखा है उसको सदन स्वीकार कर ले।

SHRI R. K. KHADILKAR: I would like to assure him, as he is very much interested in the rural people, the poor and the agricultural labour, that we will do everything possible to give them some legal cover as protection as early as possible.

MR. CHAIRMAN: The question is:

"This House disapproves of the Payment of Bonus (Amendment) Ordinance, 1972 (Ordinance No. 8 of 1972) promulgated by the President on the 23rd September, 1972."

*The motion was negatived.*

MR. CHAIRMAN: I will now put the amendments for reference to the Select Committee. I am putting amendments No. 1 and No. 18. The question is:

"That the Bill further to amend the Payment of Bonus Act, 1965, be referred to a Select Committee consisting of 12 members, namely:—

Swami Brahmanand, Shri B. K. Daschowdhury, Shri C. D. Gautam, Shri R. K. Khadilkar, Shri Krishna Chandra Pandey, Shri Sakti Kumar Sarkar, Shrimati Savitri Shyam, Shri Shankar Dyal Singh, Shri Tulmohan Ram, Shri Balgovind Verma, Shri Chapalendu Bhattacharyya; and Shri R. N. Sharma,

with instructions to report by the 11th December, 1972."(1)

*The motion was negatived.*

MR. CHAIRMAN: I am now putting Amendment No. 18 to the vote of the House. The question is:

"That the Bill further to amend the Payment of Bonus Act, 1965, be referred to a Select Committee consisting of 15 members, namely:—

Shri Chapalendu Bhattacharyya, Shri M. C. Daga, Shri A. K. M. Ishaque, Shri R. K. Khadilkar, Shri Raja Kulkarni, Shri Damodar Pandey, Shri Krishna Chandra Pandey, Shri Anantrao Patil,

Shri Sakti Kumar Sarkar, Shrimati Savitri Shyam, Shri Nawal Kishore Sharma, Shri R. N. Sharma, Shri Balgovind Verma, Shri Sukhdeo Prasad

Verma; and Shri Anant Prasad Sharma.

with instructions to report by the 11th December, 1972. (18)

*The motion was negatived.*

MR. CHAIRMAN: Now, the question is:

"That the Bill further to amend the Payment of Bonus Act, 1965, be taken into consideration."

*The motion was adopted.*

MR. CHAIRMAN: I will now take up Clause-by-clause. We take up Clause 2.

Clause 2—(Amendment of section 10)

SHRI S. M. BANERJEE: I beg to move:

Page 1, lines 14 and 15,—  
after "employer" insert

"whether public undertakings or Central Government or Corporation." (2)

DR. LAXMINARAIN PANDEYA: (Mandsaur): I beg to move:

Page 2,—

after line 8, insert—

"Explanation.—Every employee means the employee of Railways, Posts and Telegraphs, Defence Services, Civil Aviation and other Government Undertakings." (3)

PROF. MADHU DANDAVATE: I beg to move:—

Page 1, lines 14 and 15,—

after "employer" insert—

"whether public undertakings including those departmentally run by the Central or State Governments, Corporations and local bodies." (3)

SHRI S. M. BANERJEE: I beg to move:—

after line 8, insert—

'Explanation.—"employee" means all employees working under Central Government including Railways, Defence, Posts and Telegraphs and Civil Aviation.' (9)

PROF. MADHU DANDAVATE: I beg to move:

Page 2,—

after line 8, insert—

"Explanation.—Every employee means the employee of Central and State Governments and local bodies, all public undertakings including departmentally run undertakings like Railways, Posts and Telegraphs, Defence, Civil Aviation, Banks and Insurance." (10)

SHRI RAMAVATAR SHASTRI (Patna): I beg to move:

Page 1, lines 14 and 15.

after "employer" insert—

"whether of private undertakings and factories or public undertakings or Central Government or Corporations," (12)

Page 2,—

after line 8, insert—

'Explanation.—"Every employee" means the employee of Railways, Posts and Telegraphs, Defence Services, Civil Aviation, Reserve Bank, other Banks and other Central and State Governments undertakings and installations.' (13)

SHRI DINEN BHATTACHARYA: I beg to move:

Page 1, lines 14 and 15,—

after "employer" insert—

" , whether public undertakings, Railways, Post and Telegraph Departments, Defence establishments, Municipalities, Hospitals and Corporations." (14)

SHRI RAMAVATAR SHASTRI: I beg to move:

Page 2,—

after line 8, insert—

'Explanation.—"every employee" means the employee of Railways, Posts and Telegraphs, Defence Establishments, Civil Aviation, Corporations and Municipalities, Reserve Bank, Co-operative and other Banks, Hospitals and other Central and State Governments undertakings and establishments.' (20)

SHRI S. M. BANERJEE: I beg to move:—

Page 2,—

after line 8, insert—

'Explanation.—Every employee means the employee of Central and State Governments including Defence, Railways, Post and Telegraphs, Civil Aviation and Corporations, Municipalities, Local Bodies, Banks, Insurance, Public Undertakings including all financial establishments, A.I.R. (including staff artists on contract), Hospitals, Educational Institutions including Universities, Colleges and Schools and all Establishments irrespective of the number of employees.' (21)

[Shri S. M. Banerjee]

I shall speak on all my amendments to this clause, namely amendments Nos. 2, 9 and 21 together. I heard with rapt attention the speech of the hon. Labour Minister. He has again mentioned that while asking for bonus for the Central Government and other employees, none of us including Prof. Madhu Dandavate had taken the country's economy into account. I submit that he is sadly mistaken. If wage increase in the form of bonus is the only cause of inflation, I could have understood his arguments. But what are other causes of inflation? I was expecting a better reply from him as Labour Minister, because he knows very well the causes of inflation.

I would like to ask him whether it is not a fact that a parallel economy is being run by the black-marketeers, profiteers and hoarders with the help of nearly Rs. 7000 crores of black money....

SHRI JYOTIRMOY BOSU: Rs. 12,000 crores.

SHRI S. M. BANERJEE: It may be Rs. 12,000 crores.

SHRI DINEN BHATTACHARYYA: Rs. 14,000 crores.

SHRI S. M. BANERJEE: Is it not a fact that this parallel economy is going to upset our economy? So, if we have demanded bonus for the Central Government employees, for the State Government employees and others who are wage-earners, what wrong we have done?

The hon. Minister has said that when a comprehensive legislation is brought forward, when the Pay Commission submits its report, when the Bonus Review Committee submits its final report, then Government might consider this question. He said that he was very much convinced of the demand made by Shri A. P. Sharma regarding the railway employees. What a paradox! The defence emp-

loyees who manufacture the most sophisticated weapons, the defence employees who manufactured the Vijayanta tanks which had defeated the Patton tanks supplied to Pakistan by America have been deprived of this. And who is getting it? The workers who are manufacturing bread in the Modern Bakeries are getting it. The persons who have manufactured locomotives, whether diesel or steam have been deprived of it. The P & T employees who have manufactured and set up telephone apparatus and who form the nerves throughout the country in the matter of communications have been deprived of this. The civil aviation employees who are not only repairing aircraft—but also manufacturing them have been deprived of this bonus. It is a sad commentary on our planning and on talk of socialism.

What I would say is that Government in all fairness should no doubt consider the case of all Central Government employees to whom Shri A. P. Sharma has made a reference. My hon. friend said that I wanted bonus for all. I ask: Why not for the teachers? Why not for the hospital staff? Why not for the State Government employees and corporation employees?

In this House, we could raise our daily allowance from Rs. 31 to Rs. 51 in one hour, and we could raise our salary from Rs. 400 to 500 in one hour. So, if a worker wants one month's salary after 12 months' honest work, in order to clothe his babies and his children, is he asking for too much?

Let us not talk of the rural sector. In this country, under the rule of this Government even after 25 years of Independence, every sector is really demanding something for mere existence.

With these words, I press my amendments Nos. 2, 9 and 21, and I would even press them to a division.

डा० लक्ष्मीनारायण पांडेय : सभापति महोदय, मैं अपने संशोधन को प्रस्तुत करते हुए मंत्री महोदय का ध्यान इस बात की ओर आकर्षित करना चाहता हूँ कि आज की स्थिति में बोनस के बारे में, बोनस दिये जाने के बारे में, बोनस की परिभाषा के बारे में मान्यतायें बदल गई हैं। अब तक वह लाभांश के रूप में माना जाता था। लेकिन अब वह जीवन निर्वाह का आवश्यक अंग या दो जाने वाले मजदूरों के अंग के रूप में माना जाने लगा है। याद इस रूप में उसको माने जाने लगा है तो कोई कारण नहीं है कि अन्य विभागों में काम करने वाले कर्मचारियों को इससे वंचित किया जाये। यदि हम इसको जीवन निर्वाह की आवश्यकता के रूप में ग्रहण करते हैं तो 8.33 प्रकृत किसी भी दशा में दिया जाना आवश्यक है। इसको लाभांश मानने की धारणा में परिवर्तन आ गया है। बोनस की परिभाषा में भी अन्तर आ गया है। इसलिए मैंने यह संशोधन दिया है कि इससे रेलवे कर्मचारियों को भी लाभान्वित किया जाना चाहिए। रेलवे कर्मचारी अपनी मांगों को लेकर निरन्तर संघर्ष करते रहे हैं। इसी तरह से डाक तार कर्मचारियों, सिविल एविएशन कर्मचारियों के साथ-साथ रक्षा उत्पादन के कर्मचारियों और अन्य सरकारी उपक्रमों में काम करने वाले कर्मचारियों को भी इसका लाभ मिलना चाहिए।

जैसा मैंने प्रारम्भ में कहा, आज बोनस की मान्यता, परिभाषा और धारणा में परिवर्तन आया है। इन परिस्थितियों को देखते हुए कि आज कर्मचारियों के सामने, श्रमिकों के सामने कितनी कठिनाइयाँ हैं,

आज की शोच महंगाई में उनके सामने संकट है। जैसा श्री कछाय ने कहा, हमारी अपेक्षा थी कि मंत्री महोदय कोई कांज़ि-हेन्सिव बिल लाने जिनमें सब कमियों को समाप्त करने का हम का वादा श्रुत होता क्योंकि आज भी अधिकांश क्षेत्रों में काम करने वाले श्रमिकों व कर्मचारियों को बोनस का लाभ नहीं मिल रहा है। इन विधेयक में बहुत से कर्मचारियों को छोड़ दिया गया है। उनको भी इसमें सम्मिलित करके बांटा दिया जाये। मैं अपेक्षा रखता हूँ कि माननीय मंत्री इसे स्वीकार करेंगे।

PROF. MADHU DANDAVATE: I want to join issue with the Labour Minister. In the context of the amendments I have moved, I want to go on record as saying specifically that while pressing the demands of all sections of workers, I do not want the national economy to collapse. I want the rate of growth to grow, I want inflationary pressures on our economy to be checked. During the last debate, I have already pointed out that in the Approach Document of the Fifth Plan, it has been pointed out by the planners that they expect a surplus of Rs. 400 crores to be generated through the public sector. But this would never be generated unless certain precautionary measures are taken.

Therefore, while we demand bonus for the industrial and other sections of workers, we demand that in cooperation with the trade union organisations in this country, the Labour Ministry must evolve different norms of efficiency and of management for the conduct of public sector. Definite targets should be fixed for production in the nationalised sector, and where that sector's targets are not fulfilled, the management and the people concerned must be severely dealt with, so that the production targets are reached. I want to see that inflationary pressures are checked.

[Prof. Madhu Dandavate]

Today 67 per cent of the entire Union Government expenditure is non-productive, non-developmental. Therefore, we have insisted that non-developmental expenditure should be cut. We say that bonus given to workmen is also an incentive. In Japan, it has been established that by raising the workers' wages, there has been an incentive to production. Production has gone up to that extent. To that extent, inflationary pressures have been checked and rising prices have been arrested. Therefore, if bonus is given as some sort of incentive to production, it would add to production.

I will conclude by declaring that I am not in favour of linking up wages with productivity alone because labour power is not the only element that determines the level of productivity; availability of capital equipment, of raw materials, the nature of management plus labour power decide the level of production. There are industries in which labour power has been efficient, but because of the incompetent capitalist mismanagement, because of artificial scarcity of yarn created in the textile and other industries, sometimes production has gone down. Therefore, if in spite of the efficiency of the workers, production goes down, you cannot blame the workers. Hence I am not in favour of linking up wages with productivity alone. Productivity can be one of the factors. I shall again insist on my demands in the context of the four amendments; I shall press for them.

**श्री राजावतार शारदा :** यह सचमुच बड़े आश्चर्य की बात है कि बोनस का निर्णय लेने में सरकार ने मजदूरों तथा कर्मचारियों के बीच सेद्वार्व बरतने की कोशिश की है। निश्चय ही यह नीति समाजवाद को प्रागे बढ़ाने वाली नहीं हो सकती उसके विपरीत

जाती है उस पर चोट करने वाली है। केन्द्रीय सरकार के कर्मचारियों को भी इसके दायरे के अन्दर आप को लाना चाहिए। इसके लिए आप नया बिल पेश करें या इसी में संशोधन करें। हम लोगों के संशोधन इसी उद्देश्य की पूर्ति के लिए दिए गए हैं। आप रेलवे के पन्द्रह लाख कर्मचारियों को इससे महरूम करना चाहते हैं, पी एंड टी के पांच लाख कर्मचारियों को महरूम करना चाहते हैं, सिविल एविएशन के लोगों को महरूम करना चाहते हैं, सुरक्षा विभाग के कर्मचारियों को आप इसके दायरे में लाना नहीं चाहते। इतना ही नहीं। आश्चर्य की बात यह भी है कि आप तमाम बैंक के लोगों को बोनस देते हैं लेकिन रिजर्व बैंक के कर्मचारियों को आप पता नहीं क्यों इसके दायरे में नहीं लाते हैं। इतना ही नहीं देश के अन्दर जो कोऑपरेटिव बैंक्स हैं उनके कर्मचारियों की हालत तो और भी ज्यादा दयनीय है। दूसरे बैंकों के कर्मचारियों की तरह से उनको तनख्वाह भी नहीं मिलती, दूसरी सहूलियतें भी नहीं मिलती। उनको भी इसके दायरे में लाया जाना चाहिए था। म्युनिसिपैलिटी, कारपोरेशन तथा दूसरे संस्थानों में काम करने वाले लोगों की बाते माननीय सदस्यों ने कही हैं। यूनिवर्सिटी की बात भी आप के प्रागे रखी गई है। इन तमाम लोगों को बोनस के दायरे से अलग रखने का कोई औचित्य नहीं है। आपने उनको इसमें शामिल क्यों नहीं किया, मुझे मालूम नहीं। मैं एक चेतावनी आप को जरूर देना चाहता हूँ। मैं मजदूरों के अन्दर काम करता हूँ चाहे पी एण्ड टी के हों, रेलवे के हों, रिजर्व बैंक के हों। मैं आपको

बतलाना चाहता हूँ कि सभी में बहुत ज्यादा असन्तोष है और एक संयुक्त आन्दोलन होने जा रहा है। आपने सुना होगा कि आल इंडिया रेलवेजिन फंडेशन के लोग पंद्रह या सोलह दिसम्बर को आरंभ करने जा रहे हैं। उसी तरह से एन एफ आई आर के लोग स्ट्राइक वॉलेंट ले रहे हैं। आल इंडिया रेलवे एम्पलायीज कनफंडेशन की मीटिंग 27-28 नवम्बर को हुई थी। उन्होंने फैसला किया है कि आपको झुक्कने के लिए और रेलवे मजदूरों को बोनस दिलवाने के लिए वे अप्रैल में बहुत बड़ा प्रदर्शन करेंगे। कोशिश यह हो रही है कि सभी लोग मिल कर एक साथ चलें और आप पर दबाव डालें। आपको प्रचंड आन्दोलन का मुकाबला करना होगा। केन्द्रीय कर्मचारियों तथा अन्य कर्मचारियों की बात अभी मैं कह रहा हूँ। वे भी इसके पीछे चलेंगे। आपको झुकना पड़ेगा। हंगामा न हो, झंझट न हो, उससे बचा जाए इसके वास्ते यह जरूरी है कि रेलवे एम्पलायीज, पी एंड टी, डिफेंस, सिविल एविएशन, बैंक्स आदि सब को आप बोनस दें। इन शब्दों के साथ मैं अपनी 12, 13 और 20 नम्बर की एमेन्डमेंट्स पेश करता हूँ और चाहता हूँ कि आप इनको स्वीकार करें।

**SHRI DINEN BHATTACHARYYA:** My amendment is very simple. In clause 2, after the word 'employer' we should add 'public undertakings, railways, posts and telegraphs departments, defence establishments.....'

**MR. CHAIRMAN:** It is repetition.

**SHRI DINEN BHATTACHARYYA:** Repetition is necessary, so that the Minister may remember, he has the tactics of confusing the whole matter.

He is saying that we are asking for bonus for the Government employees and workers in the public undertakings.

When you are giving bonus to the employees in some of the public sector undertakings, how can you deprive the employees of the railways and P&T of this benefit? But when we ask for it you are talking about the interest of the whole of the economy and the rural poor. So long as the workers were not getting 8-1/2 per cent, what steps did you take to see that at least a portion of the profits earned and the black money usurped by the big industrialists and monopolists is snatched away from you so that you could utilize that money for improving the condition of the rural poor? Even at the present moment, can you say that you are working in that direction? I know your capacity. There is no dearth of law to say that the sharecroppers should be deprived....

17.00 hrs.

**MR. CHAIRMAN:** That is not under discussion. We are discussing only the bonus.

**SHRI DINEN BHATTACHARYYA:** Sir, when he referred to the rural population in this context, why did you not ask him not to confuse the people in this way? These are all only stunts. You are taking no steps for the upliftment of the rural power. You are not taking any steps to see that they get even elementary things like drinking water in rural areas.

Is there no Minimum Wages Act for the land labourers? Yet, in how many States have you taken steps to implement them? It is your own party people, who have some vested interests, they are the main barriers to the implementation of the Minimum Wages Act in case of agricultural workers. So, do not take shelter under the plea that so many people of our

[Shri Dinen Bhattacharyya]

country are poor and so the workers in P&T, railways and defence cannot be paid any bonus. When we demand for it, you must be honest enough to say "we would not give them; we have always discriminated against them." As the Finance Minister himself has stated, the value of the present rupee is only 42 paise. The real income of the working people has come down. At the same time, production and profits have gone up. The real wages of the working class has been seriously eroded.

You have not done anything for which you can take credit. Even for implementing this 8.33 per cent bonus the workers had to fight. The Bombay workers gave a clarion call that unless 8.33 per cent bonus is given, they will stop work and paralyse everything until you concede this demand. It is only then that you conceded this demand. So, do not try to take credit either for you or for the government for this measure. It is only after long struggle and sacrifice by the workers all over India that you have conceded it. Now the writing on the wall is clear. You will have to pay it to all employees, government employees those working in railways, defence establishments, universities, municipalities and so on. So, I would again appeal to the Labour Minister to think over and declare here and now that the workers under the Central and State Governments will get this minimum bonus.

SHRI R. K. KHADILKAR: I shall be brief. At the outset, let me welcome the categorical statement made by Professor Madhu Dandavate regarding the approach to the working class problem and the total economy. I wish some other hon. Members have echoed or endorsed that statement.

I would like to make one position very clear. The present bonus scheme is based on the 1961 Bonus Commission basis. The alteration, if at all it is there, is only in regard to coverage so

far as some public undertakings are concerned. It has been slightly broadened.

Many hon. Members have referred to bonus as a deferred wage. But, if you read the provisions carefully, there is provision for set-off and set-on. So, it is primarily based on profit.

So, the profit base is not completely abandoned. Other pleas have been raised. But I have already covered most of the arguments. At the present juncture, we do not intend to cover Establishments employing less than twenty persons. Beyond this, I do not want to repeat anything. I am not accepting any of the amendments.

MR. CHAIRMAN: Shall I put all the amendments together or any of the Members want me to put their amendments separately?

SHRI S. M. BANERJEE: There are my amendment Nos. 29 and 21. Out of these three amendments, if my other friends agree, I would like amendment No. 21 which is an exhaustive one to be put to the vote of the House.

SHRI DINEN BHATTACHARYYA: We would like to press amendment No. 21 in the name of Shri S. M. Banerjee to vote separately.

PROF. MADHU DANDAVATE: Before you put amendment to vote, I want to bring to your notice that, really speaking, two basic points of view have been raised. One is that "bonus" is a deferred wage payment. We want to have it on record, either it is accepted or rejected. That is amendment No. 11. That makes a categorical reference to "bonus" as a deferred wage.

Another amendment is that of Shri S. M. Banerjee. We want a categorical vote to be recorded here.

MR. CHAIRMAN: Now, I put amendment No. 21 moved by Shri S. M. Banerjee to the vote of the House.

The question is:

"Page 2.—

after line 8, insert—

'Explanation.—Every employee means the employee of Central and State Governments including Defence, Railways, Posts and Telegraphs, Civil Aviation and Corporations, Municipalities, Local Bodies, Banks, Insurance, Public Undertakings including all financial establishments, A.I.R., (including staff artists on contract), Hospitals, Educational Institutions including Universities, Colleges and Schools and all Establishments irrespective of the number of employees." (21).

[17.13 hrs.

The Lok Sabha divided:

Division No. 4]

AYES

Bade, Shri R. V.	Mohammad Ismail, Shri
Banerjee, Shri S. M.	Mukerjee, Shri H. N.
Bhattacharyya, Shri Dinen	Reddy, Shri B. N.
Bhattacharyya, Shri S. P.	Sambhali, Shri Ishaque
Bosu, Shri Jyotirmoy	Shastri, Shri Ramavatar
Chaudhary, Shri Ishwar	Subravelu, Shri
Dandavate, Prof. Madhu	Ulaganambi, Shri R. P.
Gowder, Shri J. M.	Verma, Shri Phool Chand
Guha, Shri Samar	NOES
Jha, Shri Bhogendra	Aga, Shri Syed Ahmed
Joarder, Shri Dinesh	Alagesan, Shri O. V.
Joshi, Shri Jagannathrao	Ambesh, Shri
Kachwal, Shri Hukam Chand	Ankineedu, Shri Maganti
Kalyanasundaram, Shri M.	Appalanaidu, Shri
Kathamuthu, Shri M.	Arvind Netam, Shri
Kiruttinan, Shri Tha	Azad, Shri Bhagwat Jha
Krishnan, Shri E. R.	Banerji, Shrimati Mukul
	Basumatari, Shri D.
	Bhagat, Shri B. R.
	Bandare, Shri R. D.
	Chandra Gowda, Shri D. B.
	Chhotey Lal, Shri
	Daga, Shri M. C.
	Dalbir Singh, Shri
	Das, Shri Anadi Charan
	Daschowdhury, Shri B. K.
	Dhamankar, Shri
	Dumada, Shri L. K.
	Dwivedi, Shri Nageshwar
	Gomango, Shri Giridhar
	Gopal, Shri K.
	Hansda, Shri Subodh
	Hansda, Shri Subodh
	Jagjivan Ram, Shri
	Jeyalakshmi, Shrimati, V.

Jha, Shri Chiranjib  
 Kadanappalli, Shri Ramachandran  
 Kamble, Shri T. D.  
 Kaul, Shrimati Sheila  
 Kavde, Shri B. R.  
 Kedar Nath Singh, Shri  
 Khadilkar, Shri R. K.  
 Kotoki, Shri Liladhar  
 Kumaramangalam, Shri S. Mohan  
 Lakshmikanthamma, Shrimati T.  
 Laskar, Shri Nihar  
 Mahajan, Shri Y. S.  
 Mahata, Shri Debendra Nath  
 Mandal, Shri Jagdish Narain  
 Mirdha, Shri Nathu Ram  
 Mishra, Shri G. S.  
 Murthy, Shri B. S.  
 \*Muruganantham, Shri S. A.  
 Pandey, Shri Damodar  
 Pandey, Shri Narsingh Narain  
 Pant, Shri K. C.  
 Parthasarathy, Shri P.  
 Peje, Shri S. L.  
 Pradhan, Shri Dhan Shah  
 Pradhani, Shri K.  
 Raghu Ramaiah, Shri K.  
 Rai, Shrimati Sahodrabai  
 Raj Bahadur, Shri  
 Ram Sewak, Ch.  
 Ram Swarup, Shri  
 Rao, Shri Nageswara  
 Reddy, Shri M. Ram Gopal  
 Reddy, Shri P. Narasimha

Rudra Pratap Singh, Shri  
 Sadhu Ram, Shri  
 Sankata Prasad, Dr.  
 Satish Chandra, Shri  
 Sharma, Shri Nawal Kishore  
 Shastri, Shri Sheopujan  
 Shenoy, Shri P. R.  
 Shivnath Singh, Shri  
 Shukla, Shri B. R.  
 Suryanarayana, Shri K.

Swaminathan, Shri R. V.  
 Tayyab Hussain, Shri  
 Unnikrishnan, Shri K. P.  
 Verma, Shri Balgovind  
 Virbhadra Singh, Shri  
 Yadav, Shri Chandrajit  
 Yadav, Shri D. P.

MR. CHAIRMAN: The result\*\* of  
 the Division is:

Ayes 25

Noes 76

*The motion was negatived.*

MR. CHAIRMAN: Now, I will put  
 all the other amendments—

Nos. 2, 3, 8, 9, 10, 12, 13, 14 and  
 20—to the vote of the House.

*Amendments Nos. 2, 3, 8 to 10, 12 to  
 14, and 20 were put and negatived.*

MR. CHAIRMAN: Now, the ques-  
 tion is:

*"That clause 2 stand part of the  
 Bill."*

*The motion was adopted.  
 Clause 2 was added to the Bill.*

\*Wrongly voted for NOES.

\*\*The following Members also recorded their votes:

AYES: Shri S. A. Muruganantham;

NOES: Sarvashri Pattabhi Rama Rao, Paripoornanand, Painuli and S. T.  
 Pandit.

Clause 3—(Amendment of section 13)  
 MR. CHAIRMAN: Shri Ram Singh  
 Bhai Verma—not here.

Now, the question is:

"That clause 3 stand part of the  
 Bill."

The motion was adopted.

Clause 3 was added to the Bill.

Clause 4—(Amendment of section 19)  
 SHRI PHOOL CHAND VERMA: I  
 beg to move.

Page 2, line 40 to 42,—

omit "to the authority maintain-  
 ing the provident fund ac-  
 count of such employee for  
 crediting the same in that  
 account and the balance shall  
 be paid in cash." (5)

Page 3,—

after line 40, insert—

"'bonus' is a deferred wage so  
 long as there is a gap between  
 the living wage and actual  
 wage and it assumes the  
 character of profit sharing  
 after actual wage attains the  
 level of living wage." (7)

SHRI RAMAVATAR SHASTRI: I  
 beg to move:

Pages 2 and 3,—

omit lines 32 to 48 and 1 to 3 res-  
 pectively, (15)

SHRI DINEN BHATTACHARYYA:  
 I beg to move:

Page 3,—

omit lines 4 to 11 (16)

SHRI RAMAVATAR SHASTRI: I  
 beg to move:

Page 3,—

omit lines 17 to 47 (17)

2748 LS.—12.

श्री फूल चन्द वर्मा (उज्जैन) : मैं  
 एमेंडमेंट नम्बर 5 और 7 दोनों के बारे में  
 निवेदन कर रहा हूँ। जितने समय तक  
 जीवन निवृत्ति मजदूरी और वास्तविक  
 मजदूरी में अन्तर है वह स्वयंसेवक वेतन माना  
 जाता है और इस बात को प्रस्तावक महोदय  
 श्री हुकम चन्द कछवाय ने जिन्होंने निरनु-  
 मोदन का प्रस्ताव रखा था बहुत अच्छी तरह  
 से अपने भाषण में स्पष्ट करने की कोशिश  
 की थी लेकिन मंत्री जी ने उसका कोई जवाब  
 ठीक तरह से नहीं दिया। मैं चाहता हूँ कि  
 जित्त भावना के साथ यह एमेंडमेंट पेश किया  
 गया है उसको वह समझें। इससे बाकी के  
 जो लोग बचते हैं औद्योगिक क्षेत्र में काम  
 करने वाले उनको काफी लाभ मिलेगा।  
 मंत्री महोदय को इस पर गम्भीरतापूर्वक  
 विचार करना चाहिये। यदि वह गम्भीरतापूर्वक  
 इस पर विचार करते और प्रत्येक पहलू पर  
 जाते तो उन्हें यह समझ में आता और सदन की  
 भावनाओं से वह अवगत होते। लेकिन ऐसा  
 लगता है कि मंत्री महोदय ने अपने जवाब में  
 इसको टाला ही नहीं है बल्कि इसको देखने  
 की भी कोशिश नहीं की है। मैं चाहता हूँ कि  
 जिस भावना के साथ यह प्रस्ताव आया है  
 उस भावना को वह समझें। यह डिफरेंट  
 वेजेज का सवाल है, यह जो वेतन मिल रहा है  
 मजदूरों को वह विलम्बित वेतन के रूप में  
 मिल रहा है और वह बोनस कहलाता है।  
 लेकिन इसके साथ जो प्रतिबन्ध है उसमें  
 उन्होंने कहा है कि इससे अधिक धनराशि जो  
 होगी वह प्रोविडेंट फण्ड में जमा होगी।  
 प्रोविडेंट फण्ड में जमा करने से कोई लाभ

मजदूरों को नहीं होमा क्योंकि आज मजदूर महंगाई से बहुत परेशान हैं और उन्हें जो बोनस मिलता है वह विलम्बित वेतन के रूप में मिलता है। तो यह उनके प्राविडेंट फण्ड में जमा नहीं होना चाहिये बल्कि उन्हें सीधे मिलना चाहिये। इसमें जो कहा है कि बीस प्रतिशत से जो अधिक होगा वह प्राविडेंट फण्ड में जमा होगा तो इससे उस भावना की पूर्ति नहीं होती। इस वास्ते मेरा निवेदन है कि मंत्री महोदय मेरा संशोधन स्वीकार कर लें।

श्री रामावतार झास्त्री : मेरे 15 और 17 संशोधन जो हैं उन के जरिये मैंने इस बात की मांग की है कि जिल में जो प्राविडेंट लगाया गया है कि जिन मजदूरों को 8.33 प्रतिशत से ज्यादा बोनस मिलता होना उनको 8.33 तक देंगे और बाकी जो अतिरिक्त राशि होगी उसे प्राविडेंट फंड में जमा करेंगे। मेरा अनुरोध है कि इस तरह का प्राविडेंट नहीं होना चाहिए क्योंकि मुझे मालूम है कि कई जगह लोगों को इसमें अधिक बोनस मिलता है, कहीं कहीं तो 20 प्रतिशत तक मिलता है। अगर हम ऐसा करेंगे तो उनके प्रति अन्याय होगा और उन्हें जो अभी सुविधा है उस से वे वंचित होंगे।

मेरा यही संशोधन है कि इस तरह के जो प्राविडेंट हैं उनको हटा दिया जाये और 8.33 से ज्यादा जिनको मिलता है उन्हें वह मिलता रहे ताकि किसी प्रकार की हानि उन्हें न हो। सभी को मालूम है कि आज महंगाई का क्या हाल है। इसलिए सरकार

इस प्राविडेंट को निकाल दे। कम से कम 8.33 प्रतिशत तो देना ही है। लेकिन उस से फाजिल या अधिक पाने वालों को उस से वंचित करना ठीक नहीं है। इस से उन के अन्दर अशांति होगी और वे आन्दोलन के रास्ते पर जाएंगे। इसलिए यह बहुत आवश्यक है कि सरकार इस प्राविडेंट को निकाल दे।

SHRI DINEN BHATTACHARYYA : Sir, this is a very simple thing and this has been discussed here also and from our experience of the last few months, after the promulgation of the Ordinance, this is what we see. The Minister also has in the meantime realised this. The workers do not like to deposit anything which they will get by way of bonus to the Provident Fund. The Provident Fund, I may say, is already in a mess, and the workers' money has not been deposited with the Provident Fund authorities and large number of employees are losing their provident fund money. That being so, how can you expect them to deposit hard-earned bonus to that Fund? By this you are only encouraging corrupt businessmen and employers to swallow hard-earned money of the poor employees. You said you will bring one legislation to book all those employers who do not deposit contribution of the workers towards the Provident Fund. What has happened to that? You have not done that.

First, let them correct the situation and let them see that the money deposited by the workers in their provident fund account is duly deposited with the Provident Fund Commissioner. Then, they may come forward with this kind of proposal. But in the meantime, let them not insist on this provision which requires the bonus which they got last year or the extra bonus which they would be getting above 8.33 per cent. to be deposited in the provident fund. In some places,

where the workers' organisation is not very strong, they may be successful in matching away this extra bonus for being deposited in the provident fund. But otherwise, all over India, the workers would be ready nowhere to stake their bonus money in the provident fund.

SHRI R. K. KHADILKAR: I have already covered these points, and I have nothing further to add.

श्री हुकम चन्द कछवाय : देश की जनता जानना चाहती है कि जो प्रमेन्डमेंट्स हम ने मूव की हैं, उन के बारे में मंत्री महोदय के क्या विचार हैं, इस लिये आप उन का जवाब दें ।

सभापति महोदय : मंत्री महोदय ने कहा है कि जो कुछ वह कह चुके हैं, उस में वे एड नहीं करना चाहते हैं । मैं उन को फोर्स नहीं कर सकता हूँ कि वे अवश्य जवाब दें । . . . . . (अवधान) . . . . .

आप किस प्रमेन्डमेंट पर वोट कराना चाहते हैं ?

श्री फूल चन्द वर्मा : 6 और 7 को ले लीजिये ।

सभापति महोदय : 6 तो मूव ही नहीं हुई है ।

श्री फूल चन्द वर्मा : 6 मूव हुई है । आप ने खुद काल किया था ।

सभापति महोदय : श्री आर० एन० शर्मा यहाँ नहीं थे, उन की जगह दूसरा उस को मूव नहीं कर सकता । आप थोड़ा नियम को जानिये ।

श्री फूल चन्द वर्मा : आप ने श्री लक्ष्मी नारायण पाण्डेय जी का नाम लिया था, उस के बाद श्री आर० वी० बड़े का नाम लिया ।

सभापति महोदय : इस पर उनके नाम ही नहीं हैं । मैं समझता हूँ कि आपने कागज ही नहीं देखा है, बिना कागज देखे सारा हाउस का समय ले लेते हैं ।

श्री रामाचतार शास्त्री : मैं संशोधन 15 पर डिबीजन चाहता हूँ ।

श्री हुकम चन्द कछवाय : संशोधन 7 पर डिबीजन करा दीजिए ।

MR. CHAIRMAN: Let the Lobbies be cleared. The question is:

"Page 3,—

after line 40, insert—

"“bonus” is a deferred wage so long as there is a gap between the living wage and the actual wage and it assumes the character of profit-sharing after actual wage attains the level of living wage.” (7).

The Lok Sabha divided:

AYES

Division No. 5]

[17.32 hrs.

Bade, Shri R. V.

Banerjee, Shri S. M.

Bhattacharyya, Shri Dinen

Bhattacharyya, Shri S. P.

Bosu, Shri Jyotirmoy

Chaudhary, Shri Iswar

Dandavate, Prof. Madhu

Gowder, Shri J. M.

Jha, Shri Bhogendra  
Joarder, Shri Dirfesh  
Kachwai, Shri Hukam Chand  
Kalyanasundaram, Shri M.  
Kathamuthu, Shri M.  
Kiruttinan, Shri Tha  
Krishnan, Shri E. R.  
Mavalankar, Shri P. G.  
Mohammad Ismail, Shri  
Mukherjee, Shri Samar  
Muruganatham, Shri S. A.  
Reddy, Shri B. N.  
Roy, Dr. Saradish  
Sambhali, Shri Ishaque  
Shastri, Shri Ramavatar  
Subravelu, Shri  
Ulaganambi, Shri R. P.  
Verma, Shri Phool Chand

## NOES

Aga, Shri Syed Ahmed  
Alagesan, Shri O. V.  
Ambesh, Shri  
Ankineedu, Shri Maganti  
Appalanaidu, Shri  
Arvind Netam, Shri  
Azad, Shri Bhagwat Jha  
Banerji, Shrimati Mukul  
Bhagat, Shri B. R.  
Chandrakar, Shri Chandulal  
Chavan, Shri D. R.  
Chhoday Lal, Shri  
Daga, Shri M. C.  
Dalbir Singh, Shri  
Daschowdhury, Shri B. K.  
Desai, Shri D. D.  
Dhamankar, Shri  
Dumada, Shri L. K.  
Dwivedi, Shri Nageshwar  
Gomango, Shri Giridhar  
Gopal, Shri K.  
Gowda, Shri Pampan

Hansda, Shri Subodh  
Hari Singh, Shri  
Jeyalakshmi, Shrimati V.  
Jha, Shri Chiranjib  
Kadannappalli, Shri Ramachandran  
Kamble, Shri T. D.  
Karan Singh, Dr.  
Kaul, Shrimati Sheila  
Kedar Nath Singh, Shri  
Khadiikar, Shri R. K.  
Kotoki, Shri Liladhar  
Kotrashetti, Shri A. K.  
Kumaramangalam, Shri S. Mohan  
Lakshmikanthamma, Shrimati T.  
Mahajan, Shri Y. S.  
Mahata, Shri Debendra Nath  
Mahishi, Dr. Sarojini  
Mallikarjun, Shri  
Mandal, Shri Jagdish Narain  
Mirdha, Shri Nathu Ram  
Murthy, Shri B. S.  
Painuli, Shri Paripoornanand,  
Pandey, Shri Damodar,  
Pandit, Shri S. T.  
Pant, Shri K. C.  
Parthasarathy, Shri P.  
Patel, Shri Natwarlal  
Peje, Shri S. L.  
Pradhani, Shri K.  
Raghu Ramaiah, Shri K.  
Rai, Shrimati Sahodarabai  
Raj Bahadur, Shri  
Ram Prakash, Shri  
Ram Swarup, Shri  
Rana, Shri M. B.  
Rao, Shri Nageswara  
Rao, Shri Pattabhi Rama  
Reddy, Shri M. Ram Gopal  
Reddy, Shri P. Narasimha  
Rudra Pratap Singh, Shri  
Saini, Shri Mulki Raj  
Satish Chandra Shri  
Savant, Shri Shankerfao

Sharma, Shri Nawal Kishore  
 Shrivnath Singh, Shri  
 Shukla, Shri B. R.  
 Suryanarayana, Shri K.  
 Swaminarayana, Shri R. V.  
 Unnikrishnan, Shri K. P.  
 Verma, Shri Balgovind  
 Yadav, Shri Chandrajit  
 Yadav, Shri D. P.

MR. CHAIRMAN: The result\* of the Division is: Ayes 26, Noes 74.

*The motion was negatived.*

MR. CHAIRMAN: The question is:

"Pages 2 and 3,—omit lines 32 to 48 and 1 to 3 respectively."  
 (15).

*The Lok Sabha divided:*

AYES

Division No. 6]

[17.34 hrs.

AYES

Bade, Shri R. V.  
 Banerjee, Shri S. M.  
 Bhattacharyya, Shri Dinen  
 Bhattacharyya, Shri S. P.  
 Bosu, Shri Jyotirmoy  
 Chaudhary, Shri Ishwar  
 Dandavate, Prof. Madhu  
 Gowder, Shri J. M.  
 Guha, Shri Samar  
 Jha, Shri Bhogendra  
 Joarder, Shri Dinesh  
 Kachwai, Shri Hukam Chand  
 Kalyanasundaram, Shri M.

Kathamuthu, Shri M.  
 Kiruttinan, Shri Tha  
 Krishnan, Shri E. R.  
 Mavalankar, Shri P. G.  
 Mohammad Ismail, Shri  
 Muruganantham, Shri S. A.  
 Reddy, Shri B. N.  
 Roy, Dr. Saradish  
 Sambhali, Shri Ishaque  
 Shastri, Shri Ramavatar  
 Subravelu, Shri  
 Ulaganambi, Shri R. P.  
 Verma, Shri Phool Chand

NOES

Aga, Shri Syed Ahmed  
 Alagesan, Shri O. V.  
 Ambesh, Shri  
 Ankineedu, Shri Maganti  
 Appalanaidu, Shri  
 Arvind Netam, Shri  
 Azad, Shri Bhagwat Jha  
 Banerji, Shrimati Mukul  
 Bhagat, Shri B. R.  
 Bhandare, Shri R. D.  
 Chandrakar, Shri Chandulal  
 Chavan, Shri D. R.  
 Chhotey Lal, Shri  
 Daga, Shri M. C.  
 Dalbir Singh, Shri  
 Desai, Shri D.D.  
 Dhamankar, Shri  
 Dumada, Shri L. K.  
 Dwivedi, Shri Nageshwar

\*\*The following\* Members also recorded their votes for NOES:

Dr. Govind Das Richhariya and Shri R. D. Bhandare.

Gamango, Shri Giridhar  
Gopal, Shri K.  
Gowda, Shri Pampan  
Hansda, Shri Subodh  
Hari Singh, Shri  
Jeyalakshmi, Shrimati V.  
Kadannappalli, Shri Ramachandran  
Kamble, Shri T. D.  
Karan Singh, Dr.  
Kaul, Shrimati Sheila  
Kedar Nath Singh, Shri  
Khadilkar, Shri R. K.  
Kotoki, Shri Liladhar  
Kotrashetti, Shri A. K.  
Lakshmikanthamma, Shrimati T  
Mahajan, Shri Y. S.  
Mahata, Shri Debendra Nath  
Mahishi, Dr. Sarojini  
Mallikarjun, Shri  
Mandal, Shri Jagdish Narain  
Mirdha, Shri Nathu Ram  
Murthy, Shri B. S.  
Painuli, Shri Paripoornanand  
Pandey, Shri Damodar  
Pandit, Shri S. T.  
Pant, Shri K. C.  
Parthasarathy, Shri P.  
Peje, Shri S. L.  
Pradhani, Shri K.  
Raghu Ramaiah, Shri K.  
Rai, Shrimati Sahodrabai  
Raj Bahadur, Shri  
Ram Prakash, Shri  
Rām Swarup, Shri  
Rana, Shri M. B.

Rao, Shri Nageswara  
Rao, Shri Pattabhi Rama  
Richhariya, Dr. Govind Das  
Rudra Pratap Singh, Shri  
Sadhu Ram, Shri  
Saini, Shri Mulki Raj  
Samanta, Shri S. C.  
Satish Chandra, Shri  
Savant, Shri Shankerrao  
Sharma, Shri Nawal Kishore  
Shenoy, Shri P. R.  
Shivnath Singh, Shri  
Shukla, Shri B. R.  
Suryanarayana, Shri K.  
Swaminathan, Shri R. V.  
Unnikrishnan, Shri K. P.  
Verma, Shri Balgovind  
Yadav, Shri D. P.

MR. CHAIRMAN: The result\* of the division is: Ayes 26; Noes 72.

*The amendment was negatived.*

MR. CHAIRMAN: I am putting all amendments to clause 4 to the vote of the House, Nos. 5, 16 and 17.

*Amendments Nos. 5, 16 and 17 were 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.*

*Clauses 5 and 1, the Enacting Formula and the Title were added to the Bill.*

SHRI R. K. KHADILKAR: I move:

"That the Bill be passed."

\*The following Members also recorded their votes for NOES: °

Sarvashri M. Ram Gopal Reddy, P. Narasimha Reddy, Chiranjit Jha and Chandrajit Yadav.

SHRI SAKHAR GUHA (Cont'g): What about my half-an-hour discussion?

MR. CHAIRMAN: I shall take the consensus of the House. Shall we finish it today?

SOME HON. MEMBERS: Yes.

MR. CHAIRMAN: We shall sit a little longer.

SHRI JYOTIRMOY BOSU: Have some respect for the list of business and the order paper.

MR. CHAIRMAN: We shall take up half-an-hour discussion after this Bill is passed.

SHRI JYOTIRMOY BOSU: What Mr. Dinen Bhattacharyya has said about this Bill...

SHRI R. K. KHADILKAR: What happened to my motion.

MR. CHAIRMAN: He is speaking on the third reading of the Bill.

SHRI JYOTIRMOY BOSU: We would like the hon. Minister to tell this House why the defalcation of provident fund concerning the non-exempted category has touched Rs. 28 crores...

PROF. MADHU DANDAVATE: My only request is that you should not drop the next item.

SHRI JYOTIRMOY BOSU: We have the exempted category where the money is much more and the Government have deliberately given powers to the exempted category to fiddle with the employees' money which they have earned at the cost of their sweat and blood. I want to ask the hon. Minister why they have excluded the Reserve Bank of India employees and others. The 1965 Act was a pro-employer Act.

श्री हुकम चन्द्र कछवाय : सभापति महोदय, मैं आप की जानकारी चाहता हूँ

कि हाउस कब तक बैठेगा ? प्राधे घंटे की चर्चा कब तक ली जायेगी ?

सभापति महोदय : अभी इसमें थोड़ा टाइम लगेगा । इसके बाद उसकी लेगे ।

श्री हुकम चन्द्र कछवाय : अभी इस पर काफी लोग बोलने वाले हैं । मैं प्रार्थना करता हूँ कि आप इस को कल रखिए । आज यह समाप्त नहीं हो पायेगा ।

सभापति महोदय : आप बार बार हाउस के डिस्जिन को मत बदलवाइये ।...  
..... (व्यवधान) .....

श्री हुकम चन्द्र कछवाय : आपसे मेरा निवेदन है कि अभी इस पर काफी लोग बोलने वाले हैं । इस को आप कल रखिये ।

सभापति महोदय : आप बैठिये ।

श्री हुकम चन्द्र कछवाय : मेरी प्रार्थना है कि प्राधे घंटे की चर्चा चालू करवाइए और इसको कल के लिए रखिये ।

सभापति महोदय : मैंने हाउस से परमीशन ले ली है ।

श्री हुकम चन्द्र कछवाय : यह चर्चा आज नहीं होनी चाहिए । इसको आप कल के लिए रखिए ।... (व्यवधान) .....

मैं नहीं समझता कि कल इस को रखने में आपको क्या दिक्कत होगी ? कौन सा संकट सरकार पर आने वाला है ?

SHRI R. K. KHADILKAR: I have given an assurance regarding provident fund. I have already moved a motion. You have to put it to the vote of the House.

..... (व्यवधान) .....

श्री हुकम चन्द्र कडवाय : यदि यह चर्चा कल प्रारम्भ हो तो उसमें क्या दिक्कत होगी ?

सभापति महोदय : नहीं नहीं, आप बैठिये ।

श्री हुकम चन्द्र कडवाय : 6 बजे के बाद हम नहीं बैठेंगे यह निर्णय हुआ था । यह विधेयक तो 6 बजे तक भी पास नहीं होगा और फिर उसके बाद आधे घंटे की चर्चा भी होनी है । इसलिए अभी आप आधे घंटे की चर्चा को लीजिए और इसको कल के लिए छोड़ दीजिए ।

MR. CHAIRMAN: I will put it to the House.

श्री हुकम चन्द्र कडवाय : वे तो बहुमत में बैठें हैं, वे हां कह देंगे ।

SHRI JYOTIRMOY BOSU: Sir, I rise on a point of order. The list of business is quite clear on this item. It says that the half-an-hour discussion is to be taken up "at 5.30 P.M. or as soon as the preceding items of business are disposed of, whichever is earlier". The Chair is the product of the Rules of Procedure as the list of business is prepared under the authority of the rules of procedure. Therefore, I am afraid you are exceeding your jurisdiction, your authority, if you do not follow the list of business when even one single member in the House opposes any change. Therefore, I would very respectfully request you to stick to the list of business and move as directed there.

SHRI R. K. KHADILKAR: It appears to me that the discussion should be concluded today, because all the points have been covered. So, I would appeal to the hon. Members...

SHRI R. V. BADE (Kharagone): We want to express our opinion. Do not hostile us.

SHRI JYOTIRMOY BOSU: The Minister will never find it convenient to face the House.

सभापति महोदय : बहुत से मॅम्बर्स प्लीज कर रहे हैं, कि इसको कल टेक अप कर लिया जाये ।

SHRI R. K. KHADILKAR: I am entirely in your hands.

SHRI JYOTIRMOY BOSU: In case this is being postponed, please remember that I am on my legs.

सभापति महोदय : वे रिक्वस्ट कर रहे हैं कि आज इसको न लिया जाये ।

We will take this up tomorrow. Now, we will take up the Half-an-hour Discussion.  
17.45 hrs.

#### HALF-AN-HOUR DISCUSSION CELEBRATION OF NETAJI SUBHAS CHANDRA BOSE BIRTHDAY

SHRI SAMAR GUHA (Contai): Mr. Chairman, Sir, I have tabled many Questions and raised many discussions on the floor of this House on the ideals and heritage of Netaji Subhas Chandra Bose.

Again, a discussion on the birthday celebration of Netaji, a national leader, is likely to appear to some as an attempt to project some kind of a personality cult. But Netaji Subhas Chandra Bose is more than a national personality—he is a radiant embodiment of a distinctive national value for our country.

Indian freedom movement created great men of super-values, unknown in the freedom struggle of other countries. One such group of great personalities is in the lineage of Dadabhai Naoroji, Gokhale and Gandhi, and others in