

**SHRI SAMAR GUHA** : No Sir, I can continue for hours. If they want to hear me, I will make the speech.

What is the miracle, what is the magic wand—I want to know, from Prof. Nurul Hasan—that has brought so many thousands of teachers in one solid phalanx, in one confederation? Is it possible, particularly among the intelligentsia? I have said two intellectuals do not meet together. When two intellectuals meet, there will be a third point in their arguments. Therefore, I only want to draw your attention that as I used the word—without trying to ride rough-shod over the sentiments and intelligence and judgment of the profession of education, you should go deeply into the causes, as to ascertain why they have combined. Why? They are united? There are certain basic reasons. There are certain basic motives behind that. That motive, some people simply attributed it to some sabotage, some, I should say to conspiracy, engineered by the Jana Sengh or some other political Party. I should say, so much credit should not be given either to the Jana Sangh or the RSS or to any other political Party. That way you will be undermining the intelligence and the judgment of the four thousand teachers of the Delhi University....

**MR. CHAIRMAN** : You may continue the next day. Now we are taking up the discussion under Rule 193.

[**SHRI R. D. BHANDARE** *in the Chair*]

17:58 hrs.

**DISCUSSION RE : PAYMENT OF BONUS TO WORKERS**

**MR. CHAIRMAN** : Mr. Banerjee.

**SHRI S. M. BANERJEE** (Kanpur) : I would like to initiate a discussion on the payment of bonus, particularly, raising the quantum of bonus paid to the workers from 4% to 8.33%.

I am happy that Mr. Khadiilkar is here and I remember how the workers felt happy when Khadiilkar formula was announced and I was seriously thinking whether the Government should take a decision themselves without referring this matter to the committee and raise the minimum quantum of bonus from 4% to 8.33%, and also remove the ceiling of 20%. So, the question of raising the minimum bonus from 4% to 8.33% is agitating the minds of all sorts of workers, whether in the public or the private sectors and I am confident that there is going to be a wave of strike before the Puja holidays if no decision is taken by the Government to raise the quantum of bonus. The hon. Minister is aware that there had been strikes in Bombay recently and their main demand was that the quantum of bonus should be raised to 8.33%. Even in to-day's newspapers you will find that the textile workers of Bombay have taken a decision that over two lakhs of workers in the Bombay textile mills will go on a strike on 2nd September to press their demand for a minimum bonus of 8.33%.

18 hrs.

**MR. CHAIRMAN** : I may bring to the notice of the House that only one hour has been allotted for this discussion. We must conclude this discussion at 7 O'clock. Those who want to take part in the debate may kindly remember this time factor. The hon. Minister has to reply to the debate. This will be closed exactly at 7 O'clock. Mr. Banerjee, please continue.

**SHRI S. M. BANERJEE** : As I was saying, the textile workers of Bombay have taken a decision to go on strike. The textile workers of Kanpur who went in token strike in July, 1972 have also taken a decision to go in for an indefinite strike if this question of minimum bonus is not settled. The Khadiilkar formula caught the imagination of the workers only because

the minimum was raised. The Minister is aware that the employer maintains two books. One book which shows the balance sheet is open for inspection; it shows no profit or hardly any profit and they pay four per cent on the ground that there is no profit. They maintain the other book which is meant for their own information and action, which is never shown to the employees, to the workers' representatives. There are the working journalists, the non-journalists and every other section of employees. Every section of the working class has demanded that the minimum bonus should be raised to 8.33%. I do not know when the Review Committee is going to submit its report.

The Railway employees, the Defence employees the P&T employees, those who are working in the departmentally-run establishments etc. have been demanding that the Bonus Act should be made applicable to them. But we are told that this demand of theirs is being rejected by the Government on the plea that the 'terms of reference' do not cover those employees who are working under Government-run establishments. It is a sad commentary on the talk of 'socialism'. 22 lakhs of Government employees are not covered; those in the Defence establishments, those in the P & T, those in the Railways, Chittaranjan Locomotive Works, etc., cannot be covered under this.

This demand has become their living demand. The Central Government employees will join hands with the private sector employees to have a token strike throughout the country if needed to press their demand for bonus. I do not know how far this is correct, but we hear that this question of raising the bonus was discussed in the Political Affairs Committee, the Internal Affairs Committee or the Cabinet as a whole. It has come out in the Press. It was said that the Govern-

ment wants to take a strong position. What is 'strong position' Sir? Bonus is the only thing by which the ordinary working man can get two pairs of cloth for his children and the other yearly requirements. Otherwise, what he gets as salary is being spent out. His indebtedness is increasing; the prices are going up. In spite of the assurances given, this Government has miserably failed to hold the price-line even after 25 years of freedom. It is a sad commentary on our planning. It is a sad commentary on our talk of socialism.

The hon. Minister should assure us that the committee will be asked to submit its report, at least an interim report immediately so that the minimum bonus could be raised from 4 per cent to 8.33 per cent before the Puja holidays, because in Bengal and other places, there is going to be a wave of strikes. I am not pleading for strikes; I do not want that there should be any stoppage of production... But the line between hunger and anger has become thinner, and in spite of all the sermons, whether from the hon. Minister of Labour or from the Prime Minister, nothing is going to check the workers or restrain them from taking recourse to strikes, because they have a feeling that the employers are minting money at their cost but when the question of payment of bonus comes up, immediately a balance sheet is shown in which no profit is shown.

I would also plead that this bonus should be extended to all employees in the public sector and also to the defence, P and T and railway employees. My hon. friend Shri A. P. Sharma, who is not here at the moment, had almost threatened the Government on behalf of his federation of railwaymen that there would be serious unrest if Government did not concede his demand. We took a decision in the consultative committee.

[Shri S. M. Banerjee]

There was a unanimous decision by all sections and by all Members who were present, and there was a unanimous resolution that the bonus should be raised from 4 per cent to 8.33 per cent and that this question should be referred to the reviewing committee called the Madan Committee for including these employees also within the purview of the Bonus Act

18 08 hrs

[SHRI K. N. TIWARY *in the Chair*]

I would request the hon. Minister to explain to us the causes of delay. Is it a fact that the members are not agreeing? Is it a fact that there are some members who are not prepared to sign it? How is it that those central organisations which were already committed in the Indian Labour Conference for 8.33 per cent bonus and who pleaded for it, are also hesitating? I am sure that they do not hesitate to submit the report.

But if that is not done, I am sure there is going to be labour unrest. We do not want to stop production even for a minute at this hour, because our country needs production. But after all, produce and perish cannot be the slogan; produce or perish was the slogan, and the workers produced, but their wages were not increased.

Even in respect of 25 lakhs of Central Government employees, the Pay Commission's report has not yet been submitted, the prices have gone up and the index has crossed 238 points, and yet the Central Government have not taken a decision to give them any interim relief.

On behalf of the All India Trade Union Congress and the organisation of the Central Government employees like defence and others which I represent, I want to make a fervent appeal to the hon. Minister who is the initiator of this particular formula called the Khadikar formula, to see that it is implemented.

When Government have taken a rigid attitude, I cannot understand why bonus cannot be paid to the Government employees, and why the employers should not be forced to pay bonus to the employees. Rs. 38 crores is being paid as compensation for the insurance companies, Rs. 10 crores is being paid to the ex-Rulers. How is it that they cannot pay bonus to their employees? It is a sad commentary on our talk of freedom.

If the hon. Minister cannot commit himself this way or that way just now, let him not do so, but it would be better if before the Puja holidays, it is decided and a commitment is made in this House that a decision will be taken to increase the minimum bonus from 4 per cent to 8.33 per cent, and it will not be restricted to the public sector or private sector employees only but it would also be extended to the defence, railway and other employees.

PROF. MADHU DANDAVAT (Rajapur) Since my non-official Bill on the Bonus Act amendment already under discussion, I would not like to repeat the points I had already mentioned while moving the Bill for consideration in this House. The discussion is still in progress. Therefore, at the very outset, let me point out the special reasons in view of which I have demanded a discussion. A news report had appeared in the press some time ago that the Union Cabinet has taken a decision to make *ex-gratia* payment to the public undertakings workers before the Puja holidays. The same report said that the Bonus Review Committee is sharply divided on various aspects of the bonus problem, whereas the working class representatives on the Board Committee are insisting that the minimum quantum of bonus should be raised from 4 to 8.33 per cent. The employers' representatives are not agreeable. At the same time, it is reported that the representatives of the employers feel that they have no objection to

widening the scope of the Bonus Act so that even the other categories of workers could be paid the minimum quantum of bonus; only they are, opposed to raising the minimum quantum from 4 to 8.33 per cent.

Therefore, we wanted a categorical clarification from the Labour Minister in view of the agitation that is going on, whether the Cabinet has really taken a decision to make some payment before the Puja holidays.

There was also a news report that in view of the rift that has taken place within the Bonus Review Committee, probably the entire Committee is likely to be wound up. Of course, even if the Committee got wound up, the problem does not get wound up, because the problem still continues. We are seized of the problem. Therefore, I would really like the Labour Minister clarify categorically as to what is the policy. The basic issue of the concept of bonus has to be clarified. What is their concept? Is it merely profit sharing? Is it surplus sharing? Is it prosperity sharing? Is it just *ex-gratia* payment or do they consider bonus as a device, to bridge the gap between actual wage and living wage?

Once they make their position clear on this, the question arises what are the economic conditions today. I can understand the Government saying that because they have not the financial resources, though they accept the concept of bonus as a device to bridge the gap between actual wage and living wage, probably some adjustment will have to be made. But that argument is not forthcoming. On the contrary, they do not make their position very clear whether they consider bonus as a deferred wage; at the same time they talk of linking wages with productivity. Those of us who are in the working

class movement find this a very dangerous principle, to link wages with productivity. Apparently, it appears very sound, that if you link wages with productivity, it will be an incentive to the workers to increase productivity. But there are certain reasons why we are opposed to this outright linking because it is not merely labour which is the sole factor which determines the level of productivity; there are many other extraneous factors such as the availability of raw materials, level of prices of raw materials, techniques of production available, the manipulations that are going on, artificial scarcities that are created. Hence we will never give consent to linking wages with productivity. But because of the necessity of bridging the gap between actual wage and living wage, we have been insisting that some sort of link must be established.

I do not want to utilise this opportunity merely to score a debating point over Government. But I want to point out to the Labour Minister that since the agitation for bonus has begun certain tendencies are developing in the Government to deal with it in a very undemocratic manner. For instance, in the City of Bombay, the Bombay Municipal Corporation which is actually controlled by the ruling Congress went out of its way to score over the opposition and pass a resolution that *ex-gratia* payment amounting to one month's emoluments to be given to the civic workers. Then a conflict developed between the Government and the Corporation. As a result, instead of amicably settling the issue with by sitting with the representatives of the Corporation they resorted to a most undemocratic method of bringing in legislation to thwart it. It has never happened in independent India. The Maharashtra Government brought in legislation through, which they wanted to put a ban on the Municipal Corporation

[Shri Madhu Dandayate]

to see that their democratic, unanimous decision taken on the floor of the Corporation was not at all implemented. They went a step ahead and have told the Corporation that if they implemented the decision, it would be the responsibility of the Councillors and officers concerned to make good the loss sustained because of the payment.

Again, another tendency is developing. The BEST workers were assured of a certain payment—8.33 per cent. Now they feel that in view of the new orientation in the stand of the Government, there must be further difficulties. Therefore they are seeing to it that even on the decision that has been taken, some new restrictions are put as a result of which the situation is becoming very dangerous in the City of Bombay, in Calcutta, Kanpur and elsewhere.

Therefore, if Government want to adopt a slightly different point of view let them have a report with the central trade union organisations and try to adjust and evolve a solution. But do not try to follow undemocratic practices. Today you are in power; tomorrow somebody else will be in power. I do not want to give to the legislatures overriding powers by which they will destroy the autonomy of organisations like the Bombay Municipal Corporation and other local authorities. I wish they will not concentrate in their hands such powers which will destroy the structure of democracy and autonomous institutions in the country.

**SHRI DINEN BHATTACHARYA :** (Serampore) : The question of raising the minimum bonus to 8.33 per cent was long ago discussed in the other House and the Minister, Shri Khadilkar, himself admitted the reasonableness of the case. But he took several months to constitute a Committee to review the bonus. Then a long time was taken. We do not

know what the Committee will produce and when. In the meantime, kite-flying is going on that there is no unanimity in the Review Committee. Somebody is saying that those companies which make profit will give 8.33 per cent and those which are not, will give less. If this discrimination is going to take place, I tell you on behalf of our organisation, on behalf of the largest number of workers, that they will not accept it. They will not accept a paise less than 8.33 per cent.

The idea of bonus came to India as a deferred wage. It has nothing to do with productivity and production or profit. You are denying this principle to a large section of your own employees, the government employees. You have no right to do it. So if the Review Committee delays a decision, Government must come straightforward and declare that the minimum bonus will be 8.33 per cent for all, including the Defence, Railways and other government undertakings' workers, all municipality workers and other workers. I have got every reason to believe that pressure was given by the Centre to the Bombay Corporation not to concede the demand of *ex-gratia* payment and that has come in the papers. So, in the meantime, the agitation is going on everywhere. In West Bengal already the workers are on the move. On the 15th of next month, all the engineering and other employees of Calcutta will observe a Bonus Day in which the trade union organisation people, affiliated or owing allegiance to their party will come forward and a united movement is growing up in West Bengal to snatch the right, and if the Government still hesitates they will have to reap the consequences in future.

So, on this occasion, I will appeal to Mr. Khadilkar, immediately announce it.

Enough time has been given to the Review Committee. You took five months to set up the committee. You have not included our organisation in spite of the fact that we represent seven lakh workers all over India. In spite of it, the workers had an expectation that they will get something. Pooja is nearing, and the time is up. But the Government is sitting tight. There is some news already which has come in the papers that there is no chance of unanimity in the Review Committee. My point is, you go to the Cabinet and announce immediately that there will be a minimum quantity of bonus, and it should not be linked with any question of production or productivity, and all the employees must be covered under this Act.

\*SHRI E. R. KRISHNAN (Salem) : Mr. Chairman, on behalf of my party, the Dravida Munnetra Kazhagam, I would like to say a few words on the decision issue of payment of bonus, particularly raising the quantum of Bonus paid to workers from 4 per cent to 8.33 per cent, raised by my hon. friends, Shri S.M. Banerjee, Shri Madhu Dandavate and Shri Jyotirmoy Bosu.

At 1960-61 prices, in the year 1960-61 the net domestic industrial product was of the value of Rs.13,294 crores and at the same price level in 1969-70, the net domestic industrial production was of the value of Rs. 17,955 crores. The increase of the domestic industrial product during these ten years was of the order of 42.5%. Who has contributed to this increase except the workers of the country? But, at 1960-71 prices the *per capita* income has gone up by only 18%.

Prof. Madhu Dandavate has calculated that if bonus is given at 8.33%, the amount would come to Rs. 200 to 250 crores. When

the net industrial product has gone up by Rs. 4661 crores, the amount of Rs. 200 or Rs. 250 crores is not much. It is not even half of the tax arrears of Rs. 430 crores as on 31-3-1972.

In 1965, after the enactment of Bonus Act, the percentage of bonus was fixed at 4%. But, during these 7 years, the value of rupee has come down by 50%. Therefore, Sir, it is imperative that bonus at 8.33% is given to the workers throughout the country. According to 1971 census, the total population of the country is 54.74 crores. The total number of workers in all sectors of industries including agriculture comes to 18.36 crores. In 1969-70 the daily income of worker was not even one rupee.

It was expected that the Bonus Act would resolve many controversies, but in fact, the Bonus Act itself has created many problems. A Review Committee has been constituted by the Government in April, 72 and I would like to know from the hon. Minister when the Report of this Committee is expected.

In 1969 the textile mill owners at Coimbatore agreed to pay 8.3% bonus to textile workers and again in 1970, in another agreement, they consented to give 8.3% bonus to textile workers. In 1970 while addressing the Rashtriya Mill Mazdoor Sangh at Bombay, Shri Sanjayvaya, the then Labour Minister assured that the Government would bring forward an amendment to the Bonus Act. In this very house, while discussing a Private Member's Bill, the hon. Minister of Labour assured that the Bonus (Amendment) Bill would be introduced shortly. Sir, the report of the Bonus Review Committee should be expedited and the Government should take the earliest opportunity to bring forward an amending bill providing to

\*The original speech was delivered in Tamil.

[Shri E.R. Krishnan]

give 8.33% bonus to all the workers of the country.

With these words, I conclude.

श्री हुकूम शब्द कछुआय : 8 33 प्रतिशत बोनस की जो बात है, इसका मैं समर्थन करता हू। इतना बोनस प्रत्येक मजदूर को मिलना चाहिए। इससे कम नहीं मिलना चाहिये। बोनस मुनाफे में से हिस्सा है, ऐसा मैं नहीं मानता। यह विलम्ब से मिलने वाला वेतन है। गैर कानूनी तरीके से या बजट से जो महंगाई बढ़ती है उसका मकाबला करने के लिये, उसका छुने के लिए, उमने बराबर कदम बढ़ाने के लिये यह विलम्ब से मिलने वाला वेतन है। आज कई स्थानों पर बोनस नहीं मिलता है। रेलवे के लिए अन्ध बार मांग की गई है, पोस्टल डिपार्टमेंट के वाल्से की गई है, टेलेफोन डिपार्टमेंट के लिए की गई है, अस्पतालों, म्युनिसिपैलिटियों, नगर निगम सुरक्षा के जिनसे उत्पादन के क्षेत्र है, उन सब के बास्ते बोनस की मांग की गई है, सभी वेतन भोगी कर्मचारियों का बोनस का हक है। लेकिन आपने इस क्षेत्र के बारे में कुछ नहीं किया है। लगता है कि मन्त्री महोदय मन्त्रिमण्डल के अन्दर अपनी बात को मनवा नहीं सके हैं या उन्होंने इसका मनवान की कोशिश नहीं की है। बोनस के मामले को ले कर देश के अन्दर ताना प्रभार के झगड़े खड़े होते रहते हैं। परन्तु मन्त्री महोदय इस मामले में हिम्मत और दृढ़ता से काम नहीं कर पाए हैं और ये हिम्मत और दृढ़ता वह मन्त्रीमण्डल में भी प्रदर्शित नहीं कर पाए हैं। यह एक वाजिब मांग है और इस मांग को पूरा करने के लिए आज हिम्मत से काम ले और मन्त्रिमण्डल में भी आप झगडा करे और इस मांग की पूति करवाये। आपका कानून कहला है कि जहा बीस श्रावधी काम करते हैं वहा बोनस का कानून लागू होगा। देश में आज भी हजारो फकिरियाँ है जिनमें पचास-पचास और तीस-तीस और बीस-बीस मजदूर काम करते है लेकिन वहाँ रजिस्ट्री में केवल पाच दस या पन्ध्र मजदूर काम करते है ऐसा को किया जाता

है। इस कारण से वहा लोग बोनस से वचित रह जाते हैं, प्राविडेंट फंड के साथ से वचित रह जाते हैं। मेरी मांग है कि आप इस संख्या की बीस से बढ़ा कर दस कर दें। अगर मेरी इस मांग को आप स्वीकार करेगे तो मैं समझता हू कि देश के अन्दर हजारो उद्योगों में काम करने वाले लाखों कर्मचारियों को लाभ होगा।

पिछली बार हमने नागदा में देखा कि बोनस के विषय को ले कर बिडला की फैक्ट्री जो बहा है, गोली चली थी। काफी मख्या में उस गोली के फलस्वरूप मजदूर मारे गए थे। करोडों का उन फैक्ट्री को मुनाफा हुआ था। मजदूरों ने खून पसीना एक करके यह मुनाफा फैक्ट्री को करवाया। उनकी मांग थी कि उनको आलीम प्रतिशत बोनस दिया जाए। बिडला देना नहीं चाहते थे। उस कारण से वहा गोली चली और काफी ताबाद में लोग मारे गये। आप ने इसको स्वीकार नहीं किया। मन्त्रिमण्डल में भी आपने कहा है कि क्यों नहीं किया। मैं तो यहा तक कहना चाहता हू कि कर्मचारियों को, मजदूरों को इन बात का सन्देश है मारे देश में कि आपकी जरूरत है साठगाठ उद्योगपतियों के साथ है और इसी कारण से आप सक्ती के साथ कोई कदम उठाना नहीं चाहते हैं। मेरा निवेदन है कि आप दृढ़ रुब धरनाये, मज्ती से आप काम ले और इस बात को आप स्वीकार करे ताकि सारे देश के मजदूरों का ठीक प्रकार से लाभ हो। दशहरा था रहा है। उसके पहले ही सब लोगों को बड़ा हुआ बोनस मिल जाना चाहिये। आप इस मामले में उचित निर्णय ले ताकि लोग आपको बुझा दे। ऐसा आपने किया तो जो आपने गरीबी हटाओ का नारा दिया है, उस में भी थोडा सा आपको सहयोग मिलेगा।

SHRI RAJA KULKARNI (Bombay-North-East) : Bonus has assumed a crucial role in industrial relations and industrial unrest was avoided last year through what is known as Khadilkar Formula. Now this year there has been a delay by the bonus review committee.

I do not know how the hon. Minister is trying to avoid industrial unrest that is now impending, in the next two or three months. It has already started in the Industries. The bonus issue-Government workers and industrial workers and all trade unions have been pointing to the Government that it must be regarded as a wage policy issue. Government has still not made up its mind on the question of minimum bonus. Government has got legislation on the minimum wages. Why does not the Government think it necessary to have legislation on minimum bonus only, as an immediate step? I wish the Government comes out with legislation. If Parliament is not sitting when the time comes, the Government should come out with an Ordinance for minimum bonus. The whole point is about raising the quantum from 4 to 8.33 per cent. This question of raising the quantum has been criticised by the employers and I do not know why the Government is afraid of the criticism of the employers. This criticism is always there. Whether it is a question of raising the bonus or wages or DA or giving any benefit to the workers, employers always raise the bogie of increasing the wage cost.

It is the contention of the trade unions that to raise the quantum of minimum bonus is to raise the efficiency of the management. Government should look to the raising of the quantum of bonus from this point of view. If this is not raised, probably corrupt and mismanaged units will be protected and the workers will suffer. Therefore, if Government are serious about improving the efficiency of management and performance of units, the best way is to increase the quantum of minimum bonus from 4 to 8.33 per cent.

श्री राजकिशोर शर्मा (इन्दौर) : सभापति महोदय, मैं मंत्री महोदय के पास जा कर बोल रहा

हूँ। ताकि जो मैं कह रहा हूँ, वह उस को पूरे ध्यान में रखें। मिनिमम 8.33 परसेंट बोनस की जवाबदारी मिल-मालिकों और मजदूरों की नहीं है, बल्कि मंत्री महोदय की है, क्योंकि मंत्री महोदय 8.33 परसेंट से बचनबन्द हैं। 1970 का बोनस बांट देने के बाद उनका फार्मूला धारा और मजदूरों को 1970 के पेटे उस के अनुसार एडवांस बोनस बांटा गया। अब तो 1971 का बोनस बांट रहा है। दिसम्बर के अन्त में जिन का साल पूरा हो गया है, कुल 31 तारीख तक उन्हें बोनस बांटा जाना चाहिये, यह बोनस एक्ट कहता है। अगर 31 अगस्त तक बोनस नहीं बांटा, तो जिन्होंने नहीं बांटा है, उन्होंने बोनस एक्ट के विरुद्ध कार्य किया है, ऐसा माना जायेगा।

खाडिकर फार्मूला के अन्तर्गत मजदूरों को 1970 के पेटे जो एडवांस बोनस बिलाया गया। बम्बई जहाँ कहीं एप्रोमेंट में यह भी है कि अगर फाट महीने के अन्दर बोनस के संबंध में कोई निर्णय नहीं हुआ, तो 1970 का एडवांस बोनस जो खाडिकर फार्मूला के अन्तर्गत अतिरिक्त दिया गया है, वह काट लिया जायेगा। यह तो उल्टी गंगा है। 1970 के पेटे मंत्री महोदय ने 8.33 परसेंट में से अपने फार्मूले के अनुसार एडवांस बोनस बिलाया और वह 1971 के बोनस में से काट लिया जाये, ये बड़े धांधल्य की बात है। इस स्थिति में अगर मजदूर हड़ताल नहीं करेंगे, तो क्या करेंगे ? यह तो "लेने गई पूत और खो भाई खमम" वाला हाल ही रहा है। मैं निवेदन करना चाहता हूँ कि इस बात को समझ लेना चाहिये कि यह जवाबदारी मजदूरों की नहीं है, मजदूर प्रतिनिधियों की नहीं है, बल्कि मंत्री महोदय की है, जिन्होंने अपना खाडिकर फार्मूला निकाला है।

हम ने तो मंत्री महोदय की बड़ी भारी मदद कर दी है। मेरे प्रदेश में जहाँ हवारी प्रतिनिधि चुनिये हैं, उन को हम ने 8.33 परसेंट बोनस बांटवा दिया है और उन मिलों से बटवाया है, जिन्होंने 1971 का डिबिडेड नहीं बांटा है, जिन्होंने 1971 का डिबिडियेशन भी नहीं निकाला है और भारी मात्र

[ श्री रामसिंह भार्गव ]

किया है। जब हम ने उन भारी लास करने वाली मिलों से भी 8 33 परसेंट बोनस बटवा दिया है, तो मैं मानता हूँ कि हम ने मंत्री महोदय की बड़ी भारी मदद की है। हम ने मिनिमम बोनस की उन की लक्ष्मण-रेखा को भी खोल दिया है। बोनस एक्ट से 20 परसेंट से ज्यादा नहीं की बात कही गई है, लेकिन मैं ने अपने प्रदेश में 30 और 31 परसेंट तक दिला दिया है।

तो मैं आप से एक निवेदन करना चाहता हूँ कि गवर्नमेंट क्यो हिचकिचा रही है? जब ट्रेड यूनियन्स आपसी समझौते से मजदूरों को ज्यादा दिला सकती है तो आपके बीच में झाने से यह हुआ कि जो हम ले रहे हैं वह भी हम खो रहे हैं। मैं यह निवेदन करूँगा कि मजदूरों के मामले को पार्लिटिक्स में न डाला जाय और जो मामला 1971 में निपट जाना चाहिए था वह 1972 में नहीं निपट रहा है यह हमारे लिए बड़े दुःख की बात है। या तो आप बीच में भाँ न जाए और बीच में जाए तो जल्दी निपटाइए। नहीं तो मजदूरों के ऊपर छोट बीजिए में निपट लेने।

श्री भूलाचन्द डागा (बाली) महोदय आसमान को छू रही है और करीब करीब सारे मजदूरों के जो प्रतिनिधि हैं उन को एक माग है, महोदय के आघार पर जो पगारो में वृद्धि करते हैं सरकारी कर्मचारियों की उस में हमें कोई एतराज नहीं है लेकिन मजदूर की जो महोदय बढती जाती है उस की तुलना में मजदूर के पगार नहीं पढ पाते। हम में तो अपने राजस्वान में देखा है कि कई प्राइवेट सेक्टर हैं जिन का इतना मुनाफा हाता है कि वह 20 और 18 प्रतिशत दे सकते हैं। लेकिन आप के श्रम विभाग के मंत्री और श्रम विभाग सोया हुआ है। राजस्वान से पाली में जो मिले हैं वहा 20 और 18 प्रतिशत मिलना चाहिए क्यो कि वहा उन को लाबो अर्थे का मुनाफा होता है। 8 परसेंट तो हम ने ले लिया सब लागू के। लेकिन हम चाहते हैं कि 12 और 13 परसेंट के लिए जो मजदूर आवाज बुलन्द करते हैं उस में आप को

मदद देनी चाहिए। समाजवाद का जो आप का नारा है उस की पूर्ति के लिए इस रबत जबकी वर्ष में चाडिलकर साहब ऐसा नारा प्रार्थितेंत निकालें कि 8 33 प्रतिशत तो मिनिमम होना और इस से घाने बढ़ कर मजदूरों को और सूसुचित बह बढावें। और न बढावें तो श्रम विभाग और पुलिस विभाग बीच में न जाए। मजदूर अपना हक ले लेने।

SHRI P M MEHTA (Bhavnager) Sir, I will not repeat the same points which were dealt with by my hon friends During the course of the debate on the Demands for Grants of the Labour Ministry this budget session I had warned the Union Labour Minister that the workers will be compelled to resort to strike if the issue of the minimum bonus is not finalised Now that has come true When the government claims to be so progressive and when the Union Labour Minister is the father of the formula of a minimum of 8 33 per cent bonus, the workers of this country do not understand why this inordinate delay takes place on the finalisation of this issue

In stead of going into other points, I want the Minister to give categorical replies to the following questions When is the interim report likely to be submitted? Would the government issue instructions to the employers not to recover the advance paid by them, calculated on the basis of a minimum of 8 33 per cent bonus? Would the government ask the employers to give an amount equivalent to 8 33 per cent as bonus? Lastly, would the government instruct the public undertakings and government commercial concerns to pay bonus at the rate of 8 33 per cent to their workers?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : Mr Chairman, Sir, I must

confess I am somewhat disappointed because I expected, while making a demand for increased bonus, that those who are very naturally agitated about this question would make a demand keeping in view the entire picture of economy.

The hon. Member, Shri Raja Kulkarni, just referred to the entire wage structure. Apart from what is being said on the floor of the House and what is being said outside, I must say, if we put the entire issue of bonus payment in a broad perspective, in a proper perspective, it would help us a great deal to give a serious consideration to it, though we are seized of the matter.

I would like to inform the House that the Government are aware of the demand for an increase in the quantum of bonus. At the same time I would like to give you some sort of a past history, a resume, of what happened in the past. A Bill was introduced in the Rajya Sabha by Shri Chitti Babu and, among other things, this very point was there, namely, to increase the minimum bonus from 4 to 8.33 per cent. It was in the context of this widespread demand that the late Shri Sanjivayya because his name was mentioned here and the statement that he made, the then Labour, Minister indicated in Bombay, in October, 1970, that he was seized of the matter and it was under consideration. If you read his speech, you will find that he felt that the time had come when we should give some thought to the question of bonus, whether it needs revision at the present juncture or not. That was the only point he made in that speech.

I dealt with Shri Chitti Babu's Bill in the Rajya Sabha. The Government did not support the Bill. I further stated, at that time, that the scheme of bonus embodied in the Payment of Bonus Act would be reviewed. That is a commit-

ment made by the Government. As the hon. Members are aware, several State Labour Ministers were also in favour of raising the minimum bonus. In pursuance of the demand voiced from time to time in and outside Parliament to increase the quantum of payment, as the House is aware, a Committee has been constituted to review the operations of the Payment of Bonus Act. One specific term of reference to the Committee is whether there is a case for raising the minimum bonus of 4 per cent and, if so, to what extent. So, the entire review of the scheme is left to the Committee with this term of reference.

At the first meeting of the Committee held in Bombay, on the 5th June, 1972 which I was invited to inaugurate, I had occasion to mention that it had become customary with the industrial and commercial houses to disburse on the eve of the festival season of Puja and Diwali what has come to be known as bonus. I may mention that his practice has a past tradition. Last time, in the course of the debate on Prof. Madhu Dandavate's Bill I think, somebody mentioned, and rightly mentioned that this bonus was initiated in old Travancore-Cochin by Sir C. P. Ramaswamy Aiyar. It is an old tradition that on festival occasions, the employers used to give some reward for good service rendered and all that. So, it has a traditional background . . . .

श्री हुकम चन्द कच्छवाय : जमाना चलत गया । समय में परिवर्तन भी होता है ।

SHRI R. K. KHADILKAR : At least Mr. Kachwai should know because the party to which he belongs has some sort of a traditional background. Therefore, it would be appropriate to refer to some past traditions. I ended up by expressing the hope at that meeting that the Committee would be able to send to Government as soon as practicable their recommendations on the

[Shri R. K. Khadilkar]  
subject This indication was given keeping in view.

**PROF MADHU DANDAVATE**

If you will permit me to make this interruption, even the concept of pension, if you look at the historical background, came as some sort of a reward from feudal society, but even the modern society has accepted it with a different connotation

**SHRI R K KHADILKAR** I said, it has a historical background, the tradition was there and that is still perpetuating. Even in the same feudal type of commercial houses this continues on occasions like Dusserah and Dewali, they give some reward

Therefore I must make it clear I have hinted that keeping in view the last year's experience, the Committee would try to finish their exercise as early as possible, that I had thrown in Bombay.

**SHRI S M BANERJEE** We have passed a resolution in the Consultative Committee and have forwarded it to you for onward transmission to Government whether or not the Central Government employees like the employees of Defence Railways and Posts & Telegraphs would be included kindly clarify that

**SHRI R K KHADILKAR** That is problem of coverage I will come to that Have a little patience

I need hardly go into what constitutes bonus because that question has been raised again and again This is a subject on which there is no unanimous view, but whatever way you look at it bonus ultimately leads to augmentation of income of the wage-earner, that is the object (*Interruption*) The scheme of things in the Payment of Bonus Act envisages that this augmentation should be brought about by the workers' participation in the profits made So, if you look at the

present scheme, you will find that it has a definite link with profits. Let us bear this in mind I will explain it further. I am making this point because it is often overlooked probably because there is a provision in the Act for an obligatory payment of four per cent bonus even if there is no allocable surplus during the year A closer look will however, make it clear that this is evidently not so because the payment made in a year in which the establishment has been in the red is to be set off in the computation for the succeeding periods The set off and set-on formula has been introduced or incorporated in the scheme keeping in view this link with profits Let us understand what is the present scheme In fact, the mechanism of set-off and set-on in that makes the bonus payable more or less a profit-sharing affair If, nonetheless, it is contended that bonus is a deferred wage to bring the level of earnings to a reasonable level, one will also have to take into consideration the fact that with the working of the wage boards the functioning of the collective bargaining machinery the workers at least in the segment of organized industry, have been able to achieve now a level of wages which compares much better with the level ruling elsewhere Take, for instance, steel or jute or coal or cement-of course the final picture is not to emerge-or textile if you compare the present level of wages with what it was at the time when the bonus formula was evolved, you will find that the wage level in the organized sector has considerably gone up now Let us bear this in mind

**SHRI S M BANERJEE** What about prices ?

**SHRI R K KHADILKAR** I am coming to that About either raising the quantum of bonus or determining its character, the whole matter, as I have

said will have to be examined by Government on receipt of the Bonus Review Committee's report, among other things, in the context of the national economy, before decisions can be announced. We should not pre-judge the issues at this stage. Now in this context, just now Mr. Banerjee raised the question of prices. I expected and as I said at the beginning, did he put the demand of bonus keeping in view the entire economy as the background? He did not do that. If he had said, 'Look at the prices, look at the profits, look at the general wage levels and the productivity also', and then if you had put forth your claim, I think it would be more justified.

SHRI S. M. BANERJEE : Productivity has increased-nobody as doubted it in many industries.

SHRI R. K. KHADILKAR : I am not saying 'no', but the demand needs to be placed in the proper context and if a proper footing and you will admit here...

SHRI RAJA KULKARNI : Minimum bonus has nothing to do with that, with the productivity.

SHRI DINEN BHATTACHARYYA : The hon. Minister might remember that the Supreme Court has given the verdict that the minimum wage has nothing to do with the productivity. So, the minimum bonus has nothing to do with productivity or production as such.

SHRI R. K. KHADILKAR : I cannot enter into a controversy.

SHRI DINEN BHATTACHARYYA : You are giving a cue to the Bonus Review Committee.

SHRI R. K. KHADILKAR : Sir, I am not entering into a controversy whether it is a deferred wage or something linked with profits or some share in the profits. I am not entering into that controversy. That will lead us no where.

The question to-day is this. Several members have pointed out that the Puja and Diwali holidays are coming and, naturally, the workers are agitated and the trade-union leaders are equally feeling concerned as to how to meet the situation. That is a genuine concern. But, I do not think, as some hon. Member, I think it was Mr. Banerjee, referred to, that there is going to be a strike in Bombay.

श्री हुकम चन्द कछवाय : स्ट्राइक सारे देश में होगी।

SHRI R. K. KHADILKAR : Now, when the workers' representatives are sitting with other members on the Review Committee, I do not see any point in having this type of demonstrative strikes in Bombay because at the present juncture when the Committee is seized of the entire problem.

श्री हुकम चन्द कछवाय : प्राय तो ऐसे बोल रहे हैं जैसे मालिकों का बकील बोल रहा हो। इस तरह से मत बोलिए।

SHRI DINESH CHANDRA GOSWAMI (Gauhati) : Why do you interrupt the Minister like this

SHRI R. K. KHADILKAR : When the Committee is seized of the entire problem, I ask is it proper for this House to pre-judge the issue here and now? That is the main question.... (Interruptions) No, Mr. Bhattacharyya

MR. CHAIRMAN : You have got only six minutes more.

SHRI R. K. KHADILKAR : Yes, Sir, I am finishing. Sir, his policies are determined and declared one month after the Politburo meeting in Calcutta. They have not declared on the spur of the moment anywhere what the Politburo said. So, all policies concerning economy and the policies regarding wages, bonus—all these things will have to be considered properly and keeping in view, as I said,

[Shri R K Khadilkar]  
the entire economy as the back-ground.  
Otherwise, it has no relevance

SHRI S M BANERJEE What  
about my demand ?

SHRI R K KHADILKAR The  
second thing is this I think this is a grave  
rather a deplorable I would not call it  
failure but it is so, on the part of the  
working class leadership in the country

AN HON MEMBER Why ?

SHRI R K KHADILKAR Have you  
considered whom you represent ? You  
represent only the organised sector Do  
you know, the gap is ever widening bet  
ween those who have employment and  
those who are unemployed ? This is  
one thing and you never cared as to what  
are the wage levels and what they get for  
their daily work in the rural sector

SHRI S M BANERJEE Do you know  
the gap between what the Birlas are  
earning and what the ordinary worker  
is earning ?

SHRI R K KHADILKAR Let me  
go on because I have just got only four  
minutes

On this occasion do not expect me to  
make an announcement But, as I said  
earlier, we are seized of the problem

SHRI S M BANERJEE What about  
the other problems I have mentioned ?

SHRI R K KHADILKAR I am com-  
ing to your questions

Now, a reference was made to last year's  
formula, the Bombay formula which was  
a sort of an *ad-hoc* arrangement to meet  
a situation in which it was indicated that  
a review of the present scheme is called  
for and, therefore, some advance payment  
was made That was not a commitment  
of increasing the minimum, but the indi-  
cation was a review with some advance  
payment That should be borne in mind

Then, Sir, some questions were raised  
by Shri P M Mehta I have taken them  
down

SHRI S M BANERJEE Kindly  
reply to my question also

SHRI R K KHADILKAR Yes, I am  
coming to that they will cover both You  
wanted to know about coverage I will  
come to that in the end Mr Mehta wanted  
to know by what time the report of the  
Committee will be made available Re-  
garding this matter, Sir, I would like to  
inform my hon friend Mr Mehta that  
we do not issue any directives They  
are completely seized of the matter There  
are various Press reports They are meeting  
again So, I presume that they will decide  
about the time and whether they should  
present an interim report or an interim  
recommendation or whether they should  
make only a final recommendation  
I do not think you should expect the Govern-  
ment to issue any directive

SHRI P M MEHTA Government  
can certainly make a suggestion

SHRI DINEN BHATTACHARYA  
On interim report, why are you going back ?

SHRI R K KHADILKAR On the  
question of recovery of advances, pending  
the review, almost all the industrial con-  
cerns have been, not directly asked, but  
advised by their own organisations not  
to recover the advances made and almost  
all the industrial employers have accepted  
the suggestion Then they raised various  
points, ask the employee to do this and  
that Then there was a question asked  
regarding the public undertakings Under  
the present scheme as modified by the exe-  
cutive order, public sector undertakings  
get four per cent minimum at the present  
juncture, it does not matter whether they  
are competitive or non-competitive, they  
get *ex-gratia* four per cent

Now, the question of coverage raised by the hon. Member remains to be replied.

I would like to mention for the benefit of Mr. Banerjee one thing. He is very naturally agitated about the Government employees and employees in the Government undertakings and Government establishments, Railways, P & T, Defence establishments and all that. He knows very well that they are at the present juncture covered by the Pay Commission ...

SHRI S. M. BANERJEE : Pay Commission is not deciding over bonus. The point is about their coming under the Bonus Act..

SHRI R. K. KHADILKAR : While deciding about the increment in emoluments I am quite certain they will keep in view the general demand also. This is my view. If they do not do anything of that sort, it is for the Government, at the appropriate time, to consider..

SHRI S. M. BANERJEE : What about the unanimous resolution which we passed in the Consultative Committee ? Have you forwarded it to the Government ? Have you found out the reaction of Government ?

SHRI R. K. KHADILKAR : It will be given serious thought. Beyond that no commitment was made and I have conveyed the feeling, unanimous feeling, of the Consultative Committee to the proper quarters. In conclusion I would like to say one thing..

PROF. MADHU DANDAVATE : I want to say a word, because I know, the Chairman will abruptly end this discussion. You said that we did not take an overall account of the economic situation because there was less time; but I concretely said that, looking to the general economic situation, and the availability of resources, if we sit round a table and have a rapport

with the Central Trade Union Organisations, some *via media* can be found out and some *ad hoc* arrangement can be made, but the principle has to be accepted....

SHRI R. K. KHADILKAR : I would like to remind Prof. Dandavate about one thing. If he takes the entire picture of the economy into consideration at the present juncture, he should have said : onus--yes, it is a legitimate demand and we will agitate for it, but at the same time we will tell workers to meet the demand of the economy. There are those who are unemployed; there are those who are getting less; there are others who are comparatively stronger; it should have some link with higher productivity. No Member has cared to make that points. I must say that. I do agree that hon. Members have mentioned generally....

SHRI DINEN BHATTACHARYYA : But that was not the issue. The hon. Minister is making aspersions that we are not championing the cause of the rural poor. But that was not the issue under discussion.... (*Interruptions*)

MR. CHAIRMAN : Running commentary throughout is not good. Let there be no interruptions.

SHRI R. K. KHADILKAR : In conclusion, I would like to reiterate again that we are seized and the committee is seized of the matter. We know that this demand is agitating the minds of the workers. There is also a growing demand from the side of those who are not covered under the scheme. I have taken note of it.

19 hrs.

But an important thing which I would like to tell my hon. friend is that while making these claims they have also to bear in mind the widening gap between those who are not privileged to have any employment whatsoever, and whose number

[Shri R K Khadilkar]  
is growing, those who are in the villages  
in the unorganised sectors

SHRI C K CHANDRAPPAN But  
who is responsible for it?

SHRI R K KHADILKAR So, let  
the working class leadership not have a  
narrow vision and only look to the small  
organised sector Prof Madhu Danda

vate will bear with me on this point that  
equal emphasis henceforth should be placed  
on production and higher production so  
that we can meet the requirements of the  
situation

19 01 hrs.

*The Lok Sabha then adjourned till Eleven  
of the Clock on Friday, September 1,  
1972/Bhadra 10, 1894 (Saka)*