

SHRI SHAHNAWAZ KHAN: The hon. Member is a diamond himself!

SHRI P. VENKATASUBBAIAH: May I know whether next to Madhya Pradesh, Andhra Pradesh has great deposits of diamonds, especially in the Ramallakota area of Kurnool district and also in Vajrakarur, and whether any detailed survey has been made and any work is being done to explore these mines there?

SHRI SHAHNAWAZ KHAN: Yes, Sir. We are aware that there are diamonds in Andhra Pradesh. The Geological Survey is investigating these areas.

SHRI R. V. BADE: What is the expected date of closing by the management of NMDC and what is the number of workers who will be affected thereby?

SHRI SHAHNAWAZ KHAN: There is no question of closing down the management.

SHRI R. V. BADE: In reply to part (c) he said that the NMDC are closing the management. I want to know the expected date.

SHRI SHAHNAWAZ KHAN: The investigations were in progress to find out how to expand this mine. The work was supposed to take 18 months to 2 years. That work has been completed. Now the detailed project report is being studied and if it is approved, it would be implemented. The persons who were engaged in this exploratory work will be employed in other duties in other areas.

SHRI K. RAMAKRISHNA REDDY: May I know whether in Mahbubnagar district of Telengana in Andhra Pradesh, there are diamond deposits?

MR. SPEAKER: It is a good information. He may note it down.

A.I.T.U.C. Disagreement to a Clause in Bonus Formula

*69. SHRI B. S. BHAURA: Will the Minister of LABOUR AND REHABILITATION be pleased to state:

(a) whether All-India Trade Union Congress has drawn the attention of Government to a clause in the new bonus formula known as Khadilkar Formula, to which they disagree;

(b) if so, the nature thereof; and

(c) the steps Government intend to take to change it?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR AND REHABILITATION (SHRI BALGOVIND VERMA): (a) to (c). The formula represented an *ad hoc* interim arrangement for the settlement of the bonus claims for the year 1970-71 through the payment of graded advances, pending the report of the Bonus Review Committee set up by Government. Representations were received by Government that the advances should not be recovered from the workers. The latest position about the payment of bonus is embodied in the Payment of Bonus (Amendment) Ordinance, 1972. Government have requested the Central Organisations of Employers to consider advising their constituents not to insist on the recovery of advances made to the workers in terms of the *ad hoc* formula.

SHRI B. S. BHAURA: What are the reasons of writing to the organisations that they should advise their constituents not to insist on the recovery of advances? Why did they not write to the employers?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR): One of the parts of this new Resolution is that old advances made under the *ad hoc* formula may not be recovered. So, it is not a question of mere wish now. It is more of an advice or a directive.

SHRI DINEN BHATTACHARYA: May I know whether it is a fact that almost all the Central trade unions and the Minister also expected that the bonus ordinance which was applicable to a part of the workers should be made applicable to all the public undertakings like Railways, P. & T. and other public undertakings also? Has the Government considered this aspect after the ordinance came into force?

SHRI R. K. KHADILKAR: Two reports were submitted by the Bonus Review Committee. Both the reports referred to the minimum bonus being increased from 4 to 8-1/3 per cent. Other terms of reference are there and the Bonus Review Committee is considering them and it is for them to report on them.

SHRI A. P. SHARMA: It is not a fact that even in the interim report of the Bonus Review Committee it is very clearly stated at least by the workers' representative belonging to all the trade unions that the Central Government employees who are industrial employees working in railways, P. & T Defence Production and the Government of India Presses should also be given the minimum bonus of 8-1/3 per cent?

If it is so, what is the reason for government not considering this aspect before promulgating this Ordinance? Are they going to consider it now?

SHRI R. K. KHADILKAR: This part of the report submitted by the trade union leader is beyond the scope of the terms of reference. Therefore, it need not be taken as a recommendation.

SHRI A. P. SHARMA: The question of the terms of reference cannot arise at this stage because we are talking of the recommendations of the Bonus Review Committee. If the government rules that it is not within the terms of the Bonus Committee, then how is it that others have been cover-

ed even though they have not been covered by the Bonus Act earlier?

SHRI R. K. KHADILKAR: If the hon. Member studies that part of the report, he will find that except his observation or *obiter dictum* which suggests wider coverage, the other report is strictly within the terms of reference. So far as the other aspect is concerned, as I have said, the Bonus Review Committee has not yet completed its work. It is still sitting. When the comprehensive unanimous recommendations are presented and they are before us, we will give thought to it.

श्री रावसिंह नार्ड बर्मा: क्या मंत्री महोदय को यह ज्ञात है कि खादिलकर फार्मूले के अनुसार 1970 का जो बोनस बांटा गया है, कुछ अधिक जो काम छोड़ कर चने गये या जा रहे हैं, उन के वेतन में से वह काटा जा रहा है। वह रकम खादिलकर फार्मूले के अनुसार उन्हें दी नहीं जा रही है। इस सम्बन्ध में श्री मान का कार्यवाही करने का क्या विचार है?

SHRI R. K. KHADILKAR: Some such cases were brought to our notice and we, on behalf of the Ministry, have clarified the position and brought to the notice of the employers these things should not be done.

SHRI INDRAJIT GUPTA: Government has already decided that this minimum bonus of 8.33 per cent is not to be paid to what are called departmental employees of the Government. I would like to ask him whether government have considered the implication of the very serious anomaly arising out of such a decision, namely, that while workers engaged in the Government of India undertakings like Modern Bakeries who are engaged in the manufacture of bread, will be eligible to get this bonus, a worker employed in an ordinance factory belonging to Shri Shukla, which is manufacturing equipments and ammunition for the armed forces is debarred

from getting it. Have they considered with a ridiculous position the government decision is leading us to?

SHRI R. K. KHADILKAR: I have made it clear time and again that so far as these establishments are concerned, they are governed by the Pay Commission. From time to time, the Pay Commission examines their scales of pay and other conditions of service and considering all aspects makes recommendations.

SHRI INDRAJIT GUPTA: Bonus is not an issue before the Pay Commission.

SHRI A. P. SHARMA: The Minister must say that bonus is also included in the terms of reference of the Pay Commission. Sir, I want your indulgence in this matter.

क्या यहाँ नहीबस प्राप बहस क्यों करते हैं ?
श्री ए.पी. शर्मा: बहस का सवाल नहीं है ।

Both Shri Indrajit Gupta and myself want to know whether bonus is also included in the terms of reference.

MR. SPEAKER: What can I do?

SHRI A. P. SHARMA: He should answer whether it is included in the terms of reference.

MR. SPEAKER: I have no objection if it is included in it.

SHRI RAJA KULKARNI: May I know if the bonus dispute for the year 1970-71 of those workmen of textiles mills which have been taken over by the Government has been settled?

SHRI R. K. KHADILKAR: So far as 1970-71 bonus payment is concerned, unless there is a dispute, that is settled. Unless he specifies some particular instances

SHRI RAJA KULKARNI: About the workmen of textile mills which have been taken over by the Government.

SHRI R. K. KHADILKAR: They have been taken over after the Ordinance.

SHRI SAMAR GUHA: May I know whether it is a fact that by excluding a class of workers from the benefit of bonus, the Government is pursuing a policy of discrimination in respect of one class of employees against the other class of employees. May I also know whether the attention of the Government has been drawn to the fact that almost all the trade union organisations have opposed this policy of discrimination? There is an agitation all over the country. The Railwaymen's Federation is going to have a massive demonstration before Parliament on the 15th December as a protest against the Government policy. In view of all this, I want to know whether the Government is going to consider the issue and extend benefit to all the employees who are working in Government undertakings.

SHRI R. K. KHADILKAR: There is no question of discrimination. I would like to point out and request the hon. Members to first study the Bonus Commission's Report on the basis of which the first bonus scheme was formulated. After that, they will themselves realise how it is beyond the scope of that bonus scheme. We are considering a bonus scheme based on the Bonus Commission's Report. That fact must be kept in mind.

श्री बाबीबर चांडे : कृत्री महोदय ने दो परस्पर-विरोधी बातें कही हैं, जो हम को कनफ्यूजन में डाल रही हैं। एक तो उन्होंने यह कहा कि कृक यह सेंट्रल गवर्नमेंट इंडस्ट्रियल एडवर्टीजिंग के वर्कर्स का मामला टर्म्ज प्राफ रेकरेंस में नहीं था, इस लिए उन को बोनस नहीं मिल सकता और दूसरी बात उन्होंने यह कही कि यह मामला बोनस कमेटी के विचाराधीन है। सवाल यह है कि अब यह टर्म्ज प्राफ रेकरेंस में था ही नहीं, जो फिर यह विचाराधीन कैसे है। अगर यह विचाराधीन है, तो यह टर्म्ज प्राफ रेकरेंस

में था और अगर हमें आफ रिकॉर्ड में था, तो बर्न के रिजर्वेशन में जो रिकॉर्ड में दिया, उस की बात बना बाहिर ।

SHRI R. K. KHADILKAR: There is no contradiction. While replying to Shri Indrajit Gupta, I stated that whatever the observations made in the report of the trade union leaders are beyond the scope of the scheme. Still the Bonus Committee is sitting and the final report is yet to come before us. As I stated, about the general observations, a sort of *obiter dicta*, I cannot take them as recommendations because they are not covered by the terms of reference.

SHRI INDRAJIT GUPTA: In reply to my question, he said that so-called departmental employees are always covered by the Pay Commission which goes into the scales of pay, etc. Then, we asked if the issue of the bonus scheme had been referred to the Pay Commission to which he gave no reply. Everybody knows that that has not been referred to the Pay Commission. Why is he misleading the House by quoting the Pay Commission?

SHRI A. P. SHARMA: He has said three contradictory things.

MR. SPEAKER: In one reply, you said that that is beyond the scope of the terms of reference and in another reply you say, that is being considered. The Members want to know what is being considered.

SHRI R. K. KHADILKAR: They are governed by the Pay Commission and whatever their demands, they will be considered by the Pay Commission.

SHRI A. P. SHARMA: Sir, I know you will not allow me to raise a point of order. I want to make a submission. I want to bring to your notice that it is not within the terms of reference of the Pay Commission. He is misleading the House.

SHRI A. P. SHARMA: You should allow a half-an-hour discussion on this point, Sir.

MR. SPEAKER: I have no objection to permit it if you so want.

SHRI SEZHIYAN: In an half-an-hour discussion only two or three persons can participate. We require the Minister to clarify the point put forth by Mr. Indrajit Gupta whether the terms of reference of the Pay Commission included this clause. Let him categorically say, 'Yes' or 'No'. Why should he go on giving the other terms of reference?

SHRI R. K. KHADILKAR: I never said that the terms of reference include the question of bonus. As I said, they are covered by the Pay Commission—whatever the terms of reference.

SHRI INDRAJIT GUPTA: Other emoluments.

SHRI S. M. BANERJEE: Only one question

SHRI M. RAM GOPAL REDDY: rose—

SHRI DINEN BHATTACHARYYA. rose—

MR. SPEAKER: I have to look to this side also.

SHRI DINEN BHATTACHARYYA: Mr. Reddy is always siding with the employers.

MR. SPEAKER: He is getting up for quite some time.

SHRI M. RAM GOPAL REDDY. Is it under consideration of the Government to arrange for bonus even for agricultural labourers and also to Members of Parliament and everybody in the country?

SHRI S. M. BANERJEE: I wish to know whether the hon. Minister is aware that on the 19th October

SHRI M. RAM GOPAL REDDY: He has not answered my question whether it is under consideration of the Government

MR. SPEAKER: You can table a separate question on it. Certainly, it will be answered. What are you doing here? Why do you want bonus?

SHRI S. M. BANERJEE: I wish to know from the hon. Minister whether he is aware that on the 18th October all the Central Government Employees' Organisations including the railwaymen, Defence, P. and T. and others wanted to have a massive demonstration before the residence of the Prime Minister, but that was stopped at the instance of the Prime Minister who accepted to meet the delegation regarding bonus and that the employees' representatives met the Prime Minister and gave a memorandum and she promised to look into the matter. I want to know whether he is aware of that. Even the Prime Minister felt that there is a discrimination

MR. SPEAKER: Please put your question.

SHRI S. M. BANERJEE: Kindly give me only one-fourth of minute. Sir, it is a paradox that workers who are manufacturing Modern Bread in the Modern Bakeries are entitled to bonus but persons who are manufacturing tanks are not given bonus. I want to know what has happened to the memorandum, whether the Prime Minister has forwarded the memorandum to him and if so, what is his reaction.

SHRI R. K. KHADILKAR: What transpired between the delegation of the employees and the Prime Minister, I have not got it before me. If the Prime Minister has said that she will look into this question, certainly, she will look into the question.

Return of Pakistani Displaced Persons

*70. **SHRI PRABHUDAS PATEL:**
SHRI M. S. PURTY:

Will the Minister of LABOUR AND REHABILITATION be pleased to state:

(a) whether all the Pakistani displaced persons have now returned home;

(b) if not, how many of them are still in India;

(c) whether out of 13,000 refugees, some have desired to live in India; if so, their number; and

(d) whether India has granted them citizenship?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR AND REHABILITATION (SHRI BALGOVIND VERMA): (a) No, Sir.

(b) About 84,000 persons.

(c) Yes, Sir, but the exact number is not known.

(d) No, Sir.

SHRI PRABHUDAS PATEL: Is the hon. Minister aware of the fact that a memorandum had been submitted by the displaced persons to the Prime Minister when she had been to Gandhi Nagar to attend the AICC meeting and, if so, what happened to that memorandum?

SHRI BALGOVIND VERMA: We have no knowledge of it.

SHRI PRABHUDAS PATEL: What action was taken on it?

SHRI BALGOVIND VERMA: We are not aware of it.

श्री एच. एच. बरती: मैं मंत्री महोदय से जानना चाहता हूँ कि जितने विस्थापित हैं उनको वापस भेजने की व्यवस्था कर तक को जरूरी है?

SHRI R. K. KHADILKAR: As they are foreign nationals displaced during the course of war, to send them back