

difficulty in the way of Government to amend the Industrial Disputes Act? How long or how many more years they are going to take to amend this?

MR SPEAKER You are asking the same question to which a reply was given

SHRI A P SHARMA I want to know how many more years they are going to take

MR SPEAKER Now, Q No 168 Shri S M Banerjee

SHRI S M BANERJEE Before I put the question I would like to submit that part (a) of the question should be

whether the Pay Commission has not considered

The word not has been omitted either in printing or elsewhere But I had tabled the question with not

MR SPEAKER It is just the same If the question is not then the hon Minister will reply accordingly and if it is otherwise also he will reply accordingly

SHRI S M BANERJEE I had tabled the question because the Pay Commission had not considered it Now I put the question Q 168

SHRI VIDYA CHARAN SHUKLA I am answering the question as printed in the list of questions

Payment of Bonus to Defence Employees

*168 SHRI S M BANERJEE Will the Minister of DEFENCE be pleased to state,

(a) whether the Pay Commission has considered the question of payment of Bonus to the Defence Employees,

(b) if so, whether his Ministry will now take a decision to pay minimum

bonus of 83½ per cent as paid to the employees of the public undertakings, and

(c) if so when a final decision is likely to be taken?

THE MINISTER OF STATE (DEFENCE PRODUCTION) IN THE MINISTRY OF DEFENCE (SHRI VIDYA CHARAN SHUKLA) (a) The Third Pay Commission has not made any recommendations for payment of bonus to Defence Employees.

(b) and (c) The Payment of Bonus Act, 1965 does not apply to the employees of the Defence establishments

SOME HON MEMBERS Why?

SHRI S M BANERJEE I had asked about the Pay Commission, and the hon Minister has said that they have not considered this

When Shri R K Khadikar was the Labour Minister he made a declaration at the top of his voice that this matter would be considered by the Pay Commission ...

SHRI A P SHARMA The then Labour Minister

SHRI S M BANERJEE Yes the then Labour Minister I am talking of Shri Khadikar The present Labour Minister's name is not Khadikar

Almost all the Members who were connected with the Central Government employees' movement or association wanted to make it very clear that it was not before the Pay Commission and it was not actually one of the terms of reference But the then Labour Minister insisted on it Now the Pay Commission's report has come out, and they have not thrashed out this problem at all When defence employees in the HAL, BEL and all other public undertakings, (and even a person who is manufacturing bread in the Modern Bakeries) are entitled

to bonus because it is a public undertaking, how is it that the workers in the defence industries who are manufacturing sophisticated weapons and other things have been excluded? What is the reason for the discrimination, and are Government seriously considering the question of removing this discrimination?

SHRI VIDYA CHARAN SHUKLA: As I stated in my main reply, the reasons etc. have not been mentioned by the Pay Commission. But certain grounds have been adduced to say why bonus should not be given to the employees of the Government . . .

SHRI INDRAJIT GUPTA: Adduced by whom?

SHRI VIDYA CHARAN SHUKLA: These are not the reasons advanced on behalf of the Government but since the hon. Member has asked for the considerations on which such exclusion can be made, I am giving some of the considerations which have been put forward before us . . .

SHRI DINEN BHATTACHARYYA: Put forward by whom? These are not the views of Government.

SHRI VIDYA CHARAN SHUKLA: These are the reasons adduced. The view of the Government has not yet been finalised. Therefore, I am only adducing the reasons that have been put forward before us for consideration. They are as follows:

"1. The Bonus Act should not be applied to the employees of the Government industrial establishments, as such establishments are not run as companies and their system of accounting does not lend itself to the application of the bonus formula.

2. Such establishments function for promoting the interests of the community in general and the profits.

if any, can be merged in the revenue which is again for the promotion of projects necessary for improvement of the country . . ."

The third reason is that "While recommending the new pay structure, the Third Pay Commission . . ."

—that has been presumed by these people who have adduced this reason . . .

SHRI ATAL BIHARI VAJPAYEE: Who are they?

SHRI VIDYA CHARAN SHUKLA: There are various kinds of people, and there are various . . .

SHRI S. M. BANERJEE: Who are those people? I know the view of the hon. Minister, and I know also the view of Shri Jagjivan Ram and they are sympathetic to the defence employees. So, I would like to know who these people are, who are putting spokes in the wheel.

SHRI VIDYA CHARAN SHUKLA: The hon. Member should have a little patience, and I shall complete my answer first. If the hon. Member is allowed by the Speaker to put any other question, I shall answer that also later.

The third reason is:

"While recommending the new pay structure . . ."

—that is presumed by them—

" . . . the Third Pay Commission may have already taken into consideration the fact that bonus is not admissible to the Government employees.

If bonus were to be made admissible to them, the Commission might have recommended lower pay scales".

SHRI ATAL BIHARI VAJPAJEE:
Might have recommended:—

ऐसा कहते हैं। जब कि पे कमीशन की रिपोर्ट आ गई है और उस में बोनस का कोई जिक्र नहीं है। मेरी समझ में नहीं आता, ये किस टैस में बाल कर रहे हैं।

SHRI BHOGENDRA JHA: We are expected to understand it. Who is the authority or person or organisation who has made this recommendation? (*Interruptions*).

SHRI DINEN BHATTACHARYYA: On many occasions, you have asked us to be relevant. He has just now given something which is irrelevant.

MR. SPEAKER: Order, Order. Kindly sit down. Let him ask his question.

SHRI BHOGENDRA JHA: But we should understand the answer.

MR. SPEAKER: Mr. Banerjee knows his subject very well. He can do it better.

SHRI S. M. BANERJEE: Before I ask my second question, may I seek your protection? He has said in his reply that some people have advised him. I do not know who are those people (*Interruption*). Up to this time, it has been said by Shri Jagjivan Ram, Shri Bahuguna and the Railway Minister that as soon as the Pay Commission Report is out, Government will consider this matter. The Pay Commission Report is out without anything and now Government are not considering this matter. So he should answer which is this august body which has recommended that no bonus should be paid. Bonus is no more a profit-sharing concept; it is deferred wage

SHRI VIDYA CHARAN SHUKLA: The hon. Member himself had agitated this question before the Ministry of Defence. Whenever such questions and memoranda are received, we analyse them. While these matters are analysed, various points of view and various arguments for or against are put forward. He asked the reason why this should not be admissible. Therefore, I have adduced certain arguments which have been given against the consideration of this

SHRI BHOGENDRA JHA: By whom?

SHRI VIDYA CHARAN SHUKLA: We are not to say by whom. When it is analysed in the Ministry, various points of view are put forward for and against. When he asked me the reasons, I have given them and said these are the reasons. But Government have not formulated their final views on this matter. Since he asked a specific question, I have given this information. You cannot object to it.

SHRI S. M. BANERJEE: I have been fighting like Robert Bruce this matter relentlessly for the last one year. Is he aware that all the civilian Defence employees working in the various projects, ordnance factories etc numbering about 3½ lakhs have taken a strike ballot decision on this issue on the ground that a grave and glaring injustice has been done to government employees only for the reason that they are working in departmental undertakings? If so, would he refer this matter to the Cabinet for a decision so as to remove this discrimination and pay bonus to all the Defence employees?

SHRI VIDYA CHARAN SHUKLA: This matter of such importance will, of course, be decided at the Cabinet level. The question is being fully examined. It will surely be decided by the Cabinet whether this kind of bonus would be admissible or not.

SHRI B. V. NAIK. The hon. Minister has adduced three reasons. . .

SHRI VIDYA CHARAN SHUKLA: Not mine.

SHRI B V NAIK I am referring to the three reasons as stated by him

First of all it is the accounting procedure second, it is with reference to profit being ploughed back and the third one was presumptive reason. The first two things can be very easily changed by changing the account-books and book-keeping

MR SPEAKER No arguments

SHRI B V NAIK Under the circumstances the first two reasons being of subject to change and the third reason being a presumptive reason has he come across any rumblings of discontent particularly in the Ordnance factories at Kulkee and therefore does he not think that some precipitate action is called for almost immediately?

SHRI VIDYA CHARAN SHUKLA There have been various agitation which indicate that the defence employees are not happy at the present position. It has been indicated here, and therefore, we are considering this matter, and after the analysis of the entire problem is over we shall take a decision

PROF. MADHU DANDAVATE In the Bonus Act, in the clause that refers to the provisions for a minimum bonus it has been specifically clarified that this minimum bonus does not depend upon profit and loss. That means they have stated clearly that it is no more profit-sharing by implication it means it is only a deferred wage, the gap between the living wage and the existing wage. If that is the connotation of minimum bonus, how can you reject this particular concept in the case of defence employees in whose case also this gap exists?

SHRI VIDYA CHARAN SHUKLA We have rejected nothing. The particular clause to which the hon. Member is referring, does not apply to the Government employees.

MR SPEAKER Next question. Shri Sanjeevi Rao.

PROF MADHU DANDVATE: Sir, may I seek your protection. I sought information regarding the clause in the Bonus Act

MR SPEAKER Order, order. I think you are having a debate on this. You can make the points at that time

SHRI INDRAJIT GUPTA Sir, this issue has nothing to do with the Pay Commission. He is confusing the issue altogether

MR SPEAKER You can make these points during the discussion

SHRI INDRAJIT GUPTA It was not referred to the Pay Commission. How can the Pay Commission give an opinion?

MR SPEAKER Mr Gupta the very question starts by asking whether the Pay Commission has considered, etc

SHRI INDRAJIT GUPTA He replied that the Pay Commission has not given any opinion. How can they when they have not referred it to the Pay Commission? Please allow us to put questions

MR SPEAKER I think you are having a debate on it. (Interruptions)

All of you are speaking without my permission. Kindly sit down. It is a very bad habit. I really wonder when all of you get up, neither I can listen, nor the Reporters can follow nor the Minister can understand. So, what is the use of doing it?

AN HON MEMBER. One by one.

MR. SPEAKER: No question of calling one by one. There is no time left, and every day we do not cover more than four questions even. (*Interruptions*). It is no use making this a debating hour. There is already a discussion allowed on the Pay Commission. You can raise all these issues at that time.

SHRI A. P. SHARMA: It is a question on bonus. It has got nothing to do with the Pay Commission.

MR. SPEAKER: Shri Sanjeevi Rao.

PROF. MADHU DANDAVATE: Permit me to speak a clarification.

MR. SPEAKER: No, no. Next question.

Import of Lead and Zinc during Fifth Five Year Plan

*169. SHRI M. S. SANJEEVI RAO:
SHRI SUKHDEV PRASAD
VERMA:

Will the Minister of STEEL AND MINES be pleased to state:

(a) whether a three tier programme is proposed to be launched by Government during the Fifth Five Year Plan period to reduce the country's increasing dependence on imports of lead and zinc; and

(b) if so, the main features therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) and (b). A statement giving the required information is laid on the Table of the House.

STATEMENT

(a) and (b). During the Fifth Five Year Plan, it is proposed to increase the indigenous production of zinc and lead metals so as to reduce dependence on imports. Details of the zinc and lead smelters, existing and under implementation and those proposed to be put up in the Fifth Five Year Plan, are indicated below:—

Location	Capacity (tonnes)	Remarks
I. Existing Plants and goes under implementation		
A. ZINC		
(i) Existing		
(a) Debari (near Udaipur)	18,000	Based on the Zawar deposits and operated by the Hindustan Zinc Ltd. (Public Sector)
(b) Binanipuram (Kerala)	20,000	Based on imported zinc concentrates, operated by M/S. Cominoc Binani Zinc Ltd., (Private Sector).
(ii) Under Implementation :		
(a) Debari Smelter Expansion—by	27,000	Likely to be completed by 1976-77.
(b) Vizag (Andhra Pradesh)—New Smelter	30,000	Likely to be completed by 1976-77 This smelter is based on imported zinc concentrates and is being set up by Hindustan Zinc Ltd.