

SHRI G. LAKSHMANAN (Tamil Nadu): On a point of information, Sir. It is a very important point.

MR. CHAIRMAN: Please sit down.

SHRI G. LAKSHMANAN: Where from did he get these clothes? He must give us the source (*Interruptions*).

MR. CHAIRMAN: When I am on my legs, you should sit down.

MR. G. LAKSHMANAN: Sir, this is important. He must give us the source.

MR. CHAIRMAN: Not allowed. It will not be recorded.

SHRI G. LAKSHMANAN: (*Continued to speak.*)

MR. CHAIRMAN: You all are creating trouble unnecessarily. This is not the subject for discussion now. Mr. Bhupesh Gupta, you come to you special Mention item now.

REFERENCE TO DEMAND FOR RESTORATION OF MINIMUM BONUS TO WORKERS

SHRI BHUPESH GUPTA (West Bengal): I do not know why my friend from the DMK is getting violently agitated. I have not said anything against him. What I wished to say was that my *bona fides* were questioned... (*Interruptions*)

MR. CHAIRMAN: Silence please. Yes, you proceed.

SHRI BHUPESH GUPTA: Sir, today is the last day. We expected a declaration by the Government today about the restoration of the bonus cut. We have no indication from the Business Paper that such a declaration is going to be made. Sir, I say this thing in all seriousness and earnestness, because the Bonus Ordinance was issued in September 1973 during the emergency to take away the right to bonus. And you know what happened. All that we want Sir, is that the minimum 8.33 per cent bonus should be restored and the Government should make a declaration,

all the more so when they fought the election with the promise that it will be restored and also saying that bonus, according to them, is a deferred wage.

There is no reason why the Government should delay in this matter. Sir, Onam is coming in Kerala; in West Bengal, Puja and other festivals are coming. There will be unrest if the bonus is not restored. I congratulate the Chief Minister of Kerala, Mr. Anthony, and the Chief Minister of West Bengal, Mr. Jyoti Basu, for having pressed the demand in the Chief Ministers' Conference that bonus cut should be restored and a decisions should be taken before Onam and Puja. Another thing that I want to point out in this connection is that in the Bonus Act, there was a provision under section 34(3). That was deleted by the Bonus Ordinance in September, 1975. That provision in the original Act provides for bilateral arrangement between the workers and the employers within the framework of Government law. Now, Sir, that provision should be restored. This is another demand that I make. I hope, Sir, before we adjourn—and I urge upon the Government; the Labour Minister, I do not know if he is there; other Members are there—an announcement will be made; otherwise it will cause great unrest among the workers. Sir, the country is looking forward to the restoration of the minimum bonus of 8.33 per cent and there is no reason why it should not be restored now. The Government should come out with a decision. And, Sir, it should be applicable to all categories. We want a universal application; we do not want selective application. The Minimum Bonus Act must have universal application to all categories. These are the demands and I hope you will share my feeling and sympathise with this demand that I have made. Sir, it was decided upon, after a lot of discussion, tripartite discussion with the Government, the labour and the employers and was incorporated in the Bonus (Amendment) Act of 1973. Everything had

been accepted and now there is no reason why We should not restore the original position in the interest of the working class people and also for redeeming the pledge that the ruling party gave in the election. Betrayal of it would not be a good thing for them.

Sir, like the Bonus Act not being restored, MISA is also not being repealed. I again voice demand for the repeal of MISA.

SHRI KALYAN ROY (West Bengal): Thank you for the permission and for calling me last. I will not deviate from the paragraph I wrote to you.

Sir, the entire working class had waged a bitter struggle during the last many years for their right to get bonus. Thousands went to jail and hundreds were shot in the grim battle. Struggle was not an easy affair. Every year, there were strikes all over the country over this single issue. Ultimately, a compromise formula was arrived at and it was agreed that every employer would pay 8.33 per cent bonus irrespective of loss or profit and, accordingly, the workers were paid all these years till the black Act was passed during the emergency scrapping this provision. Even during the emergency, there were strong protests against this pernicious anti-working class move by that regime. The Janta Party has pledged to restore the cut in bonus. But nothing has been done so far. There is great deal of anger and resentment developing among the working class over this issue. Sir, you are aware that all the coal-miners numbering 40 million have declared that they are going on strike from the 5th September. An immediate decision is called for. Festivals like Onam, Durga Puja and Id are round the corner. Government should take an immediate decision to restore the bonus formula of 8.33 per cent, which is the minimum, without any further delay if it wishes to avoid a nation-wide work stoppage, Mr. Verma is here. Mr. Mohan Dharia, you have heard, has replied. We

would like to know from Mr. Verma whether a decision is going to be taken this month. If not, why? When is the decision going to be taken? (*Interruptions*)

MR. CHAIRMAN : Please resume your seat.

SHRI KALYAN ROY: Let him say something. What is the use of remaining silent? Why is he remaining silent? He may or may not take a decision. Let him say something. He is not a Buddha watching our resentment.

SHRI ANANDA PATHAK (West Bengal): Mr. Chairman, Sir, I would like to make a submission. Festivals like Durga Puja and Onam are approaching fast. But there is no indication from the side of the Government as to when they will take a decision on the issue of bonus. The workers and the employees throughout the country are restive. An early decision on the part of the Government is necessary. In this connection, I would also like to say that the Janta Party as well as the Central Government have, time and again, declared that they will take a decision as early as possible. But even today, we have not heard anything from the Government side. Today is the last day of this Session. After this, we will be going back to our respective States and we will have no opportunity to know about the Government's decision. Therefore, I would ask the Government that a declaration should be made there and now so that the workers would know about the Government's decision. I have already stated that Durga Puja and Onam are approaching fast and the workers throughout the country are restive. Agitations are bound to take place if an early decision is not taken. Secondly, Sir, as you know, bonus is a deferred wage and this is the accepted position. But during the time of the Emergency, they amended the Bonus Act against the interests of the working class.

MR. CHAIRMAN: Three minutes are over. You have to be brief. Conclude now.

SHRI ANANDA PATHAK: Therefore, I would like to say that the minimum guaranteed bonus of 8.33 per cent should be given and this should be made applicable to all the employees irrespective of whether they belong to the private sector or the public sector. Lastly, I would like to say that bonus should be given irrespective of whether there is profit or loss.

REFERENCE TO THE ALLEGED KILLING IN POLICE LOCK-UP

SHRI HAMID ALI SCHAMNAD (Kerala): Sir, I would like to draw the attention of the House to one incident. Much has been said about the atrocities on the Harijans. Even though the Emergency has been lifted, the devil of the Emergency is still haunting. I am drawing the attention of the House and the Home Ministry to the killing of a person in police lock-up in Karnataka. I am quoting from the 'Mail' of Madras. (*Interruptions*). It is not favourable to you. That is why you are shouting. It says here:

"...One George Kutty of Kottayam was reported to have died in the Sholay police Station lock-up in Bangalore on July 24."

This is what is happening even after the Emergency has been lifted. When I put a short notice question, the Home Minister stated that this was a State matter. Killing is not a State matter—killing a person, whether he belongs to Kerala or Karnataka, especially killing in police lock-up. Freedom of movement is there for any person. He can go to any length and breadth of the country. But, Sir, this is not the only incident. There is another incident. One Mr. Abdul Salam Sayed also died in Jail. He died the very same day he was released from Jail. Nothing has been done about this. You also know what has happened to Mr. Lawrence Fernandes, brother of our Minister Fer-

nandes. He is disabled. A Commission has been appointed to go into this matter but the Chairman of this Commission is the same who was connected with the MISA Advisory Board.

MR. CHAIRMAN: Not permitted.

SHRI HAMID ALI SCHAMNAD: So, I appeal to the Central Government to make an enquiry about the death of George Kutty.

MR. CHAIRMAN: Please conclude.

SHRI HAMID ALI SCHAMNAD: I am going to conclude with an appeal to the Central Government to ask the Karnataka Government to explain how this incident took place. The Central Government should go deeper into the incident to see that justice is meted out to the people.

MR. CHAIRMAN: Next item.

REFERENCE TO DEMAND FOR DISCUSSION ON FLOOD SITUATION IN THE COUNTRY

श्री कल्प नाथ राय (उत्तर प्रदेश) :
आदरणीय अध्यक्ष महोदय, पौइन्ट आफ
आर्डर ।

श्री रणबीर सिंह (हरियाणा) : हमारा
भी पौइन्ट आफ आर्डर है ।

MR. CHAIRMAN: No point of order.

श्री कल्प नाथ राय : पौइन्ट आफ आर्डर
सुनिए तो ।

MR. CHAIRMAN: What is the point of order.