

**THE VICE-CHAIRMAN (SHRI V. B. RAJU):** We shall now take up clause-by-clause consideration of the Bill.

*Clauses 2 to 4 and the Schedule were added to the Bill.*

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

**SHRI H. M. PATEL:** Sir, I move:

"That the Bill be returned".

*The question was put and the motion was adopted.*

#### **THE APPROPRIATION BILL, 1977**

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** Sir, I move:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1976-77, as passed by the Lok Sabha, be taken into consideration."

*The question was put and the motion was adopted.*

**THE VICE-CHAIRMAN (SHRI V. B. RAJU):** We shall now take up clause by clause consideration of the Bill.

*Clauses 2 and 3 and the Schedule were added to the Bill.*

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

**SHRI H. M. PATEL:** Sir, I move:

"That the Bill be returned".

*The question was proposed.*

**SHRI BHUPESH GUPTA (West Bengal):** Sir, I was referring to the

L.I.C. employees. We have received a letter from their Federation. They have stated in that letter as follows:

"We have addressed a letter to the Prime Minister, Mr. Morarji Desai on March 24, 1977, urging upon him to repeal all anti-working class measures taken during the emergency, particularly on the questions of bonus and CDS. In particular we have requested him to release 15 per cent bonus to the LIC employees each for 1975-76, 1976-77 in terms of the settlement dated January 24, 1974. Our President Com. S. M. Banerjee has issued a Press statement.... You know that the Congress Government has abrogated the bonus component of the settlement by passing the LIC (Modification of Settlement) Act, 1976 in spite of vehement protests by several....."

I think Shri H. M. Patel was in the House at that time.

"....M.Ps. and we have, thereafter challenged this Act in the Supreme Court.

To tell you briefly the position of the Supreme Court case, I may state here that the case was heard but before the hearing was complete, the Supreme Court advised the Government to settle the dispute outside the court. The Government had an opportunity to refurbish its image.."

How could that Government refurbish its image?

".....through talks with the employees' representatives, but it dilly dallied for a long time and finally rejected the advice....."

The Supreme Court advice was rejected.

".....Meanwhile, the Chief Justice, A. N. Ray retired and this has necessitated the constitution of a fresh Bench and *denovo* hearing..".

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Now you can understand the position.

".....The case will come up for mentioning once again on April 4. We feel that this provides us an opportunity to raise the issue in the Parliament through a call-attention notice or any other suitable method."

They have requested us to do this and that is why I have raised it. They say:

"It may not be necessary for the Government to introduce another Bill to repeal the LIC (Modification of Settlement) Act, 1976."

You can consider the legal implications.

It can simply issue instructions to the LIC management to make payment of bonus to the employees on the basis of the settlement.

There was a settlement after discussion. But suddenly behind the back of the employees, the settlement was abrogated by the Government and hurriedly the Bill was passed by the House with their brute majority despite opposition of all of us. The situation became very bad and it was taken in the court. They manner stated here. The Government advised the Government in the manner stated here. The Government ignored it. Nothing they did. The Government was so arrogant. Are you looking at me? I am not blaming you or your party. Such was the arrogance of the Government. They never listened to anybody. They never listened to the advice of the Supreme Court to settle it out of the Court. Why was it not done? I would like to tell Mr. Advani: Put them to shame. Put those people who are out to shame by calling the LIC people and coming to a settlement with them by revising it. Bring in the measure and we will pass it in no time. The House would then know how they treated these people. Such things are necessary sometimes and that is why I say:

Put them to shame. I know this is how they behaved at the time the Constitution (Amendment) Bill was introduced. When it was brought in, you, Sir, were there. The Swaran Singh Committee was there and we gave many suggestions. We made many suggestions. But the bureaucracy and some other people included so many unpopular and anti-democratic clauses. Not even one amendment by any one of us was even considered by the Government. Seventy amendments we gave. Those were the days of arrogance of power and those were the days of the caused attitude of the Government; and those were the days of the obstinate postures adopted by those people the thought that the Government had been given to them on a 99-year lease and that they were to be in positions of authority for all times to come. Today, they are out. Well, I am not going into the political aspect of it. But, in the name of Parliament, for the sake of Parliament and for the decencies of public life, the LIC agreement should be honoured by the Government and I would ask the Finance Minister and his colleagues to do this. I would like to tell them: Take the initiative in the matter, call the LIC people and go to the Supreme Court when the next mention comes. The matter is to be settled out of court as advised by the former Chief Justice, Shri A. N. Ray. Let the chapter be closed. You can do that and that would be an excellent thing and I think that justice and fairness demand that a step of this kind should be taken now.

SHRI H. M. PATEL: Sir, I appreciate the indignation of Mr. Bhupesh Gupta and I can assure him that I shall go into this matter.

SHRI BHUPESH GUPTA: Thank you.

THE VICE-CHAIRMAN (SHRI V. B. RAJU): The question is:

"That the Bill be returned."

*The motion was adopted.*