

[Shri Viswanatha Menon]

Bill will be passed, because you have the brute majority. You will pass it, I know. But at least you should pay the workers this year's bonus, because it is already due to them. So, I request ... (Interruption by Shri Sardar Amjad Ali)... Sir, when I was with him in 1967 in the Lok Sabha, then he was with the Opposition. Now, he has joined the Congress. I have no complaint about that, but ...

MR. DEPUTY CHAIRMAN : You seem to be old friends quarrelling over nothing.

SHRI VISWANATHA MENON : My humble submission and my request to the hon. Minister is that they should at least pay this year's bonus to the workers because it is already overdue because you are going to curb their rights. At least, you should pay this amount to the workers.

MR. DEPUTY CHAIRMAN : The House stands adjourned till 2 P.M. today.

The House then adjourned for lunch at eight minutes past one of the clock.

The House reassembled after lunch at two minutes past two of the clock, Mr. Deputy Chairman in the Chair.

THE LIFE INSURANCE CORPORATION (MODIFICATION OF SETTLEMENTS)

BILL, 1976 —contd.

श्री रणवीर सिंह (हरियाणा) : उप सभापति जी, मैं जीवन बीमा निगम (समझौता उपातरण) विधेयक का समर्थन करने के लिए खड़ा हुआ हूँ। इसका समर्थन करते हुए मैं समझता हूँ कि इस देश के अन्दर हमको यह जानना होगा कि कौन मजदूर है क्योंकि यहां पर मजदूरों की बड़ी बात की जाती है। यह कहा जाता है कि यह जो सरकार है, वह मजदूरों के खिलाफ कार्यवाही कर रही है, उनके हितों के खिलाफ चल रही है और इन बातों को देखते हुए यह जरूरी हो गया है कि किस को कृषक मजदूर मानते हैं, किस को बुजुर्ग कृषक मानते हैं ?

श्रीमन्, अपने देश के अन्दर जब सर्दी और गर्मी का मौसम होता है, जब कि सदियों में कोई भी घर में बाहर नहीं निकलता है। उस वक़्त जिसको ये मजदूर मानते हैं बीमा के चपरासी, जो कि सर्दी के मौसम में हीटर के नजदीक बैठे रहता है, लेकिन पंजाब या हरियाणा का कृषक दिन में नहीं बल्कि सदियों की आधी रात में जब कि पाला पड़ता है, वह उस समय अपने खेत में पानी के अन्दर दाखिल होता है। जिनको ये भाई मजदूर नहीं मानते हैं, वह ऐसा करके देश के लिए अन्न पैदा करता है और गर्मियों के मौसम में बिलचिलाती धूप में बाहर निकल कर गेहूं निकालता है। ये भाई तो उसको मजदूर मानते हैं जो धूप के समय बाहर नहीं निकलता है और अगर निकले तो बीमार हो जाय। ये हमारे भाई कितना मजदूर मानते हैं, कितना नहीं मानते, यह बात भी देश को समझनी होगी। हमारे माननीय सी० पी० एम० के सदस्य ने कहा कि जो जो ये मजदूर हैं ये क्रास रोड के ऊपर खड़े हैं। मैं उनको कहता हूँ कि सी० पी० एम० क्रास रोड के ऊपर है। मजदूर क्रास रोड के ऊपर नहीं है। मजदूर को मालूम है कि प्रधानमंत्री इंदिरा गांधी ने जब से 20-सूत्री प्रोग्राम इस देश के अन्दर लागू किया 15 फीसदी कीमतें गिर चुकी हैं। इस बात को सारा देश मानता है। यहां 15 फीसदी बोनस के ऊपर ये जो लोग आसू बहाते हैं उसमें पता लग जाता है कि इनके मन में क्या है। किमके लिये आसू बहाते हैं? उस चपरासी के लिए जिसको 700 रुपया महीना तनखाह मिलती है। जो चौथी श्रेणी का है और यह भी उस देश के अन्दर जिसमें 300 रुपये की नौकरी के लिए एम० ए० और बी० ए० पाम लाखों की तादाद में भूमते फिरते हैं और उनको रोजगार नहीं मिलता है। ये लोग उनको समझाना चाहते हैं कि बोनस हटाने वाले तुम्हारे दुश्मन हैं। मजदूर

का दुश्मन कांग्रेस पार्टी नहीं है, मजदूर का दुश्मन वे हैं जो इनको बहका कर अपनी राजनीति चलाता चाहते हैं। मजदूर के दोस्त वे हैं जो मजदूर के हित के लिये लड़ाई करेंगे, अपनी कुर्सी के लिये लड़ाई नहीं करेंगे। यह सी० पी० एम० और विरोधी दल के जो नेता मजदूरों के लिये आसू बहाते हैं ये सब वे नेता हैं जो अपनी कुर्सी के लिये मजदूर को इस्तेमाल करना चाहते हैं। ये मजदूर की दुहाई देते हैं, मजदूर के हित के लिए नहीं बल्कि कुर्सी हासिल करने के लिये। श्री कल्याण राय जी ने कहा था और आज भी वे धमकी देकर गये हैं कि हम यहां भी लड़ेंगे और बाहर भी स्ट्राइक करेंगे। मैं मंत्री महोदय से एक ही प्रार्थना करना चाहता हूँ—सरकार के अंदर जिम्मेदारी सबकी इकट्ठी होती है—आपको चाहिये कि जो मजदूर यूनियन स्ट्राइक की धमकी दें उनकी मंजूरी का कागज वापस ले लें क्योंकि वे मजदूर के हक में नहीं हैं, वे मजदूर के खिलाफ हैं। इसका सबसे बड़ा सबूत वेस्ट बंगाल है। जिस समय वहां मिली जुली सरकार थी, उन्होंने स्ट्राइक कराई, कारखाने बंद हुए, मजदूरों की मजदूरी गयी। और फिर मजदूरों के नाम पर आसू बहाते हैं। यह बात मजदूरों को समझनी होगी।

जैसा भट्ट साहब ने कहा, सरकार के बड़े बड़े अफसर झंडा देखते ही डरते हैं। कहां सरकार ने कहा कि तुम पहली तारीख को तनखाह मत दो? जिन भाइयों ने तनखाह नहीं दी है उनके खिलाफ कार्यवाही की जानी चाहिए ताकि उनको पता लगे कि सरकार की नीति क्या है। देश का हित क्या है? देश का हित मजदूरों को भड़काने में नहीं है। एक तरफ मजदूर यूनियन है जो मजदूरों को भड़काने का काम करती है और दूसरी तरफ सरकार के अंदर

कुछ भाई बैठे हैं जो डर की वजह से मजदूरों को भड़काने का काम करते हैं। जो ऐसा काम करते हैं उनके लिए कोई रियायत नहीं होनी चाहिए।

उपसभापति जी मुझे याद है, विरोधी दलों के सदस्यों की जो स्पीचें हैं जो तकरीरें हैं उनको पढ़ा जाय तो पता लगेगा कि उनको गिला थी कि सबकी जो तनखाह है वह एक स्तर की होनी चाहिए। एल० आई० सी० के अंदर दूसरा स्तर है जो दूसरे सरकारी इंदारे हैं उनका स्तर दूसरा है। दफ्तरों में जो लोग काम करते हैं उनका स्तर दूसरा है। कल्याण राय जी ने कहा कि बोनस का समझौते का फैसला धमकी की तरह नहीं था। यह उनका कहना हो सकता है लेकिन देश जानता है कि 1974 में जो देश के विरोधी तत्व थे वह इस देश का कैसा नक्शा बनाना चाहते थे। उस वक्त सारी विरोधी पार्टियों ने फैसला किया था कि वह हवाई जहाज का पहिया जाम कर देंगे, रेल का पहिया जाम कर देंगे और बीमा कंपनियों को काम नहीं करने देंगे। तो उस फैसले को यह मानना कि वह किसी दबाव से नहीं किया गया था ऐसा विचार ही भ्रम पैदा करने वाला है। 1974 के वह तमाम फैसले दबाव के फैसले थे। उस समय के वित्त मंत्री जी का विचार उन्होंने बताया, उस समय चट्टाण जी का विचार उन्होंने बताया, लेकिन कौन नहीं जानता कि उन की कोशिश थी कि वह लोग जो 1971 में कांग्रेस से चुनाव में परास्त हो गये थे और लोगों को देश की जनता को जो अपने साथ नहीं रख सके थे उन्होंने इरादा किया था कि वह सरकारी मुलाजिमों की मदद से इस देश का सारा काम बंद करा देंगे ताकि राज्य की कुर्सी उनको मिल सके। तो यह हालात थे। वह दबाव था जिसके कारण सरकार ने और उस के बीमा निगम

[श्री रणवीर सिंह]

ने सरकार की सलाह पर यह फैसला किया था। तो ऐसा फैसला जो दबाव के कारण हुआ था, गलत था दबाव से चुनाव का फैसला भी चुनाव ट्रिब्यूनल रद्द कर देता है अगर यह मालूम हो जाय कि मतदान में दबाव डाल कर चुनाव किया गया है तो फैसला उलटने की जो बात है वह इस लिये कि 15 फीसदी बोनस तो मंहगाई घटा कर ही दे दिया और दूसरी तरफ इस लिये है कि उन्होंने बतलाया कि फलां जगह 32 परसेंट है, फलां जगह 33 परसेंट है। उन्होंने यह भी जिक्र किया कि निजी क्षेत्र में भी वह बोनस घटा रहे हैं। निजी क्षेत्र भी देश के लिये पैदावार करता है और जब वह देश के हित के खिलाफ जाता है तो सरकार को बड़े से बड़े कारखानेदार का कारखाना लेने में भी हिचक नहीं हुई। मुझे याद है कि उस समय के इस्को के चेयरमैन मुखर्जी साहब होते थे। मैं उस समय लोक सभा का सदस्य था और वह पब्लिक एकाउन्ट्स कमेटी के सामने पेश हुए थे। उन्होंने ऐसी राय अपनी जाहिर की थी कि यहां लोहे के कारखाने लगाना गलत बात होगी। उस लोहे को कोई खरीदेगा नहीं, वह लोहा बहुत मंहगा पड़ेगा। तो ऐसे भाइयों की जगह कहां है? आज तो वहां लोहे का सरकारी कारखाना है। इसी तरह से निजी क्षेत्र है। बैंक हैं, बड़ी बड़ी बीमा कंपनियां थी। कहां गये वह बीमा कंपनियों के मालिक। वह सब चलते बने। जिस तरह से रजवाड़े चलते बने, जमींदार और जागीरदार चलते बने, उसी तरह से यह बीमा कंपनियों के मालिक थे। वह भी चलते बने। लेकिन इसके साथ साथ उपसभापति महोदय, आप की मार्फत मैं सरकार से निवेदन करना चाहता हूं कि यह जो 42 फीसदी बड़े बड़े मौनोपोली घराने हैं उन्हें कारखानों के लिये कर्ज देना अक्लमंदी की बात नहीं है।

मैं उनसे मांग करता हूं कि हर जिले के अंदर एक मलाहकार समिति बनाई जाए और जो वहां आप का बड़ा अधिकारी हो वह उस का सेक्रेटरी हो और जो लोक सभा या राज्य सभा के सदस्य हों, जो देश के रचनात्मक कामों में यकीन रखते हों, उनको उसका सभापति बनाया जाय। इससे यह पता लग सकेगा कि यहां कितना गलत, ऐजेन्सियों की मार्फत पैसा बंटता है और कितना गलत रुपया दिया जाता है। देश के रचनात्मक काम के लिए कर्जा दिया जाता है या नहीं दिया जाता है। तो हर जिले के लेवल पर हो और एक यहां पर हो। मंत्रालय यह देखे कि यह 42 फीसदी घटकर 10—15 फीसदी होना चाहिए क्योंकि आज जरूरत है बड़ी बड़ी नहरों की, सिंचाई की योजनायें बनाने की, बिजली घर बनाने की तथा और कामों को करने की। तो उनके लिए यह पैसा दिया जाए ताकि इस देश के अन्दर बिजली और सिंचाई बढ़ सके और देश आगे बढ़ सके।

तो यह एल० आई० सी० का जो इदारा है वह इदारा है देश का इदारा। आपने इसीलिये इन कंपनियों का सरकारीकरण किया था ताकि देश ध्येय पूरा हो। इसलिए यह जरूरी है और मेरा निवेदन है कि यह जो 42 फीसदी कर्जा दिया जाता है बड़े घरानों को इसको कम किया जाए। उनको अपनी ग्रामदनी के जरिये पर ही निर्भर रहना चाहिए। कर्जा दिया जाना चाहिये उनको जो छोटे छोटे करघे वाले हैं, जो छोटे छोटे किसान हैं, जो देश के लिए अनाज और खेती की पैदावार बढ़ाना चाहते हैं उनको दिया जाना चाहिए। वह हैं देश के कमाऊ पूत। देश के कमाऊ पूत वे नहीं हैं जो साढ़े सात सौ रुपये की तनख्वाह लेकर बोनस की मांग करें। साढ़े सात सौ रुपये की तनख्वाह लेकर, ठंडे-गर्म मकान में झंडा उठाकर देश के

काम को रोके। वह कमाऊ पूत नहीं हैं। देश के कामाऊ पूत ठंडे और गर्म में रहकर देश के लिए पैदावार बढ़ाते हैं और अगर उनकी पैदावार घटती है तो देश का आर्थिक ढांचा गड़बड़ाता है जिस तरह से 1974 और 1973 में हुआ। इसलिये मैं मानता हूँ कि खेत की पैदावार करने में, खेत के अन्दर पैदा करने वाला कमाऊ पूत कुलक नहीं है। वह बुर्जवा नहीं है। वह कमाऊ पूत है देश का जो अनाज पैदा करता है। वह सरकार के साथ खड़े होते हैं। जिन्होंने देखा था, जय प्रकाश के खिलाफ जब प्रदर्शन व जलसा यहाँ पर बोट क्लब पर हुआ था, जिन्होंने देखा था वह गिनती कर सकते थे कि 20 लाख आदमियों के अन्दर कम से कम 75 और 80 फीसदी आदमी कमाऊ पूत थे, खेत के अन्दर काम करने वाले थे। वह हैं कमाऊ पूत। वह भी कमाऊ पूत हैं जो कोयले की खान में काम करते हैं। जो कागज को इधर से उधर करने वाले हैं वह तो कागज की हेरा फेरी करने वाले हैं। वह कमाऊ पूत नहीं हैं।

धन्यवाद।

SHRI KHISHNARAO NARAYAN DHULAP (Maharashtra) : Mr. Deputy Chairman, Sir ...

MR. DEPUTY CHAIRMAN : You speak on your amendments also.

SHRI KRISHNARAO NARAYAN DHULAP : With your permission, Sir, I am opposing tooth and nail the Bill No. 51 of 1976, that is, regarding the Life Insurance Corporation (Modification of Settlements) Bill, 1976. It is a very unfortunate Bill and I have nothing but pity for the hon. Minister to have been forced to pilot this Bill in this House. Sir, at the outset, I express my profound dissatisfaction at the way in which this House is being treated by the Government. This august House is being taken for granted. We are now called upon to express our views on this

Bill, to decide the fate of the thousands of workers and their monetary interest. We do not know anything about the settlement entered into between the management of the LIC and the representatives of the employees of the LIC. If at all the hon. Minister has given some information to us, it is not sufficient to enable us to express our views.

Sir, when the Bill was introduced, there was only one settlement which was referred to in the Bill. That was the settlement arrived at on the 24th January, 1972. The Bill came to us from the Lok Sabha. Now, another settlement has been referred to in clause 2, sub-clause (c), namely, the settlement arrived at on the 6th February, 1974. In the Statement of Objects and Reasons of the Bill, only one settlement has been referred to. Some information about it has been given. But we know nothing about the second settlement which is being referred to in the Bill, which has come to us from the Lok Sabha. I heard the speech of the hon. Minister in this House today. She also did not refer to the second settlement and its terms. I do not know what are the terms and conditions of this settlement. She did not refer to it at all. My first grievance is that this House is being taken for granted. This House is not being taken into confidence and sufficient information is not put forth before this House either orally or by way of a document.

Now, I come to the provisions of the Bill. This was a settlement entered into between the representatives of the employees and the management of the LIC. I would like to know from the hon. Minister whether the Finance Ministry and the Labour Ministry were consulted by the management of the LIC before they entered into this settlement. If these two Ministries were consulted by the management of the LIC when they entered into this agreement with the representatives of the employees, the Government is indirectly a party to this agreement. Now, they have come before this House for the annulment of this settlement, of this agreement, entered into on these two occasions. They want to take away what has been given

[Shri Krishnarao Narayan Dhulap]

to the workers. They want to annul this agreement entered into by the management of the LIC with the concurrence of the Central Government and the Finance Ministry. It is true the Payment of Bonus Act, 1965, is not applicable to the employees working in the LIC. But this practice has been in vogue since 1956. Workers were being given bonus. The term used is 'bonus'. This practice has been in vogue since 1956. Now they want to change it. The Government has come before the House with a Bill and in the Statement of Objects and Reasons it is said that it is proposed to set aside, with effect from the 1st April, 1975, these provisions of the settlement arrived at between the Corporation and its class III and class IV employees on 24th January, 1974 and the other agreement of 6th February, 1974. For what purpose? To enable the Corporation to make *ex-gratia* payments to such employees at the rates determined on the basis of the general Government policy for making *ex-gratia* payments to the employees of the noncompeting public sector undertakings. So, by annulling this agreement Government wants that now these workers in LIC be brought on par with other workers working in other Government undertakings or quasi-Government undertakings and the *ex-gratia* payment to be determined on the basis of the general Government policy. What is the general Government policy? That too has not been explained by the hon. Minister who piloted this Bill. They are keeping us in the dark about it. That is one grievance.

Just now my hon. friend, Shri Ranbir Singh, expressed his views very vehemently. He observed that the farmers who are working in the fields day in and day out through all the seasons are not being given their due, that their produce is not fetching a proper price, that the workers in the fields are not getting their due. Why? It is because their organisations are not strong. If the farmers come together, if the workers in the field—the agricultural labour—come together and if they are strong enough to negotiate with the Government to get remunerative prices and

proper wages, they will get their due. But they should have a strong organisation of their own. Therefore, if they are not getting their due it is not the fault of the workers. It is because they do not have a proper, strong organisation of their own. Therefore, the grievance of Shri Ranbir Singh is not correct.

Sir, I would urge upon the Government that this has been a practice in the LIC that it enters into an agreement with the employees and because of an agreement they pay them. But now Government is doing away with that agreement and there will be lot of discontent among the workers. Now because of the emergency, because of the fear of MISA and other measures which are with the Government, the workers will not openly register their protest. If you are not prepared to give them their dues for the last one year and also if you want them to give back whatever they got by way of bonus, Sir, their hands will give back the amount of bonus. But their hearts will bleed. There will always be a discontentment in their hearts, and in their heart of hearts they will be cursing the Government, and a time will come, after the emergency as lifted, when this discontentment will have a stupendous outburst and it will be difficult for the Government to face it.

With these words, I conclude my speech.

SHRI U. K. LAKSHMANA GOWDA (Karnataka) : Mr. Deputy Chairman, Sir, this Life Insurance Corporation (Modification of Settlements) Bill has generated quite a considerable controversy between the sections of the people who are representing the trade unions and the Government, and the other sections.

Sir, to start with, I should like to say here that the entire muddle and mess which has been made out of bonus is a responsibility which should be taken by the Government, and particularly by the Labour Ministry. The Deputy Finance Minister, Shrimati Sushila Rohatgi is here, but I am sorry the Labour Minister is not here. When this subject came up some years ago—my friend Mr. Om Mehta knows it, as all those who were here in 1968-69

know it—Mr. Chitta Basu brought forward a Private Members' Bill for increasing the minimum bonus from 4½ per cent to 8½ per cent, even when there was no profit. I was one of those who were against it. There was a lot of heat generated in the House. I insisted that the Bill should be circulated to the States. And when the reply from the States came, after a few months, almost every State had unanimously said that if this was applied to public sector industries, it would lead to enormous trouble. Then it was pressed further. Then our great friend Mr. Khadilkar took over and he made a worse mess of it by his Bombay formula.

AN HON'BLE MEMBER : At his cost.

SHRI U. K. LAKSHMANA GOWDA : I do not know whether at his cost, but at the cost of the workers and others as well. It became a complete mess. They tried in vain a formula based on depreciation of 2 per cent and more or less and something like that. The whole thing did not work. Then the matter went before several Commissions, but the muddle was not cleared and no decision could be taken out of the Bonus Commission's report. So, in a way, the earlier recommendation of the Bonus Commission and the Bonus Act—was working fairly satisfactorily until this complication arose and my friend Mr. Khadilkar made a mess of it. So, from then on, in industries, plantations and other establishments, bonus was being paid in some, under the Bonus Act, and in some others under the provisions of section 34 which made allowance for establishments to pay on bipartite settlements. That was working. Then, with the amendment which came recently, section 34 has been completely knocked out. The very basis of any agreement has gone. That created other complications. And now the repercussion of all that is that Mrs. Rohatgi is handling it her and facing difficulties. So, it is the Government of India, particularly the Labour Ministry, which should take the responsibility of having created complications. Sir, coming to this particular Bill...

SHRI KALI MUKHERJEE : There should be a national wage policy.

SHRI U. K. LAKSHMANA GOWDA : Yes, I am certainly in favour of a national wage policy. I have said a number of times in this House that instead of getting involved in bonus which is not related to production, which is purely on an *ad hoc* basis, always generating complications, you should have a national wage policy. I am in favour of it. But, unfortunately, Mr. Mukherjee, there has been pampering of a particular section, whether rightly or wrongly, to get more popularity. In the past, dealing with strikes even if the strike was illegal, the Ministers used to say in the House, "Of course, our sympathies are with the workers" even without verifying whether it was legal or illegal strike. Now, when you have realised the difficulty and you have got into a tight corner, you come back with a vengeance and try to go entirely 180 degrees on the opposite side in the opposite direction. And now, Mr. Kalyan Roy, Mr. Viswanatha Menon and others are shouting here, and the consequences are like this. So, the Government has to take the responsibility for this. I think they have now realised what is the situation which they themselves help to create.

So far as this particular Bill is concerned, under Section 34 in respect of the private industry you have taken away the right of any bilateral agreement and now how can you say that only in the case of the LIC this could go on? I agree that it was a package deal but that package deal also had an element of bonus. Take, for example, the plantation industry with which I am connected. We have been having bilateral agreements for bonus, wage and every thing for the last 15 years. And I am proud to say that we have maintained a very cordial industrial relation, and we have settled bonus, wage and everything by bilateral negotiations. Even for the next year we had an agreement under Section 34 of the Bonus Act for 12 per cent bonus. The agreement was for industry-wise bonus. On unit might incur a loss; another unit might earn a profit. But it was an agreement between the management and the workers, the different trade unions, whether INTUC or AITUC or CITU. It was an agreement

[Shri U. K. Lakshmana Gowda]
between the unions and the Planters' Association, and it was going on very well. But now with the amendment of the Bonus Act, that agreement lapses. What will happen in the plantation industry is that many people who are getting bonus will not get it without an industry wide agreement now. Some will get 15 per cent—the ceiling was up to 20 per cent—some 4 per cent and some others more, and many will not get anything. Because an opportunity was provided for a bilateral agreement, everybody was getting 12 per cent. And cordial industrial relations existed in the entire plantation industry. That was disturbed. When this has happened to thousands and thousands of units in this country where the Bonus Act was made applicable and when in the case of the LIC even the Bonus Act was not applicable, it is difficult to sustain the claim of my friends here for 15 per cent bonus to be continued. How could it be done? In the first instance, under the Act, none of these institutions qualify for a bonus. And in regard to his particular instance, I will not like to quote how the Government had taken certain arbitrary decisions and then got into trouble. In the past, when the Coffee Board was brought under the Bonus Act, it was like the LIC; it was contended that the Bonus Act was not applicable to it. The legal opinion was like that. Later on, the agitation continued. And that was a time when the soft corner was somewhere else. And then by an administrative order of the Commerce Ministry it was said that 8-1/3 per cent bonus should be paid. There are 80,000 growers. The Coffee Board does not make any profit. It is a pool marketing system. Everybody pools the produce, auction it and takes back money less the expenditure. Writ petitions went to the High Court. That is how things have been done. Now, after having come to an agreement, if it is a package agreement, I would certainly say that it is not fair on your part to come to a decision without having a discussion with them. You should have had a discussion with them because that was a bilateral agreement. You are breaking it, and you are bringing in a new concept. I agree that it is not possible for the 15 per cent bonus to

continue to be paid. But you should have had some other arrangement. Of course, the difficulty was there, it was foreseen. Mr. C. Subramaniam said in the other House that there are so many unions and we could not come to an agreement. I think that is justified because what Mr. Viswanatha Menon was saying Mr. Bhatt was not prepared to accept. Mr. Bhatt was talking about the INTUC and he was talking of the CITU.

SHRI VISWANATHA MENON : The original agreement was made with five unions.

SHRI U. K. LAKSHMANA GOWDA : That is why I say that in this particular instance, when the agreement was there, there was a possibility of coming to a settlement, not on the basis of reduction or whatever it is, but at least on the question to which years this bonus should apply. Mr. Dhulap put in an amendment here which is a very sensible amendment. Take for example, Bonus Amendment Bill. Under the original amendment it was provided that if for the year 1975-76, that is the year ending 31-3-1976, a higher bonus had been paid, it should be recovered from the workers in three instalments. Later on an amendment was introduced in his House—I think Mr. Dhulap introduced the amendment and I am glad the Government accepted it. And according to that amendment applicability came from 1975-76 year and there was no question of paying back, the bonus paid prior to 1975-76. Now in this case of LIC I think at least for the year 1975-76, that is the year ending 31-3-1976, the bonus or whatever package was agreed to should have been continued. I do not support the view that we can come with a proposal here in the month of May 1976 and say that the retrospective effect should be from the 1st April, 1975. If it had been applied only for the current year, the workers would have got their bonus or whatever it is under their agreement, for the year ending 31-3-1976. And then the Government could have applied this new policy in line with what has been done in the amendment to the Bonus Act, which says that after 31-3-1976 all the agreements are gone and you will have to pay strictly according to the Bonus Act. I would like to commend here to the hon. Minister the

amendment proposed by Mr. Dhulap so that you get over the difficulty of retrospective effect and the workers also get a certain amount of benefit. But I would not support the view that because that agreement was there in spite of the fact that thousands and thousands of other workers in private and other establishments lost their bonus, the LIC workers should be paid on higher bonus of 15%. The LIC employees are fairly well-paid. It is also relevant to point out here that there are a large number of policy-holders, according to the Minister's statement, about 188 lakhs of policy-holders, and half of them are policy-holder of less than Rs. 5,000. It is all very nice for the hon. Minister to say that it should be a sort of trust and all that. But if you go into the statistics, you do not find any reduction in the premium rates. I do not think any additional bonus has been paid to the policy-holders in the last few years. If you take the expenditure itself, Mr. Subramaniam said in the other House that originally there were 28,000 employees and the working expenditure per employee was about Rs. 3,000. This was the position somewhere in 1957-58 or 1955-56. Now with 58,000 employees, the working expenditure per employee comes to Rs. 15,000, with a total expenditure of Rs. 90 crores. There is scope for effecting some economy in the expenditure on the Life Insurance Corporation set-up itself. (*Time bell rings*). One minute. I think it was during Mr. T. A. Pai's time, when a lot of pressure was brought in, that this Rs. 6 crore agreement came with a package deal. So, Sir, I would like to say that the Life Insurance Corporation should effect some economy in its expenditure and work as a trustee as it is supposed to function and provide adequate service to the policy-holders as well. So far as this particular Bill is concerned, I would again plead that the modification could be without retrospective effect from the 1st April, 1975 and it could be effective after paying the agreed bonus and whatever it is in the package deal for the year 1975-76, that is the year ending 31-3-1976. Thank you.

SHRIMATI SUSHILA ROHATGI: Mr. Deputy Chairman, Sir, I would like to

thank all the honourable Members who have participated in this debate and made very valid and valuable observations.

I think it was a very wide spectrum of discussion today, starting from speeches decrying the Bill, criticising the Bill and opposing the Bill tooth and nail and threatening to strike here or strike outside and to take the course of action in their own hands to speeches by some honourable Members fully supporting the Bill. Anyhow, Sir, I would like to take the House into confidence in general and say that when a measure of this nature comes up here, it is only after giving due thought and due consideration to the issue that the Government brings forward such a measure. Consideration is given to all aspects. The Government considers the issue from all angles, considers how it is going to affect labour or a particular section or how it is going to affect the nation as a whole and so on and it is only after all these factors are taken into consideration and due thought is given to every aspect and everything is considered fully that a measure of this kind is brought forward in the House. Certainly, Sir, having taken all those factors into consideration, we feel that this is a correct step and we feel that it is a moral step and we feel that it is a step which will take the community forward and it is also a thing to which we are morally bound and I think it is an obligation on our part to do this particular thing because the Government is bound to do this for the very purpose for which the LIC has been created and it is to subserve the common interests and to look after the interests of the policy-holders and I do not think there is any other option available before us. Therefore, Sir, in the initial speech, I had tried to put all the facts into as concise a form as possible and to bring before the honourable Member the various circumstances, the historical facts, the necessities and also the challenges that are before us and the need to consider this question from the social equality point of view. Above all, Sir, it is our firm belief that the LIC workers will appreciate and let them realise this also—that they have to walk into the mainstream

[Shrimati Sushila Rohtagi]

of our national life. We have very great faith in our workers and it is only through their endeavour and through their co-operation and through their dedication and discipline which they have shown—here I think the LIC workers would not be different from the others—that they would be helping us in building what we are really aiming at building. As a matter of fact, before I speak on the other things, I would like to say that because of the atmosphere of dedication and discipline created by the workers—many of the theories propounded by some of the honourable Members here have had no effect on our workers—that recently the working expenses of the LIC decreased considerably and we also find that the performance is better and we also find that the LIC workers feel that it is their own work which they are doing and that they are supposed to carry out certain duties no matter whatever be the threat that is made here on the floor of this House or outside and I am sure the workers realise the fact that the work to which they are dedicated is really the correct work and I am also sure that they will do their work with greater enthusiasm, more devotion and more patriotism.

Now, coming to the other things, I would like to make one observation here. Apart from the political angle, the various political angles, from which all the parties viewed this issue, we are aware that this is not a political issue and it should be realised that five different unions are looking at this issue from very different angles. But, certainly it is not the intention of the Government to bring forward any anti-labour measure whatsoever. Mr. Kalyan Roy, who raised the discussion here today and who also initiated the discussion yesterday, has preferred to be out of the House at this particular moment. Sir, as I said, all the steps that the Government has been taking from the beginning, more so in the recent past, are really aimed at, each one of them is really aimed at, seeing that disparities are removed gradually and slowly without hitting any particular section of the community and the concept is to bring about democratic socialism and to bring about an egalitarian society when

these disparities will not be there. I think the honourable Members would agree with me that there are great disparities in the country today, whether between the Central Government and the State Governments or between the State Governments themselves or between the public sector undertakings and the Central Government or between the various public sector undertakings themselves, and there are lots of things concerning these disparities which come before us from time to time. Therefore, on all these serious issues, I think, we have to pool our wisdom and see how, slowly and gradually and in a peaceful and democratic way, a common policy can be evolved and I think labour has a very very big role to play in this. May be that there are some people who do not agree with us on this. But it is only in their larger interests because they are part and parcel of our national life and I think they will play their part and I have not the slightest doubt that the LIC workers will stand by us and see that nobody is allowed to take any isolated step which will spoil the excellent work they are doing and the image they want to create for themselves.

Now, Sir, it is open to the House to see what is happening in the Life Insurance Corporation. As some honourable Members have pointed out, the expense ratio has gone up and it has gone up to 18.97 and it should not have been above 15 per cent. But, at the same time, on account of the greater dedication and devotion shown by them, it has been possible to bring down the expense ratio and it has been brought down to 17 per cent.

We are sure that with this being sustained in the future, it would improve things. At the same time, the annual expenditure on each of these employees, which number 58,000 now, on an average, came to Rs. 3000 (1956-57) earlier. Now it comes to about Rs. 15,000 per employee (1974-75). And I think this is not a very small amount. Therefore, to equate them, the LIC people, with the ordinary workers, as some of the hon. Members have pointed out, is a matter of degree. That is a matter of comparability, and I leave it to the

wisdom of hon. Members to judge for themselves.

Between the workers, between the organised labour and those who do not have the capacity or the power or the money or the wealth or the vested interest behind them, there is a great deal of disparity there, and we have to take that also into consideration.

I would like to bring to the notice of the hon. Members....

SHRI KALI MUKHERJEE (West Bengal): What about the subscribers, for whom this machinery is set up? Is there any possibility of giving good service? Why don't you touch on that point. Only wage is not the problem. The problem is about service to the subscribers.

SHRIMATI SUSHILA ROHATGI: I will come to that. Thank you very much for pointing it out. I will certainly come to that later on.

Hon. Members are aware under what circumstances the settlement came into operation. There have been *gheraos*. There were demonstrations. There were all types of things. It was not only the senior people and managers who could not perform their duties, but there were disturbances within the campus, and even wives and children of these people were subjected to all sorts of pressures. Is that the way in which democracy should work. I can understand what it means when the husband or any male member is subjected to these types of things. Being a wife, a mother and a woman, I can understand all this. We do not care for the money and all the rest of things. It is the safety of the person; it is the honour of the person. Under pressure, many things can be done. I can however, tell those in the Opposition, who incited people, that we know how to deal with demonstrations, dislocation and attempts at paralysing the economy. People can incite and take the leadership in their hands. But when the poor people face difficulties, it is not the leaders who come to them. The poor people have to look for their morsel of food every day. I am sure they will also understand all this. What they want is security. What they want is peace. They also know that the pay packet

is now slightly better. It is not idle. Consumer price index (All India) in terms of real value of money has registered a decline of nearly 29 points. To this extent, their purchasing power has increased. If these conditions are sustained, we have every reason to hope that their condition will improve further and we anticipate that in the atmosphere prevailing in the country at present, the production will also increase further. The women who go to office understand what this really means. Housewives are looking forward to such things—not the *gheraos*, misrule, dislocation and unemployment which spread discontent, which some people are trying to do. Therefore, inciting workers will not pay any one. It is not the intention of the Government to hurt the labour.

While I was speaking yesterday when piloting the Additional Emoluments (Compulsory Deposit) (Amendment) Bill, 1976, I told the House that a fund of about Rs. 1000 crores was being created, and it was the idea of the Government to see the workers also become partners in that. A Cabinet Committee has been set up and they will discuss it in detail, and important leaders will also be taken into confidence to see how that money can be really invested and utilised and how the workers can also have an active participation, not only in an advisory capacity, but also by going into the details so that they realise that they are really trying for the economic development of the country as a whole.

Sir, at the time when this settlement was made. I would just like to point out, the bonus payable to the Superintendent was approximately Rs. 4000, while the sub-staff at the minimum scale got Rs. 700. Thus the agreement is very heavily weighted in favour of the white-collared workers even in the LIC itself.

While I am speaking about the disparity in the wage structure, this structure is existing and we have to go into that in depth.

Apart from that, the final expenses have gone up. According to the settlement, an extra Rs. 1 crore each in the third and the fourth year was to be given in the shape of improvements in provident fund con-

[Shrimati Sushila Rohtagi]
tribution, leave travel concession and medical benefits. The Chairman was to review the financial position of the Corporation at the end of the second and the third year of the settlement to consider the feasibility of granting one or more of these benefits. Sir, we find that the review was done. It was felt that the financial position of the Corporation was not such as to provide additional outlay of Rs. 1 crore for effecting certain improvements in the existing leave travel, medical benefits, etc. In fact, the new individual business in the year 1974-75 registered a decline of 7.8 per cent as compared to 1973-74.

Sir, another review will be done in the current year. These are our own employees and it shall always be our endeavour to see as to what improvements are feasible, keeping in view other relevant factors. Certainly, we are alive to whatever they require. And, therefore, the matter will be reviewed.

Now, Sir, I would just touch upon the point raised by Shri Kali Mukherjee. I would just like to draw the attention of the House to the exact wording of the Life Insurance Corporation Act—Section 6. It says :

“Subject to the rules, if any, made by the Central Government in this behalf, it shall be the general duty of the Corporation to carry on life insurance business, whether in India or outside India, and the Corporation shall so exercise its powers under this Act as to secure that life insurance business is developed to the best advantage of the community.”

Sir, about 57-58 per cent policy-holders have policies for about Rs. 5000 or below Rs. 5000. We have tried to help these people in our own way. After all, to whom does the benefit of this go? It is to the poor widows, orphans, children and to the aged people. These are the people to whom, according to our socio-economic policy, these benefits should go. Some of the hon. Members referred to monopolists, etc. But our investment policy is such that 75 per cent of it goes to the socio-economic structure. About ten per cent or so is reserved for the private corporate sector. Out of that, maybe much of it has gone to the

larger houses. That depends upon their passing through the M.R.T.P. and other usual formalities. The main thrust of the L.I.C. is in favour of the vulnerable and weaker sections which really need insurance. All these sections want insurance so that there is something to look after them in case there is early death of the person. Therefore, Sir, it is to the policy-holders and the community as a whole that the L.I.C. has given its attention.

Some of the hon. Members have pointed out that there has been no reduction in the premium nor is there any increase in the rate of bonus for the last three years. Actually, they have a right to say so especially because the mortality rate has gone down and or longevity has improved. But we must also keep in view that the nature of business today is not only individual business. It is also directed towards group insurance which really caters to the smaller and weaker sections of the 3 P.M. society. But the policy holders have a right to ask, under better conditions of living, with greater longevity, why there has not been a rise in the bonus or a fall in the rate of premium. And these are the things, I think, which we have to face, and the L.I.C. also has to reply to the policy holders on this. So, under these circumstances, with the awareness that though there are anomalies in the pay structure, at the same time, there should be a greater progress towards the egalitarian concept of society and it is not the sectoral interest which we have to serve but the nation as a whole, and a decision was taken. This decision was taken with all faith, with all humility, with no intention of fighting the labour because the labour is primarily in the eyes of the Party and the Government. And all these charges which have been levelled against us that it is anti-labour, it is immoral, and it is sinister, I certainly refute. And I would very humbly, with due conviction, with full faith, appeal to the LIC people, the workers there, to understand the circumstances under which it is being done and also to understand that this is a historic step which will really bring about a change, which will really be in the larger interests of the country and in which, I think, they would also like to participate and involve themselves.

With these words, Sir, I would request each of the Members to assist us, help us and support us in passing this.

MR. DEPUTY CHAIRMAN : The question is :

"That the Bill to provide for the modification of the settlements arrived at between the Life Insurance Corporation of India and their workmen, as passed by the Lok Sabha, be taken into consideration."

The motion was adopted.

MR. DEPUTY CHAIRMAN : We shall now take up clause by clause consideration of the Bill

Clause 2 was added to the Bill.

Clause 3—Modification of settlements

MR. DEPUTY CHAIRMAN : There is an amendment by Mr. Dhulap.

SHRI KRISHNARAO NARAYAN DHULAP : Sir, I beg to move :

"That at page 2, lines 15—17, for the words "and shall not be deemed to have had any force or effect on and from the 1st day of April, 1975." the words "from the date of the passing of this Act" be substituted."

The question was put and the motion was negatived.

MR. DEPUTY CHAIRMAN : The question is :

"That clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

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

SHRIMATI SUSHILA ROHATGI : Sir, I move :

"That the Bill be passed."

The question was put and the motion was adopted.

THE BANKING AND PUBLIC FINANCIAL INSTITUTIONS LAWS (AMENDMENT) BILL, 1976.

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) : Sir, I beg to move :

6—L285RSS/76

"That the Bill further to amend the Industrial Finance Corporation Act, 1948, the State Bank of India Act, 1955, the Industrial Development Bank of India Act, 1964, and the Regional Rural Banks Act, 1976, as passed by the Lok Sabha, be taken into consideration."

[The Vice-Chairman (Shri Lokanath Misra) in the Chair.

Sir, this Bill seeks to bring about a measure of uniformity in the provisions relating to appointment and fixation of terms and conditions of service of the Chairman of the Industrial Finance Corporation of India, the Chairman, Vice-Chairman and Managing Directors of the State Bank of India, the Chairman and the Managing Director of the Industrial Development Bank of India and the Chairman of Regional Rural Banks, in the relevant statutes under which these banks and institutions have been set up. While commending the Bill for consideration of the House, I shall confine myself to explain some of the more important amendments.

As the House is aware, these banks and institutions were set up over the years from 1948 to 1976.

The Industrial Finance Corporation of India was set up in 1948 and its shares are held between the Industrial Development Bank of India (50 per cent), the Life Insurance Corporation and the Scheduled Banks (about 35 per cent), co-operative banks and co-operative societies (about 15 per cent). Chairman of this Corporation is appointed by the Central Government in consultation with the Industrial Development Bank of India.

The State Bank of India was established in 1955. It was a successor to the Imperial Bank of India, a private sector bank, where the Central Board was autonomous in the matter of appointment and determination of the terms and conditions of service of its senior executives. Under the State Bank of India Act, the Chairman and the Vice-Chairman of the bank are appointed by the Central Government in consultation with the Reserve Bank of India and