

MR. DEPUTY CHAIRMAN : The House stands adjourned till 2.00 P.M.

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

The House reassembled after lunch at tw8 minutes past two of the clock. .Mr. Deputy Chairman in the Chair.

**THE PAYMENT OF BONUS
(AMDT.) BILL, 1976—Contd.**

MR. DEPUTY CHAIRMAN : Mr Krishan Kant.

SHRI KRISHAN KANT : Mr. Deputy Chairman, Sir, this Bonus Bill, on the basis of the Bonus Ordinance, is another gift of [he emergency, » besides MISA you can aires) anybody, even a Congressman. Sir, this is a nullification of the struggle of the Indian working xlass for the last over 50 to 60 years. The struggle for bonus started in the First World War. In 1924, it was not recognised. But, Sir, during the Second World War and thereafter, the right to bonus was accepted, and it was a gain that the working class achieved, and was a part of the regular achievement, the income, that the workers used to get for the last 35 years. Sir, now that right has been taken away quietly by the Ordinance and the funeral rites of the workers' claims and rights achieved through struggle are being performed through the hands of Shri K. V. Raghtmatha Reddy, the Minister for labour, a progressive and a committed friend of mine.

Sir, the arguments given yesterday by the Minister in his speech stating why this new Ordinance was now required, were as native as the various arguments for the emergency. Various arguments were given, and before that my friend who spoke said that this Ordinance is draconian and works against the very purposes of emergency. It is a destabilizing, reactionary force. Sir, I would like to say that the emergency creates reactionary, counter-revolutionary, destabilizing forces; and that is why it has grown. What were the first benefits of the emergency ? No nationalization of textile

industry, and the very concept of State is I lcing changed through various laws and ordinances of the democratic State that we had, the democratic and socialist State that we wanted to build. What has happened during the emergency ?

The capitalists have grown ; *the* workers have suffered ; political processes and collective bargaining have stopped. People arc arrested without reason. This is how the very concept of the Slate has been clvnged by virtue of this emergency.

I would like to deal here with two or tinee points. The first point which has been said here—very simply it has been said—is : How can you give bonus if there is no profit? And my esteemed friend, Mr. D.D. Puri, gave a very simple argument—a common sense argument : How can you give bonus if there is no profit? It is all right because he represents certain interests which are getting strengthened during the emergency. This common sense dawned upon the Government of India in 1975, when there was emergency. You know how the right to get bonus whether there was profit or no profit was attained. It was attained after a struggle from 1949 onwards. And everybody was a party to it. The labour and businessmen were all parties to it. From 1949 when the Bombay Court decided upon it—it was accepted for a period of one or two years—they have been getting it. At Ahmedabad, in 1957 the Bonus Pact was entered into by a trade union organisation built upon the principles of Gandhiji. They entered into an agreement and that agreement continued in spite of Supreme Court cases. High Court cases and despite other lr.bour and industrial relations. And the party organisations have been quoting them as a model for settlement of problems between labour and industry. All of a sudden, it dawned as a retrograde step, as being against the very proposition of economic recovery. I have got the Supreme Court decision of 1949. It is clearly said—

"Industrial establishments had to pay bonus at a uniform rate irrespective of the profit or loss".

[Shri Krishan Kant]

It was in 1949, not now. After that, the Industrial Court in 1950 and 1951 said—

"No bonus can be given if there is no profit."

In spite of that fact, it must be noted that those units which are excluded from the liability of payment of bonus were not awarded as finally settled by the Industrial Tribunal paid some bonus to the employees, in spite of the loss. Later on came the Ahmedabad Bonus Pact which continued for five years. Afterwards they went to the Supreme Court; various cases went on both at Ahmedabad and at Bombay. But the mill-owners continued to pay bonus in spite of loss, as per the principles settled in the Bonus Pact of Ahmedabad.

Later on, what happened ?

Not, it has dawned : How can a losing concern pay bonus. But what about the Bonus Commission which was appointed in 1961 and gave its Report in 1964 ? The employers were part of it. They gave a dissenting note on different items. But on the question of bonus there was no dissenting voice ; no employer gave a dissenting note, and bonus continued to be paid there was loss—the minimum bonus. Now, all of a sudden during the emergency it dawned—crisis, economic crisis.

Sir, the minimum bonus of 4 per cent has been paid from 1949 onwards and especially, after the Bonus Commission's Report. How has the whole thing contributed to the economic crisis in the country ? No, Sir. It was because at that time political processes were functioning, trade unions were functioning, labour organisations were functioning. And they were having struggle ; they were having collective bargaining. Now, for the first time, this type of political functioning and collective bargaining stopped during the emergency.

And the bureaucrats have taken over; the capitalists have taken over. The biggest

emergence of the new socialist figure of K.K. Birla is there. And when he is the now emerging socialist force in this country, what can Mr. Raghunatha Reddy do? It is he who dictates whether bonus should be given or should not be given, or it is the bureaucrats who dictate whether bonus should be given or should not be given. Sir, the trade union movement in this country from the early twenties, since Lala Lajpat Rai was the first President of the Trade Union Congress, had held the right of consultation. The Bonus Review Committee gave its report. Did you discuss with the labour representatives of any political organisation, the INTUC or the ATTUC who have been trying to support the emergency? Did you consult anybody before you came up with this Ordinance? Have they stopped functioning in this country? Is the political process continuing in this country? Sir, this concept of State from a welfare State to a capitalist State has grown during the period of emergency. Even yesterday he said that in a backward economy, bonus is to fill the gap between the actual wage paid to the labourer and the need-based minimum wage. My friend, Mr. D. D. Puri gave very simple arguments and all that. Not that I think his speech is most relevant, but he was happy because it was the first time after independence that they are having their own way and they can do what they want.

SHRI D. D. PURI (Haryana) : Sir, the hon. Member has said that I represent certain interests. I represent the Congress Party in Haryana and that is what I represent. I represent nobody else.

SHRI KRISHAN KANT: We all represent the people of India here. The arguments he gave were not the arguments given by Congressmen in the Bonus Commission. They were not the arguments of (those who fought for bonus in Gandhi-ji's trade union organisation in Ahmedabad and who said that bonus has to be given whether there is loss or no loss, and to which the mill owners agreed. That was the Congress. So, it is not simple, Sir. I have got here the whole history, how the

hole concept has changed all of a sudden. Nafuralh the emergency has to be implemented not through political processes—the political processes have stopped—but, as mentioned by Mr. Nikhil Chakravarty in his article in *Mainstream*. it has to be implemented through bureaucrats. And bureaucrats are natural allies of reactionary forces, counter-revolutionary forces, conservative forces and capitalists. Without consulting trade unions, without consulting political parties, they hit upon this Ordinance and implemented it. Is there any trade union organisation worth the name \\ hich is supporting you on the bonus Ordinance.

SHRI G. LAKSHMANAN : No.

SHRI KRISHAN KANT. No. That is true.

SHRI JAGAN NATH BHARDWAJ (Himachal Pradesh) : The INTUC is there. *(Interruption)*

SHRI KRISHAN KANT : You retfd the speech of Mr. Bhagwati earlier and the resolutions now. It is all right. You can say anything. So, Sir, I was coming to the fact that basically the emergency has to be implemented through bureaucrats. And that is why the Prime Minister in her interview to the CBS said : "Mistakes are made. Ultimately things are implemented at lower levels by those who are in the bureaucracy, and they certainly make mistakes." Naturally when the political process has stopped, the burej vracry will function. That is why when my friends there support the emergency but oppose anti-labour laws, it is contradiction in terms.

SHRI KALYAN ROY : No.

SHRI KRISHAN KANT : If there is emergency, the emergency is implemented through the instrument of bureaucracy. And the bureaucracy can never be sympathetic to peasants and labourers; it can never be sympathetic to the working class. In a multi-class State, the State is run by

those who control economic power. That is why, Sir, in a multi-class State, when emergency comes, it is the bureaucrats v. ho will run the State, not any political leaders. So the basic question is this, that the argument that where there is loss, you cannot pay bonus, is a negation of the 35 years of struggle and gains of the labour movement in India, by all sections of the labour movement, whether it was INTUC, AITUC or TLO of Ahmedabad or CITU. That is number one. Number two, they say they want to relate it to production and productivity. Relate it. It appears a very wholesome idea. But how are you going to do it? My friend Shri Kalyan Roy read out from the report of the Profit Sharing Committee of 1948 and the report of the Bonus Commission of 1964. They had said that it is very difficult to work out the norms and standards by which you can measure production and productivity. In any industry there are two types of work—one is manufacture and the other is services. How are you going to measure production and productivity in the maintenance of services branch. Before passing this Ordinance, had you been sincere you should have given a practical shape to this wholesome idea. You should have discussed with the labour unions and their apex body and found out how you can measure production and productivity. The Bonus Commission have said that it was not possible *to* measure it. This is what they have said:

"In view of the objections to the proposal by large sections of employers as well as almost all the unions and practical difficulties inherent in such proposal, we are unable to recommend that the concept of bonus based on profit should be replaced by annual bonus linked with production or productivity. It is doubtless tme that properly devic-ed incentive schemes in manufacturing concerns form a useful part of the wage structure and would help increase production. But they cannot be suggested as a substitute to replace the annual profit sharing bonus.

I Shri Krishan Kant]

Before you brought forward this proposal in this Bill relating bonus to production and productivity, did you work out the norms for measuring production and productivity? Are you befooling the working class of this country? By this Bill the very purpose of the Government to have better economy and to get out of the economic crisis is not going to be achieved because more and more conflicts will arise and more and more troubles will arise in the field of industrial relations. The moment you try to analyse how productivity can be measured, you have no norms for that because there are various types of services... [Interruptions]. Are you wiser than the Bonus Commission? I was saying what the Bonus Commission had stated. Probably he has better knowledge ...

SHRI JAGAN NATH BHARDWAJ : There are definite examples . . .

MR. DEPUTY CHAIRMAN : You are going to speak next. Then you can reply to these points.

What I was saying was that before you brought forward such a piece of legislation as this, you should have approached an expert body and formulated the norms for measuring productivity and production. Now, how are you going to work out those norms? It has been very well said that there are various factors of production such as inputs, power supply, marketing conditions, credit position, taxation policy, change of technology, product mix, management policy, competence, industrial relations, changing of work organisations, etc. All these contribute to production and productivity. What are the various methods that you are going to adopt for calculating and finding out production and productivity? Ultimately the workers will be penalised because the workers have little to do with these complex factors.

The Textile Labour Organisation have worked out the formula now given by the

Government. You can now see how it is going to affect the workers. Even if there is a gross profit of Rs. 50 annually, only four mills in Ahmedabad will be able to give bonus, although others have been giving bonus since 1949. There are 24 mills which will be having a profit of Rs. 50 lakhs and above. According to the formula of the Government—this socialistic formula—none of them will be able to give any bonus. There are 23 mills which will be having a gross profit of Rs. 50 lakhs. But according to the Government formula, they will not be giving any bonus. And then, Sir, there are four other mills which have gross profits below ten lakhs of rupees and they will not be able to give any bonus for that particular year. This is the impact of your socialist bonus Ordinance which you say is in favour of labour. And, Sir, they say that labour has contributed to the maintenance of production level, has helped them in keeping law and order and contributed to the emergency and yet this is the reward that the labour is getting from them. Sir.

MR. DEPUTY CHAIRMAN : I think you will have to wind up.

SHRI KRISHAN KANT : Only one more point, Sir. The basic concept of collective bargaining in a democratic society is being taken away. You are taking away, for the first time, the basic concept of collective bargaining when you are removing Section 34(3) of the Act and it will not be there henceforward. Even in the earlier Act provided that if the workers and the management could collectively come to a decision to the effect that they can get so much bonus, that could be done. Even that right of collective bargaining is being taken away now. Sir, is this strengthening the labour movement? Is it strengthening the democratic forces or is it strengthening the very forces which we want to defeat in our fight against the forces of destabilisation? Anyway, Sir, I will not go very much into it now since all of us have been saying about that . . .

MR. DEPUTY CHAIRMAN : I think you have to conclude now.

SHRI KRISHAN KANT : Yes. I am finishing now.

Sir, I hope that it would be better if, even at this late stage, he withdraws this Bill and if he does not perform the funeral rites for the struggles of the people and the working class during the past sixty years or so. Otherwise, this last blot will remain on you that you nipped in the bud and laid to rest all the struggles of the trade union movement in the country started by leaders like Lal Lajpat Rai and others and led to this day. Thank you, Sir.

SHRI JAGAN NATH BHARDWAJ : Sir, I have no hesitation in supporting this Bill because I know that though the workers are not so happy about this Bill, they are not . . . *(Interruptions)* . . . so much idiotic . . . *(Interruptions)* . . . Sir, the workers are not so much idiotic, the workers are not so much ignorant and the workers are not so much selfish as these people think. They know what is good for them and they know what is bad for them. They know that this Bill is indirectly to the advantage of the poor people. Why do I say that because it is to their advantage? Because, there has been some indirect effect on prices because of these measures and all these measures have gone a long way in ameliorating the lot of the poor people. It is because of this, the workers feel that what is happening is good to them and to their brothers and sisters. It is good for them. They know what is good for them and what is bad for them and, therefore, they do not have any grudge against the Government that the Government has come forward with this Bill. They also know that if there are some difficulties for them, they can give expression to that in some other way. But, Sir, on the whole, there is a feeling of satisfaction that this is a good national effort and it is indirectly in the interest of the poor people.

SHRI KRISHNARAO NAFCAL IN DHULAP : Are they happy?

SHRI G. LAKSHMANAN : Do you think that they are happy?

SHRI JAGAN NATH BHARDWAJ : Yes, they are happy . . .

SHRI HAMID ALI SCHAMNAD : Do you think that they are happy?

SHRI JAGAN NATH BHARDWAJ : I have not said that they are very happy. I have said that they are not so much unhappy. I have also not said that they are totally unhappy. They are not very much happy also.

SHRI HAMID ALI SCHAMNAD : You say that they are happy still?

SHRI JAGAN NATH BHARDWAJ : I have no hesitation in saying that. But what I say is that the workers can understand things. Now, my friends are saying that the workers are selfish. But the workers are not so selfish. They know what is the need of the nation is and what the need of the people is and they want to respond to it. Therefore, they are happy. It is both ways.

Now, Sir, I have to point out something which is in the interest of the workers.

SHRI KALYAN ROY : I am sympathising with you because you are not speaking from your conscience.

SHRI JAGAN NATH BHARDWAJ ! No; I am speaking from my conscience and I have spoken the facts also. Now, Sir, so far as the year 1974 is concerned, the workers do feel—and I have to point out that thing to the honourable Minister—as to why they are doing this thing with regard to recovery. For example, certain workers have been paid according to some agreement or something like that and they feel that at least those arrears should not be recovered from those who have been paid bonus by mistake or by chance at 8-1/3 per cent in respect of the

(Shri Jagan Nath Bhardwaj] >ear 1974. This is the point to which I would like the honourable Minister to give his thought.

The next point is about production. My friend was talking about production and productivity. There are certain difficulties in calculating productivity. But, as far as production is concerned, it can be easily calculated. I can give one concrete example. In Nangal Fertilizers they are paying production bonus on the basis of total ammonia produced, total fertilizers produced, and every worker gets production bonus—a very clear-cut formula. As far as services are concerned, these can also be measured in terms of value. So there is no doubt about that. But one thing I would like to ask the Minister. He should kindly make it clear whether bonus on the basis of production and also bonus on the basis of profits can be paid side by side. It may not exceed 20 per cent together on both these accounts. This point must be made clear. I would appeal to the hon. Minister that he should think over this point also, whether both these things should be permissible simultaneously. May be, they may not exceed 20 per cent in total. I would request the hon. Minister to make this point clear.

Another point is that there is no doubt that it is a good Act. But I would say one thing. The workers should have some say in the matter of accounts, for arriving at the balance sheet or arriving at profits. And I think that the best way of doing this is the principle of joint management council. This should be considered. It may be by statute, if necessary, so that the employers form such council. The joint management council should have the right to discuss every detail of the balance sheet.

Another point is about deferred wages. Now, my friend said that bonus is deferred wage. No doubt, we have come to the conclusion that bonus is a deferred wage. I think the hon. Labour Minister should think in this way. We are thinking in terms of finding a common wage structure, a national wage structure. I think

that in that policy we can also think of paying something, which may be called bonus or which may be given any other name, in addition to the monthly pay. Something should be available to the workers or salaried people over and above their usual monthly wage. I once told this House that this pattern prevails in Japan. There they give something extra. 14 months' wages in a year—two months' wages extra—one at the time of a fair or festival season and the other at the beginning of the financial year, so that people can meet their unforeseen needs. If that is done, the so-called bureaucracy can be above corruption, because once their needs are met, they will not be inclined towards corruption.

So, these are the points that I wanted to make. Thank you, Sir.

MR. DEPUTY CHAIRMAN : Mr. Khumbhare . . .Not here. Mr. Bhupesh Gupta, you can reply now.

SHRI BHUPESH GUPTA (West Bengal) : I am very glad to have an opportunity of saying a few things in my reply to the debate on my motion. I did not say anything on it at the time of moving the Resolution for disapproval of the Ordinance. As far as this Bill is concerned, it gives effect to the Ordinance which was promulgated, I believe, on the 25th of October, suddenly, in total disregard of the accepted standards of dealing with the country's trade union and working class movement. So the question of bonus had been discussed not only in the Bonus Commission which was appointed in 1964, but much earlier, between the Government, employers and the workers' representatives. And as a result of these discussions, earlier discussions, and also, I must add, the struggles the working people themselves, the Bonus Commission came to be appointed, consisting of representatives of all the three main parties; namely, the Government, the labour and the employers. The experts and others were also there. They came to certain conclusions and so on. Later on, the matter continued to be

discussed and debated as a result of which a certain Act of Parliament was passed and a certain formula was given effect to. I think it was the Bonus Amendment Act of 1973 in which the minimum bonus of 8.33 per cent was accepted. Although the measure was a temporary one, it was renewed from year to year. We expected that it would continue and ultimately the principle would be enshrined in a permanent law with such changes as may be necessary to the interests of the working people. According to the Government, the approach was one of trying to accommodate, as far as possible, the demands and the viewpoints of those who had been fighting for bonus.

The whole process has now been reversed by this Ordinance because the right to bonus is taken away, although it is said that workers will be entitled to get 4.4 per cent bonus provided so-called allocable surplus is available. We do not know how the allocable surplus will be computed and how the figure will be arrived at. But we do know that the manipulations will continue and despite the profits it may well be that, in many cases, there would not be any allocable funds shown on which bonus could be charged for the benefit of the workers. It really means that bonus will go except where the employers are ready to oblige by giving some pittance or some bonus to the workers. Their right to not only a minimum bonus of 8.33 per cent but to any bonus is taken away if it is shown that there is no so-called allocable surplus with the company. Such a situation has been created.

This has been rightly described as an anti-working class measure because it takes away the hard-won gain of the working people, the gain which has been made as a result not only of struggle but also of constructive efforts along with the Government and others. It has been regarded, again very rightly, as a bonus *U* to the monopoly class, big capitalists and others who had never reconciled themselves to the concept of bonus. They

fought it in the courts of law, they fought it in offices and factories and they have fought it in Parliament. They have done everything to deny bonus to the working people or at least to see that bonus must be left to their pleasure and not made obligatory on their part. It is this class of people who had been advocating this thing in their speeches in the Chambers of Commerce, through press and other things which has been obliged by the Government. Our friend, Mr. Raghunatha Reddy, was pleased to tell me and the House yesterday that this Bill was not the result of any pressure of the monopolists and by no means, did it mean surrender to the tactics of the monopolists and the capitalist class. However much he may deny, the facts of life show that the Bonus Ordinance followed their persistent demand that the Bonus Act be scrapped and that the concept of bonus should be thoroughly revised.

It is they who have been crying for such things in the lobbies of Parliament, in the Press, among the leaders of the Congress and others. Am I to conclude after that that there has not been any pressure when there was visible pressure? Am I to conclude that there has not been any tactics of blackmail when blackmail was right in the open? Am I to ignore their raucous voice against bonus and complaint all the time against 8.33 per cent bonus, calling upon the Government to do away with this kind of arrangement? Surely, Sir, nobody in his senses will come to such a conclusion. What is the use of his saying this thing? The fact of the case is such that at least it leads to the conclusive proof that the Bonus Ordinance has followed the pressures and demands of the monopolist and capitalist class. No amount of speech-making, denial or assertions to the contrary or other tactics will hide this very ugly fact of our public life, and specially our industrial life. This is what I say. Mr. Raghunatha Reddy should credit our public with some intelligence at least. It is true you can take away their bonus. You can put them in prison when they protest in peaceful hunger strike.

[Shri Bhupesh Gupta]

You may frown upon thorn. You may brandish over their head your emergency power. But their common sense is something which you can never rob. And that he will understand. So, Sir, this is one part of my reply as far as his observation to my charge is concerned.

Sir, when we went to meet the Prime Minister on October 1, Comrade Dange, Indrajeet Gupta and myself on behalf of our Party to make a representation against the Bonus Ordinance and requested for keeping it in abeyance at least, well, that news item was not allowed to appear in any newspaper, and the censor came down upon it.

SHRI KALYAN ROY : Even yesterday's speeches were censored fully.

SHRI BHUPESH GUPTA : I will come up to that. Sir, what crime did we commit " Did we destabilise the Government by meeting the Prime Minister ? Did we threaten the independence and security of the country by meeting the Prime Minister? In fact, she listened to us patiently and we argued with her our case, made out our case. We thought at least this much news should be published. Do you know what communique we got ? Sir, this was not published. 'The New Age' published it. All the other papers were asked to black out this. This was the news item we released to the Press taking into account this censor business in our country today :

"A deputation on behalf of the Communist Party of India consisting of S. A. Dange, Bhupesh Gupta and Inderjit Gupta, met the Prime Minister on October 1, and apprised her of the Party's stand on the recent Bonus Ordinance and requested her to keep the Ordinance in abeyance with respect to the current year's bonus payment. They also asked that the whole issue be discussed with the trade union representatives before a final decision is taken."

My friends should know that this was the news item which we released to the Press. We could have said much more. We did not do so knowing full well that the censor was waiting there to apply its scissors on it. This news item was blacked out, censored, absolutely obliterated. Radio did not even mention it or the press was not even allowed to mention that these people belonging to the Communist Party met the Prime Minister over the bonus issue. Why? Why was this thing done ? Now, Sir, this in itself shows the gravest abuse and misuse of emergency power. And yet we were told here some days back that the emergency power was not being misused and that when misused, Government will put things right. Has it happened ? Not at all. Now even yesterday, discussion took place in the House. A very small part of it has been passed by the censor. We made a walk-out in protest against the introduction of this Bill. Was the walkout such a treason, such a horrible crime, such a violent—whatever you call it—upsurge in the House that in the national interest, for the security of the State and for the security of everybody here, on this side and that side, the press was asked not to publish this walk-out after having been given a clear order ? Such an order came : as you know, I read that order out. Such is the position. Why ? Am I to understand that this is being done because the workers will be annoyed or such measures are being adopted because they know very well that the working people of the country, the workers and the employees, have not accepted the bonus Ordinance and the bonus Bill ? They are very right and they are very conscious of it. Are you prepared by an experiment to announce here in this House that for the next 24 hours or 48 hours, emergency law or emergency measures will not apply against any action, for or against, taken by the workers in respect of the bonus ? Are you ready for it ? Give them the right to protest against it. Do not come in the way. Do not use your Defence of India Rules and the emergency power against them and you will see whether the workers are pleased or displeased. You will see whether the workers

h.r.q -accepted or rejected. You will see how the working people react to it despite the fact that you have given some bonus to the workers of the smaller establishments which do not employ 20 persons and so on. We know all this. The basically well-established right which has been incorporated in the Act of Parliament—although the Act was temporary and renewable—you have taken away. This should be enough said for it. Therefore, Sir, I say, the Labour Minister at least should be concerned as to how the labour feels. He does not seem so: Government does not seem; so, it is well known that some Cabinet Committees and sub-Committees etc. somehow or other to decide the question of bonus in order to bring this Bill or to deny the workers of their bonus. Why were all these things necessary? We should like to know from the Labour Minister and from the Government as to what happened in those sub-Committees and Cabinet Committees and all the rest of it. Why did it take so much time to decide the question? Was any member or a leader of the trade union movement invited including the INTUC? INTUC leader Mr. Bhagawati is sitting here. He is the President of the Indian National Trade Union Congress. By any means he will be regarded as the most sober, respected and, if I may say so, patriotic man. He has been a member of the Government also. He has occupied very high places in public life, apart from being a great scholar himself. Was it not necessary to consult him. Leave alone Dange if you do not like him? Was it not necessary to consult the organisations on whom you again and again rely for political and other support? Why was not Mr. Bhagawati consulted by the Cabinet sub-Committee or the Cabinet Committee? Was he shown the draft Bonus Bill or the Bonus Ordinance to elicit his opinion and make necessary changes in the light of what he had to say? You have not; otherwise, the INTUC leader and members all over the country would not have reacted in the manner in which they did when the Ordinance came to be promulgated. I am

to the organisation and the Government has been taken too much for granted. They also represent the working class just as other trade unions do. They are the living trade union organisations in the country. But they were not consulted. Why?

SHRI N. K. BHATT (Madhya Pradesh) : Mr. Deputy Chairman, Sir, may I request Mr. Bhupesh Gupta, through you, that instead of talking about the INTUC, the Congress and all that, it is better that he concentrates mainly on the subject on which we are all interested to hear his precious views?

SHRI BHUPESH GUPTA: Are you giving a thesis on it? It is not Decenary. Were you, Mr. Bhatt, consulted? Was the Bonus Ordinance shown to you? If it was shown, say so. I say you have not been shown. Can you deny it?

SHRI N. K. BHATT : Is that the matter you are discussing?

SHRI BHUPESH GUPTA : We are precisely discussing this. As Mr. Raghunatha Reddy said, if it has been in the larger interests of the workers, naturally, the working class organisations become very relevant in the context and you also become relevant. Therefore, I am raising a very pertinent question because I have the privilege of the presence in this very House at this moment, as I said, of two members of the trade union organisations, including our esteemed and respected friend, Mr. Bhagawati, who happens to be the President of the Indian National Trade Union Congress. What is the answer? Tell them, convince them and make the answer satisfactory and acceptable to them, at least to their hearts, even if they are not able to say anything in this House for reasons obvious. Everybody knows that the action was taken against the counsel of the trade union movement as a whole and that it was not accidental. Even before the Bonus Ordinance was promulgated, as Mr. Kalvan Roy pointed out yesterday, the INTUC.

[Shri Bhupesh Gupta]

the AITUC and the HMS met together in Calcutta and requested that the minimum bonus should not be reduced. Is it not a fact? Can you deny it?

Is it not also a fact that some of the State Governments were also apposed to this? As far as the Kerala Government is concerned, everybody knows that they formally informed the Central Government that they were opposed to any modification of the Bonus Act of 1973; that is, any reduction of the minimum bonus of 8 & 1/3 per cent. Let him deny it. This fact should be known to the House. Government should let us know today as to how many State Governments were asked to give their opinion on the proposal for reduction of minimum bonus and what opinion they got from the different State Governments. This information should be placed before the House today. Even this has not been done. We know why this is not being done. A number of State Governments have been unhappy and they base privately resisted this, even if some of them had not come out with an open statement or even a formal letter to the Central Government. But we would like to be enlightened on this subject by the Government itself. They should tell us. Therefore, this part of the story should be known. Hon. friends of the Congress Party should know what happened and how things happen behind the scene. Perhaps, you are too busy that way. But we should know all these things.

Now, Sir, what about the other arguments he has put forward in opposing my motion although, I believe, he never opposed my motion formally? Mr. Reddy, do you support my motion or oppose it because, when you spoke next to me, you had not said that you opposed my motion? But your speech was against my motion and therefore, I am dealing with it. In that speech, the concept of profit-sharing as well as productivity has been brought in. Many other tell-tales have also been introduced in order to justify the Government action. May I ask: Are the profits shown

correctly in the books of the company or the balance-sheet of the company? Have you not told this House, Mr. Raghunaiha Reddy, that these companies defalcate provident fund, compulsory deposit and other funds? Were we not told the other day only that Rs. 20 crores worth of provident fund had been swindled by a whole number of companies? Are we to understand that they will not be in accounts as it has been shown in Parliament, time and again for the past twenty years, how the Dalrnias, Birlas, Karamchand-Thapars, Chettiars and Goenkas and others had many accounts? Have we not had a book published regarding the Birlas and the House of the Jalans in which it is shown how the accounts and balance-sheets are manipulated to evade income tax? Am I to understand that those people do not manipulate their accounts in order to avoid and evade legally enforced income tax and other taxes? Will they not be doing the same manipulation when it comes to payment of bonus to the workers or, would they become sadhus and sanyasis—virtuous the people—when they deal with workers? Explain this thing. What is the use of telling us about the balance-sheet, the profit margin of the private concerns and what is hidden? Much of the profit is concealed not only to deny the workers' due but also to deny the Exchequer its due from them on account of their gross earnings and gross profits.

My friend there has said that in no country bonus exists, and capitalist countries and socialist countries were mentioned. Shri Kalyan Roy gave a fitting reply to it. In those capitalist countries I am talking of, there is health insurance, there is unemployment dole, there is provision for security of the families of the workers, there is old age pension and there are many other things apart from the amenities and facilities that they get when they are in work. Are these available in our country? I should like to know. Does an Indian worker get even one-tenth of the unemployment benefits that an American worker gets, even when the Indian worker is in service in a big concern? I should like to know. Find out from your Western

[Shri Bhupesh Gupta] examples, from the United States of America, as to how much is given to the unemployed as unemployment dole and say how much you give to the most highly paid skilled worker in our country. You will see the difference. An American unemployed person gets considerably much more than what a skilled worker gets here for his job as wages. These are also facts. Why ignore these facts ?

Now, similar facts can be cited from Italy, France, England and other countries of the West. There, most of the workers have a motor car, a television, a washing machine and, in many places, they have got their own houses. And that way many of them are protected. Is it the condition in our own country today ?

Besides, take the case of employers. There, do they go on evading taxes in the manner in which these people here evade taxes ? Name one industrialist or monopolist in England. They are not saints, they are also of the same bloodhound class*. But name one industrialist in England against whom one hundred and fifty income tax cases are pending and yet whose scion appears as the champion of the 20-point programme. Name one! Name one industrialist in France against whom so many charges of tax evasion are pending and yet who has been honoured with State awards like Padma Bhushan. Mention one American industrialist, for all his debauchery, corruption, blunders and degradation, who is behaving, as far as the Exchequer is concerned, in the manner in which their blood brothers in our country are behaving. Then what is the use of drawing these analogies ? It neither applies in the case of the working class nor in the case of the employer. It applies in neither case. In both ways it is the worker who loses and the arguments given are : Deny the workers their right. Well, I should have said, if I were to use harsh language, 'utter dishonesty' but I will not use these words because now-a-days even Mr. Goray is using very soft expression. Therefore, I will not use these words but this is how it should be described. You have attacked the work-

ing class for what, I would like to know. What crime have they committed ? Have they failed in production ? Who is responsible for crisis in production, for stagnation in industry ? Are the workers responsible or these are the monopolists and the capitalists who are responsible for retrenchment, arbitrary closure, lay-off and all that ? Who is responsible, I should like to know, for all that which led to reduction and decline in production. Who reduced production deliberately as was done in the case of closure and other things in order to create artificial scarcity, boost up profits, gather extra profits and create economic crisis? Are they the workers of the employers ? Therefore, if the things are going wrong of the production side, it is the monopolist class, the exploiting class which must be made to answer and the remedy does not lie in the denial of bonus to the working people, that is what I say. We have been told by the President and the Prime Minister that there should be *iimsashan*. *Anusashan* means self-discipline. Well, the working class, as a class, is self-disciplined. Mr. Deputy Chairman, you know it very well. Their life compels them to be disciplined when they are on the factories, when they are with various other concerns. By their nature of life, by their situation in life, they tend to be disciplined. Discipline is the way of their life. If there is any indiscipline, it is because somebody else is responsible and the most indisciplined class today is the monopolist class. Do they observe any discipline whom you are pleasing by this measure ? The monopolists, the Tatas, the Birlas and all other people in that category; do they observe any social norm, any standard of public life, any common tendered behaviour in the interest either of the nation or of the community even in narrow sense of the term? They are interested in their own axe. They are interested in their own profits. They are interested in building up their own empire. They are interested in exploiting the consumers and the working people and in that they go to any extent. Profiteering, blackmarketing, smuggling, double book-keeping, bribery, corruption, interference in politics are all parts of the

[Shri Bhupesh Gupta] life of the great monopolists, capitalists in our country and every item is a definition of indiscipline. •

SHRI JAGAN NATH BHARDWAJ: Von have made this House a class-room.

SHRI BHUPESH GUPTA : And then they are not attacked, they are not accused, they are not made to behave, they are not asked to behave themselves in a society in a way which is in the national interest or which conforms to a good interest.

MR. DEPUTY CHAIRMAN : Yes, you will have to wind up now.

SHRI BHUPESH GUPTA : Now, the bonus has been done away with. You have done away with the bonus but please remember. Sir, you have rung the bell and I do not wish to take much time in reply. I think the hon. revered Minister's speech is a highly laboured one. It is a highly laboured one. And what has he produced in his speech? If he has a son— 1 P.M. I believe he has a son—and if

he would read it, he would simply laugh at his father, how his father could make such an absurd speech in Parliament. He made the speech forgetting that his children will be reading his speech some time. But that is the policy of the Government so far as the working people are concerned.

Sir, I do not wish to say much. Other friends have spoken. It was a very interesting experience in this House that employers spoke on bonus from the Congress side. Most of them were either employers or associate employers; and one or two who spoke, who are not employers but on the side of the working class, had to speak under considerable restraint and constraint and they had to make best of the bargain that what they said should not be taken seriously—in faltering voice, under all kinds of fears, and that sort of thing. But others who spoke on this question made magnificent speeches. I have great love and affection for my friend Mr. Puri as an individual. But how can he deny the fact that

he is a capitalist who drives a Mercedes van which today costs at least one lakh rupees? He is a capitalist of the Mercedes van type. Now he was put up as the first spokesman on behalf of the Congress side in support of the Minister. Is it accidental? Or is there some connection between the two? In fact, the Bonus Ordinance is for the capitalist class and so its advocates are to be found from amongst the capitalist class ...

(Interruption)

MR. DEPUTY CHAIRMAN : You have already taken more than half an hour.

SHRI BHUPESH GUPTA : My final point is that you know very well that repression is taking place all over the country. The hunger strike was in the form of a protest. On the 6th of this month, people were not allowed to protest. In some places they were not allowed; in other places they were arrested and put in prisons. Even D.R. was invited to arrest them. Why was it done? Is it democratic? If you think that your

action on bonus is right, convince them; if some people want to dissent and protest, let them protest so long as they do it in a peaceful and democratic way. Why should that right be taken away from them? Why should there be ... *(Interruption)*.

SHRI N. G. GORAY (Maharashtra) : Mr. Bhupesh Gupta, you are asking this question because you have not understood what emergency is.

SHRI BHUPESH GUPTA : I do not dispute that, my dear friend. I have understood what the emergency is for; I have not understood how the emergency is used and why it is used for such purposes. I agree on that part of it. Therefore, I say that the emergency is being taken advantage of not only by the capitalists, the monopolists and others whom you are appeasing by this Bill, but also some elements of the Government, in order to appease the exploiters and prosecute and harass the working people and create difficulties for them. Therefore, I protested against this Ordinance and the present Bill. I have given a resolution which I will certainly insist on being voted upon.

The Ordinance was passed to nullify the Act of Parliament—please understand it—which was in the interest of the Indian working people. Sir, we are ordinarily supposed to supplement the rule by ordinance. But an ordinance is not meant to subvert an Act of Parliament. The Government has subverted a good Act of Parliament to the extent of controlling democracy and the working people.

This is not the way to improve the image of our parliamentary democracy or to defend, or to protect it, or to project a better image of ourselves to the world and to our own people. Therefore, I once again recommend with great enthusiasm and hope that my Resolution disapproving this black Ordinance will be supported by the Members of that side of the House, whatever may be proved later.

THE MINISTER OF LABOUR (SHRI K. V. RAGHUNATHA REDDY) : Sir, I am extremely thankful to the Members who have participated in this discussion . . .

AN HON. MEMBER : Thankful for what ?

SHRI K. V. RAGHUNATHA REDDY : I may assure you and the hon. Member that my speech was meant to the Member* of the House of Elders and to Shri Bhu-pesh Gupta particularly, a senior leader and Member of this House, and not to the sons and daughters who are studying in the colleges.

Shri Kalyan Roy has mobilised all his eloquence with his usual formidable passion in presenting his case. I resist all temptations to go into the verbiage or rhetoric unfortunately misdirected. But it must be stated in fairness to him that his entire arguments are based on wrong facts, wrong premises, wrong logic and misplaced appreciation of the economic situation. When once the major premises are wrong, even if sound logic is used, astounding conclusions only can follow. He seems to have liberally used auto-suggestion to buttress his processes of

logic. May I tell him, Sir, that auto-suggestion often leads to hallucination ? As a very dear friend of mine, may I caution that he should be careful to guard himself against the consequences thereof ?

SHRI KALYAN ROY : It is the other way round.

SHRI K. V. RAGHUNATHA REDDY :

I am in full agreement with him that for the purpose of fighting the forces of fascism and right reaction, the rural poor, the middle class, the working class, the intellectuals, the poor peasantry—the totality of the democratic forces—must be mobilised and made politically conscious about the danger of right reaction. This is exactly what the Government is doing now. May I say with great aspect that fascism is counter-revolutionary in essence but it is also a special, historically conditioned form of counter-revolution ? Intensification of economic crisis and despair on the part of the capital of finding normal solution for the impasse created by the limitations of investment is one of the basic reasons which would be taken advantage of by the forces of reaction and fascism. This is why, Sir, it is the endeavour of the Government to see that investment climate is not only generated but investment potential is created for the purpose of expansion of social investment. Planning must succeed not only on the side of demand but also on the side of investment. At the present moment, given the problem of industrial development and agriculture and energy sectors, I have no doubt Mr. Kalyan Roy and his friends would agree that one should give priority to the investment side. This is exactly the objective which the Government want to achieve by the changes ought to be incorporated in the law. Without economic surpluses there cannot be any social investment. This is the simple but hard logic of economic development and if this step is not taken now, we will only be abetting and aiding the forces of fascism. The Government is extremely grateful to the historic role played by the working class in fighting the forces of

[Shri K. V. Raghunatha Reddy] fascism in India. Fascism and right reaction are represented by counter-revolutionary forces like the Anand Marg, the RSS and similar forces. In this context, I would like to submit that if undue emphasis is placed on economism and economic demand for a certain section of people who are employed and whose wages are" being revised periodically while leaving large section of the people helpless in a state of disarray, this would only lead to alienation and not consolidation of democratic forces.

Economism has a debilitating effect on the working class.

I am free to say, Sir, with great humility that I yield to none in my concern for the welfare and betterment of the working class nor in the realisation of the historic role of the working class. But it is my respectful submission which I wish to make without any fear of contradiction that economism debilitates the working class movement and defeats the very purpose of its role.

The tendency to win temporary gains for different sections of the working class, without concern for the long term interest of the whole class, introduces opportunism in the working class movement. Thus economism becomes a dominant factor and ideology becomes anaemic. The emancipation of the working class can be achieved only in a socialist society after defeating the forces of market economy. This will be possible only by uniting the working class and other socialist forces.

If the sole purpose of the working class is to gain concessions and reforms resulting in higher wages and better benefits, then the war in Vietnam did help many American companies to make enormous profits and the companies in their turn shared their profits with the working class. As a result of economism, the American trade union movement has become the most conservative force in American society.

Sir, in this connection, may I quote from the writings of Lenin, one of the greatest leaders that humanity in history has produced? The great Lenin said ...

SHRI KRISHAN KANT : The bonus Ordinance is Lenin's thesis?

SHRI K. V. RAGHUNATHA REDDY .
[quote—Sir, you may kindly lend your sars:

"For its self-realisation, the working class must not only have a theoreticalrather it would be more true to saynot so much a theoretical as a practical understanding, acquired through experience of political life, of the relationships between all the various classes of modern society. That is why the idea preached by our economists, that the economic struggle is the most widely applicable means of drawing the masses into the political movement, is so extremely harmful and extremely reactionary in practice."

SHRI KRISHAN KANT: If a communist becomes a capitalist, you can understand what happens. Sir.

SHRI K. V. RAGHUNATHA REDDY:
After such a lucid and learned speech clarifying the issues by my distinguished friend, Shri D. D. Puri, I do not think any elaborate reply is called for to the debate. He has rightly pointed out...

SHRI KALYAN ROY : What an anticlimax ! First Vladimir Ilyich Lenin and then Mr. Puri !

MR. DEPUTY CHAIRMAN: But he started with Kalyan Roy.

SHRI K. V. RAGHUNATHA REDDY :
He has rightly pointed out the crux of the issue that there should not be any mix-up of the question of wages and that of bonus. Wages are being periodically revised and this will continue to be done depending upon the circumstances prevailing in each industry. The fact is well

known to the Members and if you like. Sir, I may mention for your kind information and for the information of the House that, for instance, in the case of steel, on 1-9-1974 before revision it was Rs. 351.80; after revision, it was Rs. 393. And on 1-1-1975 it became, after revision, Rs. 423.80. So there was an increase of 38.7 per cent. Similarly in Hindustan Machine Tools, it was Rs. 225 and it has risen to Rs. 300, an increase of nearly 33.3 per cent, and this is apart from the dearfess allowance. Similar revisions have taken place in other fields. I do not want to burden you with the various facts in this regard.

It would be a complete misunderstanding and misrepresentation of the Government's case to say that the Government is against bonus being given to the workers. In fact the Bill before the House is a legislation relating to providing for bonus. It is not for taking away bonus, but for providing it. I would like to emphasize this fact. Any hon. Member who reads this legislation would clearly understand that the legislation before the House is for providing bonus and not taking it away . . .

SHRI KALYAN ROY: Bonus to the capitalists.

SHRI K. V. RAGHUNATHA REDDY : All that the Government submits is that in the interest of economic development and continued employment concerns making losses over a period should not be course and philosophy. But he says it is to be done by eroding the capital base . . .

SHRI BHUPESH GUPTA: On a point of order. We are listening to his discourse and philosophy. But he says it is for raiding and not for taking away bonus. May I know whether such a blatant falsehood can be uttered within your bearing? Is 8.33 per cent bonus being taken away or is it being given ?

SHRI KRISHAN KANT: Another point...

MR. DEPUTY CHAIRMAN: You can't have a round of comments. Let the Minister continue. You please resume your seat.

SHRI K. V. RAGHUNATHA REDDY: If surplus is available, bonus will follow automatically upto a ceiling of 20 per cent. I will illustrate my point. Take the case of National Textile Corporation. There are more than 100 mills employing 1.60 lakhs of persons out of a total work force of 9 lakhs employed in textile industry. These were taken over in the interest of maintaining employment and production. The total loss incurred by National Textile Corporation during the last eight months (April to November, 1975) is about the order of Rs. 46 crores. If bonus at the rate of 8.33 per cent was to be given to the employees of this company, it would have to bear an additional expenditure of Rs. 8 crores. Suppose these mills were closed down for want of finances even if the workers got bonus for one year, they may face unemployment and the gain through bonus would have been illusory whereas unemployment would be a stark reality, I need not multiply the instances of this type. They are far too well-known to be mentioned. Will the hon. Members of the House and leaders of the working class opt for bonus in preference to employment in such circumstances? The answer is obvious. Any person having the interests of the working class uppermost in mind would prefer continued employment rather than one year's bonus which would result in unemployment situation. I summing up. I cannot do better than what the Prime Minister had said on this question, I quote:

'Then comes the question of bonus. This is a controversial question today; but it is true as one hon. Member said, that workers here may not be getting the sort of pays that they are getting' in other countries. But I do not know whether the pays of all industrial workers here are very much lower than

[Shri K. V. Raghunatha Reddy] every country in the world. But it is also true that when a concern is a losing concern, if it is forced to pay a particular amount in bonus or whatever, it cannot possibly get on its feet. My attention was drawn to this almost the day after we had taken our original decision on 8 per cent bonus. And I happened to go to one of our big public sector undertakings where I met a delegation from one of the socialist countries; and the first thing they said was: We are astonished at this decision of yours. We do not see how you can build up your industry, how you can put your public sector on a sound basis, if you continue with such a policy. So, this is the matter. Also it is not only a question of the industry. It is also a question of the workers themselves. If an increase in payment to them means an increase in inflation and an increase in the prices of other goods which they must buy—because they are not merely industrial workers; they are also a part of this country; they have to fill the needs of their families—then that increase in bonus does not help them at all! . . .

. . . because it contributes to the increasing of other prices. That is why when we made the suggestion which I personally consider to be a wrong decision—I was a party to it and I am not blaming anybody else—I did consider it to be a wrong decision and I think that when we feel that something is wrong, it is our duty, even if we displease the people, to set that wrong right. I sincerely hope that with the strength of our industrial base when our economy is set on a sounder basis, it will be possible for us to do more to our workers in several ways."

Sir, I oppose the Resolution moved by Shri Bhupesh Gupta and I do not propose to give an elaborate reply either to the points raised by Shri Krishan Kant or my friend, Shri Ganguli. Sir, Mr. Ganguli referred to the Directive Principles of

State Policy enunciated in our Constitution. But I have no doubt in my mind that he would agree that the Directive Principles of the Constitution refer to the well-being of the totality of the people of India and not to any particular section of the people and, therefore, what Mr. Ganguli has said is in complete contradiction to what has been contemplated in the Directive Principles themselves.

Mr. Krishan Kant had referred to many aspects. But I can only tell him, Sir, that our duty is to save democracy from the hands of those who wanted to conduct the funeral rites for democracy and nothing else.

Sir, the honourable Member from the Opposition side, Shri G. Lakshmanan, has said that it is an anti-national policy. Sir, I am not used to using such big phrases as my friend, Shri Lakshmanan, has used. Well, it seems to me ...

SHRI G. LAKSHMANAN: In our own State we have opposed this Ordinance and demonstrations and satyagrahas were allowed in Tamil Nadu against this . . .

(Interruptions)

SHRI K. V. RAGHUNATHA REDDY : It appears to me, Sir, that it seems to be the reflection of his own mind. That is what is being done here. I do not want to say anything more because there is nothing much to be said.

SHRI G. LAKSHMANAN: You are only supporting the employers.

SHRI K. V. RAGHUNATHA REDDY : Again, Sir, coming back to Mr. Bhupesh Gupta's points about production and productivity, I must say that it is not as it for the first time this formula has been accepted. Even the Bonus Commission's Report has said about it and some of the undertakings have started implementing; it and with regard to the question of production and productivity also, some agreements have been entered into and, Sir,

when we are struggling and striving our best to have a socialist State in this country, men belonging to all sections and classes will have to make some sacrifices so that the socialist transformation can go on without any hindrance. In this, Sir, the fortunate sections of the working class will have to make sacrifices so that history will march inexorably to the goal of socialism.

MR. DEPUTY CHAIRMAN : Now, I am putting Shri Bhupesh Gupta's Resolution to vote. The question is:

"That this House disapproves the Payment of Bonus (Amendment) Ordinance, 1975 (No. II of 1975) promulgated by the President on the 25th September, 1975."

The House divided.

MR. DEPUTY CHAIRMAN: Ayes—16: Noes—100.

AYES—16

Anand, Shri Jagjit Singh. Banarsi Das, Shri. Deb Burman, Shri Bir Chandra. Dhulap, Shri Krishnarao Narayan. Ganguli, Shri Salil Kumar. Goray, Shri N. G. Gupta, Shri Bhupesh. Krishan Kant, Shri. Kumaran, Shri S.

... ..
Lakshmanan, Shri G.
Parikh, Shri Ramlal D.
Prasad, Shri Bhola.
Raha, Shri Sanat Kumar.

Roy, Shri Kalyan.
Sardesai, Shri S. G.
Sinha, Shri
Indradeep.

NOES—100

Abid, Shri Kasim Ali.
Adivarekar, Shrimati Sushila Shankar.

Alva. Shrimati Margaret.
Amla, Shri Tirath Ram.
Amjad Ali, Shri Saidar.
Arif. Shri Mohammed Usman.
Avergoankar, Shri R. D. Jagtap.
Banerjee. Shri Jaliarlal.
Bhagawati, Shri B. C.
Bhardwaj, Shri Jagan Nath.
Bhatt, Shri N. K.
Buragohain, Shri Nabin Chandra.
Chakrabarti, Dr. Rajat Kumar.
Chattopadhyaya. Prof. D. P.
Chaudhari, Shri N. P.
Chaurasia, Shri Shiv Dayal Singh.
Chettri, Shri Krishna Bahadur.
Choudhury, Shri Nripati Ranjan.
Chowdhary, Dr. Chandramanilal.
Chundawat, Shrimati Lakshmi Kutnari.
Das, Shri Balram.
Dhabe, Shri S. W.
Dutt. Dr. V. P.
Dwivedi, Shri D. N.
Gadgil, Shri Vithal.
Hashmi, Shri Syed Ahmad.
Imam, Shrimati Aziza.
Ioshi, Shri Jagdish.
Joshi, Shrimati Kumudben Manishanlcer.
Kalaniya, Shri Ibrahim.
Kalyan Chand, Shri.
Kambte, Prof. N. M.
Khan, Shri Khurshed Alam.
Kulkarni, Shri Arvind Ganesh.
Kulkarni. Shrimati Sumitra G.
Kureel, Shri Piare Lall urf Piare Lall Talib.
Lalbuaia, Shri.
Mahanti, Shri B. K.
Makwana, Shri Yogendra.
Mali, Shri Ganesh Lai.
Mehta, Shri Om.
Menon, Shrimati Leela Damodara.

Mishra, Shri Rishi Kumar.
 Mondal, Shri Ahmad Hossain.
 Mukherjee, Shri Pranab.
 Munda, Shri Bhaiya Ram
 Naraisiah, Shri H. S.
 Nizum-ud-Din, Shri Syed.
 Nurul Hasan, Prof. S.
 Pai, Shri T. A.
 Panda, Shri Biahmananda.
 Parashar, Shri Vinaykumar Ramlal
 Patil, Shri Deorao.
 Pauar, Shri D. Y.
 Pradhan. Shrimati Saraswati
 Punnaiafc, Shri Kota.
 Puri, Shri D. D
 Rachaiah, Shri B.
 Rao, Shrimati Rathnabai Sreknivasa
 Reddy, Shri Janardhana
 Reddy, Shri K. V. Raghunatha.
 Reddy, Shri Mulka Govinda
 Roshan Lai, Shri.
 Snleem, Shri Mohammad Yunus.
 Sangma, Shri Emonsing M.
 Saring, Shri Leonard Soleman
 Sa\ita Behen. Shrimati.
 Shahi, Shri Nageshwar Prasad
 Sharma, Shri Kishan I.r.1,
 Shastri, Shri Bhola Paswan.
 Shilla, Shri Showaless K.
 Shukla, Shri Chakrapani
 Shukla, Shri M. P.
 Shyanikumari Devi, Shrimati
 Singh, Shri D. P.
 Singh, Shri Irengbam Tompok.
 Singh, Shrimati Jahanara Jaipal.
 Singh, Shri Kameshwar.
 Singh, Shri Mahendra Bahadur.
 Singh, Shri Mohan.
 Singh, Shri Nathi.
 Singh, Shri Prabhu

Singh. Shrimati Pratibba.
 Singh. Shri Ranbir
 Singh, Shri Sultan.
 Singh. Shri T. N.
 Singh, Shri Triloki.
 Singh, Dr. V. B.
 Sinha, Shri Awadheslmar Prasad-
 Sisodia. Shri Sawaisingh.
 Sukhdev Prasad, Shri.
 Sultan. Shrimati Maimoona.
 Talib, Shri Niranjana Simih.
 Thakur, Shri Gunanand.
 Tilak. Shri J. S.
 Tiv\ari. Shri Shankailal.
 Tiwary. Pt. Bhawaniprasad.
 Totu, Shri Gian Chand.
 Varma, Shrimati Naravanidevi Manaklal.
 Vyas, Dr. M. R.
 Yadav, Shri Shyam Lai.

The motion was negatived,

MR. DEPUTY CHAIRMAN: I shall now take up the Bill. The question is :

"That the Bill further to amend the Payment of Bonus Act, 1965, be taken into consideration."

The motion was adopted.

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

Clause 2—Amendment of Ions; title.

SHRI KALYAN ROY: Sir, I beg to move :

"That at page 1, for lines 11-12, the words 'on the basis of profits or on the basis of production or productivity and for matters connected therewith' the words 'irrespective of loss and profit' be substituted."

The question was proposed.

SHRI KALYAN ROY: Unfortunately, the Labour Minister had to give only

one instance, that is, the National Textile Mills. I think that he is aware that the losses in the National Textile Mills are the result of calculated negligence by business magnets and because of the imposition of bureaucrats to run them. But, Sir, my amendment here is that bonus should be paid irrespective of loss or profit. The impression is that this theory is the creation of the Bonus Commission. Sir, this is absolutely wrong misleading and erroneous. The payment of bonus, irrespective of loss or gain, is the result of the successful bipartite, collective bargaining many years before the Bonus Commission was set up. It was copied in countless other bipartite agreements and many industries all over the country. The employers' representative on the Bonus Commission, who so zealously guarded their interests in the Commission by appending his own strongly worded note of dissent to the majority recommendations of the Bonus Commission on a number of issues, did not dissent from the principle of minimum] bonus regarding profits.

Sir, my only point is this : Does anyone in the House accept the balance sheets as produced by the companies ? Nothing can be accepted as true. The balance sheet is misleading, deceptive and fraudulent. I do not have to go anywhere, but only to refer to the replies by Mr. Pranab Mukherjee on the 20th of January, 1976 wherein he has mentioned that the companies belonging to the Modis, Bijorias, Jalans and Goenkas have given wrong calculations. He says that investigation in respect of large industrial concerns have brought to surface diverse tax evasion techniques resorted to by the them. These have resulted in substantial additions to the income disclosed by these companies. In one case, the company has now agreed to an addition of about 65 lakhs of rupees. Sir, in reply to question...

MR. DEPUTY CHAIRMAN :
Mr.
Kalyan Roy, you cannot be quoting all this.
47 RSS/75—7.

SHRI KALYAN ROY: Companies after companies have been doing it, as revealed in the raids. Raids on these big business houses have shown that their balance-sheets are deceptive and the total tax evasion would be amounting to over 1000 crores of rupees. If the Government do not believe their balance-sheets and if the Government have to conduct raids, do you mean to say that the working people will have to accept these incorrect balance-sheets ?

On the other hand, you are relaxing, day after day, the principles of issue of bonus shares. So many companies have issued so many more bonus shares in 1975 in comparison to 1972 and 1973, in spite of loss on profit. Bonus is nothing new. It is the result of negotiations. Just by one Act or Ordinance issued at midnight, you want to take away this right. It is unfair, illegal and arbitrary. So, I would request Mr. Reddy once again not to take away this right which has been gained in consultation with the employers with the permission of the Government during the emergency from a class.

MR. DEPUTY CHAIRMAN : Now, I put Mr. Kalyan Roy's amendment to vote. The question is:

"That at page 1, for lines 11-12, the words "on the basis of profits or on the basis of production or productivity and for matters connected therewith" the words "irrespective of loss and profit" be substituted."

The House divided.

MR. DEPUTY CHAIRMAN: Ayes— 17;
Noes—101.

AYES—17

Anand, Shri Jagjit Singh. Banarsi
Das, Shri. Deb Burman, Shri Bir
Chandra. Dhulap, Shri Krishnarao
Narayan. Ganguli, Shri Salil Kumar
Goray, Shri N. G.

Gupta, Shri Bhupesh.
 Krishan Kant, Shri.
 Kumaran, Shri S.
 Lakshmanan, Shri G.
 Prasad, Shri Bhola
 Raha, Shri Sanat Kumar.
 Roy, Shri Kalyan.
 Sardesai, Shri S. G.
 Schamnad, Shri Hamid AH.
 Singh, Shri T. N.
 Sinha, Shri Indradeep.

NOES—10X

Abid, Shri Kasim Ali.
 Adivarekar, Shrimati Sushila Shankar.
 Alva, Shrimati Margaret.
 Amla, Shri Tirath Ram.
 Amjad Ali, Shri Sardar.
 Arif, Shri Mohammed Usman.
 Avernoankar, Shri R. D. Jagtap.
 Banerjee, Shri Jaharlal.
 Bhagawati, Shri B. C.
 Bhardwaj, Shri Jagan Nath.
 Bhatt, Shri N. K.

Buragohain, Shri Nabin Chandra.
 Chakrabarti, Dr. Rajat Kumar.

Chattopadhyaya, Prof. D. P.
 Chaudhari, Shri N. P.
 Chaurasia, Shri Shiv Dayal Singh.

Chettri, Shri Krishna Bahadur.
 Choudhury, Shri Nripati Ranjan.
 Chowdhary, Dr. Chandramanilal.
 Das, Shri Balram.
 Dhabe, Shri S. W.
 Dutt, Dr. V. P.
 Dwivedi, Shri D. N.
 Gadgil, Shri Vithal.
 Hashmi, Shri Syed Ahmad.

Imam, Shrimati Aziza.
 Joshi, Shri Jagdish.
 Joshi, Shrimati Kumudben Manishanker.
 Kalaniya, Shri Ibrahim.
 Kalyan Chand, Shri.

Kamble, Prof. N. M.
 Khan, Shri Khurshed Alam.
 Koya, Shri B. V. Abdulla.
 Kulkarni, Shri Arvind Ganesh.
 Kulkarni, Shrimati Sumitra G.
 Kureel, Shri Piare Lall *urf* Piare Lall Talib.
 Lalbuai, Shri.
 Mahanti, Shri B. K.
 Makwana, Shri Yogendra.
 Mali, Shri Ganesh Lai.
 Mehta, Shri Om.

Menon, Shrimati Leela Damodara.
 Mishra, Shri Rishi Kumar.
 Mondal, Shri Ahmad Hossain.
 Mukherjee, Shri Pranab.
 Munda, Shri Bhaiya Ram.
 Narasiah, Shri H. S.
 Nizam-ud-Din, Shri Syed.
 Nurul Hasan, Prof. S.

Patil, Shri T. A.
 Pandaf, Shri Brahmananda.
 Parashar, Shri Vinaykumar Randal.
 Patil, Shri Deorao.

Pawar, Shri D. Y.
 Pradhan, Shrimati Saraswati.

Punnaiah, Shri Kota.
 Puri, Shri D. D.

Rachaiyah, Shri B.
 Rao, Shrimati Rathnabai Sreenivasa.
 Reddy, Shri Janardhana.
 Reddy, Shri K. V. Raghunatha.
 Reddy, Shri Mulka Govinda.

Roshan Lali shri.
 Saleen, Shri Mohammad YUNUS.
 Sangma, Emonsing M.
 Sating, Shri Leonard Soloman.
 Savita Behen, Shrimati.

Shahi, Shri Nareshwar Prasad.
 Sharma, Shri Kishan Lai.
 Shastri, Shri Bhola Paswan.

Shilla, Shri Showaless K.
 Shukla, Shri Chakrapani.
 Shiikla, Shri M. P.
 Shyamkumari Devi, Shrimati.
 Singh, Shri D. P.
 Singh, Shri Irengbam Tompok.
 Singh, Shrimati Jahanara Jaipal.
 Singh, Shri Kameshwar.
 Singh, Shri Mahendra Bahadur.
 Singh, Shri Mohan.
 Singh, Shri Nathi.
 Singh, Shri Parbhu.
 Singh, Shrimati Pratibha.
 Singh, Shri Ranbir.
 Singh, Shri Sultan.
 Singh, Shri Triloki.
 Singh, Dr. V. B.
 Sinha, Shri Awadeshwar Prasad.
 Sisodia, Shri Sawaisingh.
 Sukhdev Prasad, Shri.
 Sultan, Shrimati Maimoona.
 Talib, Shri Niranjan Singh.
 Thakur, Shri Gunanand.
 Tilak, Shri J. S.
 Tiwari, Shri Shankarlal.
 Tiwary, Pt. Bhawaniprasad.
 Tripathi, Shri Kamlapati.
 Trivedi, Shri H. M.
 Varma, Shrimati Narayanidevi Manaklal.
 Vyas, Dr. M. R.
 Yadav, Shri Shyam Lai,

The motion was negatived.

MR. DEPUTY CHAIRMAN : The question is :

"That Clause 2 stand part of the Bill."
The motion was adopted.

Clause 2 was added to the Bill. Clause 2 was added to the Bill. Clause 4.—Amendment of Section 2

SHRI KALYAN ROY : Sir, I move :

"That at page 2, lines 29 and 30 be deleted."

The question was put and the motion was negatived.

MR. DEPUTY CHAIRMAN : The question is :

"The Clause 4 stand part of the Bill". *The motion was adopted.*

Clause 4 was added to the Bill. Clauses 5 and 6 were added to the Bill.

Clause 7.—Substitution of new section f<j) section 10

SHRI KRISHNARAO NARAYAN DHULAP : Sir, I move :

That at page 3,—

(i) line 8, for the words "four per cent", the figure and words "8.33 per cent" be substituted; and

(ii) line 22, for the words "four per cent." the figure and words "8.33 per cent." be substituted.

That at page 3, lines 31 to 41 be deleted.

SHRI KALYAN ROY : Sir, I move :

That at page 3,—

(i) for lines 5 to 14, the following be substituted, namely :

"every employer in the accounting year shall be bound to pay every employee in respect of that accounting year a minimum bonus which shall not be less than 8.33 per cent, or the salary or wage earned by the employee during the accounting year or one hundred rupees whichever is higher";

(ii) for lines 19 to 25, the following be substituted, namely :—

"every employer shall be bound to pay every employee in respect of the accounting year, announced on any day

[Shri Kalyan Roy]

in the year 1974, a minimum bonus which shall be not less than 8.33 per cent, of salary or wage earned during the accounting year or one hundred rupees whichever is higher"; and

(iii) for lines 31 to 41, the following be substituted, namely :—

"Provided further that such employer shall not deduct excess bonus so paid from the amount of bonus paid by him."

That at pages 3 and 4, clause 7 be deleted.

The questions were proposed.

SHRI K. V. RAGHUNATHA REDDY : Sir, may I draw your attention to amendment No. 3 to Clause 7, moved by Shri Dhulap which reads "that at page 3, lines 31 to 41 be deleted"? Sir, I am agreeing to this amendment.

MR. DEPUTY CHAIRMAN : The question is :

That at page 3,—

(i) line 8 for the words "four per cent." the figures and words "8.33 per cent." be substituted; and

(ii) line 22, for the words "four per cent." the figure and words "8.33 per cent." be substituted.

The motion was negatived.

MR. DEPUTY CHAIRMAN : The question is :

"That at page 3, lines 31 to 41 be deleted."

The motion was adopted.

MR. DEPUTY CHAIRMAN : The question is :

That at page 3,—

(i) for lines 5 to 14, the following be substituted, namely :—

"every employer in the accounting year shall be bound to pay every

employee in respect of that accounting year a minimum bonus which shall not be less than 8.33 per cent, or the salary or wage earned by the employee during the accounting year or one hundred rupees whichever is higher";

(ii) for lines 19 to 25, the following be substituted namely :—

"every employer shall be bound to pay every employee in respect of the accounting year, announced on any day in the year 1974, a minimum bonus which shall be not less than 8.33 per cent, of salary or wage earned during the accounting year or one hundred rupees whichever is higher"; and

(iii) for lines 31 to 41, the following be substituted, namely :—

"Provided further that such employer shall not deduct excess bonus so paid from the amount of bonus paid by him."

The motion was negatived.

MR. DEPUTY CHAIRMAN : The question is :

That at pages 3 and 4, clause 7 be deleted.

The motion was negatived.

MR. DEPUTY CHAIRMAN : Now, clause 7 was amended by Shri Dhulap's amendment which was accepted by Mr. Raghunatha Reddy. Now, the question is :

That clause 7, as amended, stand part of the Bill.

The motion was adopted.

Clause 7, as amended, was added to the Bill

MR. DEPUTY CHAIRMAN : There is one amendment to Clause 8 by Shri Kalyan Roy. It is a negative amendment. Now, the question is :

That clause 8 stand part of the Bill. *The motion was adopted.*

Clause 8 was added to the Bill.

Clause 9.—Amendment of Section 12

SHRI KALYAN ROY : Sir, I move :

That at page 4, for lines 7 and 8, the following be substituted, namely :—

"Where in respect of any accounting year the allocable surplus exceed the amount of minimum bonus payable to the employees under section 10, the employer shall, in lieu of such minimum bonus, be bound to pay to every employee in the accounting year bonus which shall be an amount in proportion to the salary or wage earned by the employee during the accounting year subject to a maximum of 40 per cent of such salary or wage.

In computing the allocable surplus under this section, the amount set on c the amount set off under the provisions of section 15 shall be taken into account in accordance with the provision of that section."

The question was put and the motion was negatived.

MR. DEPUTY CHAIRMAN : The question is :

"That Clause 9 stand part of the Bill." *The motion was adopted.*

Clause 9 was added to the Hill.

Clause 10.—Substitution of new section U>r section 13

MR. DEPUTY CHAIRMAN : There is one amendment by Shri Dhulap.

SHRI KRISHNARAO NARAYAN DHULAP : Sir, I move the following amendment :

"That at page 4, line 11, after the words "working days" the words "excluding earned leave, privilege leave, sick

leave and any other leave to which the employee is entitled hereto before under any law, agreement, usage or custom" be inserted."

The question was put and the motion was negatived.

MR. DEPUTY CHAIRMAN : The question is:

"That Clause 10 stand part of Bill." *The motion was adopted.*

Clause 10 was added to the Bill.

Clause 11.—Substitution of new section for section 15

MR. DEPUTY CHAIRMAN : There Is one amendment. Yes, Mr. Kalyan Roy.

SHRI KALYAN ROY : Sir, I move the following amendment :

That at page 4, for existing clause 11. the following be substituted, namely :

"Where for any accounting year the allocable surplus exceeds the amount of maximum bonus payable to the employees in the establishment under section 11, then, the excess shall, subject to a limit of twenty per cent, of the total salary or wage of the employees employed in the establishment in that accounting year be carried forward for being set on in the succeeding accounting year and so on up to and inclusive of the fourth accounting year to be utilised for the purpose of payment of bonus.

Where for any accounting year, there is no available allocable surplus or the allocable¹ surplus in respect of that year falls short of the amount of minimum bonus payable to the employees in the establishment under section 10. and there is no amount or sufficient amount carried forward and set on under sub-section (1) which could be utilised for the purpose of payment of the minimum bonus when such

[Shri Kalyan Roy]
 minimum amount or the deficiency, as the case may be, shall be carried forward for being set off in the succeeding accounting year and so on up to and inclusive of the fourth accounting year." *The question was proposed.* SHRI KALYAN ROY : Sir, the other piece of monstrosity is that even where there are agreements between the employer and the employees governing bonus, say in 1971-72, and the bonus has been paid, the Government is now directing the employers to deduct that amount of money from the employee's pay packet. Do you think any working class in any concern will be able to give the money back or would it not lead to a very serious class conflict at a time when you need the support of the working class for more production ? This is my first point.

The second point is, Mr. Reddy will understand that he said that now-a-days the main emphasis will be on production. Who is blocking the production ? I do not have to go very far. I will only read out four lines from a reply by Mr. T. A. Pai on the 15th of January. We asked him : What steps Government have taken so far or propose to take to compel those industrialists and industries to fully utilise the installed capacity ? And what is the reply ? The reply of the Government is—they are keen to get more production and the working class is also keen to produce more—"No steps however have been taken so far by Government to compel the entrepreneurs to utilise the installed capacity fully." So, the Government will not take any steps to compel and force the employers to utilise the installed capacity so that they can go on creating artificial crisis and I will be deprived of the bonus on the ground that production is not going up. Why don't you apply your force or measures on those industrialists who are not producing, who are hindering me when I produce more ? But in the name of less production, I will be deprived of bonus. This is the reply of Mr. Pai. And this part of this particular clause and the Bill as a whole show how deep is the stronghold of the vested interests'

inside the Cabinet and inside the ruling party who are trying to create a rift between the democratic masses and the Prime Minister because they have got a vested interest, because they know that so far Prime Minister could not be shaken by the Anand Margis, by the RSS, by the Jan Sangh and the subversive agents aided from outside and now this Bonus Bill has come when the vested interests inside Cabinet, the so-called political technicians who are now coming up, they are looking for the loose ends and this Bonus Bill and this particular clause is nothing but a weapon in their hands to recruit more in order to stabilise their position. This Bill is the best recruiting poster and is a greatest recruiting weapon in the hand of the left adventurists, dogmatists and the right elements to undermine the gains of emergency. In the name of democracy, for more production I once again appeal to the members of the other parties in which there are men like Mr. Bhagawati, to consider this matter. Mr. Bhagawati is the President of the INTUC; the working President Mr. Kali Mukherjee is there and men like him are on the other side.

They did not participate in the discussion. What does it show ? Their silence is a gigantic proof of their total dissent and total opposition to this Bill. Therefore, if this is the view of the INTUC, if this is the view of the working class, I would appeal once again to Mr. Reddy, who has a tradition behind him, to at least postpone this Bill, consult the working class leadership and then, if necessary, bring forward the Bill again.

MR. DEPUTY CHAIRMAN : The question is :

That at page 4, for existing clause 11. the following be substituted, namely :—

"Where for any accounting year the allocable surplus exceeds the amount of maximum bonus payable to the employees in the establishment under section 10, then, the excess shall, subject to a limit of twenty per cent of

the total salary or wage of the employees employed in that establishment in that accounting year be carried forward for being set on in the succeeding accounting year and so on up to and inclusive of the fourth accounting year to be utilised for the purpose of payment of bonus.

Where for any accounting year, there is no available allocable surplus or the allocable surplus in respect of that year falls short of the amount of minimum bonus payable to the employees in the establishment under section 10, and there is no amount or sufficient amount carried forward and set on under sub-section (1) which could be utilised for the purpose of payment of the minimum bonus then such minimum amount or the deficiency, as the case may be, shall be carried forward for being set off in the succeeding accounting year and so on up to and inclusive of the fourth accounting year."

The House divided.

MR. DEPUTY CHAIRMAN : Ayes—18; Noes—106.

AYES—18 Abdul Khader, Shri M. S. Anand, Shri Jagjit Sineh lianarsi Das, Shri Deb Burman, Shri Bir Chandra. Dhulap, Shri Krishnarao Narayan. Ganguli, Shri Salil Kumar. Goray, Shri N. G. Gupta, Shri Bhupesh. Krishan Kant, Shri. Kumaran, Shri S. Til. C-U ' O Lakshmanan, Shri G. Prasad, Shri Bhola. Raba, Shri Sanar Kumar. Rao, Shri Katragadda Srinivasa. Roy, Shri Kalyan. Sardesai, Shri S. G. Singh, Shri T. N. Sinha, Shri Indradeep.

NOES—106

Abid, Shri Kasim Ali.
 Adivarekar, Shrimati Sushila Shankar.
 Alva, Shrimati Margaret.
 Amla, Shri Tirath Ram.
 Amjad Ali, Shri Sardar.
 Arif, Shri Mohammed Usman.
 Avernoankar, Shri R. D. Jagtap.
 Banerjee, Shri Jaharlal.
 Bhagawati, Shri B. C.
 Bhardwaj, Shri Jagan Nath.
 Bhatt, Shri N. K.
 Buragchain, Shri Nabin Chandra.
 Chakrabarti, Dr. Rajat Kumar.
 Chattopadhyaya, Prof. D. P.
 Chaudhari, Shri N. P.
 Chaurasia, Shri Shiv Dayal Singh
 Chettri, Shri Krishna Bahadur
 Choudhury, Shri Nripati Ranjan
 Chowdhary, Dr. Chandramanilal.
 Das, Shri Balram.
 Dhabe, Shri S. W.
 Dutt, Dr. V. P.
 Dwivedi, Shri D. N.
 Gadgil, Shri Vithal.
 Gujral, Shri Inder Kumar.
 Hashmi, Shri Syed Ahmad.
 Imam, Shrimati Aziza.
 Joshi, Shri Jagdish.
 Joshi, Shrimati Kumudben Manishanker.
 Kalaniya, Shri Ibrahim.
 Kalyan Chand. Shri.
 Kamble. Prof. N. M.
 Kesri, Shri Sitaram.
 Khan, Shri Khurshed Alam.
 Koya, Shri B. V. Abdulla.
 Kulkarni, Shri Arvind Ganesh.
 Kulkarni, Shrimati Sumitra G.
 Kureel, Shri Piare Lall *urf* Piare Lall Talib.

Lalbuai, Shri. Mahanti,
 Shri B. K.
 Makwana, Shri Yogendra.
 Mali, Shri Ganesh Lai.
 Mehta, Shri Om
 Menon, Shrimati Leela Damodara.
 Mishra, Shri Rishi Kumar.
 Mondal, Shri Ahmad Hossain.
 Mukherjee, Shri Pranab.
 Munda, Shri Bhaiya Ram.
 Narasiah, Shri H. S.
 Nizam-ud-Din, Shri Syed.
 Nurul Hasan, Prof. S.
 Pai, Shri T. A.
 Panda, Shri Brahmananda.
 Parashar, Shri Vinaykumar Ramlal.
 Patil, Shri Deorao.
 Patil, Shri Gulabrao.
 Pawar, Shri D. Y.
 Pradhan, Shrimati Saraswati.
 Prasad, Shri K. L. N.
 Punnaiah, Shri Kota.
 Puri, Shri D. D.
 Rachaiah, Shri B.
 Rao, Shrimati Rathnabai Sreenivasa.
 Reddy, Shri Janardhana.
 Reddy, Shri K. V. Raghunatha.
 Reddy, Shri Mulka Govinda.
 Roshan, Lai Shri.
 Saleem, Shri Mohammad Yunus.
 Sangma, Shri Emonsing M.
 Saring, Shri Leonard Soloman.
 Savita Behen, Shrimati.
 Shahi, Shri Nageshwar Prasad.
 Sharma, Shri Kishan Lai.
 Shastri, Shri Bhola Paswan
 Shilla, Shri Showaless K.
 Shukla, Shri Chakrapani.
 Shukla, Shri M. P.
 Shyamkumari Devi, Shrimati.
 Singh, Shri D. P.
 Singh, Shri Irengbam Tompok.
 Singh, Shrimati Jahanara Jaipal.

Singh, Shri Kameshwar.
 Singh, Shri Mahendra Bahadur.
 Singh, Shri Mohan.
 Singh, Shri Nathi.
 Singh, Shri Parbhu.
 Singh, Shrimati Pratibha.
 Singh, Shrimati Pratibha.
 Singh, Shri Sultan.
 Singh, Shri Triloki.
 Singh, Dr. V. B.
 Sinha, Shri Awadheswar Prasad.
 Sisodia, Shri Sawaisingh.
 Sukhdev Prasad, Shri.
 Sultan, Shrimati Maimoona.
 Talib, Shri Niranjana Singh.
 Thakur, Shri Gunnnand.
 Tilak, Shri J. S.
 Tiwari, Shri Shankarlal.
 Tiwary, Pt. Bhawaniprasad.
 Tripathi, Shri Kamalapati.
 Trivedi, Shri H. M.
 Varma, Shrimati Narayanidevi Manaklal.
 Vyas, Dr. M. R.
 Yadav, Shri Shyam Lai.
 Zawar Hussain, Shri.

The motion was negatived.

MR. DEPUTY CHAIRMAN : The question is :

"That clause 11 stand part of the Bill."

The motion was adopted. Clause 11 was added to the Bill.

MR. DEPUTY CHAIRMAN : Let us take up clause 12. There is an amendment by Shri Kalyan Roy. It is a negative amendment.

The question is :

"That clause 12 stand part of the Bill."

The motion was adopted.

Clause 12 was added to the Bill.

Clauses 13 and 14 were added to the Bill.

MR. DEPUTY CHAIRMAN : Let us take up clause 15. There is an amendment by Shri Kalyan Roy. It is a negative amendment.

The question is :

"That clause 15 stand part of the Bill."
The motion was adopted. Claim 15 was added to the Bill. Clauses 16 to 18 were added to the Bill. Clause 19—Insertion of new section HA.

SHRI KALYAN ROY : Sir, I move :

That at page 6, for lines 36 to 41 and at page 7, for lines 1 to 3, the following be substituted, namely :—

"Where the employees enter into any agreement or settlement with the employer regarding the quantum of bonus without any condition, it should be paid without any condition." *The question was proposed.*

SHRI KALYAN ROY : Sir, I will be very brief. So long and so far, the bonus issue was settled across the table or through collective bargaining. If you think it is harmful, then leave it to the working class and the employers to decide what should be the quantum of bonus that should be paid to those in factories, plantations and mines. Because, I have been told that in some places, even in the public sector concerns, for the sake of production the managements wanted to pay more bonus. As a matter of fact, in the Garden Reach Workshops, after eight hours of strike, the management came out and said : "I am compelled to give you only four per cent, but I will give you another ten per cent as a special case." In other words, when the management found the workers unco-operative, they thought that it was absolutely essential to get the goodwill of the workers.

I do not need your sympathy. The workers demand a share in the surplus profits because I have shown you yesterday how, according to the Reserve Bank of India Bulletin of September, 1975 in spite of the previous Bonus Act, the working clas-

ses' competent as percentage of value of production did not go up; it was stagnant at around 15 per cent. On the other hand, the share of the management went up. So, I say, if you think it is bad, leave it to the working class. Leave it to men like Mr. Phagawati or Mr. Dange and the employers to decide. It is the apex body which should have decided but it did not intervene. Why ? By your intervention you are creating an explosive situation which may break out to the advantage of the right elements which both of us want to combat. So, I would again appeal to you: If you think it is bad, withdraw it. Let us try to iron out the differences and then bring the Bill again.

MR. DEPUTY CHAIRMAN : The question is :

That at page 6, for lines 36 to 41 and at page 7, for lines 1 to 3, the following be substituted namely :—

"Where the employees enter into any agreement or settlement with the employer regarding the quantum of bonus without any condition, it should be paid without any condition." *The motion was negatived.*

MR. DEPUTY CHAIRMAN : The question is :

"That clause 19 stand part of the Bill."
The motion was adopted. Clause 19 was added to the Bill.

MR. DEPUTY CHAIRMAN : Let us take up clause 20. There is an amendment by Shri Kalyan Roy. It is a negative amendment.

The question is :

"That clause 20 stand part of the Bill."
The motion was adopted. Clause 20 was added to the Bill. Clauses 21 to 31 were added to the Bill. Clause 1 was added to the Bill.

Enacting Formula

SHRI K. V. RAGHUNATHA REDDY :
Sir, I move :

"That at page 1, line 1, for the word
"Twenty-sixth" the word "Twenty-seventh"
be substituted.

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

MR. DEPUTY CHAIRMAN : The ques-
tion is :

"That the Enacting Formula, as amended,
stand part of the Bill". *The motion was
adopted.*

*The Enacting Formula, as amended,
was added to the Bill.*

The Title was added to the Bill. SHRI K. V.
RAGHUNATHA REDDY : Sir, I move :

"That the Bill, as amended, be passed.

The question was proposed.

MR. DEPUTY CHAIRMAN : The ques-
tion is :

"That the Bill, as amended, be passed."

The House divided.

MR. DEPUTY CHAIRMAN : Ayes—
108, Noes—20.

The motion was adopted.

AYES—108

Abid, Shri Kasim Ali
Adivarekar, Shrimati Sushila Shankar
Alva, Shrimati Margaret
Amla, Shri Tirath Ram
Amjad Ali, Shri Sardar
Arif, Shri Mohammed Usman
Avergoankar, Shri R. D. Jagtap
Banerjee, Shri Jaharlal
Rervva, Shri Jamnalal
Bhagwati, Shri B. C.
Bhardwaj, Shri Jagan Nath
Bhatt, Shri N. K.
Buragohain, Shri Nabin Chandra
Chakrabarti, Dr. Rajat Kumar

Chattopadhyaya, Prof. D. P.
Chaudhari, Shri N. P.
Chaurasia, Shri Shiv Dayal Singh
Chettri, Shri Krishna Bahadur
Choudhury, Shri Nripati Ranjan
Chowdhary, Dr. Chandramanilal
Chundawat, Shrimati Lakshmi Kumari
Das, Shri Balram
Dhabe, Shri S. W.
Dutt, Dr. V. P.
Dwivedi, Shri D. N.
Gadgil, Shri Vithal
Gujral, Shri Inder Kumar
Hashmi, Shri Syed Ahmad
Imam, Shrimati Aziza
Ioshi, Shri Iagdish
Joshi, Shrimati Kumudben Manishanker
Kalaniya, Shri Ibrahim
Kalyan Chand, Shri
Kamble, Prof. N. M.
Kesri, Shri Sitaram
Khan, Shri Khurshed Alam
Koya, Shri B. V. Abdulla
Kulkarni, Shri Arvind Ganesh
kulkarni, Shrimati Sumitra G.
Ktireel, Shri Piare Lall urf Piare Lall Talib
Lalbuai, Shri
Mahanti, Shri B. K.
Makwana, Shri Yogendra
Mali, Shri Ganesh Lai
Mehta, Shri Om
Menon, Shrimati Leela Damodara
Mishra, Shri Rishi Kumar
Mondal, Shri Ahmad Hossain
Mukherjee, Shri Pranab
Munda, Shri Bhaiya Ram
Narasiah, Shri H. S.
Nizam-ud-Din, Shri Syed
Nurul Hasan, Prof. S.
Pai, Shri T. A.
Panda, Shri Brahmananda
Parashar, Shri Vinaykumar Ramlal

l'-atil, Shri Deorao
 Paiil, Shri Gulabrao
 Pawar, Shri D. Y.
 Pradhan, Shrimati Saraswati
 Prasad, Shri K. L. N.
 Pimnaiah, Shri Kota
 Puri, Shri D. D.
 Rachaiab, Shri B.
 Rao, Shrimati Rathnahai Sreenivasa
 Reddy, Shri Janardhana
 Reddy, Shri K. V. Raghunatha
 Reddy, Shri Mulka Govinda
 Roshan Lai, Shri
 Saleem, Shri Mohammad Yunus
 Sangma, Shri Emonsing M.
 Saring, Shri Leonard Soloman
 Savita Behen, Shrimati
 Shahi, Shri Nageshwar Prasad
 Sharma, Shri Krishan Lai
 Shastri, Shri Bhola Paswan
 Shilla, Shri Showaless K.
 Shukla, Shri Chakrapani
 Shukla, Shri M. P.
 Shyamkumari Devi, Shrimati
 Singh, Shri D. P.
 Singh, Shri Irengbam Tompok
 Singh, Shrimati Jahanara Jaipal
 Singh, Shri Kameshwar
 Singh, Shri Mahendra Bahadur
 Singh, Shri Mohan
 Singh, Shri Nathi
 Singh, Shri Parbhu
 Singh, Shrimati Pratibha
 Singh, Shri Ranbir
 Singh, Shri Sultan
 Singh, Shri Triloki
 Singh, Dr. V. B.
 Sinha, Shri Awadheshwar Prasad
 Sisodia, Shri Sawaisingh
 Sukhdev Prasad, Shri
 Sultan, Shrimati Majmooua
 corporation, regulation and winding up
 Talib, Shri Niranjan Singh
 Thakur, Shri Gunanand

Tilak, Shri J. S.
 Tiwari, Shri Shankarlal
 Tiwary, Pt, Bhawaniprasad
 Tripathi, Shri Kamlapati
 Trivedi, Shri H. M.
 Varma, Shrimati Narayanidevi Manaklall
 Vyas, Dr. M. R.
 Yadav, Shri Shyam Lai
 Znwav Husain, Shri

Abdul Khadeer Shri Mr Sri

Anand, Shri Jaqjit Singh

Banarsi Das, Shri

Deb »«TMan, Shri Bir Chandra

Dhulap, Shri Ki ishnao Narayan

Ganguli, Shri Salil Kumar

Goray, Shri N. G.

Gupta, Shri Bhupesh

Krishan Kanl, Shri

Kumaran, Shri S.

Lakshmanan, Shri G.

Misra, Shri Lokanath

Prasad, Shri Bhola

Ralia, Shri Sana! Kumar

Rao, Shri Kalragadda Srinivasa

Roy, Shri Kalyan

Sardesai, Shri S. G.

Schamnad, Shri Hamid Ali

Singh, Shri T. N.

Sinha, Shri Ind/a deep

The motion was adopted.

THE REGIONAL RURAL BANKS BILL,
1976

XHp; MINISTER OF STATE INCHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB MUKHERJEE) : Sir, I beg to

"That the Bill to provide for the in-
 corporation, regulation and winding up
 of Regional Rural Banks with a view
 to developing the rural economy by