

Mr. Chairman!]

Under the guidance of Parliament, we have laboured for the fulfilment of the objectives laid down in our Constitution, viz., to secure for all our citizens social, economic and political justice. Democracy signifies a temper of mind, a sense of humility. A true democrat must subject himself to frequent self-examination. It is only such self-scrutiny that will save us from feelings of infallibility and vanity, which are utterly inconsistent with the democratic spirit. In a democratic form of Government, we all subscribe basically to the main objective laid down in the Constitution and may differ only as to the manner in which the objective is to be reached. The plan of action of every party has necessarily to conform to the constitutional imperative of securing social and economic justice. The party programmes may only differ in regard to the methods to be employed, the paths to be chosen and the pace at which progress is to be achieved. Let us, therefore, put our shoulders to the wheel and strive unitedly to make a success of this exhilarating experiment in which we are all engaged. I look to you all for your valuable co-operation. For my part, I repeat that I shall strive to be fair and impartial. I do hope that, with your co-operation and goodwill, we will ensure a standard of debate, conducted with dignity and decorum, which would ensure the smooth working of this House, and through this means, the due attainment of our national goals.

I thank you all once again for your affectionate welcome.

We shall now pass on to the business on the agenda paper.

MINUTES OF THE COMMITTEE ON PUBLIC UNDERTAKINGS

SHRIMATI PURABI MUKHOPADHYAY (West Bengal): Mr. Chairman, Sir, I beg to lay on the Table a copy each of the following Minutes of the Committee on Public Undertakings :—

(i) Minutes of the sittings of the Committee on Public Undertakings

(1973-74) relating to Fifty-fifth Report of the Committee on Hindustan Photo Films Manufacturing Company Limited.

(ii) Minutes of the sittings of the Committee on Public Undertakings (1973-74) relating to Fifty-sixth Report of the Committee on Indian Drugs and Pharmaceuticals Limited.

[Mr. Deputy Chairman in the Chair]

THE ADDITIONAL EMOLUMENTS (COMPULSORY DEPOSIT) BILL, 1974— *Contd.*

MR. DEPUTY CHAIRMAN: Now, we shall take up the clause-by-clause consideration of the Bill. Clause 2. There are eight amendments.

Clause 2—Definitions.

SHRI BHUPESH GUPTA (West Bengal): Sir, I beg to move:

3. "That at page 1, line 11, for the figures and words "6th day of July, 1974" the words "day which Parliament by a resolution of two-thirds of the members present and voting in each House designate in this behalf be substituted."

SHRI DWIJENDRALAL SEN GUPTA (West Bengal): Sir, I beg to move:

4. "That at page 2 —

(i). lines 10-11 for the words "notwithstanding the provisions of this clause" the word "not" be substituted ;

(ii) lines 12 to 20 be deleted; and

in line 45, after the figures "1948" the following be inserted, namely :—

'or any increase in wages by a bipartite or tripartite settlement between the parties till it exceed*

the limit of minimum wage as enunciated by the Fair Wage Committee's Report or by the 15th Indian Labour Conference of the Central Government;."

SHRI S. W. DHABE (Maharashtra): Sir, I beg to move:

'>- "That at page 3, after line 4, the following be inserted, namely:—

'(vii) any increase in wages due to production or incentive scheme, including the schemes termed as Production Bonus Scheme;

(viii) any bonus paid to employees in new establishments getting bonus »<r the first time under the Payment of Bonus Act, 1965".

^ SHRI N. H. KUMBHARE (Maharashtra): Sir, I beg to move.

6. "That at <-v^e 3, after line 4, the following be inserted, namely :—

'(vii) any increase in wages to an employee whose total earnings do not exceed rupees three hundred o
n
or after the appointed day;."

SHRI O. P. TYAGI (Uttar Pradesh): Sir, I beg to move:

7. "That at page 3, after line 4, the following be inserted, namely:—

'(vii) any amount payable to an employee as bonus as a result of increased profits or formulae linked with profits;

(vii) any *ex-gratia* payment stemming from a term or condition of employment arrived at between labour and management;

(ix) any advance or loan at the time of festivals or any other occasion of dire necessity to the employee; and

(x) any amount related in any way to a period before the appointed day."

8. "That at page 3, after line 27, the following be inserted, namely :—

"and all kinds of allowances and salaries given to Central and State Ministers, Members of Parliament, Members of Legislative Assemblies and Council."

SHRI BHUPESH GUPTA: Sir, I beg to move:

9. "That at page 3, lines 10 to 14 be deleted."

10. "That at page 4, line 27, the words 'including bonus' be deleted."

The Questions were proposed.

SHRI BHUPESH GUPTA : This relates to clause 2. It says it shall come into force on the appointed day. The appointed day means the 6th of July, 1974. The Bill has not yet been passed. Surely it will come later, today, into effect. The appointed day for this law to come into force is fixed as the 6th of July, 1974. In other words, we have been called upon, apart from other considerations, to accept the Government's contention that such a law should be passed by Ordinance and that there was no need for parliamentary sanction before such a law is brought into force, placing new economic burdens on the common man and the working people in particular, by way of what we call the wage freeze.

Now, this is a strange phenomenon. We are now legislating to give retrospective effect to a law which is, to say the least, highly controversial and which has evoked the opposition of the entire Opposition, consisting of various shades of political opinion in this country. Now, this I strongly object to. Therefore, I have suggested that quite apart from the fact that I am opposed to this Bill, so far as

fShri Bhupesh GuptaJ

this clause is concerned, it should come into effect on a particular day to be Bettled by Parliament and in a particular manner. Therefore, I have said —

"day which Parliament by a resolution of two-thirds of the members present and voting in each House designate in this behalf.

Now, such a law should come really into effect with the consent of Parliament expressed in terms of two-thirds majority, certainly not retrospectively, but prospectively, if you want. I do not want it. But there should be some semblance of a democratic procedure. Only a few minutes ago, Sir, you delivered an interesting speech, indicating how you feel. And we had also heard speeches on democracy. We have been told what democracy is, that democracy represents a temper. Yes, Sir, it does represent a temper. But that temper should not be directed against the working people, it should really take into account the sorrows and sufferings of the working people.

Therefore, I have suggested this amendment that let us decide by two-thirds majority the day on which such a measure, if at all, should come into force. That is all so far as this amendment is concerned.

Sir, I will finish speaking about all the amendments standing in my name under this clause. I come to amendments 9 and 10 in clause 2. On page 3 of the Bill it is said —

"Any bonus (including incentive and production bonus) paid after the appointed day..."

That is the 6th of July, 1974.

"... at a rate over and above the rate at which it was last paid before the appointed day, shall be deemed for the purposes of this Act, to be additional wages;"

so that it could be taken away cent per cent.

Now, Sir, here it is that even if the agreement to give the bonus had been arrived at earlier, it is covered. Suppose the agreement to give this bonus had been arrived at earlier than the 6th July, 1974, then it should not be covered if it is paid after the 6th July, 1974. This is a strange way of making a provision. Therefore we say that it is a wholesale attack on the workers, on the earnings of the working people, at a time when they are fighting for additional wages and increments in their salaries with a view to at least approaching or trotting behind the galloping prices, for which the Government is responsible. Here I find that the Government, instead of allowing this to be given to them, including those things which had been agreed to be given before the Act came, now wants to take away the fruits and results of the prior agreements, agreements which had been arrived at even before this Ordinance came into force on the 6th of July. This is preposterous. Therefore, I say that these few lines should be deleted from that clause. These are two of my amendments, and the other one is consequential, about bonus.

SHRI DWIJENDRALAL SEN GUPTA: So far as my amendments are concerned, I would like to amend Explanation I by deleting the words "notwithstanding the provisions of this clause" and in its place putting the word "not". It will then read like this:

"Where payment of dearness allowance is linked to a cost of living index or any other factor, any automatic payment, after the appointed day, of dearness allowance in consequence of any rise in such cost of living index or in consequence of any change in such other factor, shall not be deemed to be the additional dearness allowance."*

If it is deemed to be dearness allowance, then straightway 50 per cent of it is taken

away by the Government and is deposited. Now in many concerns, there is a standing scheme for dearness allowance. For example, in West Bengal there is the Bengal Chamber of Commerce scheme. Nobody knows what his dearness allowance is. He only knows that it falls or rises with the fall or rise in the price index number.

That has been the position. There is no change. The scheme is there. The employee is getting something from a scheme which was introduced sometime in 1947 or 1948. It is no addition. We talk of addition only when something new is done. It is being done in pursuance of a scheme. Similarly there are agreements like the engineering award under which such things are done consequent upon any rise in the price index number. I think in such cases it should not be taken as "additional dearness allowance". That is why I have moved this amendment. As regards Explanation II, it is absolutely to be deleted. There cannot be any justification for it. (*Time bell rings*) It says :

"For the purpose of computation of the additional dearness allowance in relation to an employee who enters into any post after the appointed day, dearness allowance payable immediately before the appointed day in relation to such post shall be deemed to be the dearness allowance payable to such employee as if he were holding that post on the appointed day and any excess over and above such dearness allowance shall be deemed, for the purposes of the Act, to be the additional dearness allowance in relation to such employee." (*Time bell rings*)

A man is employed and at the time of his employment, he gets certain things, but his salary will be deemed to be "additional" by taking note of what the position was prior to July 6. There is nothing "additional" which can arise* there.

MR. DEPUTY CHAIRMAN: Mr. Sen Gupta, you will have to wind up.

SHRI DWIJENDRALAL SEN GUPTA :
How can I make my point 7

MR. DEPUTY CHAIRMAN : You are speaking on the amendment ; remember that. You are not speaking on the Bill.

SHRI DWIJENDRALAL SEN GUPTA :
Yes, but I have to convince the other side. I may not be as intelligent as you are.

MR. DEPUTY CHAIRMAN: Mr. Sen Gupta, there is the limitation of time.

SHRI DWIJENDRALAL SEN GUPTA:
There is limitation of time, but I think there is no rationing of time.

MR. DEPUTY CHAIRMAN : You may take one more minute.

SHRI DWIJENDRALAL SEN GUPTA :
How can I speak for one minute or Uvo minutes and finish an important amendment of complicated nature. You cannot stop me in this fashion.

MR. DEPUTY CHAIRMAN: Then I shall stop you.

SHRI DWIJENDRALAL SEN GUPTA :
Then there is another point...

MR. DEPUTY CHAIRMAN : Mr. Sen Gupta, if you are not stopping, I am calling the next speaker, Mr. Dhabe, to move his amendment.

SHRI DWIJENDRALAL SEN GUPTA : I will not stop.

MR. DEPUTY CHAIRMAN: Either you are finishing in one minute or I shall stop you.

SHRI DWIJENDRALAL SEN GUPTA :
No, I will not stop. You can call the Maishal. You are not a *bara sahib* here. What is this ? I am moving my amendment. And you will not allow me time. I will not stop. You can call the Marshal.

MR. DEPUTY CHAIRMAN : Why should I call the Marshal. You should also behave. I am giving you one minute. Please finish.

I

SHRI DWIJENDRALAL SEN GUPTA :
No. Everytime I see this..

MR. DEPUTY CHAIRMAN : Everytime
you take more time.

SHRI DWIJENDRALAL SEN GUPTA :
This is a lie. You are wasting my time by
interrupting me. You show indulgence to Mr.
Bhupesh Gupta and Mr. Raj-nariin. But
when I am moving an amendment, you do
not allow me time.

MR. DEPUTY CHAIRMAN : You have
spoken on one amendment more than Mr.
Shupesh Gupta...

SHRI DWIJENDRALAL SEN GUPTA :
Don't think I am here on your charitv.

MR. DEPUTY CHAIRMAN: But you
have no monopoly here. Now nlease ait
down.

SHRI DWIJENDRALAL SEN GUPTA :
If you say 'sit down' I shall stand up. I shall
not sit down. I shall keep standing.

MR. DEPUTY CHAIRMAN: I am calliDP
Mr. Dhabe to move his amendment.

SHRI S. W. DHABE: Sir,...

SHRI DWIJENDRALAL SEN GUPTA :
I walk out in protest.

*[A i litis stage the hort. Member left the
Chamber.]*

SHRI S. W. DHABE: Sir, item 10
relates to incentive bonus. The other
thing is, this Act should not apply to
certain categories of employees, employees
whose employment is seasonal, temporary,
casual, badli, substitute or work-charged
or to employees whose salary is less than
Rs. 300 per month. As
regards

the, categories of daily-waged and work-
charged employees it is very difficult to keep
accounts and no useful purpose will be
served by making this Act applicable

to them. So far as the first .amendment is
concerned, I would only invite the. attention
of the Finance Minister to section 16 of the
Payment of Bonus Act which makes it
applicable to the employees in new
establishments only after five years. Under
Payment of Bonus Act in the sixth year the
accounting starts, that is, sixth year will be
the accounting year, and this year if it is
made applicable, those getting, bonus first
time will be deprived of bonus. Bonus is a
great economic incentive. Bonus at least
should not be denied to them in any form. If
there should be enough fair price shops for all
employees and industrial workers. The
workers are ready to fight inflation. They
only want things, daily necessities, at
reasonable prices. I appeal to Finance
Minister to bring an ordinance or legislation
for such fair price shops. I therefore suggest
that these two amendments be accepted.

SHRI N. H. KUMBHARE: My amend-
ment only seeks to take away from the
purview of this Bill the small Wage-earners.
Of course, the intention of the Bill is very
clear. But then workers who are paid under
Minimum Wages Act are only governed by
this Bill. But there are other categories of
workers who are not covered by this statutory
wage. I may mention the workers employed
in plantations. It is true that minimum wage
is applicable to plantations. But now their
wages are not governed by Minimum Wages
Act. Their wages are governed by an
agreement. That is the provision. Of course, I
am subject to correction. I may be wrong. I
examined the position. I do not find small
wage-camer being excluded from the
purview of the Act if he is not governed by
the statutory provisions of the Minimum
Wages Act. Now, a worker getting Rs. 300
will be required to pay the increase which he
will get My object is to remove this anomaly.
The anomaly is of a very serious nature and
because of a lapse in the Bill those small
wage-earners who are not covered by the
Minimum Wages Act will be required to pay
the increase.

श्रीमन्महाशय स्वामी : उपसभापति महोदय, मैं इस दूसरे क्लॉज में जहाँ कर्मचारियों को छुट्टी दिए हैं, यह चाहूंगा कि उनमें कुछ जो कर्मचारी हैं, अधिक लोग हैं, उनको कुछ इस प्रकार का पेमेंट भी मिल सकता है जो कि बड़ा हुआ लाभ है। उस आधार पर अगर किसी कर्मचारी को कुछ मिल रहा है तो आपकी इस दूसरे क्लॉज में नहीं आता है। उनको भी अगर इसमें शामिल कर लिया जाय तो उस पर कंपलसरी डिपॉजिट की यह जो आपकी धारा है, लागू न हो। अगर बड़ा हुआ प्रॉफिट हो गया हो, उनको कुछ मिल रहा हो—किसी कर्मचारी को किनो मजदूर को—तो वह भी इनमें से एग्जैम्प्ट हो जाना चाहिए।

दूसरा यह है कि अगर मजदूर और मालिक मिलकर के कुछ काम के सम्बन्ध में प्रोत्साहन देने की दृष्टिकोण से कोई समझौता करने है और इस तरह से मजदूर को कुछ विशेष एलाउन्स मिलता है, तो मैं समझता हूँ कि इस तरह का मजदूर भी आपकी इस धारा के अन्तर्गत नहीं आना चाहिये। उसे आप एग्जैम्प्ट कीजिये, तो बहुत अच्छा होगा।

दूसरी बात मैं यह कहना चाहता हूँ कि any advance or loan at the time of festivals or any other occasions of dire necessity to the employee.

उपसभापति जी, बहुत से प्रान्त ऐसे हैं जोर उदाहरण के तौर पर मैं कहना चाहता हूँ कि बंगाल में जब दुर्गापूजा होती है, तो वहाँ के मजदूरों का विशेष रूप से बोनस एलाउन्स मिलता है और यह विशेष रूप से इस त्यौहार के लिए ही मिलता है। लेकिन अगर इसमें उल्लेख होगा क्लॉज में, तो उस धारा के अन्तर्गत आ जायेगा। मैं बङ्गाल साहब से प्रार्थना करूँगा कि अगर वह इन चीजों को इसमें शामिल कर लें, तो अधिक अच्छा होगा। इस प्रकार के अवसरों पर जब मजदूरों को बोनस मिलता है, उस पर यह धारा लागू नहीं होनी चाहिये।

दूसरी बात मैं यह निवेदन करना चाहता हूँ कि any amount related anyway to a period before the appointed day.

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जो आपने निश्चय किया है, उससे पहिले अगर कुछ उसको मिलने वाली राशि है, तो वह भी इसमें से हट जानी चाहिये। ताकि वह राशि उसे मिल सके। यह चीज इसमें आ जानी चाहिये।

मैं श्री बङ्गाल साहब से विशेष रूप से प्रार्थना करना चाहता हूँ क्योंकि उन्होंने इस बात को अपने आप स्वीकार किया था कि देश में मुद्रास्फीति हो रही है जिसकी वजह से इस तरह के कार्य किये जा रहे हैं और बाकी कदम भी उठाने वाले हैं। तो मेरी आप से ये प्रार्थना है कि जब आप इस तरह का बिल बना रहे हैं तो जो सेन्ट्रल और स्टेट मिनिस्टर हैं, पार्लियामेंट के मेम्बर्स हैं, एम० एल० एज० हैं, उन को भी जो कुछ मिल रहा है, उस पर भी यह बिल लागू होना चाहिये। मैं समझता हूँ कि घादरें हमें घर से शुरू करना चाहिये जब कि हम दूसरों से त्याग करने की अपील करते हैं। इसलिए मैं वित्त मंत्री जी से अपील करना चाहता हूँ कि जितने मिनिस्टर्स हैं, एम० पी० हैं, एम० एल० एज० हैं, उन सब पर यह बिल लागू होना चाहिये। यह बिल केवल मजदूरों तक ही सीमित न रखा जाय बल्कि इन सब लोगों के ऊपर भी यह बिल लागू किया जाना चाहिये।

मेरा चौथा संशोधन यह है :

"and all kinds of allowances and salaries given to Central and State Ministers, Members of Parliament and Members of legislative Assemblies and Councils".

जितने भी मिनिस्टर्स, मेम्बर्स आफ पार्लियामेंट, मेम्बर्स आफ स्टेट लेजिस्लेचर एन्ड काउंसिल्स, इन सब पर यह बिल लागू होना चाहिये। यह मेरा संशोधन है और मैं आशा करता हूँ कि वित्त मंत्री जी इसे विशेष रूप से स्वीकार करने की कृपा करेंगे।

MR. DEPUTY CHAIRMAN: Now I will put the amendments to vote...

SHRI NIREN GHOSH (West Bengal): I am to speak on this amendment.

[Shri Niren Ghosh.]

Sir, I support Shri Bhupesh Gupta's amendment. But I feel he should have added the word "curtailment" also..

SHRI BHUPESH GUPTA : That is the first amendment.

SHRI NIREN GHOSH: Because it is not economic development, but it is "economic curtailment".

Then, why this retrospective effect ? I can only say that when the workers were defrauded to the extent of Rs. 381 per worker, it was found that there was no retrospective effect and they did not get a single penny. Now, another fraud has been detected: A sum of Rs. 54 per worker would be due for a number of years. Now, whether at all it would be given or it would have retrospective effect, nobody knows. So, in the case of the employers, the position of the Government is that they must be protected. There is no retrospective effect for repayment if the workers' wages are reduced. When the workers' wages are cut, slashed and frozen, you are very open-minded. So, this is only for the economic curtailment of the country and not for the economic development of the country. The character of the Bill is, of course, anti-Indian and it is an anti-Indian Bill. That is why I support the amendment and I do not want to waste words at this stage. I will have my say at the time of the Third Reading.

MR. DEPUTY CHAIRMAN: Yes, Mr. Minister, you can say if you want to say anything.

THE MINISTER OF FINANCE (SHRI Y. B. CHAVAN): Sir, I find that the large number of amendments that are there can be made into two or three categories. One set of amendments aims at completely negating the purpose of the Bill and, naturally, I am not expected to accept them. Most of the amendments or all of the amendments including those of Mr. Bhupesh Gupta are in that category. Some of the amendments are such that possibly they

would not have become necessary if the honourable Members had rather carefully heard my speech here when I introduced this Bill. For example, the suggestion for loans and advances or for any payment to be made in case of hardships is not necessary because these advances are not considered to be additional wages and we have already made certain provisions for payments in case of hardships. Then there is an amendment mentioning about the Members of Parliament and Ministers, etc. This is meant for the employees, private employees or the Government employees and I would like to remind the honourable Member who moved the amendment that neither a Member of Parliament nor a Minister is an employee and that they are the representatives of the people here. Sir, after approving of this Bill, I do not think any Minister or any group of Members of Parliament or of any Assembly would try to grant themselves any additional wage or any additional dearness allowance—they do not get any DA—or any allowance. In view of this, I do not think that these amendments can be accepted.

Well, Sir, the other amendments are there. But I do not think they are meant either to implement the Bill or amplify the Bill or clarify the Bill. Therefore, I cannot accept any of these amendments.

MR. DEPUTY CHAIRMAN: The question is:

3. "That at page 1, line 11, for the figures and words '6th day of July, 1974, the words day which Parliament by a resolution of two-thirds of the members present and voting in each House designate in this behalf be substituted."

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

4. "That at page 2,—

(i) lines 10-11, for the words notwithstanding the provisions of this clause' the word 'not' be substituted;

(ii) lines 12 to 20 be deleted; and

(iii) lines 45, after the figures "1948" the following be inserted, namely, "or any increase in wages by a bipartite or tripartite settlement between the parties till it exceeds the limit of minimum wage as enunciated by the Fair Wage Committee's Report or by the 15th Indian Labour Commission of the Central Government:"

The motion was negatived.

\The amendment (No. 5) was, by leave, withdrawn.

MR. DEPUTY CHAIRMAN: The question is:

6. "That at page 3, after line 4, the following be inserted, namely:—

(vii) any increase in wages to an employee whose total earnings do not exceed rupees three hundred on or after the appointed day;".>

The motion was negatived.

MR. DEPUTY CHAIRMAN • The question is :

7. "That at page 3, after line 4, the following be inserted, namely, :—

"(vii) any amount payable to an employee as bonus as a result of increased profits or formulae linked with profits;

(viii) any *ex-gratia* payment stemming from a term or condition of employment arrived at between labour and management;

(ix) any advance or loan at the time of festivals or any other occasion of dire necessity to the employee; and

t For text of the amendment *vide* col. 25 ... *supra*.

(x) any amount in any way to a period before the appointed day.'

The motion was negatived.

MR. DEPUTY CHAIRMAN : The question is :

8. "That at page 3, after line 27, the following be inserted, namely, :—

and all kinds of allowances and salaries given to Central and State Ministers, Members of Parliament, Members of Legislative Assemblies and Councils."

The motion was negatived.

श्री श्रीमप्रकरा त्यागी : श्रीमन, एक मिनेट..

श्री उप सभापति: आप तो पहले बोल चुके हैं

श्री राजनारायण (उत्तर प्रदेश) : श्रीमान पॉइन्ट आफ़ आर्डर। त्यागी जी को सर्वदा अधिकार है, वे चाहते तो अपने एमेंडमेंट को वापस ले लेते। आप उन्हें ब्रवसर दीजिए।

गृह कार्य मंत्री (श्री जगन्नाथ राव) : बोलना चाहते थे।

श्री उपसभापति : वे बोलना चाहते थे, वापस नहीं लेना चाहते थे।

MR. DEPUTY CHAIRMAN : The question is :

9. "That at page 3, lines 10 to 14 be deleted."

The House divided.

MR. DEPUTY CHAIRMAN : Ayes—22: Noes—103.

AYES—22

Ahmad, Dr. Z. A.

Barman, Shri B. D.

Ghosh, Shri Niren

Goray, Shri N. G.

Gupta, Shri Bhupesh Koya
Shri B. V. Abdula
Kumaran, Shri S.
Kumbhare, Shri N. H.
Lakshmanan, Shri G.
Mariswamy, Shri S. S.
Mathew Kurian, Dr. K.

Prasad, Shri Bhola
Raha, Shri Sanat Kumar
Rajnarain, Shri
Refaye, Shri A. K.
Roy, Shri Kalyan
Roy, Shri Monoranjan

Shekhawat Shri B. S.
Sinha, Dr. Ramkripal
Swamy, Shri Subramanian
Tyagi, Shri O. P.
Varma, Shri M. P.

NOES—103

Abid, Shri Qasim Ali
Adivarekar, Shrimati Sushila Shankar
Alva, Shrimati Margaret
Amla, Shri Tirath Ram
Anandam, Shri M.
Arif, Shri Mohammed Usman
Avergoankar, Shri R. D. J.
Berwa, Shri Jamna Lai
Bhagwati, Shri B. C.
Bhardwaj, Shri Jagan Nath
Bhatt, Shri Nand Kishore
Bisi, Shri P. N.
Bobdey, Shri S. B.
Borooah, Shri D. K.
Buragohain, Shri Nabin Chandra
Chakrabarti, Dr. R. K.

Chandra Shekhar, Shri
Chaturvedi, Shrimati Vidyawati
Chaudhari, Shri N. P.
Chaurasia, Shri S. D. S.
Chundawat, Shrimati Lakshmi Kumari
Dhabe, Shri S. W.
Dikshit, Shri Umashankar
Gadgil, Shri Vithal
Gtjral, Shri I. K.
Himmat Singh, Shri
Imam, Shrimati Aziza
Joshi, Shri Jagdish
Kalaniya, Shri Ibrahim
Kalp Nath, Shri
Kalyan Chand, Shri
Kamble, Prof. N. M.
Khan, Shri Khurshed Alam
Khan, Shri Maqsood Ali
Kollur, Shri M. L.
Krishan Kant, Shri
Kulkarni, Shri A. G. Kulkarni,
Shrimati Sumitra G.
Lalbuaia, Shri
Mahanti, Shri B. K.
Majhi, Shri C. P.
Makwana, Shri Yogendra
Malaviya, Shri Harsh Deo
Mali, Shri Ganesh Lai
Mehta, Shri Om
Mishra, Shri R. K.
Mukherjee, Shri Pranab
Mukhopadhyay, Shrimati Purabi
Mulla, Shri A. N.
Munda, Shri B. R.
Murthy, Shri B. P. Nagaraja
Musafir, Shri Gurmukh Singh

Narasiah, Shri H. S. Nawal Kishore,
Shri Nizam-ud-Din, Shri Syed Nurul
Hasan, Prof. S. Pai, Shri T. A.
Panda, Shri Brahmananda Parashar,
Shri V. R. Patil, Shri Deorao

Pradhan, Shrimati Saraswati Punnaiah,
Shri Kota Pari, Shri D. D. Rachaiah,
Shri B. Raju, Shri V. B.

Rao, Shrimati Rathnabai Sreenivasa

Rao, Shri V. C. Kesava

Reddi, Shri K. Brahmananda

Reddy, Shri Janardhana

Reddy, Shri K. V. Raghunatha

Reddy, Shri Mulka Govinda

Roshan Lai, Shri

Saleem, Shri Mohammad Yunus

Sangma, Shri E. M.

Sardar Amjad Ali, Shri

Savita Behen, Shrimati

Seyid Muhammad, Dr. V. A.

Shah, Shri Manubhai

Sharma, Shri K. L.

Shastri, Shri Bhola Paswan

Shilla, Shri Showaless K.

Shyamkumari Devi, Shrimati

Singh, Shri I. T.

Singh, Shri Mahendra Bahadur

Singh, Shri Mohan

Singh, Shri Niranjan

Singh, Shrimati

Pratibha

Singh, Shri Ranbir

Singh, Shri Sultan

Singh, Shri Triloki

Sinha, Shri Awadheshwar Prasad

Sukhdev Prasad, Shri

Sultan, Shrimati Maimoona

Thakur, Shri Gunanand

Tilak, Shri J. S.

Tiwari, Shri Shankarlal

Tiwary, Pt. Bhawaniprasad

Totu, Shri G. C.

Tripathi, Shri Kamlapati

Trivedi, Shri H. M.

Varma, Shrimati Narayani Devi Manaklall

Venigalla Satyanarayana, Shri

Wajd, Shri Sikander AH

The motion was negatived.

MR. DEPUTY CHAIRMAN :
The question is :

10. "That at page 4, line 27, the
words 'including bonus' be deleted".

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 3—Persons to whom this Act applies.

SHRI S. W. DHABE : Sir, I beg to move:—

11. "That at page 5, after line 33, the following be inserted, namely:—

'Provided that nothing in this Act shall apply to the category of employees whose emolument is seasonal, temporary, casual, *badli*, substitute or work-charged or to those employees/ workmen whose salary is less than rupees three hundred per month.¹ "

SHRI MONORANJAN ROY (West Bengal) : Sir, I beg to move :

12. "That at page 5, after line 33, the following be inserted, namely

'Provided that nothing in this Act shall have effect in respect of an employee whose wages, including the additional dearness allowance and . the additional wages, do not exceed rupees two thousand a year.' "

SHRI O. P. TYAGI : Sir, I beg to move :

13. "That at page 5, after line 33, the following be inserted, namely:—

'Provided that any employee of the foregoing bodies, not wishing to avail of this scheme may opt out of the: scheme by conveying his wish to his employer in writing.' "

The questions were proposed.

SHRI MONORANJAN ROY : Sir, in this clause I want to add :

"Provided that nothing in this Act shall have effect in respect of an employee whose wages, including the additional dearness allowance and the additional wages, do not exceed rupees, two thousand a year".

I want the poor employees should not be fleeced and I want to exclude from the purview of this measure those people who got less than Rs. 2,000.

श्री श्रीमप्रकाश त्यागी : श्रीमन्, मेरा संशोधन यह है कि पेज 5 पर लाइन 33 के बाद यह जोड़ा जाये—

"Provided that any employee of the foregoing bodies, not wishing to avail of this scheme may opt out of the scheme by conveying his wish to his employer in writing."

मेरा संशोधन यह है कि यह जो बिल देश द्वित में लागू किया गया है इसमें अगर कोई मजदूर घादमी यह चाहे कि किन्हीं परिस्थितियों या कठिनाइयों के कारण मैं इसमें शामिल नहीं होना चाहता तो उसको यह छूट मिलनी चाहिए कि वह इस विधेयक के अंगुल से बच सके। मेरा संशोधन है कि प्राप यह छूट दें। मुझे आशा है कि वित्त मंत्री महोदय इसकी छूट मजदूरों को देने की कृपा करेंगे।

SHRI BHUPESH GUPTA : All that we want is that it should be really left to the people to come into the scheme. The clause says who are the employees who will be covered. I am providing here that if anyone does not like to be included in this scheme he should be allowed to go out of the scheme and not be covered by the Act.

I can tell my friends that after the Division on clause 2 now I believe they can go and have a little sip of coffee. We shall send for you later.

(Amendment No. 11 was, by leave, withdrawn.

MR. DEPUTY CHAIRMAN : The question is—

12. "That at page 5, after line 33, the following be inserted, namely:—

'Provided that nothing in this Act shall have effect in respect of an employee whose wages, including the

t For text of the amendment vide col. 43 *supra*.

additional dearness allowance and the additional wages, do not exceed rupees two thousand a year.' "

The motion was negated.

MR. DEPUTY CHAIRMAN : The question is—

13. "That at page 5, after line 33, the following be inserted, namely :—

'Provided that any employee of the foregoing bodies, not wishing to avail of this scheme may opt out of the scheme by conveying his wish to his employer in writing.' "

The motion was negated.

Amendment No. 14 was barred.

MR. DEPUTY CHAIRMAN : The question is:—

"That clause 3 stand part of the Bill."

The motion was adopted. Clause 3 was added to the Bill. Clause 4 was added to the BUI.

Clause 5—Additional Wages Deposit Account and Additional Dearness Allowance Deposit Account

SHRI O. P. TYAGI : Sir, I move :

15. "That at page 6, line 6, for the word 'Compulsory' the word 'Voluntary' be substituted.

श्री ओम नाथ त्यागी : सभापति जी, इसमें सबसे महत्वपूर्ण चीज जो मुझे कहनी है वह यह है कि 'कंपल्सरी' जो शब्द लिखा हुआ है इस की जगह पर आप 'वालंटरी' कर दें। आपकी सरकारी मान्यताओं में से यह एक है कि हम किसी के ऊपर दबाव न डाल कर कोई काम कराएं। अगर ऐच्छिक दृष्टि-कोण से कोई भी मजदूर इसमें शामिल होना

चाहे तो वह शामिल हो सके इसलिए मैंने कहा है कि जो आपने कंपल्सरी शब्द लिखा है इसकी जगह अगर आप वालंटरी शब्द लगा दें तो यह विधेयक ज्यादा महत्वपूर्ण बन जाएगा।

The question was proposed.

SHRI BHUPESH GUPTA : Sir, it is the same amendment. All that we say is, instead of 'compulsory' the word 'voluntary' should be used. I have already voluntarily asked for some time to speak on this and I hope you will compulsorily grant some time to speak on it.

Sir, if the Government thinks that some savings of the people have to be gathered, for whatever reasons they have in mind, then leave it to the people. There are people in the top income brackets, who will be in a position to voluntarily deposit. But the people at the bottom in the lower income brackets, are not in a position to meet even their demands of the life as a result of rise in prices. They do not have any saving. In fact, many of them borrow and live. And in this category of people, employees approximately account for two million and the workers for 10 million. Now they are being forced to deposit when they need money to meet the rise in prices, and they do not have enough to meet the rise in the prices. Therefore, it is absolutely unjust and undemocratic. People are not lacking either in good sense or in patriotism. Those who have good money and are able to save will not invest with the Government or leave with the Government. This is in a way undemocratic. Besides, it is a consumption cut. And, Sir, the reports published only the other day show how the consumption of certain essential goods by the working people, the masses, has gone down. And the United Nations institutions also published figures to show how the consumption of milk, oil, eggs, etc. by the common man in the developing countries is going down as a result of inflation. It means, they are being under-nourished, they are not getting the sustenance which they should get.

TShri Bhupesh Gupta.]

I am not mentioning here about the developed countries. Therefore, Sir, I say that it is most cruel to impose a cut on people who are starving, who are undergoing malnutrition, who do not have enough calories to sustain and who do not have the bare necessities of life to live a decent living. This is anti-democratic, anti-people and anti-working class, of course, characterising in some aspects of the character of this Government. But this is extremely objectionable and harmful and as such, it has to be opposed. Therefore, I suggest that if you have any democratic sense left in you, then you should leave it to the people to understand the problem. Let them save and deposit voluntarily if they so wish. At the same time why have you left the upper classes? I am not going into that. As you know, smugglers are in Delhi. Well, nobody thinks to put a cut on them, nobody thinks to put a compulsory cut on them. They are voluntarily going round and voluntarily being met by our Ministers and friends opposite—some friends opposite, not all. Therefore, I say, Mr. Chavan, democracy demands that you accept this suggestion. The scheme of freeze is reprehensible as it is. Let it be left to the option of the people. Let those who would like to deposit, deposit. Those who are not in a position to deposit, the poorer sections of people, should not be compelled by the force of law to make deposits which can only result in a cut in their consumption and standard of life, and which would cause much suffering to the people who are already suffering.

SHRI NIREN GHOSH: Sir, I want to say a few words.

MR. DEPUTY CHAIRMAN: Mr Niren Ghosh, you were not in the House.

SHRI NIREN GHOSH: Sir, I was just here.

MR. DEPUTY CHAIRMAN: But, I did not see you.

SHRI NIREN GHOSH: But, I came in proper time.

Sir, what I want to say is this. The working people are struggling to keep their bones and skin together. So, this is eminently reasonable. If you want this skin to be taken away and only bones to be shown to you, then, of course, you may not accept this amendment. So, Mr. Bhu-pesh Gupta's amendment provides an escape route for them to keep their bones and skin together. If this option is not given to the workers their skin would be taken away and only bones you will see. That is why I support this amendment.

MR. DEPUTY CHAIRMAN: The question is:

15. "That at page 6 line 6, for the word 'Compulsory' the word 'Voluntary' be substituted.

The House divided.

MR. DEPUTY CHAIRMAN : Ayes—20,
Noes—107.

AYES—20

Ahmad, Dr. Z. A.

Barman, Shri B. D.

Ghosh, Shri Niren Goray,

Shri N. G. Gupta, Shri

Bhupesh Kumaran, Shri

S. Kumbhare, Shri N. H.

Lakshmanan, Shri G.

Mariswamy, Shri S. S.

Mathew Kurian, Dr. K.

Prasad, Shri Bhola

Raha, Shri Sanat Kumai

Rajnarain, Shri Roy, Shri

Kalyan Roy, Shri

Monoranjan

Shekhawat, Shri B. S.
Singh, Shri I. D. Sinha,
Dr. Ramkripal Tyagi, Shri
O. P. Varma, Shri M. P.

NOES—107

Abid, Shri Qasim Ali
Adivarekar, Shrimati Sushila Shankar
Alva, Shrimati Margaret
Ami a, Shri Tirath Ram
Anandam, Shri M.
Arif, Shri Mohammed Usman
Avergoankar, Shri R. D. J.
Berwa, Shri Jamna Lai
Bhagwati, Shri B. C.
Bhardwaj, Shri Jagan Nath
Bhatt, Shri Nand Kishore
Bisi, Shri P. N.
Bobdey, Shri S. B.
Borooah, Shri D. K.
Buragohain, Shri Nabin Chandra
Chandra Shekhar, Shri
Chaturvedi, Shrimati Vidyawati
Chaudhari, Shri N. P.
Chaurasia, Shri S. D. S.
Choudhury, Shri N. R.
Chowdhary, Shri C. L.
Chundawat, Shrimati Lakshmi Kumari
Das, Shri Balram
Das, Shri Bipinpal
Dhabe, Shri S. W.
Dikshit, Shri Umashankar

Gadgil, Shri Vithal Gujral, Shri I.
K. Himmat Sinh, Shri Imam,
Shrimati Aziza Jain, Shri
Dharamchand Joshi, Shri Jagdish
Kalaniya, Shri Ibrahim Kalp Nath,
Shri Kalyan Chand, Shri Kamble,
Prof. N. M. Khan, Shri Khurshed
Alam Khan, Shri Maqsood Ali
Kripalani, Shri Krishna Krishan
Kant, Shri Kulkarni, Shri A. G.
Kulkarni, Shrimati Sumitra G.
Lalbuaia, Shri Mahanti, Shri B. K.
Majhi, Shri C. P. Makwana, Shri
Yogendra Malaviya, Shri Harsh
Deo

Mali, Shri Ganesh Lai Mehta,
Shri Om Mishra, Shri R. K.
Mukherjee, Shri Pranab
Mukhopadhyay, Shrimati Purabi
Mulla, Shri A. N. Munda, Shri B.
R. Murthy, Shri B. P. Nagaraja
Musaflr, Shri Gurmukh Singh
Narasiah, Shri H. S.

Nawal Kishore, Shri

Nizam-ud-Din, Shri Syed

Nurul Hasan, Prof. S.
 Panda, Shri Brahmananda
 Parashar, Shri V. R.
 Patil, Shri Deorao
 Pradhan, Shrimati Saraswati
 Punnaiah, Shri Kota
 Puri, Shri D. D.
 Rachaiah, Shri B.
 Raju, Shri V. B.
 Rao, Shrimati Rathnabai Sreenivasa
 Reddi, Shri K. Brahmananda
 Reddy, Shri Janardhana
 Reddy, Shri K. V. Raghunatha
 Reddy, Shri Mulka Govinda
 Roshan Lai, Shri
 Saleem, Shri Mohammad Yunus
 Sangma, Shri E. M.
 Sardar Amjad Ali, Shri
 Savita Behen, Shrimati
 Seyid Muhammad, Dr. V. A.
 Shah, Shri Manubhai
 Sharma, Shri K. L.
 Shastri, Shri Bhola Paswan
 Shilla, Shri Showaless K.
 Shukla, Shri M. P.
 Shyamkumari Devi, Shrimati
 Singh, Shri Inder
 Singh, Shri I. T.
 Singh, Shrimati Jahanara Jaipal
 Singh, Shri Mahendra Bahadur
 Singh, Shri Mohan
 Singh, Shrimati Pratibha
 Singh, Shri Ranbir

Singh, Shri Sultan
 Singh, Shri Triloki
 Sinha, Shri Awadheshwar Prasad
 Sukhdev Prasad, Shri
 Sultan, Shrimati Maimoona
 Thakur, Shri Gunanand
 Tilak, Shri J. S.
 Tiwari, Shri Shankarlal
 Tiwary, Pt. Bhawaniprasad
 Totu, Shri G. C.
 Tripathi, Shri Kamalapati
 Trivedi, Shri H. M.
 Varma, Shrimati Narayani Devi Manak-lal
 Venigalla Satyanarayana, Shri
 Wajd, Shri Sikander Ali
The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

"That clause 5 stand part of the Bill."

The motion was adopted.

Clause 5 was added to the Bill.

Clause 6—Duty of employer or other person to make deductions of additional wages and adiiitioiul dearness allowance from emoluments

SHRI MONORANJAN ROY: Sir, r beg to move:

16. "That at page6,—

(i) line 19, for the words 'one year*' the words 'three months' be substituted; and

(ii) line 22, for the words 'two years' the words 'three months' be substituted.

SHRI O. P. TYAGI: Sir, I beg to move:

17. "That at page 6, line 22 for the words 'two years' the words 'one year' be substituted."

18. "That at page 6, lines 29 and 30, the words 'and one-half of the additional dearness allowance' be deleted."

19. "That at page 6, lines 32 and 33, the words 'and the Additional Dearness Allowance Deposit Account, respectively' be deleted."

20. "That at page 6, line 38, the words 'and one half of the additional dearness allowance' be deleted."

21. "That at page 6, lines 42 and 43, the words 'and the Additional Dearness Allowance Deposit Account, respectively' be deleted."

22. "That at page 7, lines 5 and 6, the words 'and one-half of the additional dearness allowance' be deleted."

23. That at page 7, lines 8 and 9, the words 'and the Additional Dearness Allowance Deposit Account, respectively' be deleted."

24. "That at page 7, lines 11 and 12, the words 'and one-half of the additional dearness allowance' be deleted."

25. "That at page 7, lines 15 and 16, the words 'and the Additional Dearness Allowance Deposit Account, respectively' be deleted."

26. "That at page 7, after line 16, the following be inserted, namely:—

'Provided that in a case where the employee gets a consolidated pay, the additional amount shall not be counted as his wages only, but an appropriate portion of it shall be considered as Additional Dearness Allowance'."

27. "That at page 7, after line 28, the following be inserted, namely:—

'(d) the Central and State Governments, the Secretaries-General of Lok

Sabha and Rajya Sabha and Secretaries of all other State Legislatures in India shall, as and when salaries and any or all types of allowances are disbursed to Central and State Ministers, M.Ps., M.L.As. and M.L.Cs., shall deduct ten per cent from each of the emoluments so disbursed and credit the amounts so deducted, in accordance with the scheme, to the accounts that are fixed for this purpose'."

28. "That at page 7, line 30, the word 'separately' be deleted."

29. "That at page 7, line 31, the word 'respective' be deleted."

The questions were proposed.

SHRI MONORANIAN ROY: Sir, now that amendment No. 15, which would have made these deposits voluntary, has been refused, I would say that instead of making these deductions for one or two years, they may be made only for a period of three months. Why I say this thing is because Shri Manubhai Shah himself narrated his experience—and Mr. Chavan was present in the House—that once he had some money deposited with some account run by the Government, he had to labour for three years to withdraw that amount. If that be so with regard to Shri Manubhai Shah what would be the condition of workers? You cannot understand it but we do. We know how much harassment they are to undergo after the death of the worker with regard to the provident fund. The workers have already started developing a feeling after the Ordinance came into being that this money will not be paid back any longer to them. So, do it for three months and not for one year or two years. Do not deduct from basic wages and dearness allowance for one or two years, do it for three months, that is my amendment, that is my humble submission. They are not going to get back their money. They have already got the bitterest experience with regard to the provident fund. Most of the workers do not get money before two or three years. Mr. Chavan, would you kindly give ear?

MR. DEPUTY CHAIRMAN: He is here attuned to you. Only his face is turned.

SHRI MONORANJAN ROY: After the death of a worker, his relatives do not get provident fund money for years together. There have been defalcations on the part of the employers. What explanation Mr. Chavan can give is that the workers can never get the provident fund money because they have applied to the Provident Fund Commissioner and they have been told that no amount has been deposited with the Provident Fund Commissioner. When that is the condition, is there any guarantee that the workers will get any money after five years? There is no uncertainty in the matter, no doubt in the matter, that the workers will get any money after five years? There is no uncertainty in the matter, no doubt In the matter that the workers will lose the entire money which you shall deduct forcibly by passing this Bill. That is why my amendment is that do not deduct it for more than three months from the wages and the dearness allowance of the workers.

डा० रामकृपाल सिंह (बिहार) : मेरा संशोधन इस प्रकार है कि पंक्ति 28 में जो 'दो वर्ष' के शब्द हैं उसके स्थान पर 'एक वर्ष' कर दिया जाए और पंक्ति 37 और 38 में जो शब्द हैं "और अतिरिक्त मंहगाई भत्ते के आधे भाग की" उसको समाप्त कर दिया जाए । तीसरे यह कि पंक्ति 39 और 40 में "क्रमशः" तथा "और अतिरिक्त मंहगाई भत्ता निक्षेप खाते" शब्दों को समाप्त कर दिया जाए । इस तरह से अगले पृष्ठ पर पंक्ति 2 में भी "और अतिरिक्त मंहगाई भत्ते के आधे की" शब्दों को भी समाप्त कर दिया जाए । कारण इसका यह है कि मंहगाई भत्ता जो कर्मचारियों को मिलता है, उससे जो लाभ हम देते हैं, उसको खाते में जमा कर लेने से वह लाभ जो मिलना चाहिए वह नहीं मिल पाएगा । मंहगाई दिन प्रति दिन बढ़ती जा रही है और मंहगाई भत्ते से जो राहत हम मजदूरों और कर्मचारी वर्ग को पहुंचाना चाहते हैं वह उनको नहीं मिलेगी । यह मजदूर विरोधी और कर्मचारी विरोधी है । इसलिए मैं प्रस्ताव करता हूं कि हमारे इस संशोधन को स्वीकार किया जाए ।

SHRI BHUPESH GUPTA: My other amendment is No. 27.

This particular clause, you will have noted, relates to the very scheme of deductions. I should like to know what outfit is required to make arrangements for operating the additional wages deposit accounts and additional dearness allowance deposit accounts etc., involving as I said, nearly 2 million employees, wage and salary earners. We have no idea about it. The Government has not given us any idea about the overhead cost that will be involved for maintaining such accounts.

And there will be lot of difficulties also. Now, Sir, the amendment relates to the scheme of deduction. We have indicated that first of all, for two years, one year should be enough and we leave it to you and since you must have a pound of flesh, have it for one year. Why have for two years? Let us see how it works during the next year so that you can think of whether even you would like to have it continued for longer period. Now you are making it two years. I do not see any reason. Besides, I believe, there will be elections also. Elections to the Lok Sabha will be due in 1976. There I think you can make it an issue. We can all fight the election as to whether there should be such a scheme or not and take the verdict of the people whether to prolong a scheme of this kind. Therefore, let 1975 be covered if you like but not beyond that and you can decide later on. [Time bell rings].

The other thing is, since you have rung the bell, and in any case we are adjourning for lunch...

MR. DEPUTY CHAIRMAN: That is why I am ringing the bell.

I

SHRI BHUPESH GUPTA: I sympathise with your attitude as well as with your hunger. Now, therefore, I say that and as you have said, I do not read out the other thing, but, Sir, this is absolutely unjust for two years, two critical years. We do not know: We have not proposed that the

prices will fall; we have not promised that other things for the people will improve; we have not promised that you will have such measures to check inflation, when inflation is rising. Well, you are asking the people to make sacrifice which is not only an extortion on their part but something much worse. Therefore, I say that accept these amendments that I have suggested. I think Mr. Chavan will reply in such a manner that at the end of his reply we can adjourn for lunch.

"(d) the Central and State Govern' ments,

डा० रामकृपाल सिंह : मैं यह कहना चाहता हूँ कि मेरे संशोधन की यह मंशा है कि सरकार प्रतिरिक्त वेतन या प्रतिरिक्त मंहगाई भत्ता के जिस अंश को काट करके खाते में जमा करना चाहती है, उसके लिए एक बड़े संव की आवश्यकता होगी। हर इकाई में जहाँ मजदूर काम करते हैं और जहाँ पर मजदूर अधिक संख्या में काम करते हैं, वहाँ पर आपको अलग से कर्मचारियों को रखना पड़ेगा ताकि वे इस तरह की जो राशि जमा होगी उसका हिसाब किताब रख सकें। जिन बैंकों में इस तरह की धनराशि जमा होगी, वहाँ पर भी प्रतिरिक्त कर्मचारियों की आवश्यकता होगी ताकि वे इन सब चीजों का लेखाजोखा रख सकें। इस तरह से इन्फ्लेशन रोकने के लिए एक कदम न रहकर और जो प्रतिरिक्त योजनाओं द्वारा अधिक पैसा व्यय करना पड़ेगा और इसकी वजह से और भी मंहगाई बढ़ेगी। हम जो लाभ उठाना चाहते हैं, वह नहीं होगा। इसीलिए मैंने यह संशोधन रखा है।

1. P.M.

श्री श्रीमद्भक्त त्वाणी : उपाध्यक्ष महोदय, अभी वित्त मंत्री महोदय ने मिनिस्टर्स के बारे में कहा। मैं थोड़ा सा एमंडमेंट इसमें जोड़ रहा हूँ :-

the Secretaries-General of Lok Sabha and Rajya Sabha and Secretaries of all other State Legislatures in India shall, as and when salaries and any or all types of allowances are disbursed to Central and State Ministries, M.Ps., M.L.As. and M.L.Cs., shall deduct ten per cent, from each of the emoluments so disbursed and credit the amounts so

deducted, in accordance with the Scheme, to the accounts that are fixed for this purpose."

अभी वित्त मंत्री जी ने कहा था कि जो कुछ मंत्रियों को, एम० पी० को, एम० एल० ए० को मिलता है वह बोगस या इस प्रकार की चीज नहीं है लेकिन जो विशेष सुविधाएं और एमो-ल्यूमेंट्स समय समय पर एनाउन्स करने हैं उसके बारे में हमारे सबके पास संकुलर गया है विशेष सेविंग के लिए कि अपनी इच्छानुसार कुछ न कुछ सेविंग करें। मैं कहता हूँ कि हम पर भी लागू कर दीजिए कि जो एमो-ल्यूमेंट्स बढ़ाएं उनमें कम से कम 10 परसेंट हमारा भी और मिनिस्टर्स का भी काटा जाय। नव मजदूरों के हृदय को कुछ शान्ति मिलेगी कि इन लोगों ने स्वयं भी त्याग किया है, अन्यथा मजदूरों पर लागू करना मैं समझता हूँ अन्याय होगा जो पावर्टी लाइन के नीचे रहने हैं, खाने-पीने के लिए जिनके घर में कोई सुविधाएं नहीं हैं उन पर यह विधेयक लागू किया जा रहा है और जिनको बहुत तनकाहें मिल रही हैं और एमो-ल्यूमेंट्स मिल रहे हैं, 51 रुपया रोज मिल रहा है, जिनमें मिनिस्टर्स भी हैं और हम भी हैं उन पर यह लागू नहीं किया जा रहा है। ऐसा करना मैं समझता हूँ मजदूरों के साथ अन्याय होगा जबकि हम स्वयं त्याग करने के लिए तैयार नहीं हैं।

श्री राजनारायण : श्रीमन्, मैं यह जानते हुए बोल रहा हूँ कि श्री यशवन्तराय अच्छाण हमारे संशोधन को स्वीकार नहीं करेंगे, मगर मैं अपने निराशा के कर्तव्य का पालन करना एक संसद-मदस्य की दृष्टिगत से आवश्यक समझता हूँ और इसलिए मैं पढ़ा हुआ हूँ। हमारी बोलने की थोड़ी इच्छा बा गई जब वहाँ पर श्री कमलार्पण त्रिपाठी और भोला पासवान भी बैठे हुए हैं। भोला पासवान गरीबों का प्रतिनिधित्व करते हैं।

निर्माण और खासतः मंत्री (श्री भोला पासवान शान्तरी) : हम लोगों से आपको प्रेरणा मिलती है।

श्री राजनारायण : श्री भोला पासवान से हमको प्रेरणा मिलती है और उनको बहुत प्रेरणा हमसे मिली है काशी विद्यापीठ में, लेकिन मुझे अफसोस है कि वे सारी प्रेरणाएं बेकार गईं।

श्री भोला पासवान शास्त्री : बेकार नहीं हुईं।

श्री राजनारायण : अगर बेकार हुई तो भोला पासवान शास्त्री श्री यशवन्तराव चव्हाण के पास जाएं और उनके संशोधन में संशोधन करें कि केवल 10 परसेंट कटौती से काम नहीं चलेगा, 1946 के पूर्व से संसद-सदस्य या मंत्री, उप मंत्री या सभापति, उपसभापति, अध्यक्ष या उपाध्यक्ष की जितनी आमदनी बढ़ी हो वह सारी आमदनी लेकर सरकारी खजाने में जमा कर दी जाय या 15 अगस्त के पूर्व से जितनी आमदनी बढ़ी हो उसकी बाकायदा जांच करवा लें। भोला पासवान की आमदनी 47 से पूर्व कितनी थी और अब कितनी बढ़ी है, कमलापति लिपाठी की आमदनी 47 से पूर्व कितनी थी और अब कितनी बढ़ी है, चव्हाण साहब की आमदनी 47 से पहले कितनी थी और अब कितनी बढ़ी है। चाहे नूरुल हसन साहब हों, चाहे राजनारायण हों ...

श्री उमाशंकर दीक्षित : राजनारायण को छोड़कर।

श्री राजनारायण : राजनारायण तो पहले ही आ जाएंगे। राजनारायण की 47 से पूर्व की आमदनी श्री उमाशंकर दीक्षित को देनी होगी तब तो बढ़ जायगी, मगर हम वह लेना ही नहीं चाहते। अगर हम ईमानदार हैं और हम जनसेवक हैं और हमारे हाथ में कानून बनाने का अधिकार है तो सबसे पहले हमको उस आदेश को अपने ऊपर लागू करना चाहिए। एग्जाम्पल इज बैटर देन प्रीसेप्ट। उदाहरण खुद बनो, शिक्षा मत दो। इसलिए मैं कहना चाहता हूं कि चव्हाण साहब को कि जो यह विधेयक प्रस्तुत है यह विधेयक अनैतिक है, अन्धायपूर्ण है, यह विधेयक इम्मोरल है, अनैतिक है।

श्री सुलतान सिंह : पहले अपने साथी बीजू पटनायक का जमा करा दीजिए।

श्री राजनारायण : यह सुलताना क्या बोल रहा ! श्रीमन्, माफ कीजिएगा मैं समझ नहीं पाया। तो मैं यह निवेदन कर रहा हूं कि श्री यशवन्त-

राव जी इस समय तो मुस्करा रहे हैं हमारी बात को सुनकर, मगर जमाना आयेगा जब इस को वह समझेंगे। अभी तो हम खुद कहते और खुद ही सुनते हैं। इस समय सारे ही मंत्री मस्त हैं, सोचते हैं कि बराबर हम यहाँ पर बैठे रहेंगे, लेकिन उनको समझ लेना चाहिए कि अग्नि की ज्वाला उस कुर्सी के नीचे घड़क रही है और वह प्रस्फुटित होगी और अगर हमारी सलाह को यशवन्तराव जी ने नहीं माना तो उस ज्वाला में वह जल मरेंगे और इस देश को जला डालेंगे। इसलिए पहले अपनी तनख्वाह घटाओं, अपने भत्ते घटाओं, अपने स्टेट्स घटाओं तब जाकर मजदूरों की कमाई पर किसी प्रकार से कानून के बहाने कुठाराघात करो यही मेरा निवेदन है।

MR. DEPUTY CHAIRMAN: The question is:

16. "That at page 6,—

"(i) line 19, for the words 'one year' the words 'three months' be substituted; and

(ii) line 22, for the words 'two years' the words 'three months' be substituted."

The motion was negatived.

MR DEPUTY CHAIRMAN: The question is:

17. "That at page 6, line 22, for the words 'two years' words 'one year' be substituted."

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

18. "That at page 6, lines 29 and 30, the words 'and one-half of the additional dearness allowance' be deleted."

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

19. "That at page 6, lines 32 and 33, the words 'and the Additional Dearness Allowance Deposit Account, respectively' be deleted."

The motion was negatived.

MR. DEPUTY CHAIRMAN : The question is :

20. "That at page 6, line 38, the words 'and one-half of the additional dearness allowance', be deleted."

The motion was negatived.

MR. DEPUTY CHAIRMAN : The question is:

21. "That at page 6, lines 42 and 43, the words 'and the Additional Dearness Allowance Deposit Account respectively' be deleted."

The motion was negatived.

MR. DEPUTY CHAIRMAN : The question is:

22. "That at page 7, lines 5 and 6, the words 'and one-half of the additional dearness allowance' be deleted."

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

23. "That at page 7, lines 8 and 9, the words 'and the Additional Dearness Allowance Deposit Account, respectively' be deleted."

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

24. "That at page 7, lines 11 and 12, the words 'and one-half of the additional dearness allowance' be deleted."

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

25. "That at page 7, lines 15 and 16, the words 'and the Additional Dearness Allowance Deposit Account, respectively' be deleted."

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

26. "That at page 7, after line 16, the following be inserted, namely:—

'Provided that in a case where the employee gets a consolidated pay, the additional amount shall not be counted as his wages only, but an appropriate portion of it shall be considered as Additional Dearness Allowance.' "

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

27. "That at page 7, after line 28, the following be inserted, namely:—

'(d) the Central and State Governments, the Secretaries-General of Lok Sabha and Rajya Sabha and Secretaries of all other State Legislatures in India shall and when salaries and any or all types of allowances are disbursed to Central and State Ministries, M.Ps., ML.As. and M.L.Cs. shall deduct ten per cent, from each of the emoluments so disbursed and credit the amounts so deducted, in accordance with the scheme, to the accounts that are fixed for this purpose.' "

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

28. "That at page 7, line 30, the word 'separately' be deleted."

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

29. "That at page 7, line 31, the word 'respective' be deleted."

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

"That clause 6 stand part of the Bill."
The motion was adopted.

Clause 6 was added to the Bill.

MR. DEPUTY CHAIRMAN: Shall we adjourn for lunch now?

HON. MEMBERS: Yes.

MR. DEPUTY CHAIRMAN: The House stands adjourned till 2 p.m.

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

The House reassembled after lunch at one minute past two of the clock.

MR. DEPUTY CHAIRMAN in the Chair.

Clause 17—Deposits to carry simple interest.

MR. DEPUTY CHAIRMAN: We shall now take up clause 7. There are two amendments, one by Shri Kumbhare and Shri Shyam Lai Yadav and the other by Shri Advani and others.

SHRI N. H. KUMBHARE (Maharashtra): Sir, I move:

30. "That at page 7, after line 36, the following be inserted, namely:—

'together with such additional amount as may be determined to compensate the loss of money-value of the

amount deposited by him and occasioned by the rise in the level of prices.'

"

SHRI O. P. TYAGI (Uttar Pradesh): Sir, I move:

31. "That at page 7, line 38, after the word 'calculated' the words 'twice a year and' be inserted."

The questions were proposed.

SHRI N. H. KUMBHARE: Sir, my amendment seeks to provide for compensating the loss in the money-value of the amount deposited by the workers on account of the rise in the price level. Seeing the present trend, it is very difficult to maintain the present price level and therefore it is just and fair to give equitable compensation in case there is any decrease in the money-value. Suppose I deposit Rs. 100 today and if the price level is not maintained, that sum of Rs. 100 would not fetch the same value after three years and there will be decrease of 25 per cent in it. Therefore it is necessary to adopt a measure whereby a worker gets the equitable value of the amount which he has deposited. And this can be done only through a provision whereby a worker would also be getting an additional amount for compensating the decrease in the money-value. This is a very understandable proposal and it must be accepted.

श्री श्रीराम प्रकाश त्यागी : उपाध्यक्ष महोदय,
जो बेचारे मरीब मजदूर हैं जिनका पैसा जमा होगा
उनके बारे में जो गवर्नमेंट ब्याज देगी उसमें यह
लिखा हुआ है —

"The interest due on the amount credited in any Deposit Account shall be calculated in such manner as may be specified in the scheme."

मेरा कहना यह है कि जब मजदूरों का
आपने पैसा छीन लिया है, उनके पैत में सात
मारी है तो मेरा निवेदन है—अगर आपको
एक दिन के लिए कह दिया जाए कि आज मैं

खासो कल ब्याज के साथ खिला हेंगे तो आप एक दिन के लिए भोजन छोड़ने के लिए तैयार नहीं हैं — कि ब्याज की उनके लिए क्या कीमत है जिसको खाना नहीं मिल रहा है। इसमें कहा गया है —

"The interest due on the amount credited in any Deposit Account shall be calculated twice a year in such manner as may be specified in the scheme."

वर्ष में दो बार, 6 महीने के बाद उनका इन्स्ट लग जाए — वह भी जमा होकर नहीं — तो भी ज्यादा ब्याज मिल जाएगा। इससे उनको प्रोत्साहन मिलेगा और पैसा भी भ्रम से मिल जाएगा। वित्त मंत्री जी आप तो सोशलिज्म में विश्वास करते हैं और गरीबी हटाओ का नारा भी आप लगा रहे हैं तो इससे कुछ हद तक गरीबी भी हटेगी और उनको पैसा भी ज्यादा मिलेगा। आशा है आप इसे स्वीकार करेंगे। साधारण-सा संशोधन है।

MR. DEPUTY CHAIRMAN : The question is:

30. "That at page 7, after line 36, the following be inserted, namely :—

together with such additional amount as may be determined to compensate the loss of money-value of the amount deposited by him and occasioned by the rise in level of prices."

The motion was negatived.

MR. DEPUTY CHAIRMAN : The question is :

31. "That at page 7, line 38, after the word 'calculated' the words 'twice a year and' be inserted."

The motion was negatived.

MR. DEPUTY CHAIRMAN. The question is:

"That clause 7 stand part of the Bill." 42 RSS/74—3

The motion was adopted. Clause 7 was added to the Bill. Clause 8 was added to the Bill. Clause 9 Repayment of Deposits.

MR. DEPUTY CHAIRMAN : Amendment No. 32—Mr. Monoranjan Roy is not here.

SHRI O. P. TYAGI : Sir, I move :

33. "That at page 8, line 18, for the words 'two years' the words 'one year' be substituted."

34. "That at page 8, after line 23, the following be inserted, namely

'Explanation.—For the purpose of this proviso, a case of extreme hardship means sickness or death or marriage of a family member of an employee or repayment of loans or borrowing taken by the employee earlier'"

36. "That at page 8, line 35, the word 'equal' be deleted."

37. "That at page 8, line 36, after the word 'instalments' the words, 'the first being fifty per cent, of the whole amount and the rest in four instalments being one-fourth each of the remaining amount' be inserted."

38. "That at page 8, lines 36 and 37, the words 'or two years, as the case may be,' be deleted."

39. "That at page 8, lines 38 and 39, for the word 'compulsory' the word 'voluntarily' be substituted."

SHRI N. H. KUMBHARE : Sir. I move:

35. "That at page 8, line 33, after the word 'employment' the words 'or shall be repaid after his death to his nominee*' be inserted."

The questions were proposed.

श्री ओम् प्रकाश त्यागी : मेरा विचार है कि जो हमारा प्रमेंडमेंट है वह आपको मानने में आपत्ति नहीं होनी चाहिए। मेरा कहना है कि सरकार ने यह रखा है कि जो धन जमा होगा उसके लिए एक वर्ष और दो वर्ष रखा जाए। इस कैलकुलेशन के दृष्टिकोण से मैं समझता हूँ कि मात्रकूल 74 चल रहा है और दो वर्ष बाद 76 आ जाएगा और 76 में आपके चुनाव होने वाले हैं। इस दृष्टिकोण से आपने एक वर्ष और दो वर्ष रखा है क्योंकि उस टाइम में मजदूरों को कुछ मिलेगा और उससे आपका वातावरण चुनाव के अनुकूल बन जाएगा। मैं समझता हूँ कि दो वर्ष की जगह अगर आप एक वर्ष रख दें तो बहुत अच्छा होगा — जैसा आपने पेज 18 लाइन 18 पर कहा है।

दूसरे मेरा विचार है 34 के संशोधन में आपने एक बहुत अच्छी चीज कही है और सुबह भी आपने कहा था उसके लिए मैं आपको धन्यवाद देता हूँ। आपने उसमें एक क्लॉज जोड़कर बहुत अच्छा किया।

"Provided that nothing in this section shall prevent earlier repayment of any amount credited to either of the Deposit Accounts with interest due thereon in any case in which any person authorised by the Central Government in this behalf is satisfied that extreme hardship will be caused unless such repayment is made."

मैं वित्त मंत्री महोदय के अनुभव के आधार पर यह बात कहना चाहूंगा कि आज की स्थिति इस प्रकार की बन गई है — मैं किसी के बारे में कुछ नहीं कहता — तमाम कुएं में भांग पड़ी है। इतना ज्यादा अप्रत्याचार नीचे से ऊपर तक है कि अगर बेचारा गरीब मजदूर मुसीबत में आ जायेगा और जिसके कारण वह प्रार्थना पत्र देगा कि मेरे पास इस प्रकार की कठिनाइयाँ हैं तो आपके द्वारा नियुक्त कोई भी अधिकारी होगा वह उनकी कठिनाइयों पर ध्यान नहीं देगा। मैं आपको थोड़ा सा इन्स्टॉस बैंक का दे देना चाहता हूँ। मैं किसी की शिकायत नहीं कर रहा हूँ। अगर बैंक मैनेजर

से कुछ एमाउंट लेने की बात है तो प्राइवेटकी आप उनके पास चले जाएँ और बता दीजिए कि मुझे इतना रुपया कर्ज लेना है। अगर एक-दो परसेन्ट उसके घर पर रख आएँगे तो आपको ऋण बहुत आसानी के साथ मिल जाएगा। पहले तो कुछ लिहाज रखा जाता था परन्तु आज कल तो इस प्रकार की स्थिति बन गई कि अगर साधारण रूप में आप ऋण लेने जाएँगे तो ऋण नहीं मिलेगा। अपना पैसा वापस लेना भी गवर्नमेंट से आसान काम नहीं है। उसके लिए आपकी इन्क्वायरी होगी, हार्डशिप में, मुसीबत में आप होंगे। उसके लिए मैंने एक विशेष बात जोड़ी है और यह लिखा है कि इसको जोड़ दिया जाय जिससे कि इन्क्वायरी की जरूरत न हो। इसमें लिखा है—

"For the purpose of this proviso, a case of extreme hardship means sickness or death or marriage of a family member of an employee or repayment of loans or borrowings taken by the employee earlier."

अगर इस प्रकार की कठिनाई किसी मजदूर के सामने विशेष रूप से आए तो इसके लिए जरूरी है कि "एक्सट्रा" लिख दिया जाय। मैं इस परिभाषा को सीमित करने के पक्ष में नहीं हूँ। आप उसमें कुछ जोड़ दीजिए ताकि कठिनाई के वक्त मजदूर को आराम के साथ पैसा मिल सके।

SHRI BHUPESH GUPTA : I need not say much on this amendment No. 34, "For the purpose of this proviso, a case of extreme hardship means sickness or death or marriage of a family member of an employee or repayment of loans or borrowings taken by the employee earlier." It is necessary to define it. These are only some of the categories which may be brought within the scope of giving exemption. That is why we have suggested it. As you know, all these involve a great financial strain on the part of most of the employees who will come under the provisions of this Act. Therefore, even the Government should consider the

advisability of incorporating such an amendment With regard to the other thing, it is in the nature of, to some extent, softening the rigours of the measure. Nothing more than that. I need not dilate upon it. We are just voicing our demand. Nothing they will accept, it is quite clear. I have no illusion on this score. Still it is necessary that the voice of the working people should be heard in this connection. As regards j amendment 39 I have spoken on it, I have j spoken on the substance of it, namely, the scheme should be voluntary, not compulsory.

SHRI NIREN GHOSH : The amendment brought by Mr. Bhupesh Gupta and Mr. O. P. Tyagi is one of the mildest possible attempts to soften the blow struck at the working people when they fall in serious financial difficulties on account of many accidents and other things. Therefore, this is one of the most reasonable amendments and I think Mr. Chavan should have no difficulty in accepting this. With these words I support the amendment.

SHRI N. H. KUMBHARE : My amendment seeks to remove the lacuna in the Bill. The proposed Act is likely to affect lakhs of workers, and hundreds of workers are bound to die. After death to whom is the amount to be paid ? It may be said that the amount will go to the legal successor. But one would agree with me that it is very difficult to get a certificate of succession from the court. Suppose I have to take Rs. 100 as refund or repayment. Then for getting Rs. 100 I will be required to spend Rs. 200 in obtaining a succession certificate from the court. Therefore, some method should be there by which the amount is promptly refunded and that can be done only when immediately after the amount is recovered from the worker, he should be called upon to appoint a nominee and then in the case of his death, the amount should be paid to that nominee. This is my suggestion and this should be accepted.

श्री श्रीधर प्रकाश त्यागी : उपसभापति जी, इस क्लॉज 9 में जिन मजदूरों ने पैसा जमा किया है उनको वह राशि वापस देने के लिए गवर्नमेंट ने इसमें जो धारा लगाई है वह है :

"The aggregate amount credited to any Deposit Account by or in relation to an employee shall be repaid to the employee in five equal annual instalments commencing from the expiry of one year or two years, as the case may be, from the appointed day, together with interest due on the whole, or as the case may be, part of the amount of compulsory deposit which remains unpaid."

"...after the word 'instalments', the words, 'the being fifty per cent, of the whole amount

इसमें मेरा संशोधन यह है कि :

and the rest in four instalments being one-fourth each of the remaining amount," be inserted."

दूसरे यह कि यह जो शर्त आपने इसमें लगायी है कि 2 साल में उसका पेमेंट हो, यह दो साल इसमें से निकाला जाए और यह जो पैसा दिया जा रहा है — फाइव ईक्वल इन्स्टालमेंट में आप देने की बात करते हैं—इसके मानी यह है कि जितने लो-पेड मजदूर हैं उनको 5 इन्स्टालमेंट में आप देंगे थोड़ा-थोड़ा करके, उसका परिणाम क्या होगा ? आप जानते हैं मजदूर वर्ग की कमजोरी—आप महीने के आखीर में कहीं किसी के घर चले जाएं, जिस समय मजदूर को मजदूरी मिलती है वह कारखाने से मजदूरी लेने के बाद, तनख्वाह लेने के बाद घर पहुँचते-पहुँचते उसके पास थोड़ा-सा पैसा बच रहता है क्योंकि पीने में, खाने में, सबमें खर्च कर देता है। आप जो दे रहे हैं उससे उस बेचारे का काम नहीं चलता। मेरा कहना यह है कि चाहे आपने साल दो साल के लिए जमा ही करना है तो कम-से-कम इतना अमाउन्ट दे दो कि उस पैसे का लाभ उठा सके, कहीं मकान में लगा सके, जमीन खरीद सके। थोड़ा बहुत उसके वास्ते देना चाहिए। मैं दो साल के पक्ष में नहीं हूँ, इसलिए 2 साल की व्यवस्था को हटा देना चाहिए।

[श्री ओउम प्रकाश त्यागी] दूसरी बात यह है जैसा मैंने अभी कहा — यद्यपि बार बार उसको कहने की बात है — बहुत से लोग बेचारे ऐसे हैं जिनके चार-चार, पाँच-पाँच बच्चे पढ़ रहे हैं और घर का खर्चा नहीं चल सकता तो जो इस चीज को ग्रफोर्ड कर सकते हैं बाल्युटरीली, स्वेच्छा से, आपकी योजना में आना चाहते हैं उन्हीं पर लागू कीजिए, कंपलसरी मत कीजिए। आप बाल्युटरी बेसिस पर इस स्कीम को लागू कीजिए। ऐसा करेंगे तो आपको सब धन्यवाद देंगे। अगर आपने सब पर लादा तो इसका स्वागत नहीं करेंगे।

SHRI Y. B. CHAVAN : There are only two or three points and I do not think I need to explain them in detail. One point is about the definition of hardship. I thought the Members would appreciate the phraseology which is used in the text of the Act. It is not in the interests of the workers themselves to define what hardship is. It is better to keep it more comprehensive than to define it as sickness or anything like that.

SHRI Y. B. CHAVAN : It would really go against the interests of the workers. We have used this phraseology very carefully. I think that in the interests of those people for whom they claim to speak, I should request them not to press this amendment, at least for this purpose, they should not press it.

Shri Kumbhare's amendment is to make payment after the death of the person to his nominee. He is a lawyer himself. He knows these things won't work. Merely by nominating a person, you cannot take away the claim of his legal successor. It will give rise to useless litigation on this matter. Whatever procedure is normally followed for getting the Provident Fund money will be applicable here. Further, in these two years, I do not think there will be so many deaths as the hon. Member seems to think.

MR. DEPUTY CHAIRMAN ! Now I will put the amendments to vote.

DR. R. K. CHAKRABARTI (West Bengal) : One thing is not clear about nomination.

MR. DEPUTY CHAIRMAN : Discussion on these amendments is over. I am putting them to vote.

The question is:

33. "That a page 8, line 18, for the words 'two years' the words 'one year' be substituted."

The motion was negatived.

MR. DEPUTY CHAIRMAN : The question is:

33. "That at page 8, after line 23, the following be inserted, namely :—

'Explanation.—For the purpose of this proviso, a case of extreme hardship means sickness or death or marriage of a family member of an employee of repayment of loans or borrowings taken by the employee earlier.' "

The motion was negatived.

MR. DEPUTY CHAIRMAN : The question.

36. "That at page 8, line 35, the word 'equal' be deleted."

The motion was negatived.

MR. DEPUTY CHAIRMAN : The question is:

37. "That at page 8, line 36, after the word 'instalments' the words, 'the first being fifty per cent of the whole amount and the rest in four instalments being one-fourth each of the remaining amount.' be inserted."

The motion was negatived.

MR. DEPUTY CHAIRMAN : The question is :

38. "That at page 8, lines 36 and 37, the words 'or two years, as the case may be,' be deleted."

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is :

39. "That at page 8, lines 38 and 39, for the word 'compulsory' the word 'voluntary' be substituted."

The motion was negatived.

MR. DEPUTY CHAIRMAN : The question is :

35. "That at page 8, line 33, after the word 'employment' the words 'or shall be repaid after his death to his nominee' be inserted."

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 Bill.

Clause 10 Power of Central Government to frame schemes.

SHRI O. P. TYAGI : Sir, I beg to move:

40. That at page 9, line 12, after the word "nomination" the words "according to the written wish of the employee" be inserted."

SHRI O. P. TYAGI : Sir, I beg to move:

41. "That at page 9, line 17, for the words "rupees two" the words "rupee one" be substituted."

The questions were proposed.

श्री ओ.प. ट्यागी : श्रीमन् पेज 9 में आपने जो रुपए देने की बात कही है, उसमें आपने जो एक शर्त लगाई है, उसमें लिखा है—

"the nomination of persons to receive the amount standing in a Deposit Account to the credit of an employee in the event of his death, and cancellation or change of such nomination."

मेरा कहना यह है कि नामिनेशन की जगह पर ये शब्द जोड़ दिये जायें "according to the written wish of the employees".

आप जब रुपया जमा कर रहे हैं तो उसी समय आप आदमी से फार्म भी भरवा लीजिए कि मेरी मृत्यु के बाद फलाना फलाना को रुपया दिया जाय । जिस प्रकार से एल० आई० सी० में फार्म भरवा लेते हैं उसी तरह आप उसकी इच्छानुसार लिखा लीजिए कि उसकी मृत्यु के बाद किसको रुपया मिलेगा । इस तरह से इसमें नामिनेशन की आवश्यकता नहीं पड़ेगी । यह चीज आप कीजिये ।

दूसरी चीज मैं यह कहना चाहता हूँ कि जो 41 वां संशोधन दिया है उसमें आपने लिखा है —

"the issue of duplicate of any document issued as evidence of any credit in the event of loss or destruction of the original and the fee, not exceeding rupees two, on the payment of which such duplicate may be issued;"

मैं चूल्हाण साहब से विशेष रूप से जानना चाहूँगा कि आपने दो रुपया किस स्थान से रखा है उन बेचारों के लिए आप केवल एक रुपया रखिए क्योंकि यह मजदूरों का सवाल है । इसलिए मैं चाहता हूँ कि आप दो रुपये की जगह एक रुपया रखिए । आप इन लोगों के लिये कम से कम इतनी तो रियायत कर दीजिए ।

SHRI MONORANJAN ROY : Sir, I beg to move :

[Shri Monoranjan Roy]

42. "That at page 9, line 24 to 30 be inserted."

The question was proposed.

SHRI MONORANJAN ROY : Sir, sub-clause (3) of clause 10 at page 9 of the Bill is a preposterous clause. It purports to delegate the powers of the Parliament to the rule-making authority who is none else but a Section Officer. Now, a Section Officer can override and nullify the Payment of Wages Act, the Bonus Act and the Industrial Disputes Act. Can this power be given to the rule-making body? Will the Parliament have no say in the matter? Of course, Mr. Chavan will argue that the rules, when framed, would be laid on the Table of the House. Sir, with regard to the laying of the rules on the Table, we have our own experience. These things never come up for discussion.

SHRI Y. B. CHAVAN : They can come up for discussion.

SHRI MONORANJAN ROY: At least I have never seen them coming up for discussion and even if they come up for discussion, by that time, all the rules would have been put into operation. So, why are you insisting on giving such powers to the rule-making body? We know who makes the rules. The workers will not get an opportunity to go to the courts under the Industrial Disputes Act, the Payment of Wages Act and other Acts which will have no effect at all because this Act and the rules framed thereunder nullify those Acts and they will become infructuous. That is why I would like to press on this point and would say that you should consider the whole thing again. These powers should not be given. You are giving the powers of the Parliament, which can enact and pass a Bill after much discussion, to that body which will only nullify the Act itself. That is why I have suggested the deletion of the entire sub-clause.

श्री राजनारायण : श्रीमन्, मैं त्यागी जी का जो संशोधन है उसमें अपना संशोधन कर देता हूँ कि अगर किसी का कोई काम गुम हो जाए,

वह उसको फिर लेना चाहे तो उसको दो रुपया देना पड़े यह तो बिल्कुल ही गलत बात है, बहुत ज्यादाती है, मैं समझता हूँ कि उसको दरखास्त दे देनी चाहिए। बिदाउट एनी टिकट और वह उसे मिल जाना चाहिए उससे दो रुपया, एक रुपया या चार पाने भी लेना उसके साथ अन्याय है।

SHRI Y. B. CHAVAN : Actually, the wording is not 'rupees two'; the wording is 'not exceeding rupees two. . . It also means one rupee. . .

SHRI NIREN GHOSH : No, no. .

MR. DEPUTY CHAIRMAN : The question is :

40. "That at page 9, line 12, after the word 'nomination' the words according to the written wish of the employee' be inserted."

The motion was negatived.

MR. DEPUTY CHAIRMAN : The question is :

41. "That at page 9, line 17, or the words 'rupees two' the words 'rupee one' be substituted."

The motion was negatived.

MR. DEPUTY CHAIRMAN: Ayes-18
tion is:

42. "That at page 9, lines 24 to 30 be deleted."

The House divided.

MR. DEPUTY CHAIRMAN: Ayes—18,
Noes—80.

AYES—18

Barman, Shri B. D.

Ghosh, Shri Niren

Goray, Shri N. G. Gupta,

Shri Bhupesh

Kumbhare, Shri N. H.

Mandal, Shri B. N.

-

Mariswamy, Shri S. S. Mathew

Kurian, Dr. K. Menon, Shri

Viswanatha. Patil, Shri

Veerendra, Rajnarain, Shri. Ray,

Shri Rabi. Roy, Shri

Monorartjan. Shekhawat, Shri B.

S. Swamy, Shri Subramanian.

Tyagi, Shri Mahavir.

Tyagi, Shri O. P.

Varma, Shri M. P.

NOES—80

Adivarekar, Shrimati Sushila Shankar.

Amla, Shri Tirath Ram.

Anandam, Shri M.

Arif, Shri Mohammed Usman,

Avergoankar, Shri R. D. I.

Berwa, Shri Jamna Lai.

Bbagwati, Shri B. C.

Bhardwaj, Shri Jagan Nath Bisi,

Shri P. N.

Bobdey, Shri S. B.

Buragohian, Shri Nabin Chandra.

Chakrabarti, Dr. R. K.

Chandra Shekhar, Shri.

Chaturvedi, Shrimati Vidyawati.

Choudhury, Shri N. R.

Chowdhary, Shri C. L.

Cbundawat, Shrimati Lakshmi Kumari.

Das, Shri Balram.

Das, Shri Bipinpal.

Dhabe, Shri S. W.

Dikshit, Shri Umashankar.

Gadgil, Shri Vithal.

Imam, Shrimati Aziza.

Jain, Shri Dharamchand.

Joshi, Shri Jagdish.

Kalaniya, Shri Ibrahim.

Kalyan Chand, Shri.

Kamble, Prof. N. M.

Khan, Shri Maqsood Ali.

Kripalani, Shri Krishna.

Kulkarni, Shrimati Sumitra O.

Mahanti, Shri B. K.

Majhi, Shri C. P.

Makwana, Shri Yogendra.

Mali, Shri Ganesh Lai.

Mehta, Shri Om.

Mishra, Shri R. K.

Mukherjee, Shri Pranab.

Mukhopadhyay, Shrimati Purabi.

Munda, Shri B. R.

Murthy, Shri B. P. Nagaraja.

Nawal Kishore, Shri.

Nizam-ud-Din, Shn Syed.

Nurul Hasan, Prof. S.

Parashar, Shri V. R.

Patil, Shri Deorao.

Pradhan, Shrimati Saraswati.

Punnaiah, Shri Kota.

Puri, Shri D. D.

Rachaiiah, Shri B.

Raju, Shri V. B.

Rao, Shrimati Rathnabai Sreenivasa.

Reddi, Shri K. Brahmananda.

Reddy, Shri K. V. Raghunatha.
 Reddy, Shri Mulka Govinda.
 Roshan Lai, Shri.
 Saleem, Shri Mohammand Yunus.
 Sangma, Shri E. M.
 Sardar Amjad Ali, Shri.
 Savita Behen, Shrimati.
 Shastri, Shri Bhola Paswan.
 Shukla, Shri M. P.
 Shyamkumari Devi, Shrimati.
 Singh, Shri I. T.
 Singh, Shrimati Jahanara Jaipal.
 Singh, Shri Kameshwar
 Singh, Shri Mahendra Bahadur.
 Singh, Shri Mohan.
 Singh, Shri Niranjana.
 Singh, Shri Ranbir.
 Singh, Shri Sultan.
 Sultan, Shrimati Maimoona.
 Thakur, Shri Gunanand.
 Tilak, Shri J. S. '
 Tiwari, Shri Shankarlal.
 Tiwary, Pt. Bhawaniprasad.
 Totu, Shri G. C. Trivedi, Shri
 H. M.
 Varma, Shrimati Narayani Devi Manaklal.
 Wajid, Shri Sikander Ali. *The motion was
 negatived.*

MR. DEPUTY CHAIRMAN: The question
 is:

That clause 10 stand part of the Bill."

*The motion was adopted. Clause 10
 was added to the Bill.*

Clauses 11 to 13 were added to the Bill.

Clause 14—Penalties

SHRI BHUPESH GUPTA: Sir, I beg to
 move:

43. "That at page 10, line 31, for the the
 words 'three months' the words 'six months'
 be substituted."

44. "That at page 10, line 32, for the
 words 'six months' the words 'one year' be
 substituted."

45. "That at page 10, lines 33 and 34, for
 the words 'one year' the words 'two years' be
 substituted."

46. "That at page II, lines 5 to » be
 deleted."

SHRI O. P. TYAGI : Sir, I beg to move:

47. "That at page 10, line 24, for the
 words 'six months' the words 'one month' be
 substituted."

48. "That at page 10, line 24, for the
 words 'one thousand' the words 'two
 hundred' be substituted."

49. "That at page 10, line 31, for the
 words 'three months' the words 'one day' be
 substituted."

50. "That at page 10, line 32, for the
 words 'six months' the words 'seven days' be
 substituted."

51. "That at page 10, lines 33 and 34, for
 the words 'one year' the words 'one month'
 be substituted."

52. "That at page 11, line 8, for the
 words 'six months' the words 'one month' be
 substituted."

53. "That at page 11, line 8, for the
 words 'one thousand' the words 'two
 hundred' be substituted."

The questions were proposed.

SHRI BHUPESH GUPTA : Sir, We have
 got this with regard to the punishment of the
 employer. Now we have very bitter

experience with the provident fund amounts which have been embezzled by some employers and in fact have been a total loss to the workers and employees. I have suggested that—you have said imprisonment which shall not be less than 3 months—you at least make it "shall not be less than six months" if they do such things. The maximum should be six months. You can give him less. But why put the ceiling as three months? When it comes to the honourable gentlemen of the big business, black market, smuggling world or racketeering and the like you are always very kind, full of generosity even when you think in terms of jailing them. The Government cannot think of jailing them for more than three months. After all, how our Birlas and Tatas sit in jail, if ever they do, for more than three months? Now, even when they commit such offences, we know, we are living in an age where smugglers are awarded Padma Bhushan, if not Bharat Ratna. At the rate at which we are going, some king of the smuggling world might attract awards such as I have mentioned. Therefore, I say in the case of repeated offence you have provided for maximum one year; why not make it two years? I think it is very necessary to tell our capitalist friends, our employers, that the time has come when they should get ready for going to jail and spending a few months there should they commit such offences. I think it is very necessary. I know that even when we make this provision, they will know how to escape the law, they know how to bribe their way out of it. Therefore, I say, accept this amendment. Not that it is a big gesture. You will not accept it. I know the Finance Minister will not accept it. But we feel we should express our feelings towards it. And the moment you talk about workers and strike, you say 'three years imprisonment'. But you cannot do the same when it comes to employers who may commit defalcation of funds, embezzlement, swindling, etc. and for them you say it is only three months. And we also know very well what happens to them if they go to jail. They are very well looked after. They fall ill immediately—all artificial—and are taken to hospital and nurs-

ing home to be looked after by this benign Government. So this is the amendment with regard to this Clause.

श्री ओडम् प्रकाश त्यागी : उपाध्यक्ष महोदय, मैं विशेष रूप से जो सोशलिस्टिक पैटर्न है उसका उदाहरण पेश करूँगा। क्लाज 14 मजदूरों के बारे में है, जिसमें है :

"aiding or abetting any other person to avoid making any such deduction or credit, knowingly makes, or causes to be made, any statement or representation which he knows to be false or does not believe to be true shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both."

इसके नीचे है :

"Any employer who omits or fails to credit to any Deposit Account or remit any amount to the nominated authority, as and when such credit or remittance becomes due under this Act or any scheme framed thereunder, shall be punished with imprisonment for a term which shall not be less than three months but may extend ..."

इसमें उनके लिए 6 महीने का रखा गया है और 1 हजार रुपए जुर्माने की बात की है। मेरी प्रार्थना है कि जहाँ तक मजदूरों के बारे में है, यह बात मानी हुई है, माना हुआ सिद्धांत है कि गरीब आदमी ही झूठ बोलने पर विवश हो जाता है। गरीबी आदमी को विवश कर देती है चोरी करने के लिए, धोखा करने के लिए, बेइमानी करने के लिए। तो गरीब आदमी से सम्भव हो सकता है कि वह अपनी गेटो के लिए कुछ करे। इसलिए मेरा सुझाव है कि आप 6 महीने की जगह 1 महीने रख दीजिए और जहाँ आपने 1 हजार रुपया रखा है वहाँ केवल 200 रुपये रखिए ऐसा मेरा सुझाव है अगर कोई ऐसी परिस्थिति घाती है। बाकी मैं आपने से पहले मूवर को सपोर्ट करता हूँ।

DR. K. MATHEW KURIAN (Kerala): Mr. Deputy Chairman, Sir, I support the amendment moved by Mr. Bhupesh Gupta that punishment for embezzlement should be increased. In this connection, I would also like to mention that our party is completely opposed to the entire Bill because this is an anti-labour Bill, a shameful attempt on the part of the Government for wage freeze, particularly of the working class who are already suffering from all sorts of deprivations. Sir, the implementing authority, in case this Bill is passed, will be the Employees Provident Fund Organization, which is already burdened with scheme like the family pension. Sir, both the All-India federations—All-India Federation of Provident Fund Employees led by Mr. Vayalar Ravi, Congress M. P., and the Progressive Provident Fund Employees Federation of which I am the President—have declared that imposition of this additional work on the employees is unjust and that to enable the E.P.F. Organization to implement the scheme, additional staff should be sanctioned. Sir, the wage increase suggested by the Central Board of Trustees of the E.P.F. Organization has even today been denied by the Minister. I would like to ask the Minister if the scheme is to be implemented after it is passed, which agency will implement it? After all, it has to be the E.P.F. Organization, the Central Provident Fund Commissioner and the Regional Provident Fund Commissioners. They are the authorities to implement this. And the employees are totally opposed to this. One of the additional reasons for this is, despite the fact that the Central Board of Trustees passed a Resolution unanimously to increase the salary scales of the employees, despite the fact that the Labour Ministry approved it, the Finance Ministry is sitting over it. They have virtually rejected it. I would like to have a categorical denial from the hon. Finance Minister or a confirmation, as the case may be, that the E.P.F. Organization will be accorded a proper staff sanction and their pay scales will be increased. (*Time bell rings*). Sir, I would like to mention another point. The whole theoretical basis of this Bill, namely, this j

is a part of a package for controlling inflation, is a completely wrong argument, it is a hoax; it is a myth because, during the last two decades, 60 per cent of the trade union struggles in this country were not for wage increase but for neutralization of increases in prices, at least, partially, i.e. for D.A. These are the facts. Prices are increasing not because of wage increases. On the contrary, prices are increasing because of the rotten economic policies of the Government. And the trade unions are struggling only for neutralization of the prices. Therefore, Sir, I totally oppose this Bill. I would like to get a categorical answer from the Minister whether the employees of the E.P.F. Organization on whom the burden of implementation is going to fall will get the benefit of additional staff sanction, and whether they will be given additional wage increases which the Central Board of Trustees have unanimously suggested.

श्री राजनारायण : यह जो त्यागी जी का संकोचन है वह एक प्रकार से ठीक है। मगर मैं यह कहना चाहता हूँ कि इस प्रकार का पनिशमेंट रखना अन्ध्याय है। इस तरह का पनिशमेंट मैं समझता हूँ कि इनके हाथ लंबे हों तो अगर हम किसी को यह कहें कि यह काला विधेयक है, इस विधेयक के मुताबिक जो हमको जमा करना है उसको मत जमा करो तो हम पनिश हो सकते हैं कि नहीं? मैं यह कहना चाहता हूँ कि इससे बड़ कर काला विधेयक कोई और नहीं है। श्रीमन्, आप इस बात को जानते हैं कि अंग्रेजी राज में स्पेशल पावर एक्ट बना था, 1932 में जिसको गांधी जी ने ब्लैक एक्ट कहा था। उसमें यह भी लिखा था कि अगर कोई इशारे से या किसी शब्द से या किसी निशान से यह कह दे कि नहीं तुम को यह टैक्स नहीं देना है तो उसको दो साल तक की सजा हो सकती है। इसीमें जब तमक कर की वृद्धि 1955 में हुई थी तो उत्तर प्रदेश में वृद्धि कर को देने से हमने मना किया था और डा० लोहिया को इसी संबंध में उत्तर प्रदेश की सरकार ने सजा दी थी जिसको हमने हाई कोर्ट से जीता था।

गांधी जी ने अपनी पुस्तक में लिखा है कि किसी भी काले कानून को तोड़ना सब इन्सान का कर्तव्य है। गांधी जी ने सी ऐसे कानून को तोड़ा था और कहा था कि

हम ऐसे टैक्स को नहीं देंगे। अगर हम तमाम देश के लोगों को गांधी जी की किताबें लाकर दिखा दें और कह दें कि इस पूरे कानून को न मानना ही हमारा धर्म है तो क्या हम को सजा हो जाएगी? अगर ऐसा होगा तो हमारे फंडा-मेंटल राइट्स पर, हमारे मौलिक अधिकारों पर बड़ा भारी कुठाराघात हो जाएगा। इसके लिए हमको सजा मिले यह बहुत बुरी बात होगी। मैं त्यागी जी से भी कहूंगा कि वे भी अपने संशोधन के साथ मेरे इन संशोधन को मान लें कि किसी प्रकार की सजा न हो। जो सरकार सजा देती है वह सरकार अन्यायी सरकार है, वह सरकार पाजी सरकार है, वह सरकार दुष्ट सरकार है। इसलिए सरकार न पाजी बने, न अन्यायी बने, न दुष्ट बने। मैं यह निवेदन करता हूँ कि अगर इसे स्वीकार नहीं किया गया तो हम ऐसा ग्रान्दोलन खड़ा करेंगे और हम ऐसा वातावरण बनाएंगे जिसमें हर मजदूर यह समझने लग जाए कि उसका यह कर्तव्य है, उसका यह फर्ज है कि देश के अन्दर जो काला कानून है उसको मानने से इन्कार करे। इसलिए मैं कहना चाहता हूँ कि कतई-कतई इन संशोधन को मान लिया जाए, कि किसी गरीब को किसी प्रकार की सजा नहीं होगी।

SHRI Y. B. CHAVAN : Sir, may I just say a word in explanation, as to what has been provided for in the Act and what is being proposed to be amended by the amendments. The scheme of the Act is that if the deductions which are supposed to be made, are not made, or if the deductions having been made, are not paid in the concerned account, these things are made punishable—both by imprisonment and by fine. There is also a provision of a minimum punishment of three months in this particular matter.

Now, Sir, it is very interesting to know how three different groups of people react to the same proposition in different ways. All these people are opposed to this Act and they call it a black Act. But, Shri Bhupesh Gupta in his very typical way has reacted and says that you punish them with a little higher punishment instead of six months and more. Tyagiji wants that punishment to be reduced.

आपने जो अमैडमेंट दिया है वह भी आपने पड़ा नहीं है। किसी ने अमैडमेंट तैयार कर दिया और आपने प्राकर स्पीच दे दी।

Amendment No. 49: "That at page 10, line 31, for the words 'three months' the words 'one day' be substituted."

Amendment No. 50: "That at page 10 line 32, for the words 'six months' the words 'seven days' be substituted."

श्री ओउम् प्रकाश त्यागी : चन्हाण जी, मैंने जो एमेन्ड-मेंट्स मूव की हैं उनके बारे में बात कीजिये। जो चीज मैंने मूव की है, उनके बारे में कहिये।

MR. DEPUTY CHAIRMAN: They are all in your name.

SHRI Y. B. CHAVAN : These are in your name.

श्री ओउम् प्रकाश त्यागी : उपसभापति जी, मेरा एक पाइन्ट आफ़ आर्डर है। मैं यह कहना चाहता हूँ कि जो एमेन्डमेंट्स हमने दी है वे हमने यहां पर खड़े होकर पेश की है और उनके लिए हम रिस्पॉन्सिबल हैं। यह एमेन्ड-मेंट मेरी है और आपने अभी जो बात कही है उससे मेरी ईमानदारी और इंटेंटेटी पर हमला किया है। मैं समझता हूँ कि यह ठीक नहीं है। एमेन्डमेंट्स हमारे ग्रुप ने और हमने बनाई है और हमारी सहमति से बनी है। दूसरी बात मैं यह कहना चाहता हूँ कि मैंने सारी एमेन्डमेंट्स में से केवल 47 और 48 को ही मूव किया है। बाकी मैंने मूव नहीं किये। इसलिए आप केवल उन्हीं के संबंध में कहिये।

SHRI Y. B. CHAVAN : I was trying to demonstrate the thinking of the groups here—what amendments you have actually brought is not important. They are amendments of which you have given notice and naturally when you have given notice, they will have to be signed.

The reaction that came from Rajnarain-ji is, he does not want them to be punished at all.

श्री राजनारायण : नहीं।

SHRI NIREN GHOSH : These cheap jibes won't save you.

श्री राजनारायण : यह हंसने की बात नहीं है । श्रीमन्, यह जगह हंसने की नहीं है । मैं यह निवेदन करूंगा कि इस सदन को मजाक और हंसी का भंडा न बनाया जाय । मैंने यह कहा है कि माननीय सदस्यों को यह कहने का पूरा अधिकार है कि वे इसको ब्लैक ला कहें और इसके तहत जो कम्पलसरी डिपोजिट्स करना चाहते हैं, उसको मत करो । अगर ऐसा कहना कोई पनिशमेंट है और उसके लिए सरकार पनिशमेंट देती है तो मैं इसको दुष्ट और पाजी सरकार समझता हूँ । यह एक ब्लैक ला है और इसमें जो कटौती सौ फीसदी और पचास फीसदी है, इसको हरगिज हरगिज मत मानो । इसके खिलाफ सारे देश में आन्दोलन खड़ा होगा और इसके तहत कभी भी किसी प्रकार की कटौती नहीं होगी । हमारा ऐसा कहना अपराध होता है तो मैं यह अपराध करूंगा, बाहर करूंगा ।

SHRI Y. B. CHAVAN : That is your 1 right—I do not want to come in the way—to think that whatever amendment you have brought is right. I would only like to say one thing! Gandhiji in his own days certainly called a black Act a black Act, but if somebody calls this a black Act he does not become one per cent of Gandhiji.

MR. DEPUTY CHAIRMAN : The question

श्री राजनारायण : मैं माननीय वित्त मंत्री से यह जानना चाहता हूँ कि जो यह एक्ट बन रहा है, इसकी जो क्लॉजेच है उनमें ऐसा कहना अपराध में आता है या नहीं ?

is:

43. "That at page 10, line 31, for the words, 'three months' the words 'six months' be substituted."

The motion was negatived.

MR. DEPUTY CHAIRMAN : The question is :

44. "That at page 10, line 32, for the words 'six months' the words 'one year' be substituted."

The motion was negatived.

MR. DEPUTY CHAIRMAN : The question is:

45. "That at page 10, lines 33 and 34, for the words 'one year' the words 'two years' be substituted."

The motion was negatived.

MR. DEPUTY CHAIRMAN : The question is :

46. "That at page 11, lines 5 to 9 be deleted."

The motion was negatived.

MR. DEPUTY CHAIRMAN : The question is :

47. "That at page 10, line 24, for the words 'six months' the words 'one month' be substituted."

The motion was negatived.

MR. DEPUTY CHAIRMAN : The question is :

48. "That at page 10, line 24, for the words 'one thousand' the words 'two hundred' be substituted."

The motion was negatived.

MR. DEPUTY CHAIRMAN : The question is :

49. "That at page 10, line 31, for the words 'three months' the words 'one day' be substituted."

The motion was negatived.

MR. DEPUTY CHAIRMAN : The question is ;

50. "That at page 10, line 32, for the words 'six months' the words 'seven days' be substituted."

The motion was negatived.

MR. DEPUTY CHAIRMAN : The question is :

51. "That at page 10, lines 33 and 34., for the words 'one year' the word* 'one month' be substituted."

The motion was negatived.

MR. DEPUTY CHAIRMAN : The question is :

52. "That at page 11, line 8, for the words 'six months' the words 'one month' be substituted."

*~

The motion was negatived.

MR. DEPUTY CHAIRMAN : The question is :

53. "That at page 11, line 8, for the words 'one thousand' the words 'two hundred' be substituted."

The motion was negatived.

MR. DEPUTY CHAIRMAN : The question is :

"That clause 14 stand part of the Bill."

The motion was adopted.

Clause 14 was added to the Bill.

Clause 15—Offences by Companies

SHRI O. P. TYAGI: Sir, I move :

54. "That at page 11, line 13, after the words 'business of the words 'and maintenance accounts of be inserted."

55. "That at page 11, line 13, the words 'as well as the company' be deleted."

SHRI BHUPESH GUPTA: Sir, I move:

56. "That at page 11, lines 16 to 19 be deleted."

The questions were proposed.

श्री ओउम् प्रकाश त्यागी : उपसभापति जी,

श्री डॉ० बी० पुरी (हरियाणा) : पहले ठीक से पढ़ तो लीजिए ।

श्री ओउम् प्रकाश त्यागी : मैंने ठीक पढ़ा है । चन्दाण साहब ने तो चालाकी के साथ उत्तर देना है ।

उपसभापति महोदय, क्लॉज 15 में भी आपने फिर मज्जाओं के बारे में अपनी यह तजवीज दी है :

"Where any offence under this Act has been committed by a company, every person who at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against And punished accordingly."

तो मैं आपके द्वारा चन्दाण साहब से प्रार्थना करूंगा कि कंपनी के बारे में, धीरों के बारे में विशेष रूप से एक बहुत होशियारी की जाती है और वह यह कि जो लोग पाप करते हैं वे ऐसा दूसरों के द्वारा कराते हैं, अपने नौकरों के द्वारा कराते हैं और नौकर बेचारे फंसते हैं और जो पापी आदमी होते हैं वे बच जाते हैं । मेरी प्रार्थना यह है, आप इस प्रकार का कानून बनाइए जिससे मजदूर या काम करने वाला—वह नहीं—जो पीछे कराता है, जो पीछे बैठा दुष्टा आदमी है, वह भी उसके शिकंजे में आए । इस प्रकार का कानून आए तो मैं समझता हूं मैं सहमत हूंगा और इसमें मैंने थोड़ा सा संशोधन दिया है और उसके अनुसार :

After the words 'business of the words 'and maintenance of accounts of यह भी जोड़ दीजिए । और इसी के साथ में "as well as the company" इसका कोई अर्थ नहीं है । इस शब्द को आप हटा दें तो यह थोड़ा सा खरा बन सकता है । यही मेरी प्रार्थना है ।

SHRI BHUPESH GUPTA: Here I want the deletion of lines 16 to 19 on page 11, in the clause relating to Offences by companies. That is the proviso which »ays:

"Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence."

In other words it is stated here very clearly that the owners of the companies and the bosses can easily escape by finding a scapegoat or someone to say that the boss did not know it and that he did it and then he will get 3 months or so while the boss will escape. This is the provision you are making. Why pretend that you are providing for punishment ? Do you think Mr. Birla who can even pocket so many politicians in the country ...

SHRI RAJNARAIN : Not politicians ; to many Ministers.

SHRI BHUPESH GUPTA: ... yes; so many Ministers and Members of the Opposition also sometimes will not be able to find one or two people to say to the court that Mr. Birla did not know-that the offence was committed that, that he was responsible for it and that he was prepared to take the consequence. Such a person would of course go to jail if at all he goes to jail. But Birla has the key which opens all the jail gates in the country it seems. Somehow or then when a Birla man goes to jail we find that his exit is as quick as his entrance. Birla knows how to get him out. So I say why you should make such a provision. If a company commits a crime then the man at the top of the company should be responsible; he should have no alibi, no excuse to give if otherwise the company has been found to be guilty. Suppose, Mr. Chavan, your officer commits a very grave crime which involves vicarious responsibility to this House, could

you escape responsibility by saying that you did not know? Surely, Parliament will not accept that plea of yours. As you know for some of the crimes committed by some officials some Ministers had to fall. Even for the crime of a prostitute some Minister had to fall in some country. Why this escape route is kept open to them even without their asking for it, I am surprised. Nobody asked for it. But whenever bureaucrats draw up a Bill like this hon. Members should know the spirit of Big Money hovers over their head with the result we find such provisions in order to allow the big people to escape, people who should be punished. Sir, I need not say very much on this. I do not know what Mr. Chavan will say but I know that he will not accept even this reasonable suggestion.

MR. DEPUTY CHAIRMAN: Do you want to say anything ?

SHRI Y. B. CHAVAN : No, Sir.

MR. DEPUTY CHAIRMAN : Amendments Nos...

SHRI BHUPESH GUPTA : On a point of order. I am noticing a very interesting phenomenon. The Mover of the Bill does not even condescend to reply to what we say and we are told democracy by debate. We never thought that democracy is speech from our side and silence from the other side. You should ask him to say some-thing.

: When ever it is thought necessary, he will reply.

SHRI BHUPESH GUPTA : Does he think that the number he is commanding is a substitute for argument ? He should take your permission.

श्री राजनारायण : ऐसा लगता है कि जैसा आप कहते हैं, उसी के अनुसार वे सोचते हैं कि हमें कुछ कहना नहीं है। आप उनसे कहिये कि वे जबाब दें।

श्री उपसभापति : जब जरूरत समझते हैं तो वे जवाब देते हैं।

MR. DEPUTY CHAIRMAN: The question is:

54. "That at page 11, line 13, after the words 'business of the words 'and maintenance accounts of be inserted."

The motion was negatived.

MR. DEPUTY CHAIRMAN : The question is:

55. "That at page 11, line 13, the words 'as well as the company', be deleted."

The motion was negatived.

MR. DEPUTY CHAIRMAN : The question is:

56. "That at page 11, lines 16 to 19 be deleted."

The motion was negatived.

Amendment No. 57 was barred.

MR. DEPUTY CHAIRMAN : The question is :

"That clause 15 stand part of the Bill."

The motion was adopted.

Clause 15 was added to the Bill.

Clauses 16 to 19 were added to the Bill

Clause 20—Power to call for returns and inspect accounts.

SHRI O. P. TYAGI: Sir, I move:

58. "That at page 12, line 41, the words 'or additional dearness allowance' be deleted."

The question was proposed.

MR. DEPUTY CHAIRMAN : Are you pressing it ?

SHRI O. P. TYAGI : No, Sir. I beg leave to withdraw my amendment.

Amendment No. 58 was, by leave, withdrawn.

For text of the amendment, vide col. 93 supra

MR. DEPUTY CHAIRMAN: 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 27 were added to the Bill.

New Clause 28

SHRI O. P. TYAGI : Sir, I beg to move :

59. "That at page 14, after line 21, the following new clause be inserted, namely :—

'28. Annual Report on the working of the scheme under this Act shall be laid before both the Houses of Parliament every year'."

3 P.M.

उप सभापति जी, इसमें मैंने यह जोड़ा है "Annual Report on the working of the scheme under this Act shall be laid before both the Houses of Parliament every year".

उप सभापति जी, यह प्रश्न खासकर मजदूरों और कर्म-चारियों का है। जो लोग अपने परिश्रम और पसीने की कमाई खाते हैं, दुर्भाग्य से सरकार ने उन्हीं को अपने आक्रमण का पहला लक्ष्य बनाया है। हम तो यह आशा करते थे कि आप और लोगों को भी उसमें अवश्य लपेट लेंगे और इस तरह की योजना आपके दिमाग में होगी। अगर आप पहिले इस तरह से मजदूरों के ऊपर हमला नहीं करते तो अच्छा होता।

जहां तक इस स्कीम का संबंध है, आप प्रतिवर्ष दोनों सदनों को इस योजना के संबंध में अपने विश्वास में लेंगे और इस संबंध में जो भी रिपोर्ट होगी वह सदन में लायेगी ताकि उस पर चर्चा हो सके। इस सदन में भी यह चीज आनी चाहिए और सदन को कान्फ़ीडेंस में लेना चाहिए ताकि आपकी योजना की सफलता और असफलता के संबंध में विचार प्रकट किया जा सके और इस योजना के

[Shri O. P. Tyagi]

पश्चात् कितनी कठिनाई लोगों के ऊपर आती है, मजदूरों के अनुभव क्या होते हैं, यह यहां बताया जाये ताकि योजना के प्रकाश में यह सदन अपनी राय आपके सामने प्रकट कर सके। यह भवसर आपको सदनों को देना चाहिए। मैंने यह क्लोज जानबूझकर इसीलिए जोड़ा है और मैं आशा करता हूँ कि दोनों सदनों का सम्मान करते हुए आप इस संशोधन को अवश्य स्वीकार करेंगे।

The question was proposed.

SHRI MONORANJAN ROY: I do not know whether Mr. Chavan will agree to this amendment at the far end of the Bill. But it is immaterial whether he accepts it or not. They are bound to do whatever they like with the working class. And then the working class will react. My submission is at least you announce in this House your acceptance, if not of this amendment, but the purport of this and say that you will place before Parliament every year a detailed report of the activities under the scheme, how much you have collected, from where, how it has been kept and all those things. And that is the minimum thing that you can agree to.

SHRI Y. B. CHAVAN : Well, Sir, as far as the principle is concerned, there is no objection. But it is not the practice that the annual report of any Act is to be placed on the Table of the House. You have every right to know about the detailed working of the Act and certainly on different occasions the Government will give this information.

SHRI O. P. TYAGI : I asked about an annual report on the working of the scheme.

SHRI Y. B. CHAVAN : I understand; I am talking not only about the scheme, but about all aspects of the Act, Parliament can ask for information on any occasion, we can discuss it. You can also give calling attention notices. Therefore, there is no necessity of having an amendment of the Act for this.

MR. DEPUTY CHAIRMAN: The question is :

59. "That at page 14, after line 21, the following new clause be inserted, namely :—

'28. Annual Report on the working of the scheme under this Act shall be laid before both the Houses of Parliament every year'."

The House divided.

MR. DEPUTY CHAIRMAN :

AYES—21 NOES—89.

AYES—21

Barman, Shri B. D. Ghosh, Shri Niren Goray, Shri N. G. Gupta, Shri Bhupesh Kumbhare, Shri N. H. Mariswamy, Shri S. S. Mathew Kurian, Dr. K. Menon, Shri Viswanatha Patil, Shri Veerendra Raha, Shri Sanat Kumar Rajnarain, Shri Ray, Shri Rabi Roy, Shri Kalyan Roy, Shri Monoranjan Schamnad, Shri Hamid AH Shekhawat, Shri B. S. Sinha, Dr. Ramkripal Swamy, Shri Subramanian Tyagi, Shri Mahavir Tyagi, Shri O. P. Varma, Shri M. P.

NOES—89

Abid, Shri Qasim Ali
Adivarekar, Shrimati Sushila Shankar
Alva, Shrimati Margaret
Amla, Shri Tirath Ram

Anandam, Shri M.	Malaviya, Shri Harsh Deo
Arif, Shri Mohammed Usman	Mali, Shri Ganesh Lai
Avergoankar, Shri R. D. J.	Mehta, Shri Om
Berwa. Shri Jamna Lai	Mishra, Shri R. K.
Bhagwati, Shri B. C.	Mukherjee, Shri Pranab
Bhardwaj, Shri Jagan Nath	Mukhopadhyay, Shrimati Purabi
Bisi, Shri P. N.	Munda, Shri B. R.
Bobdey, Shri S. B.	Murthy, Shri B. P. Nagaraja
Buragohain, Shri Nabin Chandra	Musafir, Shri Gurmukh Sineh
Chandra Shekhar, Shri	Narasiah, Shri H. S.
Chaturvedi, Shrimati Vidyawati	Natarajan, Shri C. D.
Chaudhari, Shri N. P.	Nawal Kishore, Shri
Chaurasia, Shri S. D. S.	Nizam-ud-Din, Shri Syed
Choudhury, Shri N. R.	Nurul Hasan, Prof. S.
Chowdhary, Shri C. L.	Parashar, Shri V. R.
Chundawat, Shrimati Lakshmi Kumari	Patil, Shri Deorao
Das, Shri Balram	Pradhan, Shrimati Saraswati
Dikshit, Shri Umashankar	Punnaiah, Shri Kota
Gadgil, Shri Vithal	Puri, Shri D. D.
Himmat Sinh, Shri	Rachaiiah, Shri B.
Imam, Shrimati Aziza	Raju, Shri V. B.
Joshi, Shri Jagdish	Rao, Shrimati Rathnabai Sreenivasa
Kalaniya, Shri Ibrahim	Reddi, Shri K. Brahmananda
Kalyan Chand, Shri	Reddy, Shri K. V. Raghunatha
Kamble, Prof. N. M.	Reddy, Shri Mulka Govinda
Khan, Shri Khurshed Alam	Roshan Lai, Shri
Khan, Shri Maqsood Ali	Saleem, Shri Mohammad Yunus
Kripalani, Shri Krishna	Sardar Amjad Ali, Shri
Krishan Kant, Shri	Savita Behen, Shrimati
Kulkarni, Shri A. G.	Sharma, Shri K. L.
Kulkarni, Shrimati Sumitra G.	Shastri, Shri Bhola Paswan
Mahanti, Shri B. K.	Shukla, Shri M. P.
Majhi, Shri C. P.	Shyamkumari Devi, Shrimati
Makwana, Shri Yogendra	Singh, Shri I. T.
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Singh, Shrimati Tahanara Jaipal Singh, Shri Kameshwar Singh, Shri Mahendra Bahadur Singh, Shri Mohan Singh, Shri Niranjana Singh, Shri Ranbir Singh, Shri Sultan Sinha, Shri Awadheshwar Prasad Sukhdev Prasad, Shri Sultan, Shrimati Maimoona Thakur, Shri Gunanand Tilak, Shri J. S. Tiwari, Shri Shankarlal Tiwari, Pt. Bhawaniprasad Totu, Shri G. C. Trivedi, Shri H. M. Varma, Shrimati Narayani Devi Manan.-lal Wajid, Shri Sikander Ali

The motion was negatived.

Clause 1—Short Title, Extent and Commencement

SHRI O. P. TYAGI : Sir, I move :

1. "That at page 1, lines 5 and 6, for the word 'Compulsory' the word 'Voluntary' be substituted."

SHRI BHUPESH GUPTA : Sir, I move.

2. "That at page 1, lines 5 and 6, for the words 'Additional Emoluments (Compulsory Deposit)' the words 'Additional Burdens on the Working People and Compulsory Wage Freeze' be substituted."

The questions were proposed.

श्री ओउम् प्रकाश त्यागी : उपाध्यक्ष महोदय, मेरी प्रार्थना चव्वाण साहब से है कि किसी बात को तो वह स्वीकार करें। इस समय देश में सब से प्रमुख चीज यह है कि आज देश में इतनी महंगाई हो रही है। मैं जानता हूँ कि अगर वह इस विधेयक में जिस को वे ले आये हैं कोई संशोधन भी स्वीकार कर लेंगे तो उलझन में फसेंगे इसलिए वे किसी भी संशोधन को स्वीकार करने के मूढ़ में नहीं हैं, किन्तु आप की आत्मा अवश्य इस को स्वीकार करेगी।

SHRI BHUPESH GUPTA : Sir, I rise on a point of order. He said "Atma". No such "Atma" is existing there.

श्री जैरों सिंह शेखावत : आत्मा नहीं, प्रेतात्मा।

SHRI SUBRAMANIAN SWAMY : What is your ruling on that ?

MR. DEPUTY CHAIRMAN : There cannot be a ruling on that.

श्री राजनारायण : भूत आत्मा है।

श्री ओउम् प्रकाश त्यागी : इस समय देश में महंगाई विशेष रूप से इतनी तेजी से बढ़ रही है कि आप मजदूरों को तो छोड़ दीजिए जो साधारण व्यक्ति हैं, मेम्बर पार्लियामेंट यहां बैठे हैं, अगर वह ईमानदारी से रहते हैं और कोई गड़बड़ नहीं करते तो उनको भी अपने घर का खर्च चलाने में कठिनाई हो रही है। मजदूरों की स्थिति तो बहुत ज्यादा दयनीय हो रही है। तो मेरी प्रार्थना है कि इस बढ़ती हुई महंगाई के कारण ही आप महंगाई भत्ता देते हैं और जब आप महंगाई भत्ता देते हैं तो आखिर उसके पीछे आपका परपत्र क्या है। उसका मतलब होता है कि वह गरीब उस महंगाई का मुकाबला कर सके और अपने घर का खर्च आसानी से चला सके। इस कारण ही आप उसे यह सहायता देते हैं। इस उद्देश्य से ही उसके वेतन में महंगाई भत्ता दे कर आप यह सहायता उसकी करते हैं। लेकिन आप यह चीज ला कर अगर यह तर्क दें कि अगर यह उस की जेब में पड़ जायगा तो महंगाई बढ़ेगी और फिर दाम बढ़ने के कारण आवाज आयेगी कि महंगाई भत्ता और बढ़ाया जाये तो इस प्रकार का एक सर्किल चल जायगा। मैं समझता हूँ कि यह आपका आर्गुमेंट बिल्कुल लंगड़ा है, थोथा है।

जहाँ तक मजदूरों का संबंध है आप महंगाई को रोकने के लिए जहाँ और उपाय हैं वह करें तो उसे रोक सकते हैं। मैंने जैसा शुरू में भी कहा था और अभी भी कहता हूँ कि महंगाई रोकने के लिए आपके पास जब तक उत्पादन न बढ़े, उत्पादन की वृद्धि नहीं होगी तब तक महंगाई आपके काबू में आयेगी नहीं। उत्पादन घटता चला जा रहा है और आपकी मुद्रा का प्रसारण बढ़ता चला जा रहा है, कैसे उसको रोकेंगे ? लगभग 7 हजार करोड़ रुपये से ज्यादा इस देश में काला धन है।

SHRI NIREN GHOSH : No, it is much more than that. It is more than Rs. 14,000 to Rs. 15,000 crores today.

श्री रवी राय : 10 हजार करोड़ से 15 हजार करोड़ तक काला धन है।

श्री ओउम् प्रकाश त्यागी : क्षमा कीजिएगा, 15 हजार करोड़ है। मैं समझता हूँ कि जितना धन बाहर आपका हवाईट मनी के रूप में है उससे ज्यादा अंडर ग्राउंड है। जब तक वह काले धन के रूप में चल रहा है तब तक महंगाई आपके काबू में नहीं होगी। बेचारे गरीब लोगों को उस महंगाई से मुकाबला करने के लिए जो कुछ आप उनको नहायता दे रहे हैं उसे आप छीन रहे हैं। इससे ज्यादा बड़ा अन्याय कोई नहीं कर सकता उन मजदूरों और गरीबों के साथ में। इसलिए मेरी आपसे प्रार्थना है कि उन मजदूरों को मत मारो। उनके ऊपर हाथ उठाओ जो इस देश में महंगाई के कारण हैं। आप की पब्लिक अंडरटेकिंग उत्पादन क्षमता के अनुसार नहीं चल रही हैं। आपके यहाँ बिजली नहीं है। कोयला होते हुए भी सबको नहीं पहुँच रहा है। उत्पादन के साधनों को बढ़ाने के लिए, उत्पादन बढ़ाने के लिए, काले धन को कंट्रोल करने के लिए, अपनी ऐफिशियेंसी बढ़ाने के लिए आप प्रयत्न कीजिए। महंगाई काबू में आ जाएगी। लेकिन महंगाई को रोकने के लिए आप मजदूरों को मार रहे हैं। वह दलील यह युक्ति मेरी समझ में नहीं आई। मेरी प्रार्थना है कि आपने जो लिखा है—दि ऐडिशनल इमोल्यूमेंट्स कंपल्सरी डिपॉजिट बिल, इसमें 'कंपल्सरी' के स्थान पर आप 'वॉलंटरी' कर दीजिए ताकि जो मजदूर, इस स्थिति में हो कि वह जमा नहीं कर सकता हो वह इससे छूट जाए। आपकी इस योजना के लिए मैं समझता हूँ कि देशभक्ति है इस देश में। देशभक्ति

का अभाव नहीं है। देशभक्त आपकी इस योजना का स्वागत करेंगे। आज देश के तमाम लोग आपकी इस योजना में सहायक होंगे ताकि महंगाई कम हो। मुद्रा स्फीति पर काबू पाया जा सके, इसमें हर देश भक्त आदमी आपका साथ देने के लिए तैयार है। परन्तु इसके नाम पर गरीबों को मत मारो, उनको दो टाइम रोटी खाने दीजिए। उनके बच्चों को पढ़ने दो विवाह शादी के लिए उनके ऊपर आपत्ति मत लाओ। स्थिति ज्यादा दयनीय है। मुझे डर लगता है कि आप ऐसी स्थिति न ले आये कि इस देश में जो गुण बचा है वह भी न रहे। यह आपका सोभाग्य है कि इस देश में उस संस्कृति की मान्यता वाले लोग हैं जो कि ज्ञानि प्रियवादी हैं, अहिंसात्मक हैं। अहिंसात्मक वातावरण इस देश में है। अगर यह वातावरण किसी और देश में हुआ होता तो उस देश में चिली, चाइना और रशिया वाली स्थिति उत्पन्न हो जाती। हमारे देश में ऐसा नहीं हो सकता है। परन्तु आप उसी नबके को जो ज्यादा दुखी है ज्यादा परेशान है उसी को परेशान कर रहे हैं और अगर उसको रास्ता कहीं दूसरा मिल गया तो अच्छा नहीं है। मैं चन्द्रशेखर जी को धन्यवाद देता हूँ कि उन्होंने बड़ी दृढ़ता के साथ कहा कि आज समूचे देश में एक नेता है जिसने उस और संकेत किया है, अन्यथा देश में अराजकता, खूनी अन्ति हो जाएगी अगर समय पर आपने महंगाई, अश्रद्धाचार पर काबू नहीं पाया और वह है अश्रद्धेय जयप्रकाश नारायण बाबू जिसका आन्दोलन आज चल रहा है। माफ कीजिएगा, एक आदमी है जो आपको संकेत कर रहा है, लेकिन आप उन्हीं का इलाज करने के लिए तैयार हैं। बाड़ सूख रही है, बाड़ के पीछे कोहरा करने के लिए इस बिल के द्वारा बाड़ के पीछों पर पानी छिड़कने की कोशिश कर रहे हैं। जड़ तक पानी की एक बुँद भी नहीं जाएगी और मैं समझता हूँ कि इस विधेयक के द्वारा आप इन्फ्लेशन रोक सकेंगे इस देश में, यह आपका स्वप्न है, मृग-मरीचिका है जिसके पीछे आप दौड़ रहे हैं। मैं समझता हूँ कि मेरा जो संशोधन है कि 'कंपल्सरी' की जगह 'वॉलंटरी' कर दिया जाए, आज है कि आप इसे स्वीकार करेंगे।

SHRI BHUPESH GUPTA : I have been more realistic. After killing a man it is no use trying to offer him birthday, greetings. Already so many provisions have been passed. Voluntarism is gone. What is the use of calling it voluntary ?

[Shri Bhupesh Gupta] It is all compulsory, coercive and absolutely preposterous. If you like for the sake of nomenclature to put 'voluntary' in it, it will be the greatest hoax in the country. The Bill is all compulsory. You cannot transfer a wine shop of contraband brand into a sweetmeat shop by putting up a signboard to that effect. Therefore, I have given the name which exactly fits in. I have said that instead of calling It "Additional" Emoluments (Compulsory Deposit) Bill, call it by "Additional Burdens on the Working People and Compulsory Wage Freeze Bill" . . .

SHRI NIREN GHOSH: And also Wage Cut Bill because the money value will go down.

SHRI BHUPESH GUPTA : His idea is quite right. I have given this name. You say that your motto is Satyameva Jayathe. But this Bill bears the name which is the definition of falsehood. That is why there is nothing decent in it. If you people believe in the Satyameva Jayathe philosophy of yours and if you do not want to violate it in the same way you have violated your election pledges day after day, then you should accept my suggestion. I have done a good turn to you by giving this description. Why not call a spade a spade ? Why do you lack that moral courage ? Why do you want to be a highway man by pretending as if you are a priest in the Lakshmi Narayan temple ? You want to be a ballerina when you are in fact the ugliest and not even worthy of sight. I cannot understand all these things. Why don't you call it by proper name ? This is what I have provided and Mr. Chavan should congratulate me.

I did not wish to say much. But it should be known to the country that here you are passing this measure with your strength of press button majority. We are all passing a measure which is unheard of in a situation of this kind. Under the hypocritical grab of containing inflation, you are adopting a preposterous posture of attacking the working people. We are passing a measure which, while leaving out Tatas

and Birlas and their personal income, the smugglers, the black-marketeers, merchants of black money and the corrupters of our public life, comes down heavily upon the great working people of our country in total disdain of all the norms that we cherish and value. Here we find Mr. Chavan, in the name of fighting inflation, is passing a measure which will add to the suffering, privation, hardship and denials of our working people. After all what are you freezing ? What you are taking away in the name of compulsory deposit is not the super profit, is not the earning of some parasitical class. You are taking away from the working people of our country who by their toil are producing fortunes for this country and yet they are starving and suffering and standing in the lines of unemployment queue. You are taking away from them their morsel of food and in return you are giving them on the one hand high prices and highest cost of living, highest wheat and everything.

And, on the other hand, when by their straggle they got some money, some little gain, by way of dearness allowance or increased wages, you come as the Pindaris and the raiders on their homes in order to grab that money and run away with it. This is not democracy. Sir, this Government is, of course, going the whole hog along the rightist path in the economic field. Sir, it has now decided to go that way. Sir, it has broken its own pledges, it has gone back on its own election mandate, and today, it has chosen to attack the people right and left and to attack them cruelly and cynically and without caring as to what would happen to their future, to their children and to their children's children. Sir, the crisis is what they have created and the burden of the crisis is passed on to the common man.

Sir, I could have understood if the President's salary was taxed and a compulsory deposit of seven to eight thousand rupees had been taken away from the President's salary of ten thousand rupees; I could have understood if a compulsory deposit of about four thousand rupees

had been taken away out of the Governor's salary of five thousand rupees; and I could have understood if, in the name of the Compulsory Deposit Scheme, the Birlas, Tatas, Dalmias, Jains and the smugglers and the blackmarketeers of the country, had been touched with a view to getting their personal income compulsorily deposited into the exchequer to use it for the cause of the nation and for the purpose of fighting the present inflation. Nothing of that kind ! Go and attack the working class; go and attack the employees; go and attack the workers; go and rob them of their barest earnings and put them to suffering, break their strike, attack them after the strike is broken and rob their homes and put them to humiliation, put them in acute suffering and in difficulties of all kinds. This is what they do and this they call democracy. Sir, nothing is more preposterous than this. Therefore, I have given these amendments... (*Interruptions*). Sir, I would ask them whether they have consulted their wives. Sir, I would like to say: "Go and consult your wives. Lady Members, go and consult your husbands ..."

SHRI OM MEHTA: Sir, did he consult his wife ?

SHRI BHUPESH GUPTA: You see, I would not say anything about my friend, Shri Om Mehta, because, obviously, he believes in consulting other people's wives. Sir, I am asking them to consult their own spouses and come to the conclusion as to what they feel. You have children, some of you, and you are not in such a disadvantageous position as I am. So, consult them ; consult them and ask them as to what they feel. Mr. Chavan, you may have no children. But many of the Members here have children and they are proliferating. Let them ask them as to what they feel about this. They will oppose it; the housewives will oppose it; and their relatives will oppose it. Well, Sir, I know that the press button democracy has been so vulgarised, so brutalised and so degraded that within twinkling of an eye, with the whip of the Congress Party,

democracy on the other side of the House will come into action in order to sanction this civil and uncivil and savage attack on our working people. At least, do so by adopting this title, because that will accord with the caps that you wear. Do not try to borrow something from some-body with a view to concealing your identity, odious as it is. Therefore, I have moved amendment and I know, Sir, that you will put it to vote. Let us see how truth takes care of these amendments.

MR. DEPUTY CHAIRMAN : The question is:

1. "That at page 1, lines 5 and 6, for the word 'Compulsory' the word 'Voluntary' be substituted."

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

2. "That at page 1, lines 5 and 6, for the words 'Additional Emoluments (Compulsory Deposit),' the words 'Additional burden on the working people and Compulsory Wage Freeze' be substituted."

The House divided.

MR. DEPUTY CHAIRMAN :

AYES—20

NOES-90

AYES-20

Barman, Shri B. D. Ghosh,

Shri Niren Goray, Shri N. G.

Gupta, Shri Bhupesh Koya,

Shri B. V. Abdulla Kumbhare,

Shri N. H. Mariswamy, Shri S.

S.

Mathew Kurian, Dr. K. Menon,
Shri Viswanatha Patil, Shri
Veerendra Raha, Shri Sanat Kumar
Ray, Shri Rabi Roy, Shri Kalyan
Roy, Shri Monoranjan Shekhawat,
Shri B. S. Sinha, Dr. Ramkripal
Swamy, Shri Subramantan Tyagi,
Shri Mahavir Tyagi, Shri O. P.
Varma, Shri M. P.

NOES—90

Abid, Shri Qasim Ali
Adivarekar, Shrimati Sushila Shankar
Alva, Shrimati Margaret
Amla, Shri Tirath Ram
Anandam, Shri M. Arif, Shri
Mohammed Usman Avergoankar,
Shri R. D. J. Berwa, Shri Jamna Lai
Bhagwati, Shri B. C. Bhardwaj,
Shri Jagan Nath Bisi, Shri P. N.
Bobdey, Shri S. B.
Buragohain, Shri Nabin Chandra
Chandra Shekhar, Shri
Chaturvedi, Shrimati Vidyawati
Chaurasia, Shri S. D. S.
Choudhury, Shri N. R.

Chowdhary, Shri C. L.
Chundawat, Shrimati Lakshmi Kumari
Das, Shri Balratn
Dhabe, Shri S. W.
Dikshit, Shri Umashankar
Gadgil, Shri Vithal
Himmat Sinh, Shri
Imam, Shrimati Aziza
Joshi, Shri Jagdish
Kalaniya, Shri Ibrahim
Kalp Nath, Shri Kalyan Chand, Shri
Kamble, Prof. N. M. Khan, Shri
Khurshed Alam Khan, Shri
Maqsood All Kripalani, Shri
Krishna Krishan Kant, Shri
Kulkarni, Shri A. G Kulkarni,
Shrimati Sumitra G. Mahanti, Shri
B. C. Mahanti, Shri B. K. Majhi,
Shri C. P. Makwana, Shri Yogendra
Malaviya, Shri Harsh Deo Mali,
Shri Ganesh Lai Mehta, Shri Om
Mishra, Shri R. K. Mukherjee, Shri
Pranab Mukhopadhyay, Shrimati
Purabi Munda, Shri B. R. Musafir,
Shri Gurmukh Singh Narasiah, Shri
H. S.
Navval Kishore, Shri

Nizam-ud-Din, Shri Syed Nurul
 Hasan, Prof. S. Parashar, Shri V. R.
 Patil, Shri Deorao Pradhan, Shrimati
 Saraswati Punnaiah, Shri Kota Puri,
 Shri D. D. Rachaiah, Shri B. Raju,
 Shri V. B.
 Rao, Shrimati Rathnabai Sreenivasa Rao,
 Shri V. C. Kesava Reddi, Shri K.
 Brahmananda Reddy, Shri K. V.
 Raghunatha Reddy, Shri Mulka Govinda
 Roshan Lai, Shri Saleem, Shri
 Mohammad Yunus Savita Behen,
 Shrimati Sharma, Shri K. L. Shastri, Shri
 Bhola Paswan Shukla, Shri M. P.
 Shyamkumari Devi, Shrimati Singh, Shri
 I. T.
 Singh, Shrimati Jahanara Jaipal
 Singh, Shri Kameshwar
 Singh, Shri Mahendra Bahadur
 Singh, Shri Mohan
 Singh, Shri Nathi
 Singh, Shri Niranjana
 Singh, Shri Ranbir
 Singh, Shri Sultan
 Sinha, Shri Awadheshwar Prasad
 Sukhdev Prasad, Shri Sultan, Shrimati
 Maimoona

Thakur, Shri Gunanand
 Tilak, Shri J. S.
 Tiwari, Shri Shankarlal
 Tiwary, Pt. Bhawaniprasad
 Totu, Shri G. C.
 Trivedi, Shri H. M.
 Varma, Shrimati Narayani Devi Manaklall
 Wajid, Shri Sikander Ali

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

"That Clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

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

SHRI Y. B. CHAVAN: Sir, I beg to move.

"That the Bill be passed."

The question was proposed.

SHRI S. S. MARISWAMY (Tamil Nadu): Sir, I would like to remind our great Finance Minister of an episode from the Ramayana. Sir, when King Dasratha was advised by his ministers that he could take back the promises given to Kaikai, he replied that he did not want to commit the sin of all the sins. He said that whatever he gave with his right hand, he should not be accused of taking it back with his left hand. He said, 'If I do like this, that will be the worst crime possible. I have given the promises and I would not take it even if I have to die or. account of that'. Accordingly, Sir, he did not withdraw the promises. As a result, he had to give his life. That is the tradition that this country had built up. And now here the Government is, in one stroke, taking back whatever concessions it gave to the workers. The Bill that you have passed today is a breach of trust. It is a break of all the promises

[Shri S. S. Mariswamy]

that you make on the floor of this Parliament. This is an anti-people Bill. This is an anti-workers Bill. I would urge upon the Finance Minister to withdraw this draconian measure.

श्री महावीर त्यागी (उत्तर प्रदेश) : श्रीमन्, इस बिल की बहम में मैंने हिस्सा नहीं लिया लेकिन यह समझता हूँ अपने कर्त्तव्य को अदा करना चाहिए। पहली बात तो यह है कि चव्हाण साहब को मैं बताऊँ कि उनकी मिनिस्ट्री से मेरा भी 2 वर्ष तक संबंध रहा है, रेवेन्यू एण्ड एक्सपेंडिचर मिनिस्टर की हैसियत से आफिसरों से सम्पर्क रहा है और उन मामलों पर बहस और बातचीत करता रहा हूँ। मेरा तबुर्बा यह कहता है कि चव्हाण साहब की बदकिस्मती है कि उनके जमाने में उनकी मिनिस्ट्री के स्टाफ में कुछ ऐसा डीटेरि-ग्रेशन हो गया है कि वहाँ कुछ सलाह देने वाले शायद नहीं रहे, वरना यह कोई बात नहीं थी कि यह दिया जाय। पालिसी यह नहीं थी कि डियर-नैस एलाउन्स दिया जाय। क्योंकि लोगों का गुजारा मुश्किल से हो रहा है, एजिटेशन हुआ और इसलिए डियरनैस एलाउन्स दिया गया। फिर क्यों सलाह दे दी कि इसको वापस ले लो? या तो इतना ज्यादा दे दिया ताकि आप पापुसर हो जायें। क्यों इतना ज्यादा डियरनैस एलाउन्स दिया था? डियरनैस एलाउन्स उतना दिया जाना चाहिए था जितने में कि गुजारा हो सके और इंप्लेशन न हो। आपने जो डियरनैस एलाउन्स दिया है उसको आप समझते हैं कि उससे इंप्लेशन होगा? मेरी राय यह नहीं है क्योंकि मैं समझता हूँ कि अगले साल इस गिरानी के जमाने में लोगों को और भी मुसीबत उठानी पड़ेगी क्योंकि इंप्लेशन तेजी से चल रहा है। ऐसी हालत में उनको मजबूर करना कि वह डियरनैस का हिस्सा वापस करें, जमा करा दें, यह कोई अक्लमन्दी की बात नहीं हुई?

[The Vice-Chairman (Shri Bipin Pal Dass) in the Chair.]

आप मुझे माफ करेंगे, मेरे दिमाग में पुरानी बात आती है। एक बात मैं यह कहना चाहता हूँ कि यह बिल तो पास हो ही गया है और अब

इसमें कोई चारा नहीं है, मैं तो सिर्फ रिकार्ड करने के लिए इसका विरोध कर रहा हूँ। मैं एक बात आपसे कहूँगा कि आपने जो रुपया दिया है उसको आप वापस ले रहे हैं और लोगों से कह रहे हैं कि इसको जमा कर दीजिये। इस तरह से सब के लिए अलग-अलग एकाउन्ट खोलने पड़ेंगे। कई करोड़ों एकाउन्ट खोलने होंगे। अगर एक एकाउन्ट की कीमत एक एक रुपया भी हो तो करोड़ों रुपया आपको खोलने के लिए चाहिये। फिर उसको हैन्डल करने के लिए लाखों आदमी की जरूरत होगी क्योंकि मामूली आदमी इसको हैन्डल नहीं कर सकता है, पढ़े लिखे आदमी ही हैन्डल कर सकते हैं। लाखों आदमियों को आपको पांच सौ और हजार रुपया माहवार तनक्काह पर रखना होगा जो इन तमाम हिसाबों को रखेंगे। गवर्नमेंट में जमा किया हुआ रुपये का हिसाब रखेंगे और इस तरह से करोड़ों का हिसाब खुलेंगे। करोड़ों हिसाबों को लिखने के लिए करोड़ों आदमी नये चाहियें। इस तरह से इन नये आदमियों को तनक्काह देनी पड़ेगी, डियरनैस एलाउन्स देना पड़ेगा और इस रुपये की अदायगी के लिए खर्च करना होगा और कई तरह के हिसाब रखने होंगे। इसलिए मेरा मुझाव यह है चव्हाण साहब से—चूंकि बिल तो पास हो ही गया है—लेकिन मेरे मुझाव पर वे जरा गौर कर लें और अपनी मिनिस्ट्री के आफिसरों से भी सलाह कर लें। बजाय एकाउन्ट खोलने के बेहतर होगा कि अगर उन लोगों को कैश सर्टिफिकेट दे दिया जाय जिसमें तारीख लिखी हो कि फलां-फलां किशतों में अदा होगा। इस तरह से आपको हिसाब रखने में भी दिक्कत नहीं पड़ेगी। जिसका आप रुपया जमा करेंगे उससे रुपया लेने के बाद हाथों-हाथ कैश सर्टिफिकेट भी दे देंगे और उसमें यह चीज हो कि यह कैश सर्टिफिकेट दो वर्ष के लिए है, इतने किशतों में कैश हो जायेगा और इसका रुपया जहाँ चाहो ले लो। इस तरह से जमा कराने वालों को दिक्कत नहीं पड़ेगी। कैश सर्टिफिकेट तैयार है पोस्ट आफिस की तरफ से और जो खरीदना चाहे उसको आसानी से मिल गया। जिन लोगों ने रुपया जमा कराया है उन लोगों को भी अपना रुपया वापस लेने में भी दिक्कत नहीं पड़ेगी और कैश सर्टिफिकेट द्वारा उनका रुपया

ट्रैजरी से वापस मिल जायेगा। यह आसान करके आप एक प्रैक्टिकल चीज कर सकते हैं। इस तरह से मेरा सुझाव है और आपका पुराना एसोसिएट होने के नाते से आपको सुझाव देता हूँ और मेहरबानी करके आप इस पर गौर कर लें। इससे गवर्नमेंट का रूपया बच जायेगा और लोगों की मुसीबत भी कम हो जायेगी। अपना रूपया लेने के लिए गये और जल्दी रूपया मिल गया। यह एक आसान तरीका है मेरी राय में और आप मेहरबानी करके बिना इस बात को समझे हुए कि यह राय विरोधी दल से आई है, मुझे अपना आदमी समझकर इस पर गौर कर लीजिए।

SHRI BHUPESH GUPTA : Sir, we are at the end of a chapter which will be remembered with profound regret and deep resentment in the years ahead. Sir, unfortunately, we could not stall and kill this j measure, not because we lacked any moral fibre, but because we suffered on account of numbers. It is the battle which has been won by the Government not on a moral plane, but on the plane of sheer brute majority which is misused¹ in the parliamentary institution, in the process denigrating the credibility of such institutions. At a time when the economic field is facing an unprecedented crisis and our parliamentary democracy, as we understand it or whatever it is, with its limitations and so on is faced with threats from all quarters including the behaviour of the ruling party and the Government, we are passing a measure of this kind. And the I social impact of it would be entirely negative. Sir, Mr. Chavan said that he would be raising Rs. 450 crores with the help of this measure. Rs. 450 crores is not a very big sum if you take into account the super-profits and the accumulation with the multi-millionaire class and the traditional income generated in agriculture as a result of the developmental activities which are being cornered by the landlords and rich peasants. It has been pointed out by expert committees that by putting agricul- [rural tax, we could easily collect nearly Rs. 1.000 crores from the agricultural sec- I

tor, mainly from the rural rich landlords and kulakas.

Sir, it has also been pointed out that if we had properly taxed the multi-millionaire class, the corporate sector, we could have collected many times more than the amount now collected. Even today, our tax arrears in gross come to about Rs. 800 crores of which, according to them, the effective areas—I do not know what it means—come to Rs. 450 crores. It is, therefore, quite easy to raise this sum by stepping up the taxation measures and by enforcing such measures, if necessary amending certain aspects of the law and the Constitution. The Government has not taken that line. It has taken what comes to it very handy. It is the measure which is born in the arrogance of monopoly of political power in the hands of one party, which regards the entire Opposition, irrespective of what the Opposition stands for, which counts only on its own word and not on logic, not on reason and not on what the people feel. People even belonging to their party will not give them support. This is not the way of democracy. Today, we are writing a very black chapter in the annals of our parliamentary institution. That is why I have risen to raise my voice of protest against this waywardness of our parliamentary institution, not because we have chosen the path but because they want to drag it in this manner. Sir, what will the people think? What will the people outside, who are suffering, who are trekking today from the villages to the towns, who are in the agony of starvation, who are swelling the ranks of the unemployed, think? They will think that it is their parents, their brothers and sisters, the bread-earners, who are subjected to suffering by this Government. This will cause much more suffering than to which they are already subjected to. That is how they will look at the parliamentary institution. They will not look at us that because we are Members of Parliament, we are always divine. They will judge us by our action. And how do they feel?

[Shri Bhupesh Gupta] They will feel that the Indian Parliament, in the 28th year of the country's independence, is completely oblivious of the difficulties and sufferings, of the sorrows and miseries of the millions of our people, and that the parliamentary sanction is sought and is given because of the majority of ruling party to pass a measure of this kind. That is how they will take us. The hiatus between the parliamentary institutions on the one hand and the masses on the other will grow and the gaps will widen. And, yet, we find the hon. Members talking about parliamentary institutions. You are discrediting our institution. You are instigating our people against our institution. You are creating a wide gap between what we preach and talk and do in this House on the one hand and what the masses feel and look forward to on the other. That is why, I say, I am very much opposed to it. Sir, the last valedictory word you must take. I am not a retiring Vice-President so that I can make a brief speech wherein I can take note of corruption.

Sir, here I want to point out to you very frankly that this measure will never sell in the country and I am sure, if it were on the eve of the elections, you would never have dared to pass this measure. Today you know that elections are one and a half year ahead and, therefore, you can take liberty of that situation in order to experiment with a measure of this kind. But, people will never accept it.

Sir, I rise to call from the forum of this House our workers, our employees and other sections of our working people to rise in revolt against this measure wherever they can to protest against this measure, create a spirit of defiance wherever they can and in whichever manner they can. It is better to fight and, if necessary, to die on one's feet than live on one's knees. And, I am clear in my mind that our trade union movement, our working class movement and our employees' movement both in the Government sector and in the non-Government sector, who have created a fighting tradition, will forge their unity and come together in the common J

protest and struggle against this heinous measure which by no canons of decency or democracy could at all be supported.. Sir, this is the only hope now. We have failed by the people insofar as this measure is concerned but, I am sure, people have not failed by Parliament and they shall assert their sovereign right on an appropriate occasion in an appropriate manner so that some such shame and disgrace does not come in order to tarnish the image of our parliamentary and democratic institutions and tradition.

(Time bell rings).

Sir, before I sit down, as you have been ringing the bell, I want to say that this measure has a significant note about it. It is a challenge to our working people. It exposes this Government. It exposes this Government as one which has lied to the people, the Government which lies to the people at the time of the election, and behaves in this manner after the election, a Government which incorporates in a measure of this kind the philosophy of the Tata memorandum, or the Birla friends or the resolution c-f the Federation of Indian Chambers of Commerce and Industry and the multi-millionaires class, is worthy of utter condemnation and criticism on the part of the people. That is what should be done. I know, Sir, many people on the other side of the House, certainly their supporters, do not support a measure of this kind; they are unhappy, they are sorry, but they have allowed for the time being their loyalties, their party loyalties and their affiliation to the organisation. It is understandable. To have the power of that judgment, they have been silenced but their feelings have not been subdued Sir, once again, I am sure that they will reassert when it comes in future days to fight for such a cause. Therefore, I am speaking, I know, for all sections of the working people. I am not speaking for my party alone, or, for that matter, any other party. I am speaking for the people of our country, the working people, in particular, of our country, who are

divided among the parties we represent in this House but who are united in their bold and solid condemnation of a measure of this kind.

AN HON. MEMBER: Hear, hear.

SHRI BHUPESH GUPTA: Sir, this measure shows the utter bankruptcy of the Government. They do not know how to fight inflation. They are imitating from the copy books of Heath in England and of Nixon who has gone down in history, in order to pass a measure of this kind in the name of curbing inflation. (*Time bell rings.*) Yet they do not know that such measures in England did not stop inflation but gave it a fresh boost, nor in the United States of America where inflation rose by 13 per cent. Why have you gone in for that?

(*Time bell rings.*)

Sir, now before I give any suggestion and before I sit down, I would like to say a few things. This is all that I can do. You are very anxious, I believe, Sir, are in a fortunate position like me, because you do not have to put any compulsory deposit. So, your feelings I can understand. I can understand my feelings also.

(*Time bell rings.*)

THE VICE-CHAIRMAN (SHRI BIPIN PAL DAS): Others are waiting.

SHRI BHUPESH GUPTA: Others will speak. I want others to speak. I have asked Shri Rajnarain to speak as long as he likes. Sir, I suggest the wage freeze Ordinance should be withdrawn. Now, it is not Ordinance, it is law. It should be inoperative. The President should not give assent to it. The new President, who has been installed in the Rashtrapati Bha-van, to whom the other day the Congress General Secretary introduced a tax-dodger from Tamil Nadu, will do well not to give his assent to this measure.

Vigorous measures should be taken to combat inflation and bring down the prices.

(i) Immediate demonetisation to mop up the black unaccounted money that is playing havoc with the country's economy.

(ii) Nationalisation of essential industries like sugar, vegetable oil and cotton textiles in order that private profiteers do not play with the production of essential commodities to mint money for themselves and inflict misery on the people.

(iii) Public distribution of foodgrains by State take-over of wholesale food-grahs, trade, compulsory procurement of marketable surplus of foodgrains with the landlords and rich producers, vigorous de-hoarding of hoarded stocks, and distribution of foodgrains, sugar, oil, cloth, fuel and other essential commodities through shops at all industrial establishments and depots in villages under the supervision of popular committees.

(iv) The peasant producer must be guaranteed remunerative price for his produce, salvaged from the fleecing grip of the speculative trader and assured the supply of agricultural inputs.

(v) Speculative credit by banks and financing institutions should be totally prohibited.

(vi) Stopping all non-development advances to State Governments.

(vii) Realising the unpaid dues of over Rs. 146 crores, unpaid electricity dues.

(*Time bell rings.*)

These things should be done. These are some of the measures I have suggested for fighting inflation and, above all, to fight inflation, corruption must be ended ruthlessly from all the spheres of our public life, specially in the centres of political power and decision making.

श्री राजनारायण : श्रीमान्, जिस रूप में आज इस विधेयक को कानून की शक्ल देने के लिए सरकार प्रयत्नशील है, मैं उसका खोर विरोधी हूँ

[श्री राजनारायण]

और मैं सोच रहा था कि आखिर इस सरकार को कौन सा विधेयक दिया जाए। ऐसा हमको लगता है कि जैसे इतिहास में तुगलक हुआ है, कभी राजधानी दिल्ली से दोलताबाद ले गये, फिर दोलताबाद से दिल्ली लाये, यह सरकार आज तुगलकी अक्ल से काम कर रही है और जैसे शुतुर-मुर्ग बाज़ू में सिर गाड़कर नाचता है—सिर नीचे करता है, और पैर ऊपर करता है—उसी तरह से यह सरकार शुतुर-मुर्ग की तरह नाच रहा है। मैं आश्चर्यचकित हूँ कि क्या इससे भी बढ़कर कोई ग़ूँकर मस्तिष्क की सरकार होगी। आखिर इस सरकार ने जो पहले कर्म किये हैं उनको थोड़ा देखा जाय कि अगर सरकार मुद्रा स्थिति को रोकना चाहती है, अगर सरकार मंहगाई को रोकना चाहती है, अगर सरकार सामाजिक न्याय की प्रतिष्ठा करना चाहती है तो सरकार ने उसके बदले क्या काम किये हैं, इनके पहले के कामों को देखकर ही हम इसका अंदाज़ लगायेंगे।

श्री महावीर त्यागी : डेफिसिट फाइनों से क्या है।

श्री राजनारायण : सरकार को जो मुझाव दिए गये हैं, एक भी मुझाव पर सरकार ने काम नहीं किया है और पता नहीं कहां से एक बेहूदा विधेयक यहां पर आ गया—ऐंटी पीपुल, ऐंटी लेबर जो है और जिसको बहुत से लोग सरकारी पक्ष में भी नहीं समझ पा रहे हैं कि आखिर है क्या। क्या है इसमें? इस विधेयक की मार किन पर पड़ेगी? हम किसके लिए खड़े हैं? हम क्या चाहते हैं? किसी बात को लेकर मंत्री सफाई के साथ आये। मैं पूछना चाहता हूँ कि आखिर मजदूरों के मंहगाई भत्ते को क्यों बढ़ाया जाता है? मंहगाई बढ़ती है इसलिए बढ़ाया जाता है। एक तरफ हम लोगों का मंहगाई भत्ता बढ़ा रहे हैं और दूसरी तरफ हम यह कहें कि नहीं हम उसमें कटौती 50 फीसदी कर देंगे। एक तरफ हम यह कहें कि हम मजदूरी बढ़ा रहे हैं, कर्मचारियों का वेतन बढ़ा रहे हैं और दूसरी तरफ यह कहें कि इसमें अतःप्रतिशत कटौती करके जमा करा देंगे। यह क्या है? इससे बढ़कर हिप्पोक्रेसी नहीं हो सकती। डेमोक्रेसी और हिप्पोक्रेसी में बहुत फर्क है।

श्री महावीर त्यागी : लिगेलाइज पिक पाकिट है।

श्री राजनारायण : चव्हाण साहब हिप्पोक्रेसी और डेमोक्रेसी को समझ लें। हम तो समझते थे कि इतने दिनों तक महाराष्ट्र के मुख्यमंत्री रहे और हम लोगों के प्रयत्न से ये महाराष्ट्र छोड़ कर यहां आए हैं...

उपसभाध्यक्ष (श्री बिपिनपाल दास) : आपका पोइन्ट क्या है वह बतलाइए।

श्री राजनारायण : जो पाइन्ट है वही कह रहा हूँ। यह बेहूदा विधेयक है। यह काला कानून बन रहा है, मजदूर विरोधी कानून बन रहा है, देश विरोधी कानून बना रहा है, जन विरोधी कानून बन रहा है। इसलिए इसका जितना ज्यादा से ज्यादा विरोध किया जाए उतना हर मनुष्य का अपना धर्म है।

उपसभाध्यक्ष (श्री बिपिनपाल दास) : आपका एक पोइन्ट हो गया।

श्री राजनारायण : अभी तो आधा पोइन्ट हुआ है। अगर आप हर सेन्टेन्स पर ऐसा करते रहेंगे तो हमारे लिए भी दिक्कत बढ़ेगी और आपके लिए भी।

मैं चव्हाण साहब की पहले की बातों को नहीं कहना चाहता हूँ। मैं उनसे यह कहना चाहता हूँ कि जब आप बोल रहे थे तो यह सोचा कि मार्के की तोर सार रहा हूँ और त्यागी जी को यह कह दिया कि यह तो कैप्टेलिस्टों के हितैषी हैं। मैं कहूंगा कि आप मंत्री हैं आपको बाग्जाल में नहीं फंसना चाहिए। मैं आपको खंड 14 के उपखण्ड 1 (ए और बी) के बारे में बताना चाहता हूँ।

"Whoever, with a view to—

(a) avoiding making any deduction of additional wages and additional dearness allowance an crediting the

same to the Additional Wages Deposit Account or the Additional Dear-ness Allowance Deposit Account, as the case may be, or

(b) aiding or abetting any other person to avoid making any such deduction or credit, knowingly makes, or causes to be made, any statement or representation which he knows to be false or does not believe to be true.

shall be punishable with imprisonment..."

(Time bell rings).

देखिए मैं पहले नहीं बोला हूँ इसलिए आप घंटी न बजाइए। जो चेयरमैन उस समय बैठे थे उन्होंने हम को प्रेसिडेंट पर बोलने नहीं दिया और यह कहा था कि आप थर्ड रीडिंग पर बोल नेता।

उपसभाध्यक्ष (श्री बिपिनपाल बास) : टाइम बहुत कम है।

श्री राजनारायण : मैं सफाई के साथ कहूंगा कि मैं वह पाप नहीं करता चाहता कि यहाँ पर कुछ बोलूँ और बाहर जाकर कुछ कहूँ। जिन विधेयक को मैं गंदा समझता हूँ, जन विरोधी समझता हूँ और जो कुछ यहाँ बोलूँगा वही उस विधेयक के बारे में बाहर भी बोलूँगा। मैं अपने मित्र भूपेश गुप्त जो से आज बड़ा प्रसन्न हूँ क्योंकि उन्होंने दिल खोल कर बात कही है। मैं उनसे चाहूँगा अगर उनका एक्शन भी इसी प्रकार का रहे तो मेरी प्रसन्नता और बढ़ेगी। ऐसा न हो कि मित्रों की सहानुभूति प्राप्त करने के लिए संसद में कुछ बोल गए, क्रांतिकारी स्पीच दे दी और जब बाहर गए तथा सरकार को गिराने की बात आई तब कह दिया कि इसको गिराएंगे तो कौन आएगा। इसके ठेकेदार न आप हैं और न ही हम हैं। यह सरकार गन्दी है, यह सरकार अंधकार में है। इस अंधकार को हटाओ, प्रकाश अपनी जगह ले लेगा, प्रकाश अपना स्थान अपने आप ग्रहण कर लेगा। इसलिए मैं श्री भूपेश गुप्त से कहना

चाहता हूँ कि भूपेश जी, जो कहे हो उसी के तदनुसार अपने कदम उठाकर रखो, करना यह एक हिपोक्रेसी हो जाएगा। डेमोगागी और डेमोनेसी ये दो चीजें हैं। तो श्रीमन्, इसको आप वैज-फ्रीज कहिए चाहे लेज कट कहिए, चाहे बेज कम कहिए या भत्ता निवारण कहिये, जो भी ये तमाम शब्द हैं, इन शब्दों के प्रयोग करने का अर्थ यही है कि मजदूर का जो मंहगाई भत्ता बढ़ा है इस मंहगाई के जमाने में, उसको वह मंहगाई भत्ता न देकर आप उसकी समस्याओं का समाधान नहीं कर सकते हैं और जो यह सरकार कहती है कि हम मंहगाई भत्ता बढ़ा रहे हैं, उसके बारे में मैं इनसे ईमानदारी से पूछना चाहता हूँ कि तुम मंहगाई भत्ता क्यों बढ़ा रहे हो? जब आप उनको मंहगाई भत्ता दोगे ही नहीं तो मजदूर का मंहगाई भत्ता कहाँ बढ़ा। आज इनफ्लेशन या मुद्रास्फीति को रोकने का रास्ता क्या है? यह मंहगाई क्यों बढ़ रही है, जरा इसको देखा जाय। जो इनका उद्देश्य है उसमें ये कहते हैं कि अतिरिक्त मंहगाई भत्ते की संगणना के प्रयोजन के लिए उस मंहगाई भत्ते को जो ऐसे पद के संबंध में नियत दिन के पूर्व संदेय हो, ऐसे कर्मचारी को संदेह मंहगाई भत्ता समझा जाएगा। ऐसी हालत में यह साफ है कि यह मजदूरों के बेजेज में कटौती हो रही है। और मैं यह कहना चाहता हूँ कि यह विधेयक मजदूर विरोधी है और इससे मजदूरों की बेजेज में इस मंहगाई के समय में कटौती की जा रही है मैं ईमानदारी से पूछना चाहता हूँ आपके द्वारा श्री चव्हाण जी से और हमारे घर मंत्री जी से कि वह यह बतायें कि इस विधेयक को लाने की जरूरत क्या है? जब मजदूरों को मिलेगा ही कुछ नहीं तो आप यह क्यों कहते हैं कि हम मंहगाई भत्ता दे रहे हैं? आज हालत यह है कि मजदूर अपनी दैनिक आवश्यकताओं की ही पूर्ति नहीं कर पा रहा है और उसका जो रुपया आप जमा करेंगे वह इस सरकार से उसे कभी मिलेगा नहीं... (Interruption) मैं साफ कहना चाहता हूँ कि यह बिल जनता की गुमराह करने के लिए लाया गया है। इसलिए इस दृष्टि से मैं चव्हाण जी से विनम्रता से निवेदन करता हूँ कि इस कमरतोड़

[श्री राजनारायण]

मंहगाई में इस विधेयक पर बहस मत करो, ठीक रास्ता अपनाओ। अगर सरकार जनता की दयनीय स्थिति को समझती है तो उसकी वास्तविक कठिनाइयों को दूर करो और सीधे-सीधे प्राइस फिक्स करो। एंसेंशियल कमोडिटीज की, जीवन की आवश्यक वस्तुओं की कीमत तय करिये। जो पर्ण है, जिसको गुड्स कहते हैं, उसकी कीमत तय करो। श्रीमन्, मैं पिछले 8-10 साल से बराबर चिल्ला रहा हूँ कि यह सरकार एक कानून बना दे कि जीवनोपयोगी आवश्यक सामग्री की कीमत उसके बनने के बाद डेढ़ गुना से ज्यादा किसी भी हालत में नहीं होगी और अगर यही बात यह सरकार मान जाय तो बारबार जो मंहगाई भत्ता बढ़ाना पड़ता है, बारबार वेजेज बढ़ाने पड़ते हैं, वेतन बढ़ाने पड़ते हैं, इसकी जरूरत नहीं पड़ेगी। रोग क्या है और उसका निदान क्या है, यह बात यह सरकार नहीं जानती है। जो कारण है वही रोग है। लेकिन यह सरकार रोग को ही कारण समझती है और यही इसकी नीति रही है। इसलिए मैं आज के दिन को सबसे बड़ा दुःख समझता हूँ। अरे नहीं साहब, आप तो अगर ज्यादा बोलेंगे तो फिर जैसा कहा जाता है :
Speaker is he who speaks less.
 अगर आप ज्यादा बोलेंगे तो स्पीकर कैसे ?
 You should be a good Speaker.

तो मैं यह कहना चाहता हूँ कि इस सरकार का उत्पादन बढ़ाने की क्या कोई व्यवस्था है ?
 4 P.M.

THE VICE-CHAIRMAN (SHRI BIPINPAL DAS): You are going far away from the Bill.

श्री राजनारायण : अगर अनइम्प्लायमेंट को रोकना है तो इस सरकार को उत्पादन बढ़ाना है। उत्पादन बढ़ाने की यहाँ पर कोई योजना नहीं है।

THE VICE-CHAIRMAN (SHRI BIPINPAL DAS): Now, Prof. Swamy.

श्री राजनारायण : उत्पादन में वृद्धि करने की कोई योजना है ? इसी के साथ साथ मेरा यह कहना है कि सरकार ने . . .

SHRI NIREN GHOSH : I want to speak...

श्री राजनारायण : आप तो यह मजाक कर रहे हैं। यह सदन है, इस सदन में यह विधेयक है। यह कोई रिजोल्यूशन नहीं है कि दस-पाँच मिनट में कह दें। अभी तो हम 8 मिनट भी नहीं बोले हैं . . .

THE VICE-CHAIRMAN (SHRI BIPINPAL DAS): But I have decided that you should conclude.

श्री राजनारायण : आप डिसाइड करेंगे ?

उपसभाध्यक्ष (श्री बिपिनपाल दास) :
 बस अब छोड़िए।
 Please complete now. I am calling the next speaker.

श्री राजनारायण : अभी तो हम जनरल डिसकशन में आए हैं, अभी हमारा कोई पॉइंट नहीं आया है। इस तरह से हम तैयार नहीं हैं। जब यह विधेयक मजदूरों को मारेगा, तो हमको भी मारेगा। मैं आज इस विधेयक पर इस तरह से बैठने को तैयार नहीं हूँ। मैं आज समय की पाबंदी मानने पर तैयार नहीं हूँ क्योंकि यह विधेयक मजदूरों का गला काट रहा है, क्योंकि यह विधेयक उपभोक्ताओं का गला काट रहा है। यह विधेयक बचा किसको रहा है ? मंत्रियों को। अगर सरकार को मंहगाई रोकनी है, बेरोजगारी रोकनी है, तो मैं सुझाव देता हूँ। अगस्त 1947 के पहले जिन जिन मंत्रियों की आयदनी बढ़ी है, यह सरकार उनके ऊपर . . .

उपसभाध्यक्ष (श्री बिपिनपाल दास) :
 राजनारायण जी, सुनिए। यह अच्छी बात नहीं है। बार बार आप वही बात कांटीन्यू कर रहे हैं, फिर कोई नया पॉइंट निकाल रहे हैं। आप खत्म कर रहा हूँ कहते हैं फिर हजार पॉइंट निकाल रहे हैं।

श्री राजनारायण : यह क्या ? भूपेज गुप्त के लिए कुछ चलाना, हमारे लिए कुछ और चलाना ?

उत्तरमाध्यम (श्री विपिनपात्र दास) : भूषण जो ने कितना समय लिया ?

श्री राजनारायण : 10 मिनट लिया। अगर हमने ज्यादा समय लिया हो तो मैं बैठ जाऊंगा।

उत्तरमाध्यम (श्री विपिनपात्र दास) : आप बैठ जाइए।

श्री राजनारायण : मैं बैठ जाऊंगा। अगर as a presiding officer you should not say like this. अगर भूषण गुप्त ने 10 मिनट लिया और हमने 12 मिनट तो मैं बैठ जाऊंगा। Let the Secretary say.

तो मैं यह कहना चाहता हूँ, जिन जिन मन्त्रियों का विदेशों में बैंक भ्रमण है, उन बैंक भ्रमणों को यहाँ पर मंजूर लेना चाहिए। जिन लोगों ने अपने मंत्री पद का दुष्प्रयोग करके धन बढ़ाया है, चोरबाजार से कमाया है, काले धन का इस्तेमाल किया है, उनके धन को लेकर पूरी तैयारी से काम करना चाहिए ताकि बोल न पड़े। मैं कहना चाहता हूँ काले धन को, जिसके बारे में पहले बोलने वाले ने कहा है, 15,000 करोड़ रु० के करीब काला धन है जिससे पैरेलल गवर्नमेंट, समानान्तर सरकार, बनो है काले धन को, उस काले धन को निकालने की कोशिश होनी चाहिए। उसको निकाल कर काम होना चाहिए। नहीं तो इस ढंग से साढ़े 4 करोड़ रु० मजदूरों का गला काट कर जो धन बढ़ने का सरकार प्रयास कर रही है यह सरकार का दुष्प्रयास है, यह कलंक है, यह काला काम है। क्यों नहीं सरकार इस काम को करती—माननीय मंत्री जो उत्तर दें—मैं यहाँ तक कहने को तैयार हूँ कि संसद सदस्यों की सैवरी आधी कर देनी चाहिए, संसद सदस्यों का भत्ता आधा कर देना चाहिए। उसी के साथ साथ जो बड़े बड़े कर्मचारी हैं, एक कानून बना देना चाहिए कि महीने में 1,000 रु० और 1,500 रु० से ज्यादा कोई नहीं पाएगा, चाहे वह भत्ता हो चाहे वह तनखा हो, या कुछ और सूलियत हो। सब मिलाकर षेड़ हजार रु० से ज्यादा किसी को न मिले जब तक देश की स्थिति न सुधरे, दैनिक या वार्षिक आमदनी न बढ़े।

मैं श्रीमन्, आपके द्वारा पूछना चाहता हूँ जो हमने उदाहरण दिया था एक हफ्ता पहले कि 116 रु० साल हमारे यहाँ बस्ती जिना के मजदूरों की श्रीमन् आमदनी है—तो वह क्या खाएगा ? क्या वह इन्तान नहीं है ? मजदूर होकर मानाएँ बच्चों को गिरवी कर रही है, मानाएँ अपने बच्चों को बेच तक रही है। आज गोबर से गेहूँ निकाल कर खाया जा रहा है, उसमें से दाना निकाल कर खाया जा रहा है, और यह सरकारों टैक्स बढ़ता जा रहा है मुश्किल राखसी की तरह।

श्रीमन्, आज कश्मिर खोदे जा रहे हैं और उसमें जो समान पड़ा हुआ है, उसको निकाला जा रहा है और उसको निकाल करके खाया जा रहा है। एक तरफ तो हम तरह की दयनीय स्थिति है और दूसरी तरफ अध्यामी और भोगविलास है। अब आप ही देख लीजिये कि जब हम किसी मंत्री को टेलीफोन करने हैं, तो हमसे कहा जाता है कि वह दिन पर गया है। आज मंत्री रोज दिन पर जाने रहते हैं, तो उनके ऊपर क्यों न टैक्स लगाया जाये। उनको जो अनेक प्रकार की सूलियतें मिली हुई हैं, मुविधाएँ मिली हुई हैं, उनको कट क्यों न किया जाय ? आज मजदूरों का वेतन क्यों काटा जा रहा है और क्यों मजदूरों का वेतन रोका जा रहा है ? आज वह एक बड़ा सवाल है और जीवन-मरण का सवाल है।

THE VICE CHAIRMAN (SHRI BIPIN-PAL DAS) : You have now taken 15 minutes.

श्री राजनारायण : यह तो जीवन मरण का प्रश्न है। यहाँ पर 15 मिनट और एक घंटे की बात नहीं है। यहाँ पर तो जीवन मरण का प्रश्न है और इस ढंग से सदस्यों को समझना होगा। सरकार को समझना होगा। घर मंत्री और वित्त मंत्री को भूल जाओ क्योंकि यहाँ कोई तुंगवको परमान नहीं है, कोई वादशाहित नहीं है, कोई एकतंत्री शासन नहीं है। अगर प्रजातंत्र है तो प्रजातंत्री प्रणाली चलेगी, जनतंत्र की व्यवस्था चलेगी और जनतंत्र में एकतंत्री नहीं चलेगा।

[श्री राजनारायण]

मैं आपके द्वारा और आपके प्रति सम्मान प्रकट करते हुए इस सरकार से कहना चाहता हूँ कि वह इस काने विधेयक को वापस ले ले। उसको पास कराने के लिए वह संस्था के मुर के बल पर संस्था के आयुरी के बल पर मुरसा की तरह भ्रष्टाचार की यह सरकार हटवादिता न करे। बरना मुरसा का विनाश हुआ, लकनो का विनाश हुआ, पूतना का विनाश हुआ, हालिका का विनाश हुआ, यह सरकार रूपी हालिका, यह सरकार रूपी लकनी और सरकार रूपी मुरसा का भी नाश होगा।

श्रीमन्, मैं आपसे साधियों से कहना चाहता हूँ, मजदूर और दोस्तों से कहना चाहता हूँ कि वे सब लोग संगठित हो जायें और इस काने विधेयक का विरोध करने के लिए जनता की जनशक्ति को संगठित करें और उसके लिए अभी से तैयारी करें। इसके जो भी नतीजे होंगे उसे सरकार को झेलने होंगे क्योंकि यह सरकार मनुष्य का रक्त चूस चूस कर और हड्डी मज्जा को चूर चूर करके छोड़ देना चाहती है। इसलिए हम इस काने विधेयक का घोर विरोध करते हैं। और आपका सम्मान प्रकट करते हुए बैठते हैं।

SHRI SUBRAMANIAN SWAMY : THIS Additional Emoluments ...

THE VICE-CHAIRMAN (SHRI BIPIN-PAL DAS) : I hope you will not compete with him in regard to time.

SHRI SUBRAMANIAN SWAMY: I will not seek any more privileges than what the two Members have done.

SHRI RAJNARAIN: If you request the Chair, he will accede.

SHRI SUBRAMANIAN SWAMY: This Bill is indeed one of the worst crimes, in my opinion, perpetrated against the working class of this country. When we discussed the Budget in this House, the Finance Minister was categorically asked by me whether the Budget deficit would be Rs. 125 crores as he said. The Finance Minister also categorically said that it would be about that. Now, we have come to

a situation where even after the new taxes and new measures, the Budget deficit is going to be at least Rs. 270 crores. It is in this context that the Ordinance came; it is in this context that this Bill to replace the Ordinance has been placed before the House. Why is it that the Government picked up 18 million workers of this country, in the urban sector? What crimes have they committed? Have their wages gone up? In this House, the Labour Minister said in reply to a question that the wages of labour today, in their competition with the cost of living index, are 1 per cent lower than they were 10 years ago. And if you go by the correct index whereby waging is proper, whereby labour is given its proper wage, then the wages of labour today are 15 per cent below what they were fourteen or fifteen years ago. Or, it is the Government's position that while in other countries wages are coming down and in our country they are not coming down enough? That also is not correct. In every country, without exception, in the last 25 years, wages have risen at least by 100 per cent. And here in India wages have dropped by 15 per cent. Or, is it that wages are becoming a bigger and bigger fraction of production and value added and so we must now curb the share of wages, the amount of money given to the workers? Here again the facts show that the share of wages in value added has been consistently coming down. According to Reserve Bank statistics, the share of wages in production and value added has also come down. The share of wages in value added in 1950-51 was 55 per cent. Today it is 38 per cent. At the same time, the share of management, excluding perquisites, has gone up from 2 per cent to 14 per cent. Here again, labour cannot be held responsible. Labour goes on strike for additional wages and this is bringing down industrial production, can this be a reason? Again this is not a reason. You look at the facts. At the most, 10 to 15 per cent of the man-days lost in industry is due to the workers going on strike for higher wages. So, that again is not true. I have read the Prime Minister's speech in Bangalore. [do not know whether she wrote it herself]

or somebody wrote it for her—more likely somebody wrote it for her. She talked about wages and productivity. An impression is being created that somehow the productivity of the workers is not going up, but wages are going up much faster. I may say that the productivity of the workers has gone up since 1950 consistently at an annual average rate of 3 per cent, but wages have not gone up correspondingly. If we pay the workers according to their productivity increase, then they are due for a minimum increase of 70 per cent in wages just to compensate them for the increase in productivity. At the same time, surprisingly or not so surprisingly when you look deeper, the productivity of capital has gone down by 6 per cent per year, and excess capacity is growing and there is unemployment among the labour force. I can understand a country where there is excess capacity but they have not enough people to run the industries. For example, in Uganda, we are told, there are lots and lots of factories, but there are not people to run them, some Indian people were running them but they have been kicked out. Or, I can understand a situation as in Indonesia where there are lots and lots unemployed labour force, but there is no industrial capacity. India is the only country in the world which has both unutilised capacity—on a three-shift basis, at least 80 per cent—and 4-1/2 crores of unemployed workers, 20 per cent of your labour force. So here again this cannot be held as a reason against the workers. Or, it is perhaps that the other sections have not improved as fast as the organised sector? That again is not true. The Pay Commission itself says that the maximum-minimum income ratio in the organised sector was 1 : 5 in 1950 but it was 1 : 18 in 1970. So, why is it that they picked on labour? Why is labour held responsible for the present situation? I know they picked on labour because it is a convenient scapegoat for them for every economic failure. I am sorry the present Finance Minister has not lived up to the reputation which he built for himself in

the Home Ministry. Perhaps, I am told, 42

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he is due for a transfer. That will be a very good thing because in this Ministry consistently since he came to hold this office, things have got worse and worse. I do not know if they can find somebody else in the party, within the structural constraints they are operating, to put things right. It does not seem so. Obviously, therefore, some excuse has to be advanced; so, put the blame on labour.

In this House the Railway Minister had said that the bonus demand of the railway workers, if conceded, would cost Rs. 450 crores. The factual situation is, it would cost only Rs. 40 crores. The total wage bill of the workers in the Railways is Rs. 480 crores and one month's salary comes to Rs. 40 crores. Now, even if we accept the wild estimate of the Railway Minister, they have ended up by spending Rs. 600 crores—it cost the Indian economy Rs. 600 crores—so that they could deny the railway workers the right to get Rs. 450 crores. Even if you had given them Rs. 450 crores—you do not have to give Rs. 450 crores; you have to give only Rs. 40 crores—they would have been working with a great deal of enthusiasm and production would have gone up, and you would have saved at least Rs. 150 crores which we have now lost for ever because of the policy of the Government. Today, it appeared in the newspapers that the present privileges that the Air India Pilots are enjoying amount to Rs. 75 lakhs. The Government must take them away and in order to take them away, they are willing to forego 5 crores of rupees which will be a loss for ever to the economy because these 5 crores of rupees could have been invested. (Time bell rings) I must say that this is indeed a very sad day that we have passed such an infamous, dark, dirty and mean-minded Bill. I am really very sorry on behalf of the working class.

SHRI NIREN GHOSH : Sir, this is the blackest measure ever going to be passed by parliament since Independence. This is being passed by a Government which

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are a minority in the people, though in the Parliament they may be in majority. This is a Bill passed on utter falsehood in order to befool the world that it will fight inflation. No. It will increase inflation. It will not deflate. It will inflate.

I will now give some of the figures and ask the Vice-Chairman to bear with me a bit because I have not spoken in the first reading. The share of the salaries and wages in the gross value of industrial production in the manufacturing sector was only 14 per cent in 1970. The position has not changed since then. According to the annual survey of the industries, salaries as percentage of value added by manufacture declined from 55.8 per cent in 1961 to 53.3 per cent in 1969. According to the National Labour Commission, per capita productivity of workers increased by 63 per cent between 1952 and 1964. The real wages remained static during the same period and afterwards the index of real earnings fell from 103 to 99 in 1971. On the other hand, fantastic surpluses have accumulated with the large monopoly houses. For example, the I.C.I. had 3 crores of rupees in 1970, Rs. 2.50 crores in 1971 and Rs. 7.50 crores in 1972. The profits of Shaw Wallace companies increased by more than 90 per cent in 1973 compared to 1972. During the period from July 2, 1973 to July 12, 1974, the wholesale prices of cereals increased by 42 per cent, the price of wheat by 65 per cent and the retail price of all the commodities by 100 per cent. The Government does not give any guarantee that the impounding—of course, it means cut—will lead to automatic containment of inflation. In fact, the price rise is taking place everyday. Inflation is taking place everyday in spite of this ordinance. As it is, the real earnings of the working class have fallen by 4 per cent from 103 to 99, as I said earlier. This is the position. Monthly wages of cotton textile workers have gone up by 6 per cent from Rs. 283/- to Rs. 300/- whereas the index for Bombay

has gone up by 20 per cent. The All-India Consumer Price Index has reached 294 points in 1972 showing a rise of 50 per cent over the index two years ago.

Money supply in 1972 increased by 17 per cent, that of wholesale price by 13 per cent; in 1973 money supply rise by 14 per cent, but wholesale price by 24 per cent *i.e.* price rise does not depend on volume of money supply. The whole basis of the Bill is, therefore, wrong.

The Economical and Political Weekly of Bombay has observed. The Government apparently felt that it would not be able to sell this obnoxious Ordinance which amounts to a partial wage freeze to Government employees as well as the organised working class in the public sector and private sector without taking some measures seemingly directed against the richer sections ; hence the temporary Restriction on Dividends Ordinance.

I have given some figures. This theory of wages chasing prices is absolutely bunkum. This is a theory started by the Government deliberately. Whatever price rise is there is as a result of inflation. It is following inflation. It is not due to wages that prices have gone up. I have proved it to the hilt. Now the victims of inflation are further victimised so that nothing remains to them.

Perhaps Government think that they are witnessing the twilight of the working class movement after the Railway strike. Well, it might well be that we are living in the twilight of Indira Raj *i.e.* directly opposite thing might be true as well. Let them ponder over it. How did this Bill come about ? Does Mr. Chavan know about it ? Does Mr. Jagjivan Ram know about it ? Does the Home Minister know about it ? None. Behind their back, the Cabinet Secretariat and the Prime Minister had something to do. After Indira Gandhi's meeting with Kissinger in Tehran, the green signal against the working class was given. The green signal was to crush the Railway strike. You could have given them

Rs. 150 crores. But you lost Rs. 2,000 crores. The understanding was that let loans flow and let foreign private investment flow. And this Bill is U. S. Indira product in order to crush the working class. It is a hybrid product. That is what we have come to. They do not know it. Now there is only one person in the Government *i.e.* Shrimati Indira Gandhi. All others are show pieces. You are a show piece. Jagjivan Ram is another show piece. All others are show pieces. Nobody counts in the Government. This is one-person Government. She, directly with the help of the Cabinet Secretariat, gives one explanation today ; another explanation at some other time, modifies the Ordinance on another day. All these things he does not know even. Yet, he is supposed to belong to the Congress High Command Mr. Chavan is supposed to belong to the Political Affairs Committee. A wonderful lot. Wonderful Government you are running. Now, this Ordinance has been promulgated. Even at this stage, the final stamp of approval is taken illegally because you do not represent the majority of the people. The minority is seeking to crush the entire Indian people. The passing of this measure is not done in a democratic way. This is not a democratic procedure at all. Do you think that the people will tolerate it ? All these measures are to stop inflation. I will echo the voice of Shri Bhupesh Gupta.

Smt. Maragatham Chandrasekhar one of the General Secretaries of the Congress, introduced a blackmarketeer to the Food & Agriculture Minister Shri Fakhruddin Ali Ahmad, now President of India. So the President should not give assent to this Bill. But has he the moral courage ? But I know that he is only a rubber stamp. I know that he is only a rubber stamp and he will act as such. I tell him that this President is a rubber stamp.

SHRI OM MEHTA : Sir, he should not speak about the President like this.

AN HON. MEMBER: Sir, he should not have spoken like this.

SHRI NIREN GHOSH: What you should not have done and what you should do—these have been made abundantly clear to the whole world. Now, what about the working class and what about the people? The entire working people have been attacked. There will be a struggle, defensive and offensive, constitutional and unconstitutional, legal—you may call it legal; but in our view it is illegal—and this will continue. You have lost about two thousand crores due to the railway strike and you have brought the economy to shambles. It might well be that you will lose another two thousand crores. Well, the US is giving you a long rope and perhaps, these Bills, these black Bills, that you are passing form the long rope that is being given to you to hang yourselves with. We will watch how you hang yourself and we will watch and the people will watch. The people and the working class will give you a helping hand and will give you a longer rope to hang yourselves with. There is no doubt about that at all.

Now, there will tie a fight against the taxes, against the indirect taxes, against the new railway imposts on the common people through the new Budget, the new Income-tax and so on. Food riots will take place in the country. Already there are deaths and starvation deaths are being reported. There will be struggles for land. Sir, there is rampant corruption. This Bill can only be cleared by that person whose daughter-in-law and whose son, Rajiv, have built a 5-star hotel in Italy with the help of the black money of the Prime Minister. I accuse, I accuse her. In the name of Sonia it has been done. Only such a person can clear such a Bill.

THE VICE-CHAIRMAN (SHRI BIPINPAL DAS): Please wind up now.

SHRI NIREN GHOSH: These diverse struggles will converge together and form the onrushing current that will swept away stinking debris that is called the Government. Let the curse of the entire people of India be upon this Government, this

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anti-Indian, reactionary, extremely reactionary, right reactionary, Government. Let the curses of the people be upon this Government.

SHRI N. G. GORAY (Maharashtra): Sir, it seems that the battle is launched from now on and the fate of this Bill will not be decided in this House, but will be decided outside ...

SHRI NIREN GHOSH: Yes. That is why I have not moved my amendments. Let me tell you, I will move my amendments in the fields and the factories.

SHRI N. G. GORAY: Sir, I have been patiently listening to this debate and I had expected that from the Government side at least one or two Members will get up and really give a good defence for this Bill. But I was very much disappointed. The only good speech that came was from Mr. Manubhai Shah. But I would like to point out that the major thrust of his speech was in favour of more and more agricultural production. Even his eloquence was not adequate to convince us as to why this particular Bill had been submitted for the consideration of this House. Sir, my friend, Mr. Rajnarain, tried to compare the present Government with Mohamad Tughlak. Then he said that it was like an ostrich. But I won't subscribe to that view, because Mohammad Tughlak was a mad man. This Government is certainly not mad. Ostrich is known for its blind policy of not seeing what is ahead. I do not think this Government is blind. This particular policy has been adopted with a certain deliberate objective, and we have been told, Sir, that this is part of a package programme to fight inflation. This is exactly what we are trying to understand : Where does the workers and their emoluments come in ? Are they the cause of inflation ? Or are they the victims of inflation ? I heard, Sir, that the Government themselves admit that workers are not the cause of it. If you admit that they are not the cause they are the victims, why is it that you try to penalize the workers? Why is it that you are trying to cut their wages ? Why

is it that you are trying to mop up something from their hard-earned earnings? Nobody has given me a satisfactory explanation ...

SHRI RAJNARAIN : Out of madness ...

SHRI N. G. GORAY: I thought that perhaps the Government has, because of the developing and enveloping crisis, lost its bearings. It has tried to fight everybody. It is seeing devils and monsters on every side ...

SHRI RAJNARAIN : That is madness ...

SHRI N. G. GORAY: Where the monsters are, they do not locate them. If they locate them, they do not deal with them. They are trying to catch these imaginary monsters who, in their opinion, are adding to the inflation.

While I was listening to this debate, when I tried to understand the arguments, I was reminded of two world famous characters in a world famous novel written by Cervantes about Don Quixote and his friend, Sancho Panza. They were good people. Honourable people. People with high objectives. They wanted to rid this world of monsters and devils and bad elements. And, therefore, in their enthusiasm, they tilted at the windmill. This is what this Government is doing. That has amused me. The whole Cabinet knows fully well that it is black money, it is the smugglers, it is the profiteers, it is the hoarders, who have brought about a complete collapse of our economy. Sir, the Finance Minister is on record as having said that it is the parallel economy that is ruining this country. Sir, two or three days back the Home Minister of Maharashtra said in the State Assembly that when they asked the Central Government for powers to check the activities of smugglers the Central Government do not give them enough powers. That is his statement as reported in the Press. You know the western coast of Maharashtra is a wonderful land for smugglers ; it is a paradise for them. So is the Gujarat coast. You must be reading that raids are being carried out and crores of rupees are being unearthed.

Therefore, I would like to plead with this Government—I do not want to curse you, I do not want to abuse you, but I want to plead with you—why is it that you are hitting an element which is the most important element in the whole of our industrial sector, namely, the workers ? What will you gain by hitting them ? What will you gain by making it impossible for them to live in an honourable way ? What will you gain by compelling them to take a position of confrontation ? We are now discussing and passing this Bill. Only two days back, almost all the Central Trade Unions came here, excepting those belonging to the INTUC and AITUC, and decided to take up this challenge. Is it this situation that you are working for ? If you are going to gain about 450 crores of rupees by these measures, I am sure that if throughout India a chain of strikes, conflicts and confrontations comes up, then you will be losing thousands of crores of rupees. The whole economy will be crippled and it will be a sorry state of affairs.

SHRI BHUPESH GUPTA: They will be able to suppress them with the D.I.R. and MISA.

SHRI N. G. GORAY : I do not know. I do not think they have got such dreams. I do not think that this is their plan. They might have suppressed the railway strike. But they cannot suppress the entire trade union movement in this country. It is not possible. Therefore, I would like to know that when the whole economy has come to a standstill and stagnation with not more than 1 per cent of the growth rate per annum, what are you going to gain by this measure ? If you had left the workers alone and if you had approached them and told them that this was the state of the economy and unless all of us put our shoulders to the wheel, we could not rescue the economy, it would have been different. But instead of taking this approach, accepting this policy of persuasion, conciliation and striking a brotherly and fraternal attitude, you are saying, "All right,

we know that you are hard hit, but we want to hit you harder." This, is something that I am not able to understand.

Sir, I had hoped that those progressives in the Congress who follow the Marxist ideology in the Congress and those who have entered the Congress to change it from within would raise their voice. There are quite a few such people in the Congress because almost all the parties of the left have lost to the Congress. The voices of those who went and joined the Congress in order to attack it from inside instead of attacking it from outside seem to have been muted voluntarily or because of compulsion. But I must tell you that those of my friends who are still radicals and who believe in progressive ideologies, are committing a sin by keeping quiet. There is a time when people must assert themselves, no matter which party they belong to. This was a time when they should have got up and said that this was a wrong policy and a counter-productive policy. This is a self-defeating and self-stultifying policy. Instead of saying that, they are keeping quiet and they seem to be very happy that they were going to pass this Bill in spite of the opposition. You will pass this Bill. But, at what cost ? I want Mr. Chavan to count the cost. He is a very cautious man. I know that. But I do not know what has happened to his caution. He has always been cautious. I know that because he has dealt with us in Maharashtra. He has tried to understand the other man's point of view. He is not a man of conflict. He is a man of peace. But what has happened to him ? I do not want to say any harsh words because they will not bring any dividends. But again and again, I will try to tell you that if you just look at it, the best remedy to meet the situation was to look towards production. There are any number of sectors that I can point out where we are losing production in thousands and millions of tonnes because our factories and our plants are not working. Sir, I will just tell you, for instance, about electricity. Because our thermal stations are not properly maintained, because they are not running to capacity, we are losing thousands of tonnes of

[Shri N. G. Goray] saleable steel. And why ? Is it because there is no skill in the country ? There is enough skill in the country. The Tatas are producing twice as much electricity per installed kilowatt hour of what we are producing in our public sector undertakings. Why can't it be done ? The shortfall in electricity affects production all along the line. And the shortfall is there in fertilizers, it is there in coal production, it is there in paper, it is there in cloth, it is there in yarn. And everything is going down. Why don't you approach them, why don't you ask the officers and technocrats to see that this production of power will be maintained ? If you do that, then you will find that there is no need to nibble at the little income that the workers are getting every year, every month, and every week. But you are approaching the whole thing from the wrong end. You are not trying to optimise production. Because the production is less and it is not to its capacity, you find that there is a shortfall. Because of the shortfall in production, prices rise and to check the prices, instead of increasing the production you are hitting the workers who are working in the factories.

Then, Sir, we come to the smugglers. This is not what the opposition papers are saying but everyday you will find that this thing is appearing in the press. I have got a copy of the Hindustan Standard of Thursday, the 29th August, 1974. It says, "Black money blooms ..."

That is about Calcutta. The skyline of Calcutta is changing. You are investing crores of rupees. But who are owning the big flats, the big skyscrapers ? It is the blackmarketeers. So, Mr. Chavan, it is there that you must hit. These are the monsters who are making it impossible for us. It is they who are cornering sugar, it is they who are cornering cloth and everything. You say that this measure is for checking inflation. While you are talking of checking inflation, right in Delhi, sugar is being sold at Rs. 6 per kilo. And the grocer tells us to buy ten kilos. When we ask, why, he says that after a week or two, it will be Rs. 10 per kilo. They

openly tell us this. If I were to say, if the Opposition were to say, "Why is it that you are leaving 30 per cent of sugar output for the open market, you bring that entire production under levy, give us a ration and do not allow anybody to sell in the open market," we can live without sugar, we can live with a little sugar. Countries have done it—in England for five years, not for one year but for five years, people were going on with a spoonful of sugar per day. Let us do that sacrifice. You make an appeal to the entire country. And I am quite sure everybody—because they are patriots—would respond to it. But you deliberately allow 30 per cent of sugar to remain in the open market with the result that it is sold at Rs. 6 per kilo. This is where the black money is accumulated. Those six rupees are not going to be accounted for. So, there are innumerable ways of dealing with inflation provided you want to do it. If you want to hit the common man, then I tell you, Mr. Chavan—I think it is not deliberately but unwittingly, perhaps—you are creating a situation of crisis in this country. That crisis is already there. Let not that crisis develop into a catastrophe. That is what I want to say. You can yet save the situation. Even if the Bill is passed, you can say that it is kept in abeyance. You can do that. But for God's sake, don't throw a challenge to the working class. I do not know whether your triumph over the railway workers has made everyone of you swollen-headed. You think that you put down the railway workers, so you can put down every worker who tries to raise against your policies.

But, do not do that. If the entire working class decides to confront you, I do not know whether they will succeed or not. But, I am quite sure that they will completely paralyse the whole economy of the country and this will be a penny wise and pound foolish policy. For God's sake do not follow this policy. That is all that I want to say.

HRI BHUPESH GUPTA: Sir, in protest against this measure we all walk out. (Interruptions).

श्री ओउम् प्रकाश त्यागी : इसके विरोध में मैं अपनी पार्टी के सदस्यों के साथ वाक-घाउट करता हूँ।

श्री राजनारायण : इस बिल के समर्थन में श्री यशवंतराय चव्हाण के भाषण को सुनने के लिए इस सदन में रहना इस सदन का अपमान है और इसलिए मैं सदन का त्याग करने जा रहा हूँ।

SHRI N. G. GORAY: Sir, I would like to listen to Mr. Chavan, but I will first go out.

SHRI Y. B. CHAVAN: You do not want to isolate others.

(*At this stage some lion. Members left the Chamber*)

SHRI Y. B. CHAVAN: Mr. Vice-Chairman. Sir, this House has considered (his Bill for more than, I think, 7-8 hours. They have gone into the details of all the clauses and moved many amendments and now, again, on the third reading, we have gone into some problems that were examined at the time of the first reading.

Sir, one point which the hon. opposition Members tried to emphasise—I think there seems to be some sort of a wrong impression in their mind and they are working under some sort of an obsession, if I may say so, I do not like to use strong words, but there is some sort of an obsession—lhat this is something which is meant to be an operation against the working class. Sir, I would like to emphasise humbly with all the humility at my command and to repeat the same thing that I have said in reply to my speech to the first reading, that this is not an attempt at wage freeze or wage cut. I have heard hon. Member Shri Goray also just now and I am really surprised as to how it can be called a wage cut or a wage freeze. Sir, the basic point about wage freeze comes up when one starts thinking that all wage negotiations are stopped. We

have not even indirectly tried to indicate anything in that direction. On the contrary, we have said that they are certainly and completely free to carry on their wage negotiations.

The formula on which the increase in the dearness allowance is accepted for the Government employees as a result of the recommendations of the Pay Commission has been protected. As far as the agreements of other employer-employees are concerned, they are also protected. What exactly has been done is that in case of the additionality of the wages and in case of the additionality of the dearness allowance, which would be sanctioned after a certain appointed date, those will be put into an account as the saving of the workers. This is not a wage freeze. Certainly, there is an element of compulsion for saving the money which will be returned to them after some time with an increased rate of interest. Can this be called a wage freeze or a wage cut? We have never said that, this is because inflation is the result of anything that the workers have done. We have never said that. On the contrary, we have said and repeatedly said that this is because a certain situation has arisen in the economy whereby there is a shortage of wage goods and when there is a shortage of wage goods and when there is a pressure on demand, naturally the people who suffer most are the people belonging to lower income groups, that is, the working class. That is why I said the working class is the first victim of this inflationary pressure. Now, if they are to be protected, the only way to protect them is to stabilise the prices or to see that the rate of increase of the rate of inflation is controlled, at least, to some extent. This is exactly what we want to achieve.

If this is to be achieved, then, Sir, as far as I see—I expected this from an economist like Prof. Swamy—this has to be done and this can be done by certain efforts, certain steps that we have taken on the side of money supply. It is not only the working class we are tying to appeal to and asking

[Shri Y. B. Chavan]

them to save money on this account. We are asking the income tax payers also. We will be considering another Bill immediately after this Bill is passed. We have taken certain steps in the field of dividends also. Sir, we have also taken steps in resource raising. There we are also trying to raise the prices of some rare commodities which are a cause for black-marketing—as the hon. Member has said, some sort of a windfall income to many classes—and we are trying to share with them. So, every-time the question is brought about black money and smuggling and what we are doing about it. I am prepared to discuss it. I wish I had more time to go into these things and you have got patience to listen to all those details. But I have repeatedly said this thing, that if at all we have to deal with the question of smuggling and black money—as I have said we have a Parallel economy—it is a very well spread-out affair, a very deep-rooted affair. If we have to deal with this problem we will have to deal with it at every level of the economic activity—at the production level, at the distribution level and so on. For that matter, we have said whatever steps we are taking—administrative steps and legislative steps. The only thing we have not agreed to is their demand for demonetisation. I do not want to go into the question of demonetisation every now and then and repeat the same thing; it is a separate question. I will have to deal with other problems.

As far as the question of creating a le*r in the minds of those people who are taking advantage of these, administrative steps are being taken : The series of raids that we are organising in the different important cities are also giving results. As far as smuggling activity is concerned as the hon. Member Shri Goray himself has said, practically in all the important coastal cities steps are being taken. He mentioned about a statement made by the Home Minister of Bombay. I have not seen that statement but I would like to tell him that there is no question of giving any additional powers to such. As a matter of fact, I had discussions—very detailed discussions—with the

Chief Minister and Mr. Sbarat Pawar. What they wanted was that there should be some sort of an organised co-operation between the State machinery and the Central machinery. I have accepted this in principle but it cannot be done only in the case of one State; this organisation will have to be done in the case of all the coastal States and, for that matter, I will have to prepare a scheme. I have told him that I will have to prepare a scheme and get it sanctioned by the Cabinet; I just cannot act off the cuff or act as a Minister individually. We are examining this matter. Even today, as far as the law is concerned, they have got all the powers to act. It is not as if we have to give some more powers to them. Even they were acting years before; the State Police themselves organised certain raids in helping the Central authorities; they can do it even now. But they wanted some sort of additional co-operation so that they can do it in a planned manner and that is a very understandable proposition on which we are working—as to how we can improve that. So, Sir, these efforts are being made.

Now the question is, whether we want any confrontation with the workers. None at all! We do not want a confrontation with the working class; it is not our intention. But if other people are finding an opportunity to organise a confrontation, well I would say that will be a bad for India. Is this the way of fighting inflation?—Only because they are in a position, in an organised way, to paralyse the economy. If they say they certainly would like to do it and ask "What will Government do?", to say what Government will do, I think, will be to bring some sort of wishful thinking in the matter. I only wish, if one has at all to do wishful thinking, the leaders of the working class will not tend themselves to go in that direction.

This is all that I can say. Certainly we are also people working in the working class. Naturally it is not enough to pass a legislation; I quite see that point. It will be our duty to go round and tell the working class and explain to them what exactly is being done for them. This is not a wage

freeze; this is not a wage cut; this is not a fight against the working class. We want the co-operation of the working class in this important matter. We will tell them of the other steps that we are taking; we will continue to do that. It is not our intention to fight the working class; we want the co-operation of the working class. This is all that I want to say at this stage.

THE VICE-CHAIRMAN (SHRI BIPIN-PAL DAS): The question is—

That the Bill be passed.

The questions were proposed.

**I. STATUTORY RESOLUTION
SEEKING IS APPROVAL OF
COMPULSORY DEPOSIT SCHEME
(INCOME-TAXPAYERS) ORDINANCE,
1974, (NO. 10 OF 1974)**

**II. THE COMPULSORY
DEPOSIT SCHEME (INCOME-TAX
PAYERS) BILL, 1974**

SHRI SUBRAMANIAN SWAMY (Uttar Pradesh): Sir, I move—

"That this House disapproves the Compulsory Deposit Scheme (Income-tax Payers) Ordinance, 1974 (No. 10 of 1974), promulgated by the President on the 17th July, 1974."

Sir, this House has already discussed piecemeal two Ordinances and the Finance Bill and in each case the Finance Minister told the House that we should not look at the matter in isolation, that we should look at the whole picture and the object of all these Bills and Ordinances is primarily to control inflation. I think it has now become quite clear that the Government is not primarily interested in controlling inflation so much as to create a feeling that they are trying to do something about it. I disapprove of this Ordinance and I would like this House to vote for disapproval on three grounds. Firstly, the Ordinance is ill-conceived. Secondly, its consequences are disastrous. If the objective was to

control prices, then two days ago there was a graphic chart in the Indian Express...

THE VICE-CHAIRMAN (SHRI BIPIN-PAL DAS): Order please.

SHRI SUBRAMANIAN SWAMY: If Members are not in a mood we can have it tomorrow.

AN HON. MEMBER: Tomorrow is Sunday.

SHRI SUBRAMANIAN SWAMY: We can have it the day after. There is no need to rush through.

SHRI KALYAN ROY (West Bengal): Sir, I entirely agree with Mr. Swamy; we can take it up on Monday.

THE MINISTER OF STATE IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI OM MEHTA): I am sure Mr. Kalyan Roy knows that even if we have to sit late we have to pass this Bill today.

DR. K. MATHEW KURIAN (Kerala): Let the Ordinance lapse; what is the harm?

THE VICE-CHAIRMAN (SHRI BIPIN-PAL DAS): You continue, Mr. Swamy.

SHRI SUBRAMANIAN SWAMY: Now, Sir, the question is, does this Ordinance or this set of Ordinances actually control prices? Those of you who have read newspapers must have seen that two days back the Indian Express gave a graphic chart about how the prices have actually begun to accelerate compared to the period prior to the Ordinances. Further what is more distressing about these Ordinances is the fact that the motivation is political. Why was this two-year period chosen? It is very peculiar. As Mr. Dwijendralal Sengupta pointed out, the end of this period coincides more or less with the beginning of the election time. At that time a vast amount of