

**Third Series Vol. XLV - No. 16**

**Tuesday, September 7, 1965  
Bhadra 16, 1887 (Saka)**

# **LOK SABHA DEBATES**

**(Twelfth Session)**



***(Vol. XLV contains Nos. 11 - 20)***

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LOK SABHA

Tuesday, September 7, 1965/Bhadra  
16, 1887 (Saka).

The Lok Sabha met at Eleven of the  
Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Purchase of Tankers for Transport of  
Crude Oil

- +
- \*449. { Shri M. L. Dwivedi:  
Shrimati Savitri Nigam:  
Shri S. C. Samanta:

Will the Minister of Transport be pleased to refer to the reply given to Starred Question No. 543 on the 24th March, 1965 and state the progress so far made in the purchase of tankers for the transport of crude oil in order to save foreign exchange?

The Minister of Transport (Shri Raj Bahadur): Tankers for import of crude oil can be acquired only when there is assured employment available for them. In the case of the Cochin Refinery, the tanker contract for the first five years (reducible to 4 years in certain circumstances) has been awarded to a foreign firm because their quotation was below the lowest Indian quotation. However, Cochin Refineries Ltd. is only considering the offer of certain Indian Shipping Companies for the period after the expiry of the present contract. If the contract is awarded to an Indian Shipping Company, it will be permitted to acquire the necessary number of tankers on terms to be approved by Government.

श्री म० सा० द्विवेदी : मैं जानना चाहता हूँ कि फारेन फर्न को जो कंटेनर दिया गया है उसके टर्म्स क्या हैं और उसका टेन्डर मिलने का है।

श्री राज बहादुर : जो इंडियन फर्न है उसने जो वर्तमान मुद्रिष्टाण को चीन समर-बाह में है उन के आधार पर 37 सेंट प्रति बैरल के हिसार से प्राकर दिया है और प्रिंटेजी फर्न का जो कंटेनर था वह 21.75 सेंट का था। इंडियन फर्न कंटेनर 37 सेंट का बहुत महंगा था वनिस्वत फारेन फर्न के जो 21.75 सेंट का था।

श्री म० सा० द्विवेदी : क्या भारत सरकार ने सरकारी तौर पर भी कुछ जमानकारी प्राप्त करने का प्रयत्न किया। यदि नहीं तो क्यों और यदि किया तो उस का क्या फल हुआ।

श्री राज बहादुर : जो इंडियन कंटेनर था वह कोर्नोरेगेशन के आधार पर था। उस में सरकारी कॉर्नोरेगेशन भी था और दूसरा भी था। इस तरह से उस में सरकारी प्रयत्न पर्याप्त था।

Shri S. C. Samanta: The Minister of Petroleum told us that a tanker could pay for itself in four to five years. In that case, may I know why private companies are not coming forward to purchase them? What is the approximate price of a tanker?

Shri Raj Bahadur: The approximate price may be Rs. 3 crores or even more, depending upon the size. If it is 150,000 tons, it will be very much more, Rs. 5 to Rs. 6 crores. So far as the other thing is concerned, the question should be put to the Ministry of

Petroleum, because that was their decision.

श्री भागवत झा आजाद : यद्यपि हमारी वर्तमान मांग अनिश्चित है फिर भी सरकार ने देश में कच्चे तेल की दुलाई की मांग को देखते हुए क्या कोई अनुमान लगाया है और यदि लगाया है तो क्या भविष्य के लिये कोई योजनाएँ उस में बनाई हैं ?

श्री राम बहादुर : जी हाँ, अनुमान लगाया है और उस अनुमान के आधार पर ही योजना बनाई गई है किन्तु यह निश्चित बात है कि जब तक रिफाइनरी स्वयम् इस का विश्वास न दिलावे कि जो टैंकर लिये जायेंगे उन को पूरा काम मिलेगा उस समय तक हम टैंकर खरीदने की आवश्यकता नहीं समझते हैं।

#### Agro-Industrial Corporation

\*450. { श्री Shree Narayan Das;  
श्री Ram Harkh Yadav:

Will the Minister of Food and Agriculture be pleased to state:

(a) the steps taken and progress made in the direction of setting up an Agro-Industrial Corporation;

(b) whether any programme for the development of such industries has been drawn up; and

(c) if so, the broad features thereof?

The Deputy Minister in the Ministry of Food and Agriculture (Shri Shahnawaz Khan): (a) Agro-Industrial Corporations are proposed to be set up in some of the States with Central participation in the equity share capital. So far the Governments of Maharashtra, Madras, Andhra Pradesh and Bihar have formulated proposals in consultation with us. The Maharashtra and Madras schemes are nearly ready.

(b) and (c). The main purpose of these Corporations in the initial stage would be:—

(i) to ascertain the demand and organise manufacture of improved

agricultural implements and equipments required for agriculture;

(ii) to sell or finance the sale of implements and equipment like pump sets, diesel engines, tractors and tractor drawn implements, power tillers, as also other industrial inputs;

(iii) to finance schemes for establishment of agro-economic industries; and

(iv) organise promotional activities for sale of agricultural equipments and implements.

Shri Shree Narayan Das: What would be the extent of participation, financially or otherwise, of the Central Government in these corporations?

Shri Shahnawaz Khan: It will be on the basis of fifty-fifty.

Shri Shree Narayan Das: May I know the names of the States in which the corporations are likely to come into existence?

Shri Shahnawaz Khan: We hope that in the case of Maharashtra and Madras, the corporations would come into being very soon. The others are showing some interest, but it may take some time.

श्री राम हरण यादव : मैं जानना चाहता हूँ कि क्या उत्तर प्रदेश सरकार ने भी कोई तयारी सेक्टर को दी है कि वहाँ भी इस तरह का कारपोरेशन कायम किया जाये।

श्री शाहनवाज खाँ : अभी तक उन से कोई खास जानकारी हासिल नहीं हुई है।

Shrimati Ramdulari Sinha: May I know whether it is a fact that the small-scale sector is treated less favourably than the large-scale sector with regard to foreign exchange, in part, because of the non-availability of the detailed information regarding the capacities?

**Shri Shah Nawaz Khan:** Allotments are made keeping in view the size and the requirements of this sector in each State.

**श्री प्र० प्र० शर्मा :** यह जो ऐग्री इंडस्ट्रीज कारपोरेशन बनाया जा रहा है तथा जिन जिन प्रदेशों में बनेगा, जैसे कि माननीय मंत्री जी ने बिहार और मद्रास के के बारे में बतलाया था, वहां यह प्रादेश भी दिया गया है कि इस तरह की जो इंडस्ट्रीज सगेगी वह गांवों की तरफ ज्यादा लगे बनिस्पत शहरों के ।

**श्री शाहनवाज खां :** खाल तो यही है कि जो ऐग्री इंडस्ट्रीज हैं वह जहां तक मुमकिन हो देहाती इलाकों में हों तो ज्यादा बेहतर है ।

**Shri Sham Lal Saraf:** May I know whether the setting up of these agro-industries will be restricted to engineering industries only or it includes any other sector also for Agro-Industrial production, such as processing, etc. and also whether it will be run by the Central Government or the State Government?

**Shri Shah Nawaz Khan:** The idea is that this corporation should cover the manufacture of tractors, power tillers, plants for pesticides, food preservation and processing and all these things. The States will be in charge of these Corporations.

**श्री बुद्धबीर सिंह :** इस कारपोरेशन का बूल उद्देश्य यह प्रतीत होता है कि किसानों की और ऐग्री इंडस्ट्रीज की आवश्यकताओं को पूरा किया जाये और उन का धापस में सम्मिल्य हो सके । जैसा सरकार ने बतलाया सम्मिल्य की स्थिति अभी नहीं आई है क्योंकि कुछ प्रदेशों ने इसे नहीं माना है । जब तक यह स्कीम लागू नहीं होती सारे देश में मीर इस कारपोरेशन की स्थापना नहीं हो जाती सब तक किसानों की आवश्यकताओं को पूरा करने के लिये और ऐग्री इंडस्ट्रीज की

स्थापना के लिये सरकार क्या करना चाहती है ?

**श्री शाहनवाज खां :** इस वक्त जो इंडस्ट्रीज हैं उन की जरूरियात को पूरा करने के लिये कुछ पैदावार तो मुक्त के अन्दर हो रही है जो कि प्राइवेट सेक्टर में हैं और कुछ उन की जरूरियात पूरा करने के लिये हमें इम्पोर्ट करना पड़ता है । इरादा यह है कि इस कारपोरेशन के बनने के बाद इस को बन्द कर दिया जाये ।

**श्री यशपाल सिंह :** जब जब इस तरह के निगम बनते हैं, बोर्ड बनते हैं या कमेटियों का निर्माण होता है तो सरकारी धफसर उन में छा जाते हैं और किसान उन से बहुत दूर रहता है । उन का रिप्रेजेंटेशन वहां नहीं हो पाता है । हमें यह बतलाया जाये कि इस में कितना परसेन्टेज किसानों का रहेगा और कितना दूसरे लोगों का रहेगा ।

**श्री शाहनवाज खां :** इस की तकजीलात जो हैं उन को स्टेट गवर्नमेंट तैयार करेगी । बोर्ड आफ डाइरेक्टर्स को स्टेट गवर्नमेंट बनायेगी ।

**श्री शिव नारायण :** मैं जानना चाहता हूँ कि सरकार ने अब तक अपने मुकुर में कितना प्रोडक्शन किया और कितना बाहर से मंगा रही है, और कितनी डिमांड है कुल कंट्री की ।

**श्री शाहनवाज खां :** अगर माननीय सदस्य बतला दें कि किस चीज की प्रोडक्शन में घासानी रहेगी ।

**श्री शिव नारायण :** जितने प्रीजार होते हैं, ट्रैक्टर वगैरह जो इम्प्लिमेंट्स होते हैं उन के बारे में बतलाइये । वह हम ने कितने बनाये हैं । और मैं क्या पूछ सकता हूँ ।

**अध्यक्ष महोदय :** बहुत सी चीजें होती हैं, माननीय सदस्य नाराज न हों ।

श्री शाहनवाज खां : हमारे सामने स्टेट्स की जल्दीत लाना 20 स्टेट्स की है और उन में से करीब पांच हम बनाते हैं।

Shri D. C. Sharma: Evidently the prospects for this agro-industries corporation were not very bright because only two States have agreed to come forward to set up such a corporation.

Shri A. P. Sharma: More than two.

Shri D. C. Sharma: Are you the Minister? I want to know what efforts are being made in order that this agro-industrial corporation which is going to give some hope to the small agriculturist will become a going concern?

Shri Shah Nawaz Khan: We have written to the States and we are taking into consideration what their difficulties are. Initially the Central assistance was to be of the order of 25 per cent. Later on, the States said that they would like that to be enhanced, and it was increased to 50 per cent. We have been emphasising the urgency of such corporations and we hope the State Governments will come forward.

Shri M. R. Krishna: Birla Brothers have started the cultivation of grapes in Andhra Pradesh on a very extensive scale, and they have been given a licence for a distillery. May I know whether distilleries are also considered as coming within agro-industries?

Shri Shah Nawaz Khan: It does not come under this.

श्री कुलशान : क्या मैं यह जान सकता हूँ कि जो ये कृषि उद्योग निगम स्थापित किए जा रहे हैं, इन के सिलसिले में जो देहाती किसान हैं उनकी जरूरत के भी उन से मुलाकात होगी कि उनको किस किस चीज की और किस किस समय पर जरूरत होती है ?

श्री शाहनवाज खां : किसान को जो जरूरियात हैं उन का ध्यान रखा गया है।

# Australian Aid for Agricultural Projects

+

{ Shri Bibhutl Mishra:  
Shri K. N. Tiwary:  
Shri D. C. Sharma:  
Shri Bagri:  
\*451. { Shri D. J. Nalk:  
Shri Ravindra Varma:  
Shri P. Venkatasubbalah:  
Shrimati Renuka Barkataki:  
Shri Yashpal Singh:

Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that the Australian Freedom from Hunger Campaign Committee has agreed to assist India in five major agricultural projects to increase food production and improve the living standards of the farmers; and

(b) if so, the nature of the schemes so far drawn up?

The Deputy Minister in the Ministry of Food and Agriculture (Shri Shah Nawaz Khan): (a) Yes.

(b) A statement giving a brief description of the 5 projects is placed on the Table of the Sabha. [Placed in Library. See No. LT-4767/65].

श्री बिभूति मिश्र : अध्यक्ष जी, इस स्टेटमेंट में प्रोजेक्ट नम्बर 2 को देखने से पता चलता है कि सरकार इस योजना के अन्तर्गत 750 आश्रमों को प्रति वर्ष ट्रेनिंग देगी कि होटलों में खान पान का काम इन्स्टीट्यूट दिया जाए। गांवों में जो परिवार हैं उनके यहां अगर कुछ खाना बच जाता है तो वह मवेशियों को खिला दिया जाता है। सेविन घाज शहरों में देखा जाता है कि होटलों में जो खाना बचता है वह बरबाद जाता है या सड़ जाता है। कान सरकार ने इस बात का भी ध्यान रखा है कि जहां होटल बसाए जाएं वहां कुछ मवेशी भी रखे जाएं ताकि जो खाना बचे वह उन मवेशियों को खिला दिया जाए ?

श्री शाहनवाज खां : इन होटलों में जो खाना बच जाता है वह जाया नहीं जाता, बल्कि दिल्ली के जो बड़े बड़े होटल हैं उन में उनको भी इस्तेमाल दिया जाता है, उसमें से कुछ मुताबिकाना को खाने के लिए दे दिया जाता है और कुछ को लोग मवेशियों के लिए ले जाते हैं।

अध्यक्ष महोदय : यह भी तयबीज हो सकता है कि इंसान और मवेशियों को साथ साथ बांध दिया जाए।

श्री शिन्तु मिश्र : इसी स्टेटमेंट के आइएम नम्बर 4 को देखते से पता चलता है कि इन योजना का मुताबिक यंग फारमर्स एमोसिएशन आफ इंडिया ने दिया है और इसके अन्तर्गत फन पैरा करने का, सच्ची पैरा करने का और मुर्गों और मुर्गों की पैदावार का इन्डियाम होगा। इसमें मुर्गों के बारे में तो एक और जगह भी लिखा है कि उनका उत्पादन होगा, लेकिन इसमें यह नहीं लिखा है कि फलों और सब्जियों के उत्पादन के लिए क्या किया जाएगा। मैं जानना चाहता हूँ कि क्या सरकार फलों और सब्जियों का निरादर कर रही है ?

श्री शाहनवाज खां : यह भी टपी में शामिल होगा। सी एण्ड जनीन इसमें रखी गयी है जिसने सड़ितों और भी पैरा किए जाएंगे और मुर्गों भी पानी जाएंगे।

श्री क० ना० तिवारी : इन स्टेटमेंट में यह दिया गया है कि एक ए ओ और आम्ब्रे-लिया की योजना के अधीन 15 जगह सेंटर खोले जाएंगे। मैं यह जानना चाहता हूँ कि कितनी जगहों में ये सेंटर बनाए जा चुके हैं ? दूसरी बात, इसकी ट्रेनिंग के लिए मद्रास में, आन्ध्र में और इज्जत नगर में और दूसरी जगहों पर सेंटर खोले जाएंगे। मैं जानना चाहता हूँ कि क्या हर प्रान्त में इन सेंटर्स को रखने का विचार है जिससे कि हर प्रान्त के लोग इन से फायदा उठा सकें ?

श्री शाहनवाज खां : ये प्रसंग छ व स्कीम हैं। पहली है वह तो मेन्सली पोन्ट्री के बारे में है, बावूगड में उसका एक सेंटर खोल दिया गया है। वहाँ पर पोन्ट्री बीडिंग के साथ साथ उनकी खुराक वगैरह की मशीनें भी लगायी गयी है, ताकि पोन्ट्री बीडिंग को सस्ते दाम पर मुर्गियों का खाना मुहब्बा किया जा सके, और इसका है कि हर एक सूबे में एक सेंटर खोला जाए, लेकिन किस हद तक बावूगड में एक खोला गया है।

दूसरा सेंटर जो रिजर्वेंट वगैरह के लिए है वह इज्जतनगर में खोला जाएगा, और वहाँ ट्रेनिंग के लिए सब जगह से लोग आ सकते हैं।

Shri D. C. Sharma: Is the government aware of the fact that freedom-from-hunger campaign in most of the western countries of the world paints a very very dark picture of India, showing children with bulging bellies and men and women who are semi-naked? It is only by presenting such pictures that they get money for this campaign. May I know if the government will look into it and see to it that India is not painted in such black colours, while trying to get money for this campaign?

The Minister of Food and Agriculture (Shri C. Subramaniam): I have seen the advertisements; it is not particularly with reference to India, but generally the conditions existing in the backward, under-developed countries are put there. No particular country is mentioned.

Shri D. C. Sharma: I have seen it myself.

Shri C. Subramaniam: After all, in some areas deplorable conditions do exist in our country and certainly we should see that these things are removed. We cannot ignore the existing conditions.

Mr. Speaker: Shri Yashpal Singh, Shri Kapur Singh.

**Shri Kapur Singh:** May I know whether, with a view to solve our food problems, our government have ever considered the simple idea of letting the farmer own and cultivate as he chooses, while ensuring him the necessary inputs?

**Shri C. Subramaniam:** That is quite a different thing; this is for the purpose of improving the technology.

**Shri Kapur Singh:** Have they ever considered this simple idea and if so, with what results? The idea is simple, the question is simple. Yet the answer is not there.

**Mr. Speaker:** The answer was rather simpler.

**Shri Kapur Singh:** It was rather evasive.

**श्री बड़े :** हिन्दुस्तान के गांवों में रिडर-पेस्ट की बीमारी से प्रति वर्ष लाखों डोर मर जाते हैं। क्या इसकी रिसर्च के बास्ते सरकार विद्यार्थियों को बाहर भेज रही है और उसके लिए यहां कौनसी व्यवस्था की जा रही है जैसा कि स्टेटमेंट में लिखा है ?

**श्री शाहनवाज खां :** पहला हिस्सा समझ में नहीं आया।

**अध्यक्ष महोदय :** वह कहते हैं कि रिडर-पेस्ट से बहुत से जानवर मारे जाते हैं।

**श्री शाहनवाज खां :** रिडरपेस्ट की बीमारी बहुत मूखी बीमारी है जो हिन्दुस्तान के जानवरों को नुकसान पहुंचाती है। हम ने एक नेशनल प्रोग्राम फार इरेडिकेशन थाफ रिडरपेस्ट शुरू किया है और तकरीबन देश के सभी प्रान्तों में हम इसके लिए काफी काम कर रहे हैं ?

**अध्यक्ष महोदय :** किसी को इसके लिए बाहर भी भेजा है।

**श्री शाहनवाज खां :** हमारे पास काफी टेक्निकल मो हाऊ है और किसी को इसके लिए बाहर भेजने की जरूरत नहीं है।

**Shri Bhagwat Jha Azad:** After reading the statement and hearing the objectives stated by the hon. minister in reply to Mr. Sharma's question, are we not correct in assuming that these five schemes are more for propaganda and demonstrative purposes for the giver and, if not, how far will these schemes have an impact upon the States and upon the masses?

**Shri C. Subramaniam:** It is true that it is for demonstration purposes so that others also may adopt these techniques of production, processing and all those things. These things are absolutely necessary.

**अध्यक्ष महोदय :** सरदार बूटा सिंह।

**श्री यशपाल सिंह :** अध्यक्ष महोदय, मेरा भी इसमें नाम था।

**अध्यक्ष महोदय :** आप रिकार्ड देख सकते हैं। मैंने आप को बुलाया था, पर आप उठे नहीं।

**श्री यशपाल सिंह :** मैं माफी चाहता हूँ। मैंने एक सवाल करने का मौका बाध में दे दे।

**श्री बूटा सिंह :** इस भूख की समस्या को हल करने के लिए सिख गुरुद्वारों में बगैर किसी जाति, मजहब या रंग के इम्तियाज के रोज कुछ हजार लोगों को खाना दिया जाता है। गुरुद्वारों के नाम जो जमीन लगी हुई है, उसके सहारे ये लंगर चलते हैं। इस बात को ध्यान में रखते हुए क्या सरकार ऐसा हिदायत देगी कि इन जमीनों को लैंड एक्वीजिशन ऐक्ट के मातहत न लाया जाए ?

**अध्यक्ष महोदय :** माननीय सदस्य बहुत दूर तक चले गये। अब आप इनबीटेशन से रहे हैं कि गुरुद्वारों के अन्दर की जमीन को भी इसमें से लाया जाय।

**Shri Kapur Singh:** The question is on food production. So, it has a direct bearing on this.

श्री यशपाल सिंह : यह कुछ साफ नहीं किया है कि यह जो जमीन उन्हें दी जायगी यह कोओपरेटिव से लेकर दी जायगी या प्राइवेट ग्रानर से लेकर दी जायगी ? गवर्न-मेंट फार्म्स जो उनमें इस्टेबलिश किये जायेंगे यह जमीन कहां से प्रायेगी और क्या किसानों को यह हक दिया गया है कि किसान अपने यहां एक्सपैरीमेंट कर सकें ?

श्री शाहनवाज खां : जो जो शकल जमीन की है और जिस मूरत में जमीन मिल सकती है अगर कहीं सरकारी जमीन है तो प्रान्तीय सरकार मुफ्त में दे सकती है लेकिन अगर ऐक्वायर करनी है तो उसके लिए लैंड एक्वीजीशन प्रोसीड्यर करनी पड़ेगी । अलग अलग जगह पर जैसे जैसे हालात होंगे उनके मुताबिक जमीन दी जायगी ।

Shri R. S. Pandey: The purpose of this project is to increase the standard of living of the farmers. May I know whether Government is aware that so many things are produced by farmers, like eggs, milk, etc. and since they have a good market in the cities those things go to the cities? I want to know whether Government is thinking of providing facilities to the farmers to consume those first and then sell only what is left behind?

Shri Shah Nawaz Khan: It is up to the farmer to decide what he wants to do with his production. If he thinks that by selling his poultry he can buy something which he requires more urgently, he can do so.

Shri Shree Narayan Das: May I know the extent to which the financial requirements of this project will be met by the Centre and the States?

Shri Shah Nawaz Khan: Some allocation is made by the States and some money is received from the donor countries. It varies.

Shri Shree Narayan Das: It is a vague answer. What is the figure?

The Minister of Food and Agriculture (Shri C. Subramaniam): The foreign exchange position and the internal finance to be used are given in the statement.

Mr. Speaker: If it is given there then it need not be repeated.

श्री बां. सां. चौधरी : अध्यक्ष महोदय, मैं एक बात जानना चाहता हूं और वह यह है कि सरकार की बहुत सी जमीनें परती पड़ी हुई हैं जिनको कि अगर उपजाऊ बनाकर खेती उनमें की जाये तो मुल्क को उससे बहुत फायदा हो सकता है तो मैं चाहता हूं कि पोलिटिकल सफरस जो कि भारत की आजादी की जंग के दौरान आप के साथ कंधे से कंधा मिलाकर लड़े हैं, शगड़ें हैं और धनेकों मुसीबतों झंने हैं उनके लिए जमीन देने की आपने कोई व्यवस्था की है, ताकि परती जमीन को वह उपजाऊ बना कर उत्पादन बढ़ा सकें ?

अध्यक्ष महोदय : यहाँ हम मृगियों के लिए दाना देने की बात कर रहे थे अब आप पोलिटिकल सफरस के ऊपर चले गये ।

श्री सरजू पाण्डेय : इस स्टेटमेंट के दूसरे भाग को देखने से मालूम होता है कि 93500 डालर की सहायता आस्ट्रेलियन फ्रीडम फ्रीम हंगर कौमिन कमिटी ने 15 केन्द्रों को दी है और उससे मशीनें दी जायेगी तो मैं जानना चाहता हूं कि वह 15 केन्द्र कौन कौन से हैं और किस प्रकार की मशीनें दी जायेगी ?

श्री शाहनवाज खां : यह तो हर एक जैसा कि मैंने प्रश्न किया, बागुड़ यह जो यहाँ से करीबन 30 मील दूरी पर है इस तरह का एक केन्द्र खोला गया है और इरादा है कि हर एक स्टेट में एक, एक केन्द्र खोला जाय । एक फीड डिस्त्रिब्यूटिन्ग इन्सिट्यूट है जिसमें कि मृगियों की चूराक के मृतलिङ्ग ताबों को गिला कर सस्ते दामों पर किसानों को दी जाती है ।

### Agricultural Production

\*452. **Shri A. N. Vidyalankar:** Will the Minister of Food and Agriculture be pleased to state:

(a) the extent of fulfilment of the schemes of subsidizing foodgrain production and utilisation of funds for the respective schemes in each State during each year up to the end of June, 1965 since the introduction of the scheme; and

(b) the steps Government propose to take to make the maximum use in the States of the funds placed at the disposal of the State Governments for the purposes of subsidizing food production?

**The Deputy Minister in the Ministry of Food and Agriculture (Shri Shah-nawaz Khan):** A statement is placed on the Table of the Sabha. [Placed in Library. See No. LT-4718/65].

**Shri A. N. Vidyalankar:** In regard to the increase in production it is stated in part (a) of the statement that during this period the effect of the various schemes is reflected in the quantum of production. I want to know whether this statement is based on mere assumption or Government has any data based on scientific assessment.

**The Minister of Food and Agriculture (Shri C. Subramaniam):** Recently, an assessment has been made by Dr. S. R. Sen, as mentioned in the statement. These assumptions have more or less proved correct.

**Shri A. N. Vidyalankar:** In the statement it is mentioned that no regular assessment can be made. That is why I am asking this question.

**Shri C. Subramaniam:** That is why we say that we have made a general assessment and the assumptions have more or less proved to be correct.

**Shri A. N. Vidyalankar:** I want to know whether the Government has any definite data, based on scientific assessment, that all the funds spent on

these schemes are properly utilised and not wasted, either in the Central or State sector. Have the Government any definite data to refute charges of wastage?

**Shri C. Subramaniam:** These allotments are made every year for specific schemes like minor irrigation and soil conservation. Now we make an assessment as to how far the moneys have been utilized for the various purposes. Particularly from 1963-64 onwards, when we make specific allotments for agricultural production we also see that these funds are not diverted for other purposes. Before 1963-64 there was no such strict control and, as a matter of fact, it was open to the State Governments to appropriate it for other purposes also. Since 1963-64 we are ensuring that these funds are used only for the purposes for which they are sanctioned.

**Shri Bishwanath Roy:** May I know whether it is a fact that the funds placed at the disposal of some of the State Governments have not been utilized and, if so, what are the reasons for that?

**Shri C. Subramaniam:** Recently, the State Governments have improved their performance with regard to the utilisation of funds. On the other hand, there is more and more demand for money, particularly for minor irrigation and soil conservation purposes.

**श्री दुधम चन्द कटारिया :** मंत्री जी ने यह जो स्टेटमेंट रक्खा है उसमें लिखा है कि मध्य प्रदेश को 320 लाख रुपया दिया गया बिचार्ड के लिए और महाराष्ट्र को 475 करोड़ दिया गया तो मध्य प्रदेश जो कि क्षेत्रफल के बिहाब से सबसे बड़ा है उसको इसका कम मिले जाने का क्या कारण है और यह रुपया किस आधार पर बांटा गया है? इन रुपये के बांटने का आधार क्या था क्या है?

**Shri C. Subramaniam:** It depends upon the demands made by each State. Perhaps, Madhya Pradesh is asking for more money for other items. It is all within the Plan allocation.



**Shri Daji:** Is it not a fact that rice and wheat procured from Madhya Pradesh is sold at a profit in Maharashtra and, therefore, the Government of Madhya Pradesh has demanded part of those profits as subsidy for increasing agricultural production? If so, what is the reaction of the Government of India to that proposal?

**Shri C. Subramaniam:** That question does not arise out of this. If the hon. Member gives notice of a separate question, I shall enquire about it.

**Dr. L. M. Singhvi:** May I know whether Government are cognizant of the fact that there is amazing waste in the allocation of funds for grow-more-food, partly because a lot of projects for which money is earmarked are not followed to completion and are left either half done or completely undone and partly because these allocations are made on political considerations?

**Shri C. Subramaniam:** There is no question of political consideration in this case. We need not think that the State Governments are not careful with regard to the utilisation of funds or execution of projects.

**Dr. L. M. Singhvi:** It is not a question of thinking. We know it.

**Shri C. Subramaniam:** We also follow it up. Our teams visit various States with the object of finding out how the schemes are executed. I am glad to say that with regard to agricultural programmes more or less all the State Governments have shown more awareness and they are taking more and more programmes.

**Shri Ranga:** Is any effort made to study the reports of audit which are brought out at the State level in order to plug the loopholes that are brought to the notice of the State Legislatures by the Accountant-Generals?

**Shri C. Subramaniam:** Yes, Sir, we have overall supervision in regard to utilisation of funds. We have a few discussions with them when they come for discussing their annual plans. In

addition to that, Central teams periodically visit various States and try to make assessment.

**Shri Ranga:** This is only a repetition of what he has said earlier.

**Shri C. Subramaniam:** We take into account the audit reports also.

**Shrimati Tarkeshwari Sinha:** Does the Government realise this fact that when allotments or grants are made in one Plan for a project, if the project is not completed within the Plan period, in the next Plan the allotment is not repeated and, therefore, a large number of projects which were taken in one Plan and unfinished and not taken again in the Second Plan remain in that unfinished or incomplete condition? Is the Government aware of this? If so, how does it propose to remedy this defect?

**Shri C. Subramaniam:** This defect has already been remedied. If a project is not completed in one financial year or during the period of one Plan, it is financed during the next year also until it is completed. Now the allocations are made on the basis of projects. If it is not completed within a specific period, funds are made available later on for the purpose of completing the project.

**Shri Sham Lal Saraf:** May I know if the Central Government, while making allocations to the States, insist upon them to set apart a part of the allocation for the scheme of subsidising fertilisers because, as far as fertilisers are concerned, they are being sold at a very high price?

**Shri C. Subramaniam:** Today, the fertiliser is not available. That is the real difficulty. It is not the question of price. But when the production increases, as to what should be done and what should be the pricing factor recently the Committee has submitted its report. Those recommendations will be examined and we will take a decision soon.

**Shri Jimal Singh:** In view of the way in which money is spent on minor

irrigation projects, in particular, may I know in what way Government is assured that these minor irrigation projects, even if they are executed, do produce something and that they are not found to be later waterless?

**Shri C. Subramaniam:** Generally, we now insist that the ground water survey or surface water survey is made before these projects are taken up. Without those surveys, they are likely to be infructuous in some cases. But when they are backed by the proper surveys, there will be few cases of failures. I do agree that in some cases, after digging the well, they found that there was no water. Now we are ensuring that proper surveys are made.

**Shri D. N. Tiwary:** May I know whether the Government has set up any organisation of its own to see that the allocations made to the States for minor irrigation works are not diverted to any other scheme and that the money is spent on minor irrigation works?

**Shri C. Subramaniam:** That is what I stated that from 1963-64, it is being ensured that the money is spent only for this.

**Shri Bhagwat Jha Azad:** The statement very demonstratively states the expenditure on different heads like minor irrigation, forestry, soil conservation and all that. But it does not point out that after so much expenditure the targets set by the successive Plans have very much fallen short—they are even less than half. May I know why, after all this expenditure, it does not produce any result?

**Shri C. Subramaniam:** In agriculture, there are so many things which have to be taken into account. For example, we spend on minor irrigation works. This minor irrigation itself depends upon proper rainfall and if there is no rainfall, there is a total failure. That is why weather affects us in a big way.

### Sethusamudram Project

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\*453. { **Shri S. C. Samanta:**  
**Shri Rameshwar Tantia:**  
**Shri Subodh Hansda:**  
**Shri Surendra Pal Singh:**

Will the Minister of Transport be pleased to refer to the reply given to Starred Question No. 88 on the 23rd February, 1965 and state:

(a) whether a high level committee which was set up to expedite the study of the technical report and also the economic aspects of Sethusamudram Project has submitted their report;

(b) if so, the main features thereof; and

(c) what further steps have so far been taken in the matter?

**The Minister of Transport (Shri Raj Bahadur):** (a) to (c). A statement is placed on the Table of the Sabha.

### Statement

Based on the deliberations of the high level committee, a whole-time Chief Engineer has been appointed for the project and his present task is the preparation of an up-to-date project estimate in the light of the various considerations set out by the technical experts who have studied the project and in the light of further investigations to be carried out by him. Further, a Project Officer has been appointed by the Government of Madras to assist the Chief Engineer. A special engineering circle has also been created by the Government of Madras for the purpose. The cost is being met by the Central Government. The Chief Engineer is at present engaged in carrying out the investigations and preparing the revised estimates.

**Shri S. C. Samanta:** May I know whether the Working Group was set up to consider the economic aspect of this project and, if so, what are the findings of that Working Group?

**Shri Raj Bahadur:** The findings have not yet been received.

**Shri S. C. Samanta:** Is it not a fact that on 5th July last, the Chairman of the National Shipping Board visited this project and reported that this is as important to fighting Navy as this is to merchant Navy and so the Defence should come forward to help its construction and, if so, may I know whether this has been communicated to the Defence Ministry?

**Shri Raj Bahadur:** That is the opinion of the Chairman of the National Shipping Board.

**Shri R. Ramanathan Chettiar:** May I know whether the estimates have been revised and, if so, what are the revised estimates?

**Shri Raj Bahadur:** The estimates will be based upon the studies which are being undertaken by the Technical Committee and then alone I will be able to give a firm figure.

**Shri Muthiah:** May I know whether this project will be taken up and implemented in the Fourth Plan since it is essential for our defence as well as trade?

**Shri Raj Bahadur:** The studies are being undertaken with a view to consider its inclusion in the Fourth Plan. The entire thing depends upon the results of the economic studies as well as the technical studies and the cost of the project in relation to the total economy of the country.

**Shri S. Kandappan:** May I know when the project is likely to be completed?

**Shri Raj Bahadur:** We cannot hustle them. They are trying to study various alignments, alternative alignments, and the cost involved in each one of them.

**Supply of Imported Wheat to Madhya Pradesh**

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Shri Vidya Charan Shukla:  
Shrimati Savitri Nigam:  
Shri P. R. Chakravarti:  
Shri P. C. Borooah:  
Shri Hukam Chand  
Kachhavaia:

\*454. Shri Bade:

**Shri Brij Raj Singh:**

**Shri Warior:**

**Shri Daji:**

**Shri Gulshan:**

**Shri R. S. Pandey:**

**Shri Hari Vishnu Kaimath:**

Will the Minister of Food and Agriculture be pleased to state:

(a) whether the Government of Madhya Pradesh have urgently requested the Central Government to increase the supply of imported wheat to tide over this year's crisis owing to the failure of winter rains;

(b) if so, the quantity of wheat demanded by the Government of Madhya Pradesh; and

(c) the quantity of wheat to be supplied by the Central Government?

**The Deputy Minister in the Ministry of Food and Agriculture (Shri D. R. Chavan):** (a) and (b). It is true that winter rains in Madhya Pradesh at the beginning of 1965 were below normal. The production of wheat, however, did not suffer much and this year's production of wheat in Madhya Pradesh is slightly higher than that of last year. Against 8000 tonnes of imported wheat asked for June, Madhya Pradesh Government said that they would require 20 000 tonnes of wheat during each of the months of July, August, September and October.

(c) Actual supplies during the three months June, July and August were:

(In '000 tonnes).

June, 1965	8.4
July, 1965	4.7
August, 1965	5.4

For September, they have been allotted a quota of 8000 tonnes.

In addition, the roller flour mills in Madhya Pradesh are being supplied with separate quotas for manu-

facture of wheat products which will also be available for distribution in Madhya Pradesh.

**Shri Vidya Charan Shukla:** The Government noted the extensive food riots that took place in the various districts of Madhya Pradesh because of lack of supply of wheat. The Government of Madhya Pradesh had asked for some wheat, but the quantity supplied was quite less. May I know what efforts Government are making to see that enough quantity of wheat is supplied, so that the acute shortage is relieved?

**The Minister of Food and Agriculture (Shri C. Subramaniam):** As far as Madhya Pradesh is concerned, it is a surplus State . . .

**Shri Vidya Charan Shukla:** It was.

**Shri C. Subramaniam:** It is a surplus State. Generally wheat used to move from Madhya Pradesh to Gujarat and Maharashtra. Now that has also been banned. Therefore, ordinarily it should be possible for them to manage with their production, particularly in regard to wheat. But in view of the monsoon's failing this year—delaying and later on, the dry spell—the market arrivals have considerably decreased. That is why, in spite of its being a surplus State, we are giving them a few thousand tonnes of imported wheat. There are other deficit States whose requirements have to be given first priority.

**Shri Vidya Charan Shukla:** Can the Minister give us the figure of surplus wheat production in Madhya Pradesh for the last four years?

**Shri C. Subramaniam:** We have already stated that the production during 1964-65 was 19 lakh and odd tonnes. There has been a slight increase during this year. Previously even with lesser production, a few lakhs of tonnes used to move from Madhya Pradesh to Maharashtra and Gujarat, but it is not moving now.

**Shri R. S. Pandey:** Sometimes the figures given are quite confusing.

Madhya Pradesh is the only State which has behaved well so far as procurement scheme is concerned. This year half a million tonnes was given to the Centre. I want to know whether the Minister of Food and Agriculture, Madhya Pradesh, has made a precise demand to get five lakh tonnes of imported wheat and the demand was refused by the Union Food and Agriculture Minister?

**Shri C. Subramaniam:** It is not a demand of five lakh tonnes. Perhaps the Hon. Member is making that demand. The demand from the Madhya Pradesh Government was that they should get for three or four months at the rate of twenty thousand tonnes per month, but that is an impossible quantity because there are demands from deficit States, whose production is definitely lower than that of Madhya Pradesh. Therefore, they have to be given first.

**Shri Daji:** Is the Government aware of the fact that people have to stand in queue for days together, from morning till night and sometimes over the night also for the next day, to get wheat? Actually on the third day a man fell dead in the queue of the ration shop at Indore. Such being the situation, whatever is the dispute between the Central Government and the State Government, the Central Government should supply some wheat to the State of Madhya Pradesh to be distributed in such areas where people have to die standing in the queue.

**Shri C. Subramaniam:** I do not know how far the facts mentioned by the hon. Member are correct. But in spite of the fact that Madhya Pradesh is a surplus State, we are supplying them with imported wheat. If the hon. Member would object to our getting wheat from America under PL-480, from where else can we get this?

**Shri P. C. Borooah:** May I know what is the actual production in Madhya Pradesh this year and what are the actual requirements?

**Shri C. Subramaniam:** In 1963-64, the total production of foodgrains was 9,375,000 tonnes. In 1964-65, it was 10,140,000 tonnes. There has been a considerable increase in 1964-65. Therefore, ordinarily it should be possible for them to manage with their production.

**श्री उवा० प्र० ज्योतिषी :** क्या कोई एग्रेगमेंट किया गया है कि इस वर्ष मध्य प्रदेश में गेहूँ कितनी कमी थी और जो गेहूँ सप्लाई किया गया है, वह इतना माफूस है कि उस कमी को पूरा कर दे ?

**Shri C. Subramaniam:** This shortage is only a notional one because even with regard to wheat, the production in 1963-64 was 19.19 lakhs tonnes, while in 1964-65 it was 19.97 lakhs tonnes. These are the State Government's figures and not my figures. Therefore, there has been an increase in production in Madhya Pradesh, and, therefore, it should be possible for them to manage with internal production.

**श्री बड़ै :** क्या केन्द्रीय सरकार के पास मध्य प्रदेश से ऐसी कोई रिपोर्ट आई है कि वहाँ एक आदमी को एक छाटाक गेहूँ हो मिलता है ? क्या यह सही नहीं है कि जेन के कंटी को एक पाव रोड गेहूँ मिलता है ? यदि हाँ तो जेन से बाहर नांग है कि जिनको कोई आप-राध नहीं किया है, उनको केवल एक एक छाटाक देने का क्या कारण है ? क्या यह भी सही नहीं है कि घाठ घाठ रोड तक दुकानों में गेहूँ मिलता हो नहीं है ? क्या इन सब के बारे में मध्य प्रदेश गवर्नमेंट ने आपको कुछ लिखा है कि उनके पास पर्याप्त मात्रा में गेहूँ नहीं है ? मैं जानना चाहता हूँ कि अभी तीन बार महोने पहले मध्य प्रदेश सरकार ने कितनी व्हीट की मांग की थी और उसमें से कितना खनको दिया गया ?

**प्रमोद शर्मा :** इसका जवाब था चुका है ।

**Shri C. Subramaniam:** As far as distribution through fair price shops is concerned, that is undertaken in highly acute scarcity and deficit areas. As far as Madhya Pradesh is concerned, as I have already said, it is a surplus area. But in spite of that, I know that there are certain scarcity pockets where there have been fair price shop operations. Certainly in a surplus area we cannot have the same operations as we have in the deficit States.

**Shri Badi:** My question has not been answered . . .

**Mr. Speaker:** Now, Shri P. R. Chakravarti.

**Shri Badi:** My question has not been answered. I want some guidance from you.

**मैंने पृष्ठा या कितनी मन्त्रिने पहले, रायट्स होने के पहले कितने गेहूँ की मांग की गई थी और कितना कम गेहूँ दिया गया ।**

**Shri C. Subramaniam:** I could not follow the question.

**Shri Badi:** May I know how much foreign wheat the Madhya Pradesh Government have demanded from the Central Government?

**Shri C. Subramaniam:** We gave those figures.

**श्री बड़ै :** मांग कितनी थी और कितना कम उनको दिया गया ।

**अध्यक्ष महोदय :** ये प्रश्नार्थक के हैं ।

**Shri P. R. Chakravarti:** In view of the unsatisfactory response of the traders, the hoarders and also the rich farmers, may I know whether the Central Government have given the State Government permission to seize those stocks?

**Shri C. Subramaniam:** Yes, they have now got full powers under the DIR to procure, levy or seize stocks

from hoarders and even from large producers.

**Shri Radhelal Vyas:** It is true that the Madhya Pradesh State is surplus in foodgrains, but that is so in rice and not in wheat. In view of the fact that this year the Madhya Pradesh Government deployed all its employees from the collector down to the tahsildar and the sub-inspector of police for procurement of wheat and in spite of that there is shortage of wheat, particularly in the large cities of Indore, Jabalpur, Gwalior, Ujjain etc., and the Government of Madhya Pradesh have been placed in a very awkward position, may I know whether the Government of India will make some supplies of wheat available to the Madhya Pradesh Government to tide over this difficulty?

**Shri Bhagwat Jha Azad:** Why not remove the zonal restriction?

**Shri C. Subramaniam:** As I have already stated, we have supplied some quantity to them. We have made a calculation with regard to the availability particularly of cereals in each State, and we find that Madhya Pradesh stands almost at the highest level; whereas after taking into account the production within the country and also taking into account the import, the national availability is 14·4 ounces per head, the availability in Madhya Pradesh on the basis of internal production alone is round about 19 ounces even taking into account what they are exporting to the other States. If such a State should make demands that it should be given more imported wheat, I do not know where to get the wheat from.

**श्री बिबु नारायण :** राशन की जो सर-प्लस मध्य प्रदेश में है क्या गवर्नमेंट उसको सूकर एक्स्चेंज में गेहूँ देने की तैयार है ?

**श्री दिग्वि चरण शुक्ल :** ऐसा कर लें तो बहुत अच्छा है । चावल तो ले लेते हैं गेहूँ नहीं देते हैं ।

**Shri C. Subramaniam:** Now, Madhya Pradesh has been made into a separate zone. On the basis of their own calculation with regard to the surplus rice available, it has been calculated that four lakhs of tonnes is the surplus and that has been procured and has been made available. If they are in a position to give rice and get wheat in exchange, I can consider that proposal.

#### Quota of Foodgrains

+

Shrimati Tarkeshwari Sinha:  
Shri Vishwa Nath Pandey:  
Shri Hukam Chand  
Kachhavalaya:  
Shri Bade:  
\*455. Shri Brij Raj Singh:  
Shri Bagri:  
Shri P. C. Borooah:  
Shri Basappa:  
Shri S. N. Chaturvedi:  
Shri D. S. Patil:

Will the Minister of Food and Agriculture be pleased to state:

(a) whether the monthly quota of the supply of foodgrains to the States by the Centre has been curtailed; and

(b) if so, the exact reduction in the quota, State-wise?

**The Deputy Minister in the Ministry of Food and Agriculture (Shri D. R. Chavan):** (a) and (b). There is no fixed monthly quota of supply of foodgrains by the Government of India to the various States. The quantity of rice to be supplied is fixed on an annual basis. With regard to imported wheat, the quantity to be supplied each month is determined by taking into account the expected availability of wheat with the Centre and the overall food position in each State. Since there is no fixed monthly quota, there is no question of reduction from or increase in the quotas to the various States.

**Shrimati Tarkeshwari Sinha:** Has the attention of Government been drawn to the conference of Chief Min-

laters in which the Prime Minister presided and where he requested the State governments to reduce their quota? If so, what was the quantity requested to be reduced?

**The Minister of Food and Agriculture (Shri C. Subramaniam):** It is with regard to distribution of the quantities which we are importing that the Prime Minister said we should not be distributing everything we are getting from month to month. On the other hand, it should be possible for us to save something to build up a buffer stock. It was with reference to that that he made that appeal to state governments that they should not go on increasing their demands but try to manage with smaller quantities. It is on that basis that we are trying to work out.

**Shrimati Tarkeshwari Sinha:** Did the Chief Minister personally meet the Food Minister and request him that one lakh tonnes of foodgrains were urgently required to meet the situation in Bihar which is very acute? In response to that request, has any quantity of foodgrains been given, and if so, what quantity?

**Shri C. Subramaniam:** The Chief Ministers of Bihar met me and informed me of the very acute position in that state. It is because of that that we are trying to give them as much as possible of imported wheat. We have also allotted this month some imported milo. In addition to that, we are trying to give as much as possible.

**Shrimati Tarkeshwari Sinha:** How much has been given so far?

**Shri C. Subramaniam:** 75,000 tonnes on the whole.

**श्री हुकुम बन्ध कल्याण :** जिन राज्यों से केन्द्र के प्रादेश के अनुसार दूसरे राज्यों से अनाज भेजा गया है क्या उनका कोटा सरकार ने पूरा कर दिया है ? मध्य प्रदेश से गुजरात, महाराष्ट्र, छत्तीसगढ़ इत्यादि को जो अनाज

पहुँचाया गया है, उसका कोटा क्या पूरा कर दिया गया है ?

**Shri C. Subramaniam:** Yes, they promised to give us 4 lakh tons of rice and these have been handed over to us.

**Mr. Speaker:** Whether the quotas wanted by other states have been given in full—that is the question.

**Shri C. Subramaniam:** I understood him to ask whether the MP quota which they agreed to deliver had been delivered. It has been delivered.

**श्री विद्वनाथ पाण्डेय :** मैं जानना चाहता हूँ कि किस आधार पर प्रान्तों का अनाज का कोटा निश्चित किया गया है ? उस का आधार क्या है ?

**Shri C. Subramaniam:** We take into account the internal production in each state and also the population and the traditional pattern of consumption. On that basis, we fix the deficit and to cover it, we fix the quota.

**Shri S. N. Chaturvedi:** Does the present annual quota to the states ensure equitable distribution of foodgrains? If so, what explains the wide disparity in prices in the open market and in per capita ration and availability of foodgrains in different states?

**Shri C. Subramaniam:** As far as possible, when we make available the imported wheat and also rice procured from surplus states, we try to make a calculation of how the availability has worked out with regard to each state. Taking into account the traditional pattern of consumption during 1961-63, we find that the availability has improved by this method of having each state as a zone and making allocations on the basis of the deficit and making procurement on the basis of the surplus available. But in spite of that, the purchasing power varies from state to state. It is on that basis that prices also fluctuate.

**Shri K. D. Malaviya:** When a requisition is made by the Chief Minister of a State, is it the practice of the Central Government to go into the matter and investigate as to how so suddenly such large quantities are asked for from the Centre, and will it not be desirable for the Central Government to keep an eye constantly to see whether the efficiency also is assured in the States to the extent that such demands are not made?

**Shri C. Subramaniam:** We do try to look into these things, but we cannot impart efficiency into the State administrations from the Centre. It is a matter for the State Governments, but we try to help them as far as possible.

**Shri Basappa:** May I know whether the Chief Minister of Mysore has represented about the scarcity conditions and bad rains prevailing in the southern part of Mysore, and that something must be done to supply foodgrains to that State?

**Shri C. Subramaniam:** I can give a general answer. Every State Government is making a demand that they should be given a higher quota.

**Shri P. C. Borooah:** As the States are increasing their demands for supplies from the Centre, may I know whether it will not be difficult to create a buffer stock of 7 lakh tons of rice and 1 million tons of wheat?

**Shri C. Subramaniam:** It has not been possible for us to build any sizable buffer stock this year.

**Shri Bade:** Instead of curtailing the quotas of different States, is there a suggestion before the Government that there should be no zones, that there should be no restrictions on movement within the State itself? Why don't you break these things?

**Shri C. Subramaniam:** Of course, there are various alternatives available—to have the whole country as a zone, or to have bigger zones or to have the States as zones. All these alternatives were discussed at the Chief Ministers' conference, and a

decision has been taken. We cannot go on rediscovering it every time.

**श्री सरजू पाण्डेय :** अभी माननीय मंत्री ने बतलाया कि किसी राज्य का कोई कौटा निर्धारित नहीं है जब कि राज्य सरकारों के खाद्य मंत्री, खास तौर से उत्तर प्रदेश के खाद्य मंत्री बराबर इस बात को कहते हैं कि उन का जो कौटा निर्धारित है वह केन्द्र से नहीं दिया जा रहा है । मैं जानना चाहता हूँ कि सूखे की प्रवस्था को देखते हुए क्या उत्तर प्रदेश को शीघ्र भनाज पहुंचाने की कोई व्यवस्था की जा रही है ?

**Shri C. Subramaniam:** In UP last year there was a shortfall in production to the extent of 2½ million tons. Therefore, for a few months we gave them at the rate of one lakh tons per month. They have taken that as a permanent quota and are demanding that they should be given one lakh tons every month even during this year when production has gone up by a few million tons. But we have to distribute only what we have at the Centre's disposal, and that is why we are giving round about 60,000 to 65,000 tons every month to UP.

**श्री पी. गुलशन :** क्या मैं जान सकता हूँ कि पंजाब सरकार ने केन्द्र से मिलने वाले भनाज का कोई कौटा डिमांड किया है । यदि किया है तो कितना ग्रीर केन्द्रीय सरकार ने कितना दिया है ?

**Shri C. Subramaniam:** Yes, even Punjab, which is traditionally the granary of India, also wants imported wheat.

**Shri Ranga:** That shows the failure of your Government.

**Mr. Speaker:** What is the demand, and what has been the supply?

**Shri C. Subramaniam:** Punjab's demand is mainly for the purpose of supplying to the roller flour mills, so that wheat products could be made. Their monthly capacity is round about 19 to 20 thousand tons. They always



ask for the full quota of 19 to 20 thousand tons, but we are unable to supply. We give around 7 to 8 thousand tons.

**Shri P. R. Patel:** What promise of supply, so far as wheat is concerned, was given to Gujarat in these six months, and what has been supplied and what is the deficit?

**Shri C. Subramaniam:** We have agreed to give at the rate of about 60,000 tons per month to Gujarat. The supply has been 50 to 55 thousand tons according to availability during each month.

**Shri A. P. Sharma:** Is it not a fact that most of these difficulties of non-availability of food in the various States are due to the State-wise food zones, and that some of the Chief Ministers have also objected to the continuance of those food zones? What is the specific difficulty in the way of the Government in abolishing these zones?

**Shri C. Subramaniam:** As I have already stated, no doubt various points of view were expressed, but ultimately it was the unanimous decision of the Chief Ministers that the State zones should continue.

**Shri Bhagwat Jha Azad:** While expressing full sympathy for the miseries and the sufferings of the surplus States like Madhya Pradesh, who are shouting here, what are the difficulties of Madhya Pradesh, for which so many Members spoke, or the other surplus States, in sharing their suffering with us, by removing the deficit food zones?

**Shri C. Subramaniam:** It is very difficult to answer. After all, everybody would like to have a more comfortable position, and, therefore, everybody wants to see that the position in his own State is better.

**Shri Bhagwat Jha Azad:** Not in the nation, but only in that State.

**Shrimati Yashoda Reddy:** May I know from the Minister whether it is not a fact that even in surplus States like Andhra Pradesh, consumption of food is not even 13 oz., whereas it is more than 18 oz. in other States and the all-India average is 15 oz., and that the surplus States are having a surplus at the expense of starving their own people.

**Shri C. Subramaniam:** Cereal consumption depends upon the level of the standard of living; in better developed States cereal consumption is less. Therefore, it should not be taken as a distress sign.

**Shri D. N. Tiwary:** May I know whether the quote in Bihar is the lowest for the whole of India, ten oz. per day and even this quantity is not made available?

**Shri C. Subramaniam:** On the basis of what we are giving, it comes to round about 11.8 oz. or so. I do agree that the availability in Bihar is much less than in many other States.

**Shri Shivaji Rao S. Deshmukh:** From the background that Maharashtra's deficit is one-third of the national deficit is it true that the shortfall in six months amounts to 1.5 lakh tons which had been promised by the Centre?

**Shri C. Subramaniam:** We have indicated to the Maharashtra Government what is possible for us to give them and we have kept to the targets.

**Shri Shivaji Rao S. Deshmukh:** The question was: what has been the promise as the shortfall is to the extent of 1.5 lakh tons? The answer is: we have indicated what is possible.

**Shri C. Subramaniam:** After all the Centre is not a producer of food-grains. We try to procure from surplus States or import as much as possible; these will equitably be distributed among the various deficit States. I have given the figures to all the Chief Ministers, particularly of the deficit States, how it could be

reallocated but they are not able to give the answer. They are more or less satisfied that equitable distribution had been made.

**Shri P. R. Chakraverti:** Is it a fact that it is the surplus States which are clinging to the exploded theory of zones?

**श्री पी. आर. चाक्रवर्ती :** मैं जानना चाहता हूँ कि क्या भारत सरकार का कोई नेशनल फूड बजट है। अगर है तो भारत सरकार का नेशनल फूड बजट ग्रो स्टेट का फूड बजट किस आधार पर बनाया जाता है।

**Shri C. Subramaniam:** We have a food budget in the sense that we try to calculate the average availability in the country and try to find out what is the surplus available in any State and we also take into account what is possible to import. We have a food budget for the purpose of distribution to the various deficit States.

**Shri K. N. Tiwary:** In view of the shortage here, will the Minister please tell us whether PL 480 agreement had been signed?

**Shri C. Subramaniam:** That is a different question.

**Dr. L. M. Singhvi:** May I know whether the Prime Minister has suggested that adequate buffer stocks should be built up and this should be the primary and overriding consideration before allocating quotas and, if so, to what extent it has been done?

**Shri C. Subramaniam:** We have to meet the immediate demand also. The Chief Ministers say that while we are immediately suffering, we should not be thinking in terms of buffer stocks. This matter will have to be considered next year and we shall see.

**Shri D. C. Sharma:** So far as the Punjab Government is concerned, it has been supplying the Central Gov-

ernment not only wheat and rice but bajra, millets and all kinds of things. May I ask the hon. Minister how much this surplus State has given to the Central Government for distribution in the other States of India and what paltry thing has the Punjab State asked for, which makes the hon. Minister say that a surplus State like the Punjab is also asking for more and more and so on?

**Shri C. Subramaniam:** It is not a free gift; we purchase it; we pay for it. I am sure Punjab is interested in selling its surplus products. It is only the surplus which is being sent out, and there is no question of any gift from Punjab to anybody else. It is a question of commercial transaction.

**Mr. Speaker:** We have had a regular debate on food as was desired; that was my purpose, and we have spent a sufficiently long period over this matter.

#### WRITTEN ANSWERS TO QUESTIONS

##### Cut in Election Expenditure

- \*457. { **Shri P. C. Borooah;**  
**Shri P. B. Chakraverti;**  
**Shrimati Tarkeshwari Sinha:**

Will the Minister of Law be pleased to state:

(a) whether the Election Commission has recommended that a Committee of representatives of political parties should go into the question of reducing election expenses eliminating corrupt electoral practices and streamlining election procedure; and

(b) if so, the precise terms of reference of the proposed Committee and its composition?

**The Deputy Minister in the Ministry of Law (Shri Jaganatha Rao):**  
 (a) No, Sir.

(b) Does not arise.

### Old-Age Pension Scheme

\*458. Shrimati Ramdulari Sinha: Will the Minister of Social Security be pleased to state:

(a) whether it is a fact that a Scheme of old-age pension was re-mitted to the Planning Commission by the Cabinet;

(b) if so, the present position of the scheme; and

(c) the total estimated annual expenditure involved?

The Deputy Minister in the Ministry of Law (Shri Jaganatha Rao):

(a) Yes.

(b) The Scheme is in an almost final stage of consideration and is being examined by the Planning Commission.

(c) Rs. 30—32 crores.

### Employees' Provident Fund Contributions

\*459. { Dr. Ranen Sen:  
{ Shri Dinen Bhattacharya:

Will the Minister of Social Security be pleased to state:

(a) whether it is a fact that a large number of Establishment and Companies are not paying their Provident Fund contributions to Government; and

(b) if so, the steps Government have taken for the realisation of the amount due from the defaulting Companies?

The Deputy Minister in the Ministry of Law (Shri Jaganatha Rao):

(a) About 12 per cent of 28,015 un-exempted establishments covered under the Employees' Provident Fund Scheme, as on 30th April, 1985, were not paying their provident fund contributions.

(b) Legal action by way of prosecution and recovery of provident fund dues as arrears of land revenue has been taken against the defaulting employers.

### Rural Indebtedness

{ Shri Heda:  
\*460. { Shri Madhu Limaye:  
{ Shri Ram Sewak Yadav:

Will the Minister of Community Development and Cooperation be pleased to state:

(a) whether Government have any plan to undertake study of the prevalence of indebtedness in rural areas and incidence of exorbitant rates of interest charged by the money-lenders; and

(b) the steps taken by Government to check the excessive rates of interest being charged by the money-lenders on loans given to the needy farmers and tribals?

The Deputy Minister in the Ministry of Community Development and Cooperation (Shri B. S. Murthy):

(a) No, Sir.

(b) Some of the State Governments have enacted laws regulating the operations of moneylenders to prevent usury. The Cooperative Credit Structure is being strengthened to provide increased credit to cultivators so as to reduce their dependence on money lenders.

### Paradeep Port Project

\*461. Shri Himatsingka: Will the Minister of Transport be pleased to state:

(a) the progress so far made with regard to the execution of the Paradeep Port Project; and

(b) the amount earmarked for initial expenditure?

**The Minister of Transport (Shri Raj Bahadur):** (a) and (b). A statement laid on the Table of the House. [Placed in Library. See No. LT-4769/65].

# **Drought Conditions**

- \*462. { Shri P. Venkatasubbalah:  
Shri Raviindra Varma:  
Shri Hukam Chand  
Kachhaviya:  
Shri Yashpal Singh:  
Shri D. S. Patil:  
Shri Kamble:  
Shri H. C. Linga Reddy:  
Shri Bishwanath Roy:  
Shri B. N. Kureel:  
Shri Brajeshwar Prasad:  
Shri Gopal Datt Mengi:  
Shri Surendranath  
Dwivedy:  
Shri Jena:

**Will the Minister of Food and Agriculture** be pleased to state:

(a) whether it is a fact that almost the entire country is facing drought conditions due to lack of rains;

(b) whether the kharif crop will be seriously affected; and

(c) if so, the steps Government propose to take to procure necessary foodgrains, internal as well as by importing, to ensure adequate and continuous supply to the people?

**The Minister of Food and Agriculture (Shri C. Subramaniam):** (a) and (b): The monsoon has been erratic over large parts of the country this year, but lately there have been good rains which are expected to prove beneficial to standing Kharif crops.

(c) Every effort is being made to intensify internal procurement and to import as much foodgrains from abroad as possible within the resources available with the Government. With these and the stocks on hand, Government expects to maintain the present rate of distribution.

# **Reservation of Parliamentary Constituencies for S.C. & S.T.**

\*463. **Shri B. N. Kureel:** Will the Minister of Law be pleased to state the criteria adopted for the reservation of Parliamentary Constituencies for the Scheduled Castes and Scheduled Tribes?

**The Minister of Law (Shri A. K. Sen):** The reservation of Parliamentary Constituencies for the Scheduled Castes and Scheduled Tribes are made having regard to the provisions contained in clauses (c) and (d) of subsection (1) of Section 9 of the Delimitation Commission Act, 1962.

# **Ban on Movement of Coarse Grains**

\*464. **Shri Jashvant Mehta:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that some of the States have banned the movement of coarse grains out of the State boundaries;

(b) if so, the names of those States;

(c) whether the States had sought permission of the Central Government before imposing the ban; and

(d) the steps Government have taken to overcome the difficulties experienced by the deficit States due to this order?

**The Minister of Food and Agriculture (Shri C. Subramaniam):** (a) Yes, Sir.

(b) Andhra Pradesh, Madras, Madhya Pradesh, Bihar, Gujarat, Maharashtra, Jammu and Kashmir, Mysore, Punjab, Rajasthan and Uttar Pradesh.

(c) Yes, Sir.

(d) Surplus States which have traditionally been exporting coarse grains to other States have been asked to continue to allow such export on a regulated basis. About one lakh tonnes of milo has also been imported and allotted to the deficit States.

## उत्तर प्रदेश में सूखे की स्थिति

- \*465. { श्री प्रकाशचोर शास्त्री :  
 १ काशी नाथ पाण्डे :  
 श्री विजयनाथ राय :  
 श्री बी० ना० कुरील :  
 श्री ब्रजेश्वर प्रसाद :  
 १ गोपाल बल मंगी :  
 श्री सुबोध हंसबा :  
 श्रीमती सावित्री निगम :  
 डा० पू० ना० ला :  
 श्री स० च० सामन्त :  
 श्री म० ला० द्विवेदी :  
 श्री इन्द्रजीत गुप्त :  
 श्रीमती रेणु चक्रवर्ती :

क्या जाय तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सब है कि सूखे उत्तर प्रदेश में वर्षा न होने के कारण सूखे की स्थिति उत्पन्न हो गई है ;

(ख) क्या यह सब है कि न केवल खड़ी फसल से ही अपितु घागामी फसल से भी बहुत कम पैदावार होने की संभावना है ;

(ग) क्या यह भी सब है कि सूखे की स्थिति के कारण गन्ने के मूल्य बहुत बढ़ गये हैं ; और

(घ) यदि हां, तो उत्तर प्रदेश में व्याप्त संकट को दूर करने के लिए केन्द्रीय सरकार का क्या कदम उठाने का विचार है ?

जाय तथा कृषि मंत्री (श्री बि० सुबोधनाथ) :

(क) मानसून अनियमित रही है। परन्तु पिछले लगभग दो सप्ताह में अच्छी वर्षा रही है और इससे खड़ी फसलें को लाभ पहुंचने की आशा है।

(ख) जी नहीं।

(ग) जी नहीं।

(घ) प्रश्न ही नहीं होता।

## Prices of Pulses in Delhi

\*466. Shri D. C. Sharma: Will the Minister of Food and Agriculture be pleased to state:

(a) whether the prices of pulses have risen very high in Delhi during the last three months;

(b) if so, the reasons therefor; and

(c) the steps taken or proposed to be taken to control them?

The Minister of Food and Agriculture (Shri C. Subramaniam): (a) There has been slight rise in the prices of pulses in Delhi during June and July, though during August Moong and Urad prices again showed a slight downward trend, as will be seen from the statement laid on the Table of the House. [Placed in Library. See No. 4770/65.]

(b) and (c) Delhi does not produce any pulses and its requirements are met by imports from the adjoining States. The slight rise in the prices of pulses in Delhi was the result of similar rise in the exporting States. There is at present no control on the movement and prices of pulses and there is no proposal to impose any such control. With the strengthening of the monsoon, prices of pulses are expected to come down both in the exporting States and in Delhi.

## South India Shipping Corporation

- { Shri Rajagopala Rao:  
 Shri Muthiah:  
 \*467. { Shri D. C. Sharma:  
 Shri Brajeshwar Prasad:  
 Shri Bishwanath Roy:

Will the Minister of Transport be pleased to state:

(a) whether it is a fact that a loan agreement has been concluded between Government and the South India Shipping Corporation, Madras to purchase new ships from Germany;

(b) if so, the number of ships to be purchased, their dead-weight and the cost of each ship on delivery; and

(c) the amount of loan and the terms of the agreement?

**The Minister of Transport (Shri Raj Bahadur):** (a) to (c). A statement is laid on the Table of the House. [Placed in Library. See No. LT-4771/65].

# **Concession to Scheduled Castes and Scheduled Tribes**

**\*468. Shri Gulshan:** Will the Minister of Social Security be pleased to state:

(a) whether it is a fact that some special concessions have recently been given to the Hindu Scheduled Castes and Scheduled Tribes;

(b) if so, the details thereof;

(c) whether the same concessions have been granted to the Sikh Scheduled Castes and Scheduled Tribes persons; and

(d) if not, the reasons therefor?

**The Deputy Minister in the Department of Social Security (Shrimati Chandrasekhar):** (a) No, Sir.

(b) to (d). Do not arise.

# **Price of Milk, Butter and Ghee**

**\*469. { Shri Inder J. Malhotra:  
Shri Hukam Chand  
Kachhavalaya:  
Shri Onkar Lal Berwa:  
Shri Bade:  
Shri Omkar Singh:  
Shri Prakash Vir Shastri:  
Shri Sivamurthi Swamy:  
Shri P. C. Borooah:  
Shri Jedhe:  
Shri K. N. Tiwary:**

Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that the Delhi Milk Scheme has increased the price of milk, ghee and butter produced by it;

(b) if so, how much this rise is; and

(c) the reasons therefor?

**The Minister of Food and Agriculture (Shri C. Subramaniam):** (a) to (c). A statement is placed on the Table of the Sabha. [Placed in Library. See No. LT-4772/65].

# **Bridge Mishap in Andhra Pradesh**

**\*470. Shri Basumatari:** Will the Minister of Transport be pleased to state:

(a) whether it is a fact that on the 21st August, 1965 some persons were killed and some others including Engineers received serious injuries in an accident on the road bridge under construction across the Gowthami branch of the river Godavari near Alamuru on National Highway 5 (diversion) in Andhra Pradesh;

(b) the number of accidents which occurred previously on the same bridge; and

(c) the steps taken to prevent such accidents in future?

**The Minister of Transport (Shri Raj Bahadur):** (a) Yes, Sir. Seven persons were killed, and eight persons including two engineers of the Contractors were injured, but they are all out of danger.

(b) One.

(c) After the earlier accident on this bridge, a Committee of Enquiry was set up by the State Government to investigate the causes of the accident, and also to recommend suitable safety measures for preventing the recurrence of such accidents in future. The measures suggested by the Committee were duly observed while undertaking the work after that accident. Unfortunately, another accident has occurred in spite of these safety measures having been observed, and it has been proposed to the State Government to set up another Committee of Enquiry to go into the causes of the accident and to suggest measures for prevention of similar accidents in future. The site inspection carried out after the accident has not

given any clue so far in regard to the cause of accident. It is not possible to examine the broken pieces of the concrete girder at present as they are submerged in water owing to the river being in flood.

#### Supply of Foodgrains to U.P. and Bihar

- \*471. { Shri Bishwanath Roy:  
Shri B. N. Kureel:  
Shri Brajeshwar Prasad:  
Shri Gopal Datt Mengi:  
Shri Surendra Pal Singh:  
Shrimati Savitri Nigam:  
Shri Bade:  
Shri Hukam Chand  
Kachhavaia:  
Shri Yamuna Prasad Mandal:  
Shri Yogendra Jha:  
Shri Bibhuti Mishra:  
Shri K. N. Tiwari:  
Shri Prakash Vir Shastri:  
Shri Jagdev Singh  
Siddhanti:  
Shrimati Tarakeshwari  
Sinha:  
Shri Krishnapal Singh:  
Shri Subodh Hansda:  
Dr. P. N. Khan:  
Shri S. C. Samanta:  
Shri M. L. Dwivedi:  
Shri Indrajit Gupta:  
Shrimati Renu Chakravarty:

Will the Minister of Food and Agriculture be pleased to state:

(a) whether the Central Government have been asked by the States of U.P. and Bihar to supply sufficient foodgrains for meeting the extraordinary food situation; and

(b) if so, the quantity of foodgrains supplied to these two States during the last three months?

**The Minister of Food and Agriculture, (Shri C. Subramaniam):** (a) Yes, Sir.

(b) The quantities of foodgrains supplied to U.P. & Bihar during June, July and August, 1965 are indicated below:—

(Figures in thousand tons)

1965	U.P.	Bihar
June	53	59
July	64	64
August	53	76

#### बिहार में सीमा सड़कें

\*472. { श्री बिभूति मिश्र :  
श्री क० ना० तिवारी :

क्या परिवहन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि उन्होंने जून, 1965 में उत्तरी बिहार के रसील, सीतामढ़ी, दरभंगा तथा पूर्णिया जिलों का दौरा किया था;

(ख) क्या यह भी सच है कि संसद और विधान सभा के सदस्यों तथा उपरोक्त क्षेत्रों के लोगों ने एक सीमा सड़क बनाने की मांग की थी ; और

(ग) यदि हां, तो इस सम्बन्ध में सरकार का क्या कार्यवाही करने का विचार है ?

परिवहन मंत्री (श्री राज बहादुर) :

(क) से (ग) जी, हां । जून, 1965 में उत्तरी बिहार का दौरा करते हुए मंत्री ने मुजफ्फरपुर जिले के सीतामढ़ी सब-डिवीजन में सीतामढ़ी में, और सहायता जिले में निरमली में, उत्तरी बिहार सीमान्त सड़क परिवहन विकास संस्था की दो बैठकों का उद्घाटन किया, प्रमुख व्यक्तियों के प्रति-रिक्त कुछ संघ सदस्यों ने भी इसमें भाग लिया । विचार विमर्श के दौरान में इस बात का जिक्र किया गया कि बिहार राज्य के सीमान्त क्षेत्रों में पश्चिम में भैरानातन से पूर्व में मलालिया की ओर जाने वाली एक ट्रंक सड़क की व्यवस्था की जानी चाहिये । शायद माननीय सदस्य इस मांग का उल्लेख कर रहे हैं यह राज्य की सड़क हांगी और इसके निर्माण की जिम्मेदारी प्रधानतः राज्य सरकार की होगी । भारत सरकार अपनी ओर से इस क्षेत्र की आवश्यकताओं की पूर्ति के लिये उत्तर प्रदेश में बरेली में प्रथम में प्रमीनगांव तक एक हजार मील लम्बी पार्श्व सड़क का प्रलग विकास कर रही है । इसमें से 400 मील तक यह सड़क बिहार

से होकर गुजरती है। इस पार्श्व सड़क के विकास की संपूर्ण लागत भारत सरकार द्वारा पूरी की जायेगी।

#### Procurement and Distribution of Foodgrains

\*473. { Shri P. R. Chakraverti:  
Shrimati Savitri Nigam:

Will the Minister of Food and Agriculture be pleased to state:

(a) how far the Union Government and the Planning Commission have satisfied themselves that, if need be, the country can now do without imported food;

(b) whether Government have plans ready to switch over to large-scale internal procurement and tighter distribution through ration shops in case the country is called upon to depend on its own resources;

(c) whether there is any proposal to facilitate regular procurement by putting a compulsory levy on producers in the surplus States; and

(d) whether efforts to import food to build up a buffer stock and also to reduce prices will continue?

The Minister of Food and Agriculture (Shri C. Subramaniam): (a) The question whether the country should continue to import foodgrains has to be considered in the context of the level of domestic production, and constantly rising demand for food on account of rising population and rising purchasing power. Considering these factors, it appears likely that the country will need to import foodgrains at least during the first two or three years of the Fourth Five Year Plan.

(b) If such a situation arises, Government will take all the steps necessary to meet the situation.

(c) A scheme for the imposition of a per-acre levy on bigger producers both in surplus and deficit States is under consideration and some State Governments have already

taken steps to implement this scheme from the coming season.

(d) Yes, Sir.

#### Coastal Freight Rates

\*474. { Shri P. C. Borooah:  
Shri Ram Harkh Yadav:  
Shri Indrajit Gupta:

Will the Minister of Transport be pleased to state:

(a) whether Government have decided to allow a general increase of 10 per cent. in coastal freight rates on all commodities; and

(b) if so, reasons therefor?

The Minister of Transport (Shri Raj Bahadur): (a) Yes, Sir.

(b) The increase has been allowed due to the general increase in the operational cost of coastal shipping service.

#### Edible Oils

\*475. Shri Jashvant Mehta: Will the Minister of Food and Agriculture be pleased to state:

(a) the names of States which are experiencing shortage of edible oils;

(b) the steps Government have taken or propose to take to meet the shortage in those States;

(c) whether Government have taken any steps to stabilise the prices of the edible oils; and

(d) the broad features thereof?

The Minister of Food and Agriculture (Shri C. Subramaniam): (a) The State Governments of West Bengal and Gujarat have intimated to the Central Government that their State are experiencing shortage of mustard oil and groundnut oil respectively.

(b) With the concurrence of the Central Government the Government of West Bengal has restricted the exports of mustard oil and mustard seeds from West Bengal on August 2, 1965. Similarly the Central Government has



agreed to the continuance of ban, till the end of November, 1965 on the exports of groundnut, whole and kernel, from Gujarat to areas outside that State. On August 22, 1965, with the prior concurrence of the Government of India, the Government of Gujarat has restricted the exports of groundnut oil from that State to areas outside it.

(c) Yes, Sir.

(d) The steps taken include:

Regulation of forward trading, tightening of bank advances against edible oilseeds and oils, restrictions on exports from the country, arranging imports of soyabean oil, mustard seeds, etc. to supplement internal supplies. Provision has also been made for summary trials, under Essential Commodities Act, 1955 of hoarders and profiteers in essential food articles including edible oilseeds and oils.

#### Industrialisation of Agriculture

\*476. Shri D. C. Sharma: Will the Minister of Food and Agriculture be pleased to state:

(a) the steps taken or proposed to be taken to industrialise agriculture in the country;

(b) if so, the details thereof; and

(c) the results achieved?

The Minister of Food and Agriculture (Shri C. Subramaniam): (a) to (c). A statement is laid on the Table of the House. [Placed in Library. See No. LT-4773/65].

#### Fishing Harbours

\*477. { Shri P. R. Chakravarti:  
Shri P. C. Borooah:  
Shri Yashpal Singh:  
Shri Bagri:  
Shri Warior:  
Shri Mohammad Elias:

Will the Minister of Food and Agriculture be pleased to state:

(a) whether Government have sought assistance from the U.N. Spe-

cial Fund for conducting pre-investment surveys in the ports for the development of fishing harbours;

(b) whether offshore catches from mechanised boats have been augmented by the supply of more boats, specially in the Malabar coasts;

(c) what ancillary facilities have been provided to step up catches and to increase exports; and

(d) whether Government are seeking collaboration with local or foreign parties on prescribed terms?

The Minister of Food and Agriculture (Shri C. Subramaniam): (a) Yes. U.N. Special Fund Assistance has been sought for pre-investment surveys for the development of fishing harbours.

(b) Yes. Increase in production has been mainly due to the operation of mechanised boats.

(c) Ancillary facilities like fishing harbours and landing centres, ice plants and cold storages and transport vehicles have been afforded.

(d) It has been decided to set up a company in collaboration with an American firm with the primary object of catching and exporting shrimps to foreign countries.

#### Surcharge on General Cargo

\*478. { Shri P. C. Borooah:  
Shri Narendra Singh  
Mahida:

Will the Minister of Transport be pleased to state:

(a) whether Government's attention has been drawn to the reported move by the U.S.—India—Ceylon—Burma Outward Conference to impose a surcharge on general cargo destined to India through Bombay from the 15th September, 1965; and

(b) if so, Government's reaction thereto?

**The Minister of Transport (Shri Raj Bahadur):** (a) and (b). Government have seen the report and as a result of a strong protest made, the Conference have agreed to discuss the issue with the representative of the Government of India and in the meantime to postpone the surcharge by one month.

**Scarcity conditions in Alleppey District (Kerala)**

**1595. Shri A. K. Gopalan:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that acute famine conditions prevail in Shertallai and the surrounding places in Alleppey district; and

(b) if so, the relief measures proposed to be taken by Government in this regard?

**The Deputy Minister in the Ministry of Food and Agriculture (Shri Shah Nawaz Khan):** (a) and (b). There are no famine conditions in Shertallai and the surrounding places in Alleppey District. But every year some relief is given to the poor and deserving fisher-folk in the coastal areas of the State during off-sessions. This year also, as in previous years, Government of Kerala have sanctioned the following assistance to the fisher-folk in the coastal areas including those in Shertallai, Alleppey District:

(1) Financial assistance for rethatching purposes at the rate of not less than Rs. 10 and not exceeding Rs. 20 per hut of the poor and deserving fishermen in the coastal areas.

(2) Free supply of weekly rations at the rate of  $1\frac{1}{2}$  litres of rice and two kilograms of tapioca to each of the poor and deserving fishermen families in the coastal areas for a period of two weeks or until such time that the situation improves, whichever is earlier.

**Construction of Ring Bunds**

**1596. Shri A. K. Gopalan:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether Government have received a Memorandum from the farmers of Kuttanad for the grant of aid to construct permanent ring bunds to avoid recurring expenditure on repair-in kucha bunds annually;

(b) if so, the action taken thereon;

(c) whether Government have also received a Memorandum from the R. Block Kayal Committee for permission to try cash crops also in the reclaimed land; and

(d) if so, the steps taken thereon?

**The Deputy Minister in the Ministry of Food and Agriculture (Shri Shah Nawaz Khan):** (a) The Kerala Government have received a memorandum to this effect.

(b) The memorandum was under the consideration of the Kerala Government. In the meantime an F.A.O. Mission arrived and suggested formulation of a scheme for the development of Kuttanad with assistance from the U.N. Special Projects Fund. A team of experts from the Ministry of Food & Agriculture would be visiting Kerala during the month of October, 1965 to go round the area and examine the technical aspects of the problem. Further action will be taken in the light of the recommendations of the team.

(c) Yes.

(d) This is also under the consideration of the Kerala Government.

**Food Storage Godowns in Kerala**

**1597. Shri A. K. Gopalan:** Will the Minister of Food and Agriculture be pleased to state:

(a) the number of foodgrain storage godowns which are going to be constructed in Kerala by the Food Corporation of India;

(b) their total capacity and where these will be located; and

(c) their estimated cost?

The Deputy Minister in the Ministry of Food and Agriculture (Shri D. R. Chavan): (a) to (c). The Food Corporation of India proposes to construct storage accommodation of a total capacity of about 40 thousand tonnes at an estimated cost of about Rs. 60 lakhs at the following four places in Kerala State:

1. Chingavanam in Kottayam Taluk.
2. Mulankunnathucavu in Trichur District.
3. Puthupariyaram in Palghat District.
4. Edakadu in Cannanore District.

#### Road Bridge at Chalakudy (Kerala)

1598. Shri A. K. Gopalan: Will the Minister of Transport be pleased to state:

(a) whether Government propose to construct a separate road bridge at Chalakudy on the National Highway instead of the existing rail-cum-road Bridge;

(b) if so, when the work will start; and

(c) the amount allotted for the same?

The Minister of Transport (Shri Raj Bahadur): (a) The work relating to the construction of a separate road Bridge at Chalakudy has already been sanctioned.

(b) The execution of the work will be taken up soon after finalization of the tenders by the State Government; and

(c) The estimated cost of the work is Rs. 9.85 lakhs, against which Rs. 1

lakh approximately is likely to be spent during the current financial year.

#### Agricultural Production

1599. Shri A. K. Gopalan: Will the Minister of Food and Agriculture be pleased to state:

(a) whether Government have appointed some expert Committee or team to study and recommend the ways and means for increasing food production;

(b) if so, the main recommendations of the Committee about the State of Kerala; and

(c) whether Government have taken steps to implement those recommendations in the Kerala State?

The Deputy Minister in the Ministry of Food and Agriculture (Shri Shahnawaz Khan): (a) With a view to studying the implementation of various agricultural programmes and to suggest ways and means for increasing agricultural production, the Government of India constituted Joint Central Teams on Agriculture, consisting of representatives of Ministries of Food and Agriculture, Irrigation and Power, Community Development and Cooperation and the Planning Commission. The Teams visited different States, including Kerala, during 1965-66.

Adviser (Programme Administration), Planning Commission, had visited Kerala earlier in January, 1965. The Ministry of Irrigation and Power also deputed Consultant on Irrigation and Power to Kerala to report on the quantum of food shortage in that State and the extent to which the deficit could be met by completing the medium irrigation projects already sanctioned.

In addition a team of F.A.O. Experts made a study about rice growing in Kerala.

(b) The main recommendation of the Joint Central Team bearing on agricultural production in Kerala re-

lated to the provision of certain additional outlays on agriculture (including Soil Conservation, Forests and Fisheries), besides irrigation. The main recommendation of the Consultant of the Ministry of Irrigation and Power was also that some additional allocation should be made for accelerating the major and medium irrigation projects in Kerala.

The F.A.O. team has recommended that certain low lying rice growing areas of Kerala should be selected for a project under which aerial photography, detailed and semi-detailed soil survey, research and trials with new paddy varieties, contour-mapping, study of ground-water resources, designing of polders' irrigation and flood-control works and feasibility studies of the effects of reclamation work, should be arranged over a period of five years. The total areas recommended to be covered by the Project is about 190,000 acres.

(c) In pursuance of the recommendations of the Joint Central Team an additional outlay to the extent of Rs. 68.0 lakhs has been approved in June, 1965 for Agriculture (including Soil Conservation, Forests and Fisheries) and to the extent of Rs. 110 lakhs for major and medium irrigation schemes during 1965-66.

The Government of Kerala has since reported that the proposals of the F.A.O. Team are of a long-term character, that the investigations alone would take about five years and that the execution of the programme on the basis of the investigations might take another ten or fifteen years. The Government of Kerala has, therefore, suggested that programmes which would give quick results should be taken up immediately. In order to draw up such a programme they have suggested a discussion between State Government officers and specialists of the Government of India. It has been decided that a Central Team should visit Kerala during the month of October, 1965, and discuss with the State Government officials the question of

drawing up a plan for increasing rice production in the Kuttanad and other areas of Kerala. Further steps to draw up a five year plan for the development of Kuttanad area would be considered after the proposed visit of the experts to Kerala.

#### Tube Wells

1600. { Shri M. S. Murti:  
Shri Onkar Lal Berwa:  
Shri Omkar Singh:

Will the Minister of Food and Agriculture be pleased to state:

(a) the number of tube-wells drilled by the Exploratory Tube Well Organisation during 1964-65, Statewise;

(b) the number of tube-wells which are successful, Statewise; and

(c) the programme for drilling during 1965-66, Statewise?

The Deputy Minister in the Ministry of Food and Agriculture (Shri Shah Nawaz Khan): (a) and (b). The Exploratory Tubewells Organisation has been carrying out groundwater exploration in different parts of the country. In the course of exploration, such bores as give 20,000 gallons of water or above per hour at 20' draw down are considered successful and converted into production tubewells for the use of the State Governments for agricultural and related purposes. If any bore of lower standard is acceptable to the State Governments, it is also converted into a production tubewell.

The total number of exploratory bores drilled during 1964/65 was 10.4 in Madras, 3 in Orissa, 2 in Punjab and one in Uttar Pradesh, out of which only 1 in Uttar Pradesh was converted into production tubewell.

The Exploratory Tubewells Organisation has also been assisting State Governments etc. in the construction of production tubewells without affecting its normal work of exploration. Since June, 1964, the Organisation has been entrusted, as a special case, with the construction of 250 tubewells in

the scarcity areas of Rajasthan as a famine relief measure on a priority basis. Most of its rigs have been withdrawn from the exploration work and diverted to Rajasthan. The number

of tubewells, including those in Rajasthan, drilled by the Exploratory Tubewell Organisation during 1964-65 is given below:—

Name of State	Total bores drilled	Successful
<i>Work on behalf of State Governments etc.</i>		
1. Rajasthan	85	53
2. Bihar	63	61
3. Maharashtra	3	2
4. Kutch (Gujarat)	47	39
5. U. P.	12	12
6. Delhi	1	1
7. Mithya Pradesh	1	1
TOTAL	212	175

(c) The programme of work for 1965-66 is as follows:—

I. Programme of drilling exploratory bores :

State	No. of exploratory bores to be drilled.
Himachal Pradesh.	1
Uttar Pradesh.	4
TOTAL	5

II. Programme of drilling tubewells on behalf of State Governments.

State	Total No. of bores
Bihar	61
Kutch (Gujarat)	44
Rajasthan	127
Uttar Pradesh	8
Delhi	12
TOTAL	252

पंजाब की अनुसूचित आदिम जातियों की सूची

1601. श्री हेम राज : क्या सामाजिक सुरक्षा मंत्री यह बताते की कृपा करेंगे कि :

(क) क्या पंजाब सरकार ने अनुसूचित आदिम जातियों की सूची केंद्रीय सरकार को भेज दी है ; और

(ख) यदि हां, तो उन आदिम जातियों के नाम क्या हैं तथा वे किस-किस जिले में रहती हैं ।

सामाजिक सुरक्षा विभाग में उप-मंत्री (बीमती चन्द्र शेखर) : (क) और (ख). राष्ट्रपति ने अनुच्छेद 342 (1) के अधीन पंजाब में अनुसूचित आदिम जातियों की सूची उल्लिखित कर दी है और यह निम्न-लिखित है :—

कांगड़ा जिले में म्पीती और साहोस में :—

1. गहूरी ।
2. सर्वगला ।
3. भीत या बोध

पंजाब सरकार द्वारा आदिम जातियों की सूची केन्द्रीय सरकार को भेजने का प्रश्न नहीं उठता ।

### Central Road Fund

1602. Shri Karni Singhji: Will the Minister of Transport be pleased to state:

(a) the amount of the grant given to the Rajasthan Government from the Central Road Fund for road development schemes in the State during 1964-65; and

(b) the amount proposed to be allotted for the year 1965-66?

The Minister of Transport (Shri Raj Bahadur): (a) Rs. 27.12 lakhs.

(b) Rs. 27.73 lakhs.

दिल्ली के इर्द-गिर्द कृषि योग्य भूमि

1603. श्रीरामानन्द शास्त्री : क्या साहब तथा कृषि मन्त्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली और नई दिल्ली के इर्द-गिर्द कितनी कृषि योग्य भूमि बेकार पड़ी है ;

(ख) क्या सरकार का विचार इस भूमि का खेती प्रणवा सम्मिश्रता पैदा करने के लिए उपयोग करने का है ; और

(ग) यदि नहीं, तो इसके क्या कारण हैं ?

साहब तथा कृषि मंत्रालय में उप-मंत्री (श्री शाहनवाज खाँ) : (क) (1) दिल्ली के प्रायोजित विकास हेतु दिल्ली प्रशासन द्वारा अधिग्रहण किया जाने वाला घोषित भूमि क्षेत्र 50,000 एकड़ है ।

(2) अधिग्रहण किया हुआ क्षेत्र और जिसको अधिकार में लिया जाना है वह 20,000 एकड़ है ।

(3) दिल्ली विकास प्राधिकरण, दिल्ली

नगर निगम, सरकारी विभाग, सरकारी तथा गैर-सरकारी संस्था, औद्योगिक संपदा, को-ऑपरेटिव हाऊस बिल्डिंग सोसायटी आदि को विकास के कार्यों के लिए पहले ही जो क्षेत्र सुपुर्द किया हुआ है वह 11,500 एकड़ है । शेष भूमि का वितरण भी किया जा रहा है ।

(ख) दिल्ली प्रशासन द्वारा एक प्रस्ताव पर विचार हो रहा है जिसके अनुसार अधि-ग्रहण की हुई कृषि भूमि विभागीय रूप से तब तक जोती जाएगी जब तक यह भूमि मास्टर प्लान के अनुरूप विभिन्न कार्यों के लिए नहीं ली जाती ।

(ग) प्रश्न ही नहीं होता ।

### Wheat from Canada

1904. { Shri Ram Harkh Yadav:  
Shri Murlī Manohar:  
Shri E. S. Pandey:  
Shri E. Barua:

Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that Government have entered into a contract recently with Canada for the supply of a large quantity of Canadian wheat;

(b) if so, the details thereof;

(c) the quantity of wheat tonnage involved; and

(d) when the shipment of wheat is likely to arrive in India?

The Deputy Minister in the Ministry of Food and Agriculture (Shri D. R. Chavan): (a) to (d). The Government of Canada have recently made an allocation of \$10 million as an aid for the purchase of Canadian wheat under their International Food Aid Programme for 1965-68. This amount would realise about 1.36 lakh tonnes of wheat which is likely to arrive in India during the period September to November, 1965.

**All-India National Agricultural Fair**

1605. { Shri Ram Harkh Yadav:  
Shri Murl Manohar:

Will the Minister of Food and Agriculture be pleased to state:

(a) whether an All-India National Agricultural Fair is to be held at Jaipur;

(b) if so, the details thereof and when it is to be held; and

(c) the details of the participants and exhibits?

The Deputy Minister in the Ministry of Food and Agriculture (Shri Shah Nawaz Khan): (a) Yes. The Bharat Krishak Samaj, a non-official Organisation, proposes to hold the Fair.

(b) The fair is proposed to be held from January 14 to March, 14, 1988. It will have a National Sector, a States Sector and a Rural Industries Sector.

(c) Details of participants and exhibits have not been finalised so far by the Samaj but they expect some State Governments; Union Ministries; Boards; Research Institutes; Commissions; Manufacturers and Distributors of Agricultural Machinery and Implements, Plant Protection Chemicals and Equipment, Fertilizers, Cottage Industries etc. and a few foreign countries, at Embassy level to participate. The exhibits are expected to include Agricultural Machinery, Plant Protection Equipment, Plant Food and Fertilizers exhibits by Khadi and Village Industries Handloom Industries and Handicrafts.

**Delimitation Commission**

1606. Shri Siddiah: Will the Minister of Law be pleased to state:

(a) whether the Delimitation Commission has finalised the proposals for delimiting the Parliamentary and Assembly constituencies in Mysore State; and

(b) if so, whether the details thereof will be laid on the Table?

1181 (A) LSD—3.

The Deputy Minister in the Ministry of Law (Shri Jaganatha Rao):

(a) Yes, Sir.

The Delimitation Commission has finalised the Order for the delimitation of Parliamentary and Assembly constituencies in respect of Mysore State and the said Order is being printed.

(b) Yes, Sir.

**Free Legal aid to the Poor in Union Territories**

1607. Shri Siddiah: Will the Minister of Law be pleased to state:

(a) whether there is any proposal to secure free legal aid to the poor in the Union Territories;

(b) if so, the details thereof; and

(c) if not, the reasons therefor?

The Minister of Law (Shri A. K. Sen): (a) Yes, Sir. An outline of a scheme for legal aid to the poor was circulated to the Union Territories.

(b) In the Union Territories of Pondicherry, Goa, Daman and Diu and Himachal Pradesh the schemes are applicable to the poor in general. In the Union territories of Tripura and Dadra and Nagar—Haveli the schemes are meant for the benefit of the members of Scheduled Castes and Scheduled Tribes. The Schemes have not yet been introduced in other Union Territories.

(c) Does not arise.

**Uplift of Scheduled Tribes**

1608. Shri Siddiah: Will the Minister of Social Security be pleased to state:

(a) whether recommendations made by the Dhebar Commission and those made by the Commissioner for Scheduled Castes and Scheduled Tribes from year to year regarding the amelioration of the conditions of the Scheduled Tribes have been implemented by the State Governments and Union Territories in full;

(b) if not, whether any directions have been issued to the State and

Union Territories under Article 339 of the Constitution; and

(c) if the reply to (b) above be in the negative, the reasons therefor?

**The Deputy Minister in the Department of Social Security (Shrimati Chandrasekhar):** (a) The recommendations of the Scheduled Areas and Scheduled Tribes Commission (also known as Dhebad Commission) which primarily fall within the sphere of action by the State Governments/ Union Territory Administrations were discussed at the Conference of the State Ministers in charge of the welfare of Backward Classes held in July, 1962. A statement of the conclusions reached at the Conference was placed on the Table of the House on 28th August, 1962. In accordance with the decisions reached at the Conference, the State Governments/Union Territory Administrations are taking necessary steps to implement them to the maximum extent possible. The various recommendations of the Commission have also been taken into consideration while formulating the annual plan programmes and the Fourth Five Year Plan for the Scheduled Tribes.

Statements of action taken or proposed to be taken on the recommendations contained in the Reports of the Commissioner for Scheduled Castes and Scheduled Tribes for the years upto including 1961-62 have also been placed on the Table of the House from time to time.

(b) and (c). The recommendations made by the Scheduled Areas and Scheduled Tribes Commission and the Commissioner for Scheduled Castes and Scheduled Tribes are not mandatory. Hence the question of issuing any directives to the States under Article 339 of the Constitution does not arise.

#### Scheduled Castes and Scheduled Tribes Students

1609. Shri Siddhah: Will the Minister of Social Security be pleased to

state:

(a) the number of Scheduled Castes and Scheduled Tribes students who appeared for the I.A.S., I.P.S. and other Central Services Examinations from the coaching centres at Allahabad and Bangalore during the year 1964-65; and

(b) the number of candidates who were successful in each of the said examinations?

**The Deputy Minister in the Department of Social Security (Shrimati Chandrasekhar):** (a) and (b). Forty-seven students appeared from the Allahabad Centre of whom eight were finally selected—two for the I.A.S./I.F.S., four for I.P.S. and two for the Central Services. Thirty-four students were trained at the Bangalore Centre but none was finally selected for any of the services.

अनुसूचित जातियों तथा अनुसूचित आदिम जातियों की सूची का पुनरीक्षण

1610 { श्री दे० शि० पाटिल :  
श्री तुलसीदा आश्व :  
श्री कांबले : स

क्या सामाजिक सुरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) अनुसूचित जातियों तथा अनुसूचित आदिम जातियों की सूची पुनरीक्षण सम्बन्धी सलाहकार समिति ने, बम्बई में 19 जून, 1965 को हुई अपनी बैठक में किन व्यक्तियों तथा संस्थाओं के प्रतिनिधियों को अपने विचार प्रस्तुत करने के लिये आमन्त्रित किया था; और

(ख) उन बैठक में समिति ने किन-किन व्यक्तियों के विचारों को सुना ?

सामाजिक सुरक्षा विभाग में उप-मंत्री (श्रीमती चन्द्रशेखर) : (क) सलाहकार



समिति ने निम्नलिखित व्यक्तियों को धाम-  
न्नित किया था :—

- (1) श्री डी० एस० पाटिल, संसद सदस्य ।
- (2) श्री शिवाजी राव एस० वेशमुख, संसद सदस्य ।
- (3) श्री नेतराम नाथभाई पटेल ।
- (4) श्री भागीरथ सूरतियाल सोलंकी ।
- (5) श्री गनपत राम बालराम ।

अन्तिम तीन सटीक उत्पान संघ, खरवाड़ी, बम्बई के प्रतिनिधि थे ।

(ख) उपर्युक्त व्यक्तियों में से सर्वश्री नेतराम, नाथभाई पटेल, भागीरथ सूरतियाल तथा गनपत राव बालूराम समिति के सामने उपस्थित हुए थे ।

गोघ्रा की गेहूं और चावल की सप्लाई

1611. श्री यशपाल सिंह : क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि गोघ्रा की सप्लाई किया जा रहा गेहूं और चावल का कोटा 16 मई, 1965 से कम कर दिया गया है; और

(ख) यदि हां, तो इसके क्या कारण हैं ?

खाद्य तथा कृषि मंत्रालय में उप-मंत्री (श्री बा० रा० चहलान) : (क) जी नहीं ।

(ख) प्रश्न ही नहीं उठता ।

**New All-weather Road to Kashmir**

1612. { Shri A. N. Vidyalkar:  
Shri Ram Harkh Yadav:

Will the Minister of Transport be pleased to state:

(a) whether there is any scheme for the construction of a new all-weather road linking Kashmir with the rest of India;

(b) the broad features of the scheme; and

(c) when it is likely to be implemented and the estimated cost thereof?

**The Minister of Transport (Shri Raj Bahadur):** (a) to (c). A proposal for an alternative route was considered by the State Government at one time but was not pursued. A suggestion has been again received recently for considering the alternative route. This is being examined.

**Super-tanker from Japan**

1613. { Shri Subodh Hansda:  
Shri S. C. Samanta:  
Shrimati Savitri Nigam:  
Dr. P. N. Khan:  
Shri M. L. Dwivedi:  
Shrimati Maimoona Sultan:

Will the Minister of Transport be pleased to state:

(a) whether the Super-tanker for which an order was placed with the Hitachi Shipbuilding and Engineering Company, Japan by the Shipping Corporation of India has been delivered in time;

(b) the capacity of this tanker; and

(c) when this will be put to service?

**The Minister of Transport (Shri Raj Bahadur):** (a) to (c). The Motor-tanker "Lajpat Rai" built in Hitachi Shipyard was delivered to the Shipping Corporation of India in time on the 24th July, 1965 and was put into service immediately on delivery. The capacity of the tanker is 46,012 DWT.

**Central Arid Zone Research Institute, Jodhpur**

1614. Shri A. N. Vidyalkar: Will the Minister of Food and Agriculture be pleased to state:

(a) the important researches made by the Central Arid Zone Research Institute, Jodhpur in the field of the following:

(i) adaptabilities of crop varieties to arid environments;

(ii) conservation of farming and wind erosion control;

(iii) moisture conservation; and

(b) the places where these results of the researches have been applied and the result thereof?

**The Deputy Minister in the Ministry of Food and Agriculture (Shri Shah Nawaz Khan):** (a) (i) Research on adaptability of crop varieties to environment has been carried out in 44 varieties of Bajra, 37 varieties of Jowar, 27 of Moong, 72 of Guar, 18 of Castor, 15 of Moth and 12 of Til, 16 of Groundnut, 4 of Water-melon and 3 varieties of Musk-melon. As a result of these adaptability tests the Bajra varieties R.S.K., Chadi and Ghana (introduced) have shown promise. Among the Jowar varieties Merta Type, Sojat Bavni, Jonna 3 and Sundhia Jowar have indicated promising performance. Among the other crops, Phalsana Guar and Maru-1 Mung, have shown better performance, than rest of the collections. In preliminary selection varieties found very suitable are Maru-1, Maru-2, Co. 1, HC-3 in Castor crop and Samrula and Durgapur selection in the groundnut crop.

(ii) Investigations have been conducted on wind strip cropping, stubble mulching and wind breaks on crop production. Castor has been found as a good wind break in the cultivated areas. For wind strip cropping *Lasirus indicus* (Sewan) grass has proved very effective.

(iii) Moisture conservation studies have been conducted in relation to control of weeds, bunding in high (more than 35 cm) rainfall area and application of artificial mulch. These investigations have indicated that in the semi-arid areas, bunding is very successful for crop production. Contour furrowing in the range lands has almost doubled the production of forage. The control of weeds in crops by the mechanical methods and the application of herbicides has enhanced

the yield by 50—80 per cent by prevention of loss of water by weeds in the crop. The application of petroleum resin mulch (ENCAP) has not shown very beneficial effect.

(b) Most of the experimental work has been conducted at the Central Research Farm at Jodhpur and the Research Farm at Pali. After 4 years' working a stage has been reached when the results can be demonstrated in pilot development projects in the different areas of Western Rajasthan. Trial-cum-demonstration with R.S.K. variety of Bajra together with nitrogen doses has been carried out in 15 plots in different districts in Western Rajasthan. This variety with application of 15 kg/ha of nitrogen dose has shown very good performance and can be recommended for large scale cultivation. The tests with groundnut will be conducted in the coming season in collaboration with the Department of Agriculture at 20 different sites already selected for the purpose. For pilot demonstrations village Pal, six miles from the Institute, has been selected where the performance of the other selected varieties of various crops, grasses, and trees, other recommended agronomic and management practices are being tested.

#### Madras Port

**1615. Shri Yashpal Singh:** Will the Minister of Transport be pleased to state:

(a) whether financial assistance for setting up the ore-handling plant at Madras Port has been arranged;

(b) if so, with whom; and

(c) when the work is likely to be completed?

**The Minister of Transport (Shri Raj Bahadur):** (a) and (b). The Madras Port Trust, like other Port Trusts, is granted loans by the Central Government for the execution of plan works annually according to the requirements and to the extent to which the Port Trust cannot finance

them from its own reserves and savings. The scheme for the installation of a mechanical ore handling plant at Madras Port for the export of three million tons of iron ore per annum from Bellary-Hospet area is, expected to cost about Rs. 350 lakhs, including a foreign exchange component of about Rs. 150 lakhs. This scheme will be covered by Central Government loan assistance to the extent required so far as the rupee financing is concerned. The foreign exchange requirements will be tied to available external credits.

(c) Arrangements are being made for the preparation of the detailed designs by consultants. It will take about three years for the work to be completed.

#### उत्तर प्रदेश में पैकेज प्रोग्राम

1616. श्री विश्वनाथ पाण्डेय : क्या खाद्य तथा कृषि मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या केन्द्रीय सरकार ने 1965-66 में उत्तर प्रदेश में पैकेज प्रोग्राम प्रारम्भ करने के लिए अनुमति दे दी है;

(ख) क्या इस कार्य के लिए 1965-66 में उत्तर प्रदेश सरकार को अनुदान प्रस्ताव प्रेषण देने का विचार है; और

(ग) यदि हां, तो कुल कितनी राशि का ?

खाद्य तथा कृषि मंत्रालय में उप-संजी (श्री शाहनवाज खाँ) : (क) भारत सरकार ने 1965-66 में उत्तर प्रदेश में कोई नया पैकेज प्रोग्राम प्रारम्भ करने की अनुमति नहीं दी है। उत्तर प्रदेश के झीमसई जिले में सघन कृषि जिला कार्यक्रम (पैकेज प्रोग्राम) 1961-62 से जारी है और यह 1965-66 में भी चालू रहेगा। इस के अतिरिक्त सघन कृषि जिला कार्यक्रम के अनुभव के आधार पर सघन कृषि क्षेत्र कार्यक्रम 1964-65 की खरीफ की फसल के समय से घान, गेहूँ तथा

अन्य महत्वपूर्ण फसलों के उत्पादन को बढ़ाने के लिये उत्तर प्रदेश के वाराणसी, बस्ती, बान्दा, सहारनपुर, मुजफ्फरनगर, मेरठ, बुलन्दशहर, फैजाबाद और गोंडा जिलों में शुरू किया गया है। ये कार्यक्रम 1965-66 में जारी रहेंगे।

(ख) तथा (ग). राज्य सरकार को 1965-66 में सघन कृषि जिला कार्यक्रमों तथा सघन कृषि क्षेत्र कार्यक्रमों की क्रियान्वित के लिये केन्द्रीय सहायता जो कि अनुदान के रूप में दी जायेगी लगभग 29 लाख रुपये अनुमानित की जाती है। इस में वे कर्ज शामिल नहीं हैं जो कि राज्य सरकारों। सहकारी संस्थाओं द्वारा दिये जाते हैं।

#### Damage to Crops

1617. Shri Vlahwa Nath Pandey: Will the Minister of Food and Agriculture be pleased to refer to the reply given to Starred Question No. 1039 on the 27th April, 1965 and state:

(a) whether an estimate of the damage caused to the standing crops due to rains and hailstorms in February, March and early April, 1965 has since been ascertained; and

(b) if so, the estimate of such damage, State-wise?

The Deputy Minister in the Ministry of Food and Agriculture (Shri Shah Nawaz Khan): (a) and (b). No estimate of the quantitative damage caused to standing crops due to excessive rains and hailstorms in February, March and early April, 1965 has been made. However, it may be stated that production of rabi crops during 1964-65 has shown an increase in all the States except Bihar and Delhi, where slight damage was caused to standing crops by rains and hailstorms.

# Supply of Fertilizers to U. P.

1618. { Shri Vishwa Nath Pandey:  
Dr. Mahadeva Prasad:

Will the Minister of Food and Agriculture be pleased to state:

(a) whether there is any proposal to increase the quota of fertilizers to Uttar Pradesh during 1965-66;

(b) if so, the details thereof; and

(c) the quantity demanded by the Government of Uttar Pradesh in the year 1964-65 for the supply of Ammonium Sulphate, Double Salt, Urea and Calcium Ammonium Nitrate respectively and that actually supplied?

The Deputy Minister in the Ministry of Food and Agriculture (Shri Shah Nawaz Khan): (a) and (b). No specific quota of fertilisers has been fixed for Uttar Pradesh for the year 1965-66. According to usual practice, allotment of fertilisers to States is made for each quarter after taking into account overall availability from indigenous sources/imports and the total demand. However, availability of nitrogenous fertilisers during 1965-66 is expected to be better than in 1964-65. Accordingly it is expected that the total supply of nitrogenous fertilisers to Uttar Pradesh will improve in 1965-66.

(c) The required information is given below:—

(Figures in Tonnes)

Kind of Fertilisers	Demand for 1964-65	Quantity allotted	Quantity supplied against allotment
Sulphate of Ammonia	3,53,770	73,445	71,000
Urea	15,000	13,325	12,856
Amm. Sul. Nitrate	35,000	15,354	15,100
Cal. Ammonium Nitrate	1,30,000	1,10,899	1,10,650

# Development of Tourist Centres in U. P.

1619. Shri Vishwa Nath Pandey: Will the Minister of Transport be pleased to state:

(a) whether there is any proposal to develop a few tourist centres in Uttar Pradesh;

(b) if so, the names of the places likely to be developed; and

(c) the names of the existing tourist centres in Uttar Pradesh which have

been developed in the year 1963, 1964 and till recently?

The Minister of Transport (Shri Raj Bahadur): (a) to (c). A statement giving the list of the schemes included under the Third Five Year Plan for development of tourism in Uttar Pradesh and the position regarding their implementation is laid on the Table of the House. [Placed in Library. See No. LT-4774/65].

The following further schemes for Uttar Pradesh have been proposed for inclusion in the revised Fourth Five Year Plan for development of Tourism:—

(Rupees in Lakhs)

Sl. No.	Name of the scheme	Estimated cost		
		Central Govt.'s share	State Govt.'s share	Total
<i>PART I</i>				
1	Integrated Development of Agra . . . . .	100.00		100.00
2	Integrated development of Corbett National Park . . . . .	25.00		25.00
<i>PART II</i>				
1.	Tourist Bungalows at Naugarh (near Lumbini birthplace of Buddha) Kushinagar (Buddha's Place of death) and Hardwar, Rishikesh, Chitarkut, Pauri, Srinagar, Rudra Prayag, Badrinath, Kedardath, Pauri on the Himalayan Pilgrim. . . . .	13.00	9.00	22.00
2.	Reception Centres at-Dehradun, Lansdowne, Mussoorie, Almora, Ranikhet, Nainital, Lucknow, Kanpur and Mathura . . . . .	9.00	9.00	18.00
3.	Reception Centre at Varanasi . . . . .	5.00	5.00	10.00
4.	Spillover Schemes . . . . .		4.00	4.00
	(a) Expansion & Improvements to existing tourist Bungalows . . . . .		4.00	4.00
5.	Management, furniture, furnishing and other equipment for Tourist Bungalows/ Reception Centres etc. . . . .		2.00	2.00
TOTAL . . . . .		152.00	33.00	185.00

**Distribution of Foodgrains in States**

1620. Shri Harish Chandra Mathur: Will the Minister of Food and Agriculture be pleased to state:

(a) whether serious complaints regarding the availability and distribution arrangements of food in various States have been brought to the notice of Government;

(b) if so, the nature of such complaints, difficulties and problems thrown up by the present arrangements for food supply;

(c) whether there was scarcity in even surplus States and food had to be rushed up; and

(d) the steps taken or are proposed to be taken to streamline the supplies?

**To Deputy Minister in the Ministry of Food and Agriculture (Shri D. R. Chavan):** (a) to (b). Some general complaints have come to Government's notice about inadequate availability of certain foodgrains in certain States. Some complaints have also been received to the effect that quantum of issue from fair price shops is not adequate and unfamiliar

varieties of rice are being issued from fair price shops.

(c) Even the surplus States have deficit pockets and foodgrains are supplied to those pockets.

(d) Every effort is being made to increase the internal production of foodgrains in the country. To avoid hardship to the low income group of the population distribution through fair price shops has been liberalized and efforts are being made to intensify internal procurement and to import as much foodgrains from abroad as possible out of the resources available with the Government to maximize distribution through fair price shops. The Government have also appointed a Committee to examine the present working of the fair price shops and to recommend steps to improve their efficiency.

#### **Tribal Development Blocks**

1621. { Shri P. R. Chakraverti:  
Shri P. C. Borooah:

Will the Minister of Community Development and Cooperation be pleased to state:

(a) whether Government have decided to open more centres for tribal orientation of the Block Development Officers in the Fourth Five Year Plan;

(b) whether advance action is proposed to be taken to start these new centres before the Third Plan ends;

(c) whether voluntary organisations and missionary institutions are to be utilised to supplement the training programme sponsored directly by Government; and

(d) if so, the steps taken to rationalise the grants-in-aid programmes through voluntary organisations?

**The Deputy Minister in the Ministry of Community Development and Cooperation (Shri B. S. Murthy):** (a) It is proposed to establish some more institutions during the Fourth Plan

period for the training of the Block staff in tribal life and culture

(b) No, Sir.

(c) There is no such proposal.

(d) Does not arise.

#### **Agriculture-cum-Irrigation-cum-Power Plans**

1622. { Shri P. R. Chakraverti:  
Shrimati Savitri Nigam:

Will the Minister of Community Development and Cooperation be pleased to state:

(a) whether the Panchayati Raj Organisation has been advised to take up integrated agriculture-cum-Irrigation-cum-power plans to raise agricultural production;

(b) whether the Panchayat Samitis are to be provided with a "free fund" on the basis of matching grants for the next Plan period so as to enable the Samitis to utilise this fund on the schemes formulated by them outside the Plan; and

(c) whether the Samitis have been asked to work out Fourth Plan schemes after a proper survey of the local needs and whether the State Governments have assured them that the programme outlined by them will be given due recognition in the preparation of the State Plan?

**The Deputy Minister in the Ministry of Community Development and Cooperation (Shri B. S. Murthy):** (a) Panchayati Raj institutions have been advised to draw up agricultural production plans, taking into account the requirements and resources. In addition, State Governments have been requested to involve the Panchayati Raj institutions also in working out integrated area plans, based on advance surveys in specified sectors, for a couple of pilot districts in each State in the Fourth Plan period.

(b) Some State Governments are considering the provision of a 'free fund' to the Panchayati Raj institutions.

(c) The Samitis will be preparing the plans for their areas based on the assessment of the local needs. These will be accommodated in the state plans subject to the financial feasibility, physical possibility and adherence to plan priorities.

**Light-houses in Andaman and Nicobar Islands**

1623. { Shri P. C. Borooah:  
Shri Ram Harkh Yadav:

Will the Minister of Transport be pleased to state:

(a) whether there is a scheme for putting up a number of Light-houses in the Andaman and Nicobar group of Islands; and

(b) if so, the details of the scheme and its cost?

**The Minister of Transport (Shri Raj Bahadur):** (a) Yes, Sir.

(b) A statement showing the details of the schemes and their cost is laid on the Table of the House. [Placed in Library. See No. LT-4775/85].

**Development of Gulmarg (Kashmir)**

1624. { Shri Surendra Pal Singh:  
Shri Raghunath Singh:

Will the Minister of Transport be pleased to state:

(a) whether it is a fact that the Working Group set up for the preparation of a Master Plan for the development of Gulmarg (Kashmir) into an up-to-date and modern winter sports resort has submitted its report; and

(b) if so, its main recommendations and suggestions.

**The Minister of Transport (Shri Raj Bahadur):** (a) and (b). A scheme for development of Gulmarg in Kashmir as a winter sports centre is included in the Third Five Year Plan for tourism of the Central Government. The work of collecting preliminary data, survey of the area, obtaining the

advice of foreign experts and preparation of a detailed scheme has been completed by the Central Government. The scheme envisages construction of motorable road from Tangmarg to Gulmarg, Centrally heated hotel at Gulmarg, ski-school and ski-lift, a ropeway from Gulmarg to Khilanmarg and other ancillary facilities. The total cost of the project is estimated at Rs. 1.25 crores and also involves expenditure in foreign exchange.

The Government of J and K have also a number of schemes for providing a tourist reception centre, a shopping arcade, water and electrical supply improvements to existing huts, car parks etc. at Gulmarg with a view to co-ordinate the efforts of the Central and State Government, the Working Group constituted by the Department of Tourism visited Gulmarg in June, 1964 to prepare a Master Plan which would include all the facilities proposed to be provided by the Central and State Government in a co-ordinated manner. The report of the Working Group has since been sent to the Government of Jammu and Kashmir.

In addition to the facilities mentioned above the Working Group has recommended the Constitution of "Gulmarg Development Authority" to supervise over-all development of Gulmarg as a winter-sports resort. This recommendation is under the consideration of the State Government.

**Inter-State Transport Commission**

1625. **Shri Surendra Pal Singh:** Will the Minister of Transport be pleased to state:

(a) whether it is a fact that the Union Government are considering to empower the Inter-State Transport Commission to issue permits for bus routes across State boundaries; and

(b) if so, the reasons therefor?

**The Minister of Transport (Shri Raj Bahadur):** (a) For the present

such a proposal is not under active consideration.

(b) Does not arise.

#### Supply of Foodgrains to Tripura

1626. Shri Dasaratha Deb: Will the Minister of Food and Agriculture be pleased to state:

(a) the quantity of foodgrains demanded by the Government of Tripura from the Centre during the year 1965;

(b) the quantity of foodgrains supplied so far; and

(c) whether the transportation of foodgrains from other parts of India to the Union Territory of Tripura has to be made via East Pakistan?

The Deputy Minister in the Ministry of Food and Agriculture (Shri D. R. Chavan): (a)

Rice 39,000 tonnes.

Wheat 6,000 tonnes.

(b) Upto about the middle of August, the following quantities were actually supplied:—

Rice—31.2 thousand tonnes.

Wheat—2.1 thousand tonnes.

(c) No, Sir. Foodgrains can be sent from other parts of India to Tripura through all-India route. The route for East Pakistan can also be utilized when considered safe and necessary.

#### Shortage of Rice in Kerala

1627. { Shri Warior:  
Shri Vasudevan Nair:  
Shri Prabhat Kar:

Will the Minister of Food and Agriculture be pleased to state:

(a) whether there is a shortage of rice in Kerala;

(b) if so, whether the price of rice has gone up in that State; and

(c) the steps, if any, taken to meet the shortage and rising price of rice in the State?

The Deputy Minister in the Ministry of Food and Agriculture (Shri D. R. Chavan): (a) Kerala State is deficit in rice.

(b) and (c). The entire population in Kerala is covered by informal rationing and are being supplied rice at reasonable rates.

#### International Transport and Communications Exhibited at Munich

1628. Shri Ram Harkh Yadav: Will the Minister of Transport be pleased to state:

(a) whether India participated in the International Transport and Communications Exhibition at Munich;

(b) if so, the Chief exhibits of India displayed therein; and

(c) the extent of success achieved?

The Minister of Transport (Shri Raj Bahadur): (a) The Department of Tourism, Government of India is participating in the International Transport and Communications Exhibition at Munich, which was inaugurated on 25th June 1965. The participation has been arranged through the Government of India Tourist Office, Frankfurt.

(b) The Indian Pavilion in the Tourism Section, of an area of 36 sq. meters is decorated with a display of enlargements, translights etc. of places of tourist interest in India. Tourist documentaries on India are being shown in the Fair Auditorium. An Information Counter has been set up in the pavilion, from which tourist information about India is being disseminated by means of printed literature and replies to oral enquiries. There is a large map of India indicating the tourist centres by means of colour translights. The pavilion also contains a display of a model of Taj Mahal and sculpture pieces from Indian monuments.

(c) At this stage, it is not possible to assess the extent of success achieved. The Fair will be closing on the 3rd October, 1965 and after that date only it will be possible to assess our success, partially by determining the number of people who visited the Indian Pavilion and the degree of interest they evinced.



### Assistance to Punjab for increasing Farm Output

1629. **Shri Daljit Singh:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether any short term loan has been given to the Punjab Government for increasing the farm out-put during the years 1964-65 and 1965-66 so far; and

(b) if so, the details thereof?

The Deputy Minister in the Ministry of Food and Agriculture (**Shri Shah Nawaz Khan**): (a) and (b). A short term loan of Rs. 102.57 lakh was sanctioned to the Government of Punjab for purchase and distribution of fertilisers during 1964-65. During the current financial year a short term loan of Rs. 383 lakhs has so far been sanctioned as detailed below:

Sl. No.	Purpose	Amount
1.	Distribution of pesticides . . . . .	Rs. 40.00 lakhs.
2.	Distribution of fertilisers . . . . .	Rs. 323.00 lakhs.
	TOTAL 1. . . . .	Rs. 363.00 lakhs.

### Changes in Agriculture Department

1630. **Shri Surendra Pal Singh:** Will the Minister of Food and Agriculture be pleased to state:

(a) the changes which have recently been made in the functioning of the Agriculture Department of his Ministry; and

(b) whether Government propose to increase the allocation to the States in order to ensure the farmers the adequate supply of the principal requisites viz., fertilisers, plant protection chemicals and improved variety of seeds together with credit facilities?

The Deputy Minister in the Ministry of Food and Agriculture (**Shri Shah Nawaz Khan**): (a) No changes have been made recently in the functions of the Agriculture Department.

(b) An additional allocation of Rs. 9.96 crores has already been made to the State Governments for their Agricultural Production, Minor Irrigation and Soil Conservation programmes during the current financial year. Further allocations will be considered as and when the necessity arises.

### Rajasthan Desert

1631. { **Shri Surendra Pal Singh:**  
**Shri Baghunath Singh:**  
**Shrimati Laxmi Bai:**

Will the Minister of Food and Agriculture be pleased to state:

(a) whether Government have taken any steps to arrest the march of Rajasthan Desert to Delhi and the borders of U.P.; and

(b) if so, how far these steps have been effective?

The Deputy Minister in the Ministry of Food and Agriculture (**Shri Shah Nawaz Khan**): (a) There is no conclusive evidence that the desert is marching to Delhi and the borders of Uttar Pradesh. According to the survey conducted by the Surveyor General of India, there is no appreciable increase in the extent of the Rajasthan Desert in the Uttar Pradesh and Delhi States.

For tackling the problems of the Rajasthan Desert, however, the Central Government have set up a Central Arid Zone Research Institute at Jodhpur. This Institute is carrying out re-

searches for stabilising the shifting sand dunes by evolving proper afforestation techniques. The areas in which these activities are marked have been demarcated and mapped.

(b) In the experimental stage all the techniques so far evolved for reclamation of desert proved effective. The extension work on the results of the research would be done by the State Governments.

#### **'Miss International' Air Hostess Contest**

**1632. Shri Heda:** Will the Minister of Civil Aviation be pleased to state:

(a) whether the Air-India joined Miss International Air Hostess Contest this year;

(b) the procedure for the selection adopted; and

(c) the expenditure incurred?

**The Minister of Transport (Shri Raj Bahadur):** (a) Yes, Sir.

(b) The participating Hostesses were judged on the following grounds:

- (i) General appearance
- (ii) General knowledge of airline duties
- (iii) Grooming, carriage and deportment
- (iv) Ability as a conversationalist
- (v) Personality, sense of humour and general appeal
- (vi) Knowledge of current world affairs.

(c) All the expenses in connection with the lodging and boarding of the participating Hostess were borne by the sponsors, and no expenditure had to be incurred by Air-India. The participating Hostess was paid at the rate of 25 per cent of the daily out-station allowance applicable to her to cover her incidental expenses, which came to A£. 24.1.3 (Rs. 254 approximately).

#### **Hotel Industry**

**1633. Shri Heda:** Will the Minister of Transport be pleased to state:

(a) whether Government have given any direction to the Hotel Industry in India to lay an emphasis on Indian tradition, art, culture and cuisine; and

(b) if so, the measures taken and results achieved?

**The Minister of Transport (Shri Raj Bahadur):** (a) and (b). At the meetings of the Tourist Development Council, at which the Hotel Industry is also represented, it has been emphasised that the Hotel Industry should, in their decor entertainment and cuisine, popularise the Indian element more and more. This point of view has also been discussed at other meetings with the representatives of the Hotel Industry.

#### **Cultivation of Land**

- 1634.** { Shri Vidya Charan Shukla.  
Shri A. S. Saigal:  
Shri J. P. Jyotishi:  
Shri Wadiwa:  
Shri Chandak:  
Shrimati Minimata:

**Will the Minister of Food and Agriculture be pleased to state:**

(a) whether Government are aware that in Madhya Pradesh, out of a cultivable area of 631-88 lakh acres only 400 lakh acres are under cultivation;

(b) if so, whether Government are considering in consultation with the State Government priority schemes for bringing the remaining cultivable area under cultivation; and

(c) if so, the details thereof?

**The Deputy Minister in the Ministry of Food and Agriculture (Shri Shah Nawaz Khan):** (a) According to the Land Utilisation Statistics (1963-64) the area of culturable land in Madhya Pradesh is 526 lakh acres, of which 427 lakh acres are under cultivation.

(b) and (c). During the III Plan period a total area of 18.75 lakh acres

of new land is likely to be brought under cultivation. A similar target has been envisaged for the Fourth Plan.

#### Import of Tractors

1635. { Shri Vidya Charan Shukla:  
Shri A. S. Saigal:  
Shri J. P. Jyotishi:  
Shri Wadiwa:  
Shri Chandak:  
Shrimati Minimata:

Will the Minister of Food and Agriculture be pleased to state:

(a) whether any proposal was received from the Government of Madhya Pradesh for the import of heavy type tractors for bringing additional acreage under cultivation under the intensive drive for growing more food;

(b) if so, whether Government have since accorded approval for the import of such tractors; and

(c) if so, the details thereof?

**The Deputy Minister in the Ministry of Food and Agriculture (Shri Shah Nawaz Khan):** (a) Yes.

(b) and (c). In 1964, the Government of Madhya Pradesh had asked for release of foreign exchange worth Rs. 100 lakhs (approx.) for import of 15 heavy crawler tractors for ravine reclamation scheme and 100 medium crawler tractors for the Machine Tractor Station Scheme. Foreign exchange worth Rs. 28 lakhs was released in 1964 with which the State Government could purchase 29 tractors. This year i.e. 1965, the State Government placed their demand at Rs. 60 lakhs for import of crawler tractors. Against this, foreign exchange worth Rs. 13 lakhs has so far been released. The balance requirements will be considered as and when additional foreign exchange becomes available.

#### Scheme to Develop Gopalpur-on-sea

1636. Shri S. M. Banerjee: Will the Minister of Transport be pleased to state:

(a) whether it is a fact that there is a scheme to make Gopalpur-on-sea (Orissa) more attractive for the tourists;

(b) if so, whether some tourist homes have been constructed there; and

(c) what further steps have been taken to convert this place into a tourist attraction?

**The Minister of Transport (Shri Raj Bahadur):** (a) to (c). The Government of Orissa are preparing a Master Plan for the development of Gopalpur-on-sea. In the meantime the land has been acquired by the State Government for a Class II Tourist Bungalow to be constructed with 50 per cent subsidy from the Central Government.

A four roomed Revenue Guest House has recently been constructed. This also provides accommodation to tourists.

A scheme for development of Gopalpur-on-sea, Tatapani, Budkhela and Chilka Lake area has also been proposed under the Fourth Five Year Plan and is estimated to cost Rs. 12 lakhs.

#### Import of Rice from U.S.A.

1637. Shri Indrajit Gupta: Will the Minister of Food and Agriculture be pleased to state:

(a) the total shipping cost likely to be incurred on the import of rice from U.S.A. this year under P. L. 480; and

(b) whether this cost will henceforth have to be paid to the U.S.A. in dollars?

**The Deputy Minister in the Ministry of Food and Agriculture (Shri D. R. Chavan):** (a) The total shipping

cost likely to be incurred on import of rice from U.S.A. under P.L. 460 during 1965 is expected to be Rs. 3.23 crores.

(b) The Regulations of the U.S. Government require that at least 50 per cent of the foodgrains under P.L. 480 Agreements should be carried on privately owned U.S. flag commercial vessels. It is left to the discretion of the importing country to carry the remaining 50 per cent in vessels of any flag. The Government of India carry this 50 per cent in non-U.S. flag vessels, including any Indian vessels available. The freight for this, except for Indian vessels, is wholly in foreign exchange and is met from our own resources.

The freight of U.S. flag vessels is higher than that of non-U.S. flag vessels. However, for the foodgrains shipped in U.S. flag vessels under the above mentioned requirement, the liability of the Government of India is limited to the freight rates payable for non-U.S. flag vessels, the difference between U.S. flag rates and non-U.S. flag being met by the U.S. Government. In the case of Agreements made upto 31st December, 1964 payment against this liability was made by Government of India in rupees. In the case of Agreements made after December 31, 1964, while the freight liability of the Government of India for U.S. flag vessels will still be limited to the freight rate applicable in the case of non-U.S. flag vessels, the freight to that extent will be payable in dollars instead of rupees. This would apply to all further supplies of rice from U.S.A.

#### Air Traffic at Calcutta and Bombay Airports

1638. **Shrimati Renuka Ray:** Will the Minister of Civil Aviation be pleased to state the daily air traffic at the Calcutta and Bombay Airports between January and July, 1965?

**The Minister of Transport (Shri Raj Bahadur):** The average daily passenger air traffic for the period

January to July 1965 at Calcutta (Dum Dum) and Bombay (Santacruz) is as follows:

	Embarked	Dis-embarked	In transit
Calcutta (Dum Dum)	425	421	215
Bombay (Santa Cruz)	1038	1026	520

#### Import of Foodgrains

1639. **Shri Bagri:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether the Food Corporation of India has imported rice from U.S.A. and other foreign countries;

(b) if so, the names of those countries and the quantity imported; and

(c) the terms thereof?

**The Deputy Minister in the Ministry of Food and Agriculture (Shri D. R. Chavan):** (a) No, Sir.

(b) and (c). Do not arise.

**आयात किये गये गेहूँ को बेचने के लिये डिपो**

1640. **श्री यशपाल सिंह :** क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि भारतीय खाद्य निगम द्वारा आयात किये गेहूँ को बेचने के डिपो समूचे देश में खोले जायेंगे ;

(ख) यदि हाँ, तो उस का व्यौरा क्या है ; और

(ग) क्या राज्य सरकारों में भी परामर्श किया गया है ?

**खाद्य तथा कृषि मंत्रालय में उप-मंत्री (श्री बा० रा० चट्टाजी) :** (क) इस समय ऐसा कोई प्रस्ताव नहीं है ।

(ख) और (ग) : प्रश्न ही नहीं उठते

#### Price of Mustard Oil

1641. **Shrimati Renu Chakravartty:** Will the Minister of Food and Agriculture be pleased to state:

(a) the steps taken to prevent high prices and profiteering in mustard oil seeds; and

(b) whether Government have looked into the charges made by the mustard oil millers of West Bengal that excessive prices are being charged by the mustard seed dealers of U.P.?

**The Deputy Minister in the Ministry of Food and Agriculture (Shri Shah Nawaz Khan):** (a) The steps taken to prevent rise in prices include ban on forward trading in mustard seeds and oils; restrictions on the availability of bank finances against the security of oilseeds and oils; restrictions on exports; and imports of limited quantities of mustered seeds. Apart from this the Government of India have amended the Defence of Indian Rules, 1962 effective from the 20th May, 1965 which now require the State Governments to obtain prior concurrence of the Central Government before taking any action under the said Rules affecting the movement of foodstuffs including edible oilseeds and oils or for controlling their prices.

(b) Such matters are to be looked into by the concerned State Governments.

#### Pisciculture

**1642. Shrimati Renu Chakravarty:** Will the Minister of Food and Agriculture be pleased to state:

(a) the main recommendations made by the experts on pisciculture sent to study the situation regarding fish supply and marketing of fish under the Fish Marketing Corporation, West Bengal; and

(b) the action taken thereon?

**The Deputy Minister in the Ministry of Food and Agriculture (Shri D. R. Chavan):** (a) A team of two fisheries officers of the Ministry of Food and Agriculture visited West Bengal and Orissa and held discussions with fisheries officials of a few other States with a view to assessing the possibility of setting up a Central Fisher-

ies Corporation and obtaining supplies of fish to the Calcutta market. According to the recommendations of this team it is possible to procure a substantial quantity of fish for the Calcutta market in addition to that sent by private merchants, through Government and Co-operative sources if proper arrangements for collection, transportation and marketing are made. It will also be necessary to provide facilities for granting loans for production of fish, supply of ice, insulated and refrigerated road and rail vans, cold storage, etc.

(b) The Government of India have since decided to set up a Central Fisheries Corporation. Action is being taken to set up the Corporation within the next two or three months.

#### Contamination of Imported Wheat

1643. { **Shri Surendra Paj Singh:**  
**Shri M. N. Swamy:**  
**Shri Solanki:**  
**Shri P. K. Deo:**  
**Shri Narasimha Reddy:**  
**Shri S. M. Banerjee:**

Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that a large quantity of American wheat, received at Cochin in early July, was found to be unfit for human consumption; and

(b) if so, the nature of the contamination and the quantity of wheat involved?

**The Deputy Minister in the Ministry of Food and Agriculture (Shri D. R. Chavan):** (a) and (b). No shipment of wheat was received at Cochin from the U.S.A. in early July 1965. A ship had, however, discharged 1,304 tonnes of damaged wheat between 26th May and 8th June, 1965. The damage was caused due to leakage of water while in transit on the high seas.

### Plastic Warehouses

1644. { Shri M. S. Murti:  
Shrimati Ramdulari Sinha:

Will the Minister of Food and Agriculture be pleased to state:

(a) whether an experiment for the storage of wheat in plastic warehouse is being conducted in Delhi;

(b) if so, the results thereof; and

(c) whether there is any proposal to store paddy, jowar, etc. on an experimental basis in this warehouse?

The Deputy Minister in the Ministry of Food and Agriculture (Shri D. R. Chavan): (a) Yes, Sir.

(b) It is nearly a year since this experimental storage was started and so far the quality of wheat is well maintained.

(c) Results obtained with wheat can enable to decide the storage conditions to be provided for paddy and jowar and therefore no separate experiments for these commodities are necessary.

### Demonstration in Scientific Methods of Storage of Foodgrain

1645. Shri M. S. Murti: Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that demonstration in scientific methods of storage and preservation of foodgrains to traders is being carried on in Delhi; and

(b) if so, the main features of the scheme?

The Deputy Minister in the Ministry of Food and Agriculture (Shri D. R. Chavan): (a) Yes, Sir. Demonstrations in scientific methods of storage and preservation of foodgrains to the traders in Delhi were arranged during September, 1964, and March, 1965.

(b) A survey of 14 Mandis in different States, including Delhi, revealed

that the conditions under which grain is stored by the traders are favourable for damage by pests and damp. The traders further were observed to be ignorant of the techniques of pest control and the significance of measures relating to pest control and use of dunnage to protect grain from damp.

On the basis of the results of the survey, a scheme has been drawn up for holding demonstrations in scientific methods of storage in some of the mandis in each State. Delhi is one of them. It is also proposed to give wide publicity to the scientific methods of storage through the media of posters, training, lectures and other extension methods.

### Adivasi Kisan Families

1646. Shri H. C. Soy: Will the Minister of Social Security be pleased to state:

(a) whether it is a fact that during the last few years in Western Nimad in Madhya Pradesh and during the last few months in Mayurbhanj District in Orissa, a large number of Adivasi Kisan families have been subjected to loot, arson and inhuman physical tortures and eviction from their hearths and homes and they are reduced to starving conditions; and

(b) if so, action taken by the Central Government in the matter?

The Deputy Minister in the Department of Social Security (Shrimati Chandrasekhar): (a) According to information available with the Government of India, some Adivasis who had encroached upon the Reserved Forest lands in Madhya Pradesh and in the Reserved Forest and National Park areas of Mayurbhanj district in Orissa have been evicted. No case of loot, arson and physical tortures has come to notice.

(b) Does not arise.

**Adivasi Families**

**1647. Shri H. C. Soy:** Will the Minister of Social Security be pleased to state:

(a) whether it is a fact that during the last decade, a large number of Adivasi families have been required to leave their homes and agricultural lands to accommodate the Government of India projects like the Damodar Valley, Ranchi, Durgapur, Bhilai and Balliadilla Industrial projects; and

(b) if so, the measures taken to rehabilitate them?

**The Deputy Minister in the Department of Social Security (Shrimati Chandrasekhar):** (a) Some displacement of tribal families has taken place in Public Sector undertakings such as the Projects under Damodar Valley Corporation, Durgapur Steel Project and Heavy Engineering Corporation. There has been no displacement of tribal families in the Bhilai and Balliadilla Projects.

(b) The measures taken for rehabilitation generally include:

- (1) payment of cash compensation;
- (2) provision of land and allotment of alternative homestead lands in the adjoining areas in lieu of the acquired land and cash compensation, where possible;
- (3) colonisation with facilities for drinking water, roads, schools, dispensaries etc.;
- (4) preference in employment in the projects; and
- (5) allotment of shops in the vicinity of the projects.

**Accidents on Bombay-Agra National Highway**

**1648. { Shri M. L. Jadhav:  
Shri Jedhe:**

Will the Minister of Transport be pleased to state:

(a) whether there has been a large

number of accidents on the Bombay-Agra Road;

(b) whether it is a fact that these accidents happen as a result of the narrowness and bad condition of the road; and

(c) if so, the action being made to widen and maintain the road?

**The Minister of Transport (Shri Raj Bahadur):** (a) to (c). The information required is being obtained from the concerned State Governments and will be laid on the Table of the Sabha as soon as it is available.

**Crops damaged due to Plant Disease**

**1649. { Shri M. L. Jadhav:  
Shri Jedhe:**

Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that a number of crops like cotton, betel-leaves and others suffered as a result of plant diseases in Maharashtra and Madras States in 1964-65;

(b) whether it is also a fact that Government have not been able to save these crops from plant-diseases for want of adequate research and insecticides; and

(c) the efforts made to save these crops from plant-diseases?

**The Deputy Minister in the Ministry of Food and Agriculture (Shri Shahnawaz Khan):** (a) Almost all crops, including cotton and betel-leaves, suffer from attacks of insect pests and plant diseases all over the country, including those in Maharashtra and Madras States. The incidence of pests and diseases in Maharashtra and Madras States in 1964-65 on cotton and betel-leaves was nearly normal and no pockets experienced any severe epidemics.

(b) The Government of India and the State Governments have established a large number of research in-

titutions, where research on the control of pests and diseases of crops is under way. Remedies for the control of a large number of pests and diseases have been found out and research work on a sustained basis has been taken up in case of others. Considering the pathological problems in betel vines in the States of Madras, Maharashtra, Andhra Pradesh, Gujarat, Uttar Pradesh, Bihar and Madhya Pradesh, the Government of India started a comprehensive co-ordinated scheme for the investigation on the diseases of this crop and their control from the 1st April, 1963.

With the rising tempo of plant protection work in the country, supplies of both, imported and locally-manufactured, pesticides are hardly able to cope up with the rising demand. Efforts are being made to procure supplies from indigenous sources and from abroad. Pesticides are imported from other countries under free foreign exchange allocations, barter arrangements and credits from friendly countries. Schemes for establishing additional plants for manufacture of pesticides have been worked out and their implementation is being pursued vigorously.

(c) The Plant Protection Organisations at the Centre and the States are being further strengthened to cope up with the work connected with the control of pests and diseases. The production of pesticides in the country from indigenous resources is being stepped up. The production target for 1968-69 is 83,000 tons compared to the present production of 16,000 tons.

#### Tube-wells in Rajasthan

1965. { Shri Karni Singhji:  
Shri Tan Singh:  
Shri Onkar Lal Berwa:  
Shri Omkar Singh:

Will the Minister of Food and Agriculture be pleased to state:

(a) how many tube-wells have been sunk in the arid zones of Rajasthan and how many of them yielded

the required potential of water for working the tube-wells economically during the years 1963-64 and 1964-65;

(b) whether sinking of tube-wells is going on according to the schedule; and

(c) whether it is a fact that due to the lack of preparation, the water could not be made use of in most cases for minor irrigation?

The Deputy Minister in the Ministry of Food and Agriculture (Shri Shahnawaz Khan): (a) to (c). During 1963-64 the Exploratory Tube-wells Organisation, under its groundwater exploration programme, drilled 16 exploratory bores in the semi-arid and arid zones of Rajasthan of which only 1 bore at Sardarshahar in Churu district yielded in a discharge of 10,200 Imperial Gallons per hour of water at a draw down of 14 feet. The other bores had to be abandoned due to lack of aquifer, low discharge or bad quality of water etc.

During 1964-65 the Exploratory Tube-wells Organisation undertook the programme for construction of 250 tube-wells in the scarcity areas of Rajasthan as a famine relief measure as a special case, at the request of the State Government. The construction of 250 tube-wells was originally scheduled to be completed by March, 1966. It may not be possible to adhere to this schedule owing to groundwater non-availability, operational and other difficulties in the area. However, during 1964-65, 85 bores were drilled of which 58 were successful. Till 31st July, 1965, 25 more successful bores have been completed.

Water available from these tube-wells is to be utilised for drinking water for cattle as well as for growing fodder, other allied agricultural uses and for domestic purposes.

The State Government which is responsible for utilisation of these wells is arranging purchase of pumping sets for running the tube-wells.



### Retrenchment of Employees in Ministry of Food and Agriculture

1651. { Shri Solanki;  
Shri P. K. Deo;  
Shri Narasimha Reddy:

Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that some employees in his Department have to face retrenchment on the ground of redundancy;

(b) how many persons will be affected;

(c) their length of service; and

(d) the reasons for their being found to be redundant?

The Deputy Minister in the Ministry of Food and Agriculture (Shri Shah Nawaz Khan): (a) to (d). The question whether any employee of the Commodity Committees under the Department of Agriculture would be rendered surplus as a result of the re-organisation of research activities, is under examination. It is too early to say whether there would be any retrenchment.

### Surcharge on Ships passing through Suez Canal

1652. Shri Raghunath Singh: Will the Minister of Transport be pleased to state:

(a) whether the Government of Egypt have raised the surcharge in the port of Alexandria by 25 per cent on the ships passing through the Suez Canal;

(b) if so, its effect on the Indian Shipping; and

(c) Government's reaction thereto?

The Minister of Transport (Shri Raj Bahadur): (a) to (c). Government have no information about the said increase in the surcharge in the port of Alexandria. However, the Suez Canal toll has been increased by one percent by the Government of U.A.R. for all ships using the Canal with effect from the midnight of the 30th

June 1965. The financial effect of this increase on the three principal Indian Shipping Companies viz. Scindia Steam Navigation Company Ltd., Shipping Corporation of India and India Steamship Company Ltd. (whose vessels regularly operate through the Suez Canal) would be about Rs. 95,000 per annum.

### Development of Tourism

1653. Maharajkumar Vijaya Ananda: Will the Minister of Transport be pleased to state:

(a) the names of places selected for tourist importance recently;

(b) the steps taken for the integrated development of such places; and

(c) the expenditure incurred on them so far?

The Minister of Transport (Shri Raj Bahadur): (a) to (c). The Ad-hoc Committee appointed by the Government of India under the Chairmanship of Shri L. K. Jha in March, 1963, to suggest ways and means on expanding tourist traffic to India recommended, among other things, the development of the following tourist centres:—

Agra, Jaipur, Varanasi, Srinagar, Madurai, Hyderabad, Mysore, Chandigarh, Ahmedabad, Darjeeling, Cochin, Bhubaneswar, Kaziranga, Corbett National Park, Fatehpur Sikri, Bud Gaya, Nalanda, Rajgir, Puri, Konarak, Pahal-gam, Gulmarg, Bhakra (Govind Sagar), Manali, Udaipur, Sanchi, Mandu, Khajuraho, Ellora, Ajanta, Goa (Calangute beach), Halebidu, Belur, Mahabalipuram, Kovalam Beach and Lake Periyar.

A working group consisting of a Town and Country Planner, an Economic Planner, a Senior Architect and a tourist official has been constituted by the Department of Tourism to prepare Master Plan for the integrated development of certain selected areas/centres. The Working Group has so far visited Kovalam, Goa, Ajanta, Ellora, Khajuraho, Agra, Gulmarg,

Marvanthe, Visakhapatnam and Konarak. Their reports on the integrated development of these centres are in different stages of completion. Copies of the report already completed have been placed in the library of the Sabha. Schemes for the implementation of the development of the centres recommended by the Ad-hoc Committee have also been included in the revised Fourth Five Year Plan for development of Tourism submitted to the Planning Commission. No expenditure has, however, been incurred so far.

#### Production of Woollen Khadi Cloth

1655. **Shri Raghunath Singh:** Will the Minister of Social Security be pleased to state:

(a) whether it is a fact that the production of woollen khadi cloth is being stepped up to meet the rising demand of public; and

(b) if so, the steps being taken to make it cheap so as to be within the means of ordinary citizens?

**The Deputy Minister in the Ministry of Law (Shri Jagannatha Rao):** (a) Yes, Sir.

(b) Different types of blending wool have been introduced as also new looms which will raise productivity. Finishing centres for woollen khadi have been set up. While these measures will reduce the cost of production in the long run, rebate is also allowed on woollen khadi at 10 Paise per rupee. An additional rebate at 5 Paise per rupee is allowed by Khadi Bhandars and emporia on retail sales during special occasions for a period upto 30 days in a year.

#### Taxation on Motor Vehicles

1656. **Shri P. C. Borooah:** Will the Minister of Transport be pleased to state:

(a) whether Government have appointed a high-level Enquiry Commission headed by Dr. B. V. Keskar to examine whether the existing taxation on motor vehicles is a disincentive to the growth of road transport; and

(b) if so, the precise terms of reference of this Commission?

**The Minister of Transport (Shri Raj Bahadur):** (a) and (b). The Government of India have decided to appoint a high-level Enquiry Committee, under the Chairmanship of Dr. B. V. Keskar, to carry out a comprehensive examination of the problem of motor vehicles taxation and to recommend the principles on which such taxation should be based and the level of taxation, which will ensure adequate provision and development of efficient and economic road transport services in the country. The following are the terms of reference of this Committee:—

- (a) To examine the present cost of operation for haulage of passengers and goods by road transport, including the element of State and Central taxes; and whether it has become a disincentive to the healthy development of road transport; and if so, to what extent.
- (b) To examine whether there is justification for correlating the rates of motor vehicles taxes with reference to the types of fuel (petrol or diesel) used and area of operation.
- (c) To survey the existing administrative machinery and the procedures connected with the levy and collection of taxes, tolls, etc. on motor vehicles in the States, and examine whether they hinder the smooth movement of vehicles.
- (d) To recommend the principles on which motor vehicles taxation should be based and also the level of taxation which will ensure adequate provision and development of efficient and economic road transport services in the country.
- (e) To suggest any changes in law and procedure that may be required to give effect to any

recommendations that may be made.

- (f) To make any other recommendations germane to the subject matter of the enquiry.

The resolution in regard to the appointment of the Committee is being published in the Gazette of India separately.

#### **Audit of Accounts of Panchayati Raj Bodies**

1658. **Shrimati Ramdulari Sinha:** Will the Minister of Community Development and Cooperation be pleased to refer to reply given to Starred Question No. 939 on the 20th April, 1965 and state the reaction of Government to the important recommendations of the Study Team on the Audit of Accounts of the Panchayati Raj Bodies?

**The Deputy Minister in the Ministry of Community Development and Cooperation (Shri B. S. Murthy):** The recommendations of the Study Team on the Audit of Accounts of Panchayati Raj Bodies have been considered by the Government. The important recommendations of the Committee have also been considered at the Annual Conference on Community Development and Panchayati Raj and by the Conference of State Ministers of Community Development and Panchayati Raj held recently at Srinagar:

The recommendations accepted by the Government are laid on the Table of the House. [Placed in Library. See No. 4776/65].

#### **Installation of Lights on Ring Road, Delhi**

1659. **Dr. L. M. Singhvi:** Will the Minister of Transport be pleased to state:

(a) whether it is proposed to install electric lights on the Ring Road in Delhi; and

(b) if so, when the installation of lights is likely to be completed?

**The Minister of Transport (Shri Raj Bahadur):** (a) Yes.

(b) The Ring Road falls within the jurisdiction of three authorities, namely, the Delhi Municipal Corporation, the New Delhi Municipal Committee and the Delhi Cantonment Board. The Ministry of Transport are responsible for lighting the portions of the road falling within the jurisdiction of the Delhi Municipal Corporation and the New Delhi Municipal Committee. Estimates for lighting are under preparation by the Delhi Administration. As soon as they are sanctioned, the work will be taken up. It is expected to be completed in about a year's time from the date of commencement. The Cantonment Board has to light the portions of the road within their jurisdiction.

#### **Supply of Buffalo Milk by D.M.S.**

1660. **Dr. L. M. Singhvi:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that the supply of full cream buffalo milk by the Delhi Milk Scheme has been discontinued; and

(b) if so, when it is likely to restore normal supply of such milk?

**The Deputy Minister in the Ministry of Food and Agriculture (Shri Shahnawaz Khan):** (a) Supply of buffalo milk by the Delhi Milk Scheme has been discontinued with effect from the 9th June, 1965 and Standardised milk with 5 per cent fat has been introduced in its place:

(b) There is no proposal to restore supply of buffalo milk.

#### **Famine Conditions in South India**

1661. **Shri H. C. Linga Reddy:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that due to failure of rains, famine conditions have been caused in some parts of South India particularly the old

Mysore State area during the current year; and

(b) if so, the assistance given by the Centre to the various States to meet the situation?

The Deputy Minister in the Ministry of Food and Agriculture (Shri Shah Nawaz Khan): (a) It is rather early at this stage to assess the prospects of the 1965-66 Kharif Crop and its effect on the food position.

(b) Assistance by way of supply of foodgrains is being given to the States to the extent availabilities would permit.

हरिजनों के लिये सरस्ते मकान

1662. श्री मधुलिमये : क्या सामाजिक सुरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या केन्द्रीय सरकार घणवा महाराष्ट्र सरकार को ऐसी कोई योजना प्राप्त हुई है जिसके अनुसार 225 वर्ग फुट भूमि पर 2500 रुपये में सस्ता मकान बनाया जा सकता है ; और

(ख) क्या इस योजना के अनुसार हरिजनों, प्रादिवासियों तथा पिछड़े वर्गों के लिए मकान बनाये जायेंगे ?

सामाजिक सुरक्षा विभाग में उपमंत्री (श्रीमती चन्द्रशेखर) : (क) केन्द्रीय सरकार को इस प्रकार की कोई योजना प्राप्त नहीं हुई है और न ही उसे महाराष्ट्र सरकार द्वारा ऐसी योजना प्राप्त किए जाने का पता है ।

(ख) अर्ध नहीं उठता ।

NP-852 Wheat

1663. { Shri Ram Sewak :  
Shri P. G. Sen :

Will the Minister of Food and Agriculture be pleased to state:

(a) whether a new variety of wheat "NP-852" evolved at the Pusa Botanical Sub-Station, Indian Agri-

cultural Research Institute, New Delhi is being utilised in the paddy fields; and

(b) the areas to which it will be best suited and the advantages that will accrue to the farmers?

The Deputy Minister in the Ministry of Food and Agriculture (Shri Shah Nawaz Khan): (a) Yes.

(b) Variety NP852 can be cultivated in the whole of Bihar, Eastern Uttar Pradesh and West Bengal. The farmers can get an yield of 2 tons per hectare under late sown conditions after paddy and 4 tons under normal conditions, by growing this variety.

Mysore Khadi and Village Industries Board

1664. Shri Sivamurthi Swamy: Will the Minister of Social Security be pleased to state:

(a) whether the Accounts of the Mysore Khadi and Village Industries Board have been audited by the Government Auditors for the last 6 years;

(b) if so, how much amount has been found to have been misappropriated; and

(c) the persons responsible for the misuse of the funds and the action taken by Government in the matter?

The Deputy Minister in the Ministry of Law (Shri Jaganatha Rao): (a) Yes, upto the year 1963-64.

(b) Rs. 3,21,288 upto the year 1962-63. The position for the remaining period is yet to be reported upon.

(c) The State Board is a statutory body established under an Act of the State Legislature and it is for the State Board to take action in cases of misappropriation. Enquiries are being held in all cases of suspected misappropriation. The State Board has already lodged complaints with the police against some of the officials. In certain other cases, the officials have been kept under sus-

pension pending enquiry. The position is reviewed monthly by the State Government and the State Board.

#### Tractor Training Centre in Tungabhadra Valley

1665. Shri Sivamurthi Swamy: Will the Minister of Food and Agriculture be pleased to state:

(a) whether there is any proposal to set up a Tractor Training Centre in the Tungabhadra Valley; and

(b) if so, when?

The Deputy Minister in the Ministry of Food and Agriculture (Shri Shah Nawaz Khan): (a) and (b). It is proposed to start a Third Tractor Training Centre during the Fourth Plan on the lines of the existing Centres at Budni (Madhya Pradesh) and Hissar (Punjab). But no decision has been taken as to where it will be located.

#### Upgrading of Sheep

1666. Shri Sivamurthi Swamy: Will the Minister of Food and Agriculture be pleased to state:

(a) whether Government have any proposal to upgrade our sheep by carrying on artificial insemination by using Marine and Rambowlliet rams;

(b) if so, the centres where such work will be started and the number of sheep proposed to be inseminated annually at each centre; and

(c) whether Government have any proposal to send young Veterinarians for training to Russia in this connection?

The Deputy Minister in the Ministry of Food and Agriculture (Shri Shah Nawaz Khan): (a) to (c). To begin with it is proposed to take up experimental trials in the application of artificial insemination for improving our sheep with semen of exotic rams. For this purpose four officers, one each from the States of Andhra Pradesh, Rajasthan, Punjab and Mysore, have been deputed to U.S.S.R

for training in this field. Research work in this field will also be taken up at the Central Sheep and Wool Research Institute.

#### भागरा में राष्ट्रीय पार्क

1667. श्री श्रीकार लाल बेरबा क्या परिवहन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार ने भागरा में एक राष्ट्रीय पार्क बनाने की योजना तैयार की है ;

(ख) यदि हां, तो इस पर कितना व्यय होगा ;

(ग) क्या अन्य पर्यटन स्थानों पर भी ऐसे पार्क बनाये जायेंगे ; और

(घ) यदि हां, तो यह राशी किन मर्कों के अन्तर्गत व्यय की जायेगी ?

परिवहन मंत्री (श्री राज बहादुर) :

(क) से (घ). उत्तर प्रदेश सरकार ने स्वास्थ्य मंत्रालय की नगर और देश आयोजन संस्था की सहायता से भागरा के लिए एक मास्टर योजना तैयार की है। भागरा एक लोकप्रिय पर्यटक केन्द्र होने के कारण परिवहन मंत्रालय ने राज्य सरकार तथा नगर और देश नियोजन संस्था को ऐसी मास्टर योजना को अंतिम रूप देने में सहयोग देना प्रति आवश्यक समझा ताकि भागरा के पर्यटक पहलू को उचित महत्व दिया जाये। इस प्रयोजन के लिए पर्यटन विभाग द्वारा गठित कार्यकारी दल भागरा गया और संबंधित अधिकारियों के साथ विचार विमर्श किया। जहाँ तक पर्यटन के उत्थान का संबंध है मास्टर योजना के मुख्य तथ्य ये हैं :—

(1) भागरा के लिए उचित पट्टा मार्ग और भागरा के घंटेर ताज, कोट और इमाउद्दौला के लिए उचित पट्टा मार्ग।

(2) हवाई भट्टे से शहर और फतेहपुर सीकरी के लिए उचित पहुंच मार्ग ।

(3) लगभग 800 एकड़ के राष्ट्रीय पार्क के रूप में ताज और फोर्ट के इर्द गिर्द के क्षेत्र का परिरक्षण । इसमें एक क्रीड़ा पार्क, एक भ्रजायब घर, एक खुला थियेटर, बोटिंग क्लब, वनस्पति उद्यान और चिड़ियाघर (ताज राष्ट्रीय पार्क के अंदर) शामिल होंगे । सारे वर्ष ताज के प्रतिविंब की व्यवस्था करने के लिए यमुना में एक बांध बनाने का भी प्रस्ताव है ।

(4) पार्क के दायरे में होटलों, जल-पानगृहों, मोटर आदि गाड़ियों के ठहरने के लिए स्थान, दुकानों की पंक्तियों के लिए यथोचित स्थानों का आवंटन ।

ताज राष्ट्रीय पार्क को संबंधित सुविधाओं सहित बनाने की अनुमानित लागत 3 करोड़ रुपये है । मास्टर योजना में संमिलित पर्यटकों के हित के अन्य मदों की लागत का हिसाब लगाया जा रहा है । इस योजना को कार्यान्वित करने के वित्तीय दायित्व को बांटने के प्रश्न पर राज्य सरकार से विचार विमर्श हो रहा है । इस बीच पर्यटन विभाग ने चौबीस पंच वर्षीय आयोजना में इस योजना के लिए 1 करोड़ रुपये की व्यवस्था करने का प्रस्ताव रखा है ।

फिलहाल पर्यटन विभाग के विचाराधीन इस प्रकार के पार्कों के लिए कोई अन्य प्रस्ताव नहीं है । फिर भी यह विभाग किन्हीं पर्यटक क्षेत्रों/केन्द्रों का समेकित विकास के लिए योजनाएं तैयार कर रहा है । इस कार्यक्रम के अंतर्गत प्रारक्षण और सीन्दर्य वृद्धि के लिए यदि ऐसे पार्कों को बनाना आवश्यक समझा जाय तो यह विभाग ऐसी योजनाय बनावेगा ।

## चीनी का निर्यात

1668. { श्री श्रींकार लाल बेरवा :  
श्री प्रकाशबीर शास्त्री :

क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि विदेशी मुद्रा की कमी के कारण सरकार का विचार अधिकतम मात्रा में चीनी का निर्यात करने का है ;

(ख) यदि हां, तो पहली निर्यात की मात्रा की तुलना में कितनी चीनी का निर्यात करने का विचार है और उन देशों के नाम क्या हैं तथा उनमें से प्रत्येक देश को कितनी चीनी का निर्यात किया जाएगा ; और

(ग) उससे कितनी विदेशी मुद्रा प्राप्त होन की संभावना है ?

खाद्य तथा कृषि मंत्रालय में उपमंत्री (श्री बा० रा० चट्ठाण) : (क) जी, हां । 1965 में चीनी का निर्यात बढ़ाने का विचार है ।

(ख) अब तक किये गये वायदों के प्रति 1965 में निर्यात की जाने वाली मात्रा और 1964 में वास्तव में निर्यात की गयी मात्रा नीचे दी जाती है :—

	(लाख मीट्रिक टन)	
	1965	1964
संयुक्त राज्य अमेरिका	0.87	0.99
यू० के०	0.76	0.11
कनाडा	0.53	—
मलेशिया	0.36	0.15
इटली	—	0.19
जापान	—	0.61
दक्षिणी वियतनाम	—	0.19
अन्य देश	0.10	0.10
जोड़	2.62	2.34

1965 में निर्यात बिक्री के लिये प्रतिरिक्त मात्रा पर विचार किया जा रहा है।

(ग) 2.62 लाख मीट्रिक टन के निर्यात पर लगभग 10.7 करोड़ रुपये।

#### Effect of Music on Milk Yield

1669. Shri C. K. Bhattacharyya: Will the Minister of Food and Agriculture be pleased to state:

(a) whether his attention has been drawn to the statement of the Chief Minister of Andhra Pradesh that the cattle in the dairy of Tirupati Temple give more milk on hearing music played through radio; and

(b) if so, whether any arrangement has been made to introduce this experiment all over India?

The Deputy Minister in the Ministry of Food and Agriculture (Shri Shah Nawaz Khan): (a) and (b). The information is being collected and will be placed on the Table of the Sabha as soon as it becomes available

#### सघन खेती

1670. श्री मोहन स्वरूप : क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार ने खाद्यान्नों का उत्पादन बढ़ाने के लिए एक कार्यक्रम तैयार किया है जिसके अन्तर्गत चार करोड़ 14 लाख एकड़ भूमि में सघन खेती की जायेगी ;

(ख) यदि हां, तो योजना की मुख्य बातें क्या हैं ; और

(ग) इस पर कितना व्यय होगा ?

खाद्य तथा कृषि मंत्रालय में उपमन्त्री (श्री शाहनवाज खान) : (क) में (ग) एक विवरण सभा पटल पर रखा गया है, [देखिये संख्या — एन० टी० 4777/65/]

#### Crash Programme to Increase Milk Yield in Delhi

1671. Shri D. C. Sharma: Will the Minister of Food and Agriculture be pleased to state:

(a) whether a crash programme to raise milk yield of cattle in Delhi is under consideration;

(b) if so, the details of the programme;

(c) when it is likely to be implemented; and

(d) how long it will go in meeting the requirements of the Capital?

The Deputy Minister in the Ministry of Food and Agriculture (Shri Shah Nawaz Khan): (a) to (d). A scheme for the establishment of one Intensive Cattle Development Block in Delhi had been approved for implementation under the Crash Programme in Delhi in November, 1964. This Block was proposed to be taken up in the milk sheds of Delhi Milk Scheme and was expected to cover a breedable population of one lakh cows/she buffaloes. The programme embraces all aspects of cattle development viz. controlled breeding, better feeding, effective disease control, better management and marketing facilities duly supported by rural dairy extension activities. The Delhi Administration who had not taken up the scheme earlier for inadequacy of funds have now agreed to take up the scheme in 1965-66. Formal request for revival of the scheme is awaited from the Administration. The scheme aims at 30% increase in milk production in five years.

#### Sugar Quota

1672. { Shri M. L. Jadhav;  
Shri Jedhe;  
Shri P. C. Borooah;

Will the Minister of Food and Agriculture be pleased to state:

(a) the quantity of sugar supplied per month per head in the different

States and also the quantity of sugar made available to each State during the past two quarters of the current year;

(b) whether it is a fact that in certain parts of the country the monthly quota per head is 250 gms. and if so, where and why; and

(c) the steps being taken to make a uniform quantity of at least one kilogram per head available throughout the country?

**The Deputy Minister in the Ministry of Food and Agriculture (Shri D. R. Chavan):** (a) A statement giving the required information is laid on the Table of the House. [Placed in Library. See No. LT-4778/65].

(b) Yes, generally in rural areas mainly on account of local habits.

(c) The average consumption of sugar in the country has never been 1 kg. per head per month, nor it is possible to ensure this in the near future on account of limited production.

**केरल में स्विटजरलैंड की सहायता से कृषि का विकास**

**1673. श्री विश्वनाथ पाण्डेय :** क्या साहब तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि स्विटजरलैंड की सरकार ने केरल राज्य में कृषि के विकास के लिये वित्तीय सहायता दी है ; और

(ख) यदि हां, तो कितनी ?

**साहब तथा कृषि मंत्रालय में उपमंत्री (श्री शाहनवाज खां):** (क) जी, हां ।

(ख) स्विटजरलैंड की सरकार ने परियोजना के प्रथम चरण के लिये 12180 लाख फ्रंक (जो कि 1.352 लाख रुपये के बराबर हैं) दिये थे । इस सहायता से स्विटजरलैंड के तकनीशनों का वेतन इत्यादि तथा मशीनों व परियोजना में काम करने वाले

विदेशी पशुओं पर खाने वाला व्यय भी पूरा होगा । स्विटजरलैंड की सरकार परियोजना के दूसरे चरण के लिये 213 लाख फ्रंक (जो कि 23.47 लाख रुपये के बराबर हैं) देने का प्रस्ताव कर रही है ।

**Application of Employees' Provident Funds Scheme to Co-operative Sector**

**1674. Shrimati Ramdulari Sinha:** Will the Minister of Social Security be pleased to state:

(a) whether Provident Fund Scheme has been made applicable to the Co-operative and Khadi and Village Industries Sectors;

(b) whether the Co-operative Instructors employed in the various States by the National Cooperative Union for various States Co-operative Unions are enjoying the benefit of the scheme; and

(c) if not, the reasons therefor?

**The Deputy Minister in the Ministry of Law (Shri Jaganatha Rao):**

(a) Yes, provided the establishments in these sectors fall in the categories of establishments to which the Employees' Provident Fund Act, 1952, and the Scheme have been extended. The following exceptions have, however been made:—

(i) Under Section 16(1)(a) of the Employees' Provident Fund Act, 1952, the Act does not apply to any establishment registered under the Co-operative Societies Act, 1912, or under any other law for the time being in force in any State relating to co-operative societies, employing less than 50 persons and working without the aid of power.

(ii) Handloom factories organised as Industrial Cooperatives have been exempted from the operation of the Employees' Provident Fund Act, 1952.

(b) No. Since these unions are not engaged in an industry so far covered under the Employees' Provident Fund Act, 1952, the Instructors employed by the unions are not enjoying the benefit of this Act.

(c) Does not arise.



### Chairmen of State Social Welfare Boards

1675. **Shrimati Ramdulari Sinha:** Will the Minister of Social Security be pleased to lay on the Table a statement showing:

(a) the names of the Chairmen of the various State Social Welfare Boards along with their qualifications;

(b) the facilities and amenities provided to each one of them; and

(c) the amount provided for in the current year's Budget under the head "Establishment", State-wise?

**The Deputy Minister in the Ministry of Law (Shri Jagannatha Rao):** (a) to (c). A statement giving the names of the Chairmen, State Social Welfare Advisory Boards, their qualifications, where available, and other requisite information is laid on the Table of the House. [Placed in Library. See No. LT-4779/65].

Information as to the qualifications of the Chairmen of the remaining State Boards is being collected and will be laid on the Table of the Sabha as soon as possible.

### Labour Contract and Construction Co-operatives

1676. **Shrimati Ramdulari Sinha:** Will the Minister of Community Development and Cooperation be pleased to state:

(a) whether the State Governments have been advised to earmark certain percentage of contract work for labour contracts and construction co-operatives in each State; and

(b) if not, the reasons therefor?

**The Deputy Minister in the Ministry of Community Development and Cooperation (Shri B. S. Murthy):** (a) The State Governments have been advised to allot all unskilled works and skilled works upto Rs. 50,000 to the labour contract and construction co-operatives.

(b) Does not arise.

### "Grow More Food" Competition

1677. **Shri Rajdeo Singh:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether Government are aware that some of the farmers are adopting different tactics to show more yield in the competition organised for "Grow More Food";

(b) whether the average yield is taken on the total cultivable land at the disposal of the farmer or a small portion of it; and

(c) whether any steps are likely to be taken in this direction to encourage healthy competition?

**The Deputy Minister in the Ministry of Food and Agriculture (Shri Shahnawaz Khan):** (a) Yes. Fraudulent tactics to show higher yields than actual are known to officers supervising crop competitions and they take proper care to prevent such practices. An elaborate procedure has been laid down in the scheme specifically in respect of harvesting of crop competition plots with the object of obtaining reliable yields. A representative of the Government of India is deputed on the Committee to supervise the harvesting of competition plots in All India Crop Competitions At Village, Block, District and State level Crop Competitions organised by State Governments, separate committees at all levels exist to organise and supervise harvesting of competition plots.

(b) The minimum unit of land for which a competitor can enter into a competition, has been specifically laid down. This is one acre for all the crops in the plains except paddy and potato, in which case it is half an acre and 1/4 acre respectively. For a competitor from hilly tracts, the above prescribed limits are reduced to half.

(c) No. It is felt that the Crop Competitions Scheme is working in a fairly satisfactory manner.

### **Ships from Russia**

**1678. Shri R. S. Pandey:** Will the Minister of Transport be pleased to state:

(a) whether there is any proposal to purchase some merchant ships from Russia; and

(b) if so, the details thereof?

**The Minister of Transport (Shri Raj Bahadur):** (a) and (b). There is no proposal under Government's consideration to purchase merchant ships from Russia at present.

### **Dahej Port in Gujarat**

**1679. Shri Chhotubhai Patel:** Will the Minister of Transport be pleased to state:

(a) whether there is any proposal to develop the Dahej port in Gujarat State as an all-weather direct berthing port; and

(b) if so, the nature thereof?

**The Minister of Transport (Shri Raj Bahadur):** (a) and (b). Ports other than major ports figure in the Concurrent List of the Constitution. The executive responsibility for their development vests in the State Governments concerned. The Government of India, however, provides technical advice and financial assistance in the form of loans to the State Governments for the development of some of the schemes.

The Government of Gujarat has proposed the development of Dahej as an all-weather port, cost being estimated at Rs. 76.36 lakhs, during the Fourth Plan period. Fourth Plan schemes relating to minor ports are under examination at present.

### **Wages of Workshop Employees**

**1680. Shrimati Renu Chakravartty:** Will the Minister of Civil Aviation be pleased to state:

(a) whether it is a fact that two years have elapsed since the Committee of Technical Officers submitted their report fixing the wages of workshop employees of the Civil

Aviation Department and rationalisation of the various cadres;

(b) whether it is also a fact that these employees continue to draw ad hoc pay fixed by the Department; and

(c) if so, whether Government have taken any decision on the recommendations of the Committee?

**The Minister of Transport (Shri Raj Bahadur):** (a) to (c). A Committee of Departmental Officers was appointed by the Director General of Civil Aviation in April, 1963 to study and examine the pay-scales of the workshop staff and to recommend whether any revision of their pay-scales is necessary after taking into consideration their duties and responsibilities and the scales of pay of similar posts in other Departments.

The Committee's report was received by Government in September, 1964. Its recommendations have been examined. Since the scales of pay recommended by the Committee are outside the standard scales recommended by the Second Pay Commission and the basis on which the Committee has evaluated the various posts and recommended these special scales has not been explained, these recommendations do not form a useful basis for further consideration of the revision of scales, which has now been taken up independently on merits.

In the meantime the workshop employees continue to draw pay in the scales in which they were fitted on the recommendations of the Second Pay Commission.

### **Pay Scales of Store-Keeping Staff in Civil Aviation Department**

**1681. Shrimati Renu Chakravartty:** Will the Minister of Civil Aviation be pleased to state:

(a) whether Government have accepted the Departmental Committee's recommendation regarding the pay-scales of the Store-keeping staff of the Civil Aviation Department;

(b) if not, the reasons therefor; and

(c) whether the scales of pay recommended by the Second Pay Commission for M.T. Drivers have not been given effect to in the case of Civil Aviation Department Drivers though the pay-scale of the staff car drivers had been revised?

**The Minister of Transport (Shri Raj Bahadur):** (a) and (b). The main recommendations of this Committee were:

- (i) revision of the pay-scales of Store-keepers from Rs. 130-300 to Rs. 168-340;
- (ii) increase in the strength of Selection Grade from 11 per cent of 15 per cent; and
- (iii) re-designation of the posts of Assistant Technical Officers at the Central Radio Stores Depot on the Stores Despatch side, as Stores Officers, to be filled by promotion on merit from amongst Stores Assistants.

Government have already accepted the second and third recommendations. The question of revision of the pay-scales of Store-keepers is still under consideration.

(c) The Second Pay Commission recommended a pay scale of Rs. 110-139 for Drivers of light vehicles and Rs. 110-180 for Drivers of heavy vehicles. It was not found possible to demarcate the posts of M.T. Drivers in the Civil Aviation Department as their M.T. fleet is a composite one consisting of light and heavy vehicles at all stations. It has, therefore, been decided to create a Selection Grade for 25 per cent of posts in this cadre in the scale of Rs. 139-180. In addition 149 posts of M.T. Drivers have been integrated with the Fire-fighting crew and re-designated as those of Driver (Fire) in the scale of Rs. 110-180.

### Shipping facilities for despatch of Salt

1682. **Shri Jashvant Mehta:** Will the Minister of Transport be pleased to state:

(a) whether Government are aware that the salt manufacturers on the Western Coast of Saurashtra are not getting shipping facilities to despatch salt to eastern parts of India; and

(b) if so, the steps Government have taken to remedy such difficulties?

**The Minister of Transport (Shri Raj Bahadur):** (a) Substantial quantities of salt are being moved by sea from Saurashtra ports to Calcutta. For instance, during the first 8 months of 1965 about 1 lakh tons of salt have been moved by sea. An important factor which has led to the present difficulty is that salt is generally taken as a return cargo by ships carrying coal from Calcutta to Saurashtra but the coal movement to Saurashtra has declined considerably with the result that very few colliers call at Saurashtra ports.

(b) The following steps have been taken by Government to improve the situation:—

- (i) All vessels taking coal to Saurashtra or Bombay are required by Government to back-load salt to Calcutta;
- (ii) Vessels which carry coal or other cargo to Tuticorin or Cochin and which agree to go in ballast from these ports to Saurashtra ports for lifting salt for Calcutta are given coal cargo for Madras or Tuticorin for the next coal voyage. Since shipowners prefer Madras and Tuticorin to other ports for movement of coal, allotment of coal for these ports is expected to serve as an inducement for carriage of salt from Saurashtra; and

- (iii) Government are examining a proposal submitted by a salt shipper for acquisition of 2 ships for the movement of salt and cement.

#### Scientific Posts in Civil Aviation Laboratories

1683. Shri D. C. Sharma: Will the Minister of Civil Aviation be pleased to state:

(a) whether the Committee on Organization of Scientific Research in Civil Aviation has recommended an increase to the maximum extent possible in the number of scientific posts at the lower level in the two laboratories now maintained by the Directorate-General of Civil Aviation now maintained by the Directorate-General of Civil Aviation in New Delhi;

(b) whether the recommendation has been considered and accepted; and

(c) if so, the steps taken to implement the same?

**The Minister of Transport (Shri Raj Bahadur):** (a) to (c). A copy of the Report of the Committee on Organisation of Scientific Research in the laboratories of the Research and Development Directorate and the Radio Construction & Development Unit of the Civil Aviation Department at New Delhi has been received by Government last month.

The report is under examination. As the recommendations made therein are of far-reaching nature, they will require very careful consideration in consultation with other Ministries before decisions can be taken.

#### Capsizing of "Kalyani" Fishing Trawler

1684. { Shri Kajrolkar:  
Shri Raghunath Singh;  
Dr. Mahadeva Prasad;  
Shri Hukam Chand  
Kachhavalya:

Will the Minister of Food and Agriculture be pleased to state:

(a) the reasons for sending "Kalyani" a fishing trawler, for fishing in

stormy weather;

(b) the number of persons who were on board and the number of persons survived;

(c) whether all of them were swimming experts and whether any qualified Tindal was on board; and

(d) whether this trawler had been duly passed in accordance with the Mercantile Marine Department Regulations?

**The Deputy Minister in the Ministry of Food and Agriculture (Shri D. R. Chavan):** (a) The trawler left Bombay on her routine exploratory fishing voyage on 15th July, 1965, when weather was not stormy.

(b) There were 14 persons on board H.T. 'Kalyani' and so far we have had reports of only one survivor.

(c) All the persons on board this trawler knew swimming. The trawler was under the command of an officer holding a Fishing Skipper's Certificate. The officer who was second in command of this trawler was also holding a Second Hand Fishing Certificate. Both these certificates are issued by the Mercantile Marine Department and are much superior to that of a Tindal.

(d) The trawler was last inspected during March/April, 1965 by the Mercantile Marine Department when repairs were carried out for seaworthiness.

#### Loss of Foodgrains due to Floods

1685. Shri R. Barua: Will the Minister of Food and Agriculture be pleased to state the loss of various varieties of foodgrains in terms of quantities and money value due to floods in each State during the period from 1960 to 1964?

**The Deputy Minister in the Ministry of Food and Agriculture (Shri Shah Nawaz Khan):** The information is not available. The time and labour involved in its collection would not be

commensurate with the results to be achieved.

### Supply of Milk in Capital

1686. Shri Jedhe: Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that the position of milk supply in Delhi|New Delhi has greatly improved in comparison to what it was during the months of June and July, 1965;

(b) if so, to what extent;

(c) whether Government propose to issue fresh cards for the issue of milk to the public;

(d) if so, when; and

(e) if not, the reasons therefor?

The Deputy Minister in the Ministry of Food and Agriculture (Shri Shah Nawaz Khan): (a) and (b). The average daily procurement of milk by the Delhi Milk Scheme for the period June to August, 1965, is indicated below:—

Month						Buffalo Milk	Cow Milk
						litres	litres
June, 1965	.	.	.	.	.	84,060	3,696
July, 1965	.	.	.	.	.	94,493	6,292
August, 1965	.	.	.	.	.	1,23,640	6,144

(c) and (d). It has been decided to issue shortly new cards to the extent of 10,000 litres of milk per day.

(e) Does not arise.

### Extension of National Highway from Tezpur

1687. Shri Rishang Keishing: Will the Minister of Transport be pleased to state:

(a) whether there is any proposal to extend National Highway No. 37 from Tezpur to the various parts of North-East Frontier Agency;

(b) if so, the details thereof; and

(c) the steps taken to improve the road mileage in NEFA?

NEFA which are being improved further to meet the needs of the area.

(c) Improvement of road communications in NEFA forms an integral part of the NEFA Administration's Five Year Plans. The total expenditure incurred on road development in NEFA during the First and Second Five-Year Plan periods amounts to Rs. 210.88 lakhs. The Third Five Year Plan allocation for roads in NEFA is Rs. 180 lakhs. In addition, the road development programme being undertaken by the Border Roads Development Board in the North and North Eastern border region also includes a number of works for the improvement of road communications in NEFA.

### Rice Supply to Manipur

1688. Shri Rishang Keishing: Will the Minister of Food and Agriculture be pleased to state:

(a) whether acute shortage of rice has prevailed in Manipur at present;

The Minister of Transport (Shri Raj Bahadur): (a) and (b). No, Sir. Tezpur does not fall on National Highway No. 37 but is situated on the North Trunk Road which is a State road. Road links already exist connecting Tezpur with the various parts of

(b) whether the Government of Manipur has demanded an allotment of 3,800 tonnes of rice to meet its immediate requirement; and

(c) if so, the action taken by Government in the matter?

**The Deputy Minister in the Ministry of Food and Agriculture (Shri D. R. Chavan):** (a) to (c). Manipur is surplus in rice. It was reported, however, that the supply of rice in the open market has diminished recently. The Manipur Administration liberalized distribution of Government stocks and asked for some additional supplies from the Central stocks. Despatches from Central stocks have been accelerated. What further quantities will have to be supplied to Manipur and when, is being examined in consultation with the Manipur Administration.

#### Shortage of Bread in Delhi

**1689. Shri D. C. Sharma:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that bread has been in short supply in Delhi for the past several weeks;

(b) whether it is also a fact that good quality bread has become a rare commodity and even inferior quality bread costs more; and

(c) if so, the steps taken or proposed to be taken to remedy the situation?

**The Deputy Minister in the Ministry of Food and Agriculture (Shri D. R. Chavan):** (a) to (c). There was some shortage of bread in Delhi during last week only due to some mechanical trouble in the two leading bakeries in Delhi. These bakeries have since resumed their full production and since 28th August, 1965 their production has been more than the normal daily requirement.

#### Income-tax Appellate Tribunal at Ahmedabad

**1690. Shri Narendra Singh Mahida:** Will the Minister of Law be pleased to state:

(a) whether the President of Gujarat Chamber of Commerce, recently, while meeting in a deputation to the Chairman, Income-tax Appellate Tribunal, Bombay at Ahmedabad, stated the need for locating a permanent bench of the Income-tax Appellate Tribunal at Ahmedabad; and

(b) if so, Government's reaction to the proposal?

**The Deputy Minister in the Ministry of Law (Shri Jaganatha Rao):** (a) Yes, Sir.

(b) The number of appeals instituted from the Gujarat State being very small, there is not enough work for a whole-time Bench at Ahmedabad at present. A Bench of the Income-tax Appellate Tribunal holds periodical sittings at Ahmedabad to dispose of the appeals.

#### CORRECTION OF ANSWER TO UNSTARRED QUESTION NO. 567, DATED 24-8-1965.

**The Minister of Transport (Shri Raj Bahadur):** In the reply given to Unstarred Question No. 567 on the 24th August, 1965, regarding revised schedule of ship construction in Hindustan Shipyard, I had stated that the matter was still under consideration. In fact, the schedule of ship construction at the Hindustan Shipyard, Visakhapatnam was revised in March, 1964 and has been in operation since then. The object envisaged in this revised schedule was to construct 3 ships during 1964-65, 4 ships during 1965-66, 5 ships during 1966-67 and 6 ships every year thereafter. Owing to the difficulties in procurement of imported materials and equipment required for construction of ships on account of acute foreign exchange shortage, the question of revising this schedule again is under consideration.

12 hrs.

Clause 1

RE: STATEMENT BY THE DEFENCE  
MINISTER

**Mr. Speaker:** Is there any statement going to be made by the Defence Minister? (*Interruption*).

**Shri Surendranath Dwivedy (Kendrapara):** We would like to know whether there is going to be any statement.

**Mr. Speaker:** That is what I asked; I will find out.

12.04 hrs.

## PAPERS LAID ON THE TABLE

## ORDER OF DELIMITATION COMMISSION

**The Deputy Minister in the Ministry of Law (Shri Jaganatha Rao):** I beg to lay on the Table a copy of Order No. 19 of the Delimitation Commission determining the parliamentary and assembly constituencies in the Union Territory of Himachal Pradesh, published in Notification No. S.O. 2498 dated the 9th August, 1965, as corrected by S.O. 2609 dated the 17th August, 1965 under sub-section (3) of section 10 of the Delimitation Commission Act, 1962. [Placed in Library. See No. LT-4766/65].

12.04 hrs.

## MESSAGE FROM RAJYA SABHA

**Secretary:** Sir, I have to report the following message received from the Secretary of Rajya Sabha:—

I am directed to inform the Lok Sabha that the Representation of the People (Second Amendment) Bill, 1964, which was passed by the Lok Sabha at its sitting held on the 27th November, 1964, has been passed by the Rajya Sabha at its sitting held on the 2nd September, 1965, with the following amendments:—

## Enacting Formula

1. That at page 1, line 1, for the word "Fifteenth" the word "Sixteenth" be substituted.

1181(A) LSD—5.

2. That at page 1, line 4, for the figure "1964" the figure "1965" be substituted.

I am, therefore, to return herewith the said Bill in accordance with the provisions of rule 128 of the Rules of Procedure and Conduct of Business in the Rajya Sabha with the request that the concurrence of the Lok Sabha to the said amendments be communicated to this House.

12.04 hrs.

REPRESENTATION OF THE PEOPLE  
(SECOND AMENDMENT) BILL

**Secretary:** Sir, I lay on the Table of the House the Representation of the People (Second Amendment) Bill, 1965 which has been returned by Rajya Sabha with amendments.

12.02 hrs.

STATUTORY RESOLUTION RE:  
PAYMENT OF BONUS ORDINANCE  
AND PAYMENT OF  
BONUS BILL

**Mr. Speaker:** The House will now resume further discussion of the following resolution moved by Shri M. R. Masani on the 6th September, 1965, namely:—

"This House disapproves of the Payment of Bonus Ordinance, 1965 (Ordinance No. 3 of 1965) promulgated by the President on the 29th May, 1965."

and also the further consideration of the following motion moved by Shri D. Sanjivayya on the 6th September, 1965, namely:—

"That the Bill to provide for the payment of bonus to persons employed in certain establishments and for matters connected therewith, be taken into consideration."

**An hon. Member:** How much time, Sir?

**Mr. Speaker:** Only 45 minutes are left so far as the general discussion is concerned. So far, three hours and 15 minutes have been spent. Shri Sezhiyan. (*Interruption*).

Order, order. If there is going to be that normal exodus, that might take place immediately. There ought not to be any talks in the passages.

**Shri Sezhiyan (Perambalur):** In the Statement of Objects and Reasons given in the Bill, the Minister has stated that the "Government announced acceptance of the Commission's recommendations subject to a few modifications as were mentioned therein." Though the Minister has stated that "a few modifications" have been made in the recommendations of the Bonus Commission, in our view, these modifications are on a vital matter like the computation of bonus. The very basis has been assailed and the whole structure of the computation and the quantum of bonus has toppled down. It is like saying that only a small injury has been done to a man, though the small injury has been inflicted on the most vital part of the human body, that is, either in the cerebrum or in the heart. The whole structure, the whole basis of the payment of bonus, has been brought to nil and has been nullified by the so called "few modifications" made by the Government.

Sir, even the bonus formula recommended by the Bonus Commission, I cannot say, is a very satisfactory one. Even the small concessions extracted by the working class through the report of the Bonus Commission have been nullified by the "few modifications" made by the Government. If you analyse the bonus formula recommended by the Commission as well as the existing LAT formula, we can see that the recommendation made earlier, namely, the LAT formula, has been watered down even by the Bonus Commission. The Bonus Commission's formula, as recommended in their report is, gross profit for the year, less depreciation, less income-tax and super-

tax, less return at the actual rate payable on the preference share capital and at seven per cent on ordinary capital plus at four per cent on reserves. The balance would be 'available surplus', and of this balance, 60 per cent should be allocated as bonus subject to a minimum equivalent to four per cent of the annual basic wages and dearness allowance, etc., or a minimum of Rs. 40 whichever is higher. This is, of course, subject to the maximum of 20 per cent. Let us compare this with the existing LAT formula, which is gross profits, less depreciation, less income-tax, less 6 per cent return on paid-up capital and less 3 per cent return on working capital—the balance will be available surplus. But the 6 per cent given in the LAT formula has been increased to 7 per cent and 3 per cent return on working capital has been increased to 4 per cent by the Bonus Commission. But even these things have been whittled down by the government in their modified formula. The only redeeming feature in the modified formula of government is, the minimum of Rs. 40 or 4 per cent, which has been fixed. But even that is not applicable to all the workers. To everybody's surprise and chagrin, the Government of India modified the Bonus Commission formula, even though the concessions given by the Bonus Commission have not been of a much higher order. The present formula as modified by the government gives the schedule as gross profits less depreciation, less all direct taxes, less 8·5 per cent return on paid-up capital and less 6 per cent return on the reserves. The reason given in the dissenting note for calculating the return on capital at 8·5 per cent, as against the LAT and the bonus commission's recommendation of 6 per cent is that the LAT fixed the common ground for the fair return on paid-up capital was 6 per cent and that 6 per cent referred to a tax-free 6 per cent while the tax-inclusive return would be 8·5 per cent. But it is nowhere stated in the LAT full bench formula whether the 6 per cent is exclusive or inclusive of tax. So, why should the tax return be brought into the picture now?



When the bonus commission made its recommendation, it clearly analysed all these points and made the recommendation with the full knowledge as follows:

"The balance left with the concern would be 40 per cent and this would be increased by the saving in tax on bonus payable. The aggregate balance thus left with the industry is intended to provide for gratuity and other necessary reserves, requirements of rehabilitation in addition to the provision made by way of depreciation in the prior changes, the annual provision required, if any, for redemption of debentures and return on borrowings, payment of super profit tax, if any, and in addition return on capital."

So, all these things have already been gone into by the bonus commission when they fixed 40 per cent and 60 per cent. By this modified formula, the available surplus will dwindle to a scrap and no one need be expecting the accounting and disbursement under 'setting off' and 'setting on', because there will be no such thing left to carry forward for the future, under the modified formula.

Let me take some concrete examples and show how the LAT formula, the bonus commission formula and the modified formula of the government work out. That will show how the available surplus is being diminished gradually by this process. I will take some textile mills working in Coimbatore in South India, because the textile industry is the industry where the basic wages and D.A. stand on an advantageous footing for arriving at the bonus quantum. In Saroja Mills, Coimbatore, the available surplus under the LAT formula is Rs. 12,63,441; under the bonus commission's formula it is Rs. 12,38,216 and under the modified formula of the government it will be Rs. 909,884. In Venkatesa Mills Udumalpet, the LAT formula will give a surplus of

Rs. 10,88,494; under the bonus commission's formula it is Rs. 10,54,714 and under the modified formula of government it is reduced to Rs. 7,00,539. The same is the case with Dhana-lakshmi Mills, Tiruppur. Rs. 15,34,392 is the sum given by the LAT formula; the Bonus Commission's recommendation will give about Rs. 1 lakh less, that is, Rs. 14,66,052, whereas the modified formula will whittle it down to Rs. 12,68,420. Therefore when you get the available surplus of Rs. 13 lakhs under the LAT formula, it will come to Rs. 9 lakhs under the modified formula of the Government. That means, the amount available under the LAT formula will come down to 75 per cent. Therefore even if you have not done the depreciation of the money value, the quantum is already reduced by the present one and in the end the workers will be getting very meagre amounts as bonus. Even now the minimum of 4 per cent is being taken advantage of by some concerns. The Express Newspapers, which were usually declaring one month's bonus, have now arranged their accounts in such a way that they are able to pay only the minimum bonus of 4 per cent which will give them much less than the present one month's bonus that had been available to them.

In the end I want to say that on the very vital question of payment of bonus the Government has been presurised. They have not taken into consideration the very obligations made by them in the Constitution. In all these deliberations, decisions and modifications one thing stands out very clearly. Whether the Government fulfil or not the obligations made under the Constitution to provide a decent living for the workers, whether the workers are able to get a decent living, a fair wage and a good bonus in return for the hard work done by them, whether the workers are able to live happily or not, there is one class which is going to get a sure and sumptuous bonus in return for the meritorious work done to the capitalists and big business and that is the ruling

[Shri Sezhiyan]

class. During the last elections they were able to get a sumptuous bonus of Rs. 97 lakhs from the capitalists and industrialists. Probably, after the Payment of Bonus Bill is passed, they may get even a better bonus for the next elections. Therefore this Bill looks as though it is not a Bill for payment of bonus to the workers but it is a Bill which has been prepared and engineered by our hon. Minister of Labour for future payment of bonus to the Congress Party, the ruling party.

**Mr. Speaker:** Shri S. M. Banerjee, but he will be very brief.

**Shri S. M. Banerjee (Kanpur):** I will take ten minutes.

**Shri P. C. Borooah (Sibsagar):** Sir, I should also be given a chance.

**Mr. Speaker:** I looked towards this side but nobody stood up.

**Shrimati Subhadra Joshi (Balram-pur):** I have been standing since yesterday.

**Mr. Speaker:** Then I should blame my eyes. I looked towards this side but nobody stood up and I am told by the hon. lady Member that she had been stand since yesterday. Did she stand here the whole night also?

श्री ठू म चन्व कछबाय : (देवास)  
मज्जम महोदय, मेरा भी नाम है ।

श्री मोय (प्रलीगढ़) : मैं भी बोलना चाहता था वरना वोड़ा सा समय मझे भी दिया जायगा ?

मज्जम महोदय : मेरे पास इस बिल के लिए समय बाड़ा बबता है लेकिन मैं देखूंगा कि कहां तक मैं उन को एकोमोडेट कर सकता हूँ ।

**Shri S. M. Banerjee:** Mr. Speaker, Sir, I support the motion for reference

of the Bill to the Select Committee moved by Shri Homi Daji. I was the joint Mover of this motion. We suggested that this Bill should come back from the Select Committee on the 22nd on the assumption that the session was going to be extended at least by three or four days. After the Bill emerges out of the Select Committee, I think, all of us could discuss it in a better atmosphere.

The Bonus Commission's Report unfortunately has become a controversial report because of one note of dissent given by my hon. friend, Shri Dandekar, which the Government has incorporated here with the result that it has given a feeling not only to the working people of this country but to others also that the employers' representatives can upset any commission's report. I do not know why the Labour Minister, who had the support of the Cabinet—I do not know for certain whether he had that—should succumb to this pressure. It has set such a bad precedent that all commissions are going to be prejudiced and nobody would become their members. And if anybody becomes a member, only that person would become a member who could possibly give a report against the interests of the working class.

Then, why have the public sector employees been exempted? It is generally said that the public sector is not supposed to earn profits, though it is a controversial matter. We have been pleading in this House that the public sector projects should also make profits and certain public sector projects are making profits. I am sure, with little improvement and administrative reforms in the public sector projects, they can earn profits. We do not want fabulous, unreasonable profits. If the private sector units which do not make any profit are liable to pay 4 per cent as bonus, I doubt why that particular clause should not be made applicable to the public sector and departmental employees.

Then, it is something surprising that the railways, the posts and telegraphs and defence employees, who are working in various workshops day and night and are producing for the security of the country, to defend the country, have been exempted. They will not get any bonus under this Bill. As a representative of the defence employees I know that incentive bonus has recently been granted by the Defence Minister; but that does not cover all sections of employees. It is given only to those workers who are working in the maintenance and repair sections. Supposing there are 80,000 or 1 lakh workers in the ordnance factories alone, out of those 1 lakh workers hardly 30,000 get incentive bonus; the others are denied this. Therefore I plead with the Labour Minister kindly to accept the motion for referring the Bill to the Select Committee so that proper representation may be made on behalf of the defence, railway, posts and telegraphs and other employees of public sector undertakings and this matter would be considered. They should also be included in the purview of this particular Bill.

Then, if the minimum bonus clause is struck down in the courts, the ceiling clause, that is of 20 per cent, must be removed. This should be removed in the larger interest of pleasing the workers. The discontent that is growing among the workers will be minimised by such action.

The Commission's recommendation for 7 per cent return on capital and 4 per cent return on reserves should be restored. These are very minor things and I do not want to say much because my hon. friend, Shri Indrajit Gupta, has touched upon all these points. If the hon. Minister has listened to him carefully, he will kindly consider those points and try to bring forward those amendments which are accepted by the employees' representatives in this House. Unfortunately, the Labour Minister is not here and the Deputy Labour Minister still wants to get some points from the officials just to wriggle out of this argument.

Then, the development rebate cannot be charged before bonus. These are the few points which I wanted to place before the House. Some of the hon. Members have congratulated the hon. Minister for bringing forward the Ordinance and this Bill. Ordinances are passed and I have nothing to say against the Ordinance. Generally I do not support such Ordinances when Parliament is meeting. They could have brought forward the Bill long ago. The Ordinance was not necessary.

What is required today is improvement, certain modifications, in the Bill to suit the workers. After all, the industrialists who have made fabulous profits should pay money from their pockets as bonus. I come from Kanpur where textile mills and other industries are there. In Kanpur all employers have issued notices that they will pay only 4 per cent bonus. Even those employers who have made fabulous profits—if we see their balance sheets, we will find that they have made such profits—have displayed notices on the boards that they will pay only 4 per cent. I refer to concerns like the British India Corporation, Rayon Industries and other industries who are supposed to make profits and have made profits. I am afraid that taking advantage of this 4 per cent clause no employer is going to pay more than 4 per cent in any case. So, the ceiling of 20 per cent should be removed because after going through this carefully I find that nobody will get the same amount of bonus that he was getting before; it is going to be reduced and curtailed in the name of keeping in tune with this legislation. So, my point is that this should be referred to a Select Committee.

With these high prices in the country, where Government has miserably failed to bring down the prices, the people wait patiently for bonus for clearing out their debts and so on. Today, bonus cannot be termed anything else but an integral part of their wages. With bonus that they get, they practically

[Shri S. M. Banerjee]

clear all their debts and fulfil their obligations towards the members of their families.

In the circumstances, I would request the hon. Minister to kindly consider all these points. Let us discuss each amendment. Some of the amendments which have been moved by the Opposition should be accepted.

An hon. Member: All the amendments.

Shri S. M. Banerjee: He cannot accept all the amendments. It is impossible for him to do that.

With these observations, I would request the hon. Minister to kindly take the sense of this House and accept some of the amendments which are acceptable to him.

**श्रीमती सुभद्रा जोशी :** अध्यक्ष महोदय, अभी दो चार दिन पहले प्रधान मंत्री ने देश के सब लोगों के नाम प्रपील करते हुए यह कहा था कि इस वकत देश के सामने जो संकट आया है, उस को सामने रखते हुए हर एक व्यक्ति का यह फ़र्ज है कि वह धन-बचन रखे और ज्यादा से ज्यादा काम करे। उन्होंने मजदूरों से प्रपील की थी कि वे पैदावार बढ़ावें। उन्होंने समाज के प्रत्येक प्रत्येक लोगों से भी यही प्रपील की थी। ऐसा मालूम होता है कि वह प्रपील उन को खास तौर से हमारे सेबर मिनिस्टर को करनी चाहिए थी, जो कि शायद नहीं की गई।

मैं मंत्री महोदय को यह पाव दिलाता चाहती हूँ कि जब चीन का हमला हुआ, तो हमारे देश का मजदूर वर्ग, किसी किसम की कर्बानी से पीछे नहीं हटा। जो कुछ उस के पास था, वह उस ने दिया। मजदूरों ने अपनी एक एक दिन की तन्हाहूरी दी, पैसा दिया, खेवर दिया और रैलीज में कपड़े उतार उतार कर देने शुरू कर दिये। जो कुछ उन से बन पड़ा, वह उन्होंने क्या

उन्होंने यह समझौता भी किया कि जब तक हम जैन्सी रहेगी, तब तक मजदूर लोग कोई भी एंजोटेन या हड़ताल नहीं करेंगे। जो लोग मजदूरों में काम करते हैं, वे अच्छी तरह से जानते हैं कि इस के मुकाबले में उस मोके से फ़ायदा उठा कर मालिकों ने जगह जगह मजदूरों के कार्यकर्ताओं को अपनी मिलाई और कारखानों से निकाला और उन को विक्टिमाइज किया।

मैं आज मंत्री जी से यह खास निवेदन करना चाहती हूँ कि जो बिल हमारे सामने आया है, उसकी मौजूदा शकल को देखते हुए या तो उस को सिलेक्ट कमेटी में भेज दिया जाये, नहीं तो इस बारे में जो बहुत सी एमेंडमेंट्स दी गई हैं, वह उन को मंजूर करें।

जो क्लॉज सब से ज्यादा बग़ड़े का कारण है, सब से पहले मैं उस का जिक्र करना चाहती हूँ। पिछले दिनों उन्होंने टाइम्ड फ़ाफ़ इंडिया की स्टोइक के बीच में इन्टरव्यू किया और वहाँ के एम्प्लॉईज को प्रोत्साहन दिया कि इस बिल में जो बेनिफ़िट पा रहा है, उन के मुताबिक उन के राइड्स का बहुत अच्छी तरह से रक्षा होगी। 1960 में टाइम्ड फ़ाफ़ इंडिया के वर्कर्स को 20.89 लाख के प्राफ़िट में 10.29 लाख बोनस मिला। जो बिल हमारे सामने है, उस के मुताबिक वर्कर्स को 67.84 लाख के प्राफ़िट में 10.75 लाख बोनस मिलने वाला है। फ़ाफ़ जरा प्राफ़िट और बोनस के परसेंटेज को भी देखिए।

मुझे यह देख कर बहुत ताज़्जुब होता है कि मिनिस्टर साहब बार-बार यह कहते हैं कि तुम लोग जो कुछ चाहते हो, इस क्लॉज का वही मतलब है। अगर वह यह कहते हैं कि वह इस क्लॉज का मतलब बेज करने के लिये तैयार नहीं हैं, अगर वह कहते हैं कि

मैं वह चीज देने के लिए तैयार नहीं हूँ, तो मुझे को समझ में आता । लेकिन वह बार-बार कहते हैं कि मैं इस क्लॉक को समझा कर तुम्हारी तसल्ली कर दूँगा कि उस का मतलब वही निकलता है, जो तुम चाहते हो । मैं निवेदन करूँगी कि महज लपड़ों के लिए इतना झगड़ा मचाने की क्या जरूरत है । बाहिर सभी लोग धंधेजी जानते हैं । अगर वे धंधेजी नहीं जानते हैं, तो मंत्री महोदय किसी और भाषा में बतायें । उन्होंने मुझे भी कहा कि तुमने कौन से वकील की राय ली है । मंत्री महोदय और सरकार की यह नीति है कि बाहर के जो लोग यूनिवर्सिटी में काम करते हैं, उन को डिस्क्रिज किया जाये । मैं तो इस बात का उत्तर देना नहीं करती हूँ, लेकिन जितने माननीय सदस्य बोले हैं, चाहे वे आई० एन० टी० यू० सी० के हों और चाहे ए० आई० टी० यू० सी० के, वे रोज कोर्ट्स और ट्रिब्यूनल्स के सामने खुद केस पेश करने हैं । अगर उन लोगों को वह इन्टरप्रेशन समझ में नहीं आता है तो उस इन्टरप्रेटेशन के क्या मानी हो सकते हैं ? वे कौन से वकीलों के पास जाय ? अगर मिनिस्टर साहब चाहते हैं कि यह क्लॉक कानून का झगड़ा बन जाये जो कि धालरेडी कानून का झगड़ा है, तो इस से मजदूरों का कोई हित होने वाला नहीं है । अगर सिर्फ लड़कों को गड़बड़ है, तो मिनिस्टर साहब को सब से पहले वे लफ्फा जैज कर देने चाहियें ।

मैं ने स्टडी कर के देखा है कि पहले जब मालिक अपनी मर्जी से बोनस देते थे, या मजदूर अपनी ताकत से लेते थे, तो उन को बोनस ज्यादा मिलता था । कई ट्रिब्यूनल्स ने यह कहा है कि यह डेफ़िनेट पेमेंट घाफ़ बेजिज है । उस के बाद मालिकों के ओर मचाने पर एक लेबर एपेलेट ट्रिब्यूनल बना, जिस ने कई बहानों से उस में से पैसा निकालना शुरू कर दिया । उस ने कहा कि रीजने-

बल क्लेमस घाफ़ इंडस्ट्री पहले निकाल लेने चाहिए—और रीजनेबल का मतलब यह है कि जिस को मालिक रीजनेबल समझें । उस ने कहा कि स्टेटुटरी डिसिप्प्लिन, टैक्सिज, पेड थप कैपिटल पर 6 परसेंट रिटर्न और 2 से 4 परसेंट वाकिंग कैपिटल पर इन्डस्ट्र पहले निकाल लिया जाये । इस के अलावा उस ने रिहैबिलिटेशन के बाजिज और डाल दिये । बोनस कमीशन ने रिहैबिलिटेशन बाजिज को निकाल दिया, लेकिन सरकार ने उस को डेवलपमेंट रिजेंट के नाम से डालने की कोशिश की ।

मैं निवेदन करना चाहती हूँ कि लेबर एपेलेट ट्रिब्यूनल ने पहले नुक्सान किया, जिस से मजदूरों को और कम बोनस मिलने लगा और फिर बोनस कमीशन तथा सरकार ने मजदूरों का और नुक्सान किया । हमारी समाजवादी हकूमत है और हमारे मंत्री समाजवादी हैं और समाजवाद में विश्वास रखते हैं । इसलिए यह उचित है कि अगर कहीं पर सरकार का दखल हो, तो वह मजदूरों के हक में होना चाहिये । लेकिन हम देखते हैं कि हर जो नया फ़ार्मला आता है, उस से मजदूरों को जो बोनस मिलता है, वह किसी न किसी तरीके से और कम हो जाता है ।

मैं चाहती हूँ कि मंत्री महोदय दिल्ली क्लॉक मिल्स द्वारा दिये गए बोनस को देखें । पहले मजदूरों को अपनी ताकत से 30, 31 परसेंट तक बोनस मिल जाता था । धीरे धीरे वह कम हो गया । 1955-56 में 162 लाख के प्राफ़िट में मजदूरों को 36 लाख बोनस मिला । उस के बाद लेबर एपेलेट ट्रिब्यूनल के फ़ार्मूले के मुताबिक, जब प्राफ़िट 325 लाख हो गया तो मजदूरों का बोनस कम हो कर 22 लाख हो गया । जब बोनस कमीशन की रिपोर्ट आई, तो उस के मुताबिक, जब दिल्ली क्लॉक मिल्स का प्राफ़िट 384 लाख

## [श्रीमती सुभद्रा जोशी]

तक पहुंच गया, तो मजदूरों का बोनस और भी कम हो कर 21 लाख रह गया। हमारी समाजवादी सरकार की यह कौसी व्यवस्था है कि प्राफिट बढ़ते जायें और मजदूरों का बोनस कम होता जाये। मैं किसी कानूनी पेंच में नहीं पड़ना चाहती हूँ, लेकिन मंत्री महोदय को इस बात का कोई जवाब हिन्दुस्तान के मजदूर वर्ग को देना पड़ेगा कि प्राफिट बढ़ता जाये और बोनस गिरता जाये, उस का प्रोपोसल गिरता जाये।

एक दफा इसी तरह से एक एवांर्ड धाया था। सरकार ने एक बड़ा ट्रिब्यूनल बिठाया, जो कि पोस्ट हार्ड पावर्ड था और जिस में बड़े काबिल धादम रखे गये। उस में एक नोट धाफ डिसेंट धाया और सरकार की गाडी डीरेल हो गई। मैं मंत्री महोदय को कहना चाहती हूँ कि कितनी दफा सरकार ने लेबर के नोट धाफ डिसेंट पर ट्रिब्यूनल के एवांर्ड को रोज किया, कितनी दफा सरकार ने मजदूरों के हक में दखल दिया, वह इसको गिन कर इस सदन के पटल पर रखें, ताकि हमको मालूम हो कि मंत्री महोदय के कितने कदम लेबर के हक में उठते हैं और कितने कदम सरमायादार के पक्ष में उठते हैं।

जैसा कि मैंने कहा है, प्रधान मंत्री ने देश के लोगों को जो धपील की है धगर उन्होंने उस में मंत्री महोदय को इन्क्लूड नहीं किया, तो मैं उन से प्रार्थना करना चाहती हूँ कि धगर वह मजदूरों से शान्ति चाहते हैं, तो उन को बताना चाहिए कि वह कौन सी हद तक गरीब धादमी से सैक्रीकाइस चाहते हैं। उसको उतना मत सताइये कि वह डेक हो जायें, टूट जाएं। शान्ति वह रखेगा। धाज कौन हिन्दुस्तान में है जो शान्ति नहीं रखेगा।

जब कि हमारे देश पर बाहर से धत्याचार होर है, एप्रेशन हो रहा है। लेकिन सवाल यह है कि क्या मंत्री महोदय को ही उस का फायदा उठाना चाहिये और मजदूरों को दबाना चाहिये। एक एक सेक्शन के बारे में चाहे धाई० एन० टी० यू० सी० हो या ए० धाई० टी० यू० सी० हो, चाहे वह लेबरर्स की कोई और संस्था हो, तमाम यही कह रही है कि शब्दों के डेर डेर में धाप न पड़े, तमाम तरफ से इसी चीज पर एतराज हो रहा है। मंत्री महोदय की नीयत चाहे कुछ हो, लेकिन वर्कर्स के बारे में धपने शब्दों को बे रोज करें और लोगों को सेटिसफाई करें ताकि यह लिटिगेशन का मामला न बने। बड़े बड़े मिल मालिक, बड़े बड़े सरमायेदार, बड़े बड़े लोग वकील, ले लेते हैं, बैरिस्टर एंगेज कर लेते हैं लेकिन मजदूर ऐसा नहीं कर सकते हैं। धाज यह कहा जाता है कि मजदूरों को, कार्यकर्ताओं को यह चीज समझाई जानी चाहिये। जब हमारे सदस्यों की समझ में ही नहीं धाती है तो उनको या ट्रिब्यूनल को जा कर कैसे हम समझायेगे कि इस कानून का मंत्री महोदय कहते बे कि यह मतलब है और तुम कहते हो कि यह मतलब है। इस बास्ते में कहना चाहती हूँ कि पहले वह हमें कर्नविस करें, नहीं तो उन शब्दों में फोरन वह तबदीली करें।

श्री मौर्य : धाध्यक्ष महोदय, मैं धापके प्रति बड़ा धाधमार तथा श्रद्धा प्रदर्शित करता हूँ। कि इतने छोटें से दन से सम्बन्धित होने के बावजूद भी धापने कुछ अल मुझे इस पर बोलने के लिए दिये हैं...

धाध्यक्ष महोदय : दल धापका छोटा है लेकिन धाप खुद तो बहुत बड़े हैं।

श्री मौर्य : इस प्राइनेंस के बारे में बहुत से माननीय सदस्यों ने कहा है कि इस से एम्प्लायीज को फायदा हुआ है। किसी ने इस के बारे में कहा है कि एम्प्लायीज को इससे फायदा हुआ है। अभी इस सदन की आदरणीय सदस्या बोल रही थीं। उन्होंने टाइम्स आफ इण्डिया का हवाला दिया। वहाँ सन् 1960 में एकाउंट आफ बोनस 10.29 लाख रुपया था जब कि उनको फायदा 20.89 लाख का हुआ था। 1964 में एकाउंट आफ बोनस 10.75 लाख उनको मिला जब कि फायदा 67.84 लाख का हुआ। इस से अनुमान आप लगा सकते हैं कि जो पूंजीपति वृत्ति रखने वाले लोग हैं वे किस तरह से मजदूरों के साथ पेश आते हैं। मैं ज्यादा ब्योरो में न जा कर कुछ क्षणों में यही बतलाना चाहता हूँ कि अपने देश में हमने एक परम्परा अपनाई है, लोकतंत्र की परम्परा अपनाई है, लोकशाही की परम्परा अपनाई है, पार्लियमेंटरी डेमोक्रेटिक सिस्टम के सिद्धान्त को मान कर हम चल रहे हैं। किस कारण से स्वतंत्र दल के वक्ता भाई मसानी जी ने प्राइनेंस का विरोध किया है, उस कारण में न जा कर, जिस सिद्धान्त के आधार पर उन्होंने प्राइनेंस का विरोध किया है, उस का मैं तहे दिल से, हृदय से समर्थन करता हूँ। कोई भी प्राइनेंस जो यहाँ पर लागू होता है वह लोकतंत्र के मूल को छोटता है, लोकतंत्र के मूल पर छुरी चलाता है। अगर हम इस (ordinance) के इतिहास में जायें तो हमें पता चलेगा कि बोनस कमिशन 6 सितम्बर 1961 को नियुक्त हुआ। 24 जनवरी 1964 को उसने अपनी रिपोर्ट दे दी और 2 सितम्बर 1964 को भारत की कांग्रेस सरकार ने यह विश्वास दिलाया कि हम जो उसकी सिफारिश हैं उनको स्वीकार करेंगे। 29 मई 1965 तक कांग्रेस सरकार

कुम्भकरण की नींद सोती रही और उसने कोई कार्रवाई नहीं की। इस बीच तीन तीन पार्लियमेंट के सेशन हो गए, मानसून सेशन, विटर सेशन और बजट सेशन। उन सेशन में से किसी में भी कभी भी इस इतने महत्वपूर्ण बिल को लाने की चिन्ता सरकार ने नहीं की, हमारे श्रम मंत्री जी ने नहीं की। अबानक उनकी नींद खुली और उन्होंने पार्लियमेंट के बजट सेशन के ठीक पश्चात ही प्राइनेंस लागू कर दिया। मैं इस में नहीं जाना चाहता हूँ कि इस तरह के प्राइनेंस से पूंजीपतियों को लाभ होता है या नहीं, और न ही मैं इसके ब्योरे में जाना चाहता हूँ लेकिन इतना मैं ध्वन्य कहना चाहता हूँ कि इससे लोकतंत्र की हत्या होती है। यह बात निश्चयपूर्वक कही जा सकती है।

हमारे श्री जी० संजीवैया साहब ने बड़े विश्वास के साथ कह दिया है कि इससे 45 लाख काम करने वाले लोगों को फायदा होगा। मैं उनसे बड़े ही विनम्र शब्दों में पूछना चाहता हूँ कि क्या इससे बेरोजगार मजदूरों को लाभ होगा जो करोड़ों की संख्या में इस देश में हैं और जिन की पर कैपिटल इनकम दस पैसे से ज्यादा नहीं है? आदरणीय मंत्री जी कह रहे हैं कि उनको कोई लाभ नहीं होगा। यही नहीं, मैं उन से जानना चाहता हूँ कि क्या इससे मकान बनाने वाले मजदूरों को कोई लाभ होगा। जो लाखों की संख्या में इस देश में हैं और जो बे मीत मर जाते हैं? उनको कोई मुआवजा तक नहीं मिलता है। क्या उनको कोई भी इससे लाभ होगा? क्या इससे जो लाखों की तादाद में पब्लिक एंटरप्रेकिज में या सरकारी कारखानों में काम करते हैं, उनको लाभ होगा? उनको भी clause 32 के आधार पर कोई लाभ नहीं होगा। मैं यही कहना चाहता हूँ कि इससे जो प्रतिस्पर्धारा समाज के लोग हैं और जो करोड़ों की तादाद में इस देश में हैं, उनको कोई लाभ नहीं होगा।

[श्री मोरी]

मैंने जैसा कहा मैं ज्यादा समय नहीं लूंगा। लेकिन एक बात मैं जरूर कहना चाहता हूँ। जब बोनस का सवाल आता है, उसके बारे में मैं स्वयं अपने शब्दों में न कह कर श्री डी० संजीवैया के ही शब्दों में आपको बतलाना चाहता हूँ जो कुछ प्रश्नकारों में निकला था। हिन्दुस्तान टाइम्स को मैं कोट कर रहा हूँ। 14 जुलाई 1965 को श्री डी० संजीवैया ने कहा था।

"Mr. D. Sanjivayya, Union Minister of Labour and Employment, said today that legislative measures were necessary to improve the lot of construction workers in the country.

"Regretting over the 'long neglect' of construction workers, he said, insecurity of income, poor conditions of work and sub-standard living conditions affected the development of an effective trade union organisation. This gave a setback to the bargaining power of the construction workers.

"There was also no separate legislation for the building workers. Though the provisions of the Wages Act 1948, and the Workmen's Compensation Act, 1923, were applicable to them in majority of cases, these were violated, he added.

"Mr. Sanjivayya said the death rate among construction workers was high. Issuing voluntary codes of safety to be followed in the industry did not bear much fruit without an adequate enforcement machinery. Also, the construction work in all public undertakings was executed through contractors on whom the project authorities did not have much control."

अपने ही शब्दों में उन्होंने बताया है कि किस किस तरह की दुर्घणा मकान बनाने वाले मजदूरों की है। मैं उन से प्रार्थना करूँगा कि उनसे सम्बन्धित बिल वह जहाँ पर लगे।

इसके साथ साथ मैं प्रशोका होटल के बारे में कुछ कहना चाहता हूँ। वह सारी दुनिया में बड़ा मशहूर होटल है। वह भी बोनस की कैटेगरी में नहीं आयेगा। वहाँ पर एक मजदूर को कितनी तनख्वाह मिलती है, यह बताते हुए मुझे जर्म आती है। 36 रुपये वहाँ उनको जो फोर्ष ग्रेड के नौकर हैं, जो सफाई करने वाले मजदूर हैं या जो वैसे हैं मिलते हैं माहवारी और कुल मिला कर उनको 66 रुपये महीना मिलता है। प्राइकस की मंहगाई में 66 रुपये में क्या हो सकता है। सरकार यहाँ के पूँजीपतियों से यह कहे कि वे बोनस दें परन्तु वह स्वयं अपने यहाँ के लोगों को, अपने यहाँ के कठोरकर्मी लोगों को सुविधायें न दे, या फायदे में से हिस्सा न दे, स्वयं उस चीज को न माने, उसको अपने ऊपर लागू न करें तो आप खुद ही सोच सकते हैं कि वह चीज ठीक तरह से नहीं चल पाएगी, कारगर नहीं हो पायेगी, उसको ठीक तरह से लागू नहीं किया जा सकेगा।

अपने वक्तव्य को समाप्त करते हुए मैं कहना चाहता हूँ कि ऐसी व्यवस्था की जाए जिससे इस बोनस बिल में जो एम्बिगुएटीज हैं, वे न रहें। वैसे कानून का छोटा सा विचार भी मैं भी रहा हूँ। मैं समझता हूँ कि यहाँ पर एम्प्लॉयमेंट लाने से भी कोई लाभ नहीं है। कांग्रेस दल इतनी ज्यादा तादाद में है कि कोई सिस्टैमैटिक कांस्टीट्यूशनल लीगल एस-पैक्ट भी यहाँ पर रखा जाए तो उस को भी नहीं माना जाता है। उन को बहुमत के तूफान में बहा दिया जाता है। इस बिल के अन्दर एम्बिगुएटीज हैं, बेगनस है और ये लिटिगेशन को एनकरेज करेंगी। इससे वकीलों के घर भरेंगे। मैं भी वकीलों में से आता हूँ। मैं समझता हूँ कि कठोरकर्मी मजदूरों को कोई लाभ नहीं होने वाला है। बहुत सोच समझ कर यहाँ पर इस सदन में सरकार को इस बिल को पेश करना चाहिये। अगर अब भी सिलेक्ट कमेटी को यह सौंप दिया जाए तो बहुत अच्छा होगा.....



अध्यक्ष महोदय : आप भी अपने आप को वकील कहते हैं । आपको तो बोनस मिल जायेगा न ?

श्री श्रीय : क्या फायदा होगा । अगर एक वकील को बोनस मिल जाए, उस से शोणितों को कोई फायदा नहीं होगा ।

मैं एक प्रार्थना अन्त में एक क्षण में करना चाहता हूं । श्री डी० संजोबैया ने कहा है कि पहिये जाम न होने पायें । यह सही है कि पहिया जाम नहीं होना चाहिये । लेकिन जब पेट में रोटी नहीं होगी तो पहिया जाम होगा ही । आपको निश्चयपूर्वक कहना होगा, आपको एक अंतिम निर्णय लेना होगा कि काम करने वाले जो मजदूर हैं, वे भूखे मरने न पायें, उनको अनिवार्य वस्तुयें मिल जायें, उनको कुछो रोटी मिल जाए । अगर इसका निश्चय आप नहीं कर सके, अगर इसका प्रबन्ध आप नहीं कर सकते हैं तो पहिया जाम हो जाएगा और जब पहिया जाम हो जाएगा तो देश बहुत बड़े संकट में फंस जाएगा । जबकि दुश्मन हमारा दरवाजा खपचा रहा है और उस समय मेरी आप से प्रार्थना है कि आप इस तरह की व्यवस्था करे कि मजदूर जिन के यहां काम करते हैं, यानी एम्प्लॉयर्स उन दोनों में अच्छे सम्बन्ध पैदा हों, उन के बीच के सम्बन्ध बढ़ें और मजदूरों की जो जरूरतें हैं वे पूरी हों ।

Shri Prabhat Kar (Hooghly): So far as the Payment of Bonus Bill is concerned, I need not go into its background. In 1961, a Bonus Commission was set up because of the fact that at that time every year due to bonus disputes there were strikes and also litigation.

Now, the whole effort today was to have an integrated Bill so that bonus payment might be guaranteed to the employees and litigation and other struggles averted. The Commission made its recommendations. There was a note of dissent. Government promulgated the Payment of Bonus Ordinance and now the Payment of Bonus

Bill is before us. Excepting Clause 10 which guarantees a minimum bonus, all other provisions adversely affect the bonus formula that is in existence in all the industries. For instance, in the Third Schedule, the paid up equity share capital as at the commencement of the accounting year which is allowed to be deducted has been raised to 8.5 per cent from the limit of 6 per cent allowed by the Supreme Court; similarly, percentage of reserves shown in the balance-sheet as at the commencement of the accounting year, including any profits carried forward from the previous accounting year has been raised to 6 per cent from the 4 per cent allowed by the Supreme Court.

If Clause 10, as it is in the ordinance, which has been challenged in court is struck down, what is going to happen to the employees who are getting bonus which is much better than what has been provided here? Once it is struck down, this will be a scrap of paper. No amount of labour machinery will be able to stop the struggle of the employees. I do not know whether the Labour Minister has thought over this matter. Why this colossal waste of time, money and energy over this Bill which has been put forward? What is the main purpose of the Labour Ministry? Is it to improve the payment of bonus, guaranteed payment of bonus, or pure and simple to hoodwink labour by Clause 10, which has been already challenged? I do not know what the court will say, whether the minimum bonus guaranteed irrespective of losses, will be accepted or not. This is a serious situation which is facing us today. Until and unless the Labour Ministry takes this particular factor into consideration and tries to improve and change the Bill, the Bill will be worth nothing.

Apart from other provisions, we will come to them afterwards, Clause 15(1) reads:

"Where for any accounting year the allocable surplus exceeds the

[Shri Prabhat Kar]

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

After four years, what will happen to this 20 per cent? Will it go into the coffers of the employer?

There are many other questions, but the most important point is that barring Clause 10, all other provisions are bad compared to the present bonus formula. This matter should be carefully considered.

श्री हुकम चन्द कच्छवाय : अध्यक्ष महोदय, मैं इस बिल का पूर्णतया समर्थन नहीं करता हूं। मैं कुछ बातों का समर्थन करता हूं और कुछ बातों का विरोध करता हूं। इस बिल के विरोध में कई संशोधन आये हैं इस से साफ हो जाता है कि मजदूरों में काफी असन्तोष है। इस सम्बन्ध में मैं यह कहना चाहता हूं कि आज मजदूर जो है वह कारखानों की आत्मा है, और जब तक आत्मा सुखी नहीं रहेगी तब तक कोई काम ठीक नहीं होगा। हम ने सरकार से यह मांग भी की कि कारखानों का मजदूरीकरण होना चाहिये। जब तक मजदूरीकरण नहीं होता है तब तक यह झगड़ा हमेशा चलता रहेगा। इस को निपटाने का एक ही रास्ता है कि उन में मजदूरों को भागीदार बनाया जाये। ऐसा किया जाये तो सारी समस्या अपने आप हल हो जायेगी। आज सब जगहों पर जो मजदूरी मजदूरों को मिलती है उस में और जीवन को ठीक से चलाने के लिये जो मजदूरी मिलनी

चाहिये उस में जमीन और घासमान का घन्तर है। आज जो बढ़ती हुई बंधगाई है उस के अन्दर जीवन को चलाने के लिये मजदूर को कितना पैसा मिलता है, इस को देखिये। वह किस प्रकार से अपना गुजारा कर सकता है। लेकिन सरकार ने कभी भी गम्भीरता के साथ इस बात पर विचार नहीं किया। इस का कारण यह है कि सरकार के पास जितने बड़े बड़े लोग आते हैं वह बड़ी बड़ी बातें करते हैं। लेकिन जो छोटे परिवार के लोग हैं वह इन परेशानियों को जानते हैं। मैं छोटे परिवार में पैदा हो कर मजदूरी कर के आया हूं। मुझे इस बात का अनुभव है। मैं जानता हूं कि मजदूरी कर के परिवार को चलाना कितना कठिन होता है।

आज इस बिल में सरकारी कारखानों को छूट दी गई है। क्या कारण है सरकारी कारखानों को छूट देने का। उन पर इस बिल को क्यों लागू नहीं किया गया। जिस कमेटी ने रिपोर्ट दी है उस के काफी परिश्रम किए हैं। काफी परिश्रम करने के बाद उस ने रिपोर्ट बनाई है। क्यों सरकार उस को वैसा का वैसा लागू नहीं करती है। इस में संशोधन क्यों लाया गया। केवल श्री दांडेकर साहब के कहने पर ही उन के संशोधन को मान लिया गया। उस कमेटी में मालिकों के और से दांडेकर ने प्रतिनिधित्व किया। उन की बात को सरकार मान गई लेकिन हमारी बात नहीं मानी गई। यह मजदूरों के साथ अन्याय है और इस तरह से उन के हकों को कुचला जा रहा है।

दूसरी बात मैं यह कहना चाहता हूं कि बोनस कमिशन ने कहा था कि टैक्स को भी शामिल कर के बोनस दिया जायेगा लेकिन सरकार ने छूट दे दी है कि टैक्स देने के बाद जो पैसा होगा उस में से बोनस दिया जायेगा। लेकिन यह गलत बात है। उस से मजदूरों में असन्तोष फैलेगा। बोनस कमिशन की जो

रिपोर्ट है उस को वैसा का वैसा ही लागू किया जाये तो इस में कोई आपत्ति नहीं है ।

आज कोई भी कारखानेदार मजदूर को बोनस नहीं देना चाहता । वह इस के लिये तरकीब निकालता है । लेकिन अगर मालिक मजदूरों को बोनस नहीं देता है तो मजदूर कोर्ट में नहीं जा सकता है । आप ने मजदूरों को क्यों छूट नहीं दी कि यदि मालिक मजदूर को बोनस नहीं देता है तो उसे कोर्ट में जाने का अधिकार है । आज मजदूर को हक है कि अगर उस को पूरी तनखाह नहीं मिलती है तो वह कोर्ट में जा सकता है । लेकिन बोनस के लिये नहीं जा सकता है । एक घोर आप कहते हैं कि आप मजदूरों के लिये कल्याणकारी नियम बनाते हैं दूसरी घोर मजदूरों का गला घोटते हैं । इन दोनों चीजों का ताल मेल ठीक नहीं बैठता । उन्हें भी इस बात की छूट दी जानी चाहिये कि चाहे कहीं के काम करने वाले हों, सरकारी हों या प्राइवेट हों, उनको मालिकों के खिलाफ कोर्ट में जाने का अधिकार है । इस में रेलवे कर्मचारियों को छोड़ा, आपने सरकारी कारखानों को छोड़ा, आप ने सुरक्षा उत्पादन मजदूरों को छोड़ा । बहुत से सरकारी कर्मचारियों को छोड़ दिया । आप कहते हैं कि उन पर यह लागू नहीं होगा । आखिर उन्होंने क्या अपराध किया है जो उन को छोड़ दिया गया ।

जहां तक बीड़ी मजदूरों का सवाल है, कोयला खदानों में काम करने वाले मजदूरों का सवाल है, स्लेट पेन के काम में काम करने वालों का सवाल है उन के बारे में यह नियम बनाया गया कि उन को इस का लाभ नहीं मिल सकता । मैं आज कहना चाहता हूं कि मजदूरों के साथ खिलवाड़ किया जा रहा है । यह बात जरूर है कि सरकार कहती है कि हम मजदूरों का कल्याण करना चाहते हैं, लेकिन जिस गति से उन को यह काम करना चाहिये, सरकार वैसी प्रगति नहीं कर रही है । सरकार इस मन्मते में पीछे हटती जा रही है । इस से साफ जाहिर होता है कि एक आदमी

की बात से, जो कि मालिकों का प्रतिनिधित्व करता है, प्रभावित हो कर वह दब जाती है । या फिर हो सकता है कोई व्यक्तिगत स्वार्थ हो उस का जिस के कारण वह उन की बात मानती है, बाकी किसी की बात नहीं मानती ।

मैं इतना ही कहना चाहता हूं कि इस सम्बन्ध में जो बोनस कमिशन की रिपोर्ट आई है उस को वैसा का वैसा मान लिया जाये तो किसी को कोई आपत्ति नहीं होगी ।

इस बिल में एक घोर छूट दी गई है । किसी राज्य सरकार के पास कोई प्राइवेट कारखाने का मालिक चला जाये घोर यह कह दे कि हम बोनस बांटने में भ्रमभ्रं हैं, तो उसे छूट है कि वह बोनस न दे । राज्य सरकार उस से कह सकती है कि उसे छुट्टी है बोनस न देने की । यह गलत बात है । फिर जो नये कारखाने हैं उन को दस साल तक बोनस न देने की छूट है । यह भी ठीक नहीं है । उस को हानि हो या लाभ हो, उसको बोनस न देने की छूट नहीं देनी चाहिये ।

Shri P. R. Chakraverti (Dhanbad): We find ourselves in a strange predicament. When this Bonus Commission's report was published, the note of dissent given by my hon. friend here created a furore all over India. Industrialists came from all corners and mustered strong, and as a result, discussions in committees and sub-committees went on, and even with his enormous patience, the Minister of Labour and Employment could not come to a determined settlement of the issue concerned. Now, Mr. Masani and Mr. Dandekar come forward and charge the Government that it had delayed the Bill. I would thank the Ministry for clause 20 which relates to the application of the Act to establishments in the public sector in certain cases. It is a question that has been troubling the employee running into millions all over India and indeed this is a redeeming feature of the bill. It is giving them something which has so long been

[Shri P. R. Chakraverti]

denied to them. One difficulty with regard to clauses 10 and 11 is with regard to the question of fixing 4 per cent of the salary as the minimum bonus is this. Clause 10 fixes the minimum bonus. Clause 11 goes upto a maximum of twenty per cent. What is bonus. Its definition is a complicated matter and it has raised some complicated issues. It is something extra, especially addition to the dividend or wages; it is not an incentive. It is a lumpsum payment in recognition of the work which he is doing. There is the other aspect of the question which is brought to the fore when the question of incentives is concerned. In another industry which is a very big industry and which employs more than half a million people, when there is the question of raising the salaries of employees, immediately comes in the industrialists saying that on the basis of some report accepted by the Government of India, if a single paisa is to be added to the wage of the employee, they will put up the price of the commodity which is placed in the market by that amount. We do not understand how these things could be calculated. My friend on the other side was pointing out that because of the dissenting note of Mr. Dandekar, Government has come with that schedule. I am not happy with Schedules II and III and the terms which have been prescribed therein are not necessarily in line with the returns in different types of industries today. The Supreme Court has come forward with a definite verdict; it should not exceed six per cent. When it is a question of employees, immediately other calculations are brought in.

Clause 11 raises the question of maximum which is fixed at twenty per cent. It has created some confusion in the minds of the employees. We have been given an assurance on this but I want to be assured in this House by the Minister that it would not affect the existing system of bonus

which is now being granted in different industries, may be, 25 or 40 per cent. There is confusion on this score and so an assurance must come forth.

It has been said that this four per cent which has been prescribed as the minimum wage, this payment is not connected with the earnings or profits of the industry. The plea is that the industry is affected adversely because of this payment which has been forced on the industry in terms of clause 10. From what I had interpreted earlier, it is a pittance which is granted to the employee; it has nothing to do with the profit and there is no ground for objecting to this and hold that it would affect adversely the industry.

The two Schedules, B and C give a feeling of uncertainty in the minds of the employees concerned and their number runs into millions. I feel the balance had been tilted in favour of the industrialists and not in favour of the employees. However, Government has brought forward this Bill after three years of the preparation of the report and a few months had elapsed after it had been placed before the country; with the assurance that clause 11 will not affect the existing structure of payment of bonus, we are in agreement with the principles and also the clauses which had been placed before us and as such I endorse the Bill.

Mr. Speaker: Shri P. C. Borooah. He may take five minutes.

Shri P. C. Borooah: Since yesterday, I have been requesting and it will be difficult to confine my observations to five minutes.

Mr. Speaker: He may speak on clauses.

Shri P. C. Borooah: First of all, there should be a definition of the word bonus; it has not been defined in the Ordinance or the Bill. The meaning of bonus is changing from time to time. Formerly, it was known as a

gift or an *ex-gratia* payment by the employer to the worker and it is not so now. It is no longer a voluntary grant; it is now a right of the worker to share in the profit. This Bill changes it again as there is no question of profit. Even if there is no profit, it should be paid. Hence the term bonus should be defined, because the aim of the Bill is to evolve a suitable and simple formula for uniform application to different categories of industries.

The time at my disposal being short, I shall refer to the viz. the tea industry, and show how it is affected by this Bill. It will then be for the House to judge without going to say anything for myself, the House can judge whether the tea industry will be in a position to bear this burden. The hon. Labour Minister should consider whether they should give effect to this Bill for tea industry. It is a labour intensive industry and a million and a quarter people are in work daily in the tea gardens; employment on plantations is largely on a family basis and the effect of this Bill will be to give benefit to the labour in the tea industry two and a half times more than that of worker's family in the capital-intensive industries (Interruptions.) They should benefit if provided the industry can bear the burden.

**Shri Priya Gupta:** The way is to reduce administrative expenditure of tea estates.

**Shri P. C. Borooah:** They were reduced substantially. I was saying that on a family basis, on an average, two adults and one adolescent per family are employed. If we put the minimum bonus at Rs. 40 per head, every family will get Rs. 100. An average tea garden is between 500 and 1000 acres; and each acre needs at least 1.33 worker, on an average; that means three acres need four men. On an average tea garden, normally about a thousand people would be employed and the bonus payment commitment should come to about Rs. 40,000. Is it possible for a garden to pay it or not is the ques-

tion for this house to consider. Some of the gardens had already adjusted their bonus at Rs. 20 in 1962. After the Bill is passed, their commitments would be Rs. 20 more for 1962, and Rs. 40 for each year of 1963 and 1964. It means a demand of a sum of Rs. 1 lakh, will fall on a tea garden of average size on account of minimum bonus immediately. Let the House consider if it will not be a bit too hard on the industry. If it is considered so, then the gardens shall have to be given sufficient time for payment and a system of deferred payment or something of the kind shall have to be devised. Otherwise, many of the tea gardens will have to be closed down. The headache then will not be of the industry alone but will pass on to the Government and particularly to the Labour Minister. I would, therefore, request the hon. Minister to re-examine this aspect of the matter very seriously and in its correct perspective.

13 hrs.

In para 55 of the report of the Tea Finance Committee, it has been stated that from 11.83 to 38.46 per cent of the tea gardens in different districts were sustaining losses for sometime past. If these gardens are made to pay the full amount as contemplated in this Bill, they will have to close down, earlier than they could have sustained, eating on their slender, low, reserve. Realising that the industry is passing through a crisis, the Government appointed the aforesaid Tea Finance Committee, and the Committee made some available recommendations. Although all the recommendations were not accepted by the Government, yet in the last Finance Bill, the Finance Ministry provided some measures which gave the industries a substantial relief. But whatever little was given by the Finance Minister much more of the same has now been taken away by the Labour Minister through this Payment of Bonus Bill. I request that the House should consider this and make the Bill amended, if it so feels, when the clause-by-clause consideration is taken.

[Shri P. C. Borooah]

up. The tea industry is one of the biggest industries in our country, employing as said before more than one and a quarter million of workers. It is for the Government to see how the industry as a whole could be helped for the benefit of the workers as well as for the country's production and much needed foreign exchange.

**Shri M. R. Masani (Rajkot):** Sir, may I say a few words in reply?

**Mr. Speaker:** I gave him the right; he might answer to the arguments of the Minister afterwards, if there are any new points arising. The Minister will now reply to the points.

**The Minister of Labour and Employment (Shri D. Sanjivayya):** Mr. Speaker, Sir I am glad that about 20 hon. Members have taken part in this discussion relating to the first reading of the Bill. Several important points have been raised during this discussion and most of them I had covered during my introductory speech. But all the same there are some more points which have not been covered in respect of which I would like to say a few words.

Taking the last point which has been raised by the last speaker, it relates to the question of definition of bonus. I must confess that in this Bill we have not defined bonus as such, but by various clauses put forward through this Bill we will arrive at a bonus. Gross profit is defined; the formula is given as to how the gross profit should be arrived at and there is also another provision which tells us as to how many items are to be deducted as prior charges out of gross profit; then we arrive at what is known as available surplus.

**Shri Daji (Indore):** Non-available surplus, you mean.

**Shri D. Sanjivayya:** 60 per cent of the available surplus is supposed to be allocable surplus which will be available for distribution as bonus. Of this allocable surplus, bonus has to be paid, and if this allocable surplus is more than 20 per cent of the total

wage bill of the workers for the whole year, then the excess amount will be set on, and then, if this allocable surplus falls short of four per cent of the total annual wage bill, then to that extent, the deficiency will be set off. If there is no allocable surplus, in that case, the employers are asked to pay four per cent or Rs. 40 whichever is higher, and the whole amount of minimum bonus, whether four per cent or Rs. 40 that is paid, will be set off. This will go on for four years. Therefore, we felt that there was no need to define bonus as such.

The next point which I would like to deal with relates to the question of making the provisions of this Bill applicable to the public sector projects or undertakings. A definite reference was made to the Bonus Commission and in the light of that reference, the Bonus Commission made recommendations pertaining to the term "industrial employment" which will include employment in the private sector and any establishments in the public sector not departmentally run and which compete with establishments in the private sector. Therefore, straightway, departmentally-run public sector undertakings are taken away from the purview of this Bill. As a matter of fact, the Commission itself was not authorised to deal with such public sector undertakings. Secondly, such of those public sector undertakings which are not departmentally run but which compete with the private sector undertakings, will be covered by the recommendations of the Bonus Commission. So, in their wisdom, the Bonus Commission recommended that the public sector undertakings which are not run departmentally and which compete with the private sector, if they compete to the extent of 20 per cent in the sale of goods or rendering services, then, the recommendations of this Commission would apply. Therefore, for the first time, by law we are making the provisions of this Bill applicable to the public sector.

**Shri Indrajit Gupta** (Calcutta South West): Why are you accepting only a part of the wisdom of the Bonus Commission? Because that suits you?

**Shri D. Sanjivayya**: When go a little further and probably when we take up the clauses one by one, the hon. Member will see as to how far the wisdom of the Commission has been utilised by the Government. One criticism against the Government and against this Bill was the question relating to the modifications made by the Government. In the very initial stage itself, I made it very clear that Government had to take into account not only the interests of the worker, not only the interests of the country but the economic development of the country and also the development of industries. After all, with the advent of freedom in our country, we would like to achieve what is known as the economic growth, and we cannot achieve economic growth unless we industrialise our country. Unless we provide certain facilities for the industries, how can the industries grow? Therefore, the industrial growth of the country, the economic growth in the country and the general well-being of the whole nation were taken into consideration and certain modifications have been made.

**Shri Dandekar** who initiated the debate complimented the draftsmen and said that it was a well-drafted Bill, but in spite of the admirable way in which it was drafted, there were certain confusion. I do not know whether the confusion exists in the mind of the draftsmen or the speaker himself who made this remark. In fact, there was one clause to which he referred.

**Shri N. Dandekar** (Gonda): I said it was well conceived but badly drafted.

**Shri Daji**: Well-conceived but ill-born!

**Shri D. Sanjivayya**: The hon. Member referred to clause 32 in which it is said: "Nothing in this Act shall apply to employees employed by any insurer carrying on general insurance business" and so on. Under this clause, the various categories are given. This means that those employees who belong to the various categories mentioned in clause 32 will not be covered by any provisions of this Bill. Then, the hon. Member again referred to clause 34(3) which reads as follows:

"Nothing contained in this Act shall be construed to preclude employees employed in any establishment or class of establishments from entering into agreement with their employer for granting them an amount of bonus under a formula which is different from that under this Act."

If employees belonging to any particular factory or undertaking or establishment voluntarily enter into an agreement with their employers, neither this Act nor the Government nor any power on earth can interfere. So, clause 34(3) gives that opportunity for the employers and employees to come to an agreement. I do not see any contradiction between clauses 32 and 34(3).

With regard to the merits of the clauses several suggestions were made. Especially about clause 34(2), various members doubted or expressed their apprehension whether the assurance given by the government on the floor of the House is fully conveyed through this clause. Before I answer it, it is necessary for us to remember what the assurance was. For the benefit of hon. members, may I read that portion of the statement which I made on 18th September, 1964? I said:

"In these circumstances, the government desire to clarify that in the legislation to be promoted to give effect to the recommendations of the bonus commission as

[Shri D. Sanjivayya]

accepted by government, suitable provisions would be included so as to safeguard that labour would get in respect of bonus the benefits on the existing basis or on the basis of this formula, whichever is higher."

If anybody understood by this that the quantum was sought to be protected, he is mistaken.

**Shri Indrajit Gupta:** Please read the previous paragraph of your statement.

**Shri D. Sanjivayya:** Let me recapitulate the earlier part of it also. Supposing according to this formula workers get less quantum of bonus than the quantum which they were getting earlier under the LAT or full bench formula, in that case the basis will be protected in the accounting year. That is what I meant and it has been brought out very clearly in sub-clause 84(2).

**Shri Daji:** Quantum is protected?

**Shri D. Sanjivayya:** Quantum is not protected. But in the accounting year, if bonus is calculated and if the total quantum is less than the quantum they would have got under the LAT or full bench formula, then the workers can claim for protection of the basis, viz., the ratio. Suppose in the base year, a particular establishment earned Rs. 100 lakhs profit and it paid Rs. 30 lakhs as bonus. The gross profits and the bonus paid are taken into consideration in the base year. The percentage is 30 per cent. In the accounting year, suppose the bonus according to this formula is only Rs. 20 lakhs. It means the bonus to be paid in the accounting year according to the present formula, viz., Rs. 20 lakhs, is less than Rs. 30 lakhs which they were entitled to under the previous formula. So, in that case, the basis or ratio will be protected.

In the base year, suppose the gross profit is Rs. 100 lakhs and Rs. 20 lakhs

is paid as bonus. It is 20 per cent. In the accounting year, suppose the profit is Rs. 200 lakhs and suppose according to this formula the workers get only Rs. 10 lakhs. Then the ratio between the gross profits and bonus paid in the base year, i.e. 20 per cent, will be maintained. That means out of Rs. 200 lakhs in the accounting year, the workers are entitled to Rs. 40 lakhs, because 20 per cent of Rs. 200 lakhs is Rs. 40 lakhs. It is that which I meant and that has been fully conveyed in this clause.

Clause 33 gives retrospective effect to the recommendation of the bonus commission. It is true that the commission recommended that their recommendation should have retrospective effect from the accounting year on any day in 1962, i.e. with regard to bonus issues relating to the accounting year 1961-62. But we felt that if this was done, several complications would arise. For instance, a minute page, Mr. Borooah said that in the tea gardens bonus is settled by mutual agreement between workers and employers for 1961-62, 1962-63 and so on and he apprehends that all of them will be reopened. According to this provision they will not be reopened. Government took the decision that this retrospective effect would be applicable only in respect of cases which have not been decided. That means, the cases which the hon. member mentioned will not be reopened. With that intention we have drafted this clause.

Regarding the date which we have mentioned as 2nd September, 1964 I am moving an official amendment making it 29th May 1965, because that is the day on which the ordinance was promulgated. I will explain it when we come to that clause.

**Shri Indrajit Gupta:** The bonus commission recommended that it should take retrospective effect from the accounting year on any day in 1962. Why should that be changed to 1964?



**Shri D. Sanjivayya:** We have not changed that date at all. This retrospective effect will be applicable to cases which have not been decided. If they have been decided, we don't touch them. If they are not decided, the recommendation of the commission applies.

**Shri Prabhat Kar:** So far as the minimum of 4 per cent is concerned, the question of raising any dispute did not arise. There was no scope for any body raising any dispute when there was loss. They will be the losers.

**Shri D. Sanjivayya:** I agree that it does not cover the disputes relating to minimum bonus, because the concept of minimum bonus was not there at all in that year. Therefore, it does not cover.

**Shri Indrajit Gupta:** The last para in page 1 of the Bill reads:

"Save as otherwise provided in this Act, the provisions of this Act shall, in relation to a factory, etc., have effect in respect of the accounting year commencing on any day in the year 1964."

**Shri D. Sanjivayya:** This is prospective effect.

**Shri Daji:** Where is the retrospective clause?

**Shri D. Sanjivayya:** It is clause 33. I do not know whether I have been able to convince my hon. friends opposite. I am not a legal pundit, but I have taken the best advice from the legal department. The draftsmen have been able to convince me and I am convinced that the provisions do convey the intention of the government.

About the minimum bonus, I would say it is really a boon to the working classes. Some apprehension has been expressed by an hon. member opposite that this may be struck down by some court. But I am quite

confident that it would not happen, because the court would certainly keep in view the economic and social justice that has to be done to the working classes.

I hope I had covered quite a number of points. If there is any left, I will answer it when we take up the clause by clause consideration.

**Shri M. R. Masani:** I listened to the speech which the hon. Minister made and this morning I read carefully the speech he had made yesterday. I am sorry to say that he has completely failed in his obligation to satisfy the House that there was any case for promulgating that Ordinance. In his speech yesterday he made the pathetic plea that, during the period between 29th May and August when the House would meet, some labour disputes might arise over this matter. So, he thought the best thing was to clamp down the Ordinance. This is hardly the kind of plea that one expects from a responsible Government. It was, in other words, an admission that purely for the purpose of a minor convenience they had gone to the President and abused his powers and prerogatives by making him a party to a fraud on the Constitution. I am sorry that this abject failure on his part justifies my fears that he had no answer to the motion that I had moved.

It is a pity that Government's reliance on its majority in this House, so unrepresentative of the votes cast by the electorate at the last general elections, enables it to get away with this kind of nonchalant attitude towards Parliament. All that one can do is to hope that in spite of the crudeness of only electoral system, the next Lok Sabha will be so balanced that this kind of attitude will not be tolerated any more.

**Mr. Speaker:** Does the Minister want to say anything more?

**Shri D. Sanjivayya:** No, Sir.

**Mr. Speaker:** I will now put the Resolution to the vote of the House. The question is:

"This House disapproves of the Payment of Bonus Ordinance, 1965 (Ordinance No. 3 of 1965) promulgated by the President on the 29th May, 1965."

*The motion was negatived.*

**Mr. Speaker:** There is an amendment moved by Shri Daji to the motion moved by Shri Sanjivayya. I will now put it to the vote of the House. The question is:

"That the Bill be referred to a Select Committee consisting of 15 members, namely, Shri Ramchandra Vithal Bade, Shri Tridib Kumar Chaudhuri, Shri Homi F. Daji, Shri Indrajit Gupta, Shri Hari Vishnu Kamath, Shri Madhu Limaye, Shri M. R. Masani, Shri Harish Chandra Mathur, Shri B. P. Maurya, Dr. G. S. Melkote, Shri Kashi Nath Pande, Shri D. Sanjivayya, Shri A. P. Sharma, Shri Diwan Chand Sharma and Shri S. M. Banerjee with instructions to report by the 22nd September, 1965."

*The motion was negatived.*

श्री हुकम चन्द कछवाय : अध्यक्ष महोदय, कोरम नहीं है।

अध्यक्ष महोदय : बहुत देर में याद कराया आपने। जो हो गया है, वह हो गया है।

The bell is being rung....Now there is quorum. The question is:

"That the Bill to provide for the payment of bonus to persons employed in certain establishments and for matters connected therewith be taken into consideration."

*The motion was adopted.*

**Clause 2. —(Definitions).**

**Shri Indrajit Gupta:** I beg to move:

(i) Page 3,—

omit lines 39 and 40. (9)

(ii) Page 3,—

omit lines 41 to 44. (10)

(iii) Page 4,—

(i) line 1,—

omit "(other than an apprentice)"; and

(ii) line 6,—

add at the end—

"and includes all persons employed by or through a contractor". (11)

(iv) Page 4, line 6,—

add at the end—

"and includes all persons employed through a contractor, save as provided in this Act." (12)

(v) Page 4,—

(i) line 13,—

after "so named" insert—

"and includes the principal employer in case of all employees employed by or through a contractor"; and

(ii) line 18,—

add at the end—

"and includes the principal employer in case of all employees employed by or through a contractor". (13)

**Shri N. Sreekantan Nair (Quilon):** I beg to move:

(i) Page 4,—

after line 18, insert—

"(iii) in the case of employees under a contractor, the employer of the factory or any other establishment who would be responsible." (14)

(ii) Page 4, line 6,—

add at the end—

"and includes all persons employed by or through a contractor and also temporary workers employed for three months or more." (258)

**Shri Indrajit Gupta:** I beg to move:

Page 5,—

omit line 26. (212)

**Shri Prabhat Kar:** I beg to move:

(i) Page 4, line 1,—

omit "(Other than an apprentice)" (89)

(ii) Page 4, line 6,—

add at the end—

"and includes all persons employed by or through a contractor". (90)

(iii) Page 4, line 13,—

after "so named" insert—

"and includes the principal employer in case of all employees employed by or through a contractor". (91)

(iv) Page 4, line 18,—

add at the end—

"and includes the principal employer in case of all employees employed by or through a contractor". (92)

**Shri Alvares (Panjim):** I beg to move:

(i) Page 3, line 18,—

add at the end—

"and also recommendations made by a wage board appointed by the Government". (254)

(ii) Page 3,—

omit line 39. (255)

(iii) Page 5,—

omit lines 17 to 19. (263).

**Shri D. S. Patil (Yeotmal):**

(i) Page 5, lines 3 and 4,—

omit "(other than remuneration in respect of over-time work)". (261)

(ii) Page 5, line 14,—

omit "medical attendance".

(262)

**Dr. Ranen Sen (Calcutta East):** I beg to move:

(i) Page 4, lines 2 and 3,—

omit "and six hundred". (56)

(ii) Page 4, line 6,—

add at the end—

"and includes all those employed by or through a contractor". (57)

**Shri Bade (Khargone):** I beg to move:

(i) Page 3,—

omit lines 38 to 44. (118)

(ii) Page 4,—

(i) line 3,—

after "industry" insert—

"or factory or establishment"; and

(ii) line 5,—

after "reward" insert—

"or on contract". (120)

(iii) Page 4, line 13,—

after "so named", insert—

"and in case of contract labour the principal employer." (121)

(iv) Page 4 line 18,—

add at the end—

"and in case of contract labour the principal employer". (122)

(v) Page 5,—

omit lines 11 and 12. (123)

**Shri N. Dandekar:** I beg to move:

(i) Page 3,—

after line 8, insert—

"Provided that in relation to any employer having factories or

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other establishments in two or more States the appropriate Government shall be the Central Government." (146)

(ii) Page 3,—

(i) line 40,—

omit "and"; and

(ii) after line 40, insert—

"(v) the Wealth Tax Act, 1957; and". (147)

(iii) Page 4,—

after line 6, insert—

"Provided that any person employed on a salary or wage exceeding five hundred rupees per mensem in any factory or other establishment to do any supervisory, managerial or administrative work may at his option elect not to be treated as an employee for purposes of this Act:

Provided further that the option once exercised under this clause shall be final and may not be changed save with the previous consent in writing of the employer." (148)

(iv) Page 5,—

after line 26, insert—

"(viii) any overtime pay or allowance, or education allowance or maternity benefit, or payment in lieu of any leave not availed of or lay-off compensations, or compensation for any injury or death sustained or suffered in the course of employment, whether paid or payable under the terms of employment or under any award or agreement or under any law for the time being in force or *ex-gratia*." (149)

13.29 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Shri N. Dandekar: The amendments which I have moved to clause 2 are

comparatively simple and designed to clarify certain definitions. The first one, amendment No. 146, is concerned with sub-clause (5) of section 2 which defines "appropriate Government". The Bill says:

"appropriate Government" means—

(i) in relation to an establishment in respect of which the appropriate Government under the Industrial Disputes Act, 1947, is the Central Government, the Central Government;

(ii) in relation to any other establishment, the Government of the State in which that other establishment is situated;"

My amendment seeks to add:

"Provided that in relation to any employer having factories or other establishments in two or more States the appropriate Government shall be the Central Government."

The object of moving this is merely to avoid a good deal of multiplicity of proceedings in different States, in the case of those employers coming within the ambit of this Act who have factories or establishments or branches or departments in various States. I know also of the degree to which both the employers and employees are subjected to a good deal of unnecessary hardship merely because different Governments have to deal with disputes in cases of that kind. I hope, the hon. Minister will find it possible to accept that in cases where the establishment covers places in more than one State the Central Government should be the appropriate Government so that a national tribunal may deal with the matter as in the case of banks, insurance companies and so on.

My second amendment, No. 147, is in two parts and I will take those two parts together. It is concerned only with inserting wealth tax as one of the direct taxes that are mentioned in clause 2(12). Admittedly wealth tax is a direct tax; but if there is any doubt on that subject, I may mention that there was a Bill, the Direct Taxes (Amendment) Bill, that was passed last year which included also various amendments to the Wealth Tax Act. Wealth tax is also a very important direct tax. It used to be applicable both to companies and non-company business enterprises. For some years now it has ceased to be applicable to companies; but it is still applicable to business and professional enterprises in respect of the net investment in those enterprises. Recently in a case in the Calcutta High Court, it has been held that in such cases wealth tax is a tax directly attributable to and wholly and necessarily incurred for the purpose of business. My submission, therefore, is that wealth tax is one of the direct taxes that ought to be specified here as essentially connected with businesses such as those under consideration save in the case of companies where it would not be relevant because companies are no longer subject to wealth tax.

My amendment No. 148 is an important one. It is connected with the definition of "employee" in sub-clause (13) of clause 2 which is very wide, and necessarily wide, because of the scope of bonus as recommended by the Bonus Commission and it has to include employees drawing up to Rs. 750 per mensem plus also employees drawing up to Rs. 1,600 per mensem as if their emoluments were Rs. 750. That brings into the scope of the word "employee" personnel who are essentially in more responsible positions than workmen employees namely, supervisory, managerial and administrative personnel. The purport of my amendment is simply this, namely,—

"Provided that any person employed on a salary or wage exceeding five hundred rupees per mensem.....to do any supervisory, managerial or administrative work may at his option elect not to be treated as an employee for purposes of this Act:

Provided further that the option once exercised under this clause shall be final and may not be changed save with the previous consent in writing of the employer."

The reason why I suggest this, in the first place, is that there is a clear-cut distinction between employees in the ordinary sense and employees, however low paid, who occupy positions of managerial, supervisory or administrative responsibilities. I suggest that if they wish to opt out of this because of any other alternative schemes that the employer may have in connection with them, they ought to have the right to opt out. I have in mind in fact several such cases for which I was responsible. In one case the officer employees were persuaded that in the long run it would be to their benefit not to get too exercised over bonus but to join superannuation funds. In many companies there exist superannuation funds for employees of certain level of salaries and above as an alternative to bonus schemes. It is only in those cases that any employees is likely to exercise this option; and even there I am not compelling anybody to go out of this bonus scheme. But I do suggest that there should be this flexibility for employees of these categories, if they so choose, to opt out of the bonus scheme and continue with their pension, gratuity and such other schemes as may be there.

Finally, my amendment No. 149 is designed to clarify sub-clause (21) of clause 2 which is concerned with defining "salary and wage". Salary and wage has been fairly clearly defined and in particular it enumerates what is not includable under salary and

[Shri N. Dandekar]

wage. But my difficulty as regards those enumerated cases, is that you are bound to have a good deal of battling over item (i) of those exclusions, namely, "any other allowance which the employee is for the time being entitled to". I suggest it will be desirable to narrow down the scope of that vague thing further by specifying what I have specified in the suggested amendment, namely:—

"any overtime pay or allowance or education allowance or maternity benefit, or payment in lieu of any leave not availed of, or lay-off compensation, or compensation for any injury or death sustained or suffered in the course of employment, whether paid or payable under the terms of employment or under any award or agreement or under any law for the time being in force or *ex gratia*."

I would like to lay particular emphasis on "*ex gratia*". Several companies with which I have been associated have adopted the practice of not restricting compensations in the case of injuries and deaths and so on while in service merely to the statutory compensation. If the circumstances of the accident or the circumstances of the employee and his family or the circumstances particularly of his bereaved family in the event of his death were such as to justify additional payment of this kind, they have been giving them generously as they rightly ought to. None of these, so far as I can make out, under the definition of salary and wages proposed in sub-clause (21) are includable as salary and wages. All I am trying to seek by this amendment is to clarify this so as to minimise the area of dispute.

**Shri Prabhat Kar:** Sir, Clause 2(12) where direct taxes have been defined says:—

"Any tax chargeable under—  
the Income-tax Act;

the Super Profits Tax Act,  
1963;

the Companies (Profits) Sur-  
tax Act, 1964;

the agricultural income-tax  
law;"

We have opposed this and have suggested, as was suggested by the Bonus Commission, that only the income-tax and super tax should be deducted from the gross profit with a view to arriving at the available surplus. So far as the manipulation of balance sheets is concerned, it is a well known fact. Never is the full picture of the company laid before either the shareholders or the public. Therefore if a number of items are deducted before coming to the available surplus with a view to finding out what exactly should be the amount on which bonus will be calculated, the available surplus will be a very small amount or will almost go away. Particularly in view of the fact that the Bonus Commission has discussed this matter threadbare and suggested this, it should not be increased further. The clause also says:—

"any other tax which, having regard to its nature or incidence, may be declared by the Central Government, by notification in the Official Gazettee, to be a direct tax for the purposes of this Act;"

As you can see, Shri Dandekar, who gave the note of dissent, has tried to put in wealth tax also and there will be a number of suggestions for the deduction of prior charges. I would say that in order to find out the available surplus for bonus only income-tax and super tax should be deducted.

So far as some of the amendments which have been moved by Shri Dandekar are concerned, I would oppose them. The first one is amendment No. 148. Under this he wants to create a separate class of employees who under the offer of

some bait will not accept bonus. That means, they will be paid under-hand certain things which will go for the manipulation of accounts by which the income-tax to be paid to Government can be overcome. An Act that is passed must be binding on all persons who are covered by it. There shall not be any option given to the employer to wean away some section of the employees who are otherwise governed by some bait which will be given to them. It has been suggested that they may agree to higher pension, higher gratuity and some other kinds of remuneration of which we do not know. That should not be allowed.

The second amendment is about salary and wage. So far as overtime is concerned, it is already provided, namely,

"remuneration (other than remuneration in respect of overtime work)".

It is very clear in sub-clause (21) that salary and wage will not include overtime. So, I do not understand his putting forward the question of overtime.

The second thing is this. So far as "salary or wage" is concerned, the basic pay and dearness allowance and some other special allowances which are earned by the employee on account of the nature of the duty that he does—they are a part of his personal pay—should be included in calculating the bonus. That thing should be done.

So far as Amendment No. 146 of Shri Dandekar is concerned, it is already included. That is, the appropriate Government is the Central Government. I do not know why he is talking of this. That is already included.

**Dr. Ranen Sen:** We have moved the amendments on, clause 2, sub-clauses 13 and 21.

In sub-clause 13, in the definition of the employee, the apprentices

have been excluded. Now, under the Industrial Disputes Act, the apprentices are included in the category of workmen. We do not understand why all of a sudden apprentices are being excluded. It means that the apprentices will not be guided by the provisions of this Act. This has never been done before. All of a sudden, the basic statute in the form of the Industrial Disputes Act is sought to be violated.

There is another sub-clause, 21, where this Bill seeks to exclude, among other things, "any travelling concession". In the definition of "wage" as given in the Industrial Disputes Act, that is included. We do not understand in whose interest the Government have tried to restrict it in this way by violating the Industrial Disputes Act which guides all industrial disputes in our country. These are two very important things which contravene the provisions of the Industrial Disputes Act.

Another point I want to raise in regard to sub-clause 21 is about the commission payable to the employee. Yesterday, my hon. friend, Shri Indrajit Gupta, touched on this point. He has already stated the position and I want to restate it again. All over India, there are a large number of employees who work on commission basis, that is, the salesmen in the Bata shops and in other various shops. Here, the position is like this. Their basic wage is very little and they work on commission and they get commission over and above their wage. It is a sort of dearness allowance because the dearness allowance is sometimes absent or the amount of dearness allowance is very meagre. Therefore, this commission forms a part of their wage. Any attempt to exclude this class of employees will be very harmful to a very large number of employees whose number would be more than a lakh.

[Dr. Ranen Sen]

I wanted to bring these two very important points to the notice of the hon. Minister. I would request him to think over again and see whether he should, at this stage, try to violate the provisions of the Industrial Disputes Act. I would also request him to go into the matter relating to the employees who work on commission basis.

Lastly, there is another point which I forgot to mention about the Bonus Commission's Report. He was referring to the Bonus Commission's Report. He cannot refer to the Bonus Commission's Report according to his convenience. It had been stated by many of the hon. Members yesterday that Government had deliberately violated the recommendations of the Bonus Commission on major points. For example, in the Bonus Commission's Report, they had included the contract labour. The contract labour today forms a large percentage of the working population in our country. Here also, the Government has excluded the labourers employed by the contractors. In fact, the contract labourers do not enjoy any of the facilities that other labourers enjoy in the various industries. Therefore, I would strongly plead with the Minister again to reconsider this thing and include the contract labour also within the scope of this Bill.

श्री बड़े : उपाध्यक्ष महोदय, मेरा संशोधन क्लोज 2 में पेज 3 पर है। मेरे संशोधन का नम्बर 118 है। मेरे जितने विरोधी मित्र इस पर बोले हैं वे सब मेरे साथ हैं कि डाइरेक्ट टैक्स में सुपर प्राफिट्स टैक्स, कम्पनोज टैक्स और एग्रीकल्चरल इनकम टैक्स शामिल नहीं होने चाहिये। बोनस कमीशन की रिपोर्ट में यह स्पष्ट है कि डाइरेक्ट टैक्स में केवल इनकम टैक्स शामिल होना चाहिये और दूसरे टैक्स नहीं शामिल होने चाहिये। इसके लिये उन्होंने काफी जोरदार कारण दिये हैं। मैं समझता हूँ कि अभी तो शायद हमारे मिनिस्टर साहब

इस बात पर एडमेंट होंगे कि जो उन्होंने किया है ठीक किया है, लेकिन वह सोचें कि मजदूरों को ज्यादा देना है या नहीं और अगर देना है तो उनको उन कारणों पर विचार करना चाहिये जो कि बोनस कमीशन ने दिये हैं। मेरा निवेदन है कि अगर मजदूरों का और कारखानेदार का झगड़ा हो तो उनको यह प्रयत्न करना चाहिये कि मजदूर को ज्यादा मिले। वह लेबर मिनिस्टर हैं, उनको यह विचार करना चाहिये। यदि वह कोई दूसरे मिनिस्टर होते तो मैं उनसे यह बिनती न करता। लेकिन श्री मंत्री को तो मजदूरों की बाजू को संभालना चाहिये था। मैं सुनना चाहता था कि ऐसा न करने के लिए वह अपने जबाब में क्या कारण देते हैं, लेकिन उन्होंने कोई कारण नहीं दिया कि क्यों सुपर प्राफिट्स टैक्स प्राइम टैक्सों को शामिल किया गया है।

दूसरा मेरा प्रमेंडमेंट यह है कि एंप्लॉयिड को भी मजदूरों में (एंप्लॉयड में) शामिल किया जाए। इस में दिया गया है :

"employee" means any person (other than an apprentice). . . .

इसका मतलब है कि एंप्लॉयिड को बोनस नहीं मिलेगा। ऐसा करने के लिए मिनिस्टर साहब के पास क्या कारण हैं। प्राप्ते पेज 4 क्लोज 13 में दिया है :

"employee" means any person (other than an apprentice) employed on a salary or wage not exceeding one thousand and six hundred rupees per mensem in any industry. . . .

इसमें उन्होंने "एस्टेब्लिशमेंट" नहीं रखा जसा कि क्लोज 1 में रखा है। वहां प्राप्ते दिया है :

"Save as otherwise provided in this Act, it shall apply to—

(a) every factory; and

(b) every other establishment. . . ."



जब आपने उसमें एस्टेबलिशमेंट और इंडस्ट्री दोनों रखा है तो इसमें एस्टेबलिशमेंट क्यों नहीं रखा। एस्टेबलिशमेंट और इंडस्ट्री में फर्क है। मैं माननीय मंत्री जी से बिनती करूंगा कि अगर वह इसमें एस्टेबलिशमेंट शब्द और डालेंगे तो इसका उद्देश्य पूरा हो जाएगा। एम्प्लोईज के साथ एस्टेबलिशमेंट भी घाना आवश्यक है।

दूसरे मैं कांटेक्ट लेबर के सम्बन्ध में कुछ कहना चाहता हूँ। हमने देखा है कि मध्य प्रदेश में जिन फैक्टरियों पर श्रम कानून लागू होता है उनमें कारखानेदार लेबर के लिए ठेकेदार नियुक्त कर देते हैं और लेबर के लिए उनको पैसा दे देते हैं और इस प्रकार श्रम कानून से बच जाते हैं। वह ठेकेदार को मिडिल मैन बना लेते हैं और इस प्रकार मजदूरों को श्रम कानून का लाभ नहीं मिल पाता।

इसके प्रतिरिक्त जैसा डा० दिनेन सेन ने भी कहा है आपको सेलेरी और बेजेज के प्रश्न पर भी विचार करना चाहिये। आपने सब क्लॉज 20 में दिया है :

“(i) any other allowance which the employee is for the time being entitled to;”

हमारे डांडेकर साहब ने कहा है कि इसका विश्लेषण होना चाहिये जिससे कि घागे कारखानेदारों को कठिनाई न पैदा हो। लेकिन मेरा कहना है कि इन शब्दों को :

“any other allowance which the employee is for the time being entitled to;”

निकाल दिया जाना चाहिये। मैंने मिल में पांच साल नौकरी की है। वहां यह होता है कि अगर पे 50 रुपया है तो परमनल एलाउंस 50 रुपया है और परमनल एलाउंस को वह पे के हिसाब में नहीं लेते। अगर पगार बढ़ना है तो परमनल एलाउंस बढ़ना जाता है उसको पे में नहीं गृहार किया जाता।

इसलिये मेरा कहना है कि घाप इन शब्दों को :

“any other allowance which the employee is for the time being entitled to;”

इसमें से निकाल ही दीजिये जिससे कि घागे चल कर कानूनी कठिनाइयां पैदा न हों।

“any other allowance which the employer is, for the time being entitled to.”

फिर उस के साथ में मेरा एक प्रमेडमेंट और है...

उपाध्यक्ष महोदय : माननीय सदस्य का समय समाप्त हो गया है।

The Hon. Member has taken ten minutes.

Shri Dandekar: We would like you to extend the time.

Shri Daji: We want some extension.

Mr. Deputy-Speaker: We are on clause 2.

श्री बड़े :

From the beginning I am on clause 2.

मेरा कहना है कि इस सैलरी और बेज की परिभाषा में

“any other allowance which the employer is, for the time being, entitled to”

को शामिल करना चाहिये अन्यथा इस क्लॉज को निकाल देना चाहिये। कोर्ट में इस की जो मौजूदा बर्डिंग है उसके छिन्नके उतारे जायेंगे और परिणामस्वरूप लिटिगेशन बढ़ेंगे जो कि होना नहीं चाहिये। शासन को इस पर गम्भीरतापूर्वक विचार करना चाहिये और इसलिये मेरा जो प्रमेडमेंट है उसे स्वीकार कर लेना चाहिये। बस मुझे इतना ही कहना है।

**Mr. Deputy-Speaker:** I have to inform the House that a news bulletin regarding the latest situation on the borders, received from the Ministry of Defence, has been placed in the Parliamentary Notice Office for the information of the Members. Those who are interested may go there and see.

**Shri Bade:** It is very difficult to go there. It will be better if you read it out here.

**Shri Indrajit Gupta:** We all feel like going. It will be better if it is read out here.

**Mr. Deputy-Speaker:** Nothing very important.

**Shri Bade:** We are very keen to know about it.

**Mr. Deputy-Speaker:** All right. I shall get a copy here.

**श्री बे० शि० पाटिल :** उपाध्यक्ष महोदय, क्लाज 2 पर मेरा 261 नम्बर का जो संशोधन है वह बहुत महत्व का संशोधन है . . . .

**श्री हुकम चन्द कछवाय :** बहुत महत्व का संशोधन है इसलिये उस पर बोलते समय हाउस में कोरम तो रहना ही चाहिये जो कि इस समय मौजूद नहीं है।

**Mr. Deputy-Speaker:** The quorum bell is being rung..

Now there is quorum. The hon. Member may start.

**श्री बे० शि० पाटिल :** सेशन 2 का सबसेशन 21 सैलरी और वेज की परिभाषा देता है। उस परिभाषा में सैलरी और वेज में रैगुलर वेज और डियरनेस एलाजंस यह दोनों ही सम्मिलित हैं। लेकिन इसमें अबर वेन रैम्पुनरेशन इन रिस्वैन्ट ऑफ ओवरटाइम वर्क लिखा है। ओवरटाइम वर्क को सैलरी और वेज की परिभाषा के अन्दर

शामिल नहीं किया गया है। मेरा जो यह प्रमंडमेंट है वह यह चाहता है कि यह ओवर-टाइम से जो पैसा मिलता है, जो उनको वेज मिलती है वह सैलरी और वेज की जो परिभाषा दी गई है उसमें उसको शामिल कर लिया जाय और उसको भी वेज माना जाय। इसीलिये मैंने अपने उस प्रमंडमेंट में यह चाहा है कि उस सबक्लाज 21 में से यह अबर वेन रैम्पुनरेशन इन रिस्वैन्ट ऑफ ओवरटाइम वर्क डेलीट कर दिये जायें।

उपाध्यक्ष महोदय, इस विधायक का जो खंड 32 है उसमें काफ़ी ऐसे कर्मचारी छोड़ दिये गये हैं लेकिन पब्लिक और प्रायवेट सेक्टर के एस्टैब्लिशमेंट्स के जो कुछ कर्मचारी हैं और जिनके लिए कि बोनस देने का सरकार ने निश्चय किया है उन लोगों के लिए भी सरकार हाफ हाट्टेंडली काम करती है। भाज आप देखेंगे कि कई ऐसी फ़ैक्टरीज हैं जहां पर कि यह ओवर टाइम वर्क बहुत मिलता है। संकटकाल में ओवर टाइम वर्क बहुत चलता है। आपको मालूम होगा कि इंजीनियरिंग इंडस्ट्रीज जो हैं उन में जो काम करने वाले लोग हैं वे रैगुलर वेजेज पर भी काम करते हैं और वहीं पर ओवर-टाइम वर्क करते हैं। अब दरमसल अधिकतर इंजीनियरिंग इंडस्ट्रीज में ओवरटाइम एक रैगुलर फीचर ऑफ वर्क है और वे रैगुलर वेज हैं क्योंकि उसके बगैर न तो वर्कर्स सस्टेन कर सकते हैं न ही इम्प्लायर्स बगैर ओवरटाइम के अपने ओब्लीगेशंस पूरे कर सकते हैं। ओवरटाइम वर्क से बढ़ा रैगुलर प्राफिट किया जाता है, फ़ैक्टरी काफ़ी मुनाफ़ा कमाती है तो मैं नहीं समझता कि ओवरटाइम वर्क करने वाले जो कर्मचारी हैं जो कामदार हैं उनका हिस्सा इसमें शामिल क्यों न हो? वह जो काम करता है और उसे जो वेतन मिलता है उस पर अगर आप बोनस देना चाहते हैं तो जितना वह ज्यादा काम करता है उस पर आपको बोनस देना चाहिये। रैगुलर वेज और डियरनेस

एलाउंस यह दोनों ही बातें इसमें शामिल की हैं। मेरा सुझाव है कि इसमें घोबर-टाइम वर्क करने वाले जो कामदार हैं और उनको भी जो बेतन मिलता है वह बेतन भी इसमें शामिल होना चाहिये।

**Shri Alvares:** Mr. Deputy Speaker, Sir, I have three amendments in respect of clause 2 and I am speaking on clause 2, sub-clause (12), i.e. in respect of direct taxation. We have noticed that, in spite of the recommendations of the Bonus Commission, the Government have increased the quantum of direct taxes. For instance, they have accepted Mr. Dandeker's minute of dissent by raising the dividend from 7 to 8.5 per cent., similar is the case with regard to the issue of reserves. If the Government is given the liberty to keep on adding any amount of direct taxes as and when occasion arises, things will come to such a pass that we will find that the quantum of bonus is a diminishing issue. So, on the one hand, the Government have put a limit of 20 per cent in spite of the fact that, in many instances, the bonus was much more. Secondly, the Government have, by increasing the amount of rate of dividend, further curtailed the quantum of bonus. If the Government is given the liberty to increase or add any new direct taxes, then the quantum of bonus will be less and less as years go by. Therefore, I commend that this amendment be accepted by the House.

14 hrs.

Then, I come to sub-clause (13) relating to the question of apprentices. While speaking yesterday I had pointed out that this clause would not give the full concession to seasonal workers, and it would lend itself to a number of abuses. Similarly by denying the apprentices of the bonus, it is likely that further abuses may take place. For, very often many companies take a lot of legitimate work from the apprentices and do not permit them to qualify for bonus. I may

mention the instance of the railways in this connection. There are thousands of people who are working in a big workshop, who are not entitled to any consideration at all and who do not get bonus and yet Government take from them work of a completely skilled nature. Since the apprentices would be dependent on the employers for their future employment, it is very likely that in order not to permit the employees to have any share in the bonus, the employers will resort to an abuse of the whole system by asking the apprentices to do legitimate skilled work and by reason thereof deprive the apprentices of the bonus and at the same time increase their own margin of profit.

In regard to the third amendment, I want to delete sub-clause 21 (iv), so that all bonus of a productive or incentive type should be counted for the purpose of calculation of wage. Hitherto it has been the traditional practice to measure work by the number of days spent on it. In many old or traditional instances, it is the day's work which is counted. But modern scientific method has given up this measure or yardstick and has resorted to the measure of productivity. The measure of productivity is a new scientific measure for determining the work done and the quantum of production. So, it is obvious that the bonus or wages must be related to productivity. The other day, the hon. Finance Minister, while speaking on the relationship between wages and productivity in the context of the Fourth Plan suggested that the two should be linked up. That is exactly what my amendment seeks to do, namely that the wages should be linked up with productivity and the old form of computation of wages should be given up. If wages are linked up with productivity, then I am sure that all extra production which qualifies for extra incentive or production bonus would also qualify for the term 'wage' and entitle the workers to those wages; similarly production bonus would also qualify for being included in the term 'wages'. Therefore, I do urge the

[Shri Alvares]

Labour Minister to accept this modern connotation of productivity and relate wages to productivity, and as a consequence thereof, include all bonus and production incentives for the purpose of determining the wages.

14.03 hrs.

# STATEMENT RE: DEFENCE OPERATIONS

**Mr. Deputy-Speaker:** Now, the latest Defence Ministry Bulletin would be read out.

**The Minister of Rehabilitation (Shri Tyagi):** The Indian Air Force was very active yesterday . . . .

**Shri Vidya Charan Shukla (Mahasamund):** On a point of order. This statement which the hon. Minister is reading has already been circulated to all and sundry....

**Several hon. Members:** We have not got it. Let it be read out.

**Shri Tyagi:** The Indian Air Force was very active yesterday and went out after a number of enemy military targets. Last night, our Air Force bombed the Chaklala air base near Rawalpindi, and this morning they attacked the Sargodha air base in West Punjab. They met with stiff opposition at the latter place. The latest reports till this morning indicate that the IAF had on the whole a successful day.

Yesterday's 'bag' includes the destruction of 9 American aircraft of the Pakistan Air Force, damage to two other aircraft and destruction of 16 Patton and Sherman tanks in various sectors, 14 artillery guns, two light anti-aircraft guns and between 30 and 40 vehicles. A number of tanks and armour vehicles were damaged.

In addition, as already reported, the Air Force yesterday blew up an oil

tanker train, a concentration of military vehicles, another goods train carrying military stores, some gun positions and a military camp which was set on fire.

Two of the aircraft destroyed are four-engined American transport aircraft. These two and two F-104's were damaged on the ground. In addition, six American Sabre jets and one B-57 bomber were destroyed in various sectors in air battles as well as by ground action.

The Pakistan Air Force was also active throughout yesterday and attacked a number of our air bases from Pathankot to Jamnagar. Jamnagar airport was subjected to a series of attacks but there was little damage caused and the airport is functioning normally. In Amritsar, the Pakistan Air Force dropped bombs on the civilian area. The extent of damage is still being ascertained. Pakistan yesterday extended the conflict to the eastern sector. The Pakistan Air Force made an attack on the Kalai-kunda air base near Calcutta. The attack was driven off.

The total losses suffered by us both in the air and on the ground in yesterday's operations are eight aircraft. A few other aircraft were damaged.

On the ground, advancing Indian troops are meeting with increasing resistance. Stiff fighting is continuing in the Dera Baba Nanak bridge area, where seven enemy tanks have been destroyed. This morning the Pakistanis blew up the Dera Baba Nanak bridge.

Pakistan dropped small bands of paratroopers in different parts of the Punjab last night and early this morning. A number of paratroopers have been captured in the Pathankot and Jullundur areas. The local Army and civil authorities are taking steps to round them up.

Further advance has been made by our troops in the Poonch sector. They have captured two important positions approximately five miles north-east of Poonch on September 6. In the clashes that took place in occupying these positions, our troops have picked up so far 45 dead bodies of Pakistani soldiers, 30 from one post and 15 from the other one. This includes a few officers and junior commissioned officers also. A number of light machine guns and rifles, 81 m.m. mortars and 0.30 Machine-guns were also captured.

The Pakistani army has launched 'Operation Tank Rescue' in the Chhamb sector. A fleet of 40 tractors has been brought in to evacuate Patton and Sherman tanks destroyed or disabled by air and ground action by Indian troops.

All attempts of the enemy to probe our defences in the Akhnur sector have been completely foiled and the latest reports indicate that the enemy is engaged in pulling out their forces from this area. A counter-attack by Pakistani troops in the area Sanjoi in the Tithwal sector was repulsed by our forces killing one Pakistani officer and four other ranks. It may be recalled that our troops attacked and captured three Pakistani posts in this area on the night of September 3/4.

Our forces have further improved their position in the Haji Pir pass area. They attacked and captured another Pakistani position three miles west of Haji Pir in the early hours of September 5. Three counter-attacks by Pakistani troops in this area were repulsed with heavy losses to the enemy. A number of clashes took place in this area in which Pakistanis suffered a large number of casualties.

The shelling across all along the cease-fire line from the Keran to Nau-shera sector continued during the last twenty-four hours.

**Shri Hari Vishnu Kamath** (Hoshangabad): I would make a request that

in future, from tomorrow, the progress report of the war must be presented to the House the first thing in the day, and then as often as necessary, if new developments arise, the proceedings should be interrupted by some Minister—not necessarily the Defence Minister—and the House given information as to what is going on.

**Shri P. K. Deo** (Kalahandi): What is the situation in Lahore?

**Shri Tyagi**: I have taken note of the request and will convey it to the Defence Minister. It all depends....

**Shri Hari Vishnu Kamath**: The Prime Minister and the Defence Minister.

**Shri Tyagi**: Sometimes there is news of strategic importance which we may not be able to place before the House immediately.

**Shri Ranga** (Chittoor): I learn that the BBC has already given quite a bit of these things much earlier.

**Shri Inder J. Malhotra** (Jammu and Kashmir): Even All India Radio.

**Shri Ranga**: This must be the All India Radio report. Earlier than the All India Radio, the BBC had given information in regard to the bombing that was indulged in by the Pakistan Air Force. That news must have reached Government also, and that is why there is additional force in the suggestion made by hon. friend, Shri Kamath, that more frequently and much more early these bulletins should be issued or this information given to us at least in the Central Hall as well as in this House.

**Some hon. Members**: In the House.

**Mr. Deputy-Speaker**: Government will give the information at the earliest to the House, immediately after the question hour.

**Shri Tyagi**: I have taken note of it

14.12 hrs.

PAYMENT OF BONUS BILL—*contd.*

**Shri D. Sanjivayya:** With regard to the amendments moved, the first is No. 146. The first point raised through amendment No. 146 relates to the question as to how the disputes would be settled when a particular employer has factories in more than one state. Today the Industrial Disputes Act specifies the appropriate government. In certain respects, the state governments happen to be the appropriate authorities, in certain other respects the Central Government: I do not know why about bonus disputes alone this doubt has arisen.

**Shri N. Dandekar:** May I explain?

**Shri D. Sanjivayya:** There have been many disputes regarding various other aspects. They have been dealt with by the respective state governments. In a similar way, if a bonus dispute is raised in a factory owned by an employer in a particular state, that particular state government will be the appropriate authority and they will deal with it. The difficulty arises when a particular establishment has branches in more than one state. Then how is the question to be dealt with? There have been cases. In such cases, the various state governments are consulted, the employer and the workers are consulted and a national tribunal is appointed instead of a small tribunal or more than one tribunal to be appointed by more than one state government.

The other point relates to the question of deducting all direct taxes. There are some amendments under cl. 2(12), sub-clause (a) for deletion of (iii) and (iv). In fact, one of Government's decisions on the Bonus Commission's recommendations was that all direct taxes should be prior charges. In the light of that, we have retained these things.

One of the amendments moved is that wealth tax should also be a prior charge. In fact, we have not mentioned this particular tax. But we have made a provision to the effect that any other tax which, having regard to its nature or incidence, may be declared by the Central Government by notification in the official gazette to be a direct tax for the purpose of this Act. So if any particular tax is so declared by Government by official notification, it will be deducted.

Another doubt raised was with regard to the word 'industry' in sub-cl. (13) instead of using 'factory' or 'establishment'. But industry is not defined in this particular Bill. If the hon. Member refers to sub-cl. (22), he will find that words and expressions used but not defined in this Act and defined in the Industrial Disputes Act, 1947, shall have the meanings respectively assigned to them in that Act. 'Industry' is defined in the Industrial Disputes Act and it includes all such establishments, factories etc. Hence that doubt need not be entertained.

Another amendment relates to the question of covering persons or employees who draw upto Rs. 1600. Here Shri Dandekar suggested that any person employed on a salary or wage exceeding Rs. 500 per mensem in any factory or other establishment to do any supervisory, managerial or administrative work may at his option elect not to be treated as an employee for the purpose of this Act.

**Shri Bade:** I wish to seek a clarification . . . . .

**Mr. Deputy-Speaker:** He is clarifying already. He cannot make another speech.

**Shri Bade:** It is just a clarification. It has been stated in cl. 1:

"Save as otherwise provided in this Act, it shall apply to every factory and every other establishment".

Then why has he mentioned the word 'industry' here?

**Shri D. Sanjivayya:** No employee drawing more than Rs. 500 and upto Rs. 1600 would forgo his rights. Moreover, this is one of the Commission's recommendations. One hon. Member sitting opposite belonging to a particular political affiliation moves an amendment and speaks in favour of it. Another hon. Member of another political affiliation gets up and condemns it. Therefore, there is nothing for me to answer or worry about. In any case, that cannot be accepted.

Travelling allowance and production bonus to be considered as a wage and to be included in wages and dearness allowance for the purpose of calculation of bonus was suggested, but we have completely adopted the recommendation of the Bonus Commission in this respect. In a similar way, it has been suggested that overtime allowance, educational allowance etc. should not be considered for the purpose of payment of bonus. In fact, as I said earlier, in this particular clause whatever we have done is in accordance with the recommendations of the Commission. Therefore, I am not in a position to accept any of the amendments.

**Shri Priya Gupta (Katihar):** What about the ministerial staff? He has not said anything about them.

**Mr. Deputy-Speaker:** We are not concerned with them just now.

**Shri Priya Gupta:** It is their justified demand and they are entitled to bonus.

**Mr. Deputy-Speaker:** Should I put all amendments together?

**Shri Daji:** Amendment No. 261 may be put separately.

**Mr. Deputy-Speaker:** Then I shall put all the other amendments together to the vote of the House.

Amendments Nos. 9, 10, 11, 12, 13, 14, 89, 90, 91, 92, 254, 255, 258, 263, 261, 56, 57, 118, 120, 121, 122, 123, 146, 147, 148, 149, 212, 262, were put and negatived.

**Mr. Deputy-Speaker:** Does he press his amendment?

**Shri D. S. Patil:** Yes.

**Shri Daji:** It is a Congress Member's amendment, a very good amendment. We are supporting it.

**Mr. Deputy-Speaker:** The question is:

Page 5, lines 3 and 4,—

omit "(other than remuneration in respect of overtime work)"(261).

The Lok Sabha divided:

## Division No. 16]

Alva res, Shri  
Aney, Dr. M.S.  
Asad, Shri Bhagwat Jha  
Bade, Shri  
Bagri, Shri  
Banerji et., Shri S.M.  
Daji, Shri  
Gupta, Shri Indrajit

## AYES

Gupta, Shri Kashi Ram  
Kachhevalya, Shri Hukam Chand  
Kamath, Shri Hari Vishnu  
Kandappen, Shri S.  
Ker, Shri Prabhat  
Lakshmi Bhawan, Shri  
Limaye, Shri Madhu  
Muhammad Ismail, Shri

Mukerjee, Shri H.N.  
Murmu, Shri Sarkar  
Patil, Shri D.S.  
Sen, Dr. Ranen  
Seshiyen, Shri  
Warior, Shri  
Yashpal Singh, Shri

[14.25 hrs.

alakrishnan, Shri  
Balmiki, Shri  
Balan, Shri P.C.  
Barupal, Shri P.L.  
Beare, Shri  
Bhatnagar, Shri  
Bisot, Shri J.B.S.  
Bose, Shri P.C.

## NOES

Brajeshwar Prasad, Shri  
Chakravarti, Shri P.R.  
Chaudhuri, Shri D.S.  
Chaudhuri, Shrimati Kamala  
Chavda, Shrimati Joreben  
Chuni Lal, Shri  
Das, Shri B.K.  
Dwivedi, Shri M.L.

Ganapati Ram, Shri  
Goudh, Shri  
Harvani, Shri Anwar  
Jamunadevi, Shrimati  
Kedaria, Shri C.M.  
Khanna, Shri P.K.  
Krishna Shri M.K.  
Malachami, Shri

Malaviya, Shri K.D.  
Malhotra, Shri Inder J.  
Maruthiah, Shri  
Mehrotra, Shri Braj Bihari  
Mehta, Shri Jaashvant  
Melkote, Dr.  
Mishra, Shri Bibhuti  
Misra, Shri Shyam Dhar  
Mohammad Yusuf, Shri  
Muthiah, Shri  
Patel, Shri Chhotubhai

Patel, Shri P.R.  
Prabhakar, Shri Naval  
Raghunath Singh, Shri  
Rajdeo Singh, Shri  
Rameshwar Prasad Singh, Shri  
Rane, Shri  
Raut, Shri Bhola  
Saha, Dr. S.K.  
Sanji Rupji, Shri  
Saraf, Shri Sham Lal  
Sen, Shri P.G.

Sharma, Shri K.C.  
Shastri, Shri Ramanand  
Shree Narayan Das, Shri  
Siddhananiappa, Shri  
Siddheshwar Prasad, Shri  
Sinha, Shrimati Ramdulari  
Subbaraman, Shri  
Sumat Prasad, Shri  
Tiworthy, Shri K.N.  
Tiworthy, Shri R.S.  
Tyagi, Shri

**Mr. Deputy-Speaker:** The result of the Division is Ayes: 23; Noes 57.

"That Clause 2 stand part of the Bill."

*The motion was negatived.*

*The Lok Sabha divided:*

**Shri N. R. Ghosh (Jalpaiguri):** One Aye.

बी यशपाल सिंह (कैराना): मेरा वोट "नो" की तरफ होने से रह गया है।

**Mr. Deputy-Speaker:** The question is.

**Mr. Deputy-Speaker:** It will be recorded.

## Division No. 17]

## AYES

[14.27 hrs

Alvares, Shri  
Azad, Shri Bhagwat Jha  
Baj Krishna Singh, Shri  
Balmiki, Shri  
Barman, Shri P.C.  
Barupal, Shri P.L.  
Beera, Shri  
Bhatkar, Shri  
Bisai, Shri J.B.S.  
Borooh, Shri P.G.  
Brajeshwar Prasad, Shri  
Chakraverti, Shri P.R.  
Chaudhuri, Shri D.S.  
Chaudhuri, Shrimati Kamala  
Chavda, Shrimati Jhtraben  
Chuni Lal, Shri  
Dandekar, Shri N.  
Das, Shri B.K.  
Deshmukh Shri B.D.  
Dubey, Shri R.G.  
Dwivedi, Shri M.L.  
Ganapati Ram, Shri

Goudh, Shri  
Harvani, Shri Anwar  
Jamuna devi, Shrimati  
Kedaria Shri C.M.  
Khanna, Shri P.K.  
Krishna, Shri M.R.  
Lakshmi Bhawan, Shri  
Malaichami, Shri  
Malaviya, Shri K.D.  
Malhotra, Shri Inder J.  
Maruthiah, Shri  
Mathur, Shri Harish Chandra  
Mehrotra, Shri Braj Bihari  
Mehta, Shri J. R.  
Melkote, Dr.  
Mishra, Shri Bibhuti  
Misra, Shri Shyam Dhar  
Mohammad Yusuf, Shri  
Muthiah, Shri  
Patel, Shri P.R.  
Patil, Shri D.S.

Prabhakar, Shri Naval  
Raghunath Singh, Shri  
Rajdeo Singh, Shri  
Rameshwar Prasad Singh, Shri  
Rane, Shri  
Rang, Shri  
Raut, Shri Bhola  
Saha, Dr. S.K.  
Sanji Rupji, Shri  
Saraf, Shri Sham Lal  
Sen, Shri P.G.  
Sharma, Shri K.C.  
Shastri, Shri Ramanand  
Shree Narayan Das, Shri  
Siddheshwar Prasad, Shri  
Sinha, Shrimati Ramdulari  
Sinha Singh, Shri  
Subbaraman, Shri  
Sumat Prasad, Shri  
Tiworthy, Shri K.N.  
Tiworthy, Shri R.S.  
Tyagi, Shri

## NOES

Bade, Shri  
Bagri, Shri  
Banerjee, Shri S.M.  
Daji, Shri  
Gupta, Shri Indrajit

Kachhivaya, Shri Hukam Chand  
Kamath, Shri H.V.  
Kandappa, Shri  
Kar, Shri Prabhat  
Mukerjee, Shri H.N.

Murmu, Shri  
Sen, Dr. Ranen  
Sezhiyan, Shri  
Wazior, Shri

**Mr. Deputy-Speaker:** The result of the Division is: Ayes: 65; Noes: 14.

**Clause 3—Establishments to include departments, undertakings and branches).**

*The motion was adopted.*

**Shri N. Dandekar:** I beg to move:

Page 5, lines 40 and 41,—

for "a separate balance-sheet and profit and loss account

**Clause 2 was added to the Bill.**



are prepared and maintained", substitute—

"a separate profit and loss account is prepared"(150).

**Shri Kashi Ram Gupta (Alwar):** I beg to move:

Page 5, line 37,—

after "places" insert—

"but in the same city, town or village"(58).

**Shri N. Dandekar:** The Clause (No. 3) is all right as it is. I am merely seeking a slight change in the proviso which refers to a separate balance-sheet and profit and loss account being prepared and maintained. There is no such thing as "maintaining" a balance-sheet and profit and loss account. One prepares these, one does not "maintain" then I do not know what this means.

Secondly, the purpose of the proviso clause 3 is quite clearly that all departments, branches, establishments and undertakings of one particular employer shall be treated as one,—that is quite right—save where a separate profit is ascertainable; then in the case, the establishment will be dealt with separately, unless the practice has been to treat the whole thing as one. The only amendment I am making is to make the thing sound sensible. Instead of "separate balance-sheet and profit and loss account are prepared and maintained" as now appearing in the proviso, I am suggesting that it should simply read, "a separate profit and loss account is prepared", because that is really all that need be done; there is no such thing as "maintaining" either a balance-sheet or a profit and loss account; and a separate balance-sheet is not really necessary.

**Shri Kashi Ram Gupta:** My amendment is a very simple one. The purpose of this Clause is that there should be no bifurcation of industries to avoid the law, and that will be possible only when industries are situated

in one and the same town, village or city. If it is not taken like that, then there may be firms which may have branches in different States, and some branches may not be even covered by the Factories Act, and therefore difficulties will arise.

For purposes of taxation, Clause 7(c) says:

"Where the employer is an individual or a Hindu undivided family, the tax payable by such employer under the Income-tax Act shall be calculated on the basis that the income derived by him from the establishment is his only income;"

That establishment, if it is situated at different places, will be affected in this this way by Clause 7. Therefore, this will also be in contradiction to Clause 7. Therefore, unless and until those branches or undertakings are in the same city, this cannot be applied. Otherwise, there will be very many difficulties in determining the bonus. Generally, in the case of registered firms, labour in one factory and labour in other factories are of different standing, and they may have no co-ordination. So, it may give rise to many complications and do good to none. I therefore think that these additions are very necessary.

**Shri D. Sanjivayya:** With regard to amendment No. 58 I have already explained that there won't be any difficulty at all. If necessary, we can have a national tribunal etc. with various branches.

With regard to amendment No. 150 I would like to state that in certain cases there will be balance-sheets; in certain cases there will be profit and loss accounts. They have to be prepared, and having prepared them they have got to be maintained—they have to maintain them for inspection by the inspectors under this Act, or they have to be produced before a tribunal if a dispute arises with regard to the settlement of the bonus. Therefore, I

[Shri D. Sanjivayya]

do not see any reason why this should be deleted. It should be maintained.

Sir, I oppose both these amendments.

**Mr. Deputy-Speaker:** I shall put both these amendments (Nos. 58 and 150) to vote.

*The amendments Nos. 150 and 58 were put and negatived.*

**Mr. Deputy-Speaker:** The question is:

"That clause 3 stand part of the Bill".

*The motion was adopted.*

*Clause 3 was added to the Bill.*

**Clause 4—** (Computation of gross profits).

**Shri N. Dandekar:** I move:

Page 6,—

after line 13, insert—

"Provided that if in respect of a foreign company, which is not resident in India under the provisions of the Income-tax Act, no separate profit and loss account is prepared in respect of its Indian business, the gross profit (before making the deductions specified in section 6 of this Act) shall be calculated in the same manner and on the same basis as its income, profits and gains are computed under the Income-tax act. (151).

Sir, my amendment to clause 4 can be explained quite simply. It relates to the problem of computing the profits of a company which is a foreign company under the Companies Act and not resident in this country, but operating here, and therefore subject to the provisions of this Act, but which has no separate balance sheet or profit and loss account in respect of its Indian business. There are any number of such companies; during the time I have been in the Income-tax

Department I have dealt with hundreds of such cases. Neither Schedule I relating to non-banking companies nor Schedule II relating to other than banking companies indicates how this is to be done. This is a lacuna in the Bonus Commission Report. Partly I must take responsibility for this, because these things were entrusted to me. But it does not seem to be there—how to compute the relevant gross profits in regard to a company which is foreign, non-resident, and has no separate profit and loss account for India.

My amendment is merely what I would have done had this matter been specified in my recommended mode of computation to the Commission. I could have said: if in respect of a foreign company, which is not resident in India, no separate profit and loss account is prepared in respect of its Indian business, the gross profit (before making the deductions specified in section 6) shall be calculated in the same manner and on the same basis as its income, profits and gains are computed under the Income-tax Act.

There is a Rule for this I forget now what is the precise number of the present Rule—but under the old Income-tax Act it was Rule 33. It used to be called "Rule 33 cases", where there were various possible bases of apportionment of the total world profits applied to cases of this kind. Sometimes it was on the turnover basis, sometimes it was on some other basis. And these operative modes of computing local profits as compared with the total world profits, I suggest, would be achieved by adopting for the purpose of this Bill, "same manner and the same basis" as under the Income-tax Act.

**Shri Prabhat Kar:** So far as this clause is concerned, while computing, I quite see that there is no specific mention of foreign companies which are non-resident. The suggestion made by Shri Dandekar is that it will be on the same basis as the profits

are computed under the Income-tax Act. So far as the Income-tax is concerned, it will never be known to the workers how exactly it has been done, when the question of finding out gross profits comes.

**Shri N. Dandekar:** I can answer that. I am only talking of the basis and the manner; I am not concerned with the figures.

**Shri Prabhat Kar:** So far as the basis is concerned, it will not be known to the other side as to what exactly is the basis. It is not just calculating it in the manner which is already accepted. There are many items which may be included or many items which may not be included.

Under these circumstances, how this Income-tax basis can be accepted is a very difficult proposition for us to accept.

**Shri D. Sanjivayya:** I agree with the hon. Member, Shri Prabhat Kar. We have drafted this clause after taking legal advice. I do not think the difficulty apprehended by the hon. Member, Shri Dandekar, would arise.

**Shri N. Dandekar:** I do not understand. The hon. Minister says that the difficulty does not arise. I would be delighted to be informed how the computation would be made.

**Shri D. Sanjivayya:** The Bonus Commission has suggested that these things have to be calculated in the manner specified in the First Schedule so far as banking companies are concerned, and in the other cases it will be in accordance with the Second Schedule.

**Shri N. Dandekar:** I would like to know how precisely the gross profit will be computed in accordance with the Second Schedule. I have myself been an accountant for 35 years, I have also been in the Income-tax Department. I have read the Second Schedule. I cannot understand, for instance, how the profits, shall I say, of P&O Company who operate partly in India but mainly in the whole

world, how their profits under the Second Schedule will be computed.

**Shri Ranga:** He does not know.

**Dr. M. S. Aney:** How will you be able to make the calculation under the Second Schedule under the circumstances that Shri Dandekar has mentioned?

**Shri D. Sanjivayya:** Whatever recommendations have been made by the Bonus Commission they are to be found in the First Schedule so far as banking companies are concerned; and with regard to the others the Second Schedule will apply.

If there is any difficulty we will consider.

**Mr. Deputy-Speaker:** I shall now put amendment No. 151 to vote.

*The amendment No. 151 was put and negatived.*

**Mr. Deputy-Speaker:** The question is:

*"That clause 4 stand part of the Bill."*

*The motion was adopted.*

*Clause D was added to the Bill.*

*Clause 5 was added to the Bill.*

*Clause 6 (Sums deductible from gross profits)*

**Shri Daji:** I move:

*Page 6,—*

*Omit lines 31 to 33 (15)*

**Mr. Deputy-Speaker:** Amendments Nos. 59 and 124 are the same as No. 15, and so they are barred.

**Shri N. Dandekar:** I am moving my amendments, Nos. 152, 153 and 213.

I move:

(1) Page 6, line 32,—

*after "allowance" insert—*

*"or expenditure of a capital nature on scientific research".*

[Shri N. Dandeker]

(ii) Page 6,—

(i) line 35,—

for "is" substitute "would be";  
and

(ii) line 36,—

(a) after "his", insert—

"wealth and in respect of his"

(b) add at the end—

"as if such income, profits and gains were an amount equal to the gross profits of that year as reduced by the amounts of the prior charges under clauses (a) and (b) of this section." (153).

(iii) Page 6,—

after line 30, insert—

"(aa) the following amounts where in the case of an establishment which is newly set up, bonus becomes payable under the provisions of clause (a) of sub-section (1) of section 18 in respect of any accounting year or years earlier than the accounting year referred to in clause (b) of that sub-section, namely:—

(i) any arrears of depreciation relating to preceding accounting years which the employer is entitled to add to the amount of the allowance for depreciation in respect of the accounting year in accordance with the provisions of sub-section (2) of section 32 of Income-tax Act; and

(ii) any loss incurred by the employer in respect of any previous accounting year and carried forward under any law for the time being in force relating to direct taxes;" (213).

**Mr. Deputy-Speaker:** Amendment No. 93 is the same as No. 15. Amendment No. 264 is also the same as No. 15. So they are barred.

The clause and these amendments are before the House.

**Shri Daji:** Sir, the impact of the Bonus Bill on the working classes is really strange. I am here reminded of a fable. There was a poor Kisan, tried after his long walk in hot weather, sitting under a tree. And he prayed to God, "Oh God, I am very tired and sick; how good it would be if you would be kind enough to send me a horse, so that I could ride it!" After a certain time he saw a rider coming on a horse, with another horse trotting besides. But that rider was a zaminder. He whipped that Kisan and said...

**An Hon. Member:** Not a zaminder, a police sub-inspector.

**Shri Daji:** He said, "My pony is ill, you pick it up on your shoulder and bring it to my house". Forced to do so by the zamindar's blows, the peasant picked up the pony on his shoulder and went home. And on his way he said:

ख़दा नू सुनता तो हूँ लेकिन समझता नहीं हूँ।

That is: "I wanted a horse to ride, you have made the horse to ride on me".

Sir, we of the working classes fought for many years bitter struggles, there were strikes in Ahmedabad and Bombay, and after a continuous fight in which even our friends of the INTUC had to join, because of the inequity of the LAT formula, after this dogged and bitter fight the working classes got a Bonus Commission. That Bonus Commission went round the country for two and a half years and, Sir, I had the honour and the privilege to

represent the case of my workers before the Bonus Commission. I remember how the workers of my centre collected the money in small coins to send me to Delhi with great hopes. After two and a half years of deliberation the Bonus Commission gave a report.

The Government took nine months to bring this out of the shelf. What do we now find? I cannot understand this logic of a progressive social measure which takes away the rights of the workers which they have got now. The Adarkar formula never gave any development rebate as a prior charge to the employer; the courts never gave that; no court till now has accepted the development rebate as a prior charge; the surprising thing of all is that even the employers had not the temerity to demand development rebate as a prior reduction till now. Mr. Dandekar, the able champion of the private sector in his note of dissent did not make that suggestion. What then has led the Government to go out of the way and give something more to the employer which even they did not demand...

**An Hon. Member:** They out-Dandekar Dandekar.

**Shri Daji:** This concession is being showered on the employer as *gratis largesse* on behalf of the Congress Government so that in the election years to come this bonus may be returned to the Congress Party in the form of election funds. Otherwise, I cannot understand why the Government should go out of its way and give the employers this which they did not themselves demand. What has the Bonus Commission said:

"Under the Income-tax Act development rebate is not part of the depreciation allowance and is granted over and above the depreciation allowance. It is a special allowance to encourage com-

panies to instal new machinery. In a year in which installations of machinery are very large, the inclusion of the whole of the development rebate together with the statutory depreciation, as prior charge, might wipe off or substantially reduce the available surplus, even though the working of the concern may have resulted in very good profit."

The accredited representative of big business on the Bonus Commission, Mr. Dandekar did not dissent from this position laid down by the Bonus Commission. The absurd proposition of the Government will become more clear if I submit my second part of my point. Till yesterday the development rebate was twenty per cent. Yesterday, Mr. Krishnamachari brought a new Bill making the development rebate 35 per cent. 35 per cent in the development rebate and 40 per cent in the case of shipping companies. What does this mean? It means actually that the ever increasing development rebate which has been introduced in our economy by the Government as a sop to the private sector allows more profits; within three years an employer is able to get back the entire sum invested by him in the machinery. He is allowed to get back in three years what he invested, in fact more than that, because it comes to 105 per cent. All his machinery block will be almost free of charge. Then there is also the provision that a new concern need not pay bonus for six years. In three years that concern is able to take back cent per cent of its investment on machinery because of the development rebate which is allowed to be deducted against the surplus for bonus. Even after three years, after the company has earned all its investments, the workers are not being made entitled to bonus. Six years should pass. There is a contradiction in this; six years were allowed when the develop-

[Shri Daji]

ment rebate was twenty per cent; he was expected to recover his investment in five years; but even when the development rebate has been increased to 35 per cent, why should there be this six years?

Not only that. I am not here arguing whether the Government should give the development rebate or not. If the Government wants to pay them development rebate, let the Government do so from its own treasury by giving them rebate on the income-tax; why should it be deducted from the surplus of bonus to be distributed to the employees; because even after the deduction, forty per cent is still in their hands from which they can certainly get their rebate. How are we who are at the lowest levels for the availability of the surplus to the working class supposed to part with our bonus or part of our bonus for the payment of development rebate? Why does the Government want to give this present to this organised gang of looters who are daily looting the people of India. Even the *Economic Times* has, in a study of fifty giant companies, shown that the profit of these companies, after the taxation, that is, the net profits of these companies very from 13 to 19 per cent, that is the net distributed profit. The company is able to earn from the industry all its investment within five or six years; even in such a case we are supposed to accept this principle of taking the development rebate from the funds available for distribution to the workers. What is the wage of a worker today? Is it not below even Rs. 100 which is the minimum? Should he sacrifice from his bonus so that the capitalist can earn an unlimited profit? This clause is therefore the most unconscionable particularly because nobody, the Adarkar Commission, the Courts, the employers none of them demanded this; the employers' memorandum did not demand it; Mr. Dandekar did not insist upon it in spite of the opposition of the INTUC, AITUC, HMS, the

Government goes out of the way and makes this present of crores of rupees to the employers. If the Government has any particle of conscience, of faith and justice towards the working class, if the Government had an idea of sympathy for the workers, if the Government has any loyalty to the lakhs of persons who have voted them to power . . .

**Shri Hari Vishnu Kamath:** It is their pseudo socialism.

**Shri Daji:** The Government should withdraw this; otherwise the Government will stand exposed as the shameless champion of private interests, much more shameless champion than Shri Dandekar professes to be.

**Shri N. Dandekar:** Sir, on clause 6 I am afraid my hon. friend Mr. Daji has become very excited over wrong arithmetic. In the first place the development rebate of 35 or 20 or 40 per cent, as the case may be is an allowance limited only for one year; it is not a recurring allowance year after year such that, if you were to get it at 33.3 per cent you would recover in three years the total cost, and in addition you would get depreciation. It is nothing of that kind. It is virtually an additional depreciation allowance which is limited to one year only.

I have been mentioned rather frequently in my friend's speech as one who agreed that development rebate ought not to be included for reduction. I want to explain the circumstances in which, at any rate I, because I have been singled out, agreed to this. I am clearly of the opinion that the employer cannot have two things; he cannot have development rebate and at the same time have rehabilitation allowance. So in my minute of dissent, while agreeing with the majority view on the subject of

noneligibility of development rebate, I have said quite clearly what should be deducted is rehabilitation allowance. So, it is a case of one thing or the other, but not both. As far as I can make out, the Government have chosen to dissent from my minute of dissent in regard to the rehabilitation allowance issue and they have thought fit, in accordance with the assurance they gave to admit development rebate instead. Whether the choice is logical or not, I do not know, but I hold a different view. I should think that there is no inconsistency either in my attitude or in the Government's attitude in regard to the treatment of the development rebate. I felt that development rebate was wrong and rehabilitation allowance was right; they have come to the conclusion that rehabilitation allowance was wrong and development rebate is right. Well, one can take one view or the other.

Secondly, turning to my amendment, I will not press my amendment No. 152 because apparently, by accident, I had not seen earlier that the point underlying it has been conceded. Now that the computation of gross profit in Schedule II itself, in fact provides for the point that I had in mind, my amendment No. 152 need not be pressed. I will not press it.

I now turn to my amendment No. 213 which is concerned with putting in an additional sub-clause, after sub-clause (a), to make good a lacuna which exists in this connection as respects the applicability of this Act to new undertakings under clause 16. Under clause 16, new undertakings are exempt from the applicability of this Act in two circumstances: in the first place, they are exempt for as long as they do not derive any profit after deducting arrears of depreciation and secondly, so long as there are unrecovered arrears of losses. But if they go on in this unhappy situation year after year, then, in the sixth year, the sixth accounting year, they become liable to the bonus scheme as set out here. Now, the lacuna is this. It may well

be, for instance, that in the third accounting year, they make a profit even after deducting arrears of depreciation and arrears of losses. If that happens, and if in that particular year, the bonus scheme becomes applicable to that concern, it seems to me quite clear, having regard to the provisions of clause 16(1) and in the light of the "Explanations," set out thereunder, that for those concerns the depreciation allowance under clause 6 ought not to be limited, as it is for all other concerns under sub-clause (a), to the depreciation of that particular year only. It must also include the depreciation allowance due for the earlier years. My amendment No. 213 is merely to make up that lacuna when fitting in the concerns that come under clause 16(1)(a) into the scheme of clause 6 at just that one critical year, namely, an accounting year (earlier than the sixth year) in which they may make profit, after deducting the depreciation allowance including the allowance for earlier depreciation, and also the losses of the earlier years.

As regards my amendment No. 153, it is concerned with an important point, really in the nature of clarification. One part of it is concerned with wealth-tax. I will not press that part because the Minister has said that it would be a matter for consideration on merits, when the occasion arises, as to what other direct tax is or is not properly to be allowed under clause 6(c). I will confine myself, therefore to the other part of my amendments. The present clause reads thus:

"(c) subject to the provisions of section 7, any direct tax which the employer is liable to pay for the accounting year in respect of his income, profits and gains during that year;"

This conflicts with the whole structure of clauses 6 and 7. The correct thing, in accordance with the Bonus Commission's recommendations which have been accepted, would be to substitute

[Shri N. Dandekar]

"would be" for the word "is", and to be followed at the end with the words:

"as if such income, profits and gains were an amount equal to the gross profits of that year as reduced by the amounts of the prior charges under clauses (a) and (b) of this section."

In other words, the tax liability to be deducted is not what might in that particular year, be the actual tax liability,—but that which would be the tax liability if the gross profit, less deductions specified in sub-clauses (a) and (b), but not those under (d), were deducted and the tax were computed. I do not think there can be any real doubt about the construction of this provision. But as it stands, it might subsequently lead us to trouble. In order to make clear that this is what the Bonus Commission intended, I beg leave to refer to certain parts of the Bonus Commission's report. In the first place, when the Bonus Commission was concerned with evolving this formula about the prior charges and was specifically concerned with rehabilitation, this is what they have said: in Chapter X, para 10.12:

"To summarise, we have come to the conclusion that no special provision for rehabilitation need be made as a prior change in the bonus formula. The formula proposed by us provides for the normal depreciation allowed under the Income-tax Act, and indirectly for half of the development rebate by not taking into account the saving in Tax on account of development rebate. Further, we are proposing a substantial portion out of the available surplus, after meeting the prior charges to be left to the Company or concern. This amount together with the tax relief on the amount payable as bonus would be available, among other things, for rehabilitation."

In other words, the computation under clause 6(c) has to be as I have suggested, namely, from the gross

profit one must deduct the allowances under (a) and (b), and on the balance, one must compute what would be the tax liability if that was the income. I would like to emphasise this by referring again to the Bonus Commission's report, Chapter XII, para 12.1. This is what they say therein:

"The fixing of a certain proportion of the available surplus (after meeting the prior charges recommended by us) to be distributed as bonus subject to a minimum and maximum in the formula which we recommend, would lead to an equitable result. We recommend that this proportion should be 60 per cent. The balance left with the concern would be 40 per cent; and this would be increased by the saving in tax on bonus payables"

In other words, the scheme contemplated that the bonus itself was not to be a deduction for the purpose of computing the tax. The tax was to be the notional tax that would be paid where there was no bonus to pay and on that footing the allocable surplus was recommended at 60 per cent of the surplus so that the employer is left with 40 per cent plus the tax saving on 60 per cent. I suggest that it is necessary that this aspect should be quite clearly expressed, and the only way to so express it would be to say that the tax to be deducted here is the tax that would be payable if the gross profit less the deduction to which I have referred were the only deduction and, therefore, as if the balance were the income, profit and gains chargeable to tax.

15 hrs.

श्री बड़े : उपाध्यक्ष महोदय, केवल यही एक पायंट है, जिस के बारे में कम्प्यूनिस्ट और हम लोग एक साथ हो गए हैं। उस का



कारण यह है कि बोनस कमिशन की रिपोर्ट पढ़ने के बाद यह स्पष्ट हो जाता है—घोर सारे देश में जनता और मजदूरों का यह क्या है—कि अगर डेवेलपमेंट रिबेट भी इस में गृह्य किया जाता है, तो पूरे के पूरे बोनस का सफाया हो जायेगा। पूँजीपति लोगों का जो दृष्टिकोण है, उस से मालूम पड़ता है कि जब-जब उनका स्वार्थ सिद्ध होगा, तब वे डेवेलपमेंट में जनता पैदा करना देंगे। श्री दाजी ने कहा कि बिहेन बाज हैचिंग एन एच। वह जो प्रस्ताव निकला वह भी गन्दा निकला, वह भी मड़ा हुआ निकला। जब इस तरह का प्रस्ताव कोई मुर्गी दे देगी है तो लोग कहते हैं कि हाथ में कुछ भी नहीं है, जो प्रस्ताव दिया है वह भी सड़ा हुआ दिया है। इन वास्तव में समझता हूँ कि इस में जो ये शब्द हैं :

"any amount by way of development rebate or development allowance which the employer is entitled to deduct from his income under the Income-tax Act."

इन शब्दों को निकाल दिया जाना चाहिये। इस सम्बन्ध में मंत्री महोदय ने श्री दांडेकर की बात को नहीं सुना है और नहीं बोनस कमिशन की बात को माना है। शायद कोई वायर पुनिंग हुआ है जिस से विवश हो कर उन्होंने ऐसा किया है, जिससे विवश हो कर उन्होंने इस क्लॉज को डाला है। कम्प्यूनिस्ट मित्रों ने कहा है कि पूँजीपतियों के बर्गभूत हो कर मंत्री महोदय ने शायद ऐसा किया है। मैं कहना चाहता हूँ कि सभी पूँजीपतियों के कहने पर नहीं, केवल उन्हीं पूँजीपतियों के कहने पर; उन्होंने ऐसा किया होगा जोकि कांग्रेस को घन देते हैं।

माननीय मंत्री जी इतना श्रमिकों से प्रेम करते हैं, उनके प्रति उनके मन में इतना दर्द है लेकिन समझ में नहीं आता है कि उन्होंने इस क्लॉज को क्यों डाला है। मैं चाहता हूँ कि जब वह उत्तर दें तो इस पर भी वह अवश्य प्रकाश डालें।

**Shri S. M. Banerjee:** Sir, I rise to support the amendment moved by Shri Daji, which is very simple and which seeks the deletion of certain lines. I hope the Minister will take note of it. The other day I heard the statement made by the Minister after the naked aggression by Pakistan. When we want the hearty and unconditional cooperation of the working class, why should their interests not be protected? If this clause is accepted, the minimum of 4 per cent will become the maximum in most cases. No employer will give more than 4 per cent.

The workers throughout the country had already sustained a serious injury by the danda of Shri Dandekar. I am afraid the government went one step further and became Talwarkar and chopped off the head of the working class, so that there is hardly anything left for the workers to be distributed. I submit to the Minister that if he wants the cooperation of the working class in this national emergency, this clause must be omitted. Let the workers get something. I assure the Minister and through him the ruling party that they will get enough political donation at the time of election. But this clause must be omitted. With these words, I support the amendments of Mr. Daji and Mr. Bade.

**श्री सिद्दीकन सिंह (गोरखपुर):** नाग्यव महोदय, इस बोनस विधेयक पर मुझे छपने कुछ विचार विशेष नहीं रखने थे। लेकिन अभी जो क्लॉज 6 पर मैंने दाजी जी का एमेंडमेंट देखा और क्लॉज 6 को पढ़ा तो मुझे कुछ हैरत हुई। मैं नहीं समझ पाया हूँ कि क्या मंत्री महोदय भुवनेश्वर कांग्रेस के प्रस्ताव के अनुसार इस विधेयक को लाये हैं या भुवनेश्वर कांग्रेस के विरुद्ध जा कर इस विधेयक को लाये हैं? भुवनेश्वर कांग्रेस ने यह प्रस्ताव पारित किया था कि हम समाजवादी ढंग पर चलेंगे जहाँ तक हो सकेगा और जहाँ तक ही नहीं बल्कि विस्फुल समाजवादी ढंग पर चलेंगे। समाजवाद का आधार यह है कि धनी और गरीब में जो अन्तर है वह

### [श्री सिंहासन सिंह]

कम हो और मजदूरों को जहाँ तक हो सके अधिक से अधिक सुविधाएँ दी जायें ताकि उत्पादन अधिक से अधिक हो और मजदूरों का जीवन स्तर ऊँचा उठे।

क्लाज 6 पर मैंने आपका नोट पढ़ा है। उस नोट में कमिशन का जिक्र है। उस कमिशन ने आपके नोट के अनुसार डिप्रिजिएशन एलाउंस को ही बोनस की परिधि से बाहर किया था। पैरा 9.2 और 9.3 को मैंने देखा है। उस में कहा गया है कि जो डिबेलगमेंट रिबेट है, जो इनकम टैक्स है और जो दूसरे टैक्स हैं, उनका भी जाँड़ दें। इस में आपने नहीं लिखा है कि जो आप कर रहे हैं कमिशन की किस सिफारिश के अनुसार कर रहे हैं। डिबेलगमेंट रिबेट के बारे में अभी मुझे मालूम हुआ है कि उनकी कोई सिफारिश नहीं है। इनकम टैक्स के बारे में भी उनकी सिफारिश शायद छः परसेंट तक बरी करने के लिए थी, उसका भी आपने आठ परसेंट कर दिया है। शैड्यूल 4 को भी मैंने देखा है। आपके मताधिकार पर ये सब प्रयोग कर दें तो क्या मुनाफा बंटेगा, समझ में नहीं आता है। आपने डिप्रिजिएशन निकाल दिया, डिबेलगमेंट निकाल दिया, डायरेक्ट टैक्स जो लगते हैं, ये निकाल दिये और जो शैड्यूल 3 में टैक्स हैं वे निकाल दिये हैं। डायरेक्ट टैक्स जो उन पर व्यक्तिगत रूप से लगते हैं वे भी शायद वे कम्पनी के खाते में डाल दें और कह दें कि मेरा टैक्स भी कम्पनी दे। जब ये सब चीजें निकाल दी जायें तब यह बोनस ऐक्ट तो न हुआ। तब इस का नाम अगर कम्पनीज डिबेलगमेंट ऐक्ट रखा जाता तो ज्यादा अच्छा होता। हमें हेरत तो तब हुई जब हमने देखा कि यह सब चीजें, यह विषय एक ऐसे नवी की धारा से पेश किया गया है जो कि मजदूर वर्ग के हितैषी हैं। उन से तो यह कहा भी कि यह मजदूर वर्ग का ध्यान रखेंगे।

आज मजदूरों की कमाई पर ही हम यहाँ पर हैं, पूँजीपति वर्ग कायम है। खुद शासन ही उनकी कमाई पर चल रहा है। मैं समझता हूँ कि बोनस न दे कर अगर प्राफिट में मजदूर का भाग शेयर रख दें तो ज्यादा अच्छा होता। अब समय आ गया है कि बोनस का झगड़ा आप छोड़ दें। जो प्राफिट होता है उस प्राफिट में मजदूर का शेयर कितना हो, यह आप कर दें तो अच्छा होता। तब मजदूर के नाम पर लड़ाई न करके कोशिश करते कि प्राफिट अधिक हो ताकि उनको उसमें हिस्सा मिले। तब वे समझते कि हम भी इग कम्पनी के मालिक हैं। यह समय कब आएगा? कब मजदूर भी यह समझने लगेंगे कि कम्पनी उसकी अपनी है। इग में स्ट्राइक उनको नहीं करनी है, हड़ताल उनको नहीं करनी है और दिल लगा कर उनको काम करना है। अन्ततोगत्वा जो लाभ होगा, तब उनको पता होगा कि इस अनुपात में उनको भी वह मिलेगा। उस में उनका भी शेयर होगा। आज तो पूँजीपति धन लगाता है और वह ही खूब कमाई करता है। अभी महलंगबोस कमेटी की रिपोर्ट आई है। इस रिपोर्ट के पाठ 1 में एक बात कही गई है। उस में कहा गया है कि इन पिछले दस पन्द्रह वर्षों में जो कुछ गवर्नमेंट का रुझान रहा है वह पूँजीपतियों को अधिक धन देने का रहा है और उन में भी जो ज्यादा बड़े पूँजीपति हैं उन्होंने ही अधिकतम लाभ कमाया है और सीमा ऊपर से नीचे आने के बजाय वह बढ़ती हुई गई है। यह रिपोर्ट बहुत करने के लिये आएगी और तब उस पर विस्तार से विचार होगा। यहाँ आप ने 40 परसेंट शिपिंग के लिए डिबेलगमेंट रिबेट रख दिया है जो कि तीन वर्षों में 120 परसेंट हो जाएगा। 120 परसेंट वे कमा लगी। किसी के लिए आपने 35 परसेंट रख दिया है और तीन साल में वे 105 प्रतिशत कमा लेंगे। यह डिबेलगमेंट रिबेट कब तक चलेगा। वह मूल धन से भी अधिक जा कर बाद में

बन जाएगा। यह मिलेगा किनका ? यह कम्पनी को होना मिलेगा।

मैं मंत्री महाशय से प्रार्थना करता हूँ कि लेबर का हितैषी होने के नाते वह इस एमेंडमेंट को मान लें। इसको मानने के लिए जब मैं कहता हूँ तो आपको यह भी ध्यान में रखना चाहिये कि कमिशन की रिपोर्ट इस पर नहीं थी। कमिशन ने इस चीज का नहीं माना है। कमिशन में जो लोग थे, अधिकारी इत्यादि वे उन्होंने सब चीजों को देख कर ही इसके बारे में जो रिकॉमंडेशन करनी थी, की होगी। उन की रिकॉमंडेशन से दूर हट कर कोई इस तरह की चीज रखना उचित नहीं है। इस पर कोई डिबीजन नहीं होना चाहिये। जब गवर्नमेंट का यह एतान हो समाजवादी ढांचे में वे मजदूर वर्ग को अधिक से अधिक लाभ पहुंचाना चाहते हैं तो इनको उसे मान लेना चाहिये।

**श्री हुस्न खान कल्लाय :** हाउस में गण-पूति नहीं है।

**Mr. Deputy-Speaker:** The bell is being rung... Now there is quorum. Shri Alvares.

**Shri Alvares:** Mr. Deputy-Speaker Sir, traditionally the Labour Minister always fights for the rights of labour against the other employers. But the Bonus Bill here demonstrated how it can happen otherwise. Repeatedly it has been pointed out that the Labour Minister has gone beyond the recommendations of the Bonus Commission and in many instances he has himself initiated a reduction in the quantum of bonus.

The development rebate is one case in point. My colleagues have argued it very forcefully, particularly Shri Daji in his very graphic manner. But there is one point that I would like to mention here which, I am sure, Shri Dandekar will find it to his advantage. The development rebate is a voluntary rebate. Under the Income-tax Act it is not necessary to claim the rebate always. Develop-

ment rebate is claimed only when necessary for the replacement of certain machinery parts, and for which there are certain provisions. Therefore, it may or may not be claimed. Development rebate in this case will now become compulsory. It will be to their benefit to claim it, because it will be a method by which to deprive the workers of their legitimate share of bonus. By claiming development rebate varying from 20 to 35 per cent, the employers will be able to reduce the quantum of allocatable surplus and thereby reduce the total amount of bonus payable to their employees. No employer will be so silly as not to claim this development rebate. Therefore, I would like to place before the House the contradiction between the provisions of the Income-tax Act and the provisions in this Bonus Act; whereas in the other Act it is voluntary, here it is an invitation to be compulsory. Therefore, I do charge this Government, as several other members have done, of having deliberately gone out of their way to bring in certain provisions in order to reduce the quantum of bonus, rather than make it more liberal.

**Shri D. Sanjivayya:** There are only two provisions, one relating to rehabilitation allowance and another relating to development rebate. In fact, according to the LAT formula provision was made to deduct the rehabilitation charges and the one difficulty which was faced by the Government as well as the workers or employees in implementing that was the calculations involved in finding out what the rehabilitation charges would be. Therefore, having taken into consideration the difficulties involved in calculating the rehabilitation charges, we have taken a decision that it may be more advisable to make allowance for development, rebate, rather than for rehabilitation. In fact, one of the points made by the hon. Member, Shri Dandekar, in his minute of dissent was that allowance for rehabilitation should be made. Ultimately, Government have taken

[Shri D. Sanjivayya]

this decision. Then, with regard to the point relating to new industries, as he himself pointed out, clause 16 of the Bill takes care of it.

Regarding the other point about tax concession obtained on bonus paid, we have considered that point also. Having given so much of concession for improving the industries, we thought that this may not be allowed for the management. Therefore, I am not in

a position to accept any of these amendments.

**Mr. Deputy-Speaker:** I will now put this amendment to the vote of the House. The question is:

Page 6,—

omit lines 31 to 33. (15).

The Lok Sabha divided:

### Division No. 18]

Alvaras, Shri  
Banerjee, Shri S.M.  
Daji, Shri  
Dwivedy, Shri Surendranath  
Gupta, Shri Indrajit  
Gupta Shri Kashi Ram

### AYES

Gupta, Shri Priya  
Kachhavaia, Shri Hukam Chand  
Kamath, Shri Hari Vishnu  
Kar, Shri Prabhat  
Mishra, Dr. U.  
Mohan Swarup, Shri  
Mukerjee, Shri H. N.

[15.20 hrs.

Murmu, Shri Sarkar  
Sen, Dr. Ranen  
Seshiyen, Shri  
Verma, Shri S.L.  
Vimla Devi, Shrimati  
Warior, Shri  
Yajn ik, Shri

### NOES

Abdul Wahid, Shri T.  
Aney, Dr. M.S.  
Bal Krishna Singh, Shri  
Balmiki, Shri  
Berman, Shri P.C.  
Besra, Shri  
Borooah, Shri P.C.  
Brajeshwar Prasad, Shri  
Chakraverti, Shri P.R.  
Chandrabhan Singh, Shri  
Chaudhuri, Shrimati Kamala  
Chuni Lal, Shri  
Das, Shri B.K.  
Das, Shri Sudhansu  
Deshmukh, Shri B.D.  
Dighe, Shri  
Dixit, Shri G.N.  
Doria, Shri Kasinatha  
Dwivedi, Shri M.L.  
Ganga Devi, Shrimati  
Ghosh, Shri N.R.  
Goudh, Shri  
Haq, Shri M.M.  
Jamir, Shri S.G.  
Jamunadevi, Shrimati  
Jyotishi, Shri J.P.

Kayal Shri P.N.  
Kedaria, Shri C.M.  
Maleichami, Shri  
Maniyangaden, Shri  
Maruthiah, Shri  
Mehrotra, Shri Baji Bihari  
Melkote, Dr.  
Minimata, Shrimati  
Mishra, Shri Bibhuti  
Mishra, Shri Shyam Dhar  
Mohanty, Shri Gokulananda  
Munzri, Shri David  
Muthiah, Shri  
Niranjan Lal, Shri  
Oza, Shri  
Patel, Shri P.R.  
Patel, Shri Rajeshwar  
Patil, Shri D.S.  
Patil, Shri S.K.  
Prabhakar, Shri Naval  
Ragunath Singh, Shri  
Rai, Shrimati Sahodra Bai  
Rajdeo Singh, Shri  
Ram Swarup, Shri  
Ramabekhar Prasad Singh, Shri  
Rane, Shri

Raut, Shri Bhola  
Reddy, Shri Linga  
Roy, Shri Bishwanath  
Saha, Dr.S.K.  
Samanta, Shri S.C.  
Satyabhama Devi, Shrimati  
Sen, Shri P.G.  
Sharma, Shri A. P.  
Shastri, Shri Ramanand  
Sheo Narain, Shri  
Siddananappa, Shri  
Sinha, Shrimati Ramdulari  
Subbaraman, Shri  
Suren dra Pal Singh, Shri  
Tiwary, Shri D.N.  
Tiwary, Shri K.N.  
Tyagi, Shri  
Upadhyay, Shri Shiva Dutt  
Varma, Shri Ravindra  
Veerasasappa, Shri  
Virbhadra Singh, Shri  
Vyas, Shri Radhelal  
Yadav, Shri N.P.  
Yadav, Shri Ram Harkh  
Yadav, Shri B.P.

**Mr. Deputy-Speaker:** The result of the Division is: Ayes 20; Noes 77.

The motion was negatived.

**Mr. Deputy-Speaker:** Shri Dandekar wants to withdraw his amendment, No. 152.

Amendment No. 152 was, by leave, withdrawn.

**Mr. Deputy-Speaker:** I shall now put amendments Nos. 153 and 213 to the vote of the House.

Amendments No. 153 and 213 were put and negatived.

**Mr. Deputy-Speaker:** The question is:

"That clause 6 stand part of the Bill"

The Lok Sabha divided:

**The Deputy Minister in the Ministry of Irrigation and Power (Shri Shyam Dhar Misra):** I am for "Ayes".

**Shri N. R. Ghosh (Jalpaiguri):** I am also for "Ayes".

**Mr. Deputy-Speaker:** It will be recorded.

**Division No. 19]**

**AYES**

**15.23 hrs.**

Abdul Wahid, Shri T.  
Bel Krishna Singh, Shri  
Balmiki, Shri  
Berman, Shri P.C.  
Beera, Shri ..  
Boroach, Shri P.C.  
Brajeswar Prasad, Shri  
Chandrabhan Singh, Shri  
Chaudhry, Chandramani Lal  
Chaudhuri, Shrimati Kamala  
Chuni Lal, Shri  
Das, Shri B.K.  
Das, Shri Sudhanu  
Deshmukh, Shri B.D.  
Dighe, Shri  
Dixit, Shri G.N.  
Dorai, Shri Kasinatha  
Dwivedi, Shri M.L.  
Ganga Devi, Shrimati  
Gowdh, Shri  
Haq, Shri M.M.  
Jamir, Shri S.G.  
Jamundavei, Shrimati  
Jyotishi, Shri J.P.  
Kayal, Shri P.N.

Kedaria, Shri C.M.  
Malschiambi, Shri  
Maniyangaden, Shri  
Maruthiah, Shri  
Mehrotra, Shri Braj Bihari  
Melkote, Dr.  
Minimata, Shrimati  
Mishra, Shri Bibhuti  
Mohan Swarup, Shri  
Mohanty, Shri Gokulananda  
Munzmi, Shri David  
Muthiah, Shri  
Niranjan Lal, Shri  
Oza, Shri  
Patel, Shri Chhoubhai  
Patel, Shri P.R.  
Patel, Shri Rajeshwar  
Patil, Shri D.S.  
Prabhakar, Shri Naval  
Ragunath Singh, Shri  
Rai, Shrimati Sahodra Bai  
Rajdeo Singh, Shri  
Ram Swarup, Shri  
Rameshkar Prasad, Singh, Shri  
Rane, Shri

Raut, Shri Bhola  
Ray, Shrimati Renuka  
Reddy, Shri Linga  
Roy, Shri Bishwanath  
Saha, Dr. S.K.  
Samanta, Shri S.C.  
Satyabhama Devi, Shrimati  
Sen, Shri P.G.  
Sharma, Shri A.P.  
Shastri, Shri Ramanand  
Sheo Narsin, Shri  
Siddananiappa, Shri  
Sinha, Shrimati Ramdualri  
Subbaraman, Shri  
Surendra Pal Singh, Shri  
Tiwary, Shri K.N.  
Tyagi, Shri  
Upadhyaya, Shri Shiva Dutt  
Varma, Shri Ravindra  
Veeraswappa, Shri  
Virbhadra Singh, Shri  
Vyas, Shri Radhelal  
Yadav, Shri N.P.  
Yadav, Shri Ram Harkh  
Yadava, Shri B.P.

## NOES

Alvares, Shri  
Banerjee, Shri S.M.  
Dail, Shri  
Dandekar, Shri N.  
Dwivedy, Shri Surendranath  
Ghosh, Shri N.R.

Gupta, Shri Indrajit  
Gupta, Shri Priya  
Kachhavaia, Shri Hukam Chand  
Kamath, Shri Hari Vishnu  
Kar, Shri Prabhat  
Misra Dr. U  
Misra, Shri Shyam Dhar

Murmu, Shri Sarkar  
Sen, Dr. Ranen  
Sezhiyan, Shri  
Verma, Shri S.L.  
Vimla Devi, Shrimati  
Warior, Shri  
Yajnik, Shri

**Mr. Deputy-Speaker:** The result of the Division is: Ayes: 75; Noes: 19.

**Mr. Deputy-Speaker:** He is not here.

*The motion was adopted.*

*Clause 6 was added to the Bill.*

*Clause 7—(Calculation of direct tax payable by the employer)*

**Shri N. Dandekar:** I have got four amendments against my name. I am now moving amendment No. 214. I am moving only amendments Nos. 215, 154 and 155.

**Dr. Ranen Sen:** Shri Bade wanted to move his amendment.

**Dr. Ranen Sen:** He has just now gone out.

**Shri Kashi Ram Gupta:** I move my amendments Nos. 126 and 60.

श्री कश्मि राम गुप्ता : मैं संशोधन नम्बर 125, 127 और 128 मूव करता हूँ ।

**Mr. Deputy-Speaker:** All these amendments will be treated as moved.

**Shri N. Dandekar:** I beg to move:

(i) Page 7, lines 15 and 16,—

for "under section 84", substitute—

"under section 84 and 85".  
(215).

(ii) Page 7,—

after line 19, insert—

"(iv) any bonus paid or payable (including any provision for bonus in respect of any accounting year, whether under this Act or otherwise;". (154).

(iii) Page 7,—

after line 30, insert—

"(cc) where the employer is a firm and was last assessed to income-tax as an unregistered firm, the tax payable by such employer under the Income tax Act shall be calculated on that basis;

(ccc) where the employer is a firm and was last assessed to income-tax as a registered firm, the tax payable by such employer under the Income-tax Act shall be calculated as follows, namely:—

(i) the tax payable by the firm as such, plus.

(ii) the aggregate tax payable by the partners of the firm on the basis that the income derived by each of them from the firm is his only income";.  
(155).

**Shri Kashi Ram Gupta:** I beg to move:

Page 7, line 30,—

add at the end—

"and the amount calculable on such income shall be in proportion to the amount

of the tax payable on his total income from all sources". (126)

**Shri Kashi Ram Gupta:** I beg to move:

Page 7,—

after line 30, insert—

"(cc) where the employer is a registered firm, for purposes of deduction from gross profit, the tax on a partner's share of income shall be calculated, as if such income is his only income;". (60)

**Shri Hukam Chand Kachhavaia:** I beg to move:

(i) Page 7, lines 16 to 19,—

omit "or of any deduction to which he is entitled under sub-section (1) of section 101 of that Act, as in force immediately before the commencement of the Finance Act, 1965". (125)

(ii) Page 7,—

omit lines 31 to 35. (127).

(iii) Page 7, lines 36 and 37,—

omit "(other than development rebate or development allowance)". (128).

**Shri N. Dandekar:** Sir, as regards clause 7, my amendment No. 215 is a very simple one. It is to insert in paragraph (iii) of sub-clause (a) of clause 7 the words "under sections 84 and 85" of the Income-tax Act. At present it only says "section 84". Sections 84 and 85 go together in relation to the reliefs that are obtained under the Income-tax Act, namely, the exemption from tax on profits of new enterprises. Section 84 is concerned with exemption from income-tax and section 85 is concerned with exemption from super tax. The purpose of this sub-clause is that in calculating such tax no account shall be taken of these reliefs. I suggest that sections 84 and 85 ought both to be mentioned.

Coming to amendment No. 154, I would like to begin by saying that I am amazed at the Minister's going back on the statement that was solemnly made in this House, where in it was stated that the Government had accepted the Bonus Commission's Report subject only to the modifications which they then stated and subject to a further modification which was later stated, namely, maintaining the basis of the old schemes. But now just as a side remark, the Minister tells me here that he is rejecting the recommendation of the Bonus Commission that bonus itself is not to be deducted as a charge before computing profits. I am horrified and I do charge him of deliberately breaking an assurance that was given and on the basis of which the whole of the approach that I have been adopting to this Bill was based. I think it ill becomes the Government to come along as if by way of a side issue, and say at this stage that they have thrown overboard the one essential foundation on the basis of which the allocable surplus was recommended by the Bonus Commission to be fixed at 60 per cent. That was a unanimous recommendation of the Bonus Commission; it was not a recommendation on which anyone differed. The specific reason that weighed with us in fixing the allocable surplus so high as 60 per cent of the available surplus was that in computing tax, bonus itself would not be a deductible item. I endeavoured to get that clarified by the amendment that I had suggested to clause 6 upon which the Minister, quite blandly said that he had rejected that recommendation of the Bonus Commission. It is an astonishing way of going back upon a solemn assurance that had been given. I have now this other amendment; and I do hope and trust he will think a second time. My amendment (No. 154) is to suggest the insertion of item (iv) in sub-clause (a) of clause 7 so that—

"in calculating such tax no account shall be taken of—any

bonus paid or payable in respect of any accounting year, whether under this Act or otherwise".

The only farther point that I would like to add is that it is precisely because this was the intention that, in computing gross profit under the First Schedule and the Second Schedule, bonus itself was put down by the Bonus Commission as an item to be added back. There is otherwise no justification whatever in the First Schedule—the item in question is item 2(a),—to be added back, nor in the Second Schedule—item (2) (a)—to be added back. These are added back for the precise reason that both for the purpose of computing gross profit, as well as for computing tax bonus itself should not be a deductible item. And so, I am horrified that the Minister is going back on this. I really thought that there was some matter of good faith about this. I never use language of this kind ordinarily but I am shaken by the *malafides*. That the unanimous recommendation of the Commission which they accepted which is the very foundation of the structure of its Report, the basis of the structure for computing gross profits and for recommending a particular proportion of the available surplus as allocable surplus,—is just blandly brushed aside here in connection with an amendment to this Bill, is plainly a matter of bad faith. That is all I would like to say; otherwise, I am liable to lose my temper.

Going on to my amendment No. 155, this is merely to clarify the mode of computing tax in two cases which have not been clarified in clause 7. Clause 7 has dealt with how the tax is to be computed in every other type of case:—if it is a company, at the rate applicable to that employer; if it is a religious or charitable institution, then at certain rates; if it is an individual or a Hindu undivided family, then at the appropriate rate. The two omissions, which my amendment (No. 155) seeks to make good, are: firstly, that where the employer is a firm and was last assessed to in-

[Shri N. Dandekar]

come-tax as an unregistered firm, the tax payable by such employer under the Income-tax Act shall be calculated on that basis; and, secondly, that where the employer is a firm and was last assessed to income-tax as a registered firm, the tax payable such employer under the Income-tax Act shall be calculated as follows, namely, tax payable by the firm as such, plus the aggregate tax payable by the partners on the basis that the income derived by each of them from the firm was their only income. This is on the lines of the various specific clarifications that are contained in the Bill in relation to other specific categories of employers. These two seem to be inadvertently omitted.

I have nothing else to add.

**Shri Kashi Ram Gupta:** Mr. Deputy-Speaker, Sir, my amendments are more or less on the same lines. One is that at the end of part (c) we should add:—

"and the amount calculable on such income is his only income;"  
tion to the amount of the tax payable on his total income from all sources;"

If this is not added, there will be difficulty in calculating the tax and unless and until it is there, it will lead to confusion. Therefore, to avoid that and to avoid going to the courts, we must clarify the same. This is for a clarification purpose.

Another amendment is about adding sub-clause (cc) which is like this:

"Where the employer is a registered firm, for purposes of deduction from gross profit, the tax on a partner's share of income shall be calculated, as if such income is his only income;"

There is no provision as to how the partners of the registered firms will have to be taxed. Such a provision is very necessary. When there is a provision for a Hindu undivided

family or for an individual, there should be a provision for registered firms and their partners. Otherwise, there will be confusion and litigation.

With these observations, I would request the Minister to accept both the amendments of mine from the practical point of view and I hope he will accept them.

**Shri D. Sanjivayya:** The concessions contemplated under Section 85 of the Income-Tax Act are quite different from those contemplated under Section 84 and the Bonus Commission's recommendation does not contemplate the concessions under Section 85 of the Income-Tax Act. Therefore, we have not included that here. So, I am not in a position to accept that amendment.

With regard to other amendments I only say that we have been trying to implement the recommendations of the Bonus Commission which we have accepted. Therefore, I am not in a position to accept the amendments.

**Mr. Deputy-Speaker:** Any particular Amendments to be put separately?

**Shri Kashi Ram Gupta:** I could not follow as to what the Minister said.

**Mr. Deputy-Speaker:** They have been trying to implement the recommendation of the Bonus Commission and, therefore, he is not in a position to accept the amendment.

**Shri Kashi Ram Gupta:** That is not a part of their recommendation at all. About the registered firms, there is nothing mentioned.

**Mr. Deputy-Speaker:** Any particular Amendments to be put separately?

**Shri Kashi Ram Gupta:** Amendment No. 60.

*Amendment No. 60 was put and negatived.*



**Shri N. Dandekar:** I want Amendments Nos. 154 and 155 to be put separately.

**Mr. Deputy-Speaker:** All right, I shall put them separately to the vote of the House.

*Amendments Nos. 154 and 155 were put and negatived.*

**Mr. Deputy-Speaker:** Now, I shall put Amendments No. 125, 126, 127, 128 and 215 to the vote of the House.

*Amendments Nos. 125 to 128 and 215 were put and negatived.*

**Mr. Deputy-Speaker:** The question is:

"That clause 7 stand part of the Bill".

*The motion was adopted.*

*Clause 7 was added to the Bill.*

**Clause 8.—(Eligibility for bonus)**

**Mr. Deputy-Speaker:** There are two amendments. Are they being moved? No. So, I shall put it to the vote of the House.

The question is:

"That clause 8 stand part of the Bill".

*The motion was adopted.*

*Clause 8 was added to the Bill.*

**Dr. Ranen Sen:** I beg to move:  
Page 8,—

omit lines 11 and 12. (61).

**Shri Bade:** I beg to move:

Page 8,—

after line 14, insert—

"and he is convicted by the court or by the competent legal authority on the above charges."  
(129).

**Dr. Ranen Sen:** Sir, my Amendment No. 61 seeks to delete sub-clause

(b) of clause 9 which gives a very wide power to the employer. What the position is that even under the Standing Orders, the rules framed thereunder do not contain such a wide power. But here it is stated that an employee shall be disqualified from receiving bonus if he is dismissed from service for "riotous or violent behaviour while on the premises of the establishment;". It is quite well known that there are several instances which have been recorded in the courts, both in the industrial court and outside, that flimsy charges like riotous or violent behaviour are alleged against certain sections of the workers and they are thrown out of employment. This clause gives such wide powers to the employers as a result of which quite a large number of employees will be debarred from getting any bonus.

Sir, suppose at the end of the accounting year, some bonus accrues to an employee. Now, if he is dismissed or any action is taken against him for so-called riotous or violent behaviour, he is not only thrown out of the job but he also loses the bonus which he had already earned. This will be a great injustice to him on two counts. Firstly, he will be thrown out of employment on flimsy grounds and, secondly, he will be deprived of whatever he has already earned by his own labour and what is contained in other provisions of the Act. Therefore, I have moved for the deletion of this sub-clause (b) of clause 9. In all fairness, the Labour Minister should look into it and he should not give such wide powers to the employers because the employers often misuse such powers and the workers are victimised.

**Shri Bade:** Sir, I agree with my hon. friend who preceded me that sometimes the workers are thrown out of employment and dismissed on flimsy grounds and then they are deprived of their bonus also. I have seen that whenever there is a fight between two unions, the INTUC and the other union, what they do is that they put something in the bag of the

[Shri Bade]

worker and then say that he has committed a theft. On such flimsy grounds, he is discharged or dismissed or suspended and he is deprived of the bonus also. Therefore, I have moved my amendment which is a simple one to the effect that:

"and he is convicted by the court or by the competent legal authority on the above charges."

If he is dismissed from service for fraud or he is accused of riotous or violent behaviour while on the premises of the establishment or he is accused of theft, etc., he should be convicted by the court or by the competent legal authority on these charges.

Now, there is a mention of theft. But the question is: Theft of how much money? Under the Criminal Procedure Code, they have made the theft of Rs. 250 as a compoundable offence, that is, it is not a serious offence. If it is more than that, then only the First Class Magistrate has the right to try that case. So, my submission is that at least for the sake of the worker this should be accepted. I know it is a cry in the wilderness. But even then I want to request the Labour Minister that for the sake of the worker at least it should be accepted that he is to be convicted by the court or by the competent legal authority for all these charges.

**Shri S. M. Banerjee:** Mr. Deputy-Speaker, Sir, I support the Amendment of Dr. Ranen Sen. The reason for dismissing an employee on account of his riotous or violent behaviour on the premises of the establishment is a flimsy one. I must submit that no employer pays bonus willingly. I know of Kanpur, the city of poverty and plenty, where we have to stage demonstrations to get even an assurance for the payment of bonus. I know that in a factory called Lal Imli a worker committed suicide. He went on the top of the roof and said, "Either you declare bonus or I will

commit suicide" and he committed suicide—that happened in 1958—and the net result of that was that there was a lathi-charge and about 200 workers were thrown out of service on this particular charge of riotous behaviour. After all, if the employer does not want to pay bonus, the workers have to stage demonstration. Where should they demonstrate? Here, in Delhi, there is the Parliament and people demonstrate outside the Parliament. If there is a Legislative Assembly in a particular place, they demonstrate outside the Assembly. But in a place like Kanpur or Gorakhpur or any other such place where there is no Legislature or any other agency, generally, they demonstrate inside the premises calling out the General Manager to come out and declare that he will pay the bonus—that is what we call *dharma*. They just ask the Manager to come out and declare that he will pay the bonus. This is exactly what is happening everywhere. Under this clause, as it is, I am sure half of the workers will be discharged on this ground of riotous or violent behaviour depriving them of the bonus that they had already earned.

I request the Hon. Minister to accept this amendment. Secondly I agree with Mr. Bade in regard to 'theft' also. Especially in the textile mills, some cotton wastage or a piece of brass is kept by the worker in his pocket and the security people arrest him. These security people are generally retired policemen or those who have notorious career. I would request the Hon. Minister to consider this amendment and accept it.

**Shri D. Sanjivayya:** This clause is in accordance with a unanimous recommendation of the Bonus Commission and even the workers' representatives—one from the INTUC and the other from the AITUC—have agreed to this. We have not changed even a comma in this.

**Shri S. M. Banerjee:** Put a proviso . . .

**Shri Bade:** That "and he is convicted by a legal authority".

**Mr. Deputy-Speaker:** I shall now put amendment No. 61 to the vote of the House.

*Amendment No. 61 was put and negatived.*

**Mr. Deputy-Speaker:** I shall now put amendment No. 129 to the vote of the House.

*Amendment No. 129 was put and negatived.*

**Mr. Deputy-Speaker:** The question is:

"That clause 9 stand part of the Bill".

*The motion was adopted*

*Clause 9 was added to the Bill.*

**Clause 10.—** (*Payment of Minimum Bonus*).

**Shri D. Sanjivayya:** I beg to move:

(i) Page 8—

for lines 15 and 16, substitute—

"Subject to the provisions of sections 8 and 13, every employer shall be bound to pay to every employee in an". (140).

(ii) Page 8, line 18—

for "of the employee for the accounting year" substitute—

"earned by the employee during the accounting year". (209).

**Shri N. R. Ghosh (Jalpaiguri):** I beg to move:

Page 8,—

after line 24, insert—

"Provided further that in the case of plantation industry the minimum bonus shall be two per cent of the salary or

wage of the employee for the accounting year". (63).

**Mr. Deputy-Speaker:** The amendments and the clause are now before the House for discussion.

**Shri N. R. Ghosh:** My first grievance is that, in the case of plantation industry, the Labour Ministry, which was responsible for this Commission, has shown want of an objective outlook. If you look at the impact of this minimum bonus vis-a-vis textile industry, you will find that there is a striking difference. In the textile industry, the minimum bonus of 4 per cent and the alternative bonus of Rs. 40 did not touch them at all because they were already paying Rs. 40 and more. Then the Government came out and safeguarded the bonus which was already being given to labour. But so far as the plantation industry is concerned, actually Rs. 40 would make 7 per cent and not 4 per cent and even Mr. Dandekar, who gave a note of dissension, could not recommend more than 2 per cent as floor bonus. As a matter of fact, the whole history of plantation industry was lost sight of by the Bonus Commission. First of all, the plantation industry is an agricultural industry and it has to depend on international market. It asks us all on a sudden to pay even four times more than we were asked to pay, four times more than the textile industry, even more than that. It will vitally affect export promotion. The Commerce Minister has openly said so.

We know that workers must be paid fairly, but the industry must also be saved; otherwise, the workers also will suffer. Undoubtedly workers cannot be saved if the industry cannot be saved, if the interest of country be seriously jeopardised, we are already losing our hold on the biggest market—the London Market. By constant rise of wages we can no larger compete with other

[Shri N. R. Ghosh]

countries. That is the thing which I want the Labour Minister to consider. Why after all in the case of these two industries, the impact of the Bonus Commission is so different? Why they were tagged together? I ask the Labour Minister to consider that, if actually it comes to this that about 70 per cent of the units are not in a position to pay this bonus of Rs. 40, will he prefer to have the closing down of the gardens or to have some sort of arrangement with the workers? As a matter of fact, the I.T.P.A. the I.T.A. and the Upasi of the South—we met the Prime Minister. There was a deputation and the Labour Ministry had also sent its representative. There was an intercession by the Prime Minister. As a result, there was a compromise talk. There were the Labour leaders and the representatives of the Unions, there—among whom there were MLAs, MLCs all tough people. They had personal knowledge about the poorer units. They did not certainly require protection from the Labour Minister. Then the Labour Minister came out with an amendment which he is going to move that, if there be any different agreement between the workers and the employers, affecting the floor bonus of 4 per cent and that the alternative minimum bonus of Rs. 40, the agreement would be null and void.

I would respectfully ask the Labour Minister to consider that, if the country's interests are to be taken into consideration and if our foreign exchange is to be saved, of 70 per cent of the poorer units of the Tea Industry are to be saved then at least this much portion by which the closure of all these poorer gardens could be avoided, may be deleted. If he at least confines himself to only 4 per cent, that also leaves some room for many gardens not being closed.

**Shri D. Sanjivayya:** The Hon. Member is referring to the minimum

bonus, namely, clause 10, and probably he has not cared to look into clause 34(3). According to clause 34(3), employers and employees are free to enter into any agreement with regard to bonus. But I have given notice of an amendment which goes to say that, in such an agreement, they cannot contract out of this minimum of 4 per cent or Rs. 40 whichever is higher. Therefore, I do not think it is right to allow employers and employees, especially the poor workers to contract out of this minimum bonus. Every worker should get at least this minimum bonus. This provision—the amendment that I have proposed to 34(3),—is not new. It exists in the Minimum Wages Act, in the Payment of Wages Act, in the Workmen's Compensation Act and in various other Acts. Wherever the workers are entitled to some sort of a minimum benefit, the workers are not free to enter into an agreement with the employer to contract to forego the minimum facility or advantage given to them. Therefore....  
(Interruptions).

**An hon. Member:** Does the Labour Minister expect that any employer will pay more than the minimum?

**Shri D. Sanjivayya:** I hope many will give. One hon. Member was reading out the balance sheets from various companies and was also trying to tell us what the allocable surplus would be according to the modified formula. I would gather from that that about Rs. 10 to 15 lakhs would be available for the workers. Therefore, it is not as though many will not pay more than the minimum. Quite a large number of establishments will have to pay more than the minimum and probably they will have to pay the maximum 20 per cent bonus also. So far as my amendments are concerned, they are very simple and they are only of a clarificatory nature. Therefore, I commend them for the acceptance of the House.

**Mr. Deputy-Speaker:** The question is:

(i) Page 8, for lines 15 and 16, substitute:

"Subject to the provisions of sections 8 and 13, every employer shall be bound to pay to every employee in an". (140).

(ii) Page 8, line 18, for 'of the employee for the accounting year', substitute 'earned by the employee during the accounting year'. (209).

*The motion was adopted.*

**Mr. Deputy-Speaker:** Is Shri N. R. Ghosh pressing his amendment, namely amendment No. 63?

**Shri N. R. Ghosh:** Yes.

**Mr. Deputy-Speaker:** I shall now put amendment No. 63 to vote.

*Amendment No. 63 was put and negatived.*

**Mr. Deputy-Speaker:** I shall now put clause 10 as amended to vote. The question is:

"That clause 10, as amended, stand part of the Bill".

*The motion was adopted.*

*Clause 10, as amended, was added to the Bill.*

**Clause 11—** (*Payment of maximum bonus*)

**Shri D. Sanjivayya:** I beg to move:

(i) Page 8, lines 28 and 29, omit 'who has worked in the establishment for all the working days'. (14).

(ii) Page 8, line 31, for 'of the employee for the accounting year', substitute 'earned by the employee during the accounting year'. (210).

**Shri Kashi Ram Gupta:** I beg to move:

Page 8, after line 32, insert—

"(1A) In case of establishments, whose capital investment does not

exceed rupees one lakh such maximum bonus shall be ten per cent of the salary or wage of an employee." (65).

**Shri Bade:** I beg to move:

Page 8, lines 31 and 32, omit 'subject to a maximum of twenty per cent of such salary or wage'. (130).

**Mr. Deputy-Speaker:** These amendments and the clause are now before the House.

**Shri Kashi Ram Gupta:** I am moving my amendment with a bit of hesitation because my friends the labour leaders may misunderstand me. My amendment is to the effect that in the case of certain small-scale industries whose capital investment is below one lakh of rupees, the maximum should be ten per cent. Just now, I heard my hon. friend Shri Alvares saying that these people were not expected to pay more than the minimum. But in small-scale industries, the fact is that 95 per cent of the industries in this sector is such that their labourers can never expect to get more than 10 per cent by way of bonus according to the formula. When the labourers know that they may not get beyond that percentage, I do not see why this maximum should be put in as 20 per cent. Therefore, on practical grounds and in the light of experience, I have brought forward this amendment. If the hon. Minister and the labour leaders think otherwise and they think that these labourers can also get up to 20 per cent maximum, then I have nothing more to say about it.

15.54 hrs.

[MR. SPEAKER in the Chair]

But in the light of my experience, I would say that these workers should not be yoked to the workers in the bigger industries. Otherwise, there will be practical difficulties and also administrative difficulties. In view of this, it is better to put in a lower maximum for these people. Of course, the other viewpoint also may

[Shri Kashi Ram Gupta]

be there and some people may think that the time may come when the small-scale industries also may be able to give the maximum bonus to a large section of the labour engaged therein. If that be so, let that maximum be given. But we can consider that matter at that time. So, I move my amendment, and I hope that it will be given consideration by the hon. Minister.

**Shri Bade:** My amendment is amendment No. 130. I have moved this amendment because when I compare this clause with clause 34, I find that they appear to be contradictory. But just now, the hon. Minister has given a new interpretation and declared that the agreement between the parties will be carried out and there will be no hitch in interpreting this clause. If the interpretation of clause 34 which he has given is correct according to him, then he should accept this amendment, and the maximum of 20 per cent should not be there; otherwise, clause 34 should be amended suitably. Therefore, I have moved this amendment.

**Dr. Ranen Sen:** I beg to move my amendment No. 64.

**Mr. Speaker:** I think that that has not been moved.

**Dr. Ranen Sen:** I wanted to move it, but meanwhile Shri Kashi Ram Gupta had got up and started speaking.

**Shri Kashi Ram Gupta:** I started speaking because the Deputy-Speaker had called upon me to speak.

**Dr. Ranen Sen:** I beg to move:

Page 8, line 32, for 'twenty' substitute 'twenty-five'. (64)

By means of the proposed amendment, Government want to put a ceiling of 20 per cent. I want that instead of 20 per cent it should be 25 per cent. One argument that I would like to advance in this connection is this. According to the present bonus formula, the workers in the Bombay textile industry or all the textile workers in fact would be getting a lower amount

and they will be losing as a result of it. If the ceiling is raised to 25 per cent, then lakhs of workers employed in the textile industry of Bombay and perhaps some other places also will be able to get the bonus which they were getting before. Therefore, I would request the hon. Minister to look into this matter and accept this amendment.

**Mr. Speaker:** This amendment is also before the House.

**Shri D. Sanjivayya:** With regard to the point raised by Dr. Ranen Sen, it was represented on behalf of Government that the workers in Bombay and Ahmedabad would get less bonus. That is why clause 34 has come into being.

With regard to the amendment moved by Shri Kashi Ram Gupta, I would like to submit that we cannot make any exception in respect of the establishments which have invested only a capital of one lakh of rupees.

My hon. friend Shri Bade's amendment relates to the question of removing the restriction in regard to the maximum. We have accepted 4 per cent as the minimum and 20 per cent as the maximum. Therefore, if we delete the 20 per cent maximum, then we shall have to delete the 4 per cent minimum also. Therefore, I am not in a position to accept this amendment.

**Shri Bade:** It should be subject to the agreement.

**Shri D. Sanjivayya:** With regard to my amendment No. 141, the reference 'who has worked in the all the working days' has become superfluous, because when we think of percentages and percentage of the total earnings, the number of working days for which a worker works will not be of any avail. Therefore, I have moved this amendment.

**Mr. Speaker:** The question is:

(i) Page 8, lines 28 and 29, omit 'who has worked in the establishment for all the working days'. (141).

(ii) Page 8, line 31, for 'of the employee for the accounting year', substitute 'earned by the employee during the accounting year'. (210).

*The motion was adopted.*

**Mr. Speaker:** I shall now put amendments Nos. 64, 65 and 130 to vote.

Amendments Nos. 64, 65 and 130 were put and negatived.

**Mr. Speaker:** The question is:

"That clause 11, as amended, stand part of the Bill".

*The motion was adopted.*

Clause 11, as amended, was added to the Bill.

Clause 12 was added to the Bill.

Clause 13—(Proportionate reduction of bonus in certain cases)

**Mr. Speaker:** There is one Government amendment to this clause, namely amendment No. 142. Is it being moved?

**Shri D. Sanjivayya:** Yes.

**Mr. Speaker:** There is another amendment, namely No. 161 in the name of Shri N. Dandekar. The hon. Member is not here. So, that is not moved.

*Amendment made:*

Page 9, for lines 6 to 9 substitute—

Proportionate "13. Where an employee has not worked for all the working days in any accounting year, the minimum bonus of forty rupees, or, as the case may be, of twenty-five rupees, if such bonus is higher than four per cent of his salary or wage for the days he has worked in that accounting year shall be proportionately reduced." (142).

(Shri D. Sanjivayya).

**Mr. Speaker:** The question is:

"That clause 13, as amended, stand part of the Bill".

*The motion was adopted.*

Clause 13, as amended, was added to the Bill.

Clause 14—(Computation of number of working days).

**Shri D. Sanjivayya:** I beg to move:

(i) Page 9, for lines 10 to 12, substitute:

"For the purposes of section 13, an employee shall be deemed to have worked in an establishment in any accounting year also on the days on which". (143).

(ii) Page 9, line 23, omit 'shall be included'. (144).

**Shri Indrajit Gupta** (Calcutta South West): I beg to move:

(i) Page 9, for lines 13 to 16, substitute—

"(a) he has been laid off whether with or without compensation;" (18).

(ii) Page 9, for line 17, substitute:

"(b) he has been on authorised leave with or without wages or salary;" (20).

(iii) Page 9, after line 22, insert—

"(c) he has been locked out; and

(f) he has been on strike which has not been declared illegal by any authority competent to do so". (21).

(iv) Page 9, line 23, add at the end—

"and the employee shall be deemed to have earned on each

[Shri Indrajit Gupta]

such day the average of his daily wage in the immediately preceding month". (22).

16 hrs.

**Shri Alvares:** I beg to move:

Page 9,—

after line 22, insert—

"(c) he has been on sick leave with or without salary or wages;

(f) he has been laid off without any compensation;

(g) he has been locked out by authority;

(h) he has been on strike which has not been declared illegal;" (267).

**Shri D. S. Patil:** I beg to move:

(i) Page 9, line 18,—

after "to" insert "sickness". (266).

**Shri Bade:** I beg to move:

(ii) Page 9, line 17,—

omit "with salary or wage". (131).

(iii) Page 9,—

after line 22, insert—

"(e) he has been locked out or on strike not declared illegal,". (132).

**Shri Indrajit Gupta:** In moving these amendments to this clause which deals with the method of computing the number of working days to qualify for bonus, in the Bill as it stands, there are some very serious lapses and the result of these may be that a large number of workers, for no fault of their own, would be deprived of the bonus to which they are entitled.

For example, my first amendment relates to sub-clause (a), where it is said that the days on which a worker is laid off under an agreement or

under standing orders or under the Industrial Disputes Act or under any other law—such days of lay off will be counted as working days. My amendment is to the effect that this should be substituted by a much simpler and much more comprehensive provision, that is to say, the days on which he has been laid off whether with or without compensation.

The Labour Minister should know very well that all cases of lay off may not necessarily be covered by an agreement or by the standing orders or by the Industrial Disputes Act, and even if they are, it is not clear in all cases whether they are entitled to compensation or not for these days of lay off. I would ask the Labour Minister to ponder over this question. Suppose there is a fire in a factory through an act of god, some earthquake, or breakdown in a boiler or something like that, for which the worker is not responsible, and for some time work is interrupted and he is laid off. There are many other cases which may not necessarily have been covered, unless the position has been examined very very carefully. Such instances may occur which are not covered specially by agreements. There are some cases of lay off where he is entitled to compensation for a part of the period of lay off, but not for the balance of it. Here we are trying to lay down in this Bill what are the cases in which the worker will be reckoned as having been at work, although he had been laid off. Therefore, we should make it comprehensive so that no loopholes are left and we should also ensure that even if he is not paid compensation where he has been laid off for no fault of his that should not be counted against him when it comes to computing the working days. Therefore, my first amendment No. 18 relates to this. I have suggested that it should be worded thus: 'he has been laid off whether with or without compensation'. That would cover all cases and leave no loophole for possible disputes. I think the



intention of Government is not to deprive the worker unnecessarily of his due, but the way it is formulated at the moment in sub-clause (a) may create some difficulties and leave certain instances out of its purview.

Coming to amendment No. 20, sub-clause (b) as drafted says: 'he has been on leave with salary or wage'. My amendment is to substitute it by 'he has been on authorised leave with or without wages or salary'. There can be no objection to this because the leave must be authorised leave, not unauthorised leave. Secondly, there are a large number of cases in many industries where under practices and conventions such leave is given and is authorised by the management but on the express understanding that he will not be paid wages for that period. In many industries, for example, the Labour Minister knows this position obtains. I can give one instance, the jute industry in Bengal, where a big number of workers come from other states and they regularly go back at certain times of the year to attend to their cultivation and so on. There is a convention which is accepted by the employers going on for years together.

**Shri Priya Gupta:** Unpaid holidays

**Shri Indrajit Gupta:** Unpaid holidays, but it is authorised, not unauthorised. Why should such cases not be covered? We are not pleading for unauthorised absence but for cases of authorised leave even if he is without salary, to be covered. Otherwise, injustice will be done to the workers.

By amendment No. 21, I am suggesting that the sub-clause added on to, that is, after sub-clause (d), add two other sub-clauses (e) and (f). The first is 'the days on which he has been locked out'. Suppose the management declares a lockout and the worker in the mill, for no fault of his own, or without being asked in the matter is locked out. For some

reason or other, the mill has been locked out. Why should that period be counted against the worker?

Connected with this is (f) where I say, 'he has been on strike which has not been declared illegal by any authority competent to do so'. If it is an illegal strike, declared illegal, that is a different matter. That can be counted absence from work. But I do not think in our country we have yet enacted any statute banning all strikes or making strikes illegal. Legal strikes, strikes with proper notice, and so on, are permissible in this country.

**Dr. M. S. Aney (Nagpur):** Do you want lockouts to be declared illegal?

**Shri Indrajit Gupta:** The point is that the lockout may be declared legal or illegal, but that is the action of the employer. The employer is not claiming bonus under this Act. I am concerned with the people who are to get bonus under this Act. If he is locked out, there may be a particular case where some court or other holds that the lockout was due to some action of the workers, as a result of which the employer had to declare a lockout. May be there may be such a case, but in such a case an exception will be made. But generally, in cases where workers are locked out by the employers it cannot be held against them as period of absence from work. Only in cases where a strike is declared illegal should it be excluded, but in cases where the strike is legal, why should it be deducted in computation of the working days? Otherwise, it means that every strike is considered to be automatically illegal. But that runs counter to the statute book in our country. There is no such ban; so far, there is no general illegalisation of strikes in our country. I do not know if such a thing is under contemplation, but at the moment it does not exist. In fact, there is a provision to the effect that strikes can be legally declared and carried out. In

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such cases, these days should not be counted as days of absence.

Finally, in the last sentence of cl. 14, I want to add after the words 'during the accounting year shall be included,' the words, 'and the employee shall be deemed to have earned on each such day the average of his daily wage in the immediately preceding month'. This is an obvious omission which I think perhaps the Ministry has overlooked. This will lead to a lot of confusion. Suppose these days are accepted and counted as working days, how will you compute the wage for those days? That should be provided for somewhere. This is provided for in other Acts also in connection with other circumstances. That should be added here and the employee shall be deemed to have earned on each such day, that is, the day of authorised leave or day of layoff or day when he was absent due to temporary disablement or when he was absent due to lockout or when he was absent due to a legal strike. How will it be computed? There I want to add that the employee shall be deemed to have earned on each such day the average of his daily wage in the immediately preceding month. This is a procedure which is followed in respect of so many other things like computing leave wages and so on.

**Shri Priya Gupta:** Gratuity.

**Shri Indrajit Gupta:** Gratuity, all these things. This is consistent with all other legislation which covers similar circumstances and that should be added here.

**Mr. Speaker:** Shri Bade.

**Shri Indrajit Gupta:** I want to say in the end that if these amendments are not accepted, it will have a very deleterious effect, and a large number of workers, whom I am sure the Labour Minister does not want to exclude from eligibility for bonus, will be indirectly affected.

For example, the first thing that the employers will do is to stop this practice of authorised leave without wages, they will not allow it. That may be curtailed, and they may penalise the workers on this ground. This will encourage lock-outs. On any pretence, there will be a lock-out, and as a result, the workers will lose their bonus. Therefore, I am sure that if the Ministry does not want such consequences to follow, which will only provoke further unrest, it is better from a practical and realistic point of view to plug these loopholes and accept these amendments.

**Shri Bade:** Amendment No. 131 wants omission of the words "with salary or wage", so that the clause would mean leave with or without salary. In Indore I have seen that in cloth mills there are all sort of workers. Some clerks in the departments and weaving and spinning are permanent and are given all the facilities which are given by the government departments, that is, earned leave, casual leave, leave without pay etc. In computing the number of working days, they will not be included. That will be an injustice to these workers who for the last so many years have been governed by the rules adopted by the Government.

By my amendment No. 132 I want that after line 22, the following should be inserted:

"(c) he has been locked out or on strike not declared illegal,".

My learned friend Shri Indrajit Gupta has already advanced arguments in favour of this amendment. The Minister does not budge even an inch, and he has not accepted even ordinary amendments, but I hope he will accept this amendment.

When the workers are on strike after giving notice, when the strike is legal, can the Government deprive them of wages and salaries? I think

this will create more dissatisfaction, and there will be more strikes in the mills if this Clause is adopted, if these days are not included in computing the number of days. Therefore, I commend my amendment to his acceptance.

**Shri Peter Alvares:** My Amendment No. 267 is similar to the one moved by Shri Indrajit Gupta: In Clause 14, for the purpose of computing the number of days, certain types of absences, it has been provided, should be taken as on duty, but they are incomplete. In my amendment, I have provided for four other contingencies.

It is common knowledge that in all industrial establishments, it is not merely leave with pay, but there are other types of leave, sick leave for instance, which I have mentioned specifically, which may be with or without pay, and is taken, to be on duty.

The same is the case with compensation when a person has been locked out for some reason when the industry cannot work. There have been instances of lock-outs, and I need not dilate upon it.

Lastly I have mentioned the case where a person has been on a legitimate strike.

Therefore, I would urge upon the Minister to accept this amendment providing for four extra contingencies for the purpose of computing the working days.

• श्री वे० शि० पाटिल: प्रमुख महोदय, मेरा संशोधन संख्या 266 है। खंड 14 में धारा 10, 11 और 13 के अन्तर्गत कम से कम और अधिकतम बोनस देने के लिए कर्मचारी ने जिन दिनों में काम किया है उसकी गणना करने का उल्लेख है। अगर दर्पणता या अशक्तता के कारण वह अनुपस्थित रहता है तो वे दिन गिने जाते हैं। मेरा सुझाव है कि अगर वह बीमार है तो वे दिन भी गिने जाने चाहिए। अभी यह व्यवस्था है कि अगर एक्सीडेंट के कारण वह अनुपस्थित है

तो वे दिन गिने जाएंगे पर यदि वह बीमारी के कारण अनुपस्थित है तो वे दिन नहीं गिने जाएंगे। इसलिए मेरा निवेदन है कि मेरे संशोधन को मंत्री महोदय को मानवता की दृष्टि से स्वीकार करना चाहिए। इसीलिए मैंने संशोधन दिया है कि पेज 9 पर लाइन 18 में शब्द टू के बाद सिकनेस शब्द इनसर्ट कर दिया जाए। मेरा निवेदन है कि बीमारी के दिन भी गिने जाने चाहिए।

मेरा दूसरा संशोधन है नम्बर 267। इसके क्लॉज 10 में कहा गया है :

(e) he has been on sick leave with or without salary or wages,

इसमें मेरा अपना एक संशोधन है कि 'वेजज' शब्द की जगह शब्द "वेज" कर दिया जाए।

खंड 14 के क्लॉज बी० में कहा गया है :

(b) He has been on leave with salary or wage;

अगर इस में सिक लीव भी शामिल है तो मेरे संशोधन की कोई आवश्यकता नहीं है। लेकिन मैं चाहता हूँ कि इसको साफ कर देना चाहिए जैसे कि आपने सब-क्लॉज डी० में साफ किया है। उस में कहा गया है :

(d) the employee has been on maternity leave with salary or wage;

इसी तरह से मैं चाहता हूँ कि बीमारी के बारे में भी साफ करना चाहिए। अगर सिक लीव के उसके दिन नहीं गिने जाएंगे तो उस को नुकसान होगा। इसलिए मेरा निवेदन है कि कर्मचारी के हित की दृष्टि से मेरे संशोधनों पर विचार किया जाए और मेरे संशोधनों को स्वीकार किया जाए।

**Shri D. Sanjivayya:** Sir, the first amendment relating to the question of lay off is referred to in the Industrial Disputes Act. It is clearly stated that lay off is with compensation. Therefore, the doubt expressed by

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my hon. friend Shri Indrajit Gupta need not be there; it is not well founded. With regard to leave, leave is always considered to be authorised leave. Moreover, the entire computation of the working days or the days on which the worker has worked will not have any significance so far as the maximum bonus or minimum bonus of 4 per cent is concerned; it will effect only those who get Rs. 40 minimum.

**Shri Indrajit Gupta:** So what?

**Shri D. Sanjivayya:** Because this 4 or 20 per cent will be relatable to the total annual earnings of the worker. So, it does not depend upon the number of days a worker has worked. The point which Mr. Gupta raised in the end seems to be very relevant but we have not considered that earlier. It needs consideration and at this stage I do not think I will be in a position to accept that without further examination.

**Shri Indrajit Gupta:** One question, Sir. Leave is always taken to mean as authorised leave. Does it always mean authorised leave with or without pay?

**Shri D. Sanjivayya:** That is why I said that the last point needs further consideration.

**Shri Indrajit Gupta:** That was not my last point.

**Mr. Speaker:** They would examine it; that is what he has said.

**Shri D. Sanjivayya:** When the worker should be deemed to have been on an average wage—that we have not examined.

**Mr. Speaker:** First, let me put amendment Nos. 143 and 144 to the vote of the House. These are Government amendments. The question is:

(i) Page 9, for lines 10 to 12,—  
substitute:

"For the purposes of section 13, an employee shall be deemed to

have worked in an establishment in any accounting year also on the days on which". (143).

(ii) Page 9, line 23, omit 'shall be included'. (144)

*The motion was adopted.*

**Mr. Speaker:** Now, may I put all the other amendments together?

**Some hon. Members:** Yes, Sir.

*Amendments Nos. 18, 20, 21, 22, 266, 267, 131 and 132 were then put and negatived.*

**Mr. Speaker:** Now, I shall put the clause to the vote.

**Shri Bade:** Sir, we are taking votes without quorum.

**Mr. Speaker:** All right. The bell is being rung—Now, there is quorum.

The question is:

"That clause 14, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 14, as amended, was added to the Bill.*

*Clause 15 was then added to the Bill.*

**Clause 16.**—(Special provisions with respect to certain establishments)

**Mr. Speaker:** Hon. Members who wish to move their amendments to this clause may do so now.

**Dr. Ranen Sen:** I beg to move:

Page 11, line 8,—

omit "new departments". (216)

**Shri Bade:** I beg to move:

(i) Page 10, line 17.—

omit "the sixth". (133).

(ii) Page 10, line 35,—

omit "and losses". (134).

**Dr. Ranen Sen:** Mr. Speaker, Sir, my amendment is a very short one

but a very important one. Clause 16(2) reads thus:

"The provisions of sub-section (1) shall, so far as may be, apply to new departments or undertakings or branches set up by existing establishments."

Clause 16(1) puts that limit of six years. Here, I do not understand why if a particular factory or an establishment sets up a new department, they should be put under a limitation of the six-year clause. Supposing a departmental store opens another department in the same premises, then the employees of that department will be debarred from getting their due bonus for six years, as the clause stands at present. We can understand a separate branch or a separate undertaking set up by the existing establishment. One can understand it, though I will not support that viewpoint, but even then, when a department is opened with 10, 15 or 20 workers, and why should the workers be debarred from the receipt of the bonus? Take, for example, an engineering industry. We have a knowledge of the engineering workshops. In many engineering workshops, there is no foundry department, but the engineering industry requires that a particular factory requires a foundry department; so a foundry department consisting of 50 workers is opened: where 2,000 workers work in the establishment or undertaking, only those 50 workers will be debarred from this benefit.

**Mr. Speaker:** Would it not be construed as 2.050?

**Dr. Ranen Sen:** It will not be construed like that. Because the clause says:

"The provisions of sub-section (1) shall, so far as may be, apply to new departments or undertakings or branches set up by the existing establishments".

This is quite absurd.

**Shri D. Sanjivayya:** Read the proviso.

**Dr. Ranen Sen:** That proviso also is hedged with so many provisos and is not clear. So, you simply omit the words 'new departments'. On the face of it it is absurd that 1000 workers will get bonus and only the 50 workers in the new department will not get it.

**Shri Bade:** In sub-clause (1) (b) it is said: "from the sixth accounting year....." etc. My objection is about six years. Why should a new set-up or new producer be exempted for six years? From where did he get the figure six? It is like *pancha varsha* or *pancha indriya* or *pancha anguli* or *prana*?

**Mr. Speaker:** Some period has to be fixed. If it is 5 or 7, still he will ask, why that figure?

**Shri Bade:** In other enactments, it is only 3 years. Have you got any criteria or statistics that for six years, the management cannot run on profits? Anyhow, if it is running on loss, there will be no bonus. Only the minimum will be there.

**Mr. Speaker:** But he should suggest some period. If he says indefinite period, Dr. Ranen Sen will not agree!

**Shri Bade:** Then, Explanation II (b) says:

"the arrears of such depreciation and losses incurred by him in respect of the establishment for the previous accounting years have been fully set off against his profits."

So far as losses are concerned, in most of the factories, though not in all, there are two sets of accounts. One is *Bahikhata Satta* and there is an up-to-date book for audit. They have got a double system of accounts and they always show losses. So, why should the losses be set off against profits? Why should the

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poor workers suffer because the management always manage to show losses? This should not be allowed.

**Shri D. Sanjivayya:** The recommendation of the bonus commission is that newly set-up industries should have bonus holiday for six years. If earlier than six years they begin to earn profits, they must pay bonus. So, we have accepted that recommendation and incorporated it in this clause.

With regard to Dr. Ranen Sen's objection, I invited his attention to the proviso. I again invite his attention to it.

**Shri Daji:** I have read the proviso. It will help only those establishments which have been paying bonus before May 1965. If the intention is that no people should be left out, there is one difficulty. Suppose an establishment has actually not been able to pay bonus before 1965. Therefore, the old department because it has not paid anything in 1965, will not qualify for payment in 1966 or in 1967 even though there is a profit, while the new departments will qualify.

**Shri D. Sanjivayya:** Suppose the establishment has been there in existence for six years. Automatically they have to pay bonus.

**Shri Daji:** Not in the new departments.

**Shri D. Sanjivayya:** With regard to the new departments, the proviso will apply.

**Shri Daji:** No, it will not, unless it is paid before six years.

**Mr. Speaker:** When it is a dispute about interpretation what can we do? Now I will put amendment Nos. 133 and 134 of Shri Bade and 216 of Dr. Ranen Sen to the vote of the House.

**Amendments Nos. 133, 134 and 216 were put and negatived.**

**Mr. Speaker:** The question is:

"That clause 16 stands part of the Bill."

*The motion was adopted.*

*Clause 16 was added to the Bill.*

*Clause 17.—Adjustment of customary or interim bonus against bonus payable under the Act.*

**Shri Bade:** I beg to move:

Page 11,—

*omit lines 24 and 25.*

The Bill says:

"Where in any accounting year—

(a) an employer has paid any puja bonus or other customary bonus to an employee;...." (136)

In some of the States there is a practice by which the factories give their employees or workers on Diwali or Ganesh Chaturthi day a present of Rs. 2 or 3, which is called inam. This section will hit that inam or puja gift.

**Mr. Speaker:** Would that be bonus?

**Shri Bade:** It is puja gift.

**Mr. Speaker:** That would be a different thing altogether.

**Shri Bade:** Then, what is meant by "puja bonus"?

**Dr. Ranen Sen:** It is very much prevalent in Bengal.

**Shri Bade:** In Madhya Pradesh there is no puja bonus. Because there is no definition, so I am moving my amendment.

**Shri D. Sanjivayya:** Puja bonus, as pointed out by some hon. Members, is well-known in Bengal. If it is puja inam, it would not be covered.

**Mr. Speaker:** I would now put amendment No. 136 to the vote of the House.

**Amendment No. 136 was put and negatived.**

**Mr. Speaker:** The question is:

"That clause 17 stand part of the Bill."

*The motion was adopted.*

*Clause 17 was added to the Bill.*

**Clause 18.**— (*Deduction of certain amounts from bonus payable under the Act*).

**Shri Bade:** I beg to move:

Page 11, lines 33 and 34,—

for "found guilty of misconduct", substitute—

"legally found guilty of gross misconduct by competent authority". (137)

The section reads:

"Where in any accounting year, an employee is found guilty of misconduct causing financial loss to the employer,...."

"found guilty of misconduct" is a dubious term, and the law sometimes is a big ass which gives a good kick

**Mr. Speaker:** The hon. Member has been long riding that ass.

**Shri Bade:** Yes, I have experience of courts. Even singing loudly in the house is termed misconduct. Suppose some person goes out and makes noise; it is misconduct. So, I wanted to change it to "legally found guilty of gross misconduct". Because, the employers are always interested in seeing that the workers are accused of some such misconduct. Therefore, in order that justice may be done to the workers, I have suggested the term "legally found guilty of gross misconduct by competent authority".

**Mr. Speaker:** "Legally" means by courts?

**Shri Bade:** Yes.

**Mr. Speaker:** So, whatever will be saved as bonus will be spent in courts.

**Shri Daji:** Sir, I beg to move:

Page 11, line 34,—

for "misconduct", substitute—

"an offence involving moral turpitude". (217)

It would serve the same purpose as Shri Bade's amendment but the reason given is slightly different. The word "misconduct" is a term well known in industrial disputes. This will create a further dispute. That is why I have moved my amendment.

Misconduct is well known. In every standing order there is a list of lapses which are called by the technical word "misconduct" and they include late attendance, rude behaviour, negligence, loitering, disobedience of a minor order. All that is misconduct. There are sometimes as much as 36 minor offences that are listed as misconduct and it could not be the intention to include all that in the word "misconduct". The difficulty will be created because the word "misconduct" will be interpreted *generis*. Standing orders being a labour Act, the word "misconduct" will cover all the 36 minor lapses for which the employee may not be dismissed or punished by the employer. Therefore I wish to substitute the words "an offence involving moral turpitude". I have taken these words from the Representation of the People Act. We do not even agree to the principle. But if a worker has already earned bonus and he commits theft two months after the year has ended, it is too much for a worker to be dismissed and given bonus. We can penalise those guilty of moral turpitude—*theft, mis-appropriation* etc. Misappropriation may not be discovered during the accounting year; it may be discovered later on. Therefore in cases involving moral turpitude, you can do it. But, suppose, his work is exemplary and because he is a leader of the trade union and he is dismissed on account of a strike four months after the year

[Shri Daji]

ending, do you mean to say that his right to bonus for the past year should be eliminated? If the word "misconduct" is there, it will be eliminated. Therefore I do urge upon the hon. Minister to consider this and accept my amendment; or if he says "misconduct involving moral turpitude" that will satisfy me.

**Shri D. Sanjivayya:** Sir, it is not a question of the dismissal of the workers. The question is that the worker is eligible for bonus but his bonus will be cut to the extent of the financial loss caused to the management on account of the misconduct of the worker.

**Shri Daji:** Suppose he is found guilty of negligence, who will work out the quantum of loss on account of his negligence? Or, suppose he has been late coming how to find out the loss to the employer because of his coming late? Then there will be litigation in the courts.

**Shri D. Sanjivayya:** Yes, if he disputes that.

**Mr. Speaker:** I shall put both the amendments Nos. 137 and 217 to the vote of the House.

**Shri S. M. Banerjee:** Sir, they should at least accept one amendment. After all, we have moved so many.

**Shri Bade:** We have worked very hard.

**Shri Daji:** He has not been able to appreciate our practical difficulties as trade union workers.

**Mr. Speaker:** I can express my appreciation for the hard work done by the Members.

*Amendments Nos. 137 and 217 were put and negatived.*

**Mr. Speaker:** The question is:

"That clause 18 stand part of the Bill."

*The motion was adopted.*

*Clause 13 was added to the Bill.*

**Clause 19.—** (Time-limit for payment of bonus).

**Shri D. Sanjivayya:** Sir, I beg to move:

Page 12,—

*for lines 4 and 5, substitute—*

"pending before any authority under section 22, within a month from the date on which the award becomes enforceable or the settlement comes into operation, in respect of such dispute;" (1)

**Shri Alvares:** Sir, I beg to move.

Page 12,—

*omit lines 8 to 13. (268)*

One of the objects of the Bonus Bill was to remove it from litigation which involves years on end and to provide a speedy solution for the various bonus disputes and claims that arise at the end of every accounting year. In clause 19 it has been provided that within a period of 8 months bonus must be paid. But under exceptional circumstances the Government have given a further period of two years for certain reasons during which the employers may not pay bonus but keep on delaying. If any employer applied to Government in order to extend the period during which he can pay bonus the Government is authorised to give him that facility. This defeats the very purpose of the Bonus Bill. It was to provide for a speedy settlement of all claims and if this period is extended from the 8 months' limit to up to a period of two years, the very purpose of the Bill will have been defeated. And certain amount of frustration will occur. I have, therefore, moved that, in order to keep this clause in keeping with the original purpose of the Bill, this proviso be deleted.

**Mr. Speaker:** The greater the number of laws that are passed, the



greater would be the litigation. They are always connected together.

**Shri Bade:** I beg to move:

Page 12, line 13,—

for "two years" substitute "one year". (138)

Sir, I move this amendment because the wording of the proviso is an ambiguous one. It says:

"Provided that the appropriate Government or such authority as the appropriate Government may specify in this behalf may, upon an application made to it by the employer and for sufficient reasons...."

Now, what are the sufficient reasons? That is a very dubious wording. The reasons are not given....

**Shri Daji:** Big donations.

**Shri Bade:** Yes, that may be one of the reasons. It further says:

"...by order, extend the said period of eight months to such further period or periods as it thinks fit...."

...that is, upto two years. As to what are the sufficient reasons, they are not given. The law should not be made so ambiguous. That will lead to more litigation. The period of two years is a very long one and I suggest that it should be one year. If the Minister makes it one year, that will not be a very important amendment and that will not hit his prestige also. From morning till evening, he has not accepted any amendment. If at least this amendment is accepted, I will be highly obliged to him.

**Dr. Meikote (Hyderabad):** Sir the Act already permits such awards in one month's time. I think this new clause does not want us to give more than one month's time. I personally feel that the wording should have been "from the date enforceable". I have not submitted any amendment. But since it is in keeping with the

idea of the Bill, I hope this amendment would be accepted.

**Shri D. Sanjivayya:** Under the Industrial Disputes Act, if a dispute is pending before a tribunal and if the tribunal gives the award, that award does not become enforceable immediately. The Government will have to examine and publish it within a month and so one month will go. Thirty days thereafter it becomes enforceable.

In regard to Shri Bade's suggestion that it should be one year instead of two years, we have examined this in very great detail. In respect of some of the establishments like plantations, etc., it is not possible to get even the balance-sheet after one year of the closing of the accounting year. Therefore, we thought that this power may be given to the Government. It will be sparingly used.

**Shri Bade:** Under the Companies Law, the balance-sheet is prepared within one year. I would request the hon. Minister that at least whenever he speaks, he should speak with some authority behind him.... (Interruption).

**Shri Daji:** It is ridiculous.

**Mr. Speaker:** I shall first put Government's Amendment No. 1 to the vote of the House.

The question is:

"Page 12,—

for lines 4 and 5, substitute—

"pending before any authority under section 22, within a month from the date on which the award becomes enforceable or the settlement comes into operation, in respect of such dispute;" (1)

The motion was adopted.

**Mr. Speaker:** Now, I shall put amendments No. 138 and 268 to the vote of the House.

Amendments Nos. 138 and 268 were put and negatived.

Mr. Speaker: The question is:

"That clause 19, as amended, stands part of the Bill."

The motion was adopted.

Clause 19, as amended, was added to the Bill.

Clause 20—(Application of Act to establishments in public sector in certain cases).

Shri Daji (Indore): I beg to move:

Page 12—

for clause 20, substitute—

"20. The provisions of this Act shall be applicable to all establishments and factories in public sector and all employees of the public sector shall be entitled to bonus under the provisions of this Act." (24).

Shri Kashi Ram Gupta (Alwar): I beg to move:

Page 12—

for clause 20, substitute—

"20. The provisions of this Act, shall be applicable to all such public sector establishments or factories, which are registered as public limited companies, in the same manner as if they are applicable to private sector companies." (68).

Shri Alvares (Panjim): I beg to move:

Page 12—

for clause 20, substitute—

"20. The provisions of this Act shall apply to every establishment and factory in the public sector employing more than ten persons."

Shri Prabhat Kar (Hooghly): I beg to move:

Page 12—

for clause 20 substitute—

"(20). The provisions of this Act shall be applicable to all establishments and factories in public sector." (98).

Shri Daji: We are seeking to amend Section 20 because Section 20 of this Bill is discriminatory and invidious. It seeks to place the public sector undertakings on a different footing. It has been an accepted adage of the labour movement, repeatedly reinforced by an announcement by the former Labour Minister, Mr. Nanda, and unitedly sought by all the trade unions, even belonging to the Congress Party, that in matters of labour relations, public sector should not be favoured. If anything, the public sector should come out as a model employer. If the Government itself does not come out as a model employer, by what right can it turn to the private employer and ask him to observe a condition more onerous than that which is acceptable by the Government in its own undertaking. It is like काजीजी कहने वाले हैं, करने वाले नहीं हैं।

अप्यस महोदय : घापने क्या का दाजी जी या काजी जी।

श्री दाजी : दाजी जी भी हो सकते हैं। लेकिन कहत है "काजीजी"।

It is not fair for the Government to preach for others that which it does not itself practice. The distinction is most invidious. There is no reasonable ground. One reason which seems to have motivated the Government is that the public sector should be given some time to develop. But that does not hold water because even under the Bonus Bill, a public sector undertaking will be exempted

for six years initially after starting production, from giving bonus as any other industry will be exempted, but in addition to that, even after six years, even after the gestation period is over you want to permanently exclude public sector from the responsibility of giving bonus. How can this be justified even under Article 14 of the Constitution? It is not a government department I am speaking of. There may be a valid classification for government departments constitutionally. Labour will not accept that because in many cases the road transport is kept as a government department. For years it was a government department in our own State. There under Article 14 distinction could be made. But in the case of a profit earning industry, whether it is owned by Government or by a private individual, that distinction will not hold water under Article 14. This is my objection number 1. I am not going into the details for lack of time.

Objection number 2 is that, having made this distinction, you have made the position very confounded. The employees of the public sector undertakings are going to burst up. In most of the undertakings they have already taken that kind of action. What for there is Emergency? The Durgapur Steel Works is going to have a 24 hours strike on the 15th of this month—this was prior to the new situation developing on our frontiers. Similarly, Rourkela has already given notice of strike. What does this arise from? It is because of the curious formula evolved, namely, a public sector undertaking would give bonus if their production sold in the market is equal to so much of the private sector production and so on. This means that there will be hundreds of disputes which will arise as a result of Section 20. Durgapur is saying that they will not give bonus because they have not sold. But actually the balance sheet shows that Rs. 20 lakhs worth of steel has been sold. They

say that it is trial production. How can this be treated as trial production? Then do we understand that the clients who purchased from the Hindustan Steel Works Rs. 20 lakhs worth of steel did it on trial basis, i.e., they would use and might reject. Numerous difficulties will arise as a result of this confused sort of thinking.

Thirdly, the Government advances an argument of cowardism. If the Government thinks that, by omitting public sector from the purview of Section 20 it will obviate the necessity of paying bonus, it is sadly mistaken. Despite your Section 20, when workers of the entire other industries get bonus, you are only instigating the employees of the public sector to fight and fight hard and get bonus. You should not deny bonus to the workers in the public sector undertakings. I would give this solemn warning to Government in this House that they cannot deny bonus to these workers. Are they going to say that the workers in the HEC will see the textile workers getting the bonus but they will not get it? Are you going to say that the workers in the HEC will see the power-house workers getting bonus but they will not get it? Are you going to say that the workers in the Bhilai would get bonus but the HEC workers will not get it? Are you going to say that the HEC workers will see the workers in the Rourkela plant getting bonus but they would not get it? Do you mean to say that this kind of situation will create a satisfied and contented labour which will increase production? On the other hand, I would submit that this kind of provision will only instigate the workers in the public sector undertakings despite the ban contained in clause 20.

श्री राजेश्वरजी भास्कर (उत्तर) : एच० ई०  
एन० में दो लाख रुपये का तुलना में  
रहा है।

**Shri Daji:** A new Heavy Electricals factory is being built in Hyderabad. My hon. friend may remember that also.

After all, this bonus Bill will not prevent independent disputes being raised by the workers. The bonus Bill was intended to create an avenue for a just, fair and speedy settlement of bonus disputes in the public sector. The object of the Bill as it appears to be is laudable, but according to the provisions what we find is that it will only instigate industrial unrest in this sector. For, the workers will fight for bonus despite the laudable objective of this Bill that a machinery will be set up for settlement of bonus disputes speedily. What would actually happen as a result of this provision is that there will be industrial disputes in regard to bonus and there will be industrial unrest as a result thereof.

Therefore, I would submit that to exempt the public sector is unconscionable and is unjust and discriminatory. And this Bill will only lead to future disputes in the public sector plants all over the country. Therefore, we not only press our amendment but we consider that the Government have no right to exempt the public sector projects from payment of bonus to the workers when especially the private sector enterprises are forced to give bonus under similar circumstances.

**Shri Bade:** I had given notice of an amendment to this clause. But I have not been able to find it, and I am at a loss to know where that amendment is.

**Shri Daji:** That amendment is lost!

**Shri Bade:** The Bonus Commission have stated that the question of payment of bonus in regard to all the public sector undertakings was not referred to them, but the matter had been referred to them in such a way that they had only to consider the

question whether those public sector undertakings whose income from sale of their products etc. was not less than twenty per cent of the gross income of that year should pay bonus or not. My submission, therefore, is that the hon. Minister should think over this matter again. The workers in all the public sector undertakings have now begun to feel that while those workers in similar private undertakings are getting bonus, they are being denied of this bonus, and they feel that they ought to fight their case out; there is more dissatisfaction among the workers and resentment in their minds against the attitude of Government in regard to this question of bonus. After all, these undertakings belong to Government, and bonus should not be denied to the workers in these undertakings. I personally could see no reason why bonus should not be given to them.

I also feel that the restriction in regard to payment of bonus incorporated in clause 20(1) is not proper. The provision reads thus:

"If in any accounting year an establishment in public sector sells any goods produced or manufactured by it or renders any services, in competition with an establishment in private sector, and the income from such sale or services or both is not less than twenty per cent of the gross income of the establishment in public sector for that year, then, the provisions of this Act shall apply in relation to such establishment in public sector . . ."

In other words, what is provided here is that the public sector undertaking should have worked in competition with the private sector undertakings of a similar character and then only bonus could be given to the workers in the public sector undertaking. I would submit that there is competi-

tion always between the private sector and public sector undertakings in any sphere. Firstly, there is competition in regard to raw material; then there is competition in regard to labour and so on. So, where is the field in which there is no competition?

I, therefore, feel that this kind of a favoured treatment for the public sector undertakings is not fair on the part of Government. I would request Government to think over the matter again and see that the bonus formula is made applicable to the workers in all public sector undertakings as well.

**Shri Ranga:** I am in entire agreement with what my hon. friend Shri Bade has said. My hon. friend Shri Daji also has put in a very eloquent plea on behalf of the workers in the public sector undertakings. I do not know why Government have come to the very wrong conclusion which they have incorporated in this clause. They expect and they want industrial peace, but as a result of the provisions in this Bill they would only be instigating, inciting and welcoming industrial troubles and industrial unrest; by exempting the public enterprises from payment of bonus to the workers in those undertakings, and by insisting upon adopting this particular clause as it is, Government would only be instigating and inciting the workers to create further industrial unrest. It is difficult to comprehend the reasons which had influenced Government in this direction. If they thought that because private entrepreneurs were being persuaded to give this bonus, therefore those public enterprises which would be competing with those private enterprises would also have to give the benefit of bonus but at the same time this benefit need not be given to the other enterprises in the public sector hoping thereby that there would be no trouble at all, they had made a very sad mistake. There is bound to be trouble. There would be that feel-

ing of discrimination between one set of workers employed in public enterprises and another set of workers similarly placed in other public enterprises. Why should there be this unnecessary provocation caused to all these people? These are times, not only because of this trouble between us and Pakistan but also because the country is engaged in industrial development, when it is most necessary that we should have industrial peace. But by this clause Government would be inviting trouble, they would not be doing any service either to the nation.

I do not know how my hon. friend has been loaded with this sad responsibility. Left to himself, I am sure he would not like that this kind of discrimination should be made. But this Government seems to have made this decision wrongly, in a wrong-headed manner. It is impossible to imagine the reason that could have weighed with them.

Therefore, I sincerely hope, even if it is too late for my hon. friend to accept our suggestions that this clause should be dropped, that Government would be wise enough to come forward at the earliest possible moment, if possible during the next session, with an amendment Bill to right this wrong, because it is going to be a very bad thing if it is left as it is, and all the goodwill Government would be earning by getting this Bill passed would be lost more than lost.

I wish to sound a note of warning before I sit down. If Government are really keen on recommending public enterprises to workers as being a better employer than private enterprise, then it is a challenge to them that they should be prepared to assure workers engaged in public enterprises at least the same benefits as are being conferred upon workers who are employed in private enterprises.

17 hrs.

**Shri Kashi Ram Gupta:** The hon. Labour Minister has more than once declared that conditions of labour in the public sector are not satisfactory. Now he brings in a bill where he wants to evade the responsibility of those public sector undertakings in this way. I am not able to understand this type of behaviour. The effect of this clause would be that if tomorrow Tatas were nationalised, then there will be no competition so far as the steel industry is concerned and that industry would go out of the obligation to pay bonus. There may be industries which will not be competing with the private sector. They need not give bonus. If tomorrow, Government decides to take over the cement industry, there will be no competition so far as that industry is concerned and therefore no bonus will be paid to the workers there. Therefore, this is a very bad argument. When they earn profits, they must pay. At the same time, the difficulty is there. When they organise them as corporations and public limited companies, then there is no question of differentiating. The hon. Minister has said that there may be departmental works. That is quite a different thing altogether. Departmental works have nothing to do with the corporate sector, and, therefore, when once they are starting an industry in the corporate sector as a public limited company, there should not be any difference. So, my amendment in this respect is very clear. It reads like this:

"20. The provisions of this Act, shall be applicable to all such public sector establishments or factories, which are registered as public limited companies, in the same manner as if they are applicable to private sector companies."

They mention in this Clause "in competition with an establishment in the private sector." Who is going to create this competition? When I went to Rourkela, Durgapur and Bhilai, even the INTUC people came to me and

complained that the managing staff there did not behave towards labour in a human way. Therefore, they are very clever people. They can present things in their own way and try to avoid bonus to the workers. Therefore, the hon. Minister should clearly bring the public sector on a par with the private sector, there should be no difference. Otherwise, the warning given by Shri Daji and Shri Ranga and others is there. It will result in unrest among the workers.

**Shri Alvares:** My amendment seeks to delete this Clause. This Clause is both bad in principle and discriminatory. It is bad in principle from this point of view that Government are seeking for their own undertakings exemption from burdens that they are placing on the private sector. I use the word "burden" in a relative sense because the Government are providing for the payment of bonus in certain commercial undertakings in the private sector, and at the same time seeking exemption from similar responsibility in commercial undertakings in the public sector. Therefore, this is bad in principle.

As for discrimination, we have been saying since this morning that since the public sector is an expanding sector in the strategic development of the Fourth Plan—it will continuously increase, Government's policy also is to introduce or to expand the public sector in certain producer and consuming industries in order to provide for the public certain essential commodities at reasonable prices—it is obvious that those employed in the public sector are an increasingly larger number every year, and if Government denies the benefits of this bonus scheme to an increasingly larger complement of labour population, the amount of frustration that will be caused can well be imagined.

It is said in the Clause that the public sector will only attract the provisions of this Bill if its income, in from competition with the private sector, is not less than 20 per cent of its gross income. This is a very tor-

tuous way of depriving the employees of the public sector the benefits of the provisions of the Bonus Bill. How is 20 per cent going to be determined? If it is 19 per cent., the employees will not be entitled to bonus. If it is 21 per cent., I am sure the administration of the public sector will try and reduce it to less than 20 per cent. This will give rise to a lot of litigation. Therefore, to avoid all this, Government should meet its obligations squarely. I recommend that this amendment be accepted whereby the Clause is deleted and all public sector companies and industries come in for the attraction of the Bonus Bill.

**Shri Warior (Trichur):** How long are we sitting?

**Mr. Speaker:** The time is over already, and I will have to guillotine all the Clauses.

**Shri Daji:** More time should be given.

**Mr. Speaker:** Let us finish this Clause at least.

**Dr. M. S. Aney:** We are making an experiment in expanding industries in the public sector, and we want more industries to be set up. Therefore, it is the duty of the Government to show the entire country and industry in particular that it is a model employer. Then alone you can have in the private sector this type of regulation. You cannot deny things to your own labourers and at the same time insist in the name of fairness and justice that the private employers should pay their employees. Government has to set an example and act themselves in accordance with the highest principles of equity and fairness if they want these principles of equity and fairness to be observed everywhere in the private industry. Their own industry, their own behaviour should not be capable of being suspected or challenged by anybody. To be a good government, to be a government worthy of the name and appreciated by the people, to be a govern-

ment to lead the nation in times of difficulty, they should accept all the good principles and then ask the others to accept them. Leaving aside the other reasons, it is for those reasons of policy I wish the amendment suggested by my hon. friend should be accepted by this Government.

**Mr. Speaker:** Shri Prabhat Kar. I would request the hon. Members to wait for five or ten minutes as I have to make some observations that are very necessary for the hon. Members.

**Shri Prabhat Kar:** Sir, at the time when the Bonus Commission was appointed, there were so many Government departments left out of the purview. The point here is that wherever there was production which was placed in the market, it will be included in these recommendations. It is said today that 20 per cent. of its products must be competitive. Who is going to find out 20 per cent? Already it has been stated that this is a discrimination. When public sector is producing the materials, under no circumstances there should be any differentiation between the private sector and the public sector. This clause should be deleted as suggested by the amendment of Shri Daji.

**Shri D. Sanjivayya:** In the terms of reference of the Bonus Commission it was stated that the term industrial employment will include employment in the private sector and in establishments in the public sector not departmentally run and which compete with establishments in the private sector. Therefore, all those public sector undertakings which are run departmentally go away from the purview of the provisions of this Bill. With regard to those which are run by corporations etc. if they compete to the extent of 20 per cent in the sale of goods that they produce or any service that they render, they come under the purview of this Bill. That is the recommendation of the Bonus Commission which we have incorporated here in this clause.

**Mr. Speaker:** One thing I cannot understand. Would it not be a provocation for the others who are not included to fight for it?

**Shri D. Sanjivayya:** I forgot to mention one thing. The Bonus Commission have also said that in respect of the other public sector undertakings about which they have not made any specific recommendation, if the public sector concern had been paying bonus, they may continue to do so.

**Mr. Speaker:** I will have to put amendments to the vote of the House. Nos. 24, 68, 98 and 269.

Shall I put them all together?

**Shri Daji:** We would like to have a division on one of them.

**Mr. Speaker:** Which one?

**Shri Daji:** Amendment No. 24.

**Mr. Speaker:** All right. I shall now put all the other amendments to the vote of the House. I refer to all the other amendments under clause 20.

Amendments Nos. 68, 269 and 98 were put to vote and negatived.

**Mr. Speaker:** Now, I take up amendment No. 24. Shri Daji wants to have a division..

**Shri Sham Lal Saraf:** Tomorrow, Sir.

**Shri Ranga:** Why not we take up the division tomorrow?

**Mr. Speaker:** All right.

17.10 hrs.

#### RESTRICTION ON ISSUE OF SAME-DAY PASSES

**Mr. Speaker:** Now, I have to make a request to hon. Members. These are not normal times. As hon. Members might have become aware by this time, some people from Pakistan have been dropped in certain places, and Ambala also was mentioned. Some

reports are to the effect that some of them might have come to Delhi as well. I am not just creating any panic; we are not very much anxious, I should say, about that, because, our security forces will be able to do their best. But so far as the security of this Parliament House is concerned, I want to caution hon. Members that they should be careful in recommending the issue of passes to visitors; passes should not be issued indiscriminately. I have got certain instances where it has been found that Members sign the blank forms and leave it with their secretary or in their absence to be given to any member or person. I came to know of one instance where they were being distributed on the road and people were being asked to come on and see Parliament, and these blank forms have been filled in afterwards. (Interruption).

**Shri D. C. Sharma (Gurdaspur):** The Jan Sangh.

**Mr. Speaker:** I am not naming anybody. Perhaps this might be something, some relationship between the two Members. I am not mentioning any names.

श्री ड० म० त्रिवेदी (मंदसौर) : मर्मा साहब की बात को जाने दीजिय वह चूँकि हिन्दू महासभा से निकाले हुए हैं इसलिए इस तरह की बे बक्वास करते हैं ।

**Mr. Speaker:** Order, order. We should take it seriously. I am putting it seriously at this moment. There are two things. One is, there are forms for which notices are to be given one or two days earlier. So far as this is concerned, the police have some opportunity of screening those persons and finding out who they are. But there are some forms which are issued on the same day on which the passes are desired. We have to be very careful so far as these forms are concerned, and I am placing a restriction on these forms: ordinarily, they would not be issued unless the Mem-



ber himself is satisfied that he knows the man personally and can testify. I hope I will get the support of the hon. Members that this should be enforced strictly.

**Shri Kashi Ram Gupta** (Alwar): Sometimes the members of the staff from this Secretariat want the signature of the Members on these forms. On their own, and with their confidence, we sign them.

**Mr. Speaker:** Members should take care that they do not sign because it is a member of our Secretariat who says that. The hon. Members should satisfy themselves, and these forms for the same day, when the passes are to be issued on the same day, will be restricted to a very limited number, and only **when** the Member satisfies himself **personally** and he really knows the person.

**Shri Kashi Ram Gupta:** On the blank form, on the prior day, signatures are got.

**Shri D. C. Sharma:** The emergency passes should be abolished.

**Mr. Speaker:** I have not said that. What I meant was that the issue of

passes, on the day on which they are applied for, must be restricted to the utmost minimum. This must be discouraged. In cases where a Member might feel the necessity for a pass, when a relation or some friend or dignitary whom he knows personally has turned up just at that time, and there might be the necessity which is felt, in such cases I will issue instructions that might be attended to. Otherwise, hon. Members would abstain themselves and restrict the requests for passes.

श्री यशपाल सिंह (कैराना) एक इरादा बहुत आसान तरीका भी है और उसमें दिक्कत भी न होगी और वह यह है कि हर एक मेम्बर को तीन तीन ब्लैंक फॉर्म दे दिये जायें और वे जिन्हें अपने कोर्टफेस का नमस्ते हो उन के नाम उन में फिल इन कर लें ।

श्री उ० मू० त्रिवेदी : नहीं, नहीं ।

17.15 hrs.

*The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, September 8, 1965/Bhadra 17, 1887 (Saka).*