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Title: The Payment Of Bonus (Amendment) Bill, 2015.

HON. DEPUTY SPEAKER: Now, we shall take up Item No.43. Hon. Minister.

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA): Sir, I beg to move:

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

Sir, it is my privilege and honour to introduce the Payment of Bonus (Amendment) Bill, 2015, which will benefit crores of poor workers of our country.

The year 2015 is the 125th birth anniversary of Dr. B.R. Ambedkar who always worked for the labour force from the core of his heart. In India, the word 'labour' is a force to reckon with. Productivity of human resources, viz., labour, being an important input besides land capital which plays a significant role in determining the over all economic growth of the nation.

'Labour' is in the Concurrent List. Various legislations have been enacted by the Parliament as well as the State Legislatures to protect the interest of the labour force, particularly those who are in the unorganized sector. The Payment of Bonus Act, 1965 is one of the legislations. It applies to every factory and every other establishment in which 20 or more persons are employed on any day during an accounting year.

Two ceilings are provided under the Act, namely, Eligibility Limit and Calculation Ceiling. While the Eligibility limit is Rs. 10,000 per month, the Calculation Ceiling is Rs. 3500. These changes were made in the year 2007 and were made effective from 1.4.2006. Minimum bonus is 8.33 per cent of the salary or wage earned by the employee during an accounting year. Similarly, maximum bonus is 20 per cent of the salary or wage earned by the employee.

In the Payment of Bonus (Amendment) Bill, 2015, the eligibility limit is proposed to be increased from Rs. 10,000 per month to Rs. 21,000 per month as per clause 2 of the Bill. The calculation ceiling is also be raised from Rs. 3500 to Rs. 7000 or the minimum wage for the scheduled employment, as fixed by the appropriate Government, whichever is higher, as per clause 3 of the Bill.

Another amendment is the previous publication of draft subordinate legislations for inviting objections and suggestions before notifying the final rules, etc. which is in consonance with other labour laws, as per Clause 4 of the Bill.

As per the Bill introduced by me on the 7th December, 2015, these amendments would be effective from 1st day of April, 2015. However, hon. Prime Minister desired that this benefit be made effective from the 1st day of April, 2014. Therefore, an official amendment is going to be moved to make the changes in the Act with effect from the 1st day of April, 2014. It will, I am sure, bring cheers to crores of labour force of our country and their family members. This is also a clear vision of the NDA Government led by our hon. Prime Minister, Shri Narendra Modi. I am also thankful to the hon. Prime Minister for giving this advance New Year Gift to crores of poor workers of our country.

With these words, I commend this Bill for the consideration of this august House.

HON. DEPUTY SPEAKER: Motion moved:

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

PROF. DR. MAMTAZ SANGHAMITA (BARDHMAN DURGAPUR): Sir, I thank you for giving me this opportunity to speak on this Bill.

I am really happy that I am speaking on a Bill which is really for the benefit of a vast majority of poor workers of our country. I must thank the Government for thinking about this Bill. As the hon. Minister said, it is written in the Bill that it will come into effect from the 1st day of April, 2015 but now, probably another amendment is to be moved so that it will come into effect from the 1st day of April, 2014.

Bonus is a thing which is something extra and over anybody's regular pay and everybody feels happy when they get something extra. Bonus in the employee's life is very important because those who get bonus are poor people. They think about this yearly bonus and keep it with them thinking about spending the amount for various purposes. They wait for it throughout the year. We must congratulate the Government for increasing it. It will be Rs. 21,000 instead of Rs. 7,000. That is almost more than double. It is very good. Just now we are discussing about inflation and price rise. Taking that into consideration, I was just thinking whether it is inflation-linked because we are increasing it after 25 years. It was fixed in 1965 and after 25 years we are increasing the amount, which the employees are allowed to get as bonus. I would like to know whether it should be little bit more. Generally for 25 years we say silver jubilee. So, I would like to know whether it should be increased as per the inflation or atleast extending the limit upto Rs.25000/-.

In section 12 of the principal Act, it is said: "for the words "three thousand and five hundred rupees" at both the places where they occur, the words "seven thousand rupees or the minimum wage for the scheduled employment, as fixed by the appropriate Government, whichever is higher". That is also very welcoming step. It has been mentioned, "seven thousand rupees or the minimum wages". It is also said that where the employees' pay is more than Rs. 3,500, they are also be in the Rs. 3,500 bracket. My question is this: If somebody is getting a payment of Rs. 2,000 or Rs. 2,400, what will be the amount they will get?

According to another amendment, the Government may come out with some rules or regulations regarding these things. But it is not clearly

mentioned in the Bill as to what sort of Government regulations will be there. It is not in the legislation. It will be the Government's schedule and how can they come in to this Act. That is my question.

With these few words, I thank the Ministry for bringing this Bill to the House. Thank you.

श्री पृथ्वी सिंह पटेल (दमोह) : उपाध्यक्ष महोदय, भारत रत्न डॉ. भीम राव अंबेडकर जी की 125वीं जयंती पर और मुझे यह कहते हुए भी गर्व हो रहा है कि हमारे महान नेता अटल जी का तीन दिन बाद जन्मदिन भी है। मैं दोनों लोगों को इसके अनुकूल पाता हूँ। मैं मानता हूँ कि डॉक्टर साहब को श्रद्धांजली होगी और अटल जी के प्रति हमारा यह सम्मान होगा। बोनस संदाय संशोधन विधेयक, 2015 आज यहां पर रखा गया है।

इसमें दो खण्डों में यहाँ पर संशोधन की बात की गई है, जिसका उल्लेख मंत्री जी ने भी किया है और हमारी माननीय सदस्य महोदया जी ने भी किया है। मैं उसको रिपीट करना नहीं चाहता हूँ। वे खण्ड बड़े साफ हैं, खण्ड दो और खण्ड तीन, खण्ड दो में यह संशोधन है। तीसरी बात यह है जो अभी तक नहीं कही गई है कि विधानों के अनुरूप आक्षेपों और सुझावों को आमंत्रित करने के प्रयोजन के लिए पूर्व प्रकाशन का उपबन्ध करने वाला समर्थकारी उपबन्ध अन्तःस्थापित करने का प्रस्ताव भी है। यदि कोई चीज आएगी आक्षेप के रूप में या सुझाव के रूप में तो पूर्व से ही लोगों के सामने इसको रखा जाएगा, मैं इस बात का स्वागत करता हूँ और सरकार को धन्यवाद भी देता हूँ और बधाई भी देता हूँ।

महोदय, अटल जी बड़े जोरदार ढंग से कहते थे कि कल्याणकारी राज्य में दुकान, मकान, सड़क, पुल, पुलिया, कार्यालय बनेंगे, वया मजदूर को सिर्फ मजदूरी से ही संतोष करना पड़ेगा या इसके अलावा भी उसको कुछ दिया जाएगा। वह सामाजिक सुरक्षा होगी, वह बोनस होगा, किस रूप में आप उसके मेहनताने के अलावा आप उसे देना चाहते हैं, यह इस संसद के सामने सबसे अहम सवाल है। मुझे लगता है कि हम सब लोग योजनाओं के उस मजदूर की मेहनत का सम्मान भी करते हैं और उसको निकट से देखते भी हैं। लेकिन यह सच है कि न्यूनतम मजदूरी अधिनियम 1948 से लेकर अब तक, हमने यह तो कह दिया, हम सरकार को बधाई देंगे कि इसमें जो ज्यादा होगा वह मजदूर को मिलेगा, लेकिन अभी भी उस पर काम करना बाकी है। मैं सरकार से यह कहूँगा कि आपने दुगुनी तादाद में इतने लम्बे अरसे के बाद में बढ़ाया है।

वर्ष 2007 में जो भी संशोधन था, आखिरी संशोधन वर्ष 2007 में था, लेकिन आर्थिक रूप से जो फैसले किए जाने थे, वे फैसले नहीं किए गए। जिसके बारे में हमारी सम्माननीय सदस्य ने भी कहा है। इसके लिए मैं सरकार को बधाई दूँगा कि आपने कदम उठाया है और वह कदम सम्मानजनक है कि आपने कम से कम दोगुना करने की हिम्मत तो जुटाई।

दूसरी बात मैं यह कहूँगा कि इसमें सीलिंग की बात आती है, यह मेरा सुझाव है, मैं मजदूरों के क्षेत्र में काम करता हूँ, सीलिंग अधिकतम वयों की जाती है। आप सीलिंग न्यूनतम कीजिए कि इससे कम नहीं दिया जाएगा। मेरा सरकार को सुझाव है कि सरकार इस पर जरूर विचार करे कि वया बार-बार हम इस सदन के भीतर संशोधनों को लेकर आते रहेंगे। अगर हम न्यूनतम मजदूरी अधिनियम 1948 में आगे चलकर संशोधन करते हैं तो निश्चित रूप से इस आंकड़े में फिर परिवर्तन के लिए हमको इस सदन के भीतर आना पड़ेगा। मैं आपको बधाई देने के साथ-साथ आपसे आग्रह करता हूँ कि अगर आपको सीलिंग रखनी है तो न्यूनतम सीलिंग जरूर तय कीजिए, अधिकतम सीलिंग के बारे में बहुत विन्ता मत कीजिए। इसके लिए कोई मैकेनिज्म तैयार कीजिए। जब इस देश में कर्मचारियों के लिए वेतन आयोग आता है, वया उस वेतन आयोग के साथ मैं इसको जोड़ा जाएगा या फिर मेरा दूसरा एक और सुझाव है कि औद्योगिक विकास के जो सूचकांक इस देश में बहुत दावे के साथ बताए जाते हैं, वयोंकि उसका इससे सम्बन्ध है, जब कभी आप उत्पादन करते हैं तो उसकी लागत पर तो आप बहुत जोर देते हैं, लेकिन वया कभी लागू पर भी आप पारदर्शी होते हैं। मेरे आपके माध्यम से सरकार को दो सुझाव हैं कि या तो आप वेतन आयोग की सिफारिशों के आधार पर इस बोनस का को-रेलेशन करने का कोई रास्ता खोजिए ताकि बार-बार संसद के भीतर आपको न आना पड़े। अगर न्यूनतम मजदूरी अधिनियम में कभी कोई तब्दीली होती है तो उसके साथ मैं कोई ऐसा मैकेनिज्म तैयार कीजिए ताकि इस मजदूर के हितों को उसके साथ मैं जोड़कर रखा जाए। अगर आप औद्योगिक विकास के सूचकांक के साथ भी इसको जोड़ते हैं तो मुझे लगता है कि यह ज्यादा बेहतर होगा। ऐसा कोई मैकेनिज्म हम बनाएंगे तो बार-बार इस संसद का समय भी खराब नहीं होगा और मुझे लगता है कि हम मजदूर के अधिकारों को सुरक्षित भी रख पाएंगे। मैं एक बात और कहना चाहता हूँ कि यदि कोई उद्योग घाटे में चला गया तो वह बोनस नहीं देता है। मैं बड़ी जिम्मेदारी के साथ सवाल करना चाहता हूँ कि अगर कोई उद्योग घाटे में चला जाएगा तो मजदूर को दीपावली और अपने अन्य त्यौहार मनाने का अधिकार नहीं है वया? यह बोनस का आधार नहीं हो सकता है कि अगर कोई उद्योग फायदे में है तभी वह बोनस देगा। मुझे लगता है कि इन बातों पर कहीं न कहीं संसद को बहुत बारीकी से विचार करने की जरूरत है। मुझे लगता है कि जब ऐसे बिल आते हैं तो हम सबकी यह मानसिक तैयारी होनी चाहिए कि वास्तव में मजदूर के हितों को सुरक्षित कहीं किया जाएगा? मैं जानता हूँ कि न्यूनतम मजदूरी अधिनियम कभी भी पारदर्शी ढंग से अपना अस्तित्व कायम नहीं कर सकता, वयोंकि उसकी समस्याएं हैं।

मैं किसान हूँ और मैं अटली तरह से जानता हूँ कि किसान की खेती के जो लक्षण हैं, वह पहाड़ में, मैदान में और पठार में सब जगह अलग-अलग हैं। अगर न्यूनतम मजदूरी अधिनियम की बात करेंगे तो खुद मेरे जैसे लोग जो बुटेलखंड से आते हैं, हम कैसे मजदूरी दे पाएँगे, हम तैयार नहीं होंगे। इसलिए मुझे लगता है कि कई बार उसमें एकरूपता नहीं आ सकती और इसलिए औद्योगिक रूप से जो फैसले होते हैं, उनको अलग किया जाना चाहिए, खेती के फैसले अलग किये जाने चाहिए। लेकिन बोनस के मामले में हम जिनको विहित करते हैं, जैसे उद्योग को हमने विहित किया है तो निश्चित रूप से हम न्यूनतम मजदूरी अधिनियम 1948 के साथ जब इसको कोरिजेट करना चाहते हैं तो उस पर भी हमें कहीं न कहीं काम करने की जरूरत है।

उपाध्यक्ष महोदय, मैं अंत में इतना ही कहूँगा कि इस पर बहुत लंबी बात करने की आवश्यकता मैं नहीं समझता लेकिन अपने महान नेता अटल बिहारी वाजपेयी जी के उस समय को मैं याद करता हूँ जब वे यहाँ सोशल सिव्यूरीटी का बिल लेकर आए थे। सब लोग बात करते हैं कि हम लोग मजदूरों के बहुत हितैषी हैं, उनको उनके अधिकार मिलने चाहिए पर मैं समझता हूँ कि भारतीय जनता पार्टी हो या उसकी सरकार हो, हम टकराव के रास्ते को नहीं मानते हैं। हम मानते हैं कि दोनों के बीच में साम्य बँठाने की जरूरत है और बिना किसी के कुछ कहे हम उन मजदूरों को, जिनकी आवाज़ के बारे में कई बार हिंसा की बात होती है, टकराव की बात होती है, हम इसी सदन में एकमत होकर बेहतर से बेहतर कानून बनाने का काम कर सकते हैं। जो काम इस सरकार ने किया है लेकिन जिस शुभ अवसर पर किया है, मैं फिर से यह कहूँगा कि भारत रत्न अंबेडकर जी को यह सच्ची श्रद्धांजलि होगी और संविधान के निर्माताओं ने जिनके अधिकारों के संरक्षण की बात की थी, उनको श्रद्धांजलि है और हमारे नेता अटल जी जिनका तीन दिन बाद जन्मदिन है, उनके प्रति यह श्रद्धा होगी, हमारा सम्मान होगा कि हम उनकी उन भावनाओं की यहाँ कद्र कर रहे हैं कि कल्याणकारी राज्य में कहीं न कहीं मजदूरी और मेहनत के अलावा उनको कहीं न कहीं पारितोषिक देने की जरूरत है। उनके मन के सुख और उसके बच्चों के सुख को सुरक्षित रखने की जरूरत है और इस बिल में उसका अधिकार सुरक्षित रखा गया है। मैं इस बिल का समर्थन करते हुए अपनी बात समाप्त करता हूँ। आपने बोलने का समय दिया, इसके लिए धन्यवाद।

श्री बलभद्र माझी (नबरंगपुर) : उपाध्यक्ष महोदय, मैं आपका धन्यवाद करता हूँ कि आपने मुझे इस संशोधन विधेयक पर कुछ कहने का मौका दिया।

महोदय, आज्ञादी के पहले भी जब शासन चलता था तो बख्शीश का प्रवधान था। यदि कोई शासक खुश हो गया तो बख्शीश के रूप में कुछ देता था। वैसे ही यह बोनस नए तरीके से किसी को खुश होकर देने के रूप में है, न कि खुश करने के लिए। लेकिन इसमें जो दो तीन मूल बातें हैं, एक्ट में कुछ भिन्नता मैं देख रहा हूँ। जैसे कोई कंपनी हो, फैक्ट्री हो या एस्टैब्लिशमेंट हो, काम तो सभी करते हैं, चाहे कोई मजदूर हो या कोई टॉप एक्जीक्यूटिव हो, उन सभी का योगदान रहता है। सब काम करते हैं और फायदे के लिए लगे रहते हैं। मेरा आर्जेंटेशन यह है कि रूपए 10 हजार लिमिट को बढ़ाकर रूपए 21 हजार कर दिया, तो उसमें कुछ ही लोग फायदा लेंगे लेकिन बाकी और लोग जो काम कर रहे हैं चाहे उच्च पद पर अधिकारी हों, वे भी तो उसी विभाग के लिए काम कर रहे हैं, वया उनको कुछ नहीं मिलना चाहिए? अगर कुछ ही लोगों को बोनस देने की बात कम्पलसरी हो, तो तनख्वाह ही उतनी बढ़ा दी जाए।

दूसरी बात यह है कि जैसे बार-बार इनप्लेशन को काउंटर करने के लिए हमने डीए देने का प्रवधान रखा है, वया उसके ऊपर बोनस की जरूरत है? दस साल में हम लोग पे-कमीशन बैठते हैं, जो भी कमियाँ हैं पेमेंट में, उसको सुधारने का प्रयास करते हैं। उसके बाद भी जबकि सातवें पे कमीशन की रिपोर्ट आने वाली है, उसके पहले फिर बोनस की जो अनाउंसमेंट है या अधिनियम को बदलने की कोशिश हो रही है, वह किताना उचित है। मैं नहीं समझता हूँ कि उसकी ज्यादा कोई जरूरत है। मूल एक्ट में जो कुछ प्रवधान हैं, जैसे मुझसे पहले मितू ने कहा कि चाहे कंपनी घाटे में चले या फायदे में चले, बोनस तो मिलना ही चाहिए। कुछ लोग कहते हैं कि नौकरी करते हैं तो उसके लिए तो तनख्वाह मिलती है, काम करने के लिए भी ऊपर से कुछ मिलना चाहिए। ऐसा तो नहीं होना

चाहिए कि फायदा हो या नुकसान हो, बोनस तो देना ही चाहिए। यह प्रावधान इस एक्ट में भी है। मैं पढ़ रहा था, इसके क्लॉज 10 में लिखा है :

Whether or not the employer has any allocable surplus in that accounting year, bonus has to be paid. यह जो जबरदस्ती है कि मिनिमम 8.3 परसेंट बोनस देना है, हम तो तभी खुश होंगे जब कोई कंपनी या मालिक या डिपार्टमेंट या विभाग तब खुश होगा, जब उसी विभाग को, उसी कंपनी को, उसी स्टैब्लिशमेंट को फायदा हो। अगर फायदा न हो तब भी जबरदस्ती बोनस देना है, उसके लिए शेड्यूल 4 में ऑफसेटिंग और अनसेटिंग का वर्लॉज रखा है, लेकिन यह उसी साल के लिए लागू होना चाहिए, जिस साल हम लोग बोनस देने की बात कह रहे हैं।

महोदय, जब यह संशोधन ला रहे थे, तो मैं सोचता था कि इसमें भी कुछ संशोधन लाने की जरूरत है। इसी अधिनियम में ही, इसी कानून में ही एक और प्रावधान है कि बोनस के अलावा, वर्लॉज 31ए में प्रोडक्टिविटी लिंक्ड बोनस देने का भी प्रावधान है। हम लोग दोनों चीज एक ही नियम में रखे हैं। हम बोनस दे सकते हैं या प्रोडक्टिविटी लिंक्ड बोनस भी दे सकते हैं। मेरे ख्याल से प्रोडक्टिविटी लिंक्ड बोनस ज्यादा कारगर होगा। कुछ कंपनियां और कुछ डिपार्टमेंट उसको फॉलो कर रही हैं। इससे यह हो रहा है कि कोई अधिकारी हो या कोई इंस्पेक्टिव ऑफ पोस्ट एंड क्लॉस एंड ग्रेड, सभी को कंपनी का फायदे के प्रोपॉर्शनैटली एक्जॉर्टिंग टू देअर पे स्केल या ऐसा कुछ निर्धारित करके दिया जाता है। ऐसा नहीं है कि हम मजदूरों के खिलाफ हैं, लेकिन जो भी कंपनी में योगदान दे रहे हैं, उन सभी को फायदा होना चाहिए।

कोई व्यक्ति अगर अच्छा काम कर रहा है तो उसको बिल्कुल प्रोत्साहन मिलना चाहिए। यह मेरा थोड़ा ऑब्जेक्शन था कि पे-कमीशन की रिपोर्ट आने वाली है, तो अभी संशोधन लाने की जरूरत क्या थी? अगर सरकार इसको एक्सेप्ट करे कि प्रोडक्टिविटी लिंक्ड बोनस दे, न कि दो ही प्रावधान रखें। उसमें कुछ भेद में मनमानी हो रही है, कुछ लोग बोनस ही दे रहे हैं और बाकी लोगों को फायदा नहीं हो रहा है। मुझे ज्यादा कुछ नहीं कहना है। अगर इनसे सरकार बाद में भी कुछ बदलाव लाएगी तो अच्छा होगा। धन्यवाद, नमस्कार।

SHRI GAJANAN KIRTIKAR (MUMBAI NORTH WEST): Mr. Deputy Speaker, Sir, I rise to support the Payment of Bonus (Amendment) Bill, 2015. The Bill seeks to amend the Payment of Bonus Act, 1965. The Act provides for the annual payment of bonus to employees of certain establishments including factories and establishments employing 20 or more persons. Under the Act, bonus is calculated on the basis of the employee's salary and the profit of the establishment. If the establishment says that it has not earned profit, it would decline to pay bonus. What is the solution for such type of a situation? Who will monitor whether an establishment is in profit or not? Since I am in the midst of trade union activities, I know that in Mumbai and other parts of Maharashtra, there is a tendency among the corporate companies to make duplicate annual reports and accounts and misguide the Government agencies. What is the penalty for such under-estimation of profit by certain companies? This aspect has to be looked into very carefully.

Sir, the Act mandates payment of bonus to employees whose salary or wage is up to Rs. 10,000 per month. The Bill seeks to increase this eligibility limit to Rs. 21,000 per month. The Act provides that the bonus payable to an employee will be in proportion to his or her salary or wage. However, if an employee's salary is more than Rs. 3,500 per month, for the purpose of calculation of bonus, the salary will be assumed to be Rs. 3,500 per month. The Bill seeks to raise this calculation ceiling to Rs. 7,500 per month or the minimum wage notified for the employee under the Minimum Wages Act, 1948. The Act provides that the Central Government may make rules to implement its provisions. The Bill seeks to mandate prior publication of such rules in the Official Gazette to allow more public consultation.

As per the Statement of Objects and Reasons, the Central Government has been receiving representations from trade unions, individuals and various associations for enhancement or for removal of the above ceilings. After due consideration, the Central Government has decided to enhance the eligibility limit for payment of bonus from ten thousand rupees per mensem to twenty-one thousand rupees per mensem. The Central Government has also decided to raise the calculation ceiling from three thousand and five hundred rupees per mensem to seven thousand rupees per mensem or the minimum wage for the scheduled employment, as fixed by the appropriate Government, whichever is higher. This amendment in the Act to increase wage ceiling and maximum amount of bonus was one of the assurances given by the Centre after 10 Central trade unions, including the trade union affiliated to the Shiv Sena went on one day strike on 2nd September. I am glad to say that the Central Government has accepted nine demands out of twelve submitted by the trade unions. It will benefit many workers working in small and medium enterprises in Maharashtra and in other States.

One thing is not clear to me. The hon. Minister says that the Bill will come into effect from 1st April, 2015. But recently we have received the amendment; it is made now 2014. We are going to pass it today. I do not know how it could be given retrospective effect. The hon. Minister may kindly explain this. It is because, the amendment is already submitted, so there is no necessity of this explanation.

It is a simple Bill. I am myself associated with the trade union movement in Maharashtra; I have no hesitation in supporting this Bill. Thank you very much.

SHRI MUTHAMSETTI SRINIVASA RAO (AVANTHI) (ANAKAPALLI): Thank you, Deputy Speaker, Sir, for giving me an opportunity. First of all, I welcome and I support the Payment of Bonus (Amendment) Bill on my own behalf and on behalf of our Party.

As you know it very well, Sir, we consider workers as a very valuable asset for the country. It is only because of their hard work and patience that India is growing at a very fast pace. This Bill definitely helps the workers' welfare. It is because they are increasing the eligibility limit from Rs. 10,000 to Rs. 21,000 and also they are enhancing the ceiling for bonus from Rs. 3,500 to Rs. 7,000, whichever is higher.

As we all know, for any industry or for any society, wealth is important. If the industry is doing well and if they are having wealth, the wealth should be shared by the workers and the society.

I would suggest the hon. Minister that bonus also should be linked up with productivity. As some of our colleagues suggested, even for sick companies also, they have to give bonus. But, practically, we know very well, it is very difficult. So, when bonus is linked with productivity, definitely, productivity will increase in this country.

Our hon. Prime Minister is talking about 'Make in India'. We have the skilled labourers in our country. But unfortunately, since independence we are

not managing our human resources properly particularly, the workers community. It is just because of the trade union politics and the wide gap between the management and the trade unions. So, when the trade union politics are minimised in the industries then only the productivity will be increased.

We are insisting on all the companies to increase their CSR to two per cent. I would also like to suggest the hon. Minister that, at least, one per cent profit of every company should be given to their employees in the form of bonus in addition to what this Bill proposes to give. The labour laws are very weak in our country in respect of welfare of the workers, for their houses and for their children's education. We know that the workers are working for their whole lives but if anything happens to them neither the management nor the Government will come to their rescue. They will just give them some amount and settle the issue. It is just an eye-wash. That should not happen. We should always try to give social security and safety to our workers. Then only, they can work comfortably and given their best to our industries, either it is a private industry or any Government organisation. We have very weak labour laws even after independence.

Now, we have a very good Minister Shri Dattatreya *garu*. He also came from a very backward background. He is also having a long association with the workers. He knows personally the problem of the workers. That is why I suggest that, at least, in his tenure, we have to make stringent labour laws for the welfare of the workers of the country. We have to give social security and respect to the workers in our society. They should not be ill-treated. There should not be any kind of insecurity for the workers. The Government of India and the State Governments should always come for their rescue. Then only they will work properly and the productivity will go on.

Once again, I want to congratulate our hon. Minister for bringing a wonderful Bill for the welfare of the workers of this country. Thank you.

SHRI KONDA VISHWESHWAR REDDY (CHEVELLA): Thank you Deputy-Speaker, Sir. This is the time of festivals. We recently have Dussehra and Deepawali. Soon we have Christmas and other holidays. This is the time of bonus also. I think, the hon. Minister Shri Bandaru Dattatreya ji definitely endeavoured himself to the masses of labours and so did the Government.

Sir, this is a welcome Bill. Our party supports it. I think, most of us here support it. In the Payment of Bonus Act of 1965, they had prescribed a certain bonus based on productivity and profits. I think, this Bill plans to increase both the slabs and the criteria whichever is higher - 8.33 or Rs. 7,000. They increased the slab from Rs. 10,000 to Rs. 21,000. The Act amended the eligibility and the base of bonus from Rs. 1,600 a month in 1965 to Rs. 10,000 a month in 2007. Now, it is going up to Rs. 21,000.

Sir, while I welcome this Bill, I see one significant flaw in this Bill, that is, the sharp cut-off of Rs.21,000. If a person is actually having Rs.21,000 salary and an employer wants to punish him, he can give an increment of Rs.500, with the result, he goes outside the slab, and actually he will have a loss of Rs.20,500 to his annual income. Actually, an employer can punish his employee by giving him an increment of Rs.500 if that person is having a salary of Rs.21,000. So, I think that it is a flaw and the Government needs to look into it.

One of the things that I propose is this. Yes, Sir, this is a festival season. Everyone should be happy; not three of my neighbours here and three of my neighbours there and I should not be unhappy. I think, the better proposition is that if we have slab on a sliding scale declining up to Rs.42,000. So, at a salary of Rs.21,000, we can have 8.33 per cent; at Rs.25,000 it can be seven per cent and at Rs.42,000 it can be zero. So, this will make everyone happy, and there is no loss to anyone.

While our Party is, of course, more concerned about the employees, we also would like to understand as to what the impact on revenue collection and tax collection is. By increasing bonus, you are also reducing the profits.

The company pays tax on their profits. In the last Budget Session, the Finance Minister announced tax exemption up to Rs.2,00,000 income per year for individuals. So, the bonus amount which is going out of the profits and into the employees is also not taxable. So, we would like to understand what the impact on revenue collection is.

Sir, there is really not much to speak except to congratulate and say a few things but I would also like to take this opportunity to suggest one more thing. The maximum limit that is prescribed is 20 per cent. Why can this not be enhanced to at least 40 per cent.? The minimum is 8.33 per cent and the maximum is 20 per cent. So, if some companies want to be generous and warm-hearted, they can actually increase it at their discretion and give it to their employees. We can exclude employees earning above Rs.1,00,000 or Rs.2,00,000. So, it will actually go to the lower level employees, who really need bonus.

Before I sit down and once again congratulate the hon. Minister, I would like to draw the attention of the hon. Minister to the plight of many employees. Under the guise of outsourcing, under the guise of part-time and under the guise of contract employees – we all know and I am sure the hon. Minister is also well aware of this – a lot of injustice is being done to the contract and outsourcing employees. There is no prescribed timing. They made to over work. They are under paid. There is no overtime. No health care facility is giving to them. So, I would request the hon. Minister to look into these issues.

Once again I congratulate the hon. Minister for bringing this Bill. It is a festive season, and the Minister has endeavoured himself to the entire workforce of the country.

Thank you.

SHRI SANKAR PRASAD DATTA (TRIPURA WEST): Hon. Deputy Speaker, Sir, I rise to speak on the Payment of Bonus (Amendment) Bill, 2015.

Sir, till the enactment of the Payment of Bonus Act, 1965, demand for bonus was not a statutory right but a judicial right only. The word 'bonus' is a *Latin* origin, which we know. It means 'gift' or 'boon' but in the truest sense of the term in industrial field, it is really the deferred wage or salary which has not been paid at the time of payment of wage or salary and being given later on.

Sir, in the early European days, traders in Europe who had come to India used to make some *ex-gratia* payments because they were satisfied with their large profits. The practice of bonus payment as a periodical payment could be said to have begun during the First World War when the industries made huge profits.

There has been a long history of struggle of workers throughout the world, in general and throughout our country, in particular. Ultimately, the Government of India appointed a Bonus Commission on December 16, 1961. Some of its recommendations were implemented in the Payment of Bonus Act, 1965. In one its recommendations, the then Bonus Commission had said that 60 per cent of the available surplus should be distributed as bonus. But still, it has not been implemented in the case of industries.

Nowadays, bonus is regarded as a part of emoluments by the workmen. For the purpose of amendment, in Section 2 of the Payment of Bonus Act, 1965, it is said: 'For the words "ten thousand rupees", the words "twenty one thousand rupees" shall be substituted. In Section 2 of the Principal Act, 'the words "three thousand and five hundred rupees" has been replaced by the words "seven thousand rupees" as minimum wage noticed by the appropriate government, whichever is higher.

Sir, for the purpose of this amendment, I would make a humble request to the hon. Minister. In the last few years, we have seen billionaires are increasing from 54 billionaires to 100 billionaires. Is it possible without accumulation of maximum profit by industries? So, it is by way of accumulation of profit.

It is found that the Indian capitalists are getting more profits as compared to others from all other countries of the world. The percentage of getting profit in India is more than what is there in the other countries of the world. There are numerous cases in our country where employers earned profit to the tune of more than 40 per cent as per their declared statement. So, on the one hand, it is being talked by our Government that they are doing a lot about the goodness and benefit of the workers whereas on the other hand the budget on social security purpose is getting reduced. In the 2013-14 Budget, for the social security purpose of labour, the allocation made was Rs. 2,920.71 crore; in the year 2014-15, it had been decreased to Rs. 2,668.88 crore; and in this year's Budget, another reduction is there, and it has come down to Rs. 2,587 crore only.

So, in this regard, I have to make a specific demand to the hon. Minister, which is also the demand of the maximum numbers of trade unions, to please remove the ceilings on eligibility of bonus. Calculation of bonus and enhancement of calculation formula, ceiling on gratuity should be done away with. Here, Rs. 21,000 is the ceiling. The persons who are doing job, the persons who are technically sound, are getting more than Rs. 21,000 as wage or salary. That means they are having something in the profit making. So, they should also get the bonus. For this reason, we have been making amendments. We may have another amendment also in the coming days.

So, it is better that ceiling should not be there and bonus should be there. In our 1961 Commission, it was said that 60 per cent of the profit should be given as bonus and now, we are seeing that 40 per cent of the profit is being accumulated by the industrialists or employers. As there is no ceiling for profit, then why ceiling for this bonus only. This is our humble request to the Minister that there should not be any ceiling, removal of ceiling should be there and with these words, I conclude.

SHRI VARAPRASAD RAO VELAGAPALLI (TIRUPATI): I thank the Chair for giving me this opportunity. I also thank the hon. Minister for Labour for taking the cause of the workforce in a serious manner. Very recently, the minimum pension has also been increased to Rs. 1000 for the workforce. This is a very big welcome step where India is more labour intensive. However, many of our colleagues have mentioned that it would be very ideal if the ceiling limit is removed. At the present juncture, taking the ceiling limit upto Rs. 21,000 is a welcome step. It is also a welcome step because it covers all the people – the skilled, the unskilled, manual, supervisory, managerial, administrative, technical, clerical and all the factories and companies who have 20 and above employees. This is a welcome step. The commitment to the Government is not much. Perhaps when compared to our larger Budget, it is only Rs. 3000 crore. Many hon. Members were asking as to why it is required. There is a spiralling price rise. It was right from the beginning. I will not say that this has happened in any particular Government. Where the Government employees salaries are much less when compared to the private sector salaries, this kind of bonus, minimum bonus even without the productivity and a larger bonus which is linked to productivity is a welcome step. Since we have a large workforce which is unskilled and manual, they have to look after their parents and all that. With the meagre salary that they are getting in the Government sector, it is impossible for them to look after on all the occasions like the festivals, marriages and education.

The workforce and trade unions are looking to the hon. Minister. The hon. Minister is himself a great trade unionist. The workforce and trade unions are looking for the reformation of labour laws. All the people are looking at him. The trade unions have a fear that the labour laws may be liberalized but instead of that, we are of the opinion that the social security and the employment security of the employees may be protected.

In my opinion, irrespective of a company whether it is making profit or not, minimum bonus should be paid. A bonus of 8.33 per cent should be paid and it is being paid also. A balance has to be drawn between the labour and the capital because India is a labour intensive with most of the people as unskilled labour. We also need to protect our staff against the onslaught of the globalisation. The famous economist Keynes wrote once on multiplier effect. Blue collar wage earners are consumers. All the present people are also consumers. Their next generation will be a talent pool. India needs to be in the knowledge economy tomorrow. The deprived workers are a drag in the present and in the future. Therefore, it is high time that we have raised this and we have to protect them.

With these few words, I thank the Chair for giving me this opportunity.

श्री जय प्रकाश नारायण यादव (बॉका) : माननीय उपाध्यक्ष महोदय, पेमेंट ऑफ बोनस (अमेंडमेंट) बिल, 2015 पर बोलने के लिए मैं खड़ा हुआ हूँ। मैंने महंगाई पर बोलने के लिए तैयारी की थी, लेकिन माननीय संसदीय कार्य मंत्री के आग्रह को कबूल करना पड़ा।

श्रमिकों को बोनस मिले, मजदूरों को बोनस मिले; दो तरह के मजदूर होते हैं- एक संगठित मजदूर वर्ग है और दूसरा असंगठित मजदूर वर्ग है।

शहरी विकास मंत्री, आवास और शहरी गरीबी उपशमन मंत्री तथा संसदीय कार्य मंत्री (श्री एम. वैकेर्या नायडू) : जयप्रकाश जी वाला संगठित वर्ग का है और हम लोग असंगठित वर्ग में हैं।

श्री जय प्रकाश नारायण यादव : धन्यवाद सर।

जो संगठित और असंगठित मजदूर हैं, ये दोनों की भद्रियों में दृष्टियों जलाते हैं और पसीना बहाने का काम करते हैं। मजदूरों को मजदूर कहते हैं, श्रमिक कहते हैं, लेकिन ये मजबूर नहीं हैं। लेकिन इस देश में उसे मजबूर बनाया जाता है। उसकी मेहनत, श्रम और पसीने की जो कीमत होती है। जो फाउंडेशन है, जो बुनियाद है, जिस पर इमारत खड़ी होती है, जिस पर महल खड़ा होता है, गुम्बद खड़ा होता है और फाइव स्टार होटल खड़ा होता है, जिसमें जा कर हम बैठते हैं जो आलीशान बंगलों में रहते हैं लेकिन जिनका पसीना बहता है जो मजदूर हैं वे संगठित भी हैं लेकिन मजबूर नहीं हैं। कारखाने में काम करते हैं या बीड़ी बनाने वाले मजदूर हों या शिक्षा चलाने वाले मजदूर हों, सभी अपना पसीना बहाते हैं और सभी महंगाई की मार से तबाह होते हैं। डॉ. राम मनोहर लोहिया नारायण लगाते थे "येको महंगाई बांधो दाम, नहीं तो होगा चक्का जाम।" यह सवाल केवल महंगाई का ही नहीं था, बल्कि लोगों की जिंदगी का सवाल था। येटी के सवाल से, भूख के सवाल से यह संबंधित है कि जैसे बिना पानी के मछली छटपटाती है, उसी तरह इंसान को रोजगार नहीं मिलेगा, येटी नहीं मिलेगी, वेतन नहीं मिलेगा, बोनस नहीं मिलेगा तो बच्चों की दवा-दारू कैसे करेगा। बेटा-बेटी का विवाह कैसे करेगा, कई पेशानियों से घिर जाएगा इसीलिए मजदूरों पर हमारी ज्यादा नज़र रहनी चाहिए। मिट्टी तोड़ने वाला, मिट्टी उठाने वाला, कुदाल चलाने वाला जैसे कहावत है कि जाड़ा हो या गरमी हो या बरसात डाकिया जरूर आएगा, वैसे ही जाड़ा हो, गरमी हो या बरसात हो मजदूर को तो मजदूरी करने जाना ही पड़ता है, उस पर डंडा भी चलता है और वह जाता भी है और वह सब कुछ अपने पेट की आग बुझाने और अपने परिवार के लिए करने जाता है। इसलिए वह पहाड़ को तोड़ता है, सफाई मजदूर है, मकान भी बनाता है, इसलिए कलम और कुदाल की बात कही जाती है। एक कलम चलाते हैं एक कुदाल चलाता है। कुदाल का महत्व ज्यादा होना चाहिए और कलम का महत्व कम होना चाहिए, ऐसा मैं मानता हूँ। जो भी संवेदनशील लोग होंगे कि कलम जरूर मेरे हाथ में है लेकिन कुदाल चलाने वाले का भी महत्व बहुत ज्यादा है इसलिए कि इस देश में कभी कोई खाते-खाते मरता है और कोई हाथ पसार कर येते-येते मरता है। मजदूरों को रोने के लिए छोड़ देने की जगह अगर हम उन्हें बोनस देने का काम करेंगे तो गरीब मजदूरों के लिए बहुत अच्छा होगा।

महोदय, मैं एक मिनट का समय और लूंगा। जो महिलाएं हैं, जो श्रमिक महिलाएं हैं उनके लिए अगर बोनस में विशेषकर कुछ कंसिडर किया जाए तो अच्छा रहता कि बोनस के लिए महिलाओं के लिए एक विशेष वलाज़ दी गई है। बुनकर लोग मेहनत करते हैं। मैं सभी मजदूरों के लिए कहना चाहता हूँ कि जो बिल आ रहा है, वह तो अपनी जगह पर ठीक है लेकिन कहीं न कहीं मजदूरों के हित में और कलम तथा कुदाल में अंतर नहीं होना चाहिए बल्कि कुदाल पर ज्यादा जोर देना चाहिए। श्रमिक हमारे देश के समृद्धि का रास्ता देते हैं। यही बात कहकर मैं अपनी बात समाप्त करता हूँ।

SHRI M. VENKAIAH NAIDU: Earlier I told the House through you, hon. Deputy-Speaker, Sir, that we were considering of sending that Bill to the Joint Committee and we were holding discussion in that regard. But I am sorry to inform the House that some parties are not willing for the same. That is why the Government has decided to take the Bill itself after this Bill. I have a habit of taking the House into confidence. That is why I just want to inform the House that that Bill will be taken up after this Bill. ...(*Interruptions*)

SHRI P. KARUNAKARAN (KASARGOD): It is very difficult to take that Bill. ...(*Interruptions*)

SHRI N.K. PREMACHANDRAN (KOLLAM): The Bill may be sending to the Standing Committee. How can this Bill be directly taken up...(*Interruptions*)

HON. DEPUTY SPEAKER: We will see it after this Bill is over.

17.00 hours

SHRI E.T. MOHAMMAD BASHEER (PONNANI): Sir, I congratulate the hon. Minister for bringing this legislation. This House was really expecting very comprehensive labour law reforms. Hon. Minister himself stated recently that a major legislation with regard to labour was pending. Anyhow, I hope that such a legislation will come in future.

Sir, this Bill is confined mainly to three things. One, it increases the eligibility limit of salary from Rs. 10,000 to Rs. 21,000. The second thing is that the calculation of bonus will be made at the rate of Rs. 7,000 per month or the minimum wage notified under the Minimum Wages Act, whichever is higher. The third thing is the prior publication of the rules and retrospective effect from 01.04.2015. These are the main clauses of this Bill. These are good things.

What I am saying is that bonus is having a different interpretation and dimension now. Bonus was once treated as charity or *ex gratia*. Now bonus is a legal right and industrial disputes can be raised on the issue of bonus. Now it is legally having that status. Minimum bonus is 8.33 per cent and the maximum is limited to 20 per cent. I would suggest that this maximum limit of 20 per cent should be substantially increased. There is a logic behind it.

Similarly, two main amendments are very much required in this Bill. As I told, the maximum limit of 20 per cent should be enhanced. I would submit that we have to realise that labour is the biggest contribution in an industry. Human capital is the first thing which is followed by money and machinery. Unfortunately, human capital is not taken into consideration properly. Similarly, in our present Payment of Bonus Act, there are seven categories which are excluded from the purview of the Act. I would request the hon. Minister to re-examine that aspect also.

Sir, we have to realise one thing that 90 per cent of the employees in our country are working in the unorganized sector. We have also to think about what we can do for the workers in that sector.

At present, workers are dismissed from service on the ground of misconduct and as a result, they are disqualified from getting bonus. That is not fair because bonus is paid on the basis of days' work and earning, and not on the basis of character or conduct as such. So, that clause may also be amended.

Sir, structural changes are needed in this regard. Due to constraint of time, I do not want to take much time, but I would like to say one thing that the hon. Minister is a very honest Minister. He must come forward with basic reforms in the labour laws. This Bill is only a small thing. Anyhow, this is well and good.

With these few words, I conclude. Thank you very much.

SHRI N.K. PREMACHANDRAN (KOLLAM): Sir, I fully support the Bill because this Bill has come to this House for consideration after a series of strikes – 24-hour bandhs and 48-hour bandhs - and it is an assurance given by the Government to the ten trade unions in the country that bonus reforms would be made. As a part of this, the Payment of Bonus (Amendment) Bill is coming for our consideration.

I fully support the two proposed amendments regarding the eligibility for bonus – raising the pay ceiling limit from Rs. 10,000 to Rs. 21,000 and raising the limit on calculation of bonus from Rs. 3,500 to Rs. 7,000. I fully support these two proposals.

I am not going into the details of the bonus. We know that during the 1950s and 1960s, the bonus used to be considered as a part of the profit, but subsequently after the enactment of the Payment of Bonus Act, it is an accepted principle in the country that it is 'deferred wages'. So, bonus is not part of profit, but it is absolutely 'deferred wages'.

Most of the hon. Members from various corners of this House have stated that bonus should be linked with productivity. I fully support this view because productivity and production can be increased if you give such an incentive to the workforce. I would suggest that the productivity linked bonus should be independent of and separate from statutory bonus. The statutory bonus should never be coupled or linked with productivity because there are a lot of incidents about which we know from our experience of having been in the trade unions. Most of the industrial establishments in the country have a liking to have bonus which is linked with productivity. If it is linked with productivity, definitely they will make their balance sheet in such a way that there is no productivity and most of the workforce in the country will be out of the ceiling of bonus.

So, definitely the productivity-linked bonus should be a bonus other than that of the statutory bonus, which the Act envisages.

Also, there is a serious apprehension among the workforce in the country that the labour laws in the country are going to be weakened. The Government is taking into consideration the Second National Labour Commission's recommendations. There are five major recommendations. One of them is the codification of the labour laws. The Government is moving in that direction. I am not opposed to the codification of labour legislations. I fully support the codification of labour legislations. But I want to place on record the apprehension of the trade unions that on the pretext of codification of labour legislations or labour laws, the labour laws are getting weakened. Codification is the need of the hour and it is better for the performance of the labour laws in the country. But it shall not infringe or takeaway the right of the workforce in our country, existing statutory rights are never taken away, that assurance we want from the hon. Minister.

I would like to quote the hon. Minister's statement which I fully agree with because the Minister is doing wonderful work in this matter of labour law. I am also a member of the Consultative Committee. The Minister had assured and I quote, "The Government considers workers as very valuable assets for the country and it is only because of their hard work and passion that India is growing at a very fast pace". This is a very good observation on the part of the Minister and the Government.

Unfortunately, most of the economists, the neo-liberal reformist economists, do not subscribe to this view or they do not confirm this view. So, definitely this passion should be taken into consideration of the labour reforms in which the codification is going to take place. Codification is in respect of industrial relations, wages, social security, safety and welfare of the workers. Definitely this should be codified without infringing upon the rights of workers which are in existence under various statutes. We have 44 labour legislations in the country. These 44 labour legislations have to be codified into five or four as the Government desires, but it shall never infringe upon the rights of the workers.

I have moved a proposal of an amendment regarding the ceiling limit. The trade unions' opinion, as just now my learned friend has already cited, is that the ceiling limit has to be taken away. Why should we have a ceiling limit? Let the ceiling limit be taken away. That is the long pending demand of the workforce. Anyway, it is coming up to Rs.21,000 and we do appreciate that, and also we do support. At the same time I would like to make another point and that is regarding the allowances. This Rs.21,000 should be excluding the allowances.

When we passed the Bill in respect of payment of salaries and allowances of the High Court judges and Supreme Court judges, we passed an amendment. What was the amendment? It was about the encashment of the leave benefit of the High Court judges and the Supreme Court judges. In that case, all the allowances availed by judges will be incorporated within the meaning of wages. As far as the workers are concerned, the wages mean only the minimum wages plus DA. Basic wage plus DA is the wage structure. But as far as the judges are concerned, all allowances will come. So, my submission is, excluding the allowances this ceiling limit may be accepted. That is the amendment proposal which I have made.

With these words, once again I support the Bill. I conclude. Thank you, Sir.

SHRI C.N. JAYADEVAN (THRISSUR): Mr. Deputy Speaker, Sir, thank you for giving me this opportunity to speak on the Payment of Bonus (Amendment) Bill, 2015.

Sir, this Bill is brought for enhancing the eligibility limit of the employees for payment of bonus from Rs.10,000 per mensem to Rs. 21,000 per mensem, and to raise the calculation ceiling from Rs.3,500 per mensem to Rs.7,000 per mensem for the minimum wage or the scheduled employment as fixed by the appropriate government whichever is higher.

This enhancement of limits does not make any difference considering the inflation and consequent rise in the wages of the employees over the years since the last amendment was made. Basically, the payment of bonus is supplement to wages and therefore taken as deferred wages. Linking bonus partly to profit sharing may at the most be construed as to what extent the deferred wage is to be accepted over and above the prescribed minimum limit which at present is 8.33 per cent even in case of no profit. Therefore, fixing the payment and eligibility limit is extraneous to the concept and meaning of bonus. Moreover, the Supreme Court has already said that bonus is a part of salary and there should not be any ceiling on it, both for the eligibility limit and calculation ceiling. Almost all the central trade unions have demanded for the removal of conditions on payment of ceiling and eligibility limits in a series of meeting with the Government.

I, in the name of my party the Communist Party of India, request the Government to reconsider their demand in this regard and bring about a fresh amendment to the Payment of Bonus Act to remove all conditions on payment of ceiling and eligibility limits.

SHRI M. UDHAYAKUMAR (DINDIGUL): Hon. Deputy Speaker, I express my sincere thanks and gratitude to our beloved leader hon. Chief Minister of Tamil Nadu Dr. *Puratchi Thalaivi Amma* for giving this opportunity to speak about the Payment of Bonus (Amendment) Bill, 2015 before this august House.

This Bill is to double the wage ceiling for calculating bonus as Rs 7,000 per month for factory workers and establishments with 20 or more workers. The Payment of Bonus (Amendment) Bill, 2015 is to enhance the monthly bonus calculation ceiling to Rs 7,000 per month from the existing Rs 3,500 per month. The amendment will be made effective from 1st April, 2015. The Bill also seeks to enhance the eligibility limit for payment of bonus from the salary or wage of an employee from Rs 10,000 per month to Rs 21,000. The Payment of Bonus Act, 1965 is applicable to every factory and establishment in which 20 or more persons are employed on any day during the accounting year.

The Bill also provides for a new proviso in section 12 which empowers the Central Government to vary the basis of computing bonus. At present, under section 12, where the salary or wage of an employee exceeds Rs 3,500 per month, the minimum or maximum bonus payable to the employees are calculated as if his salary or wage were Rs 3,000 per month. Our Tamil Nadu Chief Minister *Puratchi Thalaivi Amma* has protected the interest of thousands of employees working in various Departments of Tamil Nadu Government.

The last amendment to both the eligibility limit and calculating ceilings under the said Act was carried out in the year 2007 and was made effective from 1st April, 2006. The amendment in the Act to increase wage ceilings and bonus calculation ceiling was one of the assurances given by the Centre after ten central trade unions went on one day strike on 2nd September. The Payment of Bonus Act, 1965 was enacted with a view to providing for the payment of bonus to persons employed in certain establishments on the basis of profit or on the basis of production or productivity and for matters connected therewith. Thereafter, the Act was amended several times and lastly amended in the year 2007. According to clause (13) of section 2 of the Act, 'employee means any person (other than an apprentice) employed on a salary or wage not exceeding ten thousand rupees per mensem in any industry to do any skilled or unskilled manual, supervisory, managerial, administrative, technical or clerical work for hire or reward, whether the terms of employment be express or implied.'

However, according to section 12 of the Act, the bonus payable to an employee whose salary or wage exceeds three thousand and five hundred rupees *per mensem* shall be calculated as if his salary or wage were three thousand and five hundred rupees *per mensem*.

The Central Government has been receiving representations from trade unions, individuals and various associations for enhancement or for removal of the above ceilings. After due consideration, the Central Government has decided to enhance the eligibility limit for payment of bonus from ten thousand rupees *per mensem* to twenty-one thousand rupees *per mensem*. The Central Government has also decided to raise the calculation ceiling from three thousand and five hundred rupees *per mensem* to seven thousand rupees *per mensem* or the minimum wage for the scheduled employment, as fixed by the appropriate Government, whichever is higher.

Section 38 of the Act empowers the Central Government to make rules for the purpose of giving effect to the provisions of the Act. Since, the said section does not provide for the previous publication of the rules, it is proposed to insert an enabling provision providing for previous publication for the purpose of inviting objections and suggestions in tune with the other legislations pertaining to welfare of labour.

In Tamil Nadu, Amma's efforts for the welfare of the labour force and the Act help the labour. The Government has come forward to help the labour. The Bonus Act is the right of the labour. Giving more bonus to the labour union is welcome on behalf of our Tamil Nadu Government as directed by hon. Puratchi Thalaivi Amma. We welcome the Bill.

Thank you, Sir.

SHRIMATI APARUPA PODDAR (ARAMBAG): Thank you, Deputy-Speaker, Sir, for allowing me to speak on this Payment of Bonus (Amendment) Bill, 2015.

The Bill provides for payment of bonus to persons employed in certain establishments on the basis of profits or on the basis of production or productivity.

The Act provides bonus to employees of certain establishments including factories and establishments employing 20 or more persons. Under the Act, the payment of bonus to the employees whose salary or wages is up to Rs. 10,000 per month. The Bill seeks to increase the eligibility limit to Rs. 21,000 per month. Under the new Act, the casual labour and the contract labour are eligible for bonus. The law stipulates that an employer is mandated to give a minimum bonus of 8.33 per cent of the salary. So, the worker earning Rs. 7,000 per month will receive a minimum bonus equivalent to 8.3 per cent of his salary.

An employee is entitled for bonus only when he has worked for 30 working days in the year. Considering the cost of living and other connected matters, it has to be reviewed. There should be no upper limit of salary for getting bonus. Everybody working in various sectors should get bonus.

Labour voices have been silent; over the years trade unions have been sterilised. But without a vibrant, well-paid workforce, India will not have a domestic demand to fuel its 1.3 billion people economy.

If companies do not pay bonus on time, the Government should take legal steps and speedy justice should be given to the labourer's family. I want the assurance from the hon. Minister who is present here.

I have a suggestion to the Minister that there should be a provision of giving bonus in advance for the employees who have some emergency in their families. At least 50 per cent of the bonus should be given to them in the case of an emergency.

On behalf of our Party, All India Trinamool Congress and our hon. Leader Mamata Banerjee, on this festive occasion, I welcome this Bill and support it. Thank you.

अ. वीरेंद्र कुमार (टीकमगढ़) : उपाध्यक्ष महोदय, मैं आपका धन्यवाद करता हूँ कि आपने मुझे बोनस भुगतान अधिनियम 2015 पर बोलने का अवसर दिया।

हमारे देश के प्रधान मंत्री आदर्शपूर्ण नरेन्द्र मोदी जी द्वारा एवं श्रम एवं रोजगार मंत्री बंडारू दत्तात्रेय जी द्वारा यह जो विधेयक लाया गया है, मैं इसके समर्थन में खड़ा हुआ हूँ। दरअसल मैं यह विधेयक संगठित क्षेत्र में काम कर रहे श्रमिकों को प्रोत्साहित करने की दिशा में एक महत्वपूर्ण कानून है। मैं सबसे पहले अपनी सरकार द्वारा उठाए गए कदमों की सराहना करना चाहता हूँ कि आदर्शपूर्ण प्रधान मंत्री नरेन्द्र मोदी जी ने जो सबसे पहला कदम कर्मचारियों के हित में उठाया कि बहुत सारे कर्मचारियों को सेवानिवृत्ति के बाद 25 रुपये या 50 रुपये जो पेंशन मिलती थी, उसको बढ़ाकर 1000 रुपये करने का एक साहसिक निर्णय लिया। उसके बाद हमारी सरकार ने दूसरा ऐतिहासिक कदम उठाया प्रधान मंत्री बीमा सुरक्षा योजना का। उसके बाद तीसरा कदम हमारी सरकार ने उठाया प्रधान मंत्री जीवन ज्योति योजना का और चौथा कदम उठाया अटल पेंशन योजना का, तथा इसके साथ ही साथ ई.पी.एफ. के खाताधारियों को स्मार्ट कार्ड योजना से लाभ देने का कदम भी उठाया।

उपाध्यक्ष महोदय, हमें इस बात को कहने में तनिक भी संकोच नहीं है कि दुनिया में सबसे कम मजदूरी अगर कहीं मजदूरों को मिलती है तो वह हमारे देश में मिलती है लेकिन हमारी सरकार ने मजदूरों की इस वेतन को अनुभव किया। जहाँ तक बोनस की बात की जाए तो इस बोनस विधेयक पर बोलने के पहले मैं कहना चाहूँगा कि भारत में बोनस देने की प्रथा पश्चिम विश्वयुद्ध के बाद शुरू हुई जब कुछ वस्तु मितों ने वेतन का 10 प्रतिशत बोनस के रूप में अपने श्रमिकों को दिया। उसके बाद लगातार श्रमिकों की मांग को देखते हुए बोनस के भुगतान के संबंध में नियम बनाना ज़रूरी हो गया। भारत सरकार द्वारा स्थापित स्थायी लेबर समिति ने मत दिया कि बोनस भुगतान के लिए एक त्रिपक्षीय समिति बनाई जाए जो बोनस भुगतान के हर पहलू पर विचार कर अपनी सिफारिशें दे। सरकार द्वारा उन सिफारिशों को माना गया और 29 मई, 1965 को एक अध्यादेश लाया गया जो बाद में पैमेंट ऑफ बोनस एक्ट बना। जैसे तो इस एक्ट में कई बार संशोधन किए गए परन्तु आखिरी बार संशोधन सन् 2007 में किया गया जिसमें बोनस की सीमा को बढ़ाकर 3500 रुपये किया गया। यह कानून हर फैक्ट्री और स्थापनाओं पर लागू है जहाँ पर कम से कम 20 श्रमिक कार्यरत हैं। यदि किसी कारणवश श्रमिकों की संख्या घट जाती है, परन्तु वह फैक्ट्री या स्थापना इस एक्ट के दायरे में आ जाती है तो उसे अपने श्रमिकों को बोनस का भुगतान करना होगा। मैं समझता हूँ कि यह धारा बहुत ही महत्वपूर्ण होने के साथ-साथ श्रमिकों के हित में है जिससे कभी भी श्रमिक बोनस भुगतान से वंचित नहीं हो पाएँगे। अभी तक जो श्रमिक 10 हजार रुपये वेतन पाते थे, वे इस एक्ट के दायरे में आते थे, परन्तु सीमा को बढ़ाया और 21 हजार रुपये किया गया। मैं समझता हूँ कि यह बहुत ही सराहनीय कदम है जिससे कि जो श्रमिक बोनस के दायरे से बाहर हो गए थे, वे भी बोनस पा सकेंगे। साथ ही बोनस की सीमा को बढ़ाए जाने के लिए जो कि 3500 रुपये से 7000 रुपये की गई है, वह आज के मूल्य सूचकांक को देखते हुए एक अच्छा और प्रोत्साहित करने वाला कदम है।

उपाध्यक्ष महोदय, इस विधेयक की जो सबसे महत्वपूर्ण बात है, वह यह है कि सरकार को ट्रेड यूनियन्स से इस बारे में जो ज्ञापन और सुझाव प्राप्त हुए थे, उन पर सरकार ने गौर किया और श्रमिकों के हित में यह निर्णय लिया गया कि वर्तमान बोनस की सीमा को 1 अप्रैल, 2000 से लागू किया जाएगा।

अंत में मैं इन शब्दों के साथ कि प्रधान मंत्री जी ने सबका साथ, सबका विकास, इस भावना के साथ...(व्यवधान) काम किया है, मैं इस बिल का समर्थन करता हूँ।

श्री राजेश रंजन (मधेपुरा) : उपाध्यक्ष महोदय, अमीर प्रत्येक दिन चलता है खाना पचाने के लिए और गरीब 100 किलोमीटर चलता है कि खाना कैसे खाएँगे। यह फर्क है इस देश में। हम रात का खाना पचाने के लिए चलते हैं और गरीब सुबह खाना वया खाएँगे इसके लिए 100 किलोमीटर चलता है।

महोदय, गरीब और मजदूर हमेशा से वोट का आधार बनकर रह गया, कभी उसको यह कहा गया कि भाग्य, भगवान और किरमत के भरोसे तुम जी लो, या जो राजनीतिक व्यवस्था है, आज़ादी के बाद आज तक हम उसको सँभाल में देते रहे। मैं एक अर्थशास्त्री प्रो. बट्टा ने वया कहा वह बताना चाहता हूँ। दुनिया की जानी मानी कंसलटैन्सी कंपनी मॉर्गन स्टैन्ली के कार्यकारी निदेशक वेतन रॉय के अंडर चार वर्षों में इस कंपनी की भारत की संपदा में लगभग 1 खरब डालर से अधिक की वृद्धि हुई लेकिन इस संपदा वृद्धि का लाभ बहुत सीमित है जो सिर्फ 2 प्रतिशत है। सेबी के अनुसार देश में कुल आबादी के सिर्फ चार से सात फीसदी लोगों के पास इसके शेयर हैं। इसमें भी कंपनियों के मातिकों का बहुत बड़ा हिस्सा है। 'आया' के मुताबिक 570 अरब डॉलर में से 350 अरब डालर कंपनियों के मातिकों के हिस्से में गया। अब आपको आश्चर्य होगा कि प्रो. बट्टा ने वया कहा। इसमें कहा है कि दो बड़े-बड़े उद्योगपति, जिसके पास कुल एक लाख नब्बे हजार करोड़ थे, विडम्बना यह है कि वह इन भाइयों के बीच बंटकर अब 11 लाख हजार करोड़ रूपए हो गया। सुपर अमीरों और आम आदमी के बीच की खाई गहरी और चौड़ी होती जा रही है। उधारीकरण की लक्ष्मी गरीबों और आम आदमियों के घर का रूख करने के बजाए आबादी के छोटे हिस्से सुपर अमीरों के घर फैट हो गयी।

आपको आश्चर्य होगा, वर्ष 1983 में देश में कुल काले धन का अनुमान लगभग 36,786 करोड़ रूपए था, जो आज बढ़कर 9 लाख लाख करोड़ रूपए हो गया है। प्रोफेसर बट्टा ने कहा है कि सच पूछिए तो लक्ष्मी की वास्तविक कृपा इस देश के अरबपतियों, करोड़पतियों पर रही। गुलाबी अखबारों में आर्टिस्टि भारत के अरबपतियों, करोड़पतियों की बढ़ती तादाद पर खबरें छपती हैं।

यूनानी की कहना है कि अरबपतियों और करोड़पतियों के साथ गरीबों की संख्या लगातार बढ़ रही है। देश की लगभग 80 प्रतिशत आबादी आज भी प्रत्येक दिन एक डॉलर से कम की आय पर निर्वाह कर रही है। मैं इस बिल के पक्ष में हूँ, लेकिन मेरा कहना इसमें हमेशा व्यवहारिक रहा है। मैं कहना चाहूँगा कि यह संतुलित हो। जैसे कृषि पर मजदूरों का वया संतुलन होगा, किस तरह की संतुलित व्यवस्था होगी? बोनस तो ठीक है, आज आप दे रहे हैं। लोग सँभल भी देते हैं, लोगों ने दिया है। कई योजनाएं, अटल पेंशन योजना आई है। वया आप फैक्ट्रियों में मजदूरों के शेयर को शेयर करेंगे? वया सहकारिता के माध्यम से मजदूरों को आप कृषि में ले जाएँगे? वया फैक्ट्री में मजदूरों का शेयर होगा? आप यदि मजदूरों को किसी भी फैक्ट्री में उसकी मजदूरी का, गुणवत्ता का शेयर दे देते हैं, तो फिर मजदूरों को किसी तरह का बोनस देने की जरूरत नहीं पड़ेगी। मजदूर भगवान, भाग्य और किरमत के भरोसे नहीं जिंएँगे। मजदूर किसी भी किमत पर इस सरकार, इस राजनीतिक व्यवस्था का शिकार न हो। मजदूरों को बोनस के बजाए उस फैक्ट्री में शेयर मिले और एक कठोर कानून मजदूरों के हित के लिए बनाए जाए, ताकि कोई मालिक, कोई फैक्ट्री मालिक किसी मजदूर का शोषण नहीं करे।...(व्यवधान)

श्री बंडारू दत्तात्रेय : डिप्टी स्पीकर सर, आज बोनस अमेंडमेंट बिल, 2015 पर हमारे सम्माननीय सदस्यों ने काफी गंभीरता से चर्चा की है। अभी तक जिन्होंने इस पर चर्चा की है, सारे पक्ष के लोगों ने सरकार के इस ऐतिहासिक निर्णय का स्वागत किया। इसके लिए मैं सभी लोगों, सभी पार्टियों को अपनी तरफ से और हमारे भारत के प्रधानमंत्री नरेन्द्र मोदी जी की तरफ से भी आपको धन्यवाद देना चाहता हूँ।

बोनस अमेंडमेंट बिल के संबंध में आप लोगों ने बताया कि दो महत्वपूर्ण मुद्दे हैं। एक है इलेक्ट्रिबिलिटी लिमिट और दूसरा है कैलकुलेशन लिमिट। हम इसका इतिहास पहले देखेंगे। बोनस अमेंडमेंट वाले बिल के बारे में कहूँगा कि वर्ष 1965 में इलेक्ट्रिबिलिटी लिमिट 1,600 रूपए थी और कैलकुलेशन सीलिंग 750 रूपए थी। वर्ष 1985 में, 20 साल के बाद 2,500 रूपए इलेक्ट्रिबिलिटी लिमिट हुई और कैलकुलेशन लिमिट 1,600 रूपए रही। उसके बाद वर्ष 1995 में 3,500 रूपए इलेक्ट्रिबिलिटी लिमिट रही और कैलकुलेशन सीलिंग 2,500 रूपए रही। वर्ष 2007 में इसकी 10 हजार रूपए

इलेक्ट्रिफिकेशन रहीं और 3,500 रुपए कैलकुलेशन सीलिंग रहीं। इसके 9 साल के बाद, यह सरकार आने के बाद, जैसा हमारे मित्रों ने कहा कि हमने इसमें कोई देरी नहीं की। मैं इसे पहले ही करने वाला था, लेकिन बिहार के इलेक्शन होने के कारण इसमें थोड़ी देर हो गई। हम काफी ट्रेड यूनियन के लोगों से, जितनी भी देश में नेशनल ट्रेड यूनियंस हैं, उन लोगों से ट्राइपार्टीट मीटिंग में बैठक करके एक बहुत बड़ी कंसेंस बनाई। पहले ही हम लोगों ने ट्रेड यूनियन वालों से बातचीत की थी। ट्रेड यूनियन वालों ने बहुत खुशी व्यक्त की है। मैं आपको बताना चाहता हूँ कि इसमें 10,000 रुपये से 21,000 रुपये की बढ़ोतरी की गई है, हमने कैलकुलेशन करके 7,000 हजार किया है।

हमारे मित्र सौगत राय जी और प्रेमचन्दन जी ने कुछ अमेंडमेंट दिए हैं, उनका डिमांड इसे और बढ़ाने की है, जब वह डिमांड आएगी तो मैं रिप्लाई करूंगा। केन्द्र सरकार ने वर्ष 2015 से इसे इम्प्लीमेंट करने का निर्णय किया था लेकिन प्रधानमंत्री ने स्वयं हमसे बातचीत की और कहा कि इसे नए साल 2016 से शुरू किया जाए, जितने भी गरीब मजदूर हैं, उनको इसका लाभ मिलना चाहिए, ऐसा हमारे प्रधानमंत्री जी का मत है। उनकी अनुमति मिलने के बाद हमने अमेंडमेंट भी लगाया। यह सरकार गरीबों और मजदूरों के लिए बहुत चिंतित है। उनका मिनिमम वेज बढ़ाना चाहिए, उनका रिस्कल बढ़ाकर ज्यादा से ज्यादा वेज सिक्यूरिटी देना है। यह हमारी सरकार की प्रतिबद्धता है। आने वाले दिनों हमारी सरकार मजदूरों को सोशल सिक्यूरिटी देगी। वेज सिक्यूरिटी, जॉब सिक्यूरिटी और सोशल सिक्यूरिटी तीनों महत्वपूर्ण मुद्दे हैं। प्रधानमंत्री जी ने मेक इन इंडिया का प्लैगशिप प्रोग्राम बनाया है, इसमें रिस्कल इंडिया भी है, इससे रिस्कल इंडिया भी बढ़ेगा। हमारे बंधुओं ने मिनिमम वेज के बारे में काफी चर्चा की, नेशनल ट्रेड यूनियन मिनिमम वेज के बारे में काफी चर्चा कर रहे हैं, इस बारे में मैंने राज्य सरकारों से चर्चा की है। इस पर आमसहमति लाकर इसी सदन में एक नेशनल मिनिमम वेज बिल लाकर सारे देश में एक स्टेट्यूटरी प्रोविजन लाकर हर गरीब मजदूर को मिनिमम वेज मिलानी चाहिए, अभी तक यह एडवाइजरी नॉन-स्टेट्यूटरी था, हम इससे आगे बढ़कर मिनिमम वेज नहीं बल्कि हमारे मजदूर को फेयर वेज मिलाने की बात कर रहे हैं, हम लोग यहां मिनिमम वेज की बात कर रहे हैं। विदेशों में टैविनकल रिस्कल ज्यादा होता है, अपने देश में टैविनकल फोर्स 1.7 परसेंट है लेकिन दूसरे देशों में बहुत ज्यादा है। हम इस फोर्स को बढ़ाने के लिए रिस्कल डेवलपमेंट का कदम उठाया है। दो-तीन इम्पॉर्टेंट विषय हैं जिसे मैं आपके सामने प्रस्तुत करूंगा।

प्रेमचन्दन जी ने एक महत्वपूर्ण बात कही थी, लोग लेबर लॉ रिफॉर्मस कर रही हैं, जिसे करना चाहिए क्योंकि यह देश की जरूरत है। जैसा उन्होंने कहा कि the Second National Labour Commission has recommended codification. The Second National Law Commission was headed by the eminent trade union leader, Shri Ravindra Verma. He gave recommendations meant for our national interest. In those recommendations, codification is also there. We are going to do further codification. All 44 Central labour laws will be converged into four labour codes. The first labour code will be the code on industrial wages; second one will be the code on industrial relations; third one will be on social security; fourth one will be the safety and security of workers. These are the four major codes.

The paramount theme of my Government's labour reforms is to safeguard the interests of the workers. We are not at all going to take away the rights of the workers in any way. But a misinformation campaign is going on in this country. This campaign is going on in this country without having a proper knowledge. I have held 21 tripartite committee meetings with labour unions. There will be no infringement of rights of workers. All these measures are in the interest of the workers and are in favour of the workers. All the labour reforms are going to be in the interest of workers.

Whenever the Bills come before the House, I will definitely discuss them. Regarding other important aspects, I want to inform you that I am very much concerned about two things. One is, in India the unorganised workforce is very high. About 93 per cent of the workforce is unorganised. In terms of numbers it is approximately 40 crores.

उस बारे में भी आप लोगों ने काफी चिंता की है। एक विषय के बारे में सब मैम्बर्स ने बताया। उस बारे में सरकार का क्या व्यू है, वह मैंने बताया था कि यह सब करने से केन्द्र सरकार पर 6203 करोड़ रुपये का बर्डन पड़ेगा। इस ऐतिहासिक निर्णय से देश में करोड़ों गरीब मजदूरों को लाभ होगा। इसलिए आप सभी इस बिल को एकमत होकर सहमति के साथ पास करें।

Lastly, I want to respond to some of the clarifications sought by hon. Members. I would like to thank Dr. Mamta Sanghamita for her support to the Bill. I would like to clarify that, suppose an employee gets a wage of Rs. 2,500, he or she would get bonus as per the formula of Rs. 2,500X12, and the minimum bonus is 8.33 per cent.

I wish to inform the House that the amendment was made in 2007. I welcome the suggestion.

I have taken note of the suggestions of the hon. Members and I will definitely consider those suggestions and will examine them. Thank you.

HON. DEPUTY-SPEAKER: The question is:

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

The motion was adopted.

HON. DEPUTY-SPEAKER: Now, the House shall take up clause by clause consideration of the Bill.

Clause 2 Amendment of Section 2

PROF. SAUGATA ROY (DUM DUM): Yes. I beg to move:

Page 1, lines 5 and 6, --

for "twenty-one thousand rupees"

substitute "twenty-five thousand rupees". (1)

I proposed that in page 1, lines 5 and 6, for "twenty-one thousand rupees", that is the upper ceiling, one should substitute "twenty-five thousand rupees". My purpose of moving the amendment is to bring certain matters to the attention of the Minister. Of course, we want the minimum amount

to be raised. He has already raised it from Rs. 10,000 to Rs. 21,000, which is welcome. I would like it to be increased further to Rs.25,000/- The only thing which I want to point out to the hon. Minister is that the concept of bonus as has been stated by the hon. Minister ought to be changed. In the Statement of Objects and Reasons, he has said that bonus will be paid on the basis of profits or on the basis of production or productivity and for matters connected therewith. I strongly object to this. I think bonus is a right of the employees. Then, it should be treated as a deferred wage. They will calculate the allocable surplus and the companies will not give any bonus. I have the experience in the trade union movement.

HON. DEPUTY-SPEAKER: I shall now put Amendment No.1 moved by Prof. Saugata Roy to the vote of the House.

The amendment was put and negatived.

HON. DEPUTY-SPEAKER: Shri N.K. Premachandran, are you moving your amendment No.3?

SHRI N.K. PREMACHANDRAN (KOLLAM): I beg to move:

"Page 1, lines 5 and 6,--

after "twenty-one thousand rupees"

insert "(excluding all allowances)" (3)

I have already stated that it should be excluding all allowances because the High Court Judges' and Supreme Court Judges' allowance is being considered for calculating encashment of leave. Suppose that be the case, the same principle should be applicable to the working force in our country.

HON. DEPUTY-SPEAKER: I shall now put Amendment No.3 moved by Shri N.K. Premachandran to the Vote of the House.

The amendment was put and negatived.

HON. DEPUTY-SPEAKER: Shri Adhir Ranjan Chowdhury – not there.

The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3 Amendment of Section 12

HON. DEPUTY-SPEAKER: Prof. Saugata Roy, are you moving Amendment No.2?

PROF. SAUGATA ROY (DUM DUM): I beg to move:

Page 1, line 9,--

for "seven thousand rupees"

substitute "eight thousand rupees". (2)

The Hon. Minister, of course, has increased the basis of calculation from Rs.3500 to Rs.7000 which is welcome. I want to raise it further because the hon. Minister talked of bringing in four labour codes. I shall request him not to yield to the pressure of the big business and corporates for labour reforms where they want to have the right to hire and fire, take away the basic security of the workers. If that happens in the name of labour laws, labour reforms, we shall oppose it tooth and nail on behalf of the working class of this country.

HON. DEPUTY-SPEAKER: I shall now put Amendment No.2 moved by Prof. Saugata Roy to the vote of the House.

The amendment was put and negatived.

HON. DEPUTY-SPEAKER: Shri Premachandran, are you moving your Amendment No.4?

SHRI N.K. PREMACHANDRAN : I beg to move:

"Page 1, line 9,--

after "seven thousand rupees"

insert "(excluding all allowances)" (4)

Sir, it is the same thing.

HON. DEPUTY-SPEAKER: I shall now put Amendment No.4 moved by Shri N.K. Premachandran to the vote of the House.

The amendment was put and negatived.

HON. DEPUTY-SPEAKER: The question is:

"That clauses 3 and 4 stand part of the Bill."

The motion was adopted.

Clauses 3 and 4 were added to the Bill.

Clause 1

Amendment made:

Page 1, line 3,-

for "It shall be deemed to have come into force on the 1st day of April, 2015."

substitute "It shall be deemed to have come into force on the 1st day of April, 2014.". (7)

(Shri Bandaru Dattareya)

HON. DEPUTY-SPEAKER: The question is:

"That clause 1, as amended, stand part of the Bill."

The motion was adopted.

Clause 1, as amended, was added to the Bill.

The Enacting formula and the Long Title were added to the Bill.

SHRI BANDARU DATTATREYA: I beg to move:

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

HON. DEPUTY-SPEAKER: Motion moved:

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

PROF. SAUGATA ROY : Sir, I take just one minute.

HON. DEPUTY-SPEAKER: You have not given it in writing. You cannot ask like that.

PROF. SAUGATA ROY : In the Third Reading, we can always speak.

HON. DEPUTY-SPEAKER: You have to give it in writing. Then only, I can allow. All right, just tell what you want.

PROF. SAUGATA ROY : I want an assurance from the hon. Minister that in the name of labour reforms, the employers will not be given the right to hire and fire. That is all.

HON. DEPUTY-SPEAKER: The question is:

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

The motion was adopted.

THE MINISTER OF URBAN DEVELOPMENT, MINISTER OF HOUSING AND URBAN POVERTY ALLEVIATION AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI M. VENKAIAH NAIDU): Sir, in fact, the hon. Minister needs to be congratulated because it is a very historic thing. It is also because bonus has been raised, and that too retrospectively, which is something unheard of in the recent days. We must all compliment the Minister and also the Government and the Prime Minister.

17.45 hours