

[Shri Prasannabhai Mehta]

Mills, Ahmedabad. The Laxmi Cotton Mills, Ahmedabad has been closed down since 12th August, 1977 and about 2000 workers are thrown out of employment. They are not paid their wages from June 1977. This has created untold sufferings an misery to nearly 10,000 souls. They are practically starving. It would not be out of place if I mention that the other day this House had discussed the violence that broke out in Swadeshi Cotton Mills, Kanpur, and the loss of precious human lives. I have received the following telegram from the Textile Labour Association, Ahmedabad.

"Laxmi Cotton Mills Ahmedabad close since 12 August, Cloth worth lakhs lying unsold stock. Workers not paid wages from June. Workers very restive and likely to create violence. Kindly instruct United Bank of India to sell cloth which otherwise would be spoiled and pay workers wages immediately from realisation."

I appeal to the hon. Finance Minister, Industries Minister and the Labour Minister to take immediate steps to issue suitable instructions to the United Bank of India, Ahmedabad, to arrange for adequate finance for the payment of wages. They have stock of cloth worth lakhs of rupees and they should sell it to recover the amounts due. I hope that the Government will take all necessary measures to avoid any untoward incident. I may further state that the Government should also take appropriate action without loss of time to restart this mill immediately so that the workers could get their bread.

SHRI VAYALAR RAVI: I want to make one submission. We on this side send notices under 377. Unfortunately nothing is being done. We should get more chances.... (Interruptions). I wanted to raise about the rigging of

elections. I did not want to mention the subjects; I only wanted to make this submission.

14.32 hrs.

PAYMENT OF BONUS (AMENDMENT) BILL—Contd.

MR. CHAIRMAN: We shall now take up further clause by clause consideration of the Bonus (Amendment) Bill. 16 clauses have been adopted; we were on clause 17; amendments to clause 17 have already been moved. If anybody wants to speak, he may speak; otherwise I shall call upon the hon. Minister.

SHRI VAYALAR RAVI: I have moved three amendments and I want to make a few observations. My hon. friend Shri Ravindra Varma is forcing to perpetuate certain things which happened during the Emergency. One is the denial of bonus of 8.33 per cent to workers in 1975-76. We expect that he would accept our earlier amendment, to enable the workers to get their dues which had not been given to them during the last two years.

AN HON. MEMBER: You cannot speak at that time.

SHRI VAYALAR RAVI: Whenever we raise such matters, they ask the question: why did you not speak at that time? I may tell them that, that is why we sit on this side now. They are now sitting there. They have been saying that they will undo everything that the Congress had done.... (An Hon. Member: No, no.) They have given a number of election promises and if you do not carry them out it would be betrayal of the Indian people by those people. When I say we did certain things, we take the responsibility and the blame for that. This government is morally responsible to carry out the election promises that they will undo the excesses committed, so-called excesses committed during the emergency.

Here in this clause, my hon. friends has, unfortunately, refused to accept my amendment. I will only express my regret on that. This is more important. You are now introducing a clause, by which you are forcing the workers to go to the Government even if there had been bilateral negotiations and agreements have been entered into, between the workers and the management. I can enter into agreements with Mr. Biju Patnaik for Kalinga Groups. Why should I go to the State Chief Minister, Mr. Routray to get a sanction for that? The point is, why should the workers go to the Government and get a sanction for the bonus formula? Do you think all the Governments will agree to this. Certain Governments will agree, but certain Governments may not agree to this. Here, by law, you are forcing the workers and the trade unions to go before the Government and get a sanction. Why are you trying the hands of the workers? It is not necessary. You are not going to gain anything out of this. By this, you are only making the employers stronger and the workers weaker and the labour department of the Government can play mischief over the workers. I wish, the Labour Minister accepts the amendment to amend the lines 8 to 17.

This is the problem that is going to be faced in Kerala today and I am going to face it. I have entered into agreement with the management of Rayons for a bonus of 42 per cent. Why should the Minister object to that? This is Kerala where we are ruling and so we are getting bonus. In another case, I have myself signed agreements for a bonus of 25 per cent. But, if you accept this clause, it is going to be a problem. Whatever agreements have already been entered upon, the managements will say, according to this, they are null and void. By passing this Act, you are denying the right which the workers have been enjoying all along and even today.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): Did you enjoy last year?

SHRI VAYALAR RAVI: No. That is why, we are sitting on this side.

SHRI RAVINDRA VARMA: May you sit there long.

SHRI VAYALAR RAVI: I want you to sit there long. That is why, I say, don't do it. I know, many labour leaders are there in the Janata Party including the hon. Minister. They must help the workers. Unfortunately who is sitting by his side? Mr. Biju Patnaik. He is the in the middle and he is coming to the way. This clause will adversely affect the workers in the sense that it will affect all those who have entered into agreements, including Mr. Ugrasen who might have entered into agreements in any of the industries in UP. The Government will loose nothing if you delete that. Allow the workers to get the maximum bonus. By this, you are forcing the workers to return what they have already got. Why do you want to do that? As a result of this, even if the managements insist, we will not return the money and it will only create industrial unrest.

I would request the hon. Minister to accept at least my last amendment viz., amendment No. 32. Then everything will be over.

In Page 4, after line 27, insert—

“Provided also that such employees who have entered into any agreement with their employers prior to the commencement of the Payment of Bonus (Amendment) Act, 1977, shall be paid bonus on the terms of such agreements.”

If you accept this amendment, it will solve the problems faced by some of the trade unions. I appeal to the Minister in regard to Clause 17. Mr. Stephen also said in his speech that he welcomed the bill, but that at the

[Shri Vayalar Ravi]

same time he was sorry about it. Clause 17 will take away the spirit which the Janata Party wants to express. The spirit of the bill is good. Government wanted to restore 8.33 per cent bonus and do good to the workers. That spirit will not be appreciated by the workers, unless you do things with full sincerity. That is why you should do things in all honesty. I appeal to the hon. Minister to accept at least one amendment.

SHRIMATI PARVATHI KRISHNAN (Coimbatore): I have also moved an amendment. I would like to speak on it.

MR. CHAIRMAN: You have not moved any amendment.

SHRIMATI PARVATHI KRISHNAN: Mr. Rajan had moved it on my behalf. The amendment that we have given is similar to that of Mr. Ravi. Firstly, the first proviso in Clause 17 of the bill says:

"Provided that no such agreement shall have effect unless it is entered into with the previous approval of the Government."

While, on the one hand, the bilateral characteristic of bonus is being restored, it is being taken away on the other. Once you allow workers to have their independent agreements and have bilateral agreements with the employers, why should Government come into the picture? I do not understand it, because the underlying principle that we have been fighting for is that bonus should be an agreement between the workers and the employers, subject to the minimum of 8.33 per cent, as matters stand today. Otherwise the employers are, on many occasions, able to bamboozle the working class and to produce false accounts and say that they have got losses; and therefore, they cannot pay. Therefore, the fundamental point is the bilateral nature of the agreement.

Why should Government seek to have again, that power to intervene in a bilateral agreement? It is the same grounds on which we opposed the annulling of the LIC agreement which was a bilateral one. We said that Government or Parliament or the State Assemblies had no right to intervene in setting aside an agreement that is bilateral. On the same principle I would request the Minister and say that he should really go along the spirit of his legislation and not introduce here something that is totally out of tune with the whole principle of bilateral nature of the agreement—which is now sought to be allowed—by intervening in an agreement which the workers and the employers can come to, on their own.

As far as the ceiling is concerned, the first point is that the bilateral nature is to be interfered with by the Government. Secondly, you are putting a condition that the ceiling should be there. There have been a large number of agreements over the past few years, particularly with some of the big multi-national pharmaceutical concerns and corporations which have earned tremendous super-profits. I do not know about the Kalinga Tubes. Perhaps Mr. Ravi may have had personal conversations with Mr. Patnaik. There have been a large number of agreements on bonus, with oil companies for instance, where they have got a higher per centage by virtue of the fact that the companies had made tremendous profits. You have accepted that fact. Why do you again tie down the hands of the trade unions and of the employers who are in a position to bargain across the table, and on the basis of which workers are able to get their rights and dues?

THE MINISTER OF STEEL AND MINES (SHRI BIJU PATNAIK): Do you want multi-nationals?

SHRIMATI PARVATHI KRISHNAN: I do not want multi-nationals; but I want workers to get their

share so long as you want multi-nationals (*Interruptions*). There is a consistency in our position as far as bonus is concerned. We have always fought against any infringement on the rights of workers.

SHRI KANWAR LAL GUPTA: I want to ask the lady Member what she did during the emergency for bonus?

SHRI PARVATHI KRISHNAN: I mentioned it in the first reading. That is why I have requested him to look into it. Suddenly, this hon. Member has woken up and he talks about bonus. You go and read the proceedings. I have already spoken about it. This has nothing to do with the amendment. If he wants to educate himself, he is welcome to do it.

Therefore, I would impress upon the Minister, and I would appeal to him, that he should accept our amendment, not as a *quid pro quo* because I am not bargaining; this is not the bargaining table. I am asking him to do it, because this proviso, as he brings it, would infringe upon the fundamental right of the workers to come to an agreement with the employer through bilateral negotiations, and this is what I do not want him to press for.

SHRI RAVINDRA VARMA: Mr. Chairman. I have listened with great interest and respect to the arguments advanced by my hon. friends, Shri Ravi and Comrade Parvathi Krishnan. I must say, first of all, that if I am unable to accept the logic the hon. Members placed before the House, it is not because of any reluctance to think of what is in the interest of the workers; but it is because in the very scheme of things that this Bill represents, it is not possible for me or the Government to accept some of the arguments that have been placed before the House.

As far as this clause is concerned. I would like to remind the hon. Members that this is the restoration of a clause that was taken off during the emergency. At the time the amendment

was introduced during the emergency, the very concept of bilateral negotiations outside the formula, the opportunity, the right was deleted. We are attempting to restore it. This position must be accepted. We are attempting to restore it.

Now it has been argued that we are restoring it with certain proviso and conditions. I fully agree that we are restoring it with certain conditions. What are those conditions? Three conditions were mentioned, and objection was taken particularly to two of them. One was that prior approval will now be necessary for any agreement outside the formula of this statutory minimum of 8.33 per cent. I made it very clear.

SHRI DINEN BHATTACHARYA: This was not in the original Act.

SHRI RAVINDRA VARMA: That is why I said it is a new proviso. My hon. friend is saying the same thing. I am saying it is new. My hon. friend was, unfortunately, absent, I think, when we were at the consideration stage. Therefore, perhaps he did not have an opportunity to listen to the arguments that we had to advance. It would be quite unfair on my part to inflict on the House all the arguments again just to please or oblige my very distinguished friend, Shri Dinan Bhattacharya.

Coming to the point of why prior approval is necessary, I pointed out the other day that the clause as it stood before, and the clause as it stands now, covers an opportunity for a formula.

I tried to make a distinction between an agreement on a formula and an agreement on a figure. There have been many instances, which my hon. friend Mr. Stephen also quoted a year or two ago when this question was discussed in the House, of compulsion to agree to a figure without the basis of a formula. If you agree that there must be a formula for an agreement outside 8.33 per cent, then the question arises who will ensure that there is a formula, that it is just not a figure. The

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only agency which can do so is the Government, and not the management. Therefore, we say that there must be prior approval for a formula.

The next point is: why this maximum? Here I hope my hon. friend Shri Vayalar Ravi will not mind if I put him in the company distinguished company, of my hon. friend, Comrade Parvathi Krishnan. She also referred to this argument. So it should be permissible for me to deal with both at the same time, since the argument is the same. It was said by my distinguished colleague Comrade Parvathi Krishnan, that this Clause re-introduced and establishes the bilateral character of an agreement on bonus. She is right but when she goes further and says that the proviso takes away the right of a bilateral agreement, and that there should be no ceiling, then perhaps it will be permissible for me to ask her a question. The scheme of this Clause is to restore this right within certain parameters. What are those parameters? One is that there should be a floor, a minimum, and the other is that there should be a ceiling, a maximum. If the hon. Member holds that to enforce a floor or a minimum is not interference with a bilateral agreement but to enforce a ceiling will be, then that will not be absolutely consistent with the common tenets of logic. The whole purpose of the Act is to intervene and ensure that there is a floor, a minimum. If you say that there should be no intervention, then throw it out, let there be no minimum, but by the very argument which makes you say that the State must intervene to have a minimum, you concede the right of the State also to intervene to fix a maximum. Therefore, there are parameters. Within the parameters we want to restore the right which my hon. friends opposite took away, for which they say they are paying the penalty. But they are only shedding crocodile tears for the injustice that they perpetrated.

Coming to the other question about validating agreements that were ente-

red into, I would like, if possible, to agree with my hon. friend because I can understand and appreciate the spirit in which he is making that appeal or suggestion. But there are very many difficulties. Again, the scheme of the Act is not, as he himself stated in the beginning of his speech, to legislate retrospectively. It is not a legislation to impose liability retrospectively. If it was, then what he said would be consistent with the scheme, but when the scheme is not to impose a liability retrospectively but only prospectively, then the last part of his suggestion would be to introduce by the back-door something which would nullify what he himself said.

15 hrs.

SHRI VAYALAR RAVI: It is the right of the workers.

SHRI RAVINDRA VARMA: Who is to pay the worker? He knows it very well. Perhaps he wants me to take a little more time.

Therefore, if you are legislating retrospectively, of course what he said is possible. Then, many other things will come in, and that is not part of the scheme of the Bill. So, from the very beginning I have made it amply clear that the Government's purpose in introducing this Bill was only to restore the position as it existed before 1976. For the past, we cannot be held responsible for the sins of others, and for the future, we will hold ourselves responsible for the promise that we have made, but I have made it clear as to how our concepts in this regard are linked with the over-all concepts of wages, incomes and prices. That is why we have introduced this Bill in this fashion.

SHRI VAYALAR RAVI: What will happen to the agreements to be entered into this year?

SHRI RAVINDRA VARMA: When this law comes into force, it will apply to all agreements that are entered into this year.

MR. CHAIRMAN: I put amendment Nos. 7 and 8 to the House.

Amendments Nos. 7 and 8 were put and negatived

MR. CHAIRMAN: I put amendment No. 9 to the House.

Amendment No. 9 was put and negatived.

MR. CHAIRMAN: The question is:

Page 4,—

after line 27, insert—

“Provided also that such employees as have entered into any agreement with their employers prior to the commencement of the Payment of Bonus (Amendment) Act, 1977 shall be paid bonus on the terms of such agreements.” (16)

The Lok Sabha divided:

Division No. 6.] 15.05 hrs.]

AYES

Abdul Lateef, Shri
Ahmed Hussain, Shri
Barua, Shri Bedabrata
Barve, Shri J. C.
Basu, Shri Chitta
Bhattacharya, Shri Dinen
Bhattacharyya, Shri Shyamaprasanna
Bonde, Shri Nanasahib
Chandrappan, Shri C. K.
Dasappa, Shri Tulsidas
Desai, Shri Hitendra
Doley, Shri L. K.
Engti, Shri Biren
Gawai, Shri D. G.
Gode, Shri Santoshrao
Jeyalakshmi, Shrimati V.
Joarder, Shri Dinesh
Kadam, Shri B. P.
Kadannappalli, Shri Ramachandran

Kolur, Shri Rajshekhar
Krishnan, Shri G. Y.
Krishnan, Shrimati Parvathi
Laskar, Shri Nihar
Mathew, Shri George
Mohsin, Shri F. H.
Patil, Shri Vijaykumar N.
Ramamurthy, Shri K.
Rao, Shri M. Satyanarayan
Ravi, Shri Vayalar
Sathe, Shri Vasant
Seyid Muhammad, Dr. V. A.
Thorat, Shri Bhausaheb
Unnikrishnan, Shri K. P.
Vakil, Shri Abdul Ahad

NOES

Agrawal, Shri Satish
Ahuja, Shri Subhash
Amat, Shri D.
Amin, Prof. R. K.
Arif Beg, Shri
Bal, Shri Pradyumna
Berwa, Shri Ram Kanwar
Brahm Perkash, Chaudhury
Brij Raj Sing, Shri
Chandan Singh, Shri
Chaturvedi, Shri Shambhu Nath
Chaudhary, Shri Motibhai R.
Chauhan, Shri Nawab Singh
Chavda, Shri K. S.
Chowhan, Shri Bharat Singh
Das, Shri S. S.
Desai, Shri Morarji
Dhara, Shri Sushil Kumar
Dharia, Shri Mohan
Dhurve, Shri Shyamlal
Durga Chand, Shri
Ganga Bhakt, Shri
Ganga Singh, Shri
Gowda, Shri S. Nanjesha
Gupta, Shri Kanwar Lal
Jain, Shri Nirmal Chandra

[Noes]

Kaldate, Dr. Bapu
 Kamble, Shri B. C.
 Kapoor, Shri L. L.
 Kaushik, Shri Purushottam
 Khan, Shri Mohd. Shamsul Hasan
 Kureel, Shri R. L.
 Limaye, Shri Madhu
 Mahata, Shri C. R.
 Maiti Kumar Abha
 Mallick, Shri Rama Chandra
 Mangal Deo, Shri
 Mankar, Shri Laxman Rao
 Meerza, Shri Syed Kazim Ali
 Mehta, Shri Prasannbhai
 Munda, Shri Karia
 Nahata, Shri Amrit
 Patel, Shri Dharmasinhbhai
 Patil, Shri S. D.
 Patnaik, Shri Biju
 Raghavji, Shri
 Rai, Shri Gauri Shankar
 Rai, Shri Narmada Parasad
 Ram Gopal Singh, Chaudhury
 Ram Murti, Shri
 Ramji Singh, Dr.
 Ranjit Singh, Shri
 Rathor, Dr. Bhagwan Dass
 Rodrigues, Shri Rudolph
 Sahoo, Shri Ainthu
 Samantasinha, Shri Padmacharan
 Sheo Narain, Shri
 Sikander Bakht, Shri.
 Singh, Dr. B. N.
 Sinha, Shri C. M.
 Sinha, Shri Purna
 Suraj Bhan, Shri
 Surendra Bikram, Shri
 Varma, Shri Ravindra
 Verma, Shri R. L. P.
 Yadav, Shri Narsingh

Yadav, Shri Ramji Lal
 Yadav, Shri Vinayak Prasad
 Yadava, Shri Roop Nath Singh
 Yadvenra Dutt, Shri

MR. CHAIRMAN: The result* of the division, subject to corrections is; Ayes: 34; Noes: 70.

The motion was negatived.

MR. CHAIRMAN: The question is:

"That clause 17 stand part of the Bill".

The motion was adopted.

Clause 17 was added to the Bill.

MR. CHAIRMAN: Now clause 18. There is no amendment. The question is:

"That clause 18 stand part of the Bill."

The motion was adopted.

Clause 18 was added to the Bill.

MR. CHAIRMAN: Clause 19. Mr. Prasannbhai Mehta is not here. There is no amendment to Clause 20. So, I shall put Clause 19 and Clause 20 together to the vote of the House. The question is:

"That clauses 19 and 20 stand part of the Bill."

The motion was adopted.

Clauses 19 and 20 were added to the Bill.

MR. CHAIRMAN: Amendment No. 53 against the New Clause 20A by Mr. Prasannbhai Mehta. He is not present here. Then we shall take up clause 21. The question is:

"That clause 21 stand part of the Bill."

The following Members also recorded their votes.

AYES: Shri Tarun Gogoi;

NOES: Sarvshri Krishna Kumar Goyal, Shri Ram Rai, Om Prakash Tyagi, Narendra P. Nathwani, Daulat Ram Saran, H. L. Patwary, Chhabiram Argal, Ugrasan, K. L. Mahata R. D. Ram and Dr. Murli Manohar Joshi.

The motion was adopted.

Clause 21 was added to the Bill.

MR. CHAIRMAN: Now we shall take up Clause 1, the Enacting Formula and the Title.

The question is:

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

The motion was adopted.

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

SHRI RAVINDRA VARMA: I beg to move:

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

MR. CHAIRMAN: Motion moved:

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

SHRI S. R. DAMANI (Sholapur): I welcome any legislation which is going to benefit the workers. But here I would like to draw the attention of the hon. Minister through you to one thing which is very important and requires a serious consideration and that is Amendment No. 17. It is mentioned here: if there is no surplus, if the concern is running into heavy losses, even then the concern has to pay a bonus of 8.33 per cent. This, in the long run, is not going to benefit the workers, because when the concern is incurring losses and if they are asked to pay a bonus of 8.33 per cent, it will bring a heavy burden on that concern. Another reason is that concern has borrowed money also. When that concern is incurring heavy losses, when they have borrowed money also, in spite of all this, if they are asked to pay a bonus of 8.33 per cent, it will bring a heavy burden on that concern. In that case, the survival of that concern will be doubtful and the workers who are working there will be thrown out of employment. It is not in the in-

terest of the workers if you ask those units which are passing through a difficult time to pay a bonus of 8.33 per cent; that will be against their interest. I think the Hon. Minister may be knowing about it. Recently, the Government had to stand a guarantee for so many units for taking loans from the banks. Small units could not get loan facilities and they are closed. I think, in Bombay more than 20,000 workers have been thrown out of employment. Those units could not pay bonus and they had to close down. How long will those units which have taken loans with the guarantee of the State Government or the Central Government be able to run is also doubtful, because, one thing which is very important and which has to be kept in mind is that the rate of interest is very high. These units are already running in losses. They borrow and pay high interest on that. That will increase their losses. They will become more weak, and in that case what will happen? They will have to close down the units, and the workers will be thrown out of employment. Therefore, it is not correct to ask those units which are incurring losses, which have no reserves, which do not have even the capacity to pay the electricity bills, to pay bonus. It is not also in the interest of the workers to ask those units to pay bonus. Therefore, I say that this amendment should be rectified: in the case of units suffering losses the liability of payment of bonus should not be there.

In this connection I want to quote one or two things. The Bonus Bill was enacted in 1965. In 1964 there was a Bonus Commission: the representatives of workers were there, many eminent MPs were there, and representatives from industries were also there, they had suggested the bonus formula. And this is what they had said in their Report about the concept of bonus:

"It is difficult to define the concept of bonus in rigid terms, but it is possible to urge that once profit exceeded a certain base, labour

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should legitimately have a share in them. In other words, we think it proper to construe the concept of bonus as sharing by the workers in the prosperity of the concerns in which they are employed. This has also the advantage that in the case of low-paid workers, such sharing in prosperity augments their earnings and so helps to bridge the gap between the actual wage and the need based wage."

This is how it has been described by the Bonus Commission. When there is a surplus, the workers should get a share in the prosperity of the concern, not in the case of losses. The previous Government also, in 1974, had brought a similar provision, but they realised their mistake....

MR. CHAIRMAN: You need not go into all those questions now, at this stage. Please try to conclude.

SHRI S. R. DAMANI: I will conclude in a minute, after quoting what has been said in a judgement of the Supreme Court. This is what the Supreme Court has said:

"The Commission came to the correct conclusion that the bonus is connected with profits and it cannot be included in the ex-works cost."

Therefore, Sir, the workers have a share in profit. But in the case of units running in losses, payment of bonus should not apply, it is also not in the interest of workers to get bonus. Therefore, my humble request to the hon. Minister is to consider this point, namely, they should not compel a unit which is running in losses to pay bonus.

SHRI VAYALAR RAVI: That is the personal opinion of Mr. Damani: it is not the view of the Congress.

(Interruptions).

SHRI PURNA SINHA: I would like to draw the attention of the

Minister to one point. In my State, some concerns were liable to pay bonus to the workers, but though it is nine months or more, they have not been able to declare bonus as their balance-sheets have not been audited and nor been published. There should be some panel provision for those lethargic Managements who do not settle the bonus question within eight months of the close of the financial year. I think there should be some provision in the Bill that within six months the Management should publish the audited balance-sheet and, allowing another month, they should declare bonus within seven months, so that at least before Diwali or Durga Puja the bonus can be disbursed. It is the practice in our eastern part of the country to give bonus before Diwali or Durga Puja.

That is one suggestion. There should also be a penal provision for Managements who fail to settle the bonus within the reasonable time allowed by the law.

SHRI RAVINDRA VARMA: I do not know whether I should start by thanking my Hon. friend Shri Damani for the contribution he has made to the discussion. I do not know whether my Hon. friend was speaking on behalf of himself or on behalf of the Party to which he belongs. But whatever it maybe, the views that he expressed and the arguments he placed before the House are self-explanatory.

Sometimes my Hon. friends opposite have tried to minimise the importance of this Bill and of what we are doing. They have tried to make it look as though there is nothing special being done. My submission is that my Hon. friends opposite must open their eyes and ears to reality.

Mr. Damani argued that there should be no such thing as a statutory minimum bonus....

SHRI S. R. DAMANI: I said, only in the case of losses.

SHRI RAVINDRA VARMA: No amount of shouting will wipe out the effect of what you have said. My distinguished and Hon. friend who speaks on behalf of the ideas he holds dear to himself said that there should be no bonus made compulsory if there is no profit.

Am I mis-representing him, Sir? If so, let him have the courage to say that I am mis-representing him.

SHRI S. R. DAMANI: You have mis-understood me. I said that when a concern is losing and is not in a position even to pay its electricity bill....

SHRI RAVINDRA VARMA: He is only using more words to say what I said he has said—that unless a concern is a profit-making concern, it should not be compelled to pay bonus. That is his view. That is not the view, I hope, of the Party to which he belongs, but that was the view, at one time, of the Party also, and that is why bonus was put in cold storage, and abolished altogether later on.

Now, Sir, he talked of the economic viability of undertakings. I can very well understand the necessity of ensuring protection to the economic viability of undertakings, but along with ensuring economic viability, are we not also to protect the rights of workers to a decent standard of living? Has the Management no responsibility towards the workers? The State has to intervene where it is absolutely necessary, and where the Management, because of mismanagement, does not pay the worker his due. These are the questions before us, and I am very sorry that Shri Damani tried to ignore these questions and argued to canvass a point of view which is totally at variance with the idea of a minimum statutory bonus.

Shri Damani said that the Bill would not be in the ultimate interest

of the workers. I do not want to argue this question whether the ultimate interest of the workers is dearer to Shri Damani's heart than the interest of the management or of the people at large. This is a matter on which I do not want to make any comments, but the impatience with which he made his point will enable the House to understand and draw its own conclusion.

SHRI UGRASEN: He himself is a mill-owner.

SHRI RAVINDRA VARMA: For these arguments at this late stage about the non-advisability or inadvisability of having a compulsory statutory bonus, one is tempted to ask my friends sitting opposite, whether even now they believe that we have not done something worth commending in reintroducing the concept of a minimum statutory bonus. Sometimes, I wonder whether some of the hon. gentlemen sitting opposite have begun to understand, and feel ashamed for, the enormities that were committed during the emergency; at other times, I wonder whether they are all too vulnerable to a fit of schizophrenia, suffering from the pulls of Narcissus or a Machievelli or a Machiavellian Narcissus, as the case may be. I have nothing more to add except to say that I commend this Bill to the House.

MR. CHAIRMAN: The question is: "That the Bill, as amended, be passed".

The motion was adopted.