(Amdt.) Bill

SHRI SHYAMNANDAN MISHRA: No, Sir; with all respect to you, I kept on saying till the last moment that my name also occurs there and I cannot abdicate in favour of Mr. Gupta.

MR. SPEAKER: The first name was Mr. Guha's and I think he agrees...

SHRI SHYAMNANDAN MISHRA: That cannot be: that is not regular procedure. If his name comes first, and if he goes out, the second person comes in his place; it cannot be any person coming at any stage getting himself catapulted like this.

SHRI S. M. BANERJEE: In future it will be decided that if Mr. Mishra wants to leave early and he wants to speak the same day, my party will not allow it.

SHRI SHYAMNANDAN MISHRA: Please do that; you have never obliged

SHRI S. M. BANERJEE: We have obliged you several times.

SHRI JYOTIRMOY BOSU: I have been rising on a point of order to point out that Mr. Raj Bahadur had said something which was not correct. I regret to say that; he is a very good man socially; I have regard for him. Here is a motion under rule 184 and a motion for discussion under 193 which was admitted in your wisdom.

MR. SPEAKER: Not 193.

SHRI JYOTIRMOY BOSU: 184; 1 shall give you; it is item 29. Why is this wrong statement made here that it is defamatory; there is nothing defamatory. Let the papers be laid on the Table of the House.

SHRI RAJ BAHADUR: You said today.

SHRI JYOTIRMOY BOSU: My discussion was admitted by your goodself; it was discussed in the Business Advisory Committee. An option was given and now I insist that . . .

SHRI RAJ BAHADUR: He should not utter any names. That is what I say. The name must be expunged.

SHRI JYOTIRMOY BOSU: item 29, there is no name in that.

I will see. MR. SPEAKER:

श्री हकम चन्द कछवायः गैडयूल्ड कास्टस ग्रीर शैड्युल्ड ट्राइबज एमैन्डमेंट बिल कब ग्रारहा है ?

SHRI RAJ BAHADUR: About the Scheduled Castes and Scheduled Tribes Bill, I do not think we have given any assurance that we are bringing it this session.

Sir, the name must be expunged. He made a defarmatory statement. It should be expunged.

SHRI JYOTIRMOY BOSU: Under what rule? This is a democratic institution, not an institution of the Fascists.

MR SPEAKER: You said that the name was involved. He says, no; he did not have anything like that in that motion. It is in 193, not in 184. 193 is not admitted yet.

SHRI JYOTIRMOY BOSU: Let 184 be admitted. No name is there.

13.34 hrs.

COAL MINES LABOUR WELFARE FUND (AMENDMENT) BILL\*

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR): I beg to move leave to introduce a Bill further to [SHRI R. K KHEDILKAR]

amend the Coal Mines Labour Welfare Fund Act, 1947.

MR SPEAKER The question is:

"That leave be granted to introduce a Bill further to amend the Coal Mines Labour Welfare Fund Act, 1947."

The motion was adopted

SHRI R K KHADILKAR: I introduce the Bill

MR. SPEAKER: We should punish ourselves for all this by denying ourselves lunch every day! (Interruption).

We adjourn for lunch and reassemble at 2 30.

## 13.35 hrs.

The Lok Sabha adjourned for Lunch till Thirty Minutes Past Fourteen of the Clock.

The Lok Sabha re-assembled after Lunch at Thirty-four Minutes past Fourteen of the Clock

[MR DEPUTY-SPEAKER in the Chair]
STATUTORY RESOLUTION RE.
DISAPPROVAL OF PAYMENT OF
BONUS (AMENDMENT) ORDINANCE AND PAYMENT OF
BONUS (AMENDMENT) BILL

MR DEPUTY-SPEAKER: We will now take up the resolution by Shri Kachwai and the Bill by Shri Khadilkar on bonus

श्री हुकत चन्द कछवाय (मुरैना) उपाध्यक्ष महोदय, मैं निम्नलिखित सकल्प पेश करता ह

"कि यह समा बोनस सदाय (सशोधन) झन्यादेश, 1972 (1972 का झन्यादेश सख्या 8) का, जो राष्ट्रपति द्वारा 23सितम्बर, 1972 को प्रख्यापित किया था, निरनुमोदन करती है।"

उपाध्यक्ष महोदय, इस बिल में बोनस की न्यूनतम राशि को न प्रतिशत से बढ़ा कर 8.33 प्रतिशत करने की जो व्यवस्था की गई हैं, मैं उस का स्वागत करता हू। परन्तु यह दुख की बात है कि विद्यमान बो स कानून की अन्य बृदियो और कमियो को दूर करने का प्रयास इस बिल मैं नहीं किया गया है।

सर्वप्रथम बोनस के कानून में बोनस की परिभाषा स्पष्ट रूप से लिखी जानो चाहिए। बोनस के दो स्वरूप है। जब तक प्रत्यक्ष वेतन जीवन वेतन के स्तर पर नहीं घाता है, तब तक बोनम विलम्बित वेतन धर्यात देरी से दी हुई तन्ख्वाह है। प्रत्यक्ष वेतन जी न स्तर के स्तर पर बान के बाद बोनस का स्वरूप मुनाफ में साझीदारी का होता है। यह परिभाषा स्पष्ट रूप से कानून में घानी चाहिए, वर्ना यह सभावनीय है कि न्यूनतम बानस राशि की कल्पना को कोई ब्रदालत में घाहवान, चुनौती, दे सके।

माज बहु । ख्यक मजदूरा को जीवन बेतन
नहीं मिल रहा है। इसलिए उनके लिए बोनस
तो देगी से दी हई तन्खवाह ही है। इ। लिए
यह म्रावश्यक हैं कि जीवन बेतन न पाने वाले
हरएक बेतन—भोगी मजदूर को बोनस का हक
दिया जाये भीर इस को कानून में लाया जाये।
चाहे मिल में काम करने वाला मजदूर हो या
खदानों में, चाहे सरकारी कर्म चारीहो या घरेलु
कर्म चारी, चाहे निजी क्षेत्र का मजदूर हो या
सरकारी क्षेत्र का, जो जो व्यक्ति बेतन पाने
वाला हैं, उस को बोनस मिलना ही चाहिए।
इस विषय में भौद्योगिक मजदूर भौर
भनौद्योगिक मजदूर में भदेभाव नहीं किया
जाना चाहिए।

इस दृष्टि से इस बिल में बहुत लुटिया हैं, माज उन सस्यानों के कर्मचारियों को बोनस