

[Shrimati Tarkeshwari Sinha]

the difficulties. We have placed them before the House even in our previous discussion, and I would like to place them again before this hon. House and, therefore, express our inability to accept the suggestion given by the hon. Member sitting opposite.

He raised another point, of which reference was given in his Minute of Dissent. Because no hon. Member raised that point, I did not enlighten the House on that point. The point that he raised was about the transaction between branches and head offices and vice versa situated in different States. Our difficulty is that for levying a tax on sales of goods in the course of inter-State trade or commerce this Act derives power under entry 92A of List I of the Seventh Schedule of the Constitution. The words used in the entry have to be given their national meaning; that is, transaction or sale should involve transfer of property in goods from one person to another. Thus, Sir, the Act has to confine itself to taxing transactions or actual sales involving transfer of property in goods and commodities. Inter-branch transactions do not involve transfer of property from one person to another and as such do not come under the purview of entry 92A mentioned by the hon. Member in his Minute of Dissent. We have, therefore, no competence to legislate on that. About excise duty on oil, I have to repeat that all these matters are to be decided by the State Governments. We are only a recommending or advisory authority and I do not think the State Governments would be very agreeable to making the sales tax on vegetable oil into an excise duty. That is our difficulty. I have nothing more to add. I move.

13 hrs.

Shri S. M. Banerjee (Kanpur): It was suggested by Pandit Thakur Das Bhargava as also by me that because of the high prices of food-

stuffs at least the foodstuffs should be exempted from the sales tax. I wish to know whether a suggestion would be made to the State Government about this.

Mr. Speaker: Hon. Members forget again and again that there are legislatures in States; let them take this up. It is not for the Central Government to go on giving suggestions; the State Governments may resent it. The Centre cannot legislate for States so far as that matter is concerned. Let provincial autonomy work very well in our country.

The question is:

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

The motion was adopted.

13.02 hrs.

INDUSTRIAL DISPUTES (BANKING COMPANIES) DECISION AMENDMENT BILL

The Deputy Minister of Labour (Shri Abid Ali) Sir, I beg to move:

"That the Bill further to amend the Industrial Disputes (Banking Companies) Decision Act, 1955, be taken into consideration."

This is a simple Bill to amend the Industrial Disputes (Banking Companies) Decision Act, 1955. The original Act was intended to give effect to the recommendations of the Bank Award Commission which had, *inter alia*, recommended certain formulae for adjustment of dearness allowance in accordance with variations in the cost of living. According to the original formulae, the dearness allowance can be raised or lowered when the average cost of living index in a period of six months, i.e., from January to June and July to December increases or decreases by ten points over 144.

case of clerical staff, this variation will be one-seventh and in the case of subordinate staff one-tenth of the dearness allowance admissible at the index level of 144.

The employees have represented to us that the six months' period and 10 points variation act to their detriment. The State Bank of India and its employees union have since entered into an agreement to change the ten-point limit in the Commission's formulae to five and the period from six to three months. The other bankers are also agreeable to accept the changes in the formulae on the same lines. Accordingly this Bill is only intended to give power to Government to appropriately modify the original formulae of the Bank Award Commission, of course, adhering to the proposition laid down therein.

With these words, I commend that the Bill be taken into consideration.

Mr. Speaker: Motion moved:

"That the Bill further to amend the Industrial Disputes (Banking Companies) Decision Act, 1955, be taken into consideration."

Shri Prabhat Kar (Hooghly): Sir, I welcome the spirit of the Bill. I am sorry to say the contents of the Bill will not mitigate the hardships of the bank employees, the purpose for which the hon. the Labour Minister is bringing this Bill before the House. I am glad that unlike in other instances where they did not agree to amend the Banking Companies Decision Act in spite of the fact that certain provisions were creating considerable hardship for the employees, at least in this particular case they have taken the matter into consideration and have come before the House.

Sir, we represented to the Government on various occasions how provisions relating to the classification of areas and other things were creating hardships to the employees, but we were told that the Government of

India did not consider that any action is required on our demand so long as the Award remained in force. In this particular matter the Government have changed their attitude and for that I congratulate them.

Sir, I would like to ask the Labour Minister as to whether the purpose for which the Bill has been introduced will be served by the amendment sought to be made. In order to convince the House, I crave your indulgence to refer to the existing state of affairs. The Bank Award Commission has in paragraph (e) of their recommendation said:

"If the average all-India cost of living index for the half year ending June or December for any year should rise or fall by more than 10 points as compared to 144 the dearness allowance for the succeeding half year will be raised or lowered by one-seventh of the dearness allowance admissible at the index level of 144 for each variation of ten points."

This is for the clerical staff.

For the subordinate staff:

"If the average all-India cost of living index for the half year ending June or December of any year should rise or fall by more than ten points as compared to 144, the dearness allowance for the succeeding half year will be raised or lowered by one-tenth of the dearness allowance admissible at the index level of 144 for each variation of ten points."

This is the formula which, as has been stated, the hon. the Deputy Labour Minister proposes to amend. Before I place my points before the House to show that this is not going to help the bank employees, I would only urge upon the Deputy Labour Minister not to carry any prejudice against the statement I am making. I had the privilege of representing

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these facts before the Labour Minister as the General Secretary of the All India Bank employees association for a long time, and I am sorry to say that steps had not been taken to mitigate the hardships of the employees, in spite of our repeated requests.

Now, Sir, it has been said that the employees represented that the interval of six months is too long a period. I would say specifically that this was not the demand made by the employees. The employees wrote to the Labour Ministry that the formula as it exists at present works hardship on the workmen and they urged for an amendment of it. We said that it is very necessary that there should be a special compensatory allowance. This was what we were told on the 11th July 1958:

"I am directed to say that the question of revising the formula of adjustment of dearness allowance through legislation is already engaging the attention of the Government of India. In view of this it is considered no useful purpose will be served by calling a Tripartite meeting to discuss the question of compensatory allowance."

Now, the House can very well see that while this particular formula was introduced and was binding, a compensatory allowance was asked for, and the Government informed us that it is not necessary to have a conference for the compensatory allowance as they were now thinking in terms of amending the formula of the dearness allowance. Naturally, it was expected that when the formula would be given, that formula would add to the amount of the dearness allowance available to the bank employees all over the country.

I will just give the House a gist of what has happened as a result of this particular amendment, at a time when the prices of the daily necessities of life are going up and when, as has been said, the prices of foodstuffs are

soaring high in every part of the country. Perhaps, you will be sorry to note that as a result of the formula now proposed by the Labour Minister, there will be a reduction of the dearness allowance in the case of the bank employees, as it is linked up with the cost of living index on certain averages, and the average today shows a downward trend. But, in the case of employees in other industries in the cities of Bombay, Calcutta or Madras or Delhi, their dearness allowance is linked up with the cost of living index, they are getting an increase in their dearness allowance. It is the experience of all people today that the cost of living is going up. Even as a result of the introduction of this amendment, the dearness allowance of the bank employees will be reduced. It is not going to be increased. When you say that you want to mitigate the hardship of the employees and introduce an amendment, and that amendment also results in a reduction of the dearness allowance at a time when the prices of the daily necessities of life are going high, I do not know how the purpose for which this amendment has been brought can be served. Your intention is to redress the hardship, mitigate the hardship, but, as a result of this, there will be a reduction. Where is mitigation? According to the existing dearness allowance scheme, there will be a reduction of Rs. 7 and according to the suggestion that has been put forward by the hon. Deputy Minister of Labour, there will be a reduction of Rs. 3½.

When you talk of the amendment and when you talk of the mitigation of the hardship, the first question is whether there should be any reduction or whether there should be any increase. What we find today is, while the dearness allowance of other employees is going up, the dearness allowance of the bank employees, according to this amendment, will only go down. I would also inform the hon. Deputy Minister one thing about the formula which he has chalked out. I do not

know whether he is aware that even that formula is not working in the State Bank of India, for, if the formula has been adhered to in the State Bank of India, the fact is that the other employees were continuously getting Rs. 57 as the maximum dearness allowance, and according to this formula, the State Bank employees, during this period, were getting Rs. 53.57. The State Bank employees again represented the matter to the State Bank Management and the State Bank management, finding it difficult to reduce that amount according to the formula because all other bank employees were getting Rs. 57, did not reduce that amount and they allowed this amount to continue. So, as a result of the State Bank formula the employees were to get less than what the other bank employees were getting today. I shall give the exact figures month by month according to which the State Bank employees are getting and other bank employees are getting,—the employees in the different parts of the country. As I said I want the hon. Deputy Minister not to carry the prejudice, because I want him to consider this without any bias against anybody or any organisation.

13.14 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

When it is his intention to mitigate the hardship of the employees, I want that he should take every factor into consideration so that really his intention is fulfilled. I would not have placed all these factors before the House if the proviso in the amending Bill was not put in there. The proviso says:

“Provided that any adjustment so made shall, so far as may be, bear to the rise or fall of the cost of living index the same ratio as is indicated between the adjustment of dearness allowance and the rise or fall of the cost of living index in the formulae recommended in that clause.”

It was, otherwise, an enabling clause and the Government to decide the dearness allowance formula should be adjusted. But for this proviso. I would not have placed all the factors here for consideration, for, I would have taken the opportunity of meeting him, and making a representation and discussing with him, before the Government came out with the formula. But here, he wants to bind himself. In spite of my representation to the Labour Minister, afterwards, it would not have been possible for the Government to accede to our request, although they may be convinced of the reasonableness of our demand and the lacuna of this particular formula for the dearness allowance. I may tell the House that even today, as a result of the recommendations of the Bank Award Commission, they will be surprised to know that the employees are getting a dearness allowance, in a city like Calcutta, Bombay, or Delhi, of Rs. 13 to Rs. 15 per mensem. When the prices of the main commodities, that is to say, foodstuffs, are so abnormal, just imagine that the bank employees are getting a dearness allowance of Rs. 13 in a city like Calcutta, Bombay or Delhi. And you are now coming before this House to say that with a view to mitigate that hardship of the bank employees, “we have put forward this amendment.” The amendment, when it is implemented, will result in a reduction of the dearness allowance.

Shri T. B. Vittal Rao (Khammam): No worker in other industries gets such a low amount.

Shri Prabhat Kar: That is why I want to place before the House exactly what this amendment would mean. I would give you certain figures. Take for instance Bombay. In the Bombay State, the number of bank employees will be about 15,000. The employees are governed by the cost of living index of that particular place—in big firms and big commercial firms. I am giving you the figures. January, 1957,

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355; January, 1958, 382. The difference was 27 points. 1957-58: February, 1957, 357-380. Difference is 23 March 1958, 356-381; Difference is 25 April, 1958, 356-379; May, 363-387; June, 370-395. All the time, the difference is ranging between 23 and 25 points.

The employees who are governed by the dearness allowance linked up with the Bombay cost of living index were getting in January, 1958, 95 per cent of their basic salary as dearness allowance. Today, or rather, in June, they were getting 100 per cent. In the case of the bank employees, they were getting Rs 57. As a result of this amendment, they will get Rs 53.57. In the other case, from 95 per cent., it goes to 100 per cent. In our case, from Rs. 57, it is coming down to Rs 53.57.

I shall give you the figures for Calcutta. January, 1957, 414-427; February, 1958, 414-427; March, 419-428; April, 417-432; May, 425-432, June, 425-437. The dearness allowance payable to the employees working in firms other than banking institutions—commercial firms, etc—was, in February, 1958, 125 per cent of their basic salary. In May, 1958, they were getting 130 per cent of their basic salary. In July, they were getting 135 per cent of their basic salary. So, in their case, the dearness allowance is rising because there is a rise in the cost of living.

In the case of employees working in Calcutta numbering about 10,000, from Rs. 57 it will come down to Rs. 53.57 np. Also, the smallest amount of Rs. 13 which the bank employees get will be again reduced. In one case, it will be an increase, but in another case, it will be a reduction at a time when rice is selling at Rs. 40 in the city of Calcutta.

Take Delhi. In March, 1958 the figure was 103; in April 105 and in June 107. The dearness allowance

paid in March was 120 per cent., in April 125 per cent, in May 125 per cent, in June 130 per cent and in July 130 per cent. These are the figures relating to middle-class employees working in commercial firms in the city of Delhi. There are 5,000 bank employees in Delhi. Out of 85,000 bank employees all over the country, Calcutta, Bombay and Delhi contain about 45 to 50 per cent of the bank employees. Whereas their counterparts working in commercial firms shall be getting an increase in the dearness allowance due to rise in cost of living to the tune of 125 per cent, the bank employees working in these cities coming from the same strata of society shall be receiving less dearness allowance. Today they are getting Rs 57, but hereafter they will be getting only Rs 53.57 np.

We appeal to the Labour Minister that the dearness allowance scheme should be amended, because it is working hardship on the employees. I agree that at a certain stage it is an improvement. But, as I have said, even the State Bank of India could not allow this scheme to continue to work, because as a result of this particular formula, whereas the other employees of A Class banks will get Rs. 57, the State Bank of India employees will get only Rs 53.57np. But it was not possible for the State Bank authorities to reduce the dearness allowance, because of the agitation of the bank employees there and so that has not been adhered to in that particular bank. So far as the other banks are concerned, from January to March, 1958, the employees would get Rs 57.32 np D.A. under the State Bank scheme and Rs 57.82np. D.A. according to the original bank award's decision also. But from April to June, 1958, it would be Rs. 53.57np. under the State Bank scheme and Rs. 57.32 np. under the original award. Here is an adjustment and an amendment to mitigate the hardship of the bank employees. Where they are getting

Rs. 57.32np today, they would have got only Rs 53.57nF

My main contention is that while in the case of other workers and middle-class employees, the dearness allowance is going up—whether it is Rs 1-8-0 or As 4—in the case of bank employees, it is going down. We have all the time approached the Labour Minister saying that this particular dearness scheme is working hardship on the bank employees. Now they have come forward with this amendment, but even this does not stop this reduction, at a time when the prices of daily necessities are going up. Therefore, while I welcome this Bill, I might say that the contents of this particular amendment are not going to mitigate the hardship.

What is the formula today? You will be surprised. It is linked up with the all-India average cost of living index. In that for 18 points, there will be no difference in the dearness allowance. From 135 to 153, there will be no increase in the DA. Whereas the employees will get Rs 50 as DA when the cost of living index is 135 they will get the same DA even when the index is 153. The employees getting Rs 13 in big cities will continue to get the same proportion, in spite of the fact that there is a difference of 18 points in the all-India average cost of living index, while in between there have been increases to the tune of 20 to 30 per cent in the DA of the other people working in big cities.

I, therefore, request the hon Labour Minister to consider this matter. The original Shastri award made certain specific recommendations. This was confirmed by the Labour Appellate Tribunal and again confirmed by the bank award commission. For the last five years, this particular DA scheme was working hardship on the bank employees. During the food debate, we found how every section of the House was complaining that as a result of shortage of foodstuffs, the prices are going up. At this particular

moment, it is imperative on the part of Government to see that those provisions which work hardship should be so amended that the hardship may be mitigated.

I would plead with the hon Labour Minister that while he has come before this House amending this particular DA scheme, he should take all the factors into consideration. I am quite sure that he has received representations from the bank employees from all parts of the country. I am quite sure that at least he has seen that there is a demand as to how this particular DA scheme should be amended. There is unanimity on the part of bank employees on this particular point. It is possible for the Government to make the employers agree to discuss this matter and accede to the demands suggested by the bank employees.

Evidently because the bankers have agreed to accept this particular amendment it has been brought before the House. It is stated in the Statement of Objects and Reasons that

"An agreement has been arrived at between the State Bank of India and its employees to solve the above difficulties. The two associations of banks are agreeable to follow suit."

Simply because the banks are agreeable to it, this amendment has been brought before the House. It does not matter whether the workers are experiencing hardship. This amendment has not been brought before the House with a view to mitigate the hardship of the workers. I would say that this particular formula was put before us by the banks as early as September, 1957 and it was rejected by the employees, because it did not work to their advantage. As I have already said, the State Bank of India had to agree to the change in the formula, because as a result of that formula, there was reduction in the dearness allowance. The employers offered this formula directly to us and we did not agree. Now because the

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employers have agreed to follow suit, Government comes before this House with this amendment and not with a view to mitigating the hardship of the employees. It is a statement of fact that I have made with all the necessary facts and figures.

As I have said, as a result of this, the bank employees will get a reduction in their D.A. If the intention of the Government is to mitigate the hardship of the bank employees, it is not surely going to serve that purpose. I want to know the real intention of the Government. Is it because the banks have agreed to implement that formula or is it the real intention of the Government to mitigate the hardship of the employees? I would have very much liked the hon. Labour Minister to have said, "Let it not be decided here; let the Government be given the power to decide what should be the future D.A. after hearing the representations that have been made." Then, I would have understood that there was an opportunity to express our viewpoint and to convince the Labour Ministry of the justness of our demands, but it comes within a frame work. As I have said, today, according to the existing award, the reduction would be Rs 7. As a result of the adjustment the reduction would be Rs 3.57. But the reduction will be there. The only difference is that instead of a reduction of Rs 7 at a time, it will be in two instalments of Rs. 3.57 each. But do you expect, in view of the existing circumstances about the price of the daily necessities of life, it will be possible for the bank employees to accept this reduction? I know even the bankers today hesitate to reduce the amount, because they know the real position. They know the market prices. The bankers hesitate to reduce it, because they feel it is not justified. As I said, even in the case of the State Bank of India, in spite of the fact that they also come under the scheme, they did not implement it until March 1957. They did not implement this, because it was not possible to do so. As a result of its

implementation the dearness allowance of the State Bank of India employees would have gone down by Rs. 3. So, it is not possible even for the bankers to reduce the amount.

If we agree to this amendment and if we simply say "all right, because there is less reduction; therefore, it is an improvement" this negative approach will not solve the problem. It is a problem of one's life and death. Today in the case of a middle class family, people belonging to fixed income group, even the reduction of Rs 1 will cause great hardship, because it is impossible for them to reduce their budget. It is not possible, because they have no non-essential item in their budgets to cut. So, they can cut only their own throats. So, if it is a question of any reduction in the existing emoluments, it is not going to be accepted by the bank employees.

I would only appeal to the Labour Minister not to be carried away by the pleading of the bankers. I am saying this again and again, because he does not care whenever we make any representation. The Ministry do not care at all to go into them and find out the reasonableness of the demands. But they are prepared to accept the requests of the bankers. I would say that it is shamelessness on the part of the Government to come forward and say: "the two bankers' associations wanted this and we are agreeable to follow suit", as if the whims of the bank management will be the guiding factor in deciding these matters. Here is a statement made by the Labour Ministry—I am reading from the Statement of Objects and Reasons—"The two associations of banks are agreeable to follow suit." It is not the hardship of the bank employees that is responsible for the Government bringing in this measure. That is not the motive of the Govern-

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ment. It is not because the other employees in the big cities like Bombay, Calcutta or Delhi are getting higher wages, that this Bill is brought forward. They are not going to take into consideration whether the dearness allowance and the cost of living index have any relationship. Simply because the bankers have agreed to this, Government have brought forward this measure. The bankers are not prepared to pay more; they will pay less; they wanted a reduction, so Government came forward with a Bill. That is the reason. I want to say that I never knew that the Labour Ministry would shamelessly come forward with this suggestion.

The matter has been examined by the two associations of bankers and they are agreeable to follow suit. But is not the viewpoint of the workers' associations to be consulted? That has not been done by the Labour Ministry. They consider only the viewpoint of the employers. Because the employers wanted the Labour Ministry to act in a particular way, they have acted. They do not care for the feelings of the employees. They are only anxious to see that the employers are pleased. When it is a question of dearness allowance, it is only the employers that are to be consulted and not the employees; that seems to be the view of the Government. If the employers are agreeable they are prepared to take any course of action.

The All India Bank Employees Association took up this matter with the Government as early as in the month of March 1957. Since then we are carrying on correspondence with the Government. We were told on the 11th July that the question of revising the wages and adjustment of dearness allowance is already engaging the attention of the Government of India. It raised hopes in our minds that after all we have been able to convince the government of the necessity of amending this formula. We never knew that the amendment was

at the instance of the employer. Everytime we represent, they say there is no justification for our representation. We wanted the classification of areas to be abolished. I am confident that many hon. Members of this House are in agreement with me on this issue. The other day, the hon. Member, Shri C. D. Pande, was telling us that Naini Tal is classified as a Class IV area, though the cost of living there is very high, and that we should take up the matter with the Labour Ministry. These are facts which everybody will experience.

But when we make a representation, they say it is not necessary to amend the Act, because, after all, the Act has been passed. Now there is a tendency on the part of the Government to say: after all, the Act has been passed, now it is not good to touch it. I can understand the parents of an ugly child saying it is beautiful. There the parents try to make the child beautiful. Here, as far as the Government is concerned, once an Act is passed, whether good, bad or indifferent, they are not going to change it, because it is an Act. It may be causing hardship to a large number of employees, but that does not matter. The only thing is that it should not cause any hardship, so far as the employers are concerned, so far as the capitalists are concerned.

Here there is an indication of it in the Statement of Objects and Reasons. The Government is coming forward with this Bill, not because they have consulted the employees and they have agreed, but because the employers wanted it. It is a shameless statement. It says: "The two associations of banks are agreeable to follow suit." That is why they have come forward with this Bill.

Mr. Deputy-Speaker: The hon. Member is labouring the same point again and again.

Shri Prabhat Kar: I want to place before you my case. In my anxiety to state the case, I may have repeated a point.

Mr. Deputy-Speaker: He has drawn up his case very beautifully

Shri Prabhat Kar: I want to stress upon the House that the result of this amendment will be reduction of dearness allowance in the case of bank employees

I would ask the hon Minister what should be the interpretation of the term "dearness allowance" Here we have got an authority on the interpretation of this term who is no less than our Law Minister This is the view of such a eminent lawyer, who is to-day the Law Minister So I would appeal to the Labour Minister to take into consideration that view and amend the Act in such a way that there should be at least no reduction in the dearness allowance of the bank employees at this particular juncture when all the employees in the fixed income group are facing a crisis in their family budgets That is the appeal that I would like to make to him now He may consider the matter and let him go through the interpretation given by the Law Minister himself Instead of having 5 point rise or 10 points rise, let there be 2 point rise Let it be calculated monthly and let there be an increase Under the present scheme there may be even a reduction in the dearness allowance That will psychologically be bad A small increase in their wages is not going to ruin the bankers A reduction of Rs 3 57 from the total emoluments of Rs 85, Rs 90 or even Rs 120 is too much for a middle class family Therefore, it will not be possible for them to accept this amendment I would, therefore, request the hon Labour Minister to consider this aspect which I have placed before you on behalf of the bank employees of this country

Shri S. M. Banerjee (Kanpur) Mr Deputy-Speaker, my hon friend, Shri Prabhat Kar, has very ably presented the view point of the bank employees As far as the intentions of the Bill are concerned, I do not doubt the sincere motive behind it. In the Statement of Objects and Reasons it is stated,

"The formulae provided for changes after intervals of six months and after a fall or rise of not less than ten points in the cost of living index level It has been represented on behalf of the employees that the interval of six months is too long a period"

I wish to know one thing There is one organisation called the All India Bank Employees Association, of which my hon friend Shri Prabhat Kar is the General Secretary Before bringing this piece of legislation before this House may I know from the hon Minister whether he cared to consult on this particular point or discuss this particular point with the All India Bank Employees Association? I know this is the only representative organisation of bank employees in the country and as such it would have been better if the sentiments of the bank employees now expressed by Shri Prabhat Kar were taken into account and were considered before bringing this piece of legislation before this House

About dearness allowance, when I say something, I would refer to the various recommendations of the Gadgil Committee This Committee was appointed with a view to see whether a portion of the dearness allowance, the whole of the dearness allowance or 75 per cent of the dearness allowance or even 50 per cent can be neutralised and can be merged with the pay Shri Gadgil and the other eminent economists who were on this Committee tried their best to ascertain the views of the various unions of Central Government employees and also the views of the various economists belonging to the different trends They wanted to know whether prices had been stabilised I remember that the First Pay Commission had summarily assumed that prices had stabilised at 160—175 after the war It is most unfortunate that the war gave us a serious set back and our entire economy was disturbed with the result that the prices of all things shot up So, the

[Shri S. M. Banerjee]

Gadgil Committee came to the conclusion that dearness allowance had come to stay. This Committee submitted its report in 1952, and a portion of the report was implemented also in the case of the Central Government employees. The bank employees are afraid today because of one thing. The intention of the bank magnates may not be very well known to the hon. Minister, but it is well known to us and the employees whom we represent. They take the benefit of all legislation. They treat all legislation as a double-edged sword, and they use it as a sharp instrument in depleting the emoluments or earnings of the bank employees. Their fear is that this formula, if this Bill is accepted, will revise the dearness allowance after every three months or after rise or fall of every five points. May I submit for your information and also for the information of the hon. Minister that the minimum dearness allowance given to a Central Government employee is Rs. 45 or Rs. 50. The interim report submitted by the Pay Commission gives a further sum of Rs. 5, thus making it from Rs. 40 to Rs. 45 and from Rs. 45 to Rs. 50, to those employees getting less than Rs. 250. This clearly indicated that the index figure today does not warrant any reduction in the dearness allowance. This dearness allowance or house rent allowance or compensatory allowance demanded by the bank employees was a sort of substitute for wage increase. There is a general demand from all classes of employees, whether textile workers, jute workers, bank employees or Central Government employees for wage increase. They are unable to maintain their social status with this rising cost of living. If the dearness allowance is reduced, I know the serious effects on the employees. I have bitter experience of the textile employees. In Kanpur, the textile workers are paid dearness allowance according to the rise or fall in the cost of living. I remember they lost about Rs. 5 or 6 in a month because the price of *alu* or *baglan* or a particular vegetable

fell down. The employees and workers in that particular mill were disappointed. They said to the unions and to the management also, how can it possibly be reduced, this is only a temporary fall in the price of certain vegetables, can it possibly warrant a reduction of the dearness allowance. They said, no, no, your dearness allowance is linked with the cost of living and as such the misfortune or fortune is yours. I feel that there should be some minimum guaranteed. The hon. Minister should not reject the amendment which has been given by my hon. friend Shri Prabhat Kar only because it has been sponsored by a Member who is fortunately or unfortunately, I should say, in the Opposition. This will have to be considered and a minimum dearness allowance will have to be assured. A bank employee working in A class banks gets, I think, Rs. 50 a month as dearness allowance. If this particular Bill is accepted, or if this clause is accepted, I want to know from the hon. Minister whether this is going to affect the minimum dearness allowance which is given to him according to the present rules.

There is another point which is very vital: on what index figure this is to be based. I know this jugglery of statistics. When I gave my evidence before the Central Pay Commission this time, I quoted certain figures mentioned by our Ex-Finance Minister Shri T. T. Krishnamachari here and I said that the All-India figure is like this. The Chairman of the Pay Commission asked me, what is the source of your information, whether it is the Reserve Bank or some Statistical institute. I said, my source of information is the source of the Finance Minister and his words. He said, look here, we cannot take it as correct. That is what they feel. I may be excused by you if I say, there is a lie, there is a damn lie and more than this is statistics. Sometimes it works like this. Unless there is an All-India national index, we do not know what we are aiming at. Some employer

may come forward and say, look here, this has been reduced, we quote the Reserve Bank figure. Somebody can come and say, we are quoting the Labour Ministry's figures. What is the safety against all these things? I submit that the hon. Minister may try to understand the sentiments of the bank employees very well expressed by my hon. friend Shri Prabhat Kar and the sentiments expressed by me and try to convince the House that this piece of legislation has been brought not as a pressure from the capitalists, not as the sweet will of some people, who wanted to revise it immediately and they could not do it before six months. Because, we personally feel that the bank employees have been betrayed many times not only by the bank magnates, but also by the Government officials in the various phases of their struggle. When they demanded compensatory allowance, they were told that it could not be sanctioned. Now, the Government have come forward with a piece of legislation saying we are very much concerned, you have made an appeal to us, now we will revise D.A. after every three months. The intention, though very pure and sublime, we have reasons to doubt because of our past experience.

I may humbly submit that dearness allowance today has come to stay. We cannot possibly dabble with it on the ground that after every three months it will rise and fall. We have seen how after 1946 prices have risen. Prices of all commodities are rising. We are unable to check that. When we talk about food prices, when we talk about stabilisation of food prices, we get peculiar replies from the Ministers. When I heard the different versions of the different Ministers when the food policy was being discussed, I was reminded of the story of the nine blind men and the elephant. Nobody knows what the elephant is, because nobody has seen it.

When the cost of living index has increased, when the prices of different

commodities, whether it be cloth or grain or anything else, are not showing any tendency towards decrease, I feel that such a piece of legislation as this, if not correctly followed, if not honestly followed, will harm the bank employees.

I would request the Minister who is very well connected with the bank employees, who knows the bank employees very well and whom the bank employees also know very well, and who can feel the pulse of the bank employees, to try to ascertain their sentiments through their undisputed representative Shri Prabhat Kar, and try to solve their problems not only by this piece of legislation, but by trying to convince this House that this piece of legislation has been brought forward with a sincere motive, and not at the instigation of the bank magnates, and not for their advantage. These magnates who have earned fabulous profits are denying the bank employees of their dearness allowance, they are denying the bank employees of wage increases, and they are denying them of everything. So, we should not try to protect their interests any more. We have done it enough. Let us have this piece of legislation, if we are at all interested, and let us accept this amendment of Shri Prabhat Kar, so that the bank employees may restore their confidence in this piece of legislation, and they may also congratulate the Ministers as we have done.

Dr. Melkote (Raichur): I am happy that the Labour Ministry has thought fit to bring forward this amendment to the benefit of the bank employees. The bank employees form what is called the white-collared section of the population, and it is usual for this white-collared section not to resort to a strike as in the case of ordinary labour. But they should not be driven to the extreme. It is, therefore, a welcome feature that the Labour Ministry has taken early measures to mitigate the grievances of the bank employees in order to give them some benefit. I have listened fully to the arguments

[Dr. Melkote]

of both the Members of the Opposition, but I must admit that I have not been able to be convinced of their arguments. They have tried to argue it out from only one side of the picture. But there is the other aspect of the question which I would like to place before the House for its consideration.

It is known that in most of the modern countries, whenever there is a rise in the cost of living index, a proportionate rise in the dearness allowance is usually granted the very next month, and, therefore, the different employees do not have to suffer for a prolonged period. Six months is too long a period, especially in a country like India where the cost of living indices vary rapidly.

Take, for instance, a case where instead of once in six months, it is once in one year. By the time the award is implemented, if the rise goes down, the employees do not benefit themselves in any manner, because most of the employers would reflect their argument on the lower cost. I think six months is too long a period, especially in a country like ours. Therefore, the amendment that has been sought to be moved or rather has been moved in this House to bring it down to three months is welcome, but it is still unsatisfactory. But that is not the only thing.

So far, in the agreement already entered into it has been said that for every rise of ten points, once in six months, the employees should be proportionately paid; or if the indices went down by ten points, the allowance would be reduced in the same proportion. Suppose, for a period of nearly five and a half months, the increase in the index is only about $9\frac{1}{2}$ points. $9\frac{1}{2}$ is almost 10, but the employers would come up and say that it is not 10 points, and, therefore, the employees should not benefit themselves even by a single pie. That argument legally would hold good, but the employees would suffer enormously. Therefore, instead of 10 points, if it is 5 points, and instead of

six months, it is three months, then to that extent, with every rise in the index by 5 points, and once in three months, the dearness allowance can be modified to the benefit of the employees.

I would take another instance now. Suppose, instead of five points, it is only three points, and instead of ten points, it is thirteen points. If the same six months and ten points had prevailed, then the increase by three points would not give them any benefit. If it is 13, they will get an increase up to only ten points; and the extra three points will not give the employees any benefit for the next six months, just as in the case of an increase by $9\frac{1}{2}$ points. But, in this particular instance, they will get up to at least 10 points, and for the next three, the suffering will not be so great and acute as in the case of $9\frac{1}{2}$ points. But, if, instead of 13, it is 16, they would get the benefit up to 15 points, and they would lose the benefit of only one point. Therefore, this specious argument that this would not benefit the employees to a great extent is not very valid. Equally so, that argument can be placed when it is to the convenience of the employers.

I personally feel that the dearness allowance that is permitted today is not quite adequate and that it should be revised more frequently, if possible, month after month, and that there should be a national register where we should give the exact number for both the employees and the employers to calculate the increase or the decrease as the case may be.

Similarly, the employees could argue it out that they are in favour of a particular level of dearness allowance, and that a basic level has to be fixed; that would be to the good of the employees. But whilst they argue their case and say that an increase or decrease by ten points should proportionately affect the dearness allowance

[Dr. Melkote]

either plus or minus, the employees will have no right to argue their case out when it is a decrease. They have got to take both sides of the picture and not merely say that if it is to their advantage, they agree, but if it is to their disadvantage they do not agree. That will not be correct when this particular clause has been accepted by the employees. That is why I say that it is good to the benefit of both to have this arrangement. Whenever the cost of living in the country goes down, it is necessary for the employees to have their scales of dearness allowance affected proportionately in a decreasing manner, and if there is an increase, they can benefit themselves. That is the logical conclusion which the employees themselves have accepted, and therefore, this amendment that is being moved is to the benefit of the employees, though not to the maximum extent at least to some extent

Therefore, I welcome this measure from the Labour Ministry and congratulate them for having brought it forward at an early opportunity.

Shri Tangamani (Madurai): I am glad that the previous speaker also feels that the revision of dearness allowance should be on a monthly basis. Having advanced those arguments, he somehow supports the new amendment which Government are seeking to bring before us today.

14 hrs.

Shri Prabhat Kar has explained to us the difficulties which will be caused if this legislation enters the Statute-book. This deals only with one aspect of the emoluments of bank employees, namely, dearness allowance. I would like to give a very short summary of how the question of fixing the dearness allowance to the bank employees has come about. Through their organisation, the All India Bank Employees' Association, the bank employees have been for quite a number of years taking up the case of their emoluments.

It was first before the tribunal which was presided over by Mr. Shastri. Later it was taken to the Appellate Tribunal presided over by Mr. Jeejibhoy, and Government thought it fit to interfere with the decision of the Labour Appellate Tribunal. Because there was so much justified agitation amongst the bank employees, supported by public opinion also, the Government has to revise their decision and a one-man Commission with Mr. Justice Gajendragadker was appointed. That is a story which is very well known to this House. Ultimately on 25th July 1955, the Gajendragadker Commission submitted its recommendations and these recommendations have been more or less adopted by Act 41 of 1955. The Appellate Tribunal's decision as amended by the suggestions and recommendations of the Gajendragadker Commission is now in vogue.

Shri Prabhat Kar referred to recommendation (e) which appears in the Report (Chapter XI, page 176). For the sake of completeness, I will read that recommendation in full:

"The following formulae should be adopted for adjustment of the dearness allowance for variations in the cost of living index for clerical and subordinate staff respectively in lieu of the provision in the Labour Appellate Tribunal's decision:

Clerical staff: If the average all-India cost of living index for the half year ending June or December of any year should rise or fall by more than ten points as compared to 144 (1944: 100), the dearness allowance for the succeeding half year will be raised or lowered by 1/7th of the dearness allowance admissible at the index level of 144 for each variation of ten points:

Subordinate staff: If the average all-India cost of living index for

the half year ending June or December of any year should rise or fall by more than ten points as compared to 144 (1944: 100), the dearness allowance for the succeeding half year will be raised or lowered by 1/10th of the dearness allowance admissible at the index level of 144 for each variation of ten points".

This is the material point so far as dearness allowance is concerned. How does it work out? I will tell the House how it has worked in the past and how it is working in the present also. The Government of India have the all-India cost of living index fixed, and as ably pointed out by Shri Prabhat Kar, it has nothing to do with the regional cost of living index. If we take the city of Madras, for the first six months of 1958 there has been on the average an increase of 10 to 15 points. In big cities like Madras, Bombay, Calcutta and Delhi, during the first six months of 1958, the cost of living index has recorded an increase of 10 to 20 points. But the all-India cost of living index will show a different picture.

At the time the award was published, the cost of living index was 144. So far 144, the dearness allowance—I will take the case of the lowest paid employee—paid is Rs. 50. If the cost of living index comes down to 135, he will still get Rs. 50; if it goes up to 153, he will still get Rs. 50, but if it reaches 154, he will get in addition 1/7th of what he has been getting, that is, instead of Rs. 50, he will get Rs. 57. In other words, from 135 to 153, that is, an 18-point increase, there is absolutely no increase in the dearness allowance at all. That is from the theoretical point of view.

During the last six months—as the House knows, the average of the last six months is taken, that is, July to December is taken, and if on the average it shows 10 points or more over 1944, then the employee will be given for the first six months in 1958 at the

rate of 1/7th more, that is, Rs. 57—during the six months ending with December 1957, it is seen that on the average the cost of living index, taking 1944 as the base, is 154 point something. In other words, they are getting Rs. 57 dearness allowance. Now, what is the story from January to June of 1958? He has given detailed figures month by month how the cost of living index has been increasing in centres like Bombay, Calcutta and Delhi. The all-India cost of living index shows that in January it was 153·18 (taking 1944 as the base)—generally 1939 or 1949 is taken as the base, but for the purpose of this award 1944 is chosen—in February it was 151·80, in March 151·90, in April 153·18, May 153·56 and June 153 point something. So the average is 152 point something.

It is a very peculiar phenomenon that when the cost of living index has been increasing regionally and locally, the all-India cost of living index has been going down. It has gone down by two points. But whether it goes down by two or three points is immaterial. The question is how it affects the bank employees who were getting Rs. 57 till the end of June. On the 1st August, they get not Rs. 57 but only Rs. 50. For the first six months in the year, the cost of living has been going up, but the all-India cost of living has come down. It is an accepted fact that in July-August, the cost of living index has been going up. When the cost of living index is going up and when the other commercial employees or industrial employees are getting more and more dearness allowance, the bank employees will be getting less and less dearness allowance. This is the human problem involved in this which I would like the House to consider in an impassionate manner, because if this matter is not looked at in this way and if there is some discontent expressed by the bank employees, let it not be said that the House was not told about the entire facts.

[Shri Tangamani]

I would have been very happy if the hon. Minister had dealt at length with the purpose for which this particular amendment was brought. Even last year—I remember it was in September 1957—the bank employees did not want to disturb this. They said—‘let there be a compensatory extra allowance paid to us, because it is accepted on all hands that the cost of living index is going up’. When the cost of living index was going up, the bank employees made a submission to the Government that instead of disturbing the existing formula, they be given an extra compensatory allowance. The strike went on for 31 days and the West Bengal Government had to intervene. Dr. B. C. Roy intervened in the dispute; it was also the subject matter of several questions on the floor of this House. Ultimately, it was agreed that the terms of reference would be formulated only after consulting the bank employees. I am only explaining to the House how there has been discontent over the way in which this formula was adopted. This discontent was not from the side of the bankers, but it was from the side of the bank employees

I would like to say that in almost all the industrial units which I have come across, textiles for example, the cost of living index is based upon one point rise. Supposing the cost of living index for January is 154 and in February it is 156, then for February, the wages paid will be an increase of 3 annas per point; that is for two points it will be 6 annas. This will be paid by way of dearness allowance in addition to what he has been getting. So, month to month consideration is a practice that has come to stay.

Now, Government is trying to make a compromise. If we stick to the 10 point increase alone, then the bank employees are going to suffer; and it will not be related to the real situation today. The Government are now

suggesting a compromise that instead of a 10 point increase or decrease let there be a 5 point increase or decrease.

Even if that is done, as Shri Prabhat Kar has pointed out, the bank employee who is getting Rs. 57/- today will have a wage cut of Rs. 3/8/-. Tomorrow you are going to face this problem. After this amendment is passed the thing that is facing the bank employee is a wage cut of Rs. 3/8/- from tomorrow onwards.

This is not going to last very long because the life of the Act itself is only till the 31st March, 1959. After 31st March, 1959, the whole question will have to be reviewed. The question of fixing the dearness allowance will probably have to be started *de novo*. Probably, the bank employees will come forward with a proper charter of demands. The anomalies between A, B and C categories is decreasing. The bank employees are better organised. The State Bank employees have now entered into an agreement with Government; the Reserve Bank employees have also entered into an agreement with Government. The organisation of the bank employees today is not the old organisation of 1954. The State Bank employees, the Reserve Bank employees and the employees of the Scheduled Banks will all combine together. They are very excellent men. If only anybody goes through their arguments before the L.A.T. where they presented their case or when the matter was being discussed here or when it was being taken before the Gajendragadkar Commission, he will agree that these bank employees are reasonable people and that they will help Government in such a way as to explain to the people why the revision is made.

Mr. Deputy-Speaker: Were all the arguments prepared by themselves?

Shri Tangamani: Mostly, if I may say so, in all these Tribunals what

really happens is that the lawyer has very little to do because most of the materials have to be supplied by the employees. I have appeared in various Tribunal cases.

Mr. Deputy-Speaker: I did not want an explanation; it was in a lighter mood that I asked it.

Shri Tangamani: What I am saying is this. The bank employees are extremely clever people and they do not want to mislead. If they want to mislead they would not have got so much support from the House when the revision had to be made.

Anyway, coming to my point, although it is not in the objects, the hon. Minister, when he introduced this, said that we are trying to make it in line with the agreement that has been arrived at between the State Bank employees and also the Government. As he himself pointed out, the State Bank employees are not standing by their agreement if that agreement would mean a wage cut of Rs 3/8/-. We can resist all attempts when they are asking for more; but when there is a deliberate cut, naturally, people who are getting fixed wages will, certainly, resist that.

I will explain how even the State Bank formula can work hardship. Supposing in July, August and September 1958, if the rise in cost of living index is 9 points, then the dearness allowance will be Rs. 53/57. Supposing in October, November and December the average rise in cost of living index is 3 points, then the dearness will be Rs. 53/57. From July to December, if the original thing was accepted, it will be Rs. 53/52 because there has been an increase of 10 points and the loss per employee will be 22/50. No State Bank employee will accept that. I am giving simple arithmetic to show that the State Bank employees who, according to the hon. Minister, are very much agreeable to the agreement that has been arrived at will not be agreeable they will not accept it.

Even now the bankers know that if there was a wage cut when the monthly emoluments were paid on the 1st of August, there would be discontent. No banker dared to do that. If the old formula applied the banker would be justified if he had paid Rs. 7/- less. In some cases even more. But no banker has dared to do this. The issue has been raised with the Government by the employees; and the employees themselves have got a concrete proposal. The bankers want a compromise; instead of cutting Rs. 7/- they say, let us cut Rs 3/8/-.

Now Government has come forward with this legislation. After it is passed, bankers who did not have the courage to effect a wage cut of Rs 3/8/- will be free to effect this wage cut. This is a point I had to develop in detail because this is not such a harmless legislation as is sought to be made out. Because there is only one clause, any amendment that we bring will overthrow the entire spirit of the thing. But we outcome of this is going to affect 85,000 bank employees. Let us not touch this hornet's nest; let us leave them alone and let us negotiate.

Even if the amendment which was explained by Shri Prabhat Kar is not accepted, I would suggest the proviso in clause 2 be deleted. That will at least give elbow room so that there can be an adjustment made and a compromise arrived at between the cost of living index and the formula recommended. There may be an elbow room and even when there is a fall there may not be a cut. When the increase is 5 or 4 points, which is more than 50 per cent of 5 points, then, there will be an increase. The ideal thing will be to fix the dearness allowance on the statistics on a month to month basis and it must be tacked on to each point rise over the previous month and not to 10 or 20 points.

That was introduced so far as the Railways were concerned when the Pay Commission gave its award.

[Shri Tangamani]

There was also the tendency to take the slab system. If the hon. Minister cares to go through many of the awards which have been passed by eminent men who presided over the Labour Appellate Tribunals, he will find that they have always held that it is better to link up the dearness allowance to each point rise in the cost of living index. They have always fixed the pre-war period as 100, and it has developed in a very scientific manner, but in this particular case if 1955 is taken as the base and in the year in question it was 144, let us not disturb that 144.

I will give another argument. Probably it is an arguable point. Supposing today the bank employee says that till the end of June he was getting Rs. 57 on the basis that the cost of living index for July—December 1957 was 154, now the cost of living index average for January-June 1958 has gone down by $1\frac{1}{2}$ or two points. Now it can be argued this way. The index of 144 can no longer be the base; 144 which existed in 1955 is never going to come down, 154 is likely to be the base. So, unless there is a rise or fall of ten points from 154, this cut in the dearness allowance or increase in dearness allowance will not arise. That is an arguable point. That is a point which the bankers also see, and it is their weak point because it has more or less stabilised at 154.

Now the employee is getting Rs. 57. Since it has come down to 152 the employer wants to reduce it to Rs. 50. A compromise is said to be arrived at that it may be Rs. 52-8-0, but there is an arguable point that unless it comes down by ten points and because it has more or less stabilised at 154, no cut in the wages will be justified. That argument is also open to the employees.

If this legislation comes about, I am afraid that certain unsocial elements among the employers might try to

make use of this, and if they start using it in certain units, then the disease is likely to spread to other places. After all, by the end of March 1959 the whole thing is going to lapse and new legislation will have to come. Till that time let us not disturb the peace which is existing today. And as I have suggested, when the clause is taken up, at least the proviso may be deleted so that it may give more elbow room for negotiation between the management and the employees. With these observations I submit that though the spirit and the intention may be good, in view of the facts that exist today the outcome is likely to be what was never intended.

चौ० रणवीर सिंह (रोहतक) : उपाध्यक्ष महोदय, देश के आर्थिक जीवन में बैंकिंग का तथा बैंकों का महत्व बहुत बढ़ गया है और बैंक बड़ी ग्रहणियत रखते हैं। अगर बैंक दो चार दिन के लिये भी बन्द हो जाते हैं तो उस के कारण देश के आर्थिक जीवन में काफी मुश्किलता पैदा हो जाती है। मैं समझता हूँ कि इसी चीज को ध्यान में रखते हुए माननीय मंत्री महोदय ने यह कोशिश की है कि जो छः महीने का इंटरवल रखा गया था उस को घटा दिया जाय और जो प्वाइंट्स हैं उन को भी घटा दिया जाय ताकि कभी इस देश के अन्दर बैंकों के कर्मचारी हड़ताल न कर सकें और बैंकों का जो काम है वह ठीक प्रकार से चलता रह सके।

जो हमारे साथियों ने इस विषयक के बारे में अपने विचार प्रगट किये हैं उन को मैं ने बड़े ध्यान से सुना है मुझे तो कुछ अजीब सी उन की जो आर्गुमेंट्स थी, वे लगीं। हमारे भाइयों का ऐसा खयाल है कि जो तनखाहें हैं वे बढ़ती ही रहनी चाहियें, जो भत्ते हैं वे बढ़ते ही रहने चाहियें तथा उन का जो घटना है वह सही नहीं है। मैं उन की बात से सहमत हो जाता अगर इस देश के अन्दर आम आदमी की भाँख बहे

२५० रुपये साल आमदनी है वह इतनी न हो कर और ज्यादा होती। मुझे कोई एतराज नहीं है अगर किसी का भत्ता बढ़ा दिया जाय। यह अच्छी बात है। लेकिन जितना बढ़ा हमारा देश है और जितनी बड़ी आबादी गरीब आमदमियों की है, उस को देखते हुए हमें कुछ सोच समझ कर चलना होगा। मुझे याद है वह वक्त जिस वक्त कि एक तरफ तनख्वाहदार हुआ करते थे और दूसरी तरफ खेती में काम करने वाले तथा दूसरे जो अपना आजाद काम करते हैं वे हुआ करते थे और तनख्वाहदार बहुत मज्जे में रहते थे। एक आमदमी जो फीज में भरती हो जाया करता था और १७ रुपये माहवार पाता था वह उस कुनबे के मुकाबले में जो ५० या १०० बीघा खेती करता था, ज्यादा अच्छी तरह से जीवन व्यतीत कर सकता था। जो खेती करने वाला हुआ करता था वह पूरे तौर पर अपना लैंड रेवन्यू भी अदा नहीं कर सकता था। लेकिन आज जमाना कुछ बदला है, चाहे यह मजबूरी में ही क्यों न बदना हो और समाजवाद की तरफ इस का झुकाव है और गरीब का जीवन स्तर यह ऊंचा उठाना चाहता है। अगर आम गरीब आमदमी से मतलब केवल पढ़े लिखे ही आमदमी से है, तो मेरे साथियों का जो तर्क है, वह मेरी समझ में आ सकता था, लेकिन अगर एक हिन्दुस्तानी के नाम पर ३६ करोड़ हिन्दुस्तानियों को हमें लेना है, तो उन के तर्क को समझने के लिये हमें कुछ थोड़ी सी बुद्धि लगानी होगी। मैं यह मानता हूँ कि जहां तक भले के घटने बढ़ने का तात्त्विक है, यह तो जैसे जैसे भाव घटें बढ़ें, उन के मुताबिक ही होना चाहिये।

एक और बात मेरे साथी ने कही है। उन्होंने ने कहा है कि यह जो कास्ट आफ लिबिंग इंडेक्स है, वह सही नहीं है। मुझे भी इस में कुछ एतराज हो सकता है। मैं भी जिस हिसाब से उस को नापा जाता है, उस से सहमत नहीं हूँ और मुझे भी उस तरीके से ठसल्ली नहीं है। लेकिन मैं बतलाना

चाहता हूँ कि जो आई आज इस लिबिंग इंडेक्स पर एतराज करते हैं इसी इंडेक्स के नाम से इस देश के अन्दर कई सत्याग्रह और कई लड़ाइयाँ चलाई गई थीं। अगर उस वक्त यह जो इंडेक्स था यह सही था उन के विचार से, तो आज यह कैसे गलत हो सकता है। अगर उस रोज यह गलत था तो आज भी गलत है। लेकिन मैं इस बात को मानता हूँ कि जो हिसाब लगाने का तरीका है, उस की अच्छी तरह से जांच होनी चाहिये, उस का अच्छी तरह से एग्जामिनेशन होना चाहिये। हो सकता है जिस वक्त इस को बनाया गया था, उस वक्त ठीक ढंग में न बनाया गया हो और उन के दिमाग में कुछ एसी चीजें थी जो आज की बदली हुई परिस्थितियों में नहीं होनी चाहिये और उन को आज बदलने की आवश्यकता महसूस हो रही हो। जिन चीजों की उस वक्त एक आमदमी को जरूरत थी या जो इंडेक्स बनाने वालों के दिमाग में थी, हो सकता है उनकी आज के बदले हुए समाज में जरूरत न रह गई हो, इस वास्ते इस की जांच होनी चाहिये और अगर इस की जांच की गई तो इस के अच्छे नतीजे निकलने की ही आशा की जा सकती है। लेकिन यह तर्क मेरी समझ में नहीं आया कि कभी तो इस के नाम पर लड़ाइयाँ लड़ी जायें और कभी उस को एक दमसे बुरा भला और गलत समझा जाये।

आज हमारे देश के आर्थिक जीवन के अन्दर बैंकों का बड़ा महत्व है। बैंकों में करीब १३८५ करोड़ के करीब रुपया लोगों का जमा होता है और इस तरह से बहुत बड़ी मात्रा में रुपये का लोगों में प्रसार होता है। मुझे खुशी है कि हमारा श्रम मंत्रालय तो यह चाहता है कि लोगों में रुपये का प्रसार हो लेकिन जो वित्त मंत्रालय है जिस से मुझे गिला भी है, वह इस देश के अन्दर आर्थिक तरक्की होने के बावजूद, पैदावार के बढ़ने के बावजूद, इस के खिलाफ है। रूरल बैंकिंग के बारे में जो कमेटी बैठी थी उसने सिफररिस की थी कि रुपये के प्रसार

[श्री० रणबीर सिंह]

को बढ़ाया जाये लेकिन आज रिजर्व बैंक तथा स्टेट बैंक इसके हक में नहीं जात पड़ते हैं। इसको इन्होंने घटाया ही है। पिछले साल जब काश्तकारों की फसल बाजार में आई और उसके बिकने का सबाल पैदा हुआ तो पिछले वर्षों के मुकाबले उस वर्ष ३५ कराड़ रुपया कम रिजर्व बैंक द्वारा दूसरे बैंकों को इस काम के लिये दिया गया। आज हमारा जा श्रम मंत्रालय वह छः छः महीने और महीने महीने का हिसाब रखना चाहता है लेकिन जो वित्त मंत्रालय है तथा जिस का तहत देश का ७५ प्रतिशत आदमियों का जीवन का सबाल है वह उतनी तेजी से उसका ध्यान रखना नहीं चाहता है। मैं चाहता हूँ कि जा वित्त मंत्रालय है वह श्रम मंत्रालय की इस मामले में नकल करे।

Shri Ghosal (Uluberia): (After a long tussle between the bank employees and employers and Government, the Government has come to realise in the long run that the revision of the dearness allowance of the bank employees is necessary. The present method of determining the dearness allowance is quite unsatisfactory. Though they have accepted the reasonableness of the demand of the bank employees, they have got no intention of solving the problem because there is no possibility of any increase in the dearness allowance by this Bill but there are possibly plans for determining the reduction.

It has been admitted on all hands that the system by which the dearness allowance of the bank employees is determined is far from satisfactory and it is causing hardship to the bank employees. Now what is dearness allowance? If we go into the definition of the term dearness allowance, we find that it will be difficult for us to determine even the quantum of

dearness allowance. Dearness allowance is temporary increase over the basic pay in order to meet the rising costs till normalcy is restored. Every month there is an increase in the cost of living index and there is no question of coming down of this index. So, the real problem is the revision of the basic pay. The neutralisation of D.A. by slab system will not solve the problem. The logical conclusion is to relate it point by point with the increase of cost of living index. The Government has taken the year 1944 as the base year. We do not know why this fictitious year of a dead and bygone age has been taken as the base. There is no chance of the cost of living index coming down to that level in the near future. The Central Pay Commission fixed total emoluments with the dearness allowance at the rate of Rs. 55/- and Rs. 90/- for the working and middle class people respectively in the belief that this abnormal rise in price would come down in the near future. That was the basis on which they calculated the dearness allowance. But in actual practice, ever since 1947, there has been increase in the cost of living index; there is no question of its coming down. The dearness allowance has lost its fundamental character and it is most unjust to divide the total emoluments into dearness allowance and basic pay. Therefore, the only way out in order to decrease the hardship of the employee is to adjust the dearness allowance according to the point of the cost of living index. When the Government is introducing this Bill, it should also consider whether without disturbing the present economy and without reducing the dearness allowance, the total emoluments can be increased on a par with the employees of the other mercantile concerns in big cities so that the bank employees may not suffer. With that request, I would ask the Government to reconsider its view in order that there may be cent per cent neutralisation of cost of living index in D.A. because the bank

employees are doing the most important job in the country.

The Deputy Minister of Labour (Shri Abid Ali): Sir, I must submit in the beginning that, although very much accustomed to the speech of the hon. Members opposite, their opposition to this measure today has completely bewildered me.

Shri Prabhat Kar: I want to point out that it is not opposition.

Shri Abid Ali: Say, conclusions reached or the charges made. Take for instance, the last speaker. He is puzzled because Government has fixed 1944 as the base year. Friends who want to participate in these discussions should take a little trouble and glance through the literature which is available in plenty. This has not been fixed by the Government. It was fixed by the award of a commission whose report was submitted to us. It was fixed in accordance with an agreement reached between the parties concerned and that agreement was accepted unanimously by this House in 1955. We are not to be charged for doing a thing which was done on the basis of the agreement reached between the parties.

One hon. Member said that we were betraying the cause of the workers. Yes. Somebody is betraying the workers; not we. He referred to me personally also. While tracing the history of these awards and adjudications, one hon. Member said that these adjudications started in 1949; it is incorrect; it was long before that. I was connected with that; it was perhaps in 1946. During that period we had an agreement between the union of which I was the President in 1946, and the banks in Bombay. That agreement today stands better than all the awards of adjudications..... (Interruptions.) The first effective organisation of white-collar workers was started by me. It is not like those who exploit the workers for their party purposes, selfish purposes.

The 31 days strike in Calcutta was not a trade union strike; it was known that nothing was coming; it was known that the strike cannot bring any good to the workers. In spite of that, not only the workers were betrayed; the community was also betrayed during the puja holidays. The strike was forced on the community and what was the result? Who lost? The workers and the community. They come here and charge us that we betray the workers. The workers should know better. There was the latest notorious agreement. Did we betray? Friends living in glass houses should not throw stones at others... (Interruptions.) It has been said that this will do harm.

Shri T. B. Vittal Rao: The hon. Minister referred to some notorious agreement. May we know what it is?

Shri Abid Ali: "Notorious" should be sufficient; it is known to everybody. Then why make a mention of it? (Interruptions.)

Mr. Deputy-Speaker: Order, order. He has explained that it is notorious and known to everybody.

An Hon. Member: Only notorious persons know it.

Shri Feroze Gandhi (Rai Bareli): Why don't you mention it?

Shri Abid Ali: घरे भाई, जाने दो। It is said that the proposed amendment will harm the cause of the workers. But I am still at a loss to know how the workers will be harmed because there is nothing mentioned in the amendment which only says that the Government should be empowered to change this formula while retaining the proportion as has been mentioned in the recommendation of the Commission as accepted by Parliament.

Now, the hon. Member from Bengal has said that we have brought forward this amendment on the support of the bankers. It is entirely

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incorrect. It is mentioned here in the Statement of Objects and Reasons and was mentioned by me also in the opening remarks that the bank employees approached us. Since then agreement has been entered into between the State Bank and their employees. Afterwards we consulted the employers whether they are agreeable to this formula. It came on the suggestion of the employees and not at the instance of the employers, and after the employees wanted a particular system acceptable to the bankers we have come forward with this amending Bill here. The intention is not to harm the bank employees. We are certainly taking powers, but before notifying any change, I want to make it quite clear, we will consult the parties concerned. If the employees say that this will be harmful or not beneficial to them, we shall not touch it, we will leave the present scheme to continue.

As I have said earlier, the scheme has been agreed to by them. Let it continue. We do not want to do anything. If we do anything, that should be to their benefit and not to their disadvantage. Our intention is not that they should lose because of any action of Government.

It has been said that if this scheme is accepted they will lose Rs. 3/50nP. If it is not accepted, they will lose Rs. 7/-. Therefore, to that extent they will be benefited. Every employee will save Rs. 3/50nP. Then where is the question of their losing Rs. 3/50 nP. because of this amendment? If this amendment is not brought they will be losing Rs. 7/-, whereas now they will be saving Rs. 3/50nP.

Anyway, as I have already submitted, we will not make any announcement under the powers that we are taking according to this Bill without consulting the parties concerned. If they say that we should not come anywhere near it and we should leave them to settle peacefully

with their employers, we shall be happy to do so. Of course, if increase is expected because of the cost of living going up, decrease also should be there when cost of living goes down.

The suggestion by the hon. Member opposite is acceptable to us, that all factors should be taken into consideration before making any change. As I have already said, by this amendment we are not deciding anything, we are only taking powers. The allegation is that if we amend the Act of 1955 and within a short period there is a sudden rise then the workers will be put to loss. We do not want to do that. But here I must submit that the rise in the cost of living index for the period of six months ending June, 1958—it is 153.87—will be 9.87 over the figure of 144. Under the existing formula banks will not pay the increased dearness allowance from and for the period commencing from 1st July, 1958. With a view to solve such hardship only it is proposed to amend the clause which is under discussion.

The difficulty has been felt on the representation of the bank employees. The present scheme is that if there is a rise of ten points in six months then only the increase can be allowed, but if it is even 9½ points then they will not get any increase. Therefore, what we suggest is, let it be three months and five points. Still some hon. Members feel that we are betraying the cause of workers.

Shri Tangamani: We are not feeling anything like that, but it means a wage-cut for the employees.

Shri Abid Ali: As I said, Sir, for the period ending June 1958, the rise is 9.87 and still the workers will not be benefited. According to the scheme that we are proposing they will be benefited. Still there is opposition. It is very much surprising. I wonder whether hon. Members are

feeling that the cost of living index will be going down rapidly, and we should not reduce the period from six months to three months because otherwise the workers will be harmed. That is why I said in the beginning, I have not been able to appreciate the opposition. They always say that any suggestion or amendment coming from the other side is rejected by us because it is coming from the other side. That is not our intention. If anything reasonable is suggested, certainly we will accept. If it is unreasonable, certainly it is unreasonable and it should not be accepted. We bring all facts and figures to show that the intention is to benefit the employees, but still they say that we are harming the cause of employees. As I submitted, Sir, it is bewildering.

The hon. Member has said that workers are now better organised and bank employees are very much clever. I do not agree with this view. I submit it is my feeling that the bank employees' organisation was much more stronger, much more effective before some of the hon. Members could take possession of it.

Mr. Deputy-Speaker: Why enter into that controversy now.

Shri Abid Ali: Because they were having organisational strength, sitting with the employers and getting things done..... (*Interruption*)

Mr. Deputy-Speaker: Order, order. That is not the issue before us today.

Shri Abid Ali: An hon. Member said that.

Mr. Deputy-Speaker: It is not that everything that has been said has to be refuted.

Shri Abid Ali: It is true. I was referring to that. As soon as the first Bank Award came it was called a 'black award', not by the organisation first but by some of the leaders. Because it was called a 'black award', afterwards the employers went to the

court, went to the Supreme Court to get it annulled. Because it was called a 'black award', the employees who were spread all over the country did not give their support to the committee which was to defend the award. The result was that the award was squashed and another adjudication had to be appointed. As soon as the Supreme Court said that it was a bad award, the employees came forward and said that it was a good award, and wanted Government, by Ordinance, to restore the award.

Shri Prabhat Kar (Hooghly): Sir, to submit that these are not facts. This is not what exactly happened during the year 1949-50. It was not the employees who said it was a 'black-award'—the reference is to Sen Award. It was the employees who welcomed this award. It was the employees, again, who defended this award in the Supreme Court spending not less than Rs. 30,000 to Rs. 35,000, bringing in the best lawyers and paying them huge sums of money to conduct the case. Now he says that the employees said that it was a 'black award' and, therefore, the employers came—as if to minimise the wisdom of the employers. They were all the time trying to torpedo all the attempts of workers to bring in a peaceful settlement. Now he is again supporting the employers by saying that they had gone to the Supreme Court, instead of chastising them that they ought not to have taken that action.

Mr. Deputy-Speaker: It is not a support that is being given to the employers.

Shri Prabhat Kar: He is finding out a plea in their support.

Mr. Deputy-Speaker: He has only stated what happened. I do not think that interpretation can be put on what he has said.

Shri Abid Ali: Sir, I stick to the statement that as soon as the award was out some of the leaders of the

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bank employees came out with a statement that it was a 'black award' and therefore—subsequently, of course, pleaders were engaged—a committee was formed to defend the award. But because of that statement that it was a 'black award' that committee did not get the support that it deserved and, therefore, its plea did not prevail in the Supreme Court, that is my opinion.

Shri Prabhat Kar: The Supreme Court decided the case on technical grounds.

Mr. Deputy-Speaker: How could it be said that because that support was not forthcoming the Supreme Court did not hold that view. Does the hon. Minister mean to say that if the support had come the Supreme Court would have held otherwise? They should have engaged better lawyers and they should have convinced the Supreme Court that it was an Award which should be maintained. It could be possible. Therefore, I said the workers' interest was not sufficiently protected. Then the position of that Committee, became weak because of that statement. Anyway, my submission is—

Shri Prabhat Kar: For the information of the House, I may say that the Supreme Court decided it on a technical point of law, on the failure on the part of the Government to issue a notification when Mr Justice Chandrasekhar Aiyar went into the question. That was the ground on which the Supreme Court decided it. So, the Deputy Labour Minister ought not to make a wrong statement of fact.

Mr. Deputy-Speaker: The Labour Minister had already made it clear. There is no question of making a wrong or correct statement. He said that the case was not very well represented as the Labour Minister would have wished it to be done.

Shri Abid Ali: Still, the fact remains that the Award was called a 'black award', and subsequently, a request was made to the Government to restore it through an ordinance. Anyway, as I have mentioned earlier, our intention is to take powers to benefit the workers and wherever it is necessary to intervene, and whatever we will do will be done in consultation with the representatives of the workers concerned. I hope the hon. Members, after having a little perusal of the correct facts, will be convinced that the intention is honest and the Bill will be to the benefit of the employees. I request that the Bill be considered.

Mr. Deputy-Speaker: The question is:

"That the Bill further to amend the Industrial Disputes (Banking Companies) Decision Act, 1955, be taken into consideration."

The motion was adopted.

Clause 2.— (Amendment of Section 3)

Mr. Deputy-Speaker: We shall now pass on to the clause-by-clause consideration. Does the hon. Member wish to move his amendment No. 1?

Shri Prabhat Kar: Yes.

Mr. Deputy-Speaker: I thought that perhaps after the explanation it will not be necessary for him to speak.

Shri Prabhat Kar: I beg to move:

Page 1, for lines 8 to 25, substitute—

"(5) Notwithstanding anything contained in the foregoing provisions of the Act, the dearness allowance available to the bank employees at figure 144 (1944-100) will not be reduced at any time and beyond that level the dearness allowance will be linked to the month-wise All-India cost of living index and adjusted with the rise or fall of every two points of All-

India Consumers Price Index (1944-100) with an increase or decrease of one-tenth of dearness allowance available at cost of living figure 144."

I want to point out that I have still been misunderstood. What I have said is this. While the Bill seeks to amend the dearness allowance formula evolved by the Bank Award Commission, this relief intended for the bank employees has not been given. That was my contention. What I pointed out at that time is not any opposition to the Bill as it is. As far as it goes, I welcome the spirit of the Bill. But I disagree with the content of it.

Mr. Deputy-Speaker: It is just a one-clause Bill, so to say. Where is the doubt about the contents?

Shri Prabhat Kar: I agree with the objects of the Bill. The Bill is meant to mitigate the hardships. Now, I placed before the hon. Labour Minister certain figures and I placed before him the actual state of affairs in the State Bank of India. I wanted him to take those factors into consideration. Therefore I moved this amendment. Instead of sticking to the State Bank formula, another formula could be evolved. But here, I can quite appreciate the difficulty. The proviso is there. It says:

"Provided that any adjustment so made shall, so far as may be, bear to the rise or fall of the cost of living index the same ratio as is indicated between the adjustment of dearness allowance and the rise or fall of the cost of living index in the formulae recommended in that clause."

The whole point here is, unless that "same ratio" is changed, there will be no mitigation of the hardship, because, instead of a reduction of Rs. 7, the reduction will be Rs. 3-8-0. Further, if it is two months instead of five months, the reduction may be to the

tune of Rs. 1-12-0, but then, there will be reduction still. I pointed out to the hon. Minister that while in every part of the country other employees are getting an increase in their dearness allowance, in the case of the bank employees there will be a reduction. I am agreeable even to withdraw my amendment if this particular proviso is withdrawn by Government so that we get an opportunity to place our facts and to convince the Government to evolve a formula by which it will be beneficial to the employees. As there is a provision, the Government's intention is already made out in the Act, namely, that they want to limit themselves within the framework of the existing scheme of dearness allowance which is working hardship, and that is why I have moved this amendment.

The first part of the amendment is the accepted interpretation of the Award by no less a person than the present Law Minister. The first part is, as it should be, the interpretation of the Award itself, and according to the second part, as I have placed before the House, there will be a variation of two points with the rise or fall, with the increase or decrease being one-tenth of the dearness allowance.

Shri Abid Ali: After nearly eight years of tangle, a sort of agreement was reached between the representatives of the workers and the management on the basis of which the Bank Award Commission submitted its report which was unanimously accepted by Parliament and which will remain in force for about a year more. We do not intend interfering with this scheme which has been accepted on this basis.

This Bill has been brought here, as I have said earlier, because the employees wanted it and the employers have consented to it. Otherwise, we would not have interfered with the Act. So, there is no intention to

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[Shri Abid Ali]

change the scheme in the Act which has been accepted already. In the remaining period of this scheme, we want to help the employees if it is found that our help will be necessary. To that extent, as I have explained earlier, we want to get things changed, and the suggestion made by the hon. Member upsets the whole scheme. That is not acceptable.

Shri Prabhat Kar: Only one suggestion. Is he agreeable to see that the present dearness allowance that is being paid to the bank employees will be maintained,—that is, the *status quo* being maintained—instead of entering into new schemes before 1959?

Shri Abid Ali: That is what I have said; instead of a big cut—

Shri Prabhat Kar: *Status quo* not of the formula but of the amount.

Mr. Deputy-Speaker: This is what he says. They are not enforcing any adjustment. Government have taken powers to see whether it is really necessary to go further or not. If it is not in the interests of the employees, then they would not do it.

Shri Prabhat Kar: Not the formula.

Shri Abid Ali: And also after consulting the representatives of both the parties.

Shri Prabhat Kar: If the formula is allowed to continue, it will be a reduction of Rs. 7.

Mr. Deputy-Speaker: It is good so far as it goes. Let this be given. But if it is not done, something more should be done. Seven should not be reduced to 3. That is what the hon. Member says.

Shri Abid Ali: He should appreciate what will be the position if this scheme is not accepted. The present position is more unfavourable or will become less.....

Shri Prabhat Kar: I have agreed. It will be more unfavourable.

Shri Abid Ali: Then why should there be opposition?

Mr. Deputy-Speaker: He is not opposing it. He says he welcomes it so far as it goes. But he wants that something more should be done.

Shri Abid Ali: All the time he has been attributing to the Government that we are going wrong and that we are betraying the workers. Now, they are realising the correct position.

Shri Prabhat Kar: I am sorry that—

Mr. Deputy-Speaker: I am also sorry. I am now putting the amendment to the vote of the House. The question is:

Page 1, for lines 8 to 25, substitute—

“(5) Notwithstanding anything contained in the foregoing provisions of the Act, the dearness allowance available to the bank employees at figure 144 (1944-100) will not be reduced at any time and beyond that level the dearness allowance will be linked to the month-wise All-India cost of living index and adjusted with the rise or fall of every two points of All-India Consumers Price Index (1944-100) with an increase or decrease of one-tenth of dearness allowance available at cost of living figure 144.”

The motion was negatived

Mr. Deputy-Speaker: The question is:

“That clause 2 stand part of the Bill.”

The motion was adopted.

Clause 2 was added to the Bill

Mr. Deputy-Speaker: 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 Abid Ali: I beg to move:

"That the Bill be passed."

Mr. Deputy-Speaker: Motion moved:

"That the Bill be passed."

Shri T. B. Vittal Rao: I am glad that the hon. Minister has assured the House that before issuing any notification or before evolving any formula, he would consult the representatives of the bank employees. That is a welcome thing.

But another point I would like to say is this. These awards or formulae which have been evolved have been made, having regard to a set of figures compiled by the Government of India, namely, the all-India cost of living index and the consumer price index. The Gadgil Committee on dearness allowance had held that the very method of compilation of these figures did not represent the correct cost of living obtaining in the country. The Government had accepted that recommendation and in pursuance of that recommendation, they are carrying out fresh surveys. But my grievance is that though the committee reported in 1952 and the Government accepted the recommendations in 1953, now we are only in the stage of conducting a survey.

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I would only request the hon. Minister to see that the present survey that is being carried on under the Ministry of Labour, the all-India survey for determining the cost for the working class and also the survey that is being carried on by the Central Statistical Organisation under the Cabinet Secretariat into the cost of living of the middle-class should be completed very quickly, because already five years have passed.

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Regarding the scheme of D.A. adjustment, I welcome it, because I know what is happening in the coal award. There also, for every 10 points, you will have to get Rs. 4-14-0. But when the cost of living index rises on an average by five points, the workers do not get anything. Even up to seven points, they don't get anything. For instance, from 1st January, 1957 to 30th June, 1957, there was nearly an increase of seven points in the average consumer price index, but no increase in dearness allowance was given, because the rise was not by 10 points. There also the position is similar.

Finally, I would like the Minister to consider the fact that the system of D.A. was a war-time measure. The war ended in 1945 and since 13 years have elapsed, this should be given up, and wage should rise or drop according as the cost of living index rises or drops. That is the procedure which is adopted in various countries. But here still that war-time measure is continuing 13 years after the cessation of war. I hope and trust that the Minister will give some thought to this matter and very soon, at least in the Standing Labour Committee meeting which is going to be held in the next two months, this system of D.A. should be dropped and it should be merged with the basic pay. That would be the ideal thing and that is the thing I would like to impress upon the hon. Minister.

Shri Prabhat Kar: I had an apprehension that the hon. Labour Minister carried some prejudice against me and now at last I find that he has completely misread my approach to this particular Bill and all that I have said. Naturally if he is already prejudiced against a particular person, he will not be in a position to give proper thought to what he states. So, he has completely not taken into cognizance what I have said in this House today. I am very sorry for it. It is a very difficult proposition; if the hon. Minister does not want to hear and understand, then nobody can

[Shri Prabhat Kar]

make him understand. Even then, I represent the bank employees and I look to their interests and therefore, I have come again and again before the Ministry.

Now the Bill is going to be passed. The hon. Minister said he will take into consideration all factors. I am very glad He has assured that he will hear the representatives of the workers I am very glad about that also. The only point I want to stress is this. Will he give this assurance that until all these things are done, he would ask the employers not to reduce the D.A. at least until all the differences are finally settled by the Government?

I am very apprehensive that today when the prices of daily necessities of life are going high, any reduction in the emoluments of an employee will react very severely and we will be charged that we were the persons creating all these troubles. In spite of all these efforts, I can tell you that it is the bank employees who will make the Government know exactly how they feel. We do not want to create that situation. I am appealing to the hon. Minister. Now that the Bill is going to be passed and this power has been given to the Government, will the Government at least ask the employers not to reduce the D.A. until the whole matter is settled, so that we may have an opportunity to discuss the matter with the Labour Ministry and with the employers and come to a final understanding, because any reduction will have serious repercussions? That is my appeal to the hon. Minister.

Shri Abid Ali: As I said, we had decided already that before issuing any notification, we should have the benefit of consultation with the representatives of the parties concerned and I have given an assurance to that effect.

With regard to amalgamation of D.A. with wages, as the hon. Members themselves know very well, in all our enactments, wage means including the D.A. The D.A. has already been included in the wage for the purpose of overtime and several other matters. The employees' provident fund scheme also is applicable not only to the basic wage, but also to the D.A. On that basis, the provident fund scheme is working.

With regard to the hurrying up with the work of the survey, the hon. Member should appreciate that it is a big job to be done thoroughly and sufficient time should be taken. But in the meantime, there is no hardship, because the increase or decrease is on the basis of the same index. If the basis is the same, when it goes up, workers get more and when it goes down, workers get less. So, the cost of living index calculation basis is applicable both ways. Therefore, there is no hardship because of this delay.

With regard to the last suggestion, I may submit that there have been such suggestions by the employers also that Government should change the basis of the recommendations of the bank commission. We are not accepting that, because, as I have said, a thing which has been finalised after eight years of efforts should remain pucca for four years at least. So, there is no intention of making any change in that.

Mr. Deputy-Speaker: The question is—

“That the Bill be passed”.

The motion was adopted.

15.00 hrs.

**ESTATE DUTY (AMENDMENT)
BILL**

Mr. Deputy-Speaker: The House will now take up the Estate Duty (Amendment) Bill, 1958 as reported by