



Thursday,
26th November, 1953

PARLIAMENTARY DEBATES

HOUSE OF THE PEOPLE

OFFICIAL REPORT

PARLIAMENT SECRETARIAT
NEW DELHI

Price Six Annas (Inland)
Price Two Shillings (Foreign)

25218
24.11.2014

THE
PARLIAMENTARY DEBATES
(Part I—Questions and Answers)
OFFICIAL REPORT

437

HOUSE OF THE PEOPLE

Thursday, 26th November, 1953

*The House met at Half Past One
of the Clock*

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

FREE DISTRIBUTION OF BOOKS

*318. **Dr. Ram Subhag Singh:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that the Government of India have prepared a scheme for free distribution of books in the social and basic education institutions in India; and

(b) if so, what is the estimated value of books for such distribution?

The Deputy Minister of Natural Resources and Scientific Research (Shri K. D. Malaviya): (a) The Government of India is publishing Social Education literature since 1949-50. The literature is being sent to the State Governments for free distribution amongst their social and basic institutions.

(b) Rs. 2,75,000 have so far been spent for the purpose.

Dr. Ram Subhag Singh: May I know, Sir, whether the Government of India has prepared a definite scheme for social education literature and whether it is also distributing the literature on a planned basis?

Shri K. D. Malaviya: A number of schemes have been and are being initiated by the Government of India

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with regard to the popularisation of social education literature. As the hon. Member may know, so far we have published 158 literatures and distributed them among the State Governments. To encourage the State Governments in the production of suitable social education literature, it is proposed to meet 50 per cent. of the cost incurred by them in the production of such literature in their own regional language. There is another scheme also which is being worked out these days in collaboration and in consultation with the Information and Broadcasting Ministry and the Finance Ministry and also with the Community Projects Administration for the production of folk literature in the rural areas.

Dr. Ram Subhag Singh: The question is also about basic education. May I know whether anything has been done in regard to basic education institutions in the country?

Shri K. D. Malaviya: They are run by the State Governments. We have sent them our scheme and are also advising them as to how to prepare or manufacture simple articles and instruments that may aid in the prosecution of basic education schemes.

Shri K. K. Basu: May I know, Sir, whether this work is done by specialised institutions or whether it is done departmentally?

Shri K. D. Malaviya: There is a specialised institution which is doing this.

Shri T. S. A. Chettiar: May I know, Sir, how many such books are distributed and in what language?

Shri K. D. Malaviya: 158 pamphlets have so far been distributed; some more are to come out soon and it is expected that the State Governments will take up the work of translation.

Shri T. S. A. Chetdar: In what language?

Shri K. D. Malaviya: In Hindi.

एम्प्लायमेंट एक्सचेंज

* ३१९. सेंट गोविन्द दास : (क) क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि क्या एम्प्लायमेंट एक्सचेंजों में नौकरी दिलाने के मामले में कुछ विशेष वर्ग के व्यक्तियों को प्राथमिकता दी जाती है ?

(ख) क्या इन वर्गों में मूलपूर्व भारतीय रियासतों के छंटी किये गये तथा स्वयं से पूर्व सेवा निवृत्त किये गये व्यक्ति भी सम्मिलित हैं ?

The Deputy Minister of Home Affairs (Shri Datar): (a) Yes. In submitting panels of suitable candidates for consideration of the appointing authorities the Employment Exchanges follow the order of priority prescribed by the Government of India.

(b) Persons employed by the former Indian States on services which have been taken over by the Central Government as a result of the integration, have now come under the Government of India. Those among them who were found surplus on such integration have been accorded priority for purposes of re-employment. Priority has also been accorded to the employees of the Government of Madras who were rendered surplus as a result of the creation of the State of Andhra. Apart from these, no priority is given to the employees of the State Governments who are retrenched or are about to be retrenched.

सेंट गोविन्द दास : जहाँ तक इन लोगों का सम्बन्ध है जो कि मिन २ रियासतों से खलव किय गये हैं, क्या कोई सरकार के पास इस प्रकार के अंक उपलब्ध हैं कि जिस

से यह मालूम हो सके कि इन में कितनी संख्या अब तक नौकरी में ली जा सकी है ?

Shri Datar: Sir, the exact figure is not known, but an attempt has been made to absorb as many as possible.

Shri K. K. Basu: May I know, Sir, whether a person, who has been retrenched from a particular department, gets any preference in the case of re-employment, or whether he has to apply through the Employment Exchange?

Shri Datar: He gets a preference in order of priorities. He has to apply and then his name is registered and it is then included in the panel.

Shri B. S. Murthy: May I know, Sir, any other Government besides the Punjab Government has asked the Central Government to allow it to have its own employment exchange?

Shri Datar: The whole question is now under consideration and a Committee has been appointed under the chairmanship of Shri B. Shiva Rao and that Committee will go into the whole question as to what extent there should be a Central Exchange and a State Exchange.

PRODUCTION OF ANTI-BIOTICS

* 320. **Dr. Rama Rao:** (a) Will the Minister of Natural Resources and Scientific Research be pleased to state whether the Board of Scientific and Industrial Research had recommended that intense efforts should be made for the production of anti-biotics from indigenous sources?

(b) What steps have been taken in this direction in research and manufacture, since this decision was taken?

The Deputy Minister of Natural Resources and Scientific Research (Shri K. D. Malaviya): (a) Yes, Sir.

(b) Research on anti-biotics is being carried out at the Central Drug Research Institute, Lucknow and at Universities and Research Institutes, under the auspices of the Council of Scientific and Industrial Research. The recommendations of the Board of

Scientific and Industrial Research, have been brought to the notice of Government Departments and other Research Organisations.

Dr Rama Rao: May I know, Sir, what steps Government are taking to manufacture known antibiotics?

Shri K. D. Malaviya: This question is with regard to research to be carried out under the auspices of the Council of Scientific and Industrial Research.

Dr. Rama Rao: Apart from research, there are things which are already known and their manufacture is necessary for the country. What steps are Government taking to manufacture the known antibiotics?

Shri K. D. Malaviya: That question may better be put to the Production Ministry.

Shri Sarangadhar Das: May I know, Sir, how many anti-biotics researches have been completed in the Central Drug Research Institute?

Shri K. D. Malaviya: Various works are undertaken in various institutes. So far as the Central Drug Research Institute, Lucknow, is concerned, it is working on several aspects of antibiotics, e.g. screening of several medicinal plants in search for antibiotic activities and also evaluation of certain other bio-chemical substances and drugs on laboratory animals.

BASIC EDUCATION

*326 **Shri S. N. Mishra:** Will the Minister of Education be pleased to state the extent to which the scheme for the development of a compact programme of Basic Education at all levels in some selected areas in each State, as a part of the Five Year Plan of Educational Development, was implemented in 1952-53?

The Deputy Minister of Natural Resources and Scientific Research (Shri K. D. Malaviya): A statement is laid on the Table of the House. [See Appendix II, annexure No. 37.]

Shri S. N. Mishra: May I know, Sir, how many States were able to utilise

the Central grant-in-aid for the purpose?

Shri K. D. Malaviya: The number is very large; almost all have received aid from the Government, but we have not received progress reports from them.

Shri N. M. Lingam: May I know, Sir, what is the difficulty in the way of implementing this basic education scheme in the country?

Shri K. D. Malaviya: The main cause is financial stringency.

भा० राम सुमन सिंह : क्या यह सही है कि बेसिक स्कूलों से निकलने वाले लड़कों को बीर जाने पढ़ने के लिए इस वक्त कोई प्रशिक्षण नहीं मिला रहता है ?

منسٹر آب ابعو کیشن لیلڈ نہ ملے گا
سیورسز لیلڈ سائنٹیفک ریسرچ (دولان)
آزاد : نہیں - مدارے علم میں کوئی ایسی بات نہیں آئی ہے -

[The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): No. no such thing has come to our notice.]

Shri N. M. Lingam: May I know, Sir, if conflicts between the Centre and the States is the main cause for the slow progress of basic education?

Shri K. D. Malaviya: That is not the main cause.

Shri Muniswamy: May I know, Sir, how the new basic education scheme differs from the basic education scheme that is already in practice?

Shri K. D. Malaviya: From State to State there have been slight differences in the existing system of basic education. The Government of India have proposed to standardise and advise them on a uniform pattern of basic education, which has been done.

VISIT OF THE BRITISH FIRST SEA LORD

*327. **Shri Amjad Ali:** Will the Minister of Defence be pleased to state the reason which prompted the Government of India to invite the First Sea

Lord Admiral of the Fleet to visit establishment of Indian Navy throughout India in November, 1953?

The Minister of Defence Organisation (Shri Tyagi): As the First Sea Lord was already on a visit to the East, we thought that a discussion with him on certain outstanding matters pertaining to our replacement programme and technical equipment, and his views on our naval establishment would be useful. We, therefore, in our own interest decided to invite him to visit India.

Shri Amjad Ali: Did he come in his Flagship?

Shri Tyagi: I have no information.

Shri G. S. Singh: Does the Government expect any report from the First Sea Lord with regard to what he has seen of our Indian Navy and the Indian fleet?

Shri Tyagi: I expect a very detailed report from him. When he left, initially he sent a message. He was impressed by the "high standard of smartness, enthusiasm and efficiency ashore and afloat and their devotion to service that I encountered everywhere augur well for the future". That is his first reaction.

Shri T. K. Chaudhuri: May I know if the Government of India's attention has been drawn to the statement made by the First Sea Lord to the effect that he is very much satisfied that the pace of Indianisation of the Navy has been slow, and may I know what is the reaction of the Government of India to that statement is?

Shri Tyagi: I believe he never said that. What he said was, "it was satisfactory."

Shri N. B. Chowdhury: May I know whether his visit involved any financial commitment to the Government of India?

Shri Tyagi: No financial commitment.

Shri G. S. Singh: Apart from the bouquets given to the Minister of Defence Organisation, did the First Sea Lord give any report on the technical aspects for which he was supposed to have been invited?

Shri Tyagi: It was to show him round the training centres, which he had seen in detail, and I am expecting a detailed comment from him. With regard to the technical aspects, we have not got the detailed report as to what further implementation we can do towards the training programme in India.

UNIVERSITY GRANTS COMMISSION

***32g. Shri D. C. Sharma:** Will the Minister of Education be pleased to state:

(a) whether Government have finalised their scheme for the establishment of a University Grants Commission; and

(b) if so, what are its main features?

The Deputy Minister of Natural Resources and Scientific Research (Shri K. D. Malaviya): (a) and (b). It is expected that necessary legislation regarding the establishment of a University Grants Commission will be introduced during the next session of the Parliament.

Shri D. C. Sharma: May I know if the University Grants Commission which has been appointed, as reported in the press, is an interim commission?

Shri K. D. Malaviya: Yes, Sir.

Shri D. C. Sharma: May I know how long will this interim commission be functioning?

Shri K. D. Malaviya: It will carry on its function till the new commission, adopted by this House, starts functioning.

ممبر اؤ، ایجوکیشن اینڈ نیچرل

ریسورسز اینڈ سائنس ریسرچ (موقعا

آزاد): میں ذرا صاف کر دوں - پچھلے

بیس ایک ریفرنڈمیشن پروپوزیشن کی گزارش

کمیٹی بنانے کے لئے گورنمنٹ نے سادھو لیا تھا۔ اس وقت گورنمنٹ کے سامنے یہ بات تھی کہ چار سنٹرل یونیورسٹیوں کے لئے کمیٹی بنائی جائے۔ اس کے بعد وہ کارروائی دھن ملتوی ہو گئی۔ اب یہ طے ہوا ہے کہ ایسا یونیورسٹی گرانٹ کمیٹی بنانا چاہیئے جس کا تعلق ایک کمرہ تمام یونیورسٹیوں سے ہو۔ اس کمیٹی میں تیار ہے۔ کیونکہ اس کے پیسے کرنے میں کچھ وقت لگے گا اس لئے مناسب سمجھا گیا کہ پیسے برس کے ریویو میں کی بنا پر کمیٹی ابھی بنادیا جائے۔ وہ کام شروع کر دے۔ جب بل یہاں ملتا ہو جائے گا تو اس میں اور ممبر بڑھا دئے جائیں گے۔

[The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): Let me clarify the position. Last year Government accepted a resolution calling for the setting up of a University Grants Committee which would be concerned with the four Central Universities. Action in this matter was, however, suspended. Now it has been decided that a University Grants Commission should be set up for all the Universities in the country. A Bill is ready for this purpose. As it will take some time to present it, it has been considered desirable to set up a Commission right now as envisaged in the above-mentioned resolution. This Commission will start functioning and when the Bill is passed, its membership will be increased.]

Shri Meghnad Saha: May I know, Sir, how many full-time Members will be there besides the Chairman?

مولانا آزاد: چیئرمین اور سکریٹری۔

[Maulana Azad: The Chairman and the Secretary.]

Shri Meghnad Saha: May I know, Sir, whether the Chairman will be a whole-time officer or a part-time officer?

مولانا آزاد: نہیں پارت ٹائم نہیں۔

چیئرمین پورا وقت دیگا۔

[Maulana Azad: Not part-time. The Chairman will work whole-time.]

Shri D. C. Sharma: May I know, Sir, what is the proposed grant to be made to the University Grants Commission when it takes over charge of all the Universities of India?

مولانا آزاد: اس کا ابھی فیصلہ

کرنا مشکل ہے۔ لیکن پانچ برس کے

پلاننگ میں ابھی چار کروڑ روپے کی

رقم یونیورسٹی ایجوکیشن کمیٹی (کی)

لگنی ہے۔

[Maulana Azad: It is difficult to decide it at this stage, but four crore rupees have been provided in the Five Year Plan for University Education.]

UNESCO SCHOLARSHIPS

*330. Ch. Baghubir Singh: (a) Will the Minister of Education be pleased to state whether it is a fact that the U.N.E.S.C.O. gave three scholarships to Indian students in 1953?

(b) If so, how many students applied for these scholarships?

(c) What was the basis of their selection?

The Deputy Minister of Natural Resources and Scientific Research (Shri K. D. Malaviya): (a) UNESCO gave no scholarships to Indian students during 1953.

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

I. A. S. EXAMINATION

*331. Shri Radha Raman: (a) Will the Minister of Home Affairs be pleased to state whether the present I.A.S. Examination is conducted on the same basis as the I.C.S. in the British times?

(b) What is the approximate expenditure incurred on this examination every year?

The Deputy Minister of Home Affairs (Shri Datar): (a) The present Indian Administrative Service Examination is conducted on lines similar to the former Indian Civil Service Examinations in Delhi.

(b) The expenditure varies according to the number of candidates admitted to the examination. The expenditure for 1950, 1951 and 1952 was Rs. 85,000, Rs. 1,15,000 and Rs. 1,32,000 respectively.

Shri Radha Raman: May I know if these examinations are held at any place other than Delhi?

Shri Datar: They are held at a number of centres.

Shri Radha Raman: May I know the places where they are held?

Shri Datar: They are held at about 12 or 13 places including London—about which I have answered a question the other day.

Shri Radha Raman: May I know what is the total number of examinees who appeared in the year 1952-53 for this examination?

Shri Datar: For the year 1952, 4,154 students had appeared.

Shri Radha Raman: How many of them passed these examinations and, out of them, how many were employed by the Government?

Shri Datar: Those figures are not here with me.

Shri K. K. Basu: What is the number of examinees in the London examination and what is the total cost involved?

Shri Datar: No cost was involved at all, and the number was only eight, as I said here the other day.

Neo-Literates

*232. **Shri Radha Raman:** (a) Will the Minister of Education be pleased to state what is the latest number of neo-literates in India?

(b) Is it a fact that some new literature is being produced for these neo-literates?

(c) Where, by whom and under whose guidance is this literature being produced?

(d) What is the total expenditure incurred on this new literature?

(e) Is any sort of financial or material help also being rendered by any foreign country?

The Deputy Minister of Natural Resources and Scientific Research (Shri K. D. Malaviya): (a) During the period 1947-52 for which the figures are available 24,59,200 adults were made literate in India.

(b) Yes.

(c) By the State Governments and by the Government of India. The Government of India is publishing Social Education Literature through the agency of Idara Talim-o-Taraqqi, Jamia Millia, Delhi.

(d) Figures for State Governments are not available. The Government of India have spent so far Rs. 2,75,000.

(e) No.

Shri Radha Raman: May I know, Sir, in which of the Indian States the arrangement for training neo-literates is existing at present?

Shri K. D. Malaviya: I have not got the list of all the States, but I have got the figures from some of the States showing the number of adults who have become literates. I have got those figures, but it is a very long list.

منسٹر آف ایجوکیشن ایڈ نوٹ
دوسرے ایڈ سائٹیک رسرچ (مولانا
آزاد): لمبی لسٹ ہے۔

[The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): It is a long list.]

Shri Radha Raman: May I know if the Government proposes to extend the scheme to some other States during this year?

Shri K. D. Malaviya: It is the intention of the Government to give facilities to all the States which want these schemes.

डॉ० राम सुभग सिंह : ये निचो-
लिटरेट्स ओ तैयार किय जाते हैं इन में
इस शिक्षा के जरिये क्या कोई नवीनता
जाती है और जो किताबें तैयार की जाती
हैं उन में भी क्या ओर किताबों की अपेक्षा
कोई नवीनता होती है ?

श्री के० डी० मालवीय : मैं समझता
हूँ कि इस प्रकार की शिक्षा से अलट्स में
एक जागरण होता है और उन का ज्ञान
बढ़ता है ।

Shri Thimmaiah: Is it possible for the Government to maintain a separate record of neoliterates among the scheduled castes and scheduled tribes people?

Shri K. D. Malaviya: I am afraid it may not be possible.

RESSETTLEMENT SECTION, MINISTRY OF DEFENCE

*334. **Shri S. C. Samanta:** Will the Minister of Defence be pleased to state:

(a) how far the Resettlement Section of the Ministry of Defence, has progressed in associating the ex-servicemen to help the Planning Commission's National Extension Service and Rural Health Programme;

(b) how these ex-servicemen can be best utilised; and

(c) how many ex-servicemen have already been taken as doctors, sanitary inspectors and compounders?

The Deputy Minister of Defence (Sardar Majithia): (a) The Resettlement Section, Ministry of Defence, have submitted to the State Governments through Community Projects Administration, names of suitable ex-servicemen for employment in various branches of National Extension Service.

(b) The ex-servicemen can be usefully utilised by employing them as Project Officers, Extension Officers, Gram Sewaks, Co-operative Inspectors, Doctors, Veterinary Surgeons, Compounders, Sanitary Inspectors, Engineers, Social Education Organisers, Mechanics, Drivers, Storekeepers, Clerks and Peons.

(c) Three ex-servicemen have been selected; one as a Doctor and two as Sanitary Inspectors by the Governments of Bilasour and Bhopal respectively.

Shri S. C. Samanta: May I know, Sir, the salary that has been fixed for doctors who have been taken in?

Sardar Majithia: The salary fixed for a doctor is Rs. 300 per month.

Shri S. C. Samanta: May I know whether any consideration was given, in fixing the pay scale, to the salary that the incumbent was drawing before?

Sardar Majithia: That is all fixed in the National Extension scheme and it depends on the finances available.

श्री भक्त दर्शन : अभी हाल में भारतीय सेना के बरत से सेनिकों को रिजर्व में भेजा गया है, क्या उन्हें भी नेशनल एक्सटेंशन सर्विस में एम्प्लॉयमेंट दिलाने की इस तरह की कोई सुविधा दी जा रही है ?

Sardar Majithia: We have sent about 1,495 applications to the various State Governments for them to consider. So far as reserve people are concerned, they possibly may be in them or may not. I have not got any separate figures.

ITALIAN MISSIONARIES

*335. **Shri Muniswamy:** Will the Minister of Home Affairs be pleased to refer to the reply given to starred question No. 916 on the 1st September, 1953, regarding alleged anti-Indian propaganda carried on by two Italian Missionaries in Port Cochin and state what action Government propose to take in the matter?

The Deputy Minister of Home Affairs (Shri Datar): Certain further enquiries were made of the Government of Madras in the matter. The report since received is under consideration.

Shri Muniswamy: May I know, Sir, whether attention has been drawn by the Government to the criticism in the press about the view that is held by the Government of India?

The Minister of Home Affairs and States (Dr. Katja): What sort of criticism, I do not quite follow.

Mr. Speaker: It seems to me to be vague enough. Certain criticism in papers relating to what matter?

Shri Muniswamy: I want to know whether attention has been drawn by the Government about some criticism by the press about the view that has been held by the Government of India regarding the priests?

Dr. Katja: The press in India consists of thousands of papers and these thousands of papers express diametrically opposite views.

Shri K. P. Tripathi: May I know whether it is known to the Government that secret anti-Indian propaganda is also going on in the North-Eastern part of Assam?

Dr. Katja: Mr. Speaker, you will realise my difficulty. A question is put about Port Cochin in down South. My hon. friend takes the stage to North-East.

Shri Frank Anthony: Apart from making enquiries from the Madras Government has the Central Government made enquiries from the Italian missionaries and have they received any representation from the missionaries stating their case and saying

categorically that these allegations are false, malicious and inspired by certain communists from certain petty personal spites?

Dr. Katja: I have absolute confidence and trust in the Madras Government and when we ask for a report from any State Government we presume that that State Government will make a report after making full enquiries and giving the persons affected an opportunity for having their say in the matter. I cannot possibly have a direct communication with A. B or C.

Shri Matthen: May I know, Sir, whether Government has received a report from the municipal chairman, Port Cochin, that the allegations are absolutely unfounded and mischievous?

Dr. Katja: I have received no such reports, but I may tell the hon. Member that I propose to dispose of this matter very quickly.

NATIONAL CADET CORPS

*336. **Shri Muniswamy:** (a) Will the Minister of Defence be pleased to state whether it is a fact that a meeting of the Central Advisory Committee for the National Cadet Corps was held at New Delhi during the middle of September, 1953?

(b) If so, what were the subjects discussed at the meeting?

(c) How far the expansion programme of the N.C.C. has progressed and proved satisfactory in the educational institutions?

(d) Is it a fact that suggestions to introduce gliding training as part of the Cadets Curriculum were also made and discussed at the meeting?

The Deputy Minister of Defence (Shri Satish Chandra): (a) Yes. The meeting was held on 16th September 1953.

(b) A statement is laid on the Table of the House.

(c) A statement giving the expansion programme of N.C.C. for the year 1953-54 and the progress so far made

is laid on the Table of the House. The scheme has proved to be satisfactory in the educational institutions and its further expansion is limited only by availability of finance.

(d) Yes. The proposal to introduce gliding training in the syllabus of the Senior Division (Air Wing) was accepted.

[For (b) and (c), See Appendix II, annexure No 38.]

Shri Muniswamy: May I know, Sir, whether it is a fact that there is a proposal to close down the Junior Division of the N.C.C. in Bombay, and if so, what are the reasons?

Shri Satish Chandra: The hon. Member is probably aware that the expenditure on N.C.C. is shared between the Central and the State Governments. The Bombay Government had initially decided to abolish the Junior Division as they were not prepared to contribute their share of the expenditure on the Junior Division. The matter was considered by the Central Advisory Committee of the N.C.C. The Bombay Government later modified their scheme and proposed that they will be prepared to contribute one-third of their share if the other two-thirds is borne by the schools and the cadets themselves. But now they have again intimated to us that their proposal has not found favour with the educational institutions and so they have decided to abolish it altogether.

Shri Muniswamy: May I know, Sir, whether any remuneration is paid to the cadets when they are in camps?

Shri Satish Chandra: The camp expenditure is met out of the N.C.C. budget. There is no other remuneration. Boarding and lodging and other expenses in the camp are met from the N.C.C. funds.

Shri Jaipal Singh: In regard to inclusion of gliding as an additional subject in the curriculum for the training of cadets, may I know whether gliding is to be introduced only in the

present gliding centres, or it is to be all over India? If it is to be outside these gliding centres at the present moment, where are they to be?

Shri Satish Chandra: The idea is to introduce gliding as a subject in all the units belonging to the Air Wing of the National Cadet Corps.

Shri Barrow: May I know, Sir, if this Committee considered the recommendation of the Secondary Education Commission that the N.C.C. finances should be borne by the Central Government?

Shri Satish Chandra: I do not know about that recommendation. But this scheme was evolved on the basis of the report of a committee which was set up by the Government of India under the Presidentship of Pandit Kunzru, before the N.C.C. Bill was brought before this House.

FINANCIAL ASSISTANCE TO STUDENTS AND YOUTH ORGANISATIONS

*327. **Shri Dabhi:** Will the Minister of Education be pleased to refer to starred question No. 1020 asked on the 4th September, 1953 and state:

(a) whether a programme has now been drawn up for the purpose of giving financial assistance to the various students and other youth organisations out of rupees one crore provided in the Five Year Plan for the purpose;

(b) if so, what is that programme; and

(c) which organisations in India have been found eligible for the assistance?

The Deputy Minister of Natural Resources and Scientific Research (Shri K. D. Malaviya): (a) to (c). The Ministry has drawn up a Scheme for Youth Welfare and Work Camps for students for the current year with a budget for Rs. 20 lakhs out of Rs. 1 crore provided in the Five Year Plan. The Scheme is to be worked out through the State Governments and Vice Chancellors of Universities.

Shri Dabhi: May I know if there are any conditions laid down for an organisation to become eligible for such assistance?

Shri K. D. Malaviya: The grant is given to the Universities who work the scheme.

Shri Dabhi: When is the scheme likely to come into operation?

Shri K. D. Malaviya: As a part of the scheme, two camps were organised, one in Mahabaleshwar and other in Srinagar for lecturers and professors who will be the vanguard in conducting these camps.

Shri B. S. Murthy: May I know, Sir, what are the special features of this scheme that has been evolved?

Shri K. D. Malaviya: It will be mainly taken up by the University authorities who will run these camps.

The broad features of the scheme will be to train students for self-preparation and personality development, with a view to leading to organised action.

HIGH POWER COMMISSION ON RE-ORGANISATION OF STATES

***338. Shrimati Tarkeshwari Sinha:** Will the Minister of Home Affairs be pleased to state:

(a) whether there is any proposal to constitute a high-power commission on re-organisation of States; and

(b) if so, when that Commission is likely to be formed?

The Deputy Minister of Home Affairs (Shri Datar): (a) Yes.

(b) Very likely before the end of this year. I would invite attention to the statement made by the Prime Minister on the floor of the House on the 6th August, 1953.

Shrimati Tarkeshwari Sinha: May I know whether any language census will be taken after the high-power commission is formed and whether any selection has been made of the particular areas where this census will be taken?

The Prime Minister (Shri Jawaharlal Nehru): There is no question of any census being taken of any kind. Because, this commission will concern itself with a number of factors, one of the most important being language, but other factors too. Such data as are available will be taken. There is no question of taking a census anywhere.

Shrimati Tarkeshwari Sinha: May I know whether it is a fact that the Bihar Government as well as the Bengal Government are dissatisfied with the census taken on the border of Bihar and Bengal?

Mr. Speaker: I think we are going into a sort of argument.

Shri T. K. Chaudhuri: May I know in concrete terms what sort of power this high-power commission will have, and what is the meaning of the term 'high-power'?

Mr. Speaker: It is well known.

Shri Gadgil: Will it be correct to say that the entire question of re-organisation of States will be the subject matter of this commission?

Shri Jawaharlal Nehru: Yes.

Shri Muniswamy: May I know whether the decisions taken by the high-power commission will be final or will be reconsidered by the Cabinet?

Shri Jawaharlal Nehru: How can they be final? Quite apart from the Cabinet, this Parliament will have to consider the matter.

Dr. Lanka Sundaram: May I know whether any distinction can be drawn between the two types of statements made repeatedly by the Prime Minister and the Home Minister, viz., as between high-power commission and boundary commission, which seems to be the cause of conflict?

Shri Jawaharlal Nehru: I do not see any conflict between the two. But if I may say so, with apologies to my colleague the Home Minister, I would

prefer not to call it a boundary commission—that is not a correct description, it is a rather vague description—I would call it a commission for the reorganisation of States.

Mr. Speaker: We will go to the next question.

AGRA CANTONMENT

*341. **Seth Aehal Singh:** (a) Will the Minister of Defence be pleased to state what steps Government are taking to shift the stall holders from both the sides of the narrow and congested roads in the Agra Cantonment Area?

(b) Are Government aware that owing to the shortage of funds at the disposal of the Agra Cantonment Board, drains, roads, light and water etc., are not properly and adequately maintained?

(c) If so, what steps do Government propose to take to bring them in proper order?

The Deputy Minister of Defence (Sardar Majithia): (a) Government have already issued instructions to the Cantonment Board as well as the Military Estates Officer concerned to take action to shift the Stall holders in Agra Cantonment to another suitable site.

(b) Yes.

(c) The finances of Cantonment Board, Agra have lately shown signs of considerable improvement with the result that it has been possible to spend more and more every year on improvements to roads, drains, lighting and Water Supply as follows:

1951-52	1952-53	(1953-54 till now)
Rs. 5,270	Rs. 60,000	Rs. 77,000

A proposal is also being initiated for giving a grant-in-aid to the Board for spending, among other things, on improvements of drains, roads, etc.

सेठ अहल सिंह : क्या मंत्री महोदय बतलाने की कृपा करें कि वावजूद तमाम स्टैंस ने पर बी स्टाल होल्डर्स हट नहीं रहे हैं, तो ऐसी सूरत में गवर्नमेंट अब क्या स्टैप लेने की सोच रही है ?

Sardar Majithia: As I have said, we have already sent instructions to the Cantonment Board as well as the Military Estates Officer. In case they still do not vacate, necessary steps will be taken.

सेठ अहल सिंह : क्या इतनी धार्मिक सहायता देने के बाद भी कैंटोन्मेंट बोर्ड की जो सड़कें चुगी से मिती हुई हैं वह बहुत खराब हालत में हैं ?

Sardar Majithia: That is correct, Sir, and that is why a proposal is being initiated to give them a grant-in-aid. And may I add that that is to the tune of Rs. 3,92,000.

FOREIGN EXCHANGE

*342. **Dr. M. M. Das:** Will the Minister of Finance be pleased to state the annual amounts of foreign exchange released to the Indian Princes for travelling in foreign countries during the last three years, giving soft currency and hard currency separately?

The Deputy Minister of Finance (Shri M. C. Shah): The amounts released were as follows:

1951		1952		1953 (to date)	
Soft	Hard	Soft	Hard	Soft	Hard
£48,450	\$5,000	£44,635	\$5,000	£17,600	Nil

Dr. M. M. Das: May I know whether the Indian Princes enjoy any special privilege in the matter of release by the Reserve Bank of foreign currency required for their travels abroad?

Shri M. C. Shah: They do not enjoy any special privileges. But because an assurance has been given to them at the time of accession their comforts are looked into and so some additional exchange facilities are given.

Dr. M. M. Das: May I know the special factors, as mentioned by the hon. Minister, which have been taken into consideration for the release of foreign exchange?

Shri M. C. Shah: I said that the comforts that they were used to before accession have been taken into consideration. At the same time the matters are always referred to the States Ministry and on the recommendation of the States Ministry we give something more.

Dr. M. M. Das: May I know whether during the last one year any application from any Indian Prince for foreign exchange has been refused or the amount required curtailed?

Shri M. C. Shah: I have not got that information. I have got information about the foreign exchange granted.

Shri K. K. Basu: May I know what proportion of the amounts so granted was spent by the Princes on their visits abroad on the ground of health and what proportion for pleasure trips?

Shri M. C. Shah: It is a combined one. At times on medical grounds plus pleasure trips this exchange is given. As a matter of fact if we look to this, only perhaps double the ordinary facility is given to these Princes if you want the figures I can give you all those figures also.

INCOME-TAX AND SUPER-TAX

*343. **Dr. M. M. Das:** Will the Minister of Finance be pleased to state:

(a) whether it is a fact that the Government of India have withdrawn

the exemption from Income-tax and Super-tax, so far enjoyed by the Indian Princes, from 1st April, 1953; and

(b) whether it is a fact that no such exemption was given in the agreement of accession made by the Princes, with the Government of India during the time of accession?

The Deputy Minister of Finance (Shri M. C. Shah): (a) The Government of India intend to withdraw in respect of income arising on or after the 1st April, 1953, the exemption from payment of super-tax which Ruling Princes and Chiefs have hitherto enjoyed under executive instructions. This intention has been notified to Rulers, some of whom have represented.

(b) I presume that what the hon. Member has in mind are the covenants and Merger Agreements executed by the Rulers. These documents provide for the continuance of the privileges which the Rulers enjoyed before the 15th August, 1947. The exemption in question was given by executive orders, was revocable and had no legal sanction.

Dr. M. M. Das: May I know whether our Government has arrived at any decision regarding the representation made by the Rulers?

Shri M. C. Shah: The representations are under consideration.

Shri M. M. Das: May I know the approximate total amount annually which may be collected as income-tax and super-tax from the Rulers?

Shri M. C. Shah: I have not got those figures. We will have to collect those figures.

Shri G. S. Singh: May I know how these figures of exemption of income-tax from the Rulers compare with the figure of hidden incomes discovered by the Income-tax Department?

Shri M. C. Shah: It is very difficult to reply to that question.

Dr. M. M. Das: I beg to know whether the privy purse of these Rulers will be included in the taxable income.

Shri M. C. Shah: Privy purses? No. They are already excluded under the covenants.

Shrimati Tarkeshwari Sinha: May I know.....

Mr. Speaker: We go to the next question

EXCISE OFFICES OF NELLORE AND CHITTOOR

*344. **Shri Nanadas:** Will the Minister of Finance be pleased to state:

(a) whether there is any proposal to bring the Central Excise Offices of Nellore and Chittoor Districts under the control of the Central Excise Collectorate at Hyderabad; and

(b) if so, from what date?

The Minister of Finance (Shri C. D. Deshmukh): (a) Yes, Sir. A proposal to bring the Central Excise Offices of Nellore and Chittoor Districts under the control of the Central Excise Collector, Hyderabad, is under active consideration.

(b) The transfer will be effected as soon as certain administrative arrangements and formalities have been completed which should not take more than about two months.

Shri Nanadas: May I know the number of Circle Offices that are under the control of the Hyderabad Collectorate?

Shri C. D. Deshmukh: I should like to have notice of the question.

Shri Nanadas: Is it not a fact that the area under the Hyderabad Collectorate is too big to have efficient and effective control.

Mr. Speaker: It is a matter of opinion. I do not think that this question could be allowed.

Shri B. S. Murthy: May I know whether it is the intention of the

Government to bifurcate the Hyderabad Division after Nellore and Chittoor are tagged on to it?

Shri C. D. Deshmukh: This matter will be considered after the report of the officers is received in regard to the transfer of these two charges.

Shri M. D. Ramasami: May I know the reasons for the transfer proposed?

Shri C. D. Deshmukh: The formation of the Andhra State has altered the circumstances.

कृषि बावल

*३४५. **श्री रघुनाथ सिंह :** (क) क्या प्राकृतिक संसाधन तथा वैज्ञानिक अनुसन्धान मंत्री ५ अगस्त, १९५३ को पूछे गये तारांकित प्रश्न संख्या १३१ के दिए गये उत्तर का निदेश करके यह बताने की कृपा करेंगे कि कृषि बावल उत्पादन सम्बन्धी योजना किन अवस्था में है?

(ख) कृषि बावल के उत्पादन की योजना पर सरकार ने अब तक कितना खर्च किया है?

The Deputy Minister of Natural Resources and Scientific Research (Shri K. D. Malaviya): (a) Research on the production of artificial rice is being continued.

(b) Rs. 13,000 approximately.

श्री रघुनाथ सिंह : क्या सरकार को मालूम है कि मैसूर के एक विशेषज्ञ ने यह घोषणा की है कि आर्टिफिशियल राइस का अनवेषण जो हुआ है वह बेकार साबित हुआ है?

श्री के. डी. मालवीय : जी नहीं, ऐसी कोई बात नहीं है। जो मैसूर के इंस्टीट्यूशन में अनवेषण हुआ है, आर्टिफिशियल राइस के सम्बन्ध में, वह संतोषजनक रीति से पूरा हो चुका है। लेकिन मास स्केल प्रोडक्शन करने के पहले यह जरूरी है कि छांटे पैमाने पर उसको बनाया जाय और जब उस की

इकानामी मालूम हो जायगी तभी बड़े पैमाने पर बनाया जायगा।

श्री रघुनाथ सिंह : क्या सरकार को मालूम है कि संसार में और भी कहीं इस प्रकार का एक्सपेरिमेंट हुआ है या केवल हिन्दुस्तान में ही हो रहा है?

Mr. Speaker: Order. order. That is not a proper question.

Shri S. V. Ganaswamy: Is it a fact that an expert has gone abroad for the purchase of machinery for the manufacture of artificial rice? If so, has he been able to secure the machinery?

Shri K. D. Malaviya: The question of finding out a suitable machinery for the manufacture of this artificial grain on a mass-scale has been satisfactorily solved. But, as I said, prior to going into mass-scale production, it has been considered necessary to have small-scale production first and this question is being actively examined by the Council of Scientific and Industrial Research.

Mr. Speaker: Next question: Shri R. N. S. Deo. Absent.

Shri P. Subba Rao: I have been authorised by Shri R. N. S. Deo to put his question.

Mr. Speaker: After the whole round is over.

SECONDARY EDUCATION COMMISSION

*349. **Shri N. M. Lingam:** Will the Minister of Education be pleased to state the expenditure incurred on the Secondary Education Commission?

The Deputy Minister of Natural Resources and Scientific Research (Shri K. D. Malaviya): An amount of Rs. 81,925-3-9 was incurred on the Commission during 1952-53 and an amount of Rs. 52,216-7-0 has so far been incurred during 1953-54.

Shri N. M. Lingam: May I know the recommendations made by the Commission and the recommendations that

have been accepted by the Government?

مختبر آف ایجوکیشن اینڈ ریسرچ

دوسرے ایڈمٹیشنل کمیٹی (مولانا

آزاد): نہیں ایک کمیٹی بتھائی گئی

ہے جو ان تمام ریکمیشنس کو دیکھ

رہی ہے۔ جنوری میں وہ ایڈمٹیشن

پیش کرے گی۔

[The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): No, a Committee has been set up which is examining all these recommendations. It will submit its report in January.]

Shri N. M. Lingam: May I know if it is a fact that another Committee has been formed to find out how best the recommendations of this Commission could be implemented?

Shri K. D. Malaviya: With regard to implementation. As the hon. Minister just now said, a small Committee had been appointed: only with regard to examining the question of implementing the recommendation. The recommendations have been accepted generally by the Government.

Shri N. M. Lingam: How many more Committees do Government propose to appoint before the implementation of the recommendation?

Shri K. D. Malaviya: As many as will be considered necessary.

Shri N. M. Lingam: May I know if after enquiry by a series of Commissions, the implementation of the recommendations of the Commission will be allowed to flounder on the rock of differences between the Centre and the States on financial grounds?

Mr. Speaker: I think it is hypothetical at this stage. Now, we will take up the question of Shri S. N. Das.

SCHOOL OF PRINTING TECHNOLOGY

*314. **Shri S. N. Das:** Will the Minister of Education be pleased to state:

(a) whether negotiations have been started with the printing industry and State Governments in connection with the establishment of a school in printing technology; and

(b) if so, the latest position of this scheme?

The Deputy Minister of Natural Resources and Scientific Research (Shri K. D. Malaviya): (a) and (b). Yes. Negotiations with the Printing Industry are in progress. Negotiations with the State Governments will be undertaken shortly.

Shri Radha Raman: May I know what is the probable time when these negotiations will be over and the scheme will be ready?

Shri K. D. Malaviya: In February, 1953, the All India Council of Technical Education examined all the recommendations made by the Committee appointed by them and they have now been approved by them. As a result of the recommendations, now, the Government are negotiating with the Printing industry. As soon as the Printing industry have given their specific proposals to us the State Governments will also be consulted.

Shri Radha Raman: May I know if the Government have already fixed up some place where the Centre will be situated.

Shri K. D. Malaviya: The plan generally envisages the setting up of regional centres and according to the recommendations of the Council four zones are being proposed for such centres. Over and above another Central institute is also proposed to be set up for advanced study and research.

Shri Radha Raman: May I know what will be the maximum number which is proposed to be taken in each school?

Shri K. D. Malaviya: These are matters of detail. They can only be settled when the State Government have given their assent to this scheme.

GRANTS TO STATES

*315. **Shri Radha Raman** (on behalf of **Shri S. N. Das**): Will the Minister of Finance be pleased to state:

(a) the total amount that has so far been granted to the various States for relieving distress caused by natural calamities out of the fund of Rs. 15 crores provided for in the Plan for such purposes;

(b) the amounts given to each State separately;

(c) the nature of demands made and amounts asked for during the current year by different States; and

(d) the extent to which these demands have been met?

The Minister of Finance (Shri C. D. Deshmukh): (a) to (d). The provision of Rs. 15 crores relates to the last 3 years of the Plan commencing with the current year. A statement giving the required information is placed on the Table. [See Appendix II, annexure No. 39.]

Pandit D. N. Tiwary: Does the centre receive schemes direct or may I know whether there is any machinery which receives schemes from the individuals direct?

Shri C. D. Deshmukh: No, Sir. Applications are received from the State Governments.

INSURANCE COMPANIES

*316. **Shri Radha Raman** (on behalf of **Shri S. N. Das**): Will the Minister of Finance be pleased to state whether a separate machinery for administering the codes of conduct devised for observance by insurance companies has been set up and is functioning?

The Deputy Minister of Finance (Shri M. C. Shah): Yes, so far as the administration of the Code of Conduct for general insurance business is concerned.

Shri Radha Raman: May I know if the Government are aware that the code of conduct devised for the observance of Insurance companies is still not being observed?

Shri M. C. Shah: It has been put into effect only in July last. It is too early to say that it has not been enforced.

Shri B. S. Murthy: May I know whether the Government are contemplating the taking away the reserve funds of these Insurance companies for the implementation of the Plan?

Mr. Speaker: How does this question arise?

Shri B. S. Murthy: The question relates to administration.

Mr. Speaker: The original question is about machinery for administering the code of conduct. It has nothing to do with the question that the hon. Member has put.

Shri K. K. Basu: May I know whether the codes have been applied to the employees of foreign firms, those who are not Indian nationals, and also the Indian nationals of those firms?

Shri M. C. Shah: This code of conduct will apply with regard to certain policies adopted by the insurance companies. To avoid malpractices it has been devised that certain code of conduct should be formulated so far as these insurance companies are concerned. It will apply to all the insurance companies, and it is on a voluntary basis.

Mr. Speaker: The question is whether the rules make any discrimination between Indians and non-Indians.

Shri M. C. Shah: It is regarding the insurance companies, and not regarding nationals—Indian nationals or other nationals. The code of conduct will apply to all the insurance companies who are members of the Indian Insurance Association.

TOBACCO GROWERS

***346. Shri P. Subba Rao** (on behalf of **Shri K. N. S. Desai**): Will the Minister of Finance be pleased to refer to the reply to starred question No. 346 asked on the 10th August, 1953 and state:

(a) what progress has since been made in the proposed association of village officers with the system of the control of tobacco growers; and

(b) the conditions subject to which the exemptions from the excise duty are granted to persons cultivating tobacco for personal and local consumption?

The Minister of Finance (Shri C. D. Deshmukh): (a) The scheme in question has been introduced with effect from the 1st October, 1953 as an experimental measure in the districts of Saharanpur, Meerut, Muzaffarnagar, Agra, Aligarh, Bulandshahr, Mathura and Debra Dun in the State of Uttar Pradesh.

(b) Under Rule 20 of the Central Excise Rules, tobacco grown for the personal consumption of the grower and the members of his household is exempted from duty. This is subject to certain limits which are fixed on a regional basis with reference to the tobacco consuming habits of the people. On broad administrative considerations Government have also by executive instructions exempted from Central Excise control and duty on tobacco grown in sparsely cultivated areas e.g. hilly jungle and desert areas for purely local or personal consumption subject to suitable safeguards.

Shri P. Subba Rao: Does the exemption referred to in the answer to part (b) of the question apply to the whole of India or only to certain States?

Shri C. D. Deshmukh: Wherever circumstances warrant this exemption is granted.

Shri V. G. Deshpande: May I know if it is a fact that the levy of excise duty on tobacco has resulted in lessening the area under cultivation of tobacco in certain regions of India? I might mention Buldana District in Madhya Pradesh.

Shri C. D. Deshmukh: I do not know about Buldana District, but on the whole I have no reason to believe that this has led to a contraction of the area under tobacco.

Shri V. G. Deshpande: Will Government make enquiries and place it before the House?

Shri C. D. Deshmukh: Yes.

Mr. Speaker: I think I have exhausted the Question List.

Shri K. K. Basu: You might call Question No. 347, Sir. There are still five minutes left. Mr. Reddy has just come.

Mr. Speaker: Yes.

SPORTS

347. Shri Viswanatha Reddy: (a) Will the Minister of Education be pleased to state the total amount given as grant to the sports organisations during the current year?

(b) What are the organisations that have received these grants?

(c) How much amount has each received?

The Deputy Minister of Natural Resources and Scientific Research (Shri K. D. Malaviya): (a) Rs. 35,000/-.

(b) and (c). (i) Hanuman Vyayam Prasarak Mandal Amravati: Rs. 10,000/-.

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(ii) All India Women's Hockey Association Nagpur (M.P.): Rs. 15,000/-.

(iii) All India Lawn Tennis Association, Calcutta: Rs. 10,000/-.

Shri Viswanatha Reddy: May I know, Sir, whether these grants were made on an ad hoc basis or whether there is any budgetary provision for this?

Shri K. D. Malaviya: Absolutely on ad hoc basis.

Shri Viswanatha Reddy: May I know whether there are any organisations or a Board to advise the Government as regards the organisations that ought to be given these grants?

Shri K. D. Malaviya: There is no Board as such to advise the Government on the distribution of these grants.

Shri Maniswamy: May I know, Sir, on what grounds these organisations were selected for getting these grants?

Shri K. D. Malaviya: The applications were received from various organisations for selection. The advice given to us by our Adviser was taken into consideration.

Shri K. K. Basu: May I know whether there were applications by other organisations like football, cricket and other organisation? If so, what happened to them?

Shri K. D. Malaviya: I have no information just now.

Shri Natesan: May I know if any grant has been given to any sports organisations in Madras?

Shri K. D. Malaviya: I have no information.

Mr. Speaker: That exhausts the Question List.

WRITTEN ANSWERS TO QUESTIONS

E.M.E. STATION WORKSHOPS

*317. **Sardar Hukam Singh:** (a) Will the Minister of Defence be pleased to state whether it is a fact that non-combatant enrolled personnel in the E.M.E. Station Workshops are paid the same initial pay on which they were recruited initially, without any annual increment or any higher grade promotion for their cadre?

(b) Is it a fact that no dearness allowance is admissible to these personnel?

The Deputy Minister of Defence (Sardar Majithia): (a) No, Sir. They were granted the following increments during the war:—

Increase in basic pay: Rs. 2/- p.m.
War Service increment: Rs. 6/- p.m.
Deferred pay: Rs. 17/- p.m.

(b) Yes, Sir.

PRE-STRESSED CONCRETE

*321. **Shri Puroose:** (a) Will the Minister of Natural Resources and Scientific Research be pleased to state whether a plant for the production of pre-stressed concrete has been, or is to be, set up in Roorkee?

(b) From where is the plant being imported and at what price?

(c) What will be the output of this plant?

(d) For what purposes will its products be immediately utilised?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): (a) to (d). The proposal is under the consideration of the Council of Scientific and Industrial Research.

ACQUISITION OF PROPERTY BY GOVERNMENT SERVANTS

*322. **Shri V. P. Nayar:** Will the Minister of Home Affairs be pleased to state the steps taken by Government, if any, to enforce the provision in Government Servants' Conduct Rules regarding the acquisition of property by Government Servants?

The Minister of Home Affairs and States (Dr. Katju): The existing Rules relate only to immovable property and require only that a Government Servant should take prior permission from appropriate authority before acquiring any immovable property by purchase or gift. The Rules also require that at the time of entry into service and on subsequent occasions, whenever fresh property is acquired, a declaration should be made to Government of the immovable property held by the Government Servant, his wife or his dependent relatives. Government have under active consideration the question of requiring every Government Servant to submit periodical returns of property. The Planning Commission's suggestion that annual returns of movable assets should be called for is also being examined in all its implications.

UNION PUBLIC SERVICE COMMISSION

*323. **Shri V. P. Nayar:** (a) Will the Minister of Home Affairs be pleased to state when the last report of the Union Public Service Commission was laid on the Table of the House?

(b) What is the number of cases in which appointments have been made otherwise than through the Union Public Service Commission since the last report was laid on the Table of the House?

(c) Will Government lay on the Table of the House a list of such appointments with salaries above Rs. 1,000 with details as to—(i) name of the officer, (ii) appointment now held, (iii) appointment held, if any, before selection to the present post and the pay drawn, (iv) age and (v) the present overall pay and allowances?

The Minister of Home Affairs and States (Dr. Katju): (a) The last report of the Union Public Service Commission was laid on the Table of the House on the 11th October, 1951.

(b) and (c). The information is not readily available. The hon. Member perhaps requires information only in regard to the appointments made without consulting the Commission although

such consultation was required by the existing Regulations. This information will probably be available in the Commission's reports for the years 1951-52 and 1952-53 which are expected very shortly and which Government hope to lay on the Table of the House during the current Session. The hon. Member may then consider whether he requires any further information. If so, it will be gladly supplied.

FORD FOUNDATION

*324. **Shri Pannoo:** (a) Will the Minister of Education be pleased to state whether the Additional Secretary, Ministry of Education has been invited by the Ford Foundation, U.S.A., to take part in some aspects of its work?

(b) Were Government consulted before the invitation was extended to him?

(c) What were the reasons which impelled Government to release him for this work?

(d) What will be his emoluments during this period and who will bear them?

The Minister of Education and Natural Resources and Scientific Research (Maulana Asad): (a) The then Additional Secretary was invited by the Fund for the Advancement of Education to advise on certain problems of elementary and secondary education in the United States.

(b) No.

(c) He was allowed to accept the invitation of the Fund for the Advancement of Education to advise on the educational problems of U.S.A., because the Government of India have received technical assistance from the United States in various matters and felt it proper to accede to a request for similar assistance from that country.

(d) He was granted earned leave for 50 days with effect from the 16th September, 1953. The Government of India's liability is limited to the leave salary admissible to him during the period of leave.

AERO-MAGNETIC SURVEY OF BENGAL BASIN

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*325. **Shri Pannoo:** Will the Minister of Natural Resources and Scientific Research be pleased to state:

(a) whether the results of the aero-magnetic survey of the West Bengal Basin, carried out by the Standard Vacuum Oil Co. are now available; and

(b) what are the possibilities envisaged with the data already on hand?

The Minister of Education and Natural Resources and Scientific Research (Maulana Asad): (a) and (b). The data collected by the Standard Vacuum Oil Company during the aero-magnetic survey of the West Bengal alluvial covered tract was made available to Government after the completion of the survey. This data indicated possibilities of favourable results. This forms only the first part of an extended investigation and further ground survey work and boring for oil will be necessary before it can be said with authority that anything positive will ensue. The proposals submitted by the Standard Vacuum Oil Company for carrying out this further work are under consideration.

NATIONAL RESEARCH DEVELOPMENT CORPORATION

*326. **Shri K. P. Sinha:** (a) Will the Minister of Natural Resources and Scientific Research be pleased to state whether Government have taken into consideration the proposal of the Planning Commission in regard to the establishment of the National Research Development Corporation of India?

(b) How do Government propose to implement the same?

The Minister of Education and Natural Resources and Scientific Research (Maulana Asad): (a) Yes, Sir.

(b) The National Research Development Corporation of India is being established as a Government owned private limited company under the provisions of Indian Companies Act.

JAMMU AND KASHMIR ex-SERVICEMEN

*333. **Shri Ajit Singh:** Will the Minister of Defence be pleased to state:

(a) whether any fact-finding committee was constituted to inquire into the grievances of ex-servicemen in Jammu and Kashmir; and

(b) if so, what has been the result?

The Deputy Minister of Defence (Sardar Majithia): (a) Yes, Sir.

(b) The results so far achieved are given in the statement placed on the Table of the House. [See Appendix II, annexure No. 40.]

U. P. S. C.

*339. **Shri Ajit Singh:** (a) Will the Minister of Home Affairs be pleased to state whether the Union Public Service Commission has presented to the President reports for the year 1951-52 and 1952-53?

(b) If so, when do Government propose to lay on the Table copies of these reports with requisite memoranda explaining the causes, if any, where the advice of the Commission was not accepted?

The Deputy Minister of Home Affairs (Shri Datar): (a) and (b). It is understood from the Commission that the reports are likely to reach Government within the next few days. Government will naturally require some time to study the reports and to prepare the requisite memoranda. Every endeavour will, however, be made to lay the reports and the memoranda on the Table of the House during the current Session.

AID TO KASHMIR

*340. **Shri Madhoo Bodd:** Will the Minister of States be pleased to state what is the total monetary aid given to the Government of Kashmir by way of grants and by way of loans separately from the date of its accession to September, 1953?

The Minister of Home Affairs and States (Dr. Katju): No monetary aid has been given to the Government of Jammu and Kashmir by way of grants.

Upto September 1953 a sum of Rs. 670.55 lakhs was advanced to that Government by way of loans. In addition, upto March, 1953 a sum of Rs. 521 lakhs has been advanced under 'Aid to Kashmir' and an expenditure of Rs. 349 lakhs was incurred on the construction and maintenance of the portion of the Jammu-Pathankot Road lying within the State territory. The question whether any of the money advanced under Aid to Kashmir will ultimately be treated as a grant will be settled later with the Government of Jammu and Kashmir.

BOOK SCANDAL ENQUIRY COMMITTEE

*342. **Sardar Hakim Singh:** Will the Minister of States be pleased to state:

(a) whether the previous Government in Pepsu had appointed a Committee generally known as the Book Scandal Enquiry Committee with S. Fateh Singh, a Member of the Legislative Assembly at that time, as Chairman;

(b) whether that Committee had completed the enquiry and drafted a report as well, but that had not been signed when the Chairman died;

(c) whether any new Chairman was appointed during the President's Rule;

(d) if so, what is the remuneration fixed for him; and

(e) whether the report is now ready?

The Minister of Home Affairs and States (Dr. Katju): (a) Yes.

(b) No: The Committee had not drafted the report when the Chairman died.

(c) Yes.

(d) A lump sum honorarium of Rs. 5,000/-.

(e) The report is expected in about a month's time.

ESTATE DUTY

181. **Shri K. Subrahmanyan:** Will the Minister of Finance be pleased to state:

(a) the estimated revenue on account of Estate Duty during the year 1953-54; and

(b) the estimated income from Estate Duty during the First Five Year Plan period?

The Deputy Minister of Finance (Shri M. C. Shah): (a) The estimated revenue from Estate Duty during 1953-54 would be very negligible. The Estate Duty Act has come into force with effect from 15th October, 1953 and will apply to all deaths occurring on or after that date. The time allowed to the executor, or other accountable persons for submission of returns being six months from the date of death, no assessments are likely to be completed before the close of the year, so far as dutiable estates are concerned.

(b) It is not possible to give an estimate of the revenue from Estate Duty during the first Five Year Plan period because it will depend on so many indeterminate factors such as deaths among the richer class of people and the value of the estates that may be left by them. The only thing that can be said at this stage is that the revenue from this duty will not be an inconsiderable contribution to the financing of the development projects of the States.

NATIONAL INCOME

182. **Shri K. Subrahmanyan:** Will the Minister of Finance be pleased to state:

(a) the national income in 1950-51; and

(b) the national income in 1951-52 and 1952-53?

The Minister of Finance (Shri C. D. Deshmukh): (a) and (b). The information is not yet available.

EXCISE DUTY ON CLOTH

183. **Dr. Amin:** Will the Minister of Finance be pleased to state what is the total annual amount of excise duty collected on cloth during last three years?

The Minister of Finance (Shri C. D. Deshmukh): The total annual amount of excise duty collected on cloth during the last three years is as follows:—

1950-51	1951-52	1952-53
Rs.	Rs.	Rs.
84,58,30,000	16,22,32,000	13,20,94,000

PUBLIC SCHOOLS IN INDIA

184. **Shri N. M. Lingam:** Will the Minister of Education be pleased to state:

(a) the amount of grant sanctioned by Government during the last year to each of the public schools in India; and

(b) the strength of pupils in each school during the current year?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): (a) and (b). A statement is laid on the Table of the House. [See Appendix II, annexure No. 41.]

NATIONAL INCOME COMMITTEE

185. **Shri S. N. Das:** Will the Minister of Finance be pleased to state:

(a) the reasons for delay in the submission of the final report of the National Income Committee;

(b) how many sittings of this Committee have been held during 1952 and 1953; and

(c) whether all the members of the Committee are continuing or some of them have resigned?

The Minister of Finance (Shri C. D. Deshmukh): (a) The report relates to a complicated subject on which personal discussion among the members is often found necessary before the

report can be finalised. As all the members of the Committee are very busy people it takes time to arrange meetings.

(b) The Committee met 7 times in 1952 and 5 times in 1953.

(c) All the members of the Committee are continuing.

ANNUAL REPORTS TO THE PRESIDENT

186. Shri S. N. Das: Will the Minister of Home Affairs be pleased to refer to the answer given to starred question No. 1320 asked on the 16th September, 1953 and state:

(a) the period within which the annual Reports are required to be submitted to the President; and

(b) the dates on which the Union Public Service Commission and the Governor/Rajpramukh concerned submitted their reports for the year 1952?

The Deputy Minister of Home Affairs (Shri Datar): (a) and (b). I lay on the Table of the House a statement containing the necessary information in respect of my Ministry. [See Appendix II, annexure No. 42.]

EXPERT COMMITTEE ON DEAFNESS

187. Shri S. N. Das: Will the Minister of Education be pleased to refer to the answer given to starred question No. 538 asked on the 5th March, 1953 and state:

(a) whether Government have considered the recommendations made by the Expert Committee on deafness; and

(b) if so, what decisions have been taken so far?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): (a) and (b). The matter is still under consideration.

SOCIAL WELFARE ORGANISATIONS

188. Shri Dabbi: (a) Will the Minister of Education be pleased to refer to starred question No. 913 asked on

the 1st September, 1953 and state whether the programmes for the various voluntary social organisations in the country have now been drawn up?

(b) If not, what is the stage of progress in the matter?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): (a) and (b). The Board has constituted three Advisory Panels, consisting of experts in the various fields to study problems in different fields of work and to evaluate and suggest programmes of action. These panels have already started touring different States and their report is awaited. The question of giving grants to deserving applicants is also being considered by the Board.

UNAUTHORISED IMPORTS

189. Shri Heda: Will the Minister of Finance be pleased to state:

(a) the value of the properties confiscated by the Customs authorities for unauthorised imports during 1952-53 and during 1st April 1953 and 38th September 1953 i.e. first half of 1953-54;

(b) the penalties on these unauthorised importers in those periods;

(c) whether all penalties were recovered; and

(d) the number of criminal cases against them and with what results?

The Minister of Finance (Shri C. D. Deshmukh): (a) Properties worth Rs. 1,95,93,300 (approximately) were confiscated during the year 1952-53 and properties worth Rs. 1,35,67,940 (approximately) were confiscated during the first half of 1953-54 by the Customs Authorities throughout the country.

(b) The penalties imposed on the offenders for the period 1952-53 and the first half of 1953-54 amounted to Rs. 24,11,380 (approximately) and Rs. 2,68,360 (approximately).

(c) No Sir, the total amounts realised so far are Rs. 4,80,460 and Rs.

1,07,290 (approximately) respectively. Steps are being taken to recover the outstanding amounts.

(d) During 1952-53 and the first half of 1953-54, prosecutions were launched in 163 and 110 cases respectively. Information regarding the results of the prosecutions is being collected and will be laid on the Table of the House.

BASIC SCHOOLS

191. Pandit D. N. Tiwari: Will the Minister of Education be pleased to state the number of basic schools (both primary and secondary types) serving in different States in 1952-53?

The Minister of Education and Natural Resources and Scientific Research (Manilal Asad): The information in regard to the number of basic schools in the various States for the year 1952-53 is being collected from the State Governments and will be laid on the Table of the House.

RATIONS FOR NAVAL RATINGS

192. Shri Nanadas: Will the Minister of Defence be pleased to state:

(a) when the scale of food rations was last prescribed for the Naval ratings; and

(b) whether there is any proposal to revise the scale and add more condiments to the food rations of the Naval personnel?

The Minister of Defence Organisation (Shri Tyagi): (a) October, 1953.

(b) No, Sir. The modified scale of condiments now introduced is considered satisfactory.

BHOJSHALA OF DHAR

193. Shri V. G. Deshpande: (a) Will the Minister of Education be pleased to state whether the attention of Government has been drawn to the fact that the ancient Bhojshala of Dhar in Madhya Bharat is being used as a mosque?

(b) Do Government propose to take steps to stop it?

The Minister of Education and Natural Resources and Scientific Research (Manilal Asad): (a) Yes.

(b) No; because it was already being used as a mosque when it was taken over by the Department of Archaeology and the Department does not interfere with established usages and rights.

TRUST OF LATE RAJA OF TEKKALI

194. Shri B. N. Deo: Will the Minister of Education be pleased to state:

(a) whether it is a fact that Late Raja Laxmi Narayan Harichandan Jagaddeb of Tekkali in District Srikulam (Andhra State) has appointed the Central Government as Trustee for his estate under a will registered in March, 1946; and

(b) what action Government have taken to give effect to the will?

The Minister of Education and Natural Resources and Scientific Research (Manilal Asad): (a) and (b). The Central Government have only recently received an intimation regarding this bequest from the lawyer of the late Raja Sahab, and as the request in question is not free from legal encumbrances, the Central Government are in correspondence with the lawyer on the subject.

(Part II—Proceedings other than Questions and Answers)

OFFICIAL REPORT

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HOUSE OF THE PEOPLE

Thursday, 26th November, 1953

812

Advisory Committee for the various legislation.

The House met at Half Past One of the Clock.

[MR. SPEAKER in the Chair.]

QUESTIONS AND ANSWERS

(See Part I)

2-25 P.M.

BUSINESS OF THE HOUSE

ALLOTMENT OF TIME FOR THE BUSINESS

Mr. Speaker: I have to inform the House that the Business Advisory Committee met on the 19th November and appointed a sub-committee to consider the allotment of time for Government Bills and other business before the House during the current session. The sub-committee met on the 23rd November and made a report. The Business Advisory Committee met again on the 24th November, 1953, and considered the report of the sub-committee dated the 23rd November, 1953. The Committee again held a special meeting on the 25th November, 1953, i.e., yesterday, and came to the following conclusions as regards the timetable for the various Bills and other business. Members will carefully note the time allotted by the Business

542 P. S. D.

Name of the Bill	Time allotted.
1. The Industrial Disputes (Amendment) Bill.	1 day (only the Clauses remain.)
2. The Ancient and Historical monuments and Archaeological Sites and Remains (Declaration of National Importance) Amendment Bill.	1½ hours.
3. The Employees' Provident Fund (Amendment) Bill.	2 hours.
4. The Manipur Court Fees (Amendment and Validation) Bill.	2 hours
5. The Telegraph Wires (Unlawful Possession) Amendment Bill.	
6. The Indian Patents and Designs (Amendment) Bill.	
7. The Reserve Bank of India (Amendment and Miscellaneous Provisions) Bill.	1½ days.
8. The Banking Companies (Amendment) Bill.	
9. The Travancore-Cochin High Court (Amendment) Bill.	
10. The Calcutta High Court (Extension of Jurisdiction) Bill.	2½ days.
11. The Live-Stock Importation (Amendment) Bill.	
12. The Repealing and Amending Bill.	
13. The Special Marriage Bill, 1952.	Two days but if necessary, the allotment be extended by a day.

As regards the two Tariff Bills, the Committee suggested that three days might be reserved for both the Bills.

[Mr. Speaker]

but it was not possible to make any definite allotment as one of the Bills had not so far been introduced.

The Committee has further made allotment in connection with the following items of business which will be taken up during the current session:

1. Foreign Affairs ... One day.
2. Resolution on the Preventive Detention Act. ... Two days.
3. Scheduled Caste Commissioner's Report. ... One day.

Shri S. S. More (Sholapur): What will be the proportion?

Mr. Speaker: We do not go by proportion. A Bill may contain just one formal Clause, which may be put in two minutes, or it may contain two hundred Clauses which may take two months. We go by Bills, we go by their contents, merits, possibilities of reasonable discussion and so on.

Shri R. K. Chaudhuri (Gauhati): May I know if the hon. Speaker will be bound by the decisions of the Advisory Committee?

Mr. Speaker: I am just clarifying the position.

Dr. Lanka Sundaram (Visakhapatnam): May I make a submission before that?

Mr. Speaker: First let me finish my announcement. These are the recommendations of the Business Advisory Committee which met carefully took stock of the whole thing and considered the possibilities of reasonable discussion. The Committee represents Leaders of all Parties, and it is that Committee which has made these recommendations. Now, it is ordinarily expected, reasonably expected, that every Member will make an effort, if the business of the House is to be put through in a reasonable time and in a proper way for the best governance of the country, and will co-operate with this time-table.

Dr. Ram Subhag Singh (Shahabad South): That is the difficulty. The Leaders of the Parties themselves take up all the time.

Mr. Speaker: Order, order. It is presumed that they are leaders because they have followers, and the followers have to follow them.

So, this is the time-table that has been fixed now, and we shall go by this time-table.

Shri S. S. More: May I seek some information? I presume that all this allotment is for the whole of the remaining period of the session.

Mr. Speaker: This is all given, but if there is time available,—which, there is, I think—some Bills which are yet to come will be taken up.

Shri S. S. More: I want to plead for one Bill, viz., the Representation of the People (Amendment) Bill, which is already there. When it was moved during the last session, the hon. Minister in charge of the Bill was very particular to assert that this measure was necessary for the PEPSU elections, particularly. The Select Committee have done their job at great inconvenience, and therefore I would rather say that some allotment must be definitely made for the consideration of this Bill. Otherwise all our labours would be wasted.

Mr. Speaker: The point is that the report of the Select Committee is not yet presented to the House. Unless the report is there before the House, and unless all the Bills that are considered urgent and important are passed, it will be difficult to go on with allotments. The Committee have done their best to allot time in such manner as they thought best.

Shri S. S. More: We disagree on this point.

Mr. Speaker: The hon. Member may disagree individually, or if he has any other Members belonging to

his party, collectively. But the decision of the House will have to prevail in this matter.

Shri S. S. More: Is it being put to the vote of the House now?

Mr. Speaker: I take it that excepting the hon. Member, there is no other dissentient voice.

Shri S. S. More: I accept what you say, but my submission is that the Business Advisory Committee have allotted time in such a precise manner that they are practically robbing us of the power of discussion, as a matter of fact. They have allotted time limits, such as two hours, one hour, five days, ten days and so on.

Mr. Speaker: Order, order. The hon. Member is making allegations and observations, without even having studied what the Bills mentioned are. Let the Bills be taken up one by one. Then, if the hon. Member has any complaint to make, if it is a reasonable one, certainly this House will reconsider it.

Shri S. S. More: With due deference to you, and with my greatest regard for you, I want to submit that I am making this submission, after studying some of the important Bills, and I feel that proper time has not been allotted to this Bill.

Mr. Speaker: We will take that into consideration, when each Bill is taken individually.

Shri S. S. More: That means the matter will remain open.

Mr. Speaker: Not open. The matter will not remain open. The hon. Member may try to speak, if he can catch the eye of the Chair.

Dr. Lanka Sundaram: May I make a submission, Sir? The order of the day which you have announced just now.....

Mr. Speaker: Not the order of the day, but the time-table which I have mentioned.....

Dr. Lanka Sundaram:may be printed in the Parliamentary Bulletin today so that we can keep a handy record. Otherwise, there will be confusion.

Mr. Speaker: Yes, that will be done.

Pandit Thakur Das Bhargava (Gurgaon): May I make a submission? Evidently the Business Advisory Committee came to these conclusions, when that Bill was not before them—I am referring to the Representation of the People (Amendment) Bill. Now that the Select Committee have finished the consideration of that Bill, and the report is likely to be presented in a day or so, I would beg of the Business Advisory Committee and your good self, to be pleased to consider the question of giving precedence to this Bill, because the elections in PEPSU and Travancore-Cochin are to be held shortly. The basis on which the hon. Minister of Law placed this Bill before us was that this Bill will be utilised in these elections. It is very necessary, particularly so far as the PEPSU elections are concerned.

Mr. Speaker: If my impression is correct, in answer to some question or in the course of some debate, it was stated that those elections are not coming so soon as that, and that the Bill might as well wait.

The Minister of Home Affairs and States (Dr. Katju): The elections will take place, however, in the middle of February or March.

Shri B. S. Murthy (Eluru): May I make a submission? Is it not possible to allot one more day for the discussion of the Report of the Commissioner for Scheduled Castes and Scheduled Tribes, because the Harijans may not get a chance.....

Mr. Speaker: The Business Advisory Committee have taken all these into consideration. Hon. Members may have their own different inclinations for particular subjects. But we have

[Mr. Speaker]

to take into consideration the general convenience.

Shri B. S. Murthy: Most of the Harijan Members do not get a chance on other subjects. Therefore, at least one chance may be given to them on this subject.

Mr. Speaker: They are given one full day.

Shri T. K. Chaudhuri: On a point of information, Sir. I understand some notices of one-hour discussions are pending. Did the Business Advisory Committee take these things into consideration?

Mr. Speaker: They will be taken in the usual course of business. What has been allotted here is the time-table for the Bills.

Pandit Thakur Das Bhargava: May I respectfully submit, that since there are several days which have not yet been allotted, and there is yet some time, this Bill may be taken up?

Mr. Speaker: That will be considered by the Business Advisory Committee, when that Bill comes before them, and not till then; and it is a question of priority.

The Prime Minister and Minister of External Affairs and Defence (Shri Jawaharlal Nehru): May I say a word, Sir, about the Representation of the People (Amendment) Bill? Government are equally anxious that we should get it through. In fact, it is rather difficult, I understand from the Election Commissioner, to go ahead without knowing whether he is acting under the old law or the possible new law. He is in a fix; so he wants to know where he stands. If you tell him, go under the old law, he will go ahead; otherwise, he has to wait, he does not know when this Bill would be passed, and so he cannot take any steps. That is his difficulty.

Another possible difficulty is this, and I speak here subject to correc-

tion; the Select Committee has made some recommendations which prolonged the period going before the elections. That again is in difficulty, because it has to be fitted in within a certain period. It has made that period somewhat more complicated than it was previously intended. Either one should be clear—I do not mind which—that this Bill is passed, and I proceed accordingly, or that it is not passed, and I proceed accordingly. If it is remaining in the air, it is rather difficult for the Election Commissioner, and for Government.

Shri Frank Anthony (Nominated—Anglo-Indians): It is for Government to decide. (*Interruptions*).

Mr. Speaker: 24th December is the last day we have fixed. We do not go beyond that. Within this, we have selected.....

Shri Jawaharlal Nehru: I am merely placing some information before the House. I had nothing to say about the statement you made, I entirely accept it on behalf of Government. There are, I believe—do not quite know—about four or five days left over.....

An Hon. Member: More.

Mr. Speaker: I think about four or five days are left.

Shri Jawaharlal Nehru: These can be utilised for that Bill.

Dr. Lakshmi Sundaram: Actually it is a question of the priority which Government would like to give to this particular Bill. They have not indicated their desire so far.

Mr. Speaker: They will arrange. At any rate, as it was then their desire that these Bills should be taken up, the Business Advisory Committee have considered these Bills and allotted the time, but if a situation arises, there may be a reconsideration by the Business Advisory Committee.

But so long as that reconsideration has not taken place, we will go by this programme.

REPORT OF ESTIMATES COMMITTEE

SIXTH REPORT ON THE MINISTRY OF FOOD AND AGRICULTURE

Shri M. A. Ayyangar (Tirupati): I beg to present the Sixth Report of the Estimates Committee on the Ministry of Food and Agriculture.

MUSLIM WAKFS BILL

EXTENSION OF TIME FOR PRESENTATION OF REPORT OF SELECT COMMITTEE

The Minister of Law and Minority Affairs (Shri Biswas): I beg to move:

"That the time appointed for the presentation of the report of the Select Committee on the Bill to provide for the better governance and administration of Muslim Wakfs and the supervision of Mutawallis' management of them, in India, be further extended upto the last day of the first week of the next session."

Shri K. K. Basu (Diamond Harbour): This is the fourth or fifth time that the extension is being asked for. May we know the reasons for the same?

Shri Biswas: The reason is this. As a matter of fact, the Select Committee held several meetings.

Dr. Lanka Sundaram (Visakhapatnam): And no quorum.

Shri Biswas: The first two meetings were without quorum, but in subsequent meetings, there was a quorum, but then these meetings were interrupted first by the Diwali holidays, and then by the consideration of the Representation of the People (Amendment) Bill, and that occupied the whole of the time till yesterday. So there was no time to

go on with this Bill, and there was also little chance of this Bill being taken up and passed this session. Therefore, naturally, we gave priority to the other Bill, viz. the Representation of the People (Amendment) Bill.

Mr. Speaker: Does the House take it that this is the final application for extension?

Shri Biswas: That is the intention.

Mr. Speaker: The question is:

"That the time appointed for the presentation of the report of the Select Committee on the Bill to provide for the better governance and administration of Muslim Wakfs and the supervision of Mutawallis' management of them, in India, be further extended upto the last day of the first week of the next session."

The motion was adopted.

DHOTIES (ADDITIONAL EXCISE DUTY) BILL

Mr. Speaker: The House will now proceed with further consideration of the Bill to provide for the levy and collection of an additional excise duty on dhoties issued out of mills in excess of the quota fixed for the purpose.

[*MR. DEPUTY SPEAKER in the Chair*]

Pandit D. N. Tiwary (Saran South): Sir, my misfortune is that the hon. Minister does not understand the national language in which I propose to speak.

Shri K. K. Basu (Diamond Harbour): Even if he understands, the matter won't improve.

बंकिम जी० दत्त० तिलकः । चन्द
मिलनों में यह विषयक पाम हो जावेगा
और कानून बन जावेगा । लेकिन
सायब मब लोगों ने इस के फार
रीजिंग ऐक्सेट्स पर गौर नहीं किया है ।

[पंडित डी० एन० तिवारी]

इसका असर दूर तक जायेगा और लोगों को कैसे एफेक्ट करेगा इस पर सायद मिनिस्टर साहब ने काफी गौर नहीं किया है या फिर किसी चकमे में पड़ गये हैं।

इस बिल ने जितना इस तरफ के लोगों को उद्बेलित किया है उतना सायद कि सी दूसरे बिल ने नहीं किया था। लोगों को आशा थी कि गवर्नमेंट ऐसी नीति बरतेगी जिस में हैंडलूम इन्डस्ट्री को प्रोत्साहन मिलेगा, और इस बिना पर उन लोगों को खुशी हुई थी कि कम से कम देर कर के सही, आनरेबल मिनिस्टर ने ४० परसेंट घोटियां के लिये हैंडलूम को छूट दी थी। लेकिन मैं देखता हूँ कि एक हाथ से जिस छूट को दिया गया था, और दूसरे हाथ से उसको ले लिया जा रहा है। यदि बिल के प्रिएम्बल को देखा जाय तो उस में क्या यह बिल लाया गया लिखा हुआ है।

"to provide for the levy and collection of an additional excise duty on dhoties issued out of mills in excess of the quota fixed for the purpose."

इसलिये मैं नहीं आया कि जो कानून बनाया गया, जो आइर उन्होंने पास किया उस को सारे देश में मान्यता मिले, या मिल वाले उस को मानें। लेकिन यह इस लिये आया कि जबकि उन लोगों ने इस कानून को नहीं माना, उनकी बातों को नहीं माना तो उस पर कैसे परदा डाला जाय। किस तरह से उनके गुनाहों को छिपाया जाय इसी लिये यह बिल आया है। कहा जाता है कि जो पहले का एसेम्बल सप्लाय ऐक्ट है उस के पेनैल्टी क्लॉज पर इस बिल का असर नहीं होता है। पेनैल्टी क्लॉज में क्या है जरा गौर करें।

"(a) he shall be punishable with imprisonment for a term which may extend to three years and shall also be liable to fine,

(b) any property in respect of which the order has been contravened or such part thereof as to the court may seem fit shall be forfeited to the Government."

मैं जानना चाहूंगा कि इस कानून की उद्दल हुक्मी के लिये क्या कार्यवाई की गई। जबकि मिल वालों का एक बहुत बड़ा संगठन है और उनकी पहुंच सेक्रेटेरियट के बड़े बड़े हुक्मामों तक है और वे किसी भी ऐसे कानून को, जो कि उनके पसन्द का न हो, सर्कमवेन्ट करके कैसे फेल करा देंगे, और कैसे उसके असर को दूर किया जाता है, इस को अच्छी तरह जानते हैं। इस लिये हमारे आनरेबल मिनिस्टर साहब भी उन के चकमे में आ गये। उन्होंने यह नहीं सोचा

The Minister of Works, Housing and Supply (Sardar Swaran Singh): He is not following what you are saying.

The Minister of Commerce and Industry (Shri T. T. Krlahnamachari): It will go into print.

Pandit D. N. Tiwary: That is the misfortune. Nor will he try to learn it (Interruption).

मैं कह रहा था कि कानून को किस तरह से बेकार बनाया जाता है इस को बिल वाले खूब अच्छी तरह से जानते हैं। यह कमी नहीं देखा गया है कि ये सरमायेदार लोग मानवता बरतने पर रिऐक्ट अच्छी तरह से करते हैं। उनके ऊपर जब शाबन्दी रहेगी, उन पर जब कड़ाई की जायेगी तभी वह सीधे रह सकते हैं अन्यथा सौजन्यता का जवाब वह दुष्टता से ही देते हैं। वे इसका तरीका अच्छी तरह से जानते हैं कि कानूनों को सर्कमवेन्ट करके कैसे उसको

बेकार कर दिया जाय। मैं नहीं समझता कि क्यों गवर्नमेन्ट आफ इंडिया ने भी इस कानून को ला कर यह साबित किया है कि उनके अन्दर इतनी शक्ति नहीं है कि वह इस कानून को लागू करा सकें। हमें बहुत अकसोस है कि हमारी गवर्नमेन्ट इस बिल के इस असर पर निगाह नहीं रखती। अभी कानून बना और उसके बनने पर उसका यह विचार था कि वह हैन्डलूम इन्डस्ट्री को मदद करेगी। पर मिल मालिक वह चाहते कि हैन्डलूम इन्डस्ट्री को फेल कराया जाय। इस पर गवर्नमेन्ट का क्या रुख होना चाहिए इसी को उन्होंने समझा नहीं है। सब से बड़ी बात तो यह थी

Mr. Deputy-Speaker: Whatever the hon. Member has said so far has already been said. I will request him to confine his remarks in the third reading.....

Pandit D. N. Tiwary: No, Sir. Perhaps the Chair has not followed me.

Mr. Deputy-Speaker: I am able to follow Hindi thoroughly well.

मैं खूब हिन्दी जानता हूँ और समझता हूँ।

Just now I have been following the hon. Member. I can speak in Hindi also. So let him not say that.

Now, he has not said a word over what has been said already. Very well. He may go on. Let him confine his remarks to what is proper in the third reading stage.

वंडित डी० एन० तिवाड़ी : सब से बड़ी बात यह है कि इन्डस्ट्रियल पालिसी या टेक्स्टाइल पालिसी को कैसे शुरू किया जाय कि हमारे गृह उद्योगों को फायदा हो। वह पालिसी बाजार ल्यूक बाम रही है। गांधी जी का ध्येय था कि हिन्दुस्तान में कम से कम कपड़े की व्यवस्था ऐसी कर दी जाय जिस में कपड़ा मिल में नहीं बल्कि छादी या हैंड लूम इन्डस्ट्री में तयार होने लगे

उनका सपना था कि सारा भारतवर्ष लादी मय हो जाय। मैं पूछना चाहता हूँ कि इस तरफ क्या कदम बढ़ाया गया है। अब तक कौन सी ऐसी कार्यवाई की गई कि इस ध्येय की प्राप्ति हो सके। इस गवर्नमेन्ट को भी आफिस में आये हुए १८ महीने हो गये; १८ महीने का समय कम नहीं है। अगर हमारे मिनिस्टर साहब समझते हैं कि कुछ टैक्स लगा कर, कुछ रुपया वसूल करके हैंड लूम इन्डस्ट्री को दे दिया जाय, कुछ पैसा उनको मिल जाय, और उनकी सहायता हो जायेगी तो मैं कहना चाहता हूँ कि कुछ बान्दी के टुकड़ों से कोई इन्डस्ट्री बढ़ती नहीं है। जब तक कि कोई इन्ट्रप्रेण्डर पालिसी, कोई स्कीम देश व्यापी रूप में न हो, तब तक कोई इन्डस्ट्री बढ़ नहीं सकती और हैंड लूम इन्डस्ट्री तो मिलों के कम्पटीशन में कभी नहीं टिक सकती यदि उनका संरक्षण न हो।

उसका एक ही इलाज है कि कुछ कपड़े के किस्म रिजर्व कर दिये जाते जो मिल वाले न बना सकते। यहां के कुछ सदस्यों ने इसी वजह से इस हाउस में एक रेजोल्यूशन दिया था कि धोती का फुल कोटा रिजर्व कर दिया जाय। लेकिन वह रेजोल्यूशन हाउस में आ न सका। फिर भी हम लोग खुश थे कि कम से कम ४० पर सेंट तो रिजर्व किया गया। मैं मिनिस्टर साहब का ध्यान इस तरफ दिलाना चाहता हूँ कि वह एक देशव्यापी नीति ऐसी निर्धारित करें जिससे कि हैंड लूम और बहुर को प्रोत्साहन मिल सके।

एक बात कही गई वह समय में नहीं आई। कुछ बंगाल के सदस्यों ने और हमारे बालरेबिल मिनिस्टर ने भी कहा कि बंगाल में कुछ ऐसी मिलें हैं जिनकी हालत अच्छी नहीं है और वह रिस्कुअस की विल

[पंडित डी० एन० तिवारी]

हैं। मैं पूछना चाहता हूँ कि क्या उनको मदद करने का यही तरीका है कि उनको बह छूट दे दी जाय कि कानून तोड़ा करें और हमारी बातों को न मानें। क्या कोई दूसरा तरीका नहीं है कि उनको मदद दी जा सके। आप उनको रुपया दें या कर्ज दें और इस तरह उनको मदद करके आगे बढ़ावें। कोई भी आदमी जो मदद के लायक हो उसको मदद देनी ही चाहिए लेकिन इस तरह से नहीं कि कानून शिकनी करार उसको मदद दी जाये। तो यह दलील, कि कुछ मित्रें अभी अच्छी हालत में नहीं हैं, ठिकती नहीं है।

एक बात और कनज्यूमर्स का बहुत नाम लिया गया कि यह सरबी कनज्यूमर्स पर बहुत असर गलेगा मैं एक दो उदाहरण देकर बतलाऊंगा कि क्या कमी कनज्यूमर्स का भी ध्याल किया जाता है ? जब १९०६ में स्वदेशी का आन्दोलन चला और उसमें विदेशी वस्तुओं का बहिष्कार हो रहा था तो यह मिल वाले हिन्दुस्तान के लोगों की भावनाओं का फायदा उठाकर ३०० और ४०० पर सेंट नफा उठाते थे। जब गांधी जी के इन्सिस्टेंस पर १९४८ में डिक्ट्रोल किया गया तो, जैसा कि इस हाउस में कहा गया है, इन्हीं लोगों ने कपड़े का दाम बढ़ा कर २०० करोड़ रुपया अपनी जेबों में रखा। उस वक़्त इनको कनज्यूमर्स की कोई परवाह नहीं थी। आज उनको कनज्यूमर्स की बहुत परवाह हो गई है। इस देश की कोई भी इंडस्ट्री कपड़ा इंडस्ट्री या दूसरी कोई भी इंडस्ट्री, बिना प्रोटेक्शन के नहीं बढ़ी। जब काफी प्रोटेक्शन मिलता है और बाहर से आने वाली चीजों पर काफी कर लगाया जाता है तभी यहां की इंडस्ट्री बढ़ती है। आप शूगर इंडस्ट्री को ले लीजिये, अकपड़े को ले लीजिये या और कोई इंडस्ट्री

को ले लीजिये। ये सब प्रोटेक्शन से ही बढ़ी हैं। पर उस वक़्त कनज्यूमर्स का ध्यान नहीं रहता है। लेकिन जब देश में हेन्डलूम इंडस्ट्री को बढ़ाने के लिये कुछ बात करते हैं या कुछ काबूवाही करते हैं तो कनज्यूमर्स की बात आ जाती है। मैं कहूंगा कि कनज्यूमर्स को यह ज्यादा पसन्द होगा कि यह इंडस्ट्री उनके गांवों में हो और काम करने वाले लोग जो कि शहरों में जाकर अपना स्वास्थ्य और चरित्र खराब करते हैं वह अपने घरों में रह कर काम करें और इस तरह से गांव भी हरे भरे हो जायेंगे। इस लिये मैं माननीय मिनिस्टर से अपील करूंगा कि कम से कम इस बिल को तो वह वापस ले लें और कोई दूसरा बिल लायें कि जिससे हेन्डलूम वालों को फायदा हो। इसको वापस लेने से लोगों को फायदा होगा।

एक माननीय सदस्य : इसको वापस लेने से कैसे फायदा होगा ?

पंडित डी० एन० तिवारी : यह आपने अच्छा याद दिलाया। अभी जो कानून है उसके अनुसार ४० पर सेंट की छूट मिली हुई है। इससे आप वह छूट ले रहे हैं। इसमें एक बलाज है कि लोग ज्यादा बनाव तो ज्यादा पैसा दे दिया करें। तो जब पैसा की ही बात है तो हेन्डलूम इंडस्ट्री को कैसे फायदा हो जायेगा ? इस में जो छोटी का डेफीनीशन दिया गया है उसमें कहा गया है कि उसकी किनारी रंगदार हो। लेकिन सब लोग जानते हैं कि बहुत सी ऐसी छोटियां होती हैं जो कि बिना किनारी की होती हैं या सफ़ेद किनारी की होती हैं, जिनमें कोई रंग नहीं रहता है। अभी जो ४० पर सेंट बचा हुआ है और जिसकी छूट अभी दी जा रही है उसी ४० पर सेंट को मिल वाले सारी छोटी के रूप में क्लबिंग और वह कपड़ा देहान्तों में बिकेगा

और इसमें कोई भी रुकावट नहीं हो सकती। इसके अलावा इसमें यह भी क्लोज है कि अगर वह ज्यादा धोतियां बनालें तो उनको गेडीमनल एक्साइज देना होगा। लेकिन अगर मिल वाले सफेद किनारी की धोती बनावेंगे तो वह उससे भी बच जायेंगे क्यों कि वह कपड़ा धोती की डेफोनीशन में नहीं आता है। आप देहातों में जाइयें वहां लोग मारकीन की धोती पहनते हैं क्योंकि वह मजबूत होती है। उसमें कोई किनारी नहीं रहती है। तो उस पर जो धोती की डेफोनीशन यहां पर की गई है वह लागू नहीं होती है। फिर मिल वाले जो हर मोके पर फायदा उठाना जानते हैं वह इससे भी फायदा उठावेंगे और ४० पर सेंट धोती बिना किनारी के बनावेंगे। इसलिये मैं कह रहा था कि इसमें हेन्डलूम इंडस्ट्री को कोई फायदा नहीं होगा। इससे तो लोगों पर कुछ अधिक कर लग जायेगा। और इसमें दाम ज्यादा बढ़ जायेगा। इस लिये मैं अपील करूंगा कि इस हाउस के सब सदस्यों के विरोध को देखते हुए माननीय मंत्री जो इस बिल को वापस ले लें और दूसरा कोई बिल लावे जिसमें कम से कम जो ४० पर सेंट छूट दिया गया है वह हेन्डलूम के लिये ३०-३५ पर रहे और उनके बनाये हुए कान्फेक्शन की अपेक्षा न हो।

Several Hon. Members rose—

Mr. Deputy-Speaker: I will call upon the hon. Minister because so many hon. Members are rising.

Dr. M. M. Das (Burdwan—Reserved—Sch. Castes): Sir, my State of West Bengal has figured prominently in the debates.

Mr. Deputy-Speaker: All hon. Members who want to speak will kindly rise in their seats.

Some Hon. Members rose—

Shri K. C. Sodhia (Sagar) rose—

Mr. Deputy-Speaker: I think the hon. Member has already spoken.

Shri K. C. Sodhia: Sir, I wish to speak on the third reading.

Mr. Deputy-Speaker: There are 13 Members; how many minutes does each hon. Member want?

Some Hon. Members: Five minutes.

Mr. Deputy-Speaker: Thirteen into 5, that is sixty-five minutes; say, one hour. Now, it is three o'clock. Shall we carry on till 4?

Babu Ramnarayan Singh (Hazari-bagh West): Why not, Sir?

Mr. Deputy-Speaker: Hon. Members will remember that just now the hon. Speaker read about the Advisory Committee decision. I will close this at 4.15, giving 5 minutes to every hon. Member. I do not know if the hon. Minister wants to speak.

Shri T. T. Krishnamachari: I have said all that I could say, Sir.

Dr. Lanka Sundaram (Visakhapatnam): Will all the hon. Members who want to oppose the third reading get a chance?

Mr. Deputy-Speaker: All people who are supporting the Bill are also opposing the Bill and all those who oppose it are also supporting. Therefore, I am unable to make out who supports and who opposes the Bill. I give preference to the oldest gentleman, Babu Ramnarayan Singh.

• बाबू रामनारायण सिंह : उपाध्यक्ष महोदय, मैं इस धागा के लिए धाग को बहुत धन्यवाद देता हूँ।

उपाध्यक्ष महोदय : धागा नहीं, सलाह है।

बाबू रामनारायण सिंह : धन्यवाद। इन विधायक के सम्बन्ध में जिनकी बातें हुई और

[बाबू रामनारायण सिंह]

जितना आद्विवाद हुआ उसके लिए मैं इस सारी समा को धन्यवाद देता हूँ और बधाई देता हूँ। मैंने देखा कि प्रायः सभी लोगों ने दलबन्दी के दलदल से मुक्त हो कर अपने हृदय की बातें रखी हैं। लेकिन प्राश्नार्थ तो उसवक्त होता है जब हम यह देखते हैं कि उसके बाद भी यह विधेयक पास होने जा रहा है और हाँ कर ही रहे थे। उपाध्यक्ष महोदय, इस विधेयक का अर्थ प्रायः सभी लोगों ने किया है और बहुत कुछ उन्होंने ठीक कहा है। उसको मैं और साफ़ क्रिये देता हूँ। उपाध्यक्ष महोदय, इस विधेयक का यह अर्थ है कि मिल-मालिक सरकार के हुक्म को नहीं मानते हैं। इसका सीधा अर्थ यही है कि मिल मालिक सरकार को कुछ नहीं समझते हैं और सरकार का हुक्म न मानते और इसका दूसरा अर्थ वह भी है कि मिल मालिकों को सजा देने के लिए सरकार के पास कोई शस्त्र नहीं है।

श्री सारंगधर बास : (बेनकनाल—पश्चिम कटक) : करना नहीं चाहते हैं।

बाबू रामनारायण सिंह : यानी आप मजे में कह सकते हैं कि मिल मालिकों के साथ व्यवहार करने में इस सरकार ने अपने को बिल्कुल नपुंसक सिद्ध किया है। तो, उपाध्यक्ष महोदय, जरूरत यह भी कि यदि सरकार को लज्जा होती तो वह वहाँ से हट जाती और इन ट्रेडरी बेंच पर मिल मालिकों को लाकर बिठा देती। अगर इस सरकार को प्रकल, ईमानदारी और सज्जा होती तो वह यहाँ से हट जाती और मिलमालिक इस देश के मालिक हो जाते।

एक माननीय सचिव : आप सरकार बनायेंगे ?

बाबू रामनारायण सिंह : नहीं, वह अभी मेरा अस्तित्व नहीं है बहुतो मिल मालिकों का है। मैं मिल मालिक होता तो वहाँ जा कर बैठ सकता था।

उपाध्यक्ष महोदय, इस विधेयक का एक दूसरा अर्थप्राय भी हो सकता है और वह क्या कि अगर कोई चोर चोरी करे तो सरकार कहेगी कि चोरी कर सकते हो, लेकिन चोरी के माल में से एक हिस्सा सरकार को दे देना। मिल मालिकों को हुक्म हुआ कि इतने तक तुम बना सकते हो, अधिक नहीं, लेकिन उन लोगों ने हुक्म को नहीं माना, अधिक बना लिया। इस पर सरकार का कहना है कि कोई हज़ नहीं, बनाओ, कानून तोड़ा तो तोड़ा, लेकिन कुछ हिस्सा दे दो। उपाध्यक्ष महोदय यह देश का दुर्भाग्य है कि यहाँ की सरकार इस तरह से चल रही है। जितने लोग यहाँ बोलते गये वे सब ठीक बोलते गये। यह ठीक ही है कि जितने भी विषय संसार में हैं, वह यहाँ आवेंगे तो उन के दो पक्ष तो रहेंगे हो। अब प्रश्न यहाँ पर यह है कि साथ के सम्बन्ध में देश की क्या नीति हो सकती है और उसी के साथ साथ वस्त्र के सम्बन्ध में क्या नीति हो सकती है। इस वस्त्र के सम्बन्ध में महात्मा गान्धी ने बहुत कुछ कहा है। आप उसे जानते हैं, सारा देश जानता है, और जिन के हाथ में दुर्भाग्यवश अधिकार चला आया है वे लोग भी जानते हैं। महात्मा जी की नीति थी, और वही वास्तविक नीति हो सकती है, कि कारखानों के जरिए अगर वस्त्र बनना है तो उस से बहुत बहुत बुराई होती है। सभी लोगों ने कहा कि बेकारी बढ़ती है। यह जितने तरह के कारखाने हमारे देश में खले हैं उन से सायद कुछ लोगों को जो कि पूँजीपति है उन की तो साथ हुआ है, लेकिन हमारे देश में जो बेकारी हुई है वह मिलों और कारखानों

के बलून से हुई है। वस्त्र के सम्बन्ध में सरकार की नीति यही होनी चाहिये थी कि जिस के जरिए से देश को रोजगार मिले, कपड़ा बने। कोई खादी के लिये कहते हैं, कोई हाथ से कते सूत की खादी के लिये कहते हैं, जो हो, वह बने। लेकिन यह सारे देश में बने, सब जगह बने।

इसी सम्बन्ध में बोलते हुए हमारे ठाकुर दास जी ने बहुत सुन्दर कहा था। लेकिन एक बात उन्होंने ने कही जिस को मैं ठीक नहीं समझता। जब मैं ने कहा था कि स्विनिंग से भी लोगों को रोजगार मिलता है। उस का उन्होंने ने खंडन मंडन करते हुए कहा था कि शायद स्विनिंग रैम्पूनेरेटिव नहीं होता है। उपाध्यक्ष महोदय, हर एक को जानना चाहिये कि जहां पर दो, तीन, चार रोजगार होते हैं वहां पर आप वह सब कर सकते हैं कि रैम्पूनेरेटिव है या अनरैम्पूनेरेटिव है, उस से लाभ होगा या नहीं होगा। (इस समय घंटी बजी) लेकिन जहां पर कोई रोजगार है ही नहीं, वहां यह सबाल पैदा नहीं होगा। मैं कहता हूं कि जहां जहां खादी का काम हो रहा है जहां जा कर आप देखिये। आप को मालूम होगा कि लोग सुखी हैं, उन को रोजगार मिला है। खादी के सम्बन्ध में जो कताई का सबाल है, तो वह तो ऐसे लोग काते हैं कि जिन को कोई रोजगार नहीं है, बहुत से लोग हैं जिन को कि कोई काम मिलता ही नहीं है। घर पर बैठे बैठे अपना वक्त बर्बाद करते रहते हैं। उन को कुछ भी रोजगार मिले तो वह लाभ की ही बात है, उसमें रैम्पूनेरेटिव और अनरैम्पूनेरेटिव का सबाल नहीं है। साथ ही, उपाध्यक्ष महोदय, मैं यह भी कह दूं कि जहां अच्छे सूत कातने वाले पांच छः बंटे अच्छी तरह काम करें तो बड़े दो रुपये रोज बहुत कमा सकते हैं।

तो मैं थोड़ा अधिक नहीं कहना चाहता, आप ने घंटी बजा दी है। लेकिन वह जरूर कहना चाहता हूं कि इस सम्बन्ध में सरकार को कुछ अन्त होनी चाहिये, कुछ ईमानदारी से काम करना चाहिये, जिस से लोगों को कुछ रोजगार मिले। अभी तो पूँजीपतियों को जो पहले ही से मोटे हैं और मोटा किया जा रहा है। उस से देश की बरबादी है और सरकार अपने को भी इस से बरबाद कर रही है। जैसा और भाइयों ने कहा है। अच्छा तो यह हो कि मंत्री महोदय इस बिल को वापस ले लें। नहीं तो मैं कहता हूं कि इस पर वोटिंग हो और जितने लोग यहां हैं, सब दल के जितने सदस्य हैं, वे इस पर वाट करें और बिल को हटा दें। सरकार भले ही नपुंसक हुई गयी, लेकिन यह लोकसभा नपुंसक नहीं है, इस बिल को नामंजूर कर के लोकसभा को वह साबित कर देना चाहिये।

Shri D. C. Sharma (Hoshiarpur): There is a proverb which says that a man should beware when everyone speaks well of him. I think a similar thing can be said about this Bill or something else when everyone speaks ill of it. I have listened to the debates on many occasions in the House but I have never before found such a unanimous disapproval of any bill as of this Bill. From every point of view, it is a very ill-conceived Bill. It is a Bill which is not going to do good to anybody. It is an ill wind that does not blow any good or does not do any good to anybody, and this Bill is not going to do any good to anybody. Will it tide over a crisis in any effective way? I think it has not taken into account the textile crisis that exists in this country and on which so much of our employment depends. Has it taken into account the sentiments and feelings of those people who are wedded to the cult of *swadeshi*? I don't think so. I think there are several persons who have

[Shri D. C. Sharma]

spoken against the Bill on the strength of its being almost anti-swadeshi in spirit. Has it taken into account the point of view of the consumer? I don't think so. I think the consumer is going to be hit hard by this Bill because of the additional burden that will be put upon him. The mill-owners are not going to suffer on account of this additional levy or fine and they will find some way to deal with the situation so that the burden will be put on the consumer. I think, Sir, that this Bill is not going to do anything useful to any section of consumers, public or business people. We would like to ask the hon. Minister what is going to be the policy of the Government in this matter. I think the ostensible object of the Bill is to help the handloom industry, but is this going to help that industry? I don't think so. There were certain amendments that were put before the House about the name of the Bill, about the definition of dhoti, about the definition of rates and about the way in which the money collected through this duty should be utilised, and I had always thought that the hon. Minister had an open mind, but while he was dealing with this Bill, I think he was giving the example of a closed mind. There were certain amendments which he could have accepted without the least harm and those amendments might have improved the Bill. For instance, the definition of dhoti that is given in the Bill is, to say the least, obsolete. I come from a State where dhoti, which has not a coloured border, is used very much by widows and persons who are not of the fashionable type. The hon. Minister has held this out of order and by this he has opened the flood gates for those people who will try to circumvent the provisions of the Bill. Again, I say, Sir, that I talk about the State which used to be No. 3 so far as the handloom weavers are concerned. Madras was No. 1, Assam No. 2 and my State was No. 3, and even in spite of the partition, my State is not badly off so far as this

kind of industry is concerned. I think this kind of Bill is not going to do any good to those weavers who are there, and I think it is going to harm them definitely, because I feel that all kinds of cloth under the counterfeit name of 'dhoti' will come on the market and they will take away that market which the handloom industry is now having.

One thing more I want to say. The Bill should have been presented in a more comprehensive form. After all the problem in India at this time is to limit the sphere for industrial production and the sphere for handloom production. I think this kind of tinkering with these matters will not do us any good. Something should be done on a comprehensive scale, as has been pointed out, that will limit this sphere. That will help us. I think the handloom industry has no right to thank the hon. Minister for whatever he has done. I think he must have done this in good faith, but I am sorry in the implementation of that good faith it has not been as effective as it should have been. I therefore think that this Bill should not be welcomed at all and I say that it should not be passed.

श्री जांगड़े (बिलासपुर—रक्षित—
अनुसूचित जातियों) : उपाध्यक्ष महोदय,
मुझे इस बात का दुःख है कि माननीय मंत्री
महोदय ने सब सदस्यों द्वारा इस विन का
विरोध किये जाने पर भी उनकी एक रत्ती सर
भी बात को नहीं माना और उन्होंने धोती
में सफेद किनारे के सम्बन्ध में या दुरे सूत
लगाने के सम्बन्ध में जो संशोधन आया
या उसको भी स्वीकार नहीं किया। उस
विषयक में लोगों की राय थी कि पैनाल्टी
क्लाज या दंड की धारा होनी चाहिये, इस
बात को भी उन्होंने नहीं माना, क्योंकि साठ
परसेंट कन्सेशन हम उनको दे रहे हैं, उसके
उपरान्त हब परमिसिबल कोटा का साथे
बारह परसेंट, पञ्चीस परसेंट या पचास

परसेंट तक हम उनको कंसेशन दे रहे हैं। क्या मैं यह समझूँ कि आप जो अतिरिक्त ऐक्साइज ड्यूटी लगा रहे हैं, वह केवल अतिरिक्त कोटा के बाद उत्पादित किये जाने वाले कपड़ों पर लगाई जायेगी या साठ प्रतिशत के अन्दर जो पैदा किया जाने वाला कपड़ा है उस पर भी वह लादी जायेगी? इसका खुलासा मैं माननीय मंत्री जो से चाहता हूँ, क्योंकि मुझे शक है कि जो अतिरिक्त कर साठ प्रतिशत के ऊपर लगाया जा रहा है, उसका बोझ साठ प्रतिशत के अन्दर पैदा किये जाने वाले कपड़े पर लादा जायेगा और नतीजा यह होगा कि हमारे किसानों और शरीर कंज्यूमर्स को जो उस कपड़े को पहनेंगे, उनको उसका भार सहना पड़ेगा और हम लोगों को गांवों में सबकी भर्त्सना सहनी पड़ेगी, क्योंकि हमें तो अपने निर्वाचन क्षेत्रों में जाना है और उनमें काम करना और रहना है, हाँ गवर्नमेंट भले ही इस भर्त्सना को सुनने से बच जाय, उसको तो इलेक्शन के समय ही सब कुछ सुनना और सहना पड़ता है।

कपड़ों की कीमत और कंट्रोल के सम्बन्ध में मैं आपको बताऊँ कि जब कपड़े पर कंट्रोल था तो होता यह था कि कई कपड़े छूट पर दे दिये जाते थे, आम तौर पर रद्दी कपड़ों को छूट पर दिया जाता था।

गन्धका कपड़ा जो छूट के लिये दिया जाता था उसको भी कंट्रोल में शामिल किया जाता था। आज कपड़े पर कंट्रोल नहीं है, तो घाठ आने जो अतिरिक्त कर लगता है, या दो आने या छह आने लगता है, साठे बारह परसेंट या पच्चीस परसेंट, दो आने चार्ज करेंगे, बार आने चार्ज करेंगे या छह आने, कोई पैमाइश नहीं है, क्योंकि कंट्रोल न होने के कारण वे लोग एक रुपा, डेढ़ रुपया तक हमारे कंज्यूमर्स से हड़प सकते हैं। आप कहते

हैं कि कई मित्रों में कार्य शक्ति बढ़ गई, या घट गई उसके अनुसार हमने इस कानून को बनाया है।

आज जो हैंडलूम वर्कर्स की, करबे पर कपड़ा बुनने वालों की कार्य शक्ति घट गई, उनका व्यापार और रोजगार घोसा और मंदा हो गया, इसलिये उनको धोमी चाल को बढ़ाने के लिये, उनको कार्य शक्ति का बढ़ाने के लिये या कपड़े के उत्पादन को बढ़ाने के लिये आप कौन से कार्य कर रहे हैं, मैं मंत्री महोदय से जानना चाहता हूँ कि इस विषय में वह क्या प्रमाण और प्रावधान जनता को देना चाहते हैं? कपड़े को कबो के समय हर एक तरफ से आबाख घातो थी कि अधिक धोती पैदा कीजिये, लेकिन किसी मिल वाले ने अधिक धोतियां पैदा नहीं कीं, धोती के पहिनने वाले केवल हमारे देश के ही लोग हैं, मुश्किल से विदेश में धोती पहिनने वाले दो, तीन या चार लाख होंगे, उन दिनों में जब बहुत तंगी थी मित्र वालों ने पराजित माना में धोतियां तैयार नहीं की, लेकिन आज क्या कारण है जो वह अधिक धोती तैयार करने पर मजबूर हो रहे हैं, उन दिनों में हमने उनसे अधिक धोती तैयार करने को कहा लेकिन उन्होंने तैयार नहीं कीं, फिर आज क्या कारण है जो वह अधिक धोती तैयार करने पर तुले हुए हैं? कारण यह दिखाई देता है कि ओवर प्रोडक्शन हो गया है और मुनाफा हो रहा है, कपड़ा मित्र के मालिकों को डर है कि कहीं वह फिर न आ जाय कि हैंडलूम इंडस्ट्री तरक्की और प्रोत्साहन कर जाय और उन के दिन लट आयें, इसलिये सरकार के पास मिनितें करते हैं कि यह कानून बदला जाय और दुर्भाग्य की बात यह है कि करोड़ों लोगों की आबाख हमारे मंत्री महोदय के पास नहीं पहुँचती और उन के कानों में जूँ तक नहीं रेंवती कि वह इस और

[श्री जांगड़े]

ध्यान दें, लेकिन हमारे एक दो पूजीपति भाई लोग मंत्री महोदय के पास पहुंच जाते हैं और सिल्लत करके अपनी बात मनवा लेते हैं, इस बात का मुझे बहुत दुःख है। बस, इस समय मैं केवल इतना ही कहना चाहता हूँ।

Shri Bhagwat Jha (Purnea cum Santal Parganas): I appreciate the sentiments and the motives that have moved the hon. Minister to introduce this Bill in this House. I also acknowledge the forces—the lesser counterparts in the various States—that have forced his hand to introduce this Bill. I also know the result of our discussion, but yet, I want to register my own voice with many of the voices that have been expressed in this House while speaking on this Bill. It has been said at the outset by the hon. Minister that his only idea to bring this Bill in this House is to encourage and help the handloom weavers. May I ask, how, by passing this Bill, he proposes to give the handloom weavers beyond that 60 per cent.—40 per cent, is reserved for the handloom weavers—and by putting an additional excise duty for it? Does he mean that by putting this duty he will be able to check the millowners from producing more than 60 per cent.? Is it not within the millowners' right and power to sell cloth, which is produced over the 60 per cent. at a lesser price in the market and thereby undersell the handloom weavers? We are definitely of the opinion that by passing this Bill, the handloom weavers are in no way going to be helped. This is just another way of getting profit and other advantages for the millowners. Beyond 60 per cent. they will produce, whatever duty is put over that limit. They will produce it and they will float it in the open market. The common man and, I say, even the shopkeepers do know the theory of economics, the theory of demand and supply. The shopkeepers in my village will say: "Here is the cloth which

has been produced over the 60 per cent. limit. I have only this stock. You have it or you do not have it." The common man will have it and he will pay the cost—instead of Rs. 8 per pair, he will pay Rs. 12 per pair, and it is a simple thing. I suppose that all the friends, either here or there, have unanimously said that by passing this Bill we are not going to help the handloom weavers. So, while appreciating the sentiments and the motives of the hon. Minister, we feel constrained to say only that much, and not what I would have said of this Bill if it would have been framed otherwise. With these words Sir, I conclude.

श्री बलबन्त सिंह महता (उदयपुर) :

उपाध्यक्ष जी, मैं आपका बहुत अनुगृहीत हूँ कि आपने मुझे अपने विचार रखने का इस समय अवसर दिया। मैं धारम्भ में ही कह दूँ कि बिल जिस रूप में इस सदन में पास हो रहा है, इससे बिल्कुल भी बुनकरों को राहत मिलने वाली नहीं है। यही एक ऐसा बिल यहां पर पेश हुआ है जिसमें सामूहिक रूप से इसके प्रति विरोध प्रकट किया गया है, फिर भी यह पास किया जा रहा है। अगर जनता से इस के विषय में राय ली जाय तो मैं समझता हूँ कि एक भी बुन्वा इसके पक्ष में नहीं होगा, लेकिन फिर भी यह घोषा जा रहा है उन लोगों के नाम पर कि इसके द्वारा बुनकरों की सहायता की जा रही है। मैं आपसे अपने प्रांत के विषय में धर्म करना चाहता हूँ कि जहां तक राजस्थान का सवाल है, वह सारा का सारा प्रांत धोती वाला प्रदेश है और उसमें करीब ६९ फीसदी लोग धोती पहनते हैं, वहां की धाबाड़ी का ६० प्रतिशत लोग किसानों का काम करते हैं और वह बिना किनारी की धोती पहनते हैं। अब इस बिल के द्वारा क्या होगा, इस विषयक के पास हो जाने से जितने भी बुनकर हैं जो इस प्रकार की

Bill

बोली बगैरह बनाया करते हैं, उन सब का बंधा नष्ट हो जायगा। आज बुनकरों की हालत पहले से बहुत ही खराब है, और राजस्थान में बुनकर सबसे ज्यादा संख्या में रहते हैं, उनकी हालत पहले से ही खराब है और उस पर इस विधेयक के पास हो जाने से राजस्थान को एक बहुत बड़ा धक्का लगने वाला है। राजस्थान को करोड़ों करोड़ की जनता में बुनकरों की बहुत बड़ी संख्या है और मैं समझता हूँ कि आवश्यकता इस बात की है कि मंत्री यहोदय एक ऐसा बिल लावें जिस से वास्तव में बुनकरों की सहायता की जा सके और जिसके द्वारा हेन्डलूम इंडस्ट्री और लादी उद्योग को प्रोत्साहन मिले। जब तक ऐसा बिल नहीं आयेगा तब तक हम न तो उन लोगों को राहत पहुंचा सकेंगे और न जो बेकारी बहुत बिकराल रूप में फैली हुई है उस को ही दूर कर सकेंगे। मेरा विचार है कि अगर वे इस बिल को पास कराने पर उतारू ही हैं तो वे, जल्दी से जल्दी एक बिल लायें जिस के द्वारा हम वास्तव में बुनकरों की सहायता कर सकें। सब से अच्छा तो यह हो कि पहले ऐसे प्रतिबंध मिल जायें पर लगा दिये जायें कि वह सर्वे काउन्टस तक, एक खास तरह के प्रांक के मूल के ऊपर कपड़ा न बना सकें। जब तक ऐसा नहीं किया जाता तब तक वास्तव में न हम उद्योग बंधों को फायदा पहुंचा सकेंगे और न लाखों छानियों को राहत पहुंचा सकेंगे जिनको हम राहत पहुंचाना चाहते हैं।

इसके अलावा मैं आप के द्वारा अपने कामर्स मिनिस्टर से यह भी दरखास्त करना चाहता हूँ कि जब तक हमारा जो काटेज इन्डस्ट्री, उद्योग बंधों का सामान है उसकी बिस्तृत रूपत नहीं हो रही है और वह ढेरों पड़ा हुआ है, इस सिधे स्थानीय और केन्द्रीय मर्चेंट्स उस सामान को उठावें और उस को पल कर के, हेन्डलूम के बने हुए सामान

को और लादी के सामान को मिल्हों क कपड़े के साथ पल करके हमारे जिसने भी सरकारी कर्मचारी हैं, हमारे मिनिस्टर्स हैं, पार्लियामेंट के मेम्बर्स हैं, लेजिस्लेचर्स के मेम्बर्स हैं, उन सब को वह कपड़ा राशन के रूप में थोड़ा थोड़ा बंधे। इस में मैं समझता हूँ कि वास्तव में उन लोगों को लाभ होगा।

इतना ही कह कर मैं अपने भाषण को समाप्त करता हूँ।

Dr. M. M. Das: During the discussion, rather long and heated discussion, during first reading of the Bill, my State West Bengal has been featured very prominently by frequent references to it. Pandit Thakur Das Bhargava, an eminent, senior and esteemed Member of this House and some other speakers referred to the speech delivered by one of the Members from West Bengal and expressed their surprise that a spokesman from West Bengal, Bengal which led the Swadeshi movement and preached the boycott of foreign goods, should speak against a measure calculated to benefit the cottage industries of the country.

Sir, it is true that the Bengal of the past, the Bengal which my hon. friend Pandit Thakur Das Bhargava knew, does no longer exist. It has been effaced from the map of India. A small truncated province, reduced to one third of its former size, inhabited by thirty lakhs of unfortunate refugees, West Bengal is but a relic of its own glorious past. Sir, frustration, poverty, unemployment and hunger are sweeping today through the length and breadth of that unfortunate truncated State.

Shri B. K. Das (Contai): Not so bad!

Dr. M. M. Das: My hon. friend from Bengal says: 'Not so bad', but I hold a different opinion from him.

I wish to tell my hon. friend Pandit Bhargava and others that Bengal may

[Dr. M. M. Das]

have lost in stature, but Bengal has not lost in patriotism; Bengal has not lost her love for the motherland. Bengal has not lost her spirit of self-sacrifice for a noble cause.

Sir, I appeal to my hon. friend Pandit Bhargava and others to understand, to appreciate the difficulties, the knotty problems that the West Bengal Government have to face due to the promulgation of this restriction order.

Several hon. Members of the House referred to the so-called misbehaviour of the textile mills of West Bengal and asked why adequate action was not taken, why condign and deterrent punishment was not meted out to these textile mills in West Bengal. Some of my hon. friends here also pointed out the tacit support which the West Bengal Government gave to the mills. I wish my hon. friends to understand the implications, the results, the effects, of the restriction order upon the cloth market in Calcutta and other places in West Bengal. Sir, as soon as the restriction order was promulgated, dhotis became scarce in the Calcutta market and the price shot up by 30 to 40 per cent. The people of West Bengal, unfortunately, are a politically conscious people. They saw that by an act of indiscretion and want of foresight on the part of the Central Government this artificial scarcity in the cloth market had been created. Sir, the common people of West Bengal driven to desperation by poverty, unemployment and hunger were not prepared to take this situation lying down calmly. The Government of West Bengal, grown wiser by the bitter experience of the past, felt the pulse of the people and they knew that a storm was coming. They approached the Central Government, they pleaded with them, they implored them to help them, so that this crisis may be staved off.

Sir, that was not all. The West Bengal Government had to go so far

as to impose a temporary ban upon the export of all mill-made cloth from that State. I want my hon. friends to understand, to appreciate, the situation which the West Bengal Government had to face at that time. Sir, I shall be failing in my duty if I do not express my thanks, my appreciation and gratitude to the Ministry of Commerce and Industry at the Centre for the consideration, for the sympathy, for the understanding which they showed towards the Government of West Bengal in those difficult days.

Sir, we are told by many hon. Members in this House and by the hon. Minister for Commerce and Industry that the first suggestion to restrict the production of the mills came from Rajaji, our great Chief Minister of the State of Madras; because he wanted to do something which would benefit the handloom weavers of Madras. There was a difference of opinion. Sir, among the administrators of this country about this proposal, but the dissentient voices were silenced, the opposition was ruled out and the suggestion was given effect to. As a Member, coming from West Bengal I must submit to this House and to the Government that a policy which may solve to a small extent the problem of one State, but would at the same time create difficulties and knotty problems for the others, should not be given effect to by Government.

श्री धर. डी. मिश्र (जिला बुलन्दशहर):

उपाध्यक्ष महोदय, इस बिल की देल कर मुझे बड़ा अफसोस हो रहा है कि आज हमारे सामने इस किसम का बिल हमारी कांग्रेस मिलिट्री ला रही है। मैं ३३ साल से कांग्रेस में काम कर रहा हूँ और कांग्रेस में रह कर हमारा सब से बड़ा ध्येय यह रहा है कि हम इस देश के गरीबों को रोजगार दें। जुलाहे, कोरी घाबि जो यहां पर कपड़े बुनते थे और जिन की दस्तकारी मष्ट हो गई थी, उनकी दस्तकारी को जिंदा करें।

बराबर ३३ सालों से हम कोशिश करते रहे और हमको आशा थी कि जिस दिन स्वराज्य हो जायेगा और गवर्नमेंट हमारे हाथ में आयेगी उसको लेकर हम इस कार्य को तरक्की दे सकेंगे। लेकिन आज मैं क्या देखता हूँ कि जो फरायज एक गवर्नमेंट को करने चाहिये वह यह गवर्नमेंट नहीं कर रही है। प्रजातंत्र के अन्दर प्रजा के नुमायन्दे जो अपने वजीर चुनते हैं उनका काम यह होता है कि वह किसी नीति का निश्चय करे और उसके बाद वह यह देखें कि जो निश्चय उन्होंने किया है उसका पालन एग्जिक्यूटिव आफिसर्स करते हैं या नहीं। एग्जिक्यूटिव आफिसर्स का यह काम होता है कि जो निश्चय मिनिस्टर लोग करे, जो कानून बनायें उस कानून को वह नकनीयती के साथ पूरा करें और जो लोग उस कानून के खिलाफ आयें उनके खिलाफ कार्यवाही करें। अगर वह अफसर लोग अपने कर्तव्य में कोताही करते हैं तो मिनिस्ट्री का काम है कि वह यह देखें कि ऐसे अफसरों को महकमों से निकाल कर बाहर खड़ा कर दिया जाय और उनसे कहा जाय कि तुमने अपने काम को पूरा क्यों नहीं किया। हम यह देखते हैं कि हमारे मिनिस्टर साहब ने यह तै किया कि यहां पर ६० परसेंट छोटियां मिलों से तैयार की जाय और ४० परसेंट बुनकरों के लिये छोड़ दी जायेंगी। हमारे जो एग्जिक्यूटिव अफसरान हैं उन्होंने अपनी ड्यूटी पूरी नहीं की और उन्होंने यह नहीं देखा कि मिलें ६० परसेंट से एक छोटी भी ज्यादा त बनाने पावें और हमारे मिनिस्टर साहब ने भी यह नहीं देखा कि इन अफसरान ने अपनी ड्यूटी पूरी की या नहीं। उन अफसरान के खिलाफ कार्यवाही करने के बजाय हमारे मिनिस्टर साहब उल्टे इस लिये एक बिल लाते हैं कि हमारे अफसरान ने हमारे हुक्म की तामीत नहीं की और पूंजीपतियों ने भी हमारे हुक्म तामीत

नहीं की इसलिये वह कानून पास किया जाय। आज जो हम लोग खदर पहनते हैं तो इसी लिये पहनते हैं कि हम यह दिखायाना चाहते हैं कि हम देशी रोजगार को बढ़ाना चाहते हैं। हम चाहते हैं कि हमारे अफसर लोग खदर के सिंढात को समझें। मैं जब से पालियामेंट में आया हूँ तब से देख रहा हूँ कि मिनिस्टर साहिबान और बहुत से मेम्बर साहिबान खदर पहनते हैं लेकिन हमारे अफसरान खदर नहीं पहनते हैं। उन पर हमारे खदर धारण करने का कोई असर नहीं हुआ। जब अंग्रेजी जमाने में हम उनसे कहते थे कि आप खदर पहनें तो वह कहते थे कि क्या करें नौकरी का मामला है, हम खदर कैसे पहन सकते हैं। अगर हम खदर पहनें तो हम को निकाल दिया जायेगा। लेकिन अब हम समझते थे कि यह भी खदर पहनें। लेकिन मैं देखता हूँ कि इस पर दो मत हैं। कांग्रेस के लोग तो चाहते हैं कि देशी रोजगार चले और गरीबों को रोजगार मिले लेकिन जो हमारे अफसर लोग हैं जो कि पच्छिमी शिक्षा पाये हुए हैं वह इस को पसन्द नहीं करते हैं। वह पूंजीपतियों के साथ हैं। मिनिस्टर साहब ने कानून बनाया कि ६० पर सेंट से ज्यादा छोटी मिल वाले न बनावें लेकिन हमारे अफसरान ने मिल वालों को तरजीह दी, उनको बढ़ावा दिया कि वह जितना चाहें बनावें, कोई बात नहीं है, देखा जायेगा, जब बात आयेंगी तो मिनिस्टर साहब से कह दें कि कानून बदल दिया जाय। इस लिये मिलों ने काफी छोटियां बना डालीं। अब यह कानून लाया जा रहा है कि बुकि मिल वालों ने ज्यादा माल बना लिया है इसलिये उनसे कुछ पैसा ले लिया जाय। अगर पैसा का ही ख्याल होता तो हम खदर क्यों पहनते। क्या हम सस्ती छोटी नहीं पहन सकते थे। मैं देखता हूँ कि जो गरीब लोग हैंडलूम से गुजर करते थे उन जुलाहों के पास काम नहीं है। वह भूखे मर रहे हैं,

[श्री भार० डी० मिश्र]

कोई धाम बेच रहा है कोई गाजर बेच रहा है। उनके पास रोजगार नहीं है। पहले उनको सूत नहीं मिलता था जब सूत की सुविधा हुई तो मिल मालिकों ने उनका धन्धाधुन्ध मुकाबला शुरू कर दिया। मिल मालिकों ने जब यह देखा कि यह लोग बोती बनाने लगे हैं तो उनको डर हुआ। उन लोगों ने आपके भ्रष्टारों को अपनी तरफ मिला लिया और ज्यादा माल बना लिया। और इसलिये हेंडलूम का काम नहीं चल सका। जब हमारे जमाने में ही यह काम नहीं चल सकता तो फिर कौनसा जमाना धाबेगा जब कि यह हेंडलूम का काम चल सकेगा। इस बिल से तो हम देख रहे हैं कि मिनिस्टर साहब अपने काम में फँस हुए हैं। और उनका एडमिनिस्ट्रेशन निकम्मा रहा है। कानून को नहीं माना गया। यह देखना गवर्नमेंट का काम है कि उसके हुक्म को माना जाये। आखिर गवर्नमेंट है किस वास्ते अगर वह अपना हुक्म न मनवा सके? क्या आज गवर्नमेंट अपने हुक्म को नहीं मनवा सकती है?

बाबू चमनरायण सिंह (हजारीबाग पश्चिम) ऐसी सरकार को निकाल दीजिये।

श्री भार० डी० मिश्र : मैं भ्रजं कलंगा कि मेहरबानी करके इस निकम्मे बिल को वापस लीजिये और यह कोशिश कीजिये कि आपके हुक्म की पूरी पाबन्दी हो और जो पूंजीपति एक भी धोती ज्यादा बनावे उसको सजा दीजिये और उस पर जुरमाना कीजिये। उनकी धोतियों को जो ज्यादा बन गई हैं उखल कर लीजिये और उनकी बेच दीजिये। अगर आप ऐसा करेंगे तो आपकी बात मानी जा सकती है। हम कांग्रेस वाले यहां क्यों आये हैं? क्या हम गवर्नमेंट में रहने के

लिये आये हैं? हम देखते हैं कि यहां दिल्ली में गांधी टोपी को फूँका जाता है। ऐसा किस तरह से होता है? यह गवर्नमेंट के भ्रष्टारों की वजह से होता है। पूंजी पतियों ने उनको अपनी तरफ कर लिया है। यह पूंजीपति नहीं चाहते कि खदर बने और हेंडलूम का कपड़ा बने। यह लोग भ्रष्टारों को साथ लेकर गांधी टोपी की मिट्टी पकीव करवाते हैं। दिल्ली शहर में यह हमारे ही सामने होता है। मैं चाहता हूँ कि हक्काय यह महसूस करें कि गांधी टोपी इस तरह न फूँकी जाय। यह इसलिये होता है कि भ्रष्टारान खुद खदर नहीं पहनते हैं। उनका खदर और हेंडलूम में विश्वास नहीं है। इसलिये मैं प्रार्थना करूँगा कि आप इस बिल को वापस लें। इसी के साथ मैं आपसे यह भ्रजं करूँगा कि आपके भ्रष्टार भी यह महसूस करें कि खदर और हेंडलूम से गरीबों को रोजगार मिलता है। वह कालर टाई छोड़ कर खदर और हेंडलूम का कपड़ा पहनें। जब वह ऐसा करेंगे तब उन को हेंडलूम में यकीन हो जायेगा और वह चाहेंगे कि खदर और हेंडलूम की तरक्की हो और तभी हम अपने हुक्म को पूंजीपतियों से मनवा सकते हैं। जिस दिन भ्रष्टार लोग अपनी पोशाक को बदल लेंगे उसी दिन हम हेंडलूम और देशी रोजगार को तरक्की दे सकेंगे और आप देखेंगे कि दिन डूनी रात बीगुनी तरक्की होगी।

एक मिनट।

Mr. Deputy-Speaker: No more minute, Shri Samanta. I will first of all exhaust hon. Members who have not spoken on this Bill.

Shri S. C. Samanta (Tamluk): I apprehend that Government will have to bring another measure to meet

the defect that has crept into this Bill. I am referring to item (ii) of sub-clause (a) of clause 2 which reads "contains coloured yarn on its borders" while defining dhoti. By this the textile mills will go on producing dhories—they will not call it dhoti—with white borders. They will go on producing thans which will be cut into pieces and the borders will be dyed or stamped outside.

Our Government is anxious to give relief to handlooms and handloom labourers by cutting the quota of dhories in mills. But if in this way the mills go on producing dhories with white border—they will not call them dhories, they will call them thans—then what will the poor handloom labourers get?

Now, in spite of the cut of the quota of dhories, the only difficulty that handlooms are facing is the want of yarn. They are not getting sufficient yarn. The hon. Minister in his reply to the debate said that in different States of India the handlooms weave different things. In one part they produce dhories and sarees; in another part a very small quantity of dhories or sarees is produced. So instead of putting this restriction on dhories or sarees, if the Government had tried to supply the handlooms with sufficient quantity of yarn they would have been benefited. My suggestion is, let the Government come forward to nationalise this textile industry. If they are not able to do that, let them turn these textile mills into spinning mills and allow these handlooms to be provided with a sufficient quantity of yarn so that they may produce dhories, sarees and other things, so that these handloom labourers—wretched labourers—may be saved from the catastrophe they have fallen in. This Government is trying to put restrictions on these textile mills with different measures. But, these clever people are finding out loopholes and are not allowing the Government to help those whom the Government are very anxious to help. My request is that the Govern-

ment should see whether these textile mills could be turned into only spinning mills.

Shri Gidwani (Thana): Sir, I do not want to repeat the arguments which have been advanced in this House. Every section of the House has opposed this Bill. Except the Commerce Minister, there is not a single speaker either from these Benches or those Benches that has spoken in favour of the Bill. Therefore, I feel that it would be an insult to democracy and a murder of democracy if the Commerce Minister proceeds with the Bill and it is not withdrawn.

Shri K. K. Basu: He has got it.

Babu Ramnarayan Singh: There is no democracy.

Shri Gidwani: My Congress friends have been saying that they will not be able to face their constituencies after this Bill is passed. May I ask them, if every one of them feels that it is harmful to the cause of the handloom weavers or the handloom industry, why don't they tell the Government that they should withdraw this Bill. They may go to the Party or their executive. After making vehement speeches against the Bill, when the bell rings and the motion is put to vote, if they go and vote for it, they will be murdering their conscience.

Babu Ramnarayan Singh: They would not do it this time.

Shri Gidwani: I say, in the name of democracy, in the name of service to the people, in the name of Gandhi, in the name of the Congress, the Government must withdraw this Bill. One hon. Member was finding fault with the officers that they were not following their masters. The new masters are not their masters: I am not entering into that matter now. The real fact is that the hon. Minister has a capitalist 'Athura' in a body of vanaspati Congressman. It is high time to realise the whole situation in its proper perspective and make an effective change in the personnel of the Government.

Shri Sarangadhar Das: Mr. Deputy-Speaker, Sir, knowing full well, coming at the fag end of the debate, that the caravan will go on in a few minutes, I still oppose this Bill, and very strongly also.

In doing this, I wish to refer to a country about which I read this morning. Our Textile Commissioner had been to Japan and he has come back. He has delivered a lecture somewhere in Bombay about the way in which the textile industry there co-operates with all sorts of cottage industries. There the small industries and the large industries are so well co-ordinated that they go on together, and both of them show true patriotism. Then, again, later in the forenoon, I heard our hon. Member Shrimati Ammu Swaminadhan about her experiences when she said the same thing. I am myself reminded of what I had seen 40 years ago in Japan. There, because of the intense patriotism in that country, the capitalist mill owners, big fellows, do not try to swallow up the little fellows. They co-operate with them so that Japan becomes big and prosperous. As you know, Sir, before the First World War Japan had captured the cheap market all over Asia and in parts of Africa also, because of that co-operation between the big fellow and the small fellow. Also, the steamship companies that carried the goods to the foreign markets so co-operated with the producers that there was a specially low rate of freight for the Japanese goods going to foreign markets. Unfortunately, in our country, that universal patriotism does not exist. I have also known another big capitalist country that my hon. friends say is an imperialist country, and compared with them, our Indian capitalists are absolutely self-centred and they want to aggrandise everything for themselves. We see particularly in the textile industry, during the last 5 or 6 years, sometimes, there is scarcity of cloth, but there is yarn enough for the handloom industry and handloom cloths come to the market. Then, the mills produce cloth and the stocks of handloom cloth

accumulate. Then again, something happens and the mill cloth goes out to foreign markets and then, there is scarcity. Sometimes, they do not supply enough yarn to the handloom weavers. During the present Commerce Minister's predecessor's time, there were processions here and there and he was mobbed in Nagpur or some place in Madhya Pradesh because they held him responsible for not getting sufficient yarn. If there is yarn and if they produce cloth, there is more production here. A restriction order was passed. I do not agree with many of my friends who have spoken against this Bill that the officers concerned are to blame. I blame the Government itself. As far as I can see,—in the sugar industry we had seen some years ago and also in this textile industry the Government is run by these mill owners, whether it is in sugar or in textiles, whether they are in Bengal or U.P. or Madras. Capitalism does not know any provincial barriers; they are of the same breed all over, and that breed is ruling this country through this Government. I therefore make this constructive suggestion that, instead of patching up here and there, handling a situation today and then again another situation next year, the Government must nationalise the textile mill industry. When I say this, many of my friends will say, where is the money to pay the compensation. (Some Hon. Members: No compensation.) You know, Sir, and every one else knows that many of the mills in Bombay and Ahmedabad are 30 or 40 or 50 years old and they have paid their capital hundreds of times over. Those mills that are new have some value. The compensation must be calculated on the basis of the condition that mills are in. If that is done, the compensation will not be very much. But whatever it is, whether you pay full compensation or a small compensation, for the public good, acquire these mills and then, so regulate that that patriotism of Japan will be manifest in the Government here. And then only the mill industry can be regulated and the handloom and spinning

industry and Khadi industry will produce such lines that they are most capable of doing. The mill industry will produce goods that can be exported and that can cater to the needs of a particular class of people who wear fine and superfine cloth and so on. In this way only this eternal conflict of the last number of years between the mill industry and the handloom industry will disappear. Otherwise, this patching up will not do, and I will have the chance to say again that this Government is run by these mill-owners, whether it is sugar, textile or rubber or any other industry, that the Government is always looking to the interests of the big people and not the small people. I say this again because in this case, where they have gone beyond a certain limit in producing cloth, why is it that those who transgress the law are not punished? There are many laws that a poor man infringes. Do you let him go scot-free and give him a reward in another way? You don't. It is only the vested interests that you protect.

Mr. Deputy-Speaker: There does not seem to have been a law empowering Government to impose any punishment.

Shri Sarangadhar Das: Well, the law should have been there. They don't do it.

In the sugar debate I remember we were told there was an agreement between the Government and the sugar mill-owners that they cannot sell beyond Rs. 28-8-0 per maund, but later on it became known that there was no written agreement. It was a gentlemen's agreement and the Sugar Syndicate said that Rs. 28-8-0 was the minimum price and they could not prevent any mill from raising the price beyond that, and that the maximum was not Rs. 28-8-0. So, in that way, loopholes are kept by this Government so that the producers, the big producers, the mill-owners, can have the advantage, and any time, some loophole which is discovered, then again something else is wrong

which will result in another loophole being discovered next year.

This is all I have to say, and mine is the only constructive way in which you can enforce patriotism on the mill-owners as well as the people, and this is the only way in which the mill-industry and the handloom industry and the Khadi industry can prosper in this country. Otherwise there is no hope.

Shri Kolappan (Ponnani): I do not agree with my friend Shri Gidwani. I am not troubled on the score of democracy. Democracy consists in saying what you please and in voting as you are told. If there is going to be a division on this Bill, you will see how people vote.

I agree with the Minister of Commerce and Industry that this is a very simple measure. It only proposes to levy a graded duty on dhoties produced in the mills in excess of the 60 per cent. they are allowed. From that point of view it is simple. But if, as the Statement of Objects and Reasons says, it is in pursuance of the decision to help the handloom industry, then it is a very disappointing one. This Bill waters down the promise that has been given to the handloom industry. The problem that faces us is not simply how to find a market for the handloom products—that is easily solved,—but how to resuscitate and revitalise the handloom industry which is already dying. It is not simply a decent burial that it deserves as the hon. Minister thinks. Our problem is how to expand this cottage industry and solve the problem of unemployment.

It is said that there are 29 lakhs of handlooms in this country. Here is a cottage industry which is capable of considerable expansion and can provide work for a hundred lakh of weavers or more. The handloom industry properly organised can give work and food for 5 crores of people. Viewed in that light, this measure is a reactionary measure which amounts

[Sbri Kelappan]

to a betrayal of the handloom industry. I know the Industries Minister is a friend of the mill industry and the business concerns. He does not believe in cottage industry. He may not be committed to the revival of the cottage industry, but the Congress is. I do not wish to say anything more on that.

It was as a result of widespread agitation in the country that the manufacture of dhoties by mills was restricted. The demand from the State of Madras was for the reservation of dhoties and sarees to the handlooms. The Minister did not see his way to do that. That was the only way really to revive the handloom industry. If this Bill is not intended as a going-back on the original decision to restrict the mills to 60 per cent. of the production of dhoties, I cannot understand why there should be a graded duty. The duty must be a computational one. It is immaterial whether they produce 5 per cent. or 50 per cent. more. I shall make it a rupee per yard.

I concede it is somewhat indecent for well-fed people to discuss the hunger of the less favoured, but I want to remind the Minister that hunger was responsible for all the revolutions in the world. It was hunger that precipitated the French Revolution. A mob of hungry women marched to the Parliament House. The politicians made good their escape. They, joined by their men, marched on the Bastille and the fall of Bastille was the inauguration of a new era in Europe. The revolutionary movement in the "hungry forties" of the 19th century in Europe also had its origin in hunger. The revolt of the East against Western domination was really due to hunger. And this Government also may take a warning from this. Unemployment is going to be the rock on which this Government will crash.

Shri K. K. Basu: Will they make good their escape?

Shri Pocker Saheb (Malappuram):

In the first place, I would just remind the House that I have got the greatest respect for my colleagues in the House, but it is high time that a convention is established here that the voting should correspond with the speeches made. If the speeches made here are taken into account, I do not think this Bill can survive the debate.

4 P.M.

Coming to the Bill itself, I should submit that it is the most ill-conceived Bill. It is difficult to understand what is really intended by this Bill. Is it intended to help the handloom industry? Certainly, it does not help the handloom industry. Is it intended to help the consumers? No, it does not help the consumers. If at all it helps anybody, it helps the millowners themselves, though it purports to impose some kind of a levy on them.

This question of the mill *versus* the handloom industry is a chronic one, and it has come to a crisis now. If you see the thousands of persons roaming about the country, particularly in the south, it is really a heartrending sight, and our Government here do not seem to tackle the problem seriously. They are playing with the problem, and with such a Bill as this they seek to tackle it. As has been characterised by an hon. Member on the other side, this is nothing but an eyewash.

If it is said that this Bill purports to help the handloom industry, I ask, how does it help the handloom industry? When it is mentioned by some hon. Members on this side of the House—of course, it might be from a Communist Member—that so many hundreds of persons are dying of starvation, on account of having been thrown out of employment in the handloom industry, the hon. Minister meets it by saying that whatever comes from the communalists....

Dr. Rama Rao (Kakinada): Communists.

Shri Pocker Sahab: I am sorry, I meant the Communists. The hon. Minister meets it by saying that whatever comes from the Communists is not true, for he has no faith in their *bona fides*. I certainly do not see eye to eye with the Communists, and I too am one of those who think that they are wanting in *bona fides* in many matters, but when a Communist speaks the truth, it does not cease to be truth, simply because it comes from a Communist. I do say that many people who have been thrown out of employment in the handloom industry are dying of starvation. What have the Government done to save the lives of the many hundreds of people who are roaming about in Malabar, in Calicut and other places, where gruel centres had to be started for months, in order to save their lives?

The hon. Minister was saying that no constructive suggestion has been made. When a constructive suggestion was made by no less a person than that veteran administrator, the Chief Minister of Madras, to exclude the production of *dhotis* and *saris* from the mills, and reserve them for the handloom industry completely, what action did the Central Government take? They cared a twopence for that suggestion, and now it is being said that no constructive suggestion has been made. Why did they not accept that suggestion, particularly when it came from the most responsible person, from a veteran administrator, who was in charge of the Commerce and Industry portfolio, in the Centre, some time back, and whom the hon. Minister of Commerce and Industry calls his erstwhile leader? If the Government were serious, they ought to have brought a Bill reserving the *dhotis* and *saris* completely for the handloom industry, and excluding their production from the mills. The attitude of Government shows that the mill is their pet child, and what treatment they are giving to the handloom industry is only one of a step-motherly character, and it is nothing but an eyewash.

Therefore, I oppose this Bill.

Shri Veeraswamy (Mayuram—Reserved—Sch. Castes): The intention of this Bill is to impose a levy on the production of *dhotis* over and above the permissible quota fixed by an Act of Parliament in January last. Now, the hon. Minister wants to prevent the mills from producing over and above the limit fixed, and also to levy some duty on the extra production. But this is not going to help the handloom weavers in any way, as the hon. Minister has stated in the Statement of Objects and Reasons. If he has any desire to improve the lot of the handloom weavers, he must have brought in a Bill, reserving the production of *dhotis* and coloured and bordered *saris*, for the handloom industry.

The Chief Minister of Madras State, Mr. C. Rajagopalachari has been demanding from the Central Government for the past one and a half years, the complete reservation of the production of *dhotis* and coloured and bordered *saris*, but the Central Government have been very indifferent to that just demand. There is a feeling in the south, that the Central Government have not been sympathetic towards the people of the south, who are suffering. You know that there are lakhs of people, both in the Madras and Andhra States, who are engaged in the handloom industry. In Tamil Nad alone, there are 38 lakhs of people, who are entirely dependent, in one way or the other, on the handloom industry. But since the last four years, they have been thrown out of employment, because of the unhealthy attitude of the Central Government. Thousands of families of the handloom weavers have been broken, and thousands of people have become regular beggars, and they are roaming about from one corner of the State to another, begging from door to door, even for a handful of food. The hon. Minister of Commerce and Industry, who hails from the south, knows very well the plight of the handloom weavers, and surely he must have taken some radical steps to redress

[Shri Veeraswamy].

the grievances of the handloom weavers. Instead of doing that, he has been strengthening the hands of the mill-owners, not only by this Bill, but also by the other Bill that has already been passed.

If the hon. Minister sincerely and honestly wants to redress the grievances of the handloom weavers throughout the country, he must tear this Bill into pieces, and come forward with a fresh Bill, reserving completely the production of dhotis and saris to the handloom industry, and preventing the mills from producing any kind of dhotis and saris, coloured or bordered. Let the mills produce fine or superfine cloth for the rich people who are in a position, to purchase any kind of thing that they need, by paying a very exorbitant price. But the poor people need things at a cheaper price. I am sure, if the handloom weavers are given employment, they will produce cloth which will satisfy the needs of the poor people. I dare say once again, that if the handloom weavers in the south are given employment, they would produce quantity of cloth we require. We have already begun to boycott mill-made cloth in the south, and two years ago, we, of the Dravidian Federation, picketed the mill-made cloth shops. That is a very well-known thing, to the hon. Members who are coming from the south.

So if the Central Government are going on like this and if they are indifferent to the sufferings of the south, I warn them that sometime or other the fight that has been going on for the past 15 years for complete secession of the south from the north will get a momentum and that will decide this issue.

Mr. Deputy-Speaker: Dr. Rama Rao. After he finishes, I will call the hon. Minister.

Dr. Rama Rao: Mr. Deputy Speaker, Sir, the discussion in the House has made one thing very clear, that the hon. Members are alive or conscious

to the condition of unemployment and starvation and the critical situation amongst the handloom weavers. I do not think the hon. Minister is equally conscious of the acuteness of the situation. He knows the position. But the situation worsening from day to day is really pathetic. Because all the sections of the House, irrespective of parties, attack the policy of the Government, the hon. Minister lets off his steam against the unfortunate Communist Party. I do not know what we on this side of the House said which was not said on the other side yesterday.

One thing I want to make clear. Probably the Minister does not know that a certain person in Bhimavaram (in West Godavari district) committed suicide. He had left a letter behind—he did not send the letter to Mr. Gopala Rao. But after his death, the letter was found. It was addressed to Mr. C. Rajagopalachari. I do not know whether it was sent to him afterwards or not. He wrote that letter after days of starvation saying that he was dying because the Government was not helping the handloom industry.

Secondly, of course, I do not mind all the compliments he paid us. They come from everywhere—from Syngman Ree to MacArthy and the British Government.

An Hon. Member: A symposium.

Dr. Rama Rao: Leaving that alone, I am astounded at his statement that the handloom weavers do not want to work. Probably he does not mean it. He said that they were previously making money out of the quota permits. It is partly true. But to say that they do not want to work is most astounding and adding insult to injury. People are ready to work and we all know—you know particularly—they work for 10, 12 or 14 hours a day without a living wage. Facing starvation they are prepared to work; and what they want is work and a living wage. Of course, they can have

plenty of yarn. but without a living wage they have to work.

Before I conclude, I would just quote a prominent Congressman, Pandit Sunderlal. He referred to the Banarsi industry.

Shri T. B. Vittal Rao (Khammam): Is he a Congressman?

Dr. Rama Rao: A Congressman. I would just read it:

"Industries which successfully stood the shock of foreign rule for over a century are now in danger of becoming extinct".

And he talks about starvation and all that. I do not, therefore, need to convince the Members—and it is impossible to convince the Minister—that there is starvation among handloom workers. Therefore, I suggest, Sir, that this is a serious problem. It is not a problem for a month or two or a year or two. He has to face this for a number of years. There are conflicting interests—the millowners, mill workers, consumers and the handloom weavers. Therefore, we must have some compromise. Some people must have to pay more so that nearly a crore of people won't starve and won't die. I saw recently some families. I saw starvation in their face. It is pathetic. Some of them come to me for medical consultation, and in the usual routine, like a medical man, I say 'Take good food—eggs, milk, fruit'. But where are eggs and milk? They do not have even 'kanjee', Sir. So the position is very serious.

The first thing Government must do is to come to a sort of compromise between the various interests. Dhoties and bordered and coloured sarees must be reserved for the handloom. And I want the Minister to think in terms of supplying yarn at cheap rates to the handloom weaver. Any amount of money you supply is of no use. Even if you give 10 crores of rupees to the handlooms, it won't do any good.

I am finishing, Sir. They must look after the supply of yarn. The wily

Bill

capitalists may not supply them with yarn at cheap rates. Therefore, the Government must think and devise some means of supplying yarn at cheap rates, and the Government should buy all their requirements from handloom cloth.

Shri Dhulekar (Jhansi Distt.—South): I want to speak for a few minutes. I wish to support the Bill.

Mr. Deputy-Speaker: I cannot allow it.

Shri Dhulekar: I won't take much time—not more than five minutes.

Mr. Deputy-Speaker: The hon. Member will kindly resume his seat. I did not allow any hon. Member to speak for more than five minutes. Therefore, that is no concession in my favour. Already I allowed so many persons to speak in the Third Reading. I took the time much against the decision of the Advisory Committee. There is the other Bill pending. Of course, some people wanted to speak yesterday. Mr. Rajabhoj went away in a huff. He would also like to speak.

Shri Dhulekar rose—

Mr. Deputy-Speaker: All right. Mr. Rajabhoj.

श्री पी० एन० राजभोज (शोलापुर—रक्षित—प्रमुखित जातियाँ) : उपाध्यक्ष महोदय, मैं इस पर बहुत कुछ बोलना चाहता था, पर आज मैं अपने नोट नहीं लाया हूँ। मैं कामर्स मिनिस्टर साहब से यह कहना चाहता हूँ कि मैं जिस कांस्टीट्यूएन्सी पानी शोलापुर से आता हूँ वहाँ हॉटलूम से काम करने वाले लोग बहुत ज्यादा रहते हैं। मुझे डर है कि इससे उनको कोई लाभ होगा या नहीं। यह जो धोती की सप्लाई का सवाल है इससे ब्लैक मार्केट करने वालों को बहुत फायदा होने वाला है। न मालूम गवर्नमेंट क्या करना चाहती है। उसके दिमाग में कमी कुछ आता है और कमी कुछ आता है। हमको इस बात की ज्यादा से ज्यादा जरूरत

[श्री पी० एन० राजमोज]

है कि जो पैसा धोती के टैक्स से घाबे उसका उपयोग हैडलूम का काम करने वालों के साम के लिये किया जाय। बैकवर्ड क्लास के लोग जो कि बीवर हैं, मैं चाहता हूँ कि गवर्नमेंट उनके लिये उस पैसे को खर्च करे। उनके लिये कोमोपरेटिव सोसाइटियाँ बनावे और जो उनका कपड़ा तैयार हो उसको गवर्नमेंट शॉप बनाकर बेचना चाहिये। अस्पतालों में और मिलिटरी में हैडलूम का कपड़ा काम में लाया जाय। जिस तरह गवर्नमेंट खादी के लिये कर रही है वैसे ही हैडलूम के वास्ते करना चाहिये। जैसे कि वह कर दिया गया है कि जो खदर की टोपी पहनेगा वही कांग्रेस का मेम्बर होगा। बंसी ही कोई कंडीशन हमारे मिनिस्टर साहब हैडलूम के कपड़े के लिये बना दें। मिनिस्टर महोदय मेरी बातों की ओर ध्यान दें। हमारे कामर्स मिनिस्टर साहब बातें कर रहे हैं उनको सुनने का टाइम नहीं है।

उपाध्यक्ष महोदय : सुन रहे हैं। उनके कान आपके साथ हैं।

श्री पी० एन० राजमोज : मैं आप के जरिये मिनिस्टर साहब से पूछना चाहता हूँ कि क्या उनके पास हैडलूम के लिए कोई स्कीम है। मेरे ख्याल से तो उन के पास कोई स्कीम नहीं है। केवल उन्होंने एक छोटा सा बिल बना दिया है और इसके लिए उन्होंने कोई शक्ति खर्च नहीं की है। तो मैं उनसे कहना चाहता हूँ कि जो हैडलूम से काम करने वाले हैं उनको लाभ होना चाहिए। उनका माल अस्पतालों में, मिलिटरी में और जैसा कि रार्शनिंग का कंट्रोल बना दिया या उसी प्रकार कंट्रोल बनाकर खपाया जाय। यह किया जाय कि इतना इतना माल हैडलूम का लेना होगा। ऐसा जब तक नहीं होता है

तब तक इन लोगों को ज्यादा सपोर्ट नहीं मिल सकती है। मैं तो समझता हूँ कि जो खदर की टोपी पहनने वाले हैं उन पर टैक्स लगा दिया जाय तो बहुत अच्छा होगा क्योंकि यह तो गवर्नमेंट की निशानी है। इन लोगों पर टैक्स लगाना चाहिए और जो हमारे हैडलूम से काम करने वाले हैं इनको ज्यादा से ज्यादा सहायित्व देनी चाहिए।

Mr. Deputy-Speaker: Is khaddar manufactured in mills?

श्री पी० एन० राजमोज : खदर पर भी टैक्स लगाना चाहिए। इससे गवर्नमेंट को पैसा मिलेगा।

एक नामगोप्य सदस्य : वह भी तो हैडलूम है।

श्री पी० एन० राजमोज : वह तो चरखा है। चरखे और हैडलूम में बहुत फर्क है।

हैडलूम इंडस्ट्री के जो लोग हैं, उनके लिए ज्यादा से ज्यादा लाभ हो, इसकी कोशिश करने के लिए गवर्नमेंट के पास कोई स्कीम नहीं है और वह कोई स्कीम बनाती भी नहीं है। मेरे ख्याल से यह जो बिल है, इसका कोई अच्छा नतीजा नहीं निकलेगा। इस से ब्लैंक मारकेट वालों का फायदा होगा, मिल वालों को ज्यादा लाभ होगा। सात रुपये की धोती लेने को कोई जायेगा तो दूसरे ब्लैंक मारकेट वाले लोग साढ़े सात और आठ रुपये लेंगे। इसका नतीजा इस तरह ठीक नहीं निकलेगा। इसके लिये गवर्नमेंट को कोई ठोस स्कीम बनानी चाहिये जिस से कि जो गरीब मजदूर काम करने वाले हैं उन के लिये जो बड़े बड़े मिस्स हैं उन में नौकरी मिल सके। इस के लिये सरकार को कोशिश करनी चाहिये।

हैंड वीविंग हो नहीं, कोई न कोई स्कीम बनानी चाहिये और स्कीम बनाने के बाद गरीबों का फायदा होना चाहिये यही मेरा कहना है।

अभी क्या हालत है कि गोलपुर में बहुत लोग बेकार हैं, उनकी काम नहीं मिलता है, भन्सा नहीं मिलता है। नवर्नमेंट कहती है धान मिल जायगा, लेकिन वह मिलता नहीं है। उसकी हालत खराब हो रही है। तो इस के लिये नवर्नमेंट की पूर्णकाम पालिसी नहीं है। यह जो पांच सत्र मिनट का टाइम था उस में जो कुछ कहना था वह कह दिया। अब दूसरा टाइम आयेगा तो बात कल्ला। हमने जो कहा है उसको हमारे कामर्स मिनिस्टर साहब अच्छी तरह से दिमाग में लाकर देखें और हमारी हैंडलूम इंडस्ट्री के जो लोग हैं उन के लिये अच्छी स्कीम बनावें जिस से उन का लाभ हो।

Shri Dhulekar: Sir, I am grateful to you for giving me a few minutes time

Mr. Deputy-Speaker: The only difficulty that I feel is that hon. Members come once in a blue moon and as soon as they come they want to catch my eye. I find it very difficult.

Shri Dhulekar: I only want to clarify the atmosphere that has been made very tense and thick on account of several arguments that have been brought in, although I would say that they are not relevant at this stage. The point is very clear that all sections of this House have supported the proposition that it is very necessary that the handloom industry should be supported, and that the handloom industry can only be supported by giving it some protection. Now, the Opposition benches supported the opinion of Sbrī Rajagopalachari that all the dhoti quota of this country should be handed over to the handloom industry.

An Hon. Member: But the Congress benches would not support it.

Shri Dhulekar: If we consider that proposition, everybody will agree that a full stop cannot be put upon the manufacture of dhoties all over the country and therefore a beginning has to be made. Now, we began with 60 per cent. and we levied a duty and also said that there should be a quota which will be 60 per cent.

Now, I put this very straight question. What is the objection? You want 100 per cent.; I give you 60 per cent. as a beginning. Let the handloom industry take over charge of a some percentage of the dhoties of India and later a 75 per cent. quota will be given to them. Sir, first of all we passed the Khadi and other Handloom Industries Development (Additional Excise Duty on Cloth) Act, 1953, (XII 1953). Now, what is the logical conclusion? The logical conclusion is that that if any mills do not accept the request made by the Indian people that they should help the handloom industry by restricting themselves only to a certain percentage, what should the Government or the hon. Minister do? Some people say that people should be sent to jail and they should be punished. I say that it is civil law and you are not making an Indian Penal Code. Mills and Companies are not individuals that particular persons can be punished. Now, for argument's sake, I put this question. How to punish them? Here it is suggested that we have to fix a quota by taking the average for the last year. The average cannot be a definite quantity because things are produced from day to day and certain calculations have to be made. Therefore the mills cannot say that they will have only 2 lakhs or 3 lakhs of dhoties. That average is indefinite. We have also to make a provision as to what should be done if they made a certain percentage above the fixed one. Some people will say punish them. I say that they have been punished in this very proper manner that their error will be condoned to a

[Shri Dhulekar]

particular extent and if they do commit that error to a larger extent, then they will have to pay 2 annas, then 3 annas, then 5 annas and then 8 annas per yard. This is the penalty they have to pay.

Most of my hon. friends have read into this Bill a help to the mill-owners. I, Sir, for one, cannot read that meaning into this Bill at all. What do they want? They want that after passing that Ordinance we should keep mum; we should say that it should be 60 per cent. Suppose it is more than that; what should be done? So, I would say, whatever possible has been done and a provision has been made.

Now, people talk of unemployment, want of handloom industries in Rajasthan, in Uttar Pradesh and all that. I do not join issue with them that the handloom industries are not in a bad condition. I do not say that you should not organise co-operative societies all over India and help the handloom industry. I do not say that they should not do it and the hon. Minister of Commerce also does not say that. I say that every effort will be made to organise co-operative societies for having handloom industries all over India and within a year or six months we shall have a network of handloom industries all over the country. I say, Sir, that that point may be germane to this, but to say that because handloom industries have not been started, therefore, this Bill should be thrown out, I cannot support.

With these few words, Sir, I support the Bill.

Shri T. T. Krishnamachari: I thought, that after speaking for about 50 minutes—with digressions, undoubtedly—I had explained the position in regard to this Bill. But I am sorry to see that I have not made myself clear again. May I re-state the position, Sir?

In November 1952, in order to help the handloom industry and in response to a demand that came, particularly from the South, Government by the power vested in them under the Textile Control Order limited the production of *dhoties* by mills to 60 per cent. of what they produced during the peak period. That order was in operation practically from January. The over-all result was that we were able to restrict the production of *dhoties* to 60 per cent. It came to 29,000 bales a month which was less than 60 per cent. of the production during the peak period and about 64 per cent. of the normal period. The result of it was that the price of mill-made *dhoties* went up. It went upto 40 per cent. in the case of superfine and 15 to 30 per cent. in the case of medium and fine. That was the culmination that was desired by restriction of production. If production is restricted, naturally the price of that commodity goes up.

An Hon. Member: Who is benefited?

Shri T. T. Krishnamachari: I will come to that. Then the price went up. As a result of the prices going up, the handloom industry in South India did benefit to some extent. It may be that it did not get the amount of satisfaction that was necessary for the handloom weaver, but there is no denying that he has benefited because the consumption of mill-made *dhoties* in Madras had come down by 80 per cent.—that was what I said yesterday. But, Sir, the prices of mill-made *dhoties* in Orissa, in Bengal, in Bihar, in Uttar Pradesh, in Rajasthan and in the Punjab went up, and so the Governments of various States did not react very favourably because the problem of *dhoti*—handloom weaving—was not one that was very prominent before them. They had the problem of handloom weavers and undoubtedly, every State has it, but it is not so much a question of *dhoties* and *saris* for them, and, therefore,—I am not disclosing any secret which ought not to be disclosed—the Governments of Bengal, Orissa, Bihar and

U.P. did not like this measure and did protest against the restriction. They said "You must make an exception in our favour". Having agreed to a policy which had to benefit the handloom industry—this country being one and we can only legislate for the entire country—Government had to stick to their views. My hon. friend on this side from U.P., who is a very mild and meek man, did get excited and angry with me. I did not follow all that he said, but I felt that he was completely displeased because he thought that this was a retrograde measure.

Babu Ramnarayan Singh: Certainly.

Shri T. T. Krishnamachari: Shri Ramnarayan Singh is an old friend and also an obstinate friend who will never change. The point really is that he did not understand that I have to face his Government. His Government is a popularly elected government and has probably a right equal to the right that he possesses over me to tell me "You are wrong" and the Government has said it in so many words. My position is an unfortunate one. I might believe, as Shri Kelappan says, in large scale industries; I might not believe in small scale industries. I might have read about the French Revolution as he has read, a little more or a little less, and I know the philosophy of hunger. I do not mind confessing here that I came here at 10 minutes to 2 as I thought the question hour would be gone through quickly and this Bill will also be disposed of and I could and so I have not had my lunch before I came. So I do know the philosophy of hunger very well—the handloom weaver goes without food for a whole day and I go without my lunch or coffee, these do not matter much—and we all know the same philosophy and believe in it, but then belief and practice have got to be synthesised in relation to the circumstances that prevail. Here is Orissa from which Shri Sarangdhar Das comes and in his province, my hon. friend and predecessor told me that he cannot go into the villages because the prices of dhoties

have gone up by 40 per cent. and people complain. It is a grim fact and I do realise that the prices have gone up because we have had a restriction and it was intended that the price of mill-made dhoti should go up so that the handloom weaver, whose cost of production is high because the industry is labour intensive, cannot sell his goods. That is what happens when we try to seek a short-cut remedy and to achieve quick results, and somebody does suffer—it is a fact—and the same is the case in Bengal. It is not that my friend, the Chief Minister, wanted to disobey any law but he had to face the problem of his people having to pay 30 to 40 per cent. more for their dhoties. This was the problem right at his doors. In practically the same way, Shri C. Rajagopalachariar had the question of the hungry handloom weaver right at his doors. The problems vary from State to State. The problem which a Chief Minister of one State has to face is none the less intensive, though it differs from the problem in another State. That is why we thought of putting an additional check on these mills by saying that if there is any deviation, that deviation will be limited by the force of circumstances and the penal levy. Then the idea that the mill-owner can make money by selling in black-market, as my hon. friend said, will not carry him far. If he makes money by selling a portion of it at black-market prices he will have to pay us a portion of his profit and there is some check. The powers that the Government possesses under the Textile Control Order still remain. Those powers have got to be tested. We can prosecute. Tomorrow I can reduce the percentage to 50 and I don't have to come to Parliament for it, though ultimately for every action of mine I am responsible to the Members of Parliament. We are democratic body notwithstanding the fact that my friend over there, who looks at it from a warped angle naturally because of circumstances, in which he is found, thinks it is not democratic. Therefore, if I want to reduce it to 50 per cent., I could reduce it under the powers vested in me by the

[Shri T. T. Krishnamachari]

Textile Control Order If my hon. friend from U.P. wants to reduce the percentage and if he could convince the Chief Minister and Ministers in U.P. that that is proper, I am prepared to reduce it, if necessary to 50 per cent. So far as this measure is concerned, it will only affect when the mills manufacture beyond 60 per cent. But I have got other powers which I could exercise. I can, for instance, stop the supply of cotton to a mill which misbehaves. If I do that, what happens? Let me tell you an instance. There was a mill—Raj Kumar Mill in Indore—which misbehaved for a different reason and I had to stop supply of cotton to it. But what happened? 2,500 labourers were thrown out and I had to eat the humble pie and to give the mill, cotton again. It is not a question of punishing the mill-owner, but it is a question of punishing the labour.

Shri S. S. More: Can you not punish the owner or the manager?

Shri T. T. Krishnamachari: I can do very much more than Shri More thinks of if I have the power. Shri More is a lawyer and a very profound one in that he knows the Constitution and he knows also that I am fettered by the Constitution in regard to my free movement. To come back to this Bill, this is not a support to any mill-owner. It does not help the capitalist. You may say that it does not help the handloom weaver anything more than what the Order of November 1952 has done. It is true. This does more or less crystallise the position of my Order of November 1952 in that I have compelled the mills to stick to 60 per cent. and for marginal adjustments they will have to pay penalty. If the mills, however, go beyond the limits of penalty, I can take other measures. It may be by cutting down the supply of cotton to them. There are other methods also to which I can take action.

Shri Kelappan: Why can you not make the duty prohibitive?

Shri T. T. Krishnamachari: I can make it so, but Shri Kelappan is looking at the problem from one point of view only, namely, the handloom weaver's point of view. He does not appreciate that it means that we would then punish the consumer. That is why in spite of my ideological differences with a person like Shri Hiren Mukerjee, I do realise the words uttered by him, "We are suffering from illusions and we feel that those illusions will be realised by short cuts." He is right and I cannot but acknowledge that, but the whole trouble is that the world is so different, economic factors are so varied and problems vary from State to State, so much so even Providence fails sometimes, to find a remedy suitable to all. I am afraid. I will give this assurance to hon. Members if they have any misconception on this. This is not sliding down from the position taken in November 1952; on the other hand it is strengthening that position. If I find that the position is really deteriorating, let me give the assurance to hon. Members in all solemnity that I have other powers to compel the mills to see that they do not transgress the stipulated limits. If I want more powers, I will come and tell the hon. Members that I want more powers. But for God's sake let them not misunderstand the position. There is no need for alarm even though the position of the handloom weaver is bad. Mr. Kelappan is not right in saying that I have got an inhuman heart. It is not a stony heart, and I wish to say it is as soft as he possesses. There is no use his accusing me. I know Mr. Kelappan would not say or use a language which is improvised for the time being as my friend Mr. Gidwani did as what he said that it is a patent abuse and nothing else. Yes; he stated something about vanaspathi as if he is the only person to have the right to be patriotic. But I am sorry, Sir, that being psychopathological is not patriotic. I do not want to exchange any more words with him, Sir. Finally, I give this assurance to hon. Members. Let

them not have any doubt about it: the position of the handloom weaver will not deteriorate by this measure and we hope that it will be strengthened. If it does deteriorate, I shall come and tell the Members that it has deteriorated and then we must seek other remedies to strengthen the position. But then let them understand that in strengthening the position of the handloom weaver by means of this restriction we cannot escape the inescapable; that is all such measures raise the price of mill dhoties to weavers in very many areas where mill dhoties are used.

Mr. Deputy-Speaker: The question is:

"That the Bill be passed".

The motion was adopted.

INDUSTRIAL DISPUTES (AMENDMENT) BILL, 1953

Mr. Deputy-Speaker: The House will now take up the clause by clause consideration of the Industrial Disputes (Amendment) Bill.

Clause 2.—(Amendment of section 2)

Shri K. K. Desai (Halar): I beg to move:

In page 1, line 12,—

omit "paid or"

In page 1, line 24,—

omit "paid or"

Shri K. P. Tripathi (Darrang): I beg to move:

In page 2,—

(i) in line 3, for "uninterrupted service" substitute "uninterrupted employment which has not been earlier terminated expressly by the employer"; and

(ii) omit lines 4 to 7.

Shri A. N. Vidyalkar (Jullundur): I beg to move:

In page 2, line 3,—

for "uninterrupted service" substitute "uninterrupted employment".

Shri S. S. More (Sholapur): I beg to move:

In page 2,—

for lines 3 to 7 substitute—

"(eee) 'continuous service' means uninterrupted service, and includes service which may be interrupted merely on account of sickness, or accident, or such absence on account of family events as may be prescribed, or military service, or the exercise of civil rights and duties, or changes in the management of the undertaking, or intermittent involuntary unemployment if the duration of the unemployment does not exceed a prescribed limit and if the person concerned resumes employment, or pregnancy and confinement if her absence does not exceed a prescribed period."

Shri T. B. Vittal Rao (Khammam): I beg to move:

In page 2, line 6,—

after "illegal" insert "or lock-out, or closure, or lay off"

Shri A. N. Vidyalkar: I beg to move:

In page 2, line 6,—

after "illegal" insert "or lay-off, lock-out or closure, or due to unavoidable climatic reasons"

Shri D. C. Sharma (Hoshiarpur): I beg to move:

In page 2, line 6,—

after "illegal" insert "or lock-out or lay off"

Shri N. Sreekantan Nair (Quilon cum Mavelikkara): I beg to move:

In page 2, line 11,—

after "expressions" add "including lock-out"

Shri K. K. Desai: I beg to move:

In page 2, line 14,—

omit "similar"

Shri S. S. More: I beg to move:

In page 2, line 14,—

omit "similar"

Shri T. B. Vittal Rao: I beg to move:

In page 2, lines 16 and 17,—

omit "and who has not been retrenched"

Shri S. S. More: I beg to move:

In page 2, line 17,—

after "retrenched" add "for valid and proper reasons"

Shri Bhagwat Jha (Purnea cum Santal Parganas): I beg to move:

In page 2,—

omit lines 18 to 24.

Shri A. N. Vidyalkar: I beg to move:

In the amendment proposed by Shri V. V. Giri printed as No. 27, in list No. 2—

in the second proviso to the Explanation—

for "for that part of the day" substitute "for the whole day".

Shri K. P. Tripathi: I beg to move:

In page 2, line 21,

after "and" insert "is refused work, or"

Shri N. Sreekantan Nair: I beg to move:

In page 2, line 31,—

after "workman" insert "before the age of superannuation"

Shri S. S. More: I beg to move:

(i) In page 2, line 32,—

before "age" insert "prescribed".

(ii) In page 2, line 35,—

after "behalf" add "and if the worker is found to be physically unfit to carry on his work with his usual efficiency"

Shri A. N. Vidyalkar: I beg to move:

In the amendment proposed by Shri V. V. Giri printed as No. 29 in the list No. 2—

in part (ii), after "ill health" add—

"of not less than six months' duration, and certified by the Civil Surgeon".

Shri Bansal (Jhajjar-Rewari): I beg to move:

In page 2,—

after line 35 add—

"(c) termination of the service of a workman on the ground of continued ill health,"

(d) completion of service at the end of a specified period of engagement."

Shri V. Missir (Gaya North): I beg to move:

In page 3, line 4,—

omit "or provident fund".

Mr. Deputy-Speaker: Amendments moved:

In page 1, line 12,—

omit "paid or".

In page 1, line 24,—

omit "paid or".

In page 2,—

(i) in line 3, for "uninterrupted service" substitute "uninterrupted employment which has not been earlier terminated expressly by the employer".

(ii) omit lines 4 to 7.

In page 2, line 3,—

for "uninterrupted service" substitute "uninterrupted employment".

In page 2,—

for lines 3 to 7 substitute—

"(eee) 'continuous service' means uninterrupted service, and includes service which may be interrupted merely on account of

sickness, or accident, or such absence on account of family events as may be prescribed, or military service, or the exercise of civil rights and duties, or changes in the management of the undertaking, or intermittent involuntary unemployment if the duration of the unemployment does not exceed a prescribed limit and if the person concerned presumes employment or pregnancy and confinement if her absence does not exceed a prescribed period."

In page 2, line 6,—

after "illegal" insert "or lock-out, or closure, or lay off".

In page 2, line 6,—

after "illegal" insert "or lay-off, lock-out or closure, or due to unavoidable climatic reasons".

In page 2, line 6,—

after "illegal" insert "or lock-out or lay off".

In page 2, line 11,—

after "expressions" add "including lock-out".

In page 2, line 14,—

omit "similar".

In page 2, lines 16 and 17,—

omit "and who has not been retrenched".

In page 2, line 17,—

after "retrenched" add "for valid and proper reasons".

In page 2,—

omit lines 18 to 24.

In the amendment proposed by Shri V. V. Giri printed as No. 27, in list No. 2—

in the second proviso to the Explanation—

for "for that part of the day" substitute "for the whole day".

542 P. S. D.

In page 2, line 21,

after "and" insert "is refused work, or".

In page 2, line 31,—

after "workman" insert "before the age of superannuation".

In page 2, line 32,—

before "age" insert "prescribed".

In page 2, line 35,—

after "behalf" add "and if the worker is found to be physically unfit to carry on his work with his usual efficiency".

In the amendment proposed by Shri V. V. Giri printed as No. 29 in the list No. 2—

in part (ii), after "ill health" add—

"of not less than six months' duration, and certified by the Civil Surgeon".

In page 2,—

after line 35 add—

"(c) termination of the service of a workman on the ground of continued ill health,

(d) completion of service at the end of a specified period of engagement."

In page 3, line 4,—

omit "or provident fund".

I will call upon the hon. Minister first to speak in relation to his amendments. Hon. Members will speak on the clause and on all the amendments that have been moved—not only on their own amendments but on other amendments also under this clause—so that once for all the debate would go along. I would not give them another chance even in respect of their own amendments in this clause.

The Minister of Labour (Shri V. V. Giri): My amendment No. 27 is self-explanatory. I beg to move:

In page 2,—

for lines 18 to 24, substitute:

"Explanation.—Every workman whose name is borne on the muster rolls of the industrial establishment and who presents himself for work at the establishment at the time appointed for the purpose during normal working hours on any day and is not given employment by the employer within two hours of his so presenting himself shall be deemed to have been laid-off for that day within the meaning of this clause:

Provided that if the workman, instead of being given employment at the commencement of any shift for any day is asked to present himself for the purpose during the second half of the shift for the day and is given employment, then he shall be deemed to have been laid-off only for one half of that day;

Provided further that if he is not given any such employment even after so presenting himself, he shall not be deemed to have been laid-off for the second half of the shift for the day and shall be entitled to full basic wages and dearness allowance for that part of the day."

This amendment, Sir, is intended to enable full work being given in the second half of the shift. I do not want to make a speech: it is so clear.

I also beg to move:

In page 2,—

(i) in line 35, add at the end "or"; and

(ii) after line 35 add—

"(c) termination of the service of a workman on the ground of continued ill health".

I have nothing to say on this amendment.

Mr. Deputy-Speaker: Amendments moved:

In page 2,—

for lines 18 to 24, substitute:

"Explanation.—Every workman whose name is borne on the muster rolls of the industrial establishment and who presents himself for work at the establishment at the time appointed for the purpose during normal working hours on any day and is not given employment by the employer within two hours of his so presenting himself shall be deemed to have been laid-off for that day within the meaning of this clause:

Provided that if the workman, instead of being given employment at the commencement of any shift for any day is asked to present himself for the purpose during the second half of the shift for the day and is given employment, then he shall be deemed to have been laid-off only for one half of that day;

Provided further that if he is not given any such employment even after so presenting himself, he shall not be deemed to have been laid-off for the second half of the shift for the day and shall be entitled to full basic wages and dearness allowance for that part of the day."

In page 2,—

(i) in line 35, add at the end "or"; and

(ii) after line 35 add—

"(c) termination of the service of a workman on the ground of continued ill health."

Shri K. K. Desai: Sir, I have moved three amendments. My amendment No. 21 seeks to omit the words "paid or" from sub-clause (i) (aa). Similarly I want to omit these words from line 24.

If 'paid or' is retained in the clause I am afraid it may so happen that in certain periods the wages paid may have been less. This Bill is meant to meet an emergency which may arise in future. The amendments which I have moved are very clear and I hope the hon. Minister will accept them.

The third amendment which I have moved seeks to omit the words "similar" from line 14. This is also important, because if the word similar is not deleted, the worker is likely to suffer. There are so many cases in which a lay-off takes place for reasons beyond the control of the worker. For example, there are heavy rains and a particular department is flooded and it is closed down. The worker presents himself at the mill gate, but he is not able to work because there is flooding in the department. In such cases the worker should be paid, because he is absenting not on his own volition, but for reasons beyond his control. As a matter of fact he presented himself at the mill, but was not given work. I think the intention of the Bill would be better served if this amendment also is accepted by the hon. Minister.

[PANDIT THAKUR DAS BHARGAVA in the Chair]

Shri Bansal: Sir, with regard to the amendment No. 27 moved by the hon. Minister I would just like to ask him if this is in keeping with the Fourteen Point Agreement. As I will point out later on while discussing other amendments, it is not proper to make drastic changes in any tripartite agreement that might have been arrived at. I am not able to understand quite clearly whether this amendment No. 27 does not violate the spirit of that agreement. If the hon. Minister thinks that it is in conformity with that agreement and is merely of an explanatory nature, I would support this amendment.

I support his amendment No. 29 and along with that my amendment No. 73 which I have moved. The first part of my amendment is the same

as that moved by the hon. Minister. The second part of my amendment reads:

"completion of service at the end of a specified period of engagement".

Now, Sir, this clause reads thus:

"retrenchment" means the termination by the employer of the service of a workman for any reason whatsoever, otherwise than as a punishment inflicted by way of disciplinary action, but does not include—

(a) voluntary retirement of the workman; or

(b) retirement of the workman on reaching the age of superannuation if the contract of employment between the employer and the workman concerned contains a stipulation in that behalf."

According to the amendment of the hon. Minister sub-clause (c) which is sought to be added would read thus:

"(c) termination of the service of the workman on the ground of continued ill-health".

According to my amendment (d) would read thus:

"(d) completion of service at the end of a specified period of engagement."

The reason for my moving this amendment is this. In a number of concerns young people offer themselves for jobs either as apprentices or for contract jobs to start with. Again there might be small or big concerns which might have in hand a piece of job which might come to an end within a period of six months, a year or two years and the person concerned may be employed for that specified period. If that is the case then I do not think termination of service at the end of that specified period should be treated as retrenchment. That is a simple amendment that I want to move.

[Shri Bansal]

5 P.M.

I have not been able to follow any of the amendments moved by my friend Shri Khandubhai Desai. He wants the deletion of the words "paid or". I read the clause which says that 'average pay' means the average of the wages paid or payable to a workman. Now, if the words "paid or" are removed it will mean payable to a workman. I do not see what difference it will actually make. Now two options are being given namely wages paid or payable—whichever is higher, in my opinion—and therefore it is to the advantage of the worker. I think that is the interpretation which will be borne out by any court. Therefore I think that these words should remain. But if the House is of opinion that my interpretation is wrong and if the Minister accepts the amendment of Shri Khandubhai Desai I will not oppose it.

But I do oppose his other amendment for the deletion of the word "similar". Because in that case this will become a very omnibus and wide clause and I am not able to envisage the possibilities. Here again I would like to know—Shri Khandubhai Desai was a party to that fourteen point agreement—if this will not be going absolutely against the spirit of that agreement.

Shri K. K. Desai: It was a general agreement to pay lay-off.

Shri T. B. Vittal Rao: Sir, the fourteen point agreement has been referred to by Mr. Bansal. We would like to have a copy of it. Otherwise, if the Minister goes on referring to it we would be in a difficult position.

Mr. Chairman: He should have seen the agreement before he came to the House. It was not an agreement to which Parliament is a party; it was between employers, employees and Government.

Shri Kasliwal (Kotah-Jhalawar): Copies of it are available in the Library.

Mr. Chairman: He should have made himself acquainted with it.

Shri S. S. More: May I make a submission? Some of the reports of the tripartite conferences have been circulated already. But the latest report in which this particular matter is supposed to be embodied has not been circulated. Since the previous documents have all been circulated I think we would not be wrong if we expect this particular document also to be circulated.

Shri V. V. Giri: It was placed on the Table of the House.

Shri S. S. More: But the previous documents have been circulated to every one of the Members.

Mr. Chairman: This was placed on the Table of the House.

Shri S. S. More: I do not know whether the Government is out for genuine economy. But if the previous documents were circulated, this one which is in line with the previous documents should also be circulated to us. Of course we know that when it is laid on the Table we can go to the Library and see. But the report of 1952 for instance, a big volume, was circulated. So I do not know why this has not been circulated unless we take it as the intention of the Government to embark on economy measures.

Mr. Chairman: It is rather too late. For instance it happened yesterday when papers were being laid on the Table and some Members said that they should be circulated, and they were circulated. Now it is too late.

Shri Bansal: Sir, on a point of information. My hon. friend from that side said that I have referred to the fourteen point agreement. It was not I who quoted it for the first time. The hon. Minister made a detailed reference to them the other day.

Mr. Chairman: It makes no difference.

Shri S. S. More: Sir, I have moved certain amendments (Nos. 64, 66, 67, 70 and 71). I seek your permission to speak on clause 2.

Mr. Chairman: Certainly.

Shri S. S. More: I will indicate the purpose of every one of my amendments, but before that I should like to make a few observations regarding amendment No. 27 which has been moved by the hon. Minister. In the Bill as it has been introduced the Explanation provides that the worker concerned will have to present himself at a particular time for the purpose of seeking employment and if he is not engaged or given any employment on that presentation then he shall be deemed to have been laid off. Now according to the amendment of the hon. Minister the worker will have to present himself twice, first at the beginning of the first half of the shift and over and above that, if he is not given any employment, he will have to repeat his performance and present himself during the second half of the shift.

I think this is imposing an additional burden, making the concession more onerous than it should be. I should like to take a case. At the beginning of the day the worker presents himself at the door of an employer and the employer tells him "Well, for one week there is no chance of your being engaged". But in spite of such a categorical reply by the employer, according to the original clause and worse still according to the latest amendment, the poor, unfortunate, half-starving employee will have to walk the distance and perform a sort of ritual and present himself at the unsympathetic doors of the hard-hearted employer...

Shri K. K. Desai: Would you see the last two lines of the amendment?

An Hon. Member: Your amendment?

Shri K. K. Desai: The same amendment.

Shri S. S. More: He is referring to

this:

"Provided further that if he is not given any such employment even after so presenting himself, he shall not be deemed to have been laid-off for the second half of the shift for the day and shall be entitled to full basic wages and dearness allowance for that part of the day."

Even this reinforces my own argument.

Shri V. V. Giri: He is certainly benefited by presenting himself.

Shri S. S. More: As far as taking some exercise is concerned he will be surely benefited. But some walking exercise for a famished and half-starved man—it may be good for Mr. Giri—but it will not do any good to the half-starved worker. My submission is if the employer is candid enough and says—he might not have received the yarn he wants to weave into cloth or the raw material necessary for manufacturing a particular article and does not expect to receive it for a particular period—he gives the worker frankly to understand that for a particular period there is no chance of his being engaged in that particular factory, then, Sir, why should it be necessary for him to go every day and present himself in spite of that categorical reply by the employer? I speak subject to correction. But as I am able to read and interpret these provisos and this particular Explanation as amended, I feel it will be a categorical obligation on the part of the employee, and if he fails even for a single day to present himself in accordance with this provision then he shall be suffering the penalty or the evil consequences of such failure. I would make a very earnest request to the Minister that he should look into it and should not add to the crushing burden on the lean shoulder of the worker. If he wants to give a good concession let him give it in a good, friendly manner.

Then, Sir, I would go to my own amendments. By my amendment No. 64, I seek to substitute this definition

[Shri S. S. More]

given on page 2, of continuous service. I need not deal with this definition of mine because when I spoke at the First Reading, I quoted a document of the International Labour Organisation of which you were a party. According to the present provision in the Bill, only if sickness or authorised leave or an accident or a strike which is not illegal were responsible for the absence of the workers, they will not be counted as breaking continuity of service. I have already quoted extensively from the document and in tune with this declaration of the International Labour Organisation to which we are parties, I have presented this particular amendment. I need not say anything further.

Regarding amendment No. 66, I know that Shri K. K. Desai has given a similar amendment that the word 'similar' ought to be deleted from this particular clause. Otherwise, the presence of this word 'similar' is rather sinister as it restricts the sphere within which this particular clause will otherwise operate. I have repeated this amendment because on many occasions, the Congress people have a knack of pressing some amendment in their speeches and at the crucial moment of withdrawing those amendments leaving us in a sort of lurch. That should not happen. As a sort of insurance and safeguard, I move this particular amendment.

Shri Algu Rai Shastri (Azamgarh Distt.—East cum Ballia Distt.—West): That is very wise.

Dr. Lanka Sundaram (Visakhapatnam): Double talkers, you are.

Shri S. S. More: Then, I go to amendment No. 67. In this amendment, I seek to add the words 'for valid and proper reasons' after the words 'and who has not been retrenched'. Even on this point, I have made my comments in my first speech. Otherwise, if these words are kept there unqualified, the employer will try to get over this clause by retrenching the worker.

I have tried to qualify these particular words by the addition of the words 'for valid and proper reasons'. If the retrenchment is malicious and is done with the purpose of avoiding the operation of this particular clause on some flimsy grounds, that sort of retrenchment should not operate to restrict this particular clause.

Then, I come to amendment No. 70. I have stated that the word 'prescribed' be introduced in this particular clause. I will refer you to page 2, sub-clause (iv) (oo). It is stated that retrenchment means the termination etc. To that there are some exceptions: "Voluntary retirement of the workman; or retirement of the workman on reaching the age of superannuation if the contract of employment between the employer and the workman concerned contains a stipulation in that behalf;" I have proposed that the word 'prescribed' should be inserted before the word 'age', that is, retirement of the workman on reaching the prescribed age of superannuation. I do admit that my knowledge of labour laws is not as perfect as it ought to be. I do not know whether there is any other provision in some other enactment where a certain age has been prescribed for retirement on reaching the age of superannuation of a worker. If that prescribed age is not there, the employers will try by way of agreement to see that a particular worker, the moment he reaches the age of 30 years or 40 years will be deemed to be ripe for superannuation. That is likely to happen. The earlier the superannuation age of a worker, the employers will get a sort of an advantage in dispensing with his services. He may try to have in the agreement certain clauses by which a worker shall be treated to be ripe for superannuation even earlier than ordinary normal age of 55 as it obtains in the case of Government employees.

Dr. Lanka Sundaram: If I may interrupt my hon. friend, Sir, there are

different types of superannuation. In the Port Trust it is 60 years; in other places it is 55.

Shri S. S. More: That is why I said that my knowledge of these labour laws is not as perfect as that of Dr. Lanka Sundaram. I pay my compliments to him for his very accurate knowledge. I accept....

Dr. Lanka Sundaram: Why is the hon. Member so chary of welcoming such assistance?

Shri S. S. More: I welcome the assistance as a matter of fact, particularly when it comes so voluntarily. My submission is that Government should come out, if possible, with a certain declaration. Possibly, for different industries, the age of superannuation is different. Different categories will have different ages of superannuation. If there is some prescribed age, that age should not be whittled down by virtue of any agreement entered into by the employer with the employee. Because, I have already stated that the owner of a factory is in a position to dictate and the unfortunate employee who is there seeking some employment to relieve a long spell of unemployment, may not be in a position to assert his will and so, he will be forced to enter into some agreement. That agreement, as you know, Sir, even under the Contract Act, will be treated as an agreement under duress. Even though the proposal is accepted by the other party, the two parties are not on the same plane and the unfortunate worker who is forced to accept, I may say, strange or high-handed terms of the employer, may not be in a position to take a stand against this term. My submission is that the Government should prescribe a particular age for the different categories, and even when an agreement is pushed forward for the purpose of whittling down or lowering that particular age, that sort of agreement should not be accepted and it should be treated as something invalid and opposed to public policy.

Then, Sir, I refer to my amendment No. 71. In page 2, line 35, I want to add something more. The clause says: retirement of the workman on reaching the age of superannuation if the contract of employment.....I want to add: "and if the worker is found to be physically unfit to carry on his work with his usual efficiency".

It is quite possible that in certain industries, even when the prescribed age is something lower, a worker may be physically fit at that particular age. He may be able to carry on the particular work that he is entrusted with with the usual efficiency. He may be endowed with extra vigour or physical fitness even though he has crossed the bar of superannuation and as a matter of fact, he may be able to do full justice to his engagement. I further want that if it is found at a particular age that he has not got the physical fitness that is necessary for his usual efficiency, then and then alone he should be debarred from getting the benefit of this particular clause. These are some of my amendments. I press them with the hope that they will be acceptable first to the hon. Minister, and if not to the hon. Minister, then to the House.

Dr. Lanka Sundaram: Why this invidious distinction?

Shri K. P. Tripathi: The amendment which I have moved is to sub-clause (ii) (eee).

Mr. Chairman: Will he kindly indicate the number?

Shri K. P. Tripathi: Amendment No. 1 list 1.

Mr. Chairman: Only 1 or there are others?

Shri K. P. Tripathi: I have said that the words "uninterrupted service" will be replaced by "uninterrupted employment" and the rest of the clause will be omitted. My amendment is, continuous service means uninterrupted employment which has not been earlier terminated expressly by the employer.

[Shri K. P. Tripathi]

The reason why I move this amendment is this. As I understand, the purpose of providing compensation for lay-off is that whenever a lay-off occurs, the workers should be provided, because the contract between the employer and employee subsists. In the case of retrenchment the contract is terminated and therefore, there is no longer any abiding duty to continue to pay. But in the case of lay-off that contract remains. Because the contract remains the worker cannot leave his post. If the worker cannot leave his post, if the worker is expected to continue to be at his post, then there is no reason why he should not be paid.

Dr. Lanka Sundaram: Fully paid.

Shri K. P. Tripathi: If he is a temporary worker, if he is a casual worker, any type of worker, and if you expect him to come and stand at your beck and call—next Monday you may call him and he may come up—then why shall you not pay him?

Dr. Lanka Sundaram: Fully?

Shri K. P. Tripathi: That is the point. The whole point is that the payment should be full. But here you are providing only for half payment. Is there any reason on earth why you should not pay him fully as you provide here when you expect him every Monday to wait there for you.

In the plantations of Nilgiris when I went there what did I see? I saw workers had been laid off for one week because there was no rain. In the Nilgiris when the workers are laid off, they cannot go anywhere, they cannot find any subsidiary employment. For one full week the worker waited there starving, and next Monday he was expected to be in a fine state of health, in perfect physical condition and put in the maximum amount of work as he did the previous Monday! Is it possible. I ask you. It is not possible. Therefore, the very principle of lay-off must not have been confused with other provisions under the Provident

Fund Act or the permanent benefits like earned leave with which it has been confused. The distinction between these two is very patent and obvious. In the case of Provident Fund you are giving him an additional benefit. It is not that he is dying because of want of the Provident Fund. In the case of earned leave, you are giving him an additional benefit. Even if he does not get the earned leave he will not die he will not starve. But in the case of lay-off, for the period of the lay-off he starves. Therefore, to bring in here concepts of Provident Fund and earned leave benefits in which such phraseology is used is, I think, incorrect.

I have tried to look up the tripartite agreement in which I find that the scope of the agreement is wider whereas in this draft it has become narrower, because in the agreement it was said that *Badli* and casual workers shall not be eligible for compensation. That was one of the items of the agreement. That shows that the only thing which the agreement thought should not come within the purview of this is *Badli* and casual worker. *Badli* is very well understood by everybody here. Casual is very well understood by everybody here. Therefore, all other types of workers should get the benefit of this compensation. That was the intention. But what have you done here? By providing this sort of definition of continuous service, you are debarring other types of workers who would almost have completed 240 days that you have provided, but perhaps not completed. They are otherwise entitled to it, but because you have put in this definition they will not be entitled. It is for this reason that I thought the very purpose of the compensation for lay-off was misunderstood. To whom should compensation be paid? The position is very well explained in Clause 5 of the agreement. It says:

"Compensation will be payable only to permanent workers on the muster roll of the factory."

The criterion is that the worker must be on the muster roll of the factory or the establishment. If he is on the muster roll of the factory, if he is not a casual or *Badli* worker and if he is permanent, then he should be made entitled. Therefore, by putting in this sort of restriction you have gone against the spirit of this agreement and limited it in a way you should not have done. It is for this reason I have tabled my Amendment which says that continuous service means uninterrupted employment which has not been earlier terminated expressly by the employer. If it has been terminated, obviously he does not get the benefit, but if it has not been terminated expressly by the employer and if he continues on the muster roll, then obviously, he is the person to be given the compensation. By putting in other types of distinction it should not be further whittled down. Therefore, I have put in this amendment.

If you accept this amendment you also avoid all possibilities of conflict between the employer and the worker which would arise out of every phrase employed here. There are so many strange phrases and every phrase would be a cause of contention, and therefore if you omit all these phrases and only put in as I have put in, all the conflict will go and this will be in consonance with the spirit of the agreement arrived at and the worker will be protected.

The difficulty is when a worker is laid off he has no money, and if he does not get the wages immediately, if he has to wait for conciliation and arbitration, what is the use? There is no use in providing lay-off compensation in that case. Therefore, whatever legislation you make in the case of lay-off must be a simple measure and abundantly clear so that there is no room for conflict. As I was saying the other day, it should be a fool-proof legislation.

Shri S. S. More: Employer-proof also. Don't call it fool-proof.

Shri K. P. Tripathi: He corrects me. I accept the phrase. It should be effective, because if the lay-off is for one or

two months and it is not effective immediately, then it is a dead letter for the worker. It is for this reason that I insist on the hon. Labour Minister who is looking quizzically at me to consider accepting this amendment.

Shri S. S. More: Don't be misled by his nodding head.

Shri K. P. Tripathi: No, I will not be misled.

I find from the proceedings of the same tripartite conference that Mr. Subrahmanian proposed that a worker putting in more than one year's service should not be treated as a *Badli* worker and suggested that on the lines of the Provident Fund Scheme any person who has put in 240 days of attendance should be given that. That shows that even the Labour Secretary was thinking in these terms. He was also thinking that some sort of device should be found out which automatically entitles the worker to this consideration. So, this automatic consideration has been one of the things which has been in the mind of the Labour Secretary, which has been in the mind of every labour worker and should be in the mind of every legislator. It is for this reason I am putting this automatic clause. If accepted, it will do good.

Then, with regard to the two Amendments moved by Shri K. K. Desai, I support them for obvious reasons which have been explained.

The other Amendment which I have moved is No. 28 by which I have tried to put in "is refused work, or" after "and" in the Explanation clause. The idea is that if a man comes and he is immediately refused, then lay-off starts at once. There is no point in waiting for two hours. If he is not refused but if he is made to hang on, then at the expiry of two hours it should be automatically deemed that he is laid-off.

Shri S. S. More: For the whole day, not for the first half.

Shri K. P. Tripathi: Then I come to the famous amendment of Mr. Giri, a

[Shri K. P. Tripathi]

very long amendment in which he has put in two provisos to the Explanation. Under this the position is slightly bettered in the case of those workers who are called for the second shift, but here again I find there is a conflict between these provisos and the Minimum Wages Act. I had a discussion with Mr. K. K. Desai who told me that these provisions will not apply to factories where there is only minimum wage payment, but I do not know how far that will be true, because it is quite possible that it may apply to them also. I refer to Section 15 of the Minimum Wages Act. It says:

"If an employee whose minimum rate of wages has been fixed under this Act by the day works on any day on which he was employed for a period less than the requisite number of hours constituting a normal working day, he shall, save as otherwise hereinafter provided, be entitled to receive wages in respect of work done by him on that day as if he had worked for a full normal working day."

That says that if a man works less than the normal hours—and the less working is not because of himself, but because of certain other causes—he is entitled to full wages. By this amendment, you are giving him full wages only for the second shift. You are not giving him for the first shift, although you made him wait for all the first shift, and asked him to come back and take the second shift. If the Minimum Wages Act is applicable, you will be reducing his wages from what he is entitled to. Obviously in those factories where the Minimum Wages Act is not applicable, where the workers are getting higher than the minimum wages, this Explanation will not apply. I would request the hon. Minister to find out whether this lay-off compensation will apply to those factories where there is minimum wage payment. If it applies, then a difficulty would arise.

There is an amendment by Shri Bansal, which reads.

"In page 2,—

after line 35, add,—

"(c) termination of the service of a workman on the ground of continued ill health,

(d) completion of service at the end of a specified period of engagement."

As regards (c) above, I find that a similar amendment has been moved by the hon. Minister. With regard to (d) above, namely termination by agreement, i.e. the period of engagement being over, I would say that there are many contracts under which there is no complete termination, but there is an option of renewal. If, therefore, there is an option of renewal in a contract, obviously, the worker has a right to renew the contract. If you lay him off at that time, or retrench him at that time, then it is incorrect interpretation of the contract. Whenever there is any option of renewal, that provision should be taken into account, and so I would not support the part (d) which Shri Bansal has proposed.

With regard to termination on the ground of continued ill-health, who would be the determining factor, about ill-health? Sometimes, we find that the employer becomes the dictator about our health; he says, you are good, you are bad, or you are indifferent. The whole point is that if a worker is really ill, obviously it is for him to decide. If, however, he is not ill, but the employer thinks that he is ill and he should go out, this would create difficulties. Unless and until there is a provision to determine how this ill-health should be determined, I think this proviso will go against the worker. So, we have to be very careful in accepting this amendment.

I think I have met all the points which I wanted to meet. I commend my amendments to the House, and I would request the hon. Minister to find out whether there is really that legal difficulty which was mentioned earlier, with regard to the amendment which he has moved.

श्री ए० एन० बिदालंकार : चेयरमैन साहब, मैं क्वाइट (ई० ई० ई०) में कन्टीन्यूड सर्विस की डेफीनीशन में प्रमैडमेंट करना चाहता हूँ। ग्राम तौर पर मजदूरों के मामले में यह शिकायत रहनी है कि उन के कन्टीन्यूड सर्विस के राइट को कई दफा कई तरीकों से रद्द कर दिया जाता है जिससे कि वह उन फायदों से महसूस हो जाते हैं जो कि उन को मुक्तलिफ कानूनों के अन्दर मिलने चाहिए। इसलिए मैं यह चाहता हूँ कि जहाँ पर लफ्फ 'इल्लिगल' है उस के बाद वह प्रलफाज नड़ा दिये जायें "or lay-off, lock-out or closure; or due to unavoidable climatic reasons." अगर आप इजाजत दें तो मैं अपने इस 'प्रमैडमेंट' यह इजाफा करना चाहता हूँ "wrongful suspension or wrongful dismissal" ग्राम तौर पर अगर किसी वजह से 'डिसमिसल' या 'सस्पेंशन' हो और बाद में कोई 'ट्राइब्यूनल' या 'बोर्ड' यह फैसला दे कि वह 'सस्पेंशन' या 'डिसमिसल' 'रांगफुल' था, गलत था, तो उस सूरत में मजदूर की सर्विस 'कन्टीन्यूड सर्विस' मानी जानी चाहिए। अगर आप इजाजत दें तो मैं इसको अपने 'प्रमैडमेंट' में जोड़ दूँ।

दूसरे जो 'प्रमैडमेंट' श्री खंडूभाई देसाई ने पेश किया है कि वह 'ले आफ' की डेफीनेशन में से लफ्फ "सिबिलर" को उड़ा देना चाहते हैं उसको भी मैं 'सपोर्ट' करता हूँ। मेरे दोस्त श्री बंसल ने कहा था कि अगर यह लफ्फ हटा दिया जायगा तो इसका नतीजा वह होगा कि वह एक बहुत ही बलीय मानों में ले लिया जायगा और अगर किसी भी तरह मजदूर काम पर नहीं लगाया जा सकेगा तो उस को 'ले आफ' की डेफीनेशन में लाया जायगा। अगर हम इस कानून की स्पिरिट को लें तो तीन तरीके से किसी वर्कर को कारखाने

से बाहर किया जाता है। एक डिसमिसल, उसको हम 'ले आफ' में नहीं लेते, दूसरे रिट्रैचमेंट हो, उसके लिए हमने इस कानून में प्रलहदा 'प्रोवाइड' किया है। 'रिट्रैचमेंट' और 'डिसमिसल' के अलावा किसी भी वजह से एक वर्कर को कारखाने से बाहर किया जाय 'वह ले आफ' की डेफीनीशन में आना चाहिए। इसलिए मैं चाहता हूँ कि लफ्फ 'सिबिलर' को निकाल दिया जाय। अगर बाद में 'सिबिलर' की 'डेफीनीशन' की जायगी तो उनमें बहुत गलतफहमी की गुंजाइश होगी। इसलिए मैं समझता हूँ कि जब कि हमारा बकसद यह है कि डिसचार्ज या डिसमिसल और 'रिट्रैचमेंट' को छोड़ कर अगर किसी वर्कर का जिसका नाम 'मस्टर रोल' पर है बाहर किया जाय तो उसको 'प्रोटेक्शन' दिया जाय, तो हमें "सिबिलर" के लफ्फ को निकाल देना चाहिए, और जो तजवीज श्री खंडूभाई देसाई ने की है उनको मान लेना चाहिए, वरना इस लफ्फ का बहुत गलत तरीके से इस्तेमाल किया जायेगा। हमारा तजुर्बा है कि 'एम्प्लायर्स' किसी वर्कर को बाहर कर देने के लिये कई 'रीजन्स' 'इनवेंट' कर लेते हैं और जो वर्कर इस तरह बाहर किये जायेंगे उन के मामले में हमेशा इस बात पर बहस होगी कि आया जिस वजह से उनको बाहर किया गया है वह 'सिबिलर' के दायरे के अन्दर आती है या नहीं। इस लिये मैं समर्थन करता हूँ कि इस लफ्फ 'सिबिलर' को हटा दिया जाय। और 'डिसचार्ज' और 'डिसमिसल' के अलावा अगर किसी सूरत में मजदूर को काम से महसूस किया जाय तो उसको 'ले आफ' की डेफीनेशन में आना चाहिए।

दूसरा 'प्रमैडमेंट' जो कि श्रीमते सुमदा जोशी ने रखा था अगर वह मुक्त नहीं

[श्री ए० एन० बिद्यालंकार]

हुआ। अगर उसको रखा जाता तो मैं समझता हूँ कि ज्यादा अच्छा होता। जो डेफीनैशन 'ले आफ' की 'स्टेंडिंग आर्डर्स' में दी हुई है यह उस को ही हूँ बहू इसमें मान लिया गया है।

दूसरा 'प्रमोडमेंट' जो मेरा है वह नम्बर ६८ पर है। श्री गिरी ने २७ नम्बर के प्रमोडमेंट के 'एक्सप्लेनेशन' के अन्दर यह 'पोजीशन' रखी है कि अगर किसी मजदूर को किसी दिन काम न होने के कारण बाहर रखा है तो उसको ज्यादा से ज्यादा दो घंटे तक इन्तिजार करना होगा। तजरबा हमको यह बतलाता है कि ऐसा नहीं होता कि जब मजदूर अपने को हाजिरी के लिए पेश करे उसी वक्त उसको बतला दिया जाय कि उसके लिए उस दिन काम नहीं है। आम तौर पर उसको काफ़ी देर तक इन्तिजार करना पड़ता है, और यह दो घंटे की शर्त इसीलिए रखी गई है कि अगर इतना वक्त तक इन्तिजार करने के बाद भी कोई जवाब नहीं मिलता तो वह 'ले आफ' की 'डेफीनेशन' में रखा जायगा। तजरबा बतलाता है कि दो घंटे तो उस आदमी की ठहरता ही होगा। अगर कोई मजदूर दो घंटे ठहरता है तो फिर वह किसी दूसरी जगह 'एम्प्लायमेंट' हासिल नहीं कर सकता और उसको कम तनखाह पर रहना पड़ेगा जितनी देर तक कि यह 'ले आफ' की परिभाषा के दायरे में रहेगा। यह अपने आप में काफ़ी 'हार्डशिप' है। और अगर इस दो घंटे के बाद उसको कह दिया जाता है कि वह दूसरे शिफ्ट में आवे तो वह बीच का पीरियड उसका बंकार जाता है और वह उसमें न कोई काम कर सकता है और न यह किसी दूसरी जगह जा सकता है। जब वह दूसरे शिफ्ट में आता है तो उसको दो घंटे इन्तिजार

करना होता है और तब उसको जवाब मिलता है। यानी चार घंटे तक तो वह 'एम्प्लायर' के 'डिसपोजल' पर रहता है और बाकी का वक्त उधर आने जाने में निकल जाता है। तो 'प्रेडिक्ली' तमाम दिन यह 'एम्प्लायर' के 'डिसपोजल' पर रहता है। नतीजा यह है कि काम वह कुछ कर नहीं सकते हैं न घर का काम कर सकते हैं, न कहीं और जगह जाकर 'असटरनेटिव' एम्प्लायमेंट कर के अपनी 'इनकम' में इजाफा कर सकते हैं। यह बहुत ज्यादा 'हार्डशिप' है। इस लिये मैं ने नम्बर ६८ की प्रमोडमेंट पेश की है कि अगर दुबारा वह शिफ्ट के लिये आता है और इस तरह से दो घंटा सुबह और दो घंटा दूसरी शिफ्ट में मिलाकर कुल चार घंटे इन्तिजार करता है और फिर भी उसको काम नहीं मिलता तो उसको पूरे दिन का बेतन मिलना चाहिये, क्योंकि एक तरह से उसने चार घंटे कारखाने के दरवाजे पर गुजारे हैं और कोई दूसरा काम उस से नहीं हो सकता है। मैं तो चाहता था कि जो आदमी 'ले आफ' किया जाय, उस को भी पूरी तनखाह दी जाय। लेकिन यह कहा गया कि 'एग्सीमेंट' हुआ है और उस में यह मान लिया गया है, सभी पार्टों की तरफ से, और उस 'एग्सीमेंट' के जनरल प्रिंसिपल्स पर यह कानून बनाया गया है, उन प्रिंसिपल्स को इस में स्वीकार किया गया है, इसलिए मैं इसके ऊपर जोर नहीं देता। लेकिन यह जरूर चाहता हूँ कि जो प्रमोडमेंट श्री गिरी जी ने रखी है उस में यह जरूर रखा जाय कि अगर दो दफा मजदूर को घाना पड़ता है और फिर भी काम नहीं मिलता तो उस सूरत में लाजमी तौर पर उसे पूरे दिन की तनखाह दी जाय। यह ६८ नम्बर की जो प्रमोडमेंट है उस को मैं ने इसी मतलब से पेश की है।

लीबरे, रिट्रैवमेंट की डेफिनीशन में नम्बर ७१ की प्रमॉडमेंट पेश की गई है, जो लोग 'फिजिकली फनफिट' हों उन को रिटायर करना चाहिए। लेकिन देखना होगा कि वे सचमुच 'फिजिकली फनफिट' हों। इस सिलसिले में मेरे दोस्त श्री मोरे साहब ने जो प्रमॉडमेंट पेश की है उस को मैं स्पॉर्ट करता हूँ। लेकिन जो २६ नम्बर की गिरी साहब की प्रमॉडमेंट है उस में मैं एक प्रमॉडमेंट पेश करना चाहता हूँ। "termination of the service of a workman on the ground of continued ill-health", यह दिया गया है, लेकिन "कंटीन्यूड इल हैल्थ" का फैसला कौन करेगा। अगर मालिक एम्प्लायर, यह कहता है कि यह आदमी बहुत दिनों से बीमार रहता है और इस वजह से उस की सर्विस को टर्मिनेट किया जाता है तो उस आदमी को किसी तरह का प्रॉटेक्शन नहीं मिल सकता। मैं चाहता हूँ कि उस की बीमारी का फैसला आया सचमुच वह लम्बे घरे से बीमार है और सचमुच वह काम नहीं कर सकता, इस के लिये सिबिल सर्जन का सर्टिफिकेट लेना चाहिये और तभी उस की सर्विस टर्मिनेट होनी चाहिये।

दूसरी बात यह है कि लम्बी बीमारी में, छः महीने से कम की बीमारी को शामिल नहीं करना चाहिये। जो मजदूर छः महीने से ज्यादा बीमार रहता है तो उस सूरत में जो सर्विस टर्मिनेट हो उसके बारे में श्री गिरी साहब का संशोधन ठीक है। इससे कम बीमारी हो तो सर्विस के टर्मिनेशन के लिये एम्प्लायर को 'एग्जम्पशन' नहीं मिलना चाहिये।

वेयरमैन साहब, यह कुछ प्रमॉडमेंट्स में पेश करता हूँ और उम्मीद करता हूँ कि श्री गिरी साहब इन प्रमॉडमेंट्स को स्वीकार करेंगे।

Shri T. B. Vittal Rao: I have moved amendments Nos. 2 and 4. Therein I just wanted to make some clarification. Amendment No. 2 is only a clarification amendment. No doubt, the definition of 'lay off' is given while computing the days of continuous service. Here I want to include 'lock out or closure or lay off' so that it will be very clear. Otherwise, it will be difficult in computing the days for continuous service.

By amendment No. 4 I want to omit 'and who has not been retrenched'. We are here only defining what is lay-off. I do not understand the necessity to add these words 'and who has not been retrenched'. When we are defining 'lay off', it is not necessary.

Now, Sir, the hon. Minister has moved certain amendments regarding the worker presenting himself twice. I would have had no objection to the amendment provided he had said that when a worker who went for the first shift and had been asked to come and present himself for the second shift, he would be paid the full basic wages for the day. This is not anything new. This practice is obtaining in some industries already. In some essential works, if the worker has to come regularly in the morning and if he is asked to present himself at the time of the second shift and even then if he does not get work, he is paid the full wages for the day. Whereas here the hon. Minister's amendment says he will be laid off for half day, that he will get only 50 per cent of the wages for the first half and for the later half he will get the full wages. If this amendment, as laid down by the Minister, is accepted, I am afraid the employers will use it in such a way that they will see that spare workers, wherever they exist, will be discharged or retrenched, and then these laid-off workers, if any, will be utilised.

Then, Sir, about the amendment he has moved regarding 'continued ill health'. There is no definition. This is a thing which has been agitating the workers at the Kolar Gold fields. There the employers at the very first sign of the presence of silicosis

[Shri T. B. Vittal Rao]

which has not developed, declare him medically unfit, because silicosis is an industrial disease and they will have to pay for medical treatment. So somehow or other, they declare him medically unfit, without paying any compensation. If this amendment is accepted, then those workers who have got the slightest attack of silicosis will be retrenched. And I may add here, Sir, that the very same workers who have been retrenched at the first sign of silicosis are being entertained at the Hutti Gold mines in Hyderabad. When we approached the Medical officer, he said, "There is no sign of silicosis." So if there is no proper definition of this 'continued ill health' and if it is left as it is, you will see that many workers will be retrenched.

One more thing. Here in the definition of continuous service the hon. Minister has put 'illegal strike'. We all know how the provisions of the Industrial Disputes Act, 1947, operate. Suppose a notice of strike is given over five demands or six demands, the Government invariably chooses to refer only the unimportant demands and then leave off certain demands. Now, if the workers go on strike, then it is declared illegal because they have gone on strike during the pendency of conciliation proceedings or adjudication. He has put down 'illegal strike' in the definition of 'continuous service'. Probably it is in the agreement. I would like to know whether it is so. If it is in the agreement, I would only appeal to the hon. Minister to say simply 'strike', whether it is legal or illegal, because the provisions of the Act have been operating against the workers in many cases.

Then, Sir, our hon. friend, Shri K. K. Desai has moved an amendment to omit 'similar' in page 2, line 14. Only yesterday we had an instance—in reply to a question regarding the flooding of the Majri mines. There is no protection for such cases. The mines are flooded and three hundred workers are thrown out of employment and

there is no compensation paid and, if this 'similar' is not removed, then in such case the workers will be deprived of any compensation for lay-off or compensation for retrenchment.

I would just urge the hon. Minister to think of the standards of wages of the workers in India, whether in the cotton industry or jute industry. I will not talk about the coal miners because the Ministry of Labour has got rather a prejudiced view of coal miners.

Shri V. V. Giri: Not at all.

Shri T. B. Vittal Rao: Sir, my experience during the past 18 months has confirmed the view that the Ministry of Labour, as it is constituted today, has got a prejudiced opinion of the coal miners.

You should view it from the point of view of the competitive value. The worker who is getting less may not go out of distress, and accept any other job. We should make provisions, because as I have already pointed out in my opening speech, in a country where there is no unemployment insurance or unemployment relief, the standard of the working class or the workers who are already in service should not go down.

With these few words, Sir, I just commend my amendments.

Mr. Chairman: Shri D. C. Sharma.

Shri Bhagwat Jha: Mr. Chairman...

Mr. Chairman: I have called Shri D. C. Sharma. He is not here. Shrimati Subhadra Joshi.

Shri K. K. Baau: Members who are not here need not be called.

Mr. Chairman: I am calling their names because it should be known who are the Members who have moved their amendments and yet are not here in the House, for discussing the same.

Shri N. Sreekantan Nair: Sir, I have moved two amendments and the one with reference to lock-outs has been accepted by the hon. Minister.

Shri V. V. Giri: I have accepted the amendment with respect to (eee) and not with reference to (kkk). I am sorry that there has been some wrong impression. It may be that I have caused some misunderstanding, I do not know. I accepted Mr. Vittal Rao's suggestion.

Shri N. Sreekantan Nair: I have got the proceedings here. Sir, and I can read from it.

Shri V. V. Giri: I want to correct myself if really I have made myself misunderstood. I placed before you that I was thinking of Mr. Vittal Rao's suggestion. I want to correct.

Shri N. Sreekantan Nair: Sir, I was the first speaker; and when I was speaking as the first speaker I referred to the workers who have been locked out and said that they should also get the benefit of this. The hon. Minister remarked as follows:...

'May I say, I am including lock-out also.'

Mr. Chairman: When the hon. Minister has explained here that when he said that he did not have it in mind, you ought to accept it.

Shri N. Sreekantan Nair: I am just reading it, Sir.

Mr. Chairman: He does not state that he did not say that. He is only stating that when he said it this was not in his mind.

Shri N. Sreekantan Nair: Anyhow, Sir, I was happy over that acceptance of the Minister at that time. Now, I am very sorry he has retracted.

Shri V. V. Giri: I am sorry. I have not retracted; it might be due to misunderstanding.

Shri N. Sreekantan Nair: He has misunderstood the whole thing. Anyhow my supposition is that lock-out is not included. That is one of my complaints, Sir, because lock-out is resorted to by an employer for many reasons. For lay-off there can be some legitimate reason like shortage of material etc. The employer can justify it at least morally, but for that he is made to pay. But when he is

locking out without any ground he need not pay. That is the wonderful Bill that is before the House. If the hon. Minister still thinks that lock-out without any reasonable ground should not get the benefit of this legislation, then I leave it to his judgment and to the judgment of the House.

Another amendment is amendment 5, that is the voluntary retirement of the workmen before the age of superannuation. That comes into clash, of course, with amendment No. 59 of the hon. Minister. It militates against the very fundamental justice that a worker has to get. The worker has continued ill-health. If it is a question of absenting himself due to continued ill-health, it is acceptable to some extent. But even that is not objectionable because the Bill contains two aspects, one compensation for laying-off of a worker and the other the termination of services and compensation for that. As a matter of fact, it is only a very few factories that give gratuity when the services are terminated. If the services are to be terminated and if it is said that it can be done at the age of superannuation, then naturally every employer will start saying, 'you have become superannuated, you retire and you won't get any benefit'. They can simply say that he does not work, he has got better prospects and that is why he is throwing it away. The hon. Minister in his speech explained how when a worker retires or is retrenched and he gets Rs. 1000 or Rs. 1200 or such amount, he may start a little business or somehow make up a living. But in the case of an old man who retires before the age of superannuation that benefit is not given to him. He will not get it at all if it is not given by an Act. As a matter of fact, in 99.9 per cent. of the industries the old man is not getting it. The provision here will be an inducement to enter into a contract that even if he works for 25 or 30 years he won't ask for any compensation when he goes out of employment at the age of superannuation. Even agreeing that such an agreement is there, I contend that it is only fair that he should get a gratuity. It is a generally accepted practice

[Shri N. Sreekantan Nair]

that every worker should be given a gratuity when he retires. Greater scales have been awarded by Tribunals. But they must get at least 15 days' wages for every year of service. If that provision is not there, naturally people at old age, after a service of 40 or 45 years, will have to go back to the streets. This will be their fate after serving the cause of humanity for such a long period. That is a humanitarian view and if that is not the view of the hon. Minister, I cannot subscribe to his view. Naturally, when a man is old and is at the age of superannuation, he must not be dismissed for either inefficiency or illness. If he wants to retire he must get the benefit of the gratuity or compensation or whatever it is called. That is only a humanitarian provision and I would request the hon. Minister to consider that position.

Then with regard to continued illness. I have already explained that if it is continued absence due to illness it can be understood. Even there, I would ask you whether such a worker should not get the benefit of the gratuity or the lump sum payment which he would get, 15 days' wages for every year's service. He need not get the benefit of the notice. That benefit can be taken away. The man has been ill and has been absent for some 6 months. He need not be given notice. But if he has put in some 40 years service, he must get some gratuity, some lump sum, if not for his treatment at least for maintaining himself for a few years if he is sick or infirm. He ought to have a right to get a gratuity or compensation. So, I would request the hon. Minister to reconsider the question of sub-clause (c), because it is blatantly unjust and inhuman to bring in this sub-clause.

6 P.M.

Regarding amendment No. 1 moved by my hon. friend Shri Tripathi, I fully endorse his idea.

Regarding amendment No. 3 of Shri Khandubhai Desai and also the other amendments, I fully support them.

श्री भागवत झा : सभापति जी,
मेरा संशोधन यह है कि :

'पेज नं० २ में पंक्ति १८ से २४ तक हटा दिया जाय ।'

इसके पीछे मेरी एक ही भावना है कि इन पंक्तियों के द्वारा सरकार यह चाहती है कि जिन मजदूरों को 'ले आफ' कर दिया गया है वह हर रोज अपनी हाजिरी गेट पर जरूर बजायें। इसी पर एक संशोधन माननीय मंत्री महोदय का है। इससे समस्या का समाधान तो होता है परन्तु पूर्णतया नहीं। मेरा ख्याल यह है कि जब बिना किसी दोष के मजदूर को 'ले आफ' कर दिया जाता है तो उस को यह अधिकार होना चाहिये कि उसे हर रोज हाजिरी देने के लिये गेट पर न आना पड़े। उस को यह सूचना मिलनी चाहिये कि अमुक से अमुक समय तक हमारे यहां इन इन कारणों से काम नहीं होगा और अमुक दिन तुम हाजिरी दो तो तुमको काम मिल जायेगा। यह कहना कि हर रोज तुम दो घंटे हाजिरी बजाओ और उसके बाद अगर काम नहीं मिलता है तो इसका परिणाम यह होगा कि उस को उस दिन कहीं काम नहीं मिल सकेगा। मैं समझता हूँ कि अगर हम यह नियम पास कर देते हैं और इसके जरिये उसे आधी पे मिल जाय तो कोई मेहरबानी हम उसके ऊपर नहीं करते हैं। मैं आपके सामने एक दृष्टान्त पेश करता हूँ। एक मजदूर के परिवार में दस आदमी हैं और उस मजदूर को २०० रुपये महीना मिलता है। अगर आप उसका 'ले आफ' करते हैं और वह रोज आपके गेट पर हाजिरी बजाता है तो आप उसको १०० रुपये देंगे। लेकिन उस मजदूर के परिवार में दस आदमी हैं। उस का काम कैसे चलेगा? इस लिये उस को यह अधिकार होना चाहिये कि

उस को यह सूचना मिले कि इस समय तक हमारे कारखाने में काम नहीं हो सकेगा इस लिये तुम न घ्राभो, ताकि उसे यह भवसर मिले कि वह अन्य किसी जगह में काम कर सके और उसको जो २०० रु० मिलता है, जिस के बिना उस के परिवार को कठिनाई होगी, वह उस की पूर्ति कर सके। बिना इस के यह होगा कि उस को और किसी जगह काम करने का भवसर नहीं मिलेगा। इसका परिणाम यह होगा कि घ्रापके यहां भी दो घंटे ठहरने के बाद अगर उस को काम नहीं मिलता है तो उसे सिर्फ १०० रुपये पर ही सन्तोष करना होगा। माननीय मंत्री महोदय ने अपने संशोधन नं० २७ में कहा है कि अगर उस को पहली शिफ्ट में काम न मिले तो वह दूसरी शिफ्ट में घ्राये और अगर दूसरी शिफ्ट में भी काम न मिले तो समझा जायेगा कि उस शिफ्ट में उस का 'ले घ्राफ' नहीं हुआ और उस को बेसिक पे मिलेगी। मैं कहूंगा कि घ्राप उस को पहले दो घंटे इन्तिजार कराते हैं; उस के बाद घ्राप कहते हैं कि काम नहीं है। तो बूँक समय निकल जाता है उस को कहीं काम नहीं मिल सकता है। दूसरी शिफ्ट में घ्राप उस को पुनः दो घंटे के लिये बुसाते हैं और उस के बाद फिर उस को काम नहीं मिलता है और उस का सारा दिन बेकार जाता है। उसके बदले में घ्राप उसको सिर्फ एक शिफ्ट की बेसिक पे देते हैं और पहले की घ्राधी। मेरा कहना यह है कि जो एम्प्लॉयमेंट विद्यालंकार जी ने मूव किया है ६८ नम्बर का उस को मंजूर करने से यह होगा कि अगर मजदूर दोनों शिफ्ट में घ्राता है और उसके बाद भी उस को काम नहीं मिलता है तो यह समझा जाय कि वह सम्पूर्ण दिन अपने काम पर घ्रा और उसे पूरे दिन के काम की मजदूरी मिलनी चाहिये। दूसरा एक संशोधन बंसल साहब ने पेश किया है

जिस का नम्बर ७३ है जो कि वास्तव में सरकार का संशोधन नम्बर २६ है। उस के अनुसार यह कहा गया है कि अगर कोई मजदूर बराबर बीमार रहे तो उसे कन्टिन्यूइंग इल हैल्थ के घ्राउंड पर हटा दिया जायगा। मैं ने जब बंसल साहब से कहा तो उन्होंने कहा कि "बी इयोर घ्राफ फंक्ट्स। देअर इज स्टैंडिंग घ्रार्डर फार डिफरनिंग इल हैल्थ" यह बात सच है कि यह सदन बराबर कानून पास किया करता है, अगर उस को कानून माना जाय और यह स्टैंडिंग घ्रार्डर है तो हाय हाय क्यों? घ्रापने देखा कि इस सदन ने एक 'धोतीज बिल' पास किया है। कानून बनाया गया लेकिन मिल वालों ने उसे तोड़ दिया और सदन को फिर हाय हाय करना पड़ा। इसी लिये जो स्टैंडिंग घ्रार्डर "डीफरनिंग इल हैल्थ" का है उस से काम नहीं चलेगा। घ्राप कन्टिन्यूइंग इल हैल्थ की बात करते हैं। यह तो घ्राप एक लम्बी रस्सी दे रहे हैं उन लोगों के हाथ में जो मजदूरों से स्वयं यह कह कर कि घ्राप इल हैल्थ के हैं, घ्राप का स्वास्थ्य धच्छा नहीं है, उस को डिस्चार्ज करा सकते हैं। इसलिये जो बंसल साहब का एम्प्लॉयमेंट नं० ७३ है और सरकार का नं० २६ है वह मंजूर नहीं होना चाहिये क्योंकि इस के जरिये हम मजदूरों के मार्ग में एक नया रोड़ा घटका रहे हैं।

इन शब्दों के साथ मैं नं० २६ के एम्प्लॉयमेंट का समर्थन करता हूँ।

श्री श्री० मिश्र : सभापति जी, मैं ने जो संशोधन रखा है उस का नं० ६८ है। उस में यह चाहता हूँ कि एक शब्द हटा दिया जाय और वह है "प्राविडेन्ट फंड" का। उस को मैं इसलिये हटाना चाहता हूँ कि वह शब्द वहां पर रखा गया है जहां पर कम्पेन्सेशन न मिलने के कारणों की लिस्ट है कि किन किन वजहों से कम्पेन्सेशन नहीं मिलेगा। मुझे

[श्री वी० मिश्र]

को ऐसा लगता है कि मंत्री महोदय ने समझा है कि वह कोई दान है मजदूरों के लिये या उन को कोई इनाम प्राविडेंट फंड से मिलता है। मेरा ऐसा खयाल नहीं है। मेरा खयाल है कि वह उन की तनखाह का एक हिस्सा है। इस लिये कि जहाँ प्राविडेंट फंड दिया जाता है उस में मजदूरों के हिस्से का भी पैसा काटा जाता है। मजदूर अपनी तनखाह में से दो पैसा, चार पैसा देता है और उस की जगह पर मिल मालिक भी उतना ही पैसा देता है। इसलिये उस को तनखाह का पैसा मानना चाहिये और उसका भी हरजाना उस मजदूर को मिलना चाहिये।

मुझ को इतना ही कहना है, इससे ज्यादा कुछ नहीं कहना है और आखिर में मेरी यह अपील है कि मंत्री महोदय मेरे संशोधन को कबूल कर लें तो इससे मजदूरों का लाभ हो जायगा। मैं उनसे इस लिये यह सिफारिश कर रहा हूँ कि वह मजदूरों के नेता रहे हों, और मजदूरों की तकलीफ भाराम का उन को खाल होना चाहिये।

Shri Sihalasan Singh (Gorakhpur Distt.—South): The amendment moved by Mr. Misra, so far as it relates to lines 18 to 24 may not be accepted by the House, but I speak on that amendment which intends to add a new sub-clause c to (eee)—dealing with the termination of the service of the workmen on grounds of ill-health. My friend Mr. Bhagwat Jha was speaking about it and he said that as Mr. Bansal had pointed out, he should look into the standing orders to see whether there was any definition of continued ill-health in those standing orders or in the Industrial Disputes Act. But I find that in neither of these two places this has been defined. What is 'continued ill-health' is a matter which will remain only at the discretion of the worker. A man may be

suffering from jaundice, but all the same he himself is able to do his ordinary work. But on that very ground because it is a long and persistent illness though does not enable a man to do his normal work he may not be called to do work.—He may be deemed to be in continued ill-health and so he must be dismissed, but I don't think that this can be the intention of the clause. It may be a matter of dispute under the Industrial Dispute Act. So, my humble submission to the hon. Minister would be that this point was not part of the original Bill and so it should not be pressed, because if it comes to, we shall be giving a handle which may be misused at any time and which will be to the disadvantage of the employees.

Then, Sir, it will go against the spirit of the definition given for 'continuous service.' 'Continuous service' is defined at page 2, clause (eee):

" 'Continuous service' means uninterrupted service, and includes service which may be interrupted merely on account of sickness or authorised leave or an accident or a strike which is not illegal....." etc.

Sickness is included in that definition. So if a man falls sick, he will not be deemed to have discontinued his services. So, by adding this clause (c), we are just taking away the benefit that was proposed to be given by clause (ee). Therefore, I would request the hon. Minister to consider it and if he finds there is any force in my argument that the addition of this clause may be misapplied to the disadvantage of the employees, he may accept it.

Shri V. V. Giri: Sir, I do not want to take much of the time of the House in replying to the various important and constructive suggestions that have been made by the various hon. Members of this House. I have heard with attention the suggestions made by my esteemed friend Mr. K. K. Desai; I have also heard the views of the other hon. members on the question of the

deletion of the word "similar". After discussing this matter with many of my friends and in the light of the very valuable suggestions that have been made on the floor of the House regarding it, I have come to the conclusion that that word may be deleted.

As regards "paid or" I have accepted the amendment proposed by my esteemed friend Mr. K. K. Desai.

Then there are other matters referred to by various hon. Members. My good friend Mr. Tripathi wanted "employment" instead of service. I beg to submit, Sir, that "employment" may mean that one may be on the muster roll but absent from service. What the mover probably wants is to include in continuous service unauthorised absence.

I want to make quite clear what is continuous service and I would like to state the following.

"Continuous service" is defined in two ways. One way is mentioned in clause (eee). The other is mentioned in section 25B. Under clause (eee) the requirement of continuous service is that the worker must have done 305 days work, 365 days minus 52 Sundays plus eight paid holidays. Towards this strength of 365 days an exhaustive list of exclusion is allowed, namely sickness, authorised leave, absence due to accident, legal strike and at the suggestion of Mr. Vittal Rao I have also used the word 'lock-out', though, in my view, lock-out, lay-off and all this come under cessation of work.

In section 25B a much lower standard, namely 240 days is adopted to constitute one year's continuous service. As a lower standard has been adopted the exclusion would not be as exhaustive as in the case of (eee); only a few limited exclusions, namely lay-off, leave with wages earned in the previous year and maternity leave in the case of female workers. This decision was arrived at in consultation with workers' organisations in connection with the Factories (Amendment) Act and the Provident Fund (Amendment) Act.

I would like to say that before framing this Bill (especially with reference to lay-off) as I have already stated there was a Tripartite Conference and it was really a welcome sign that the workers' leaders as well as employers came to certain conclusions. They also said that the public sector should come in and it was ultimately agreed that certain things should be done within the four corners of the agreement. I am trying to see how best this Bill could be framed and I agreed to certain suggestions which do not go against the spirit or the understandings arrived at.

Now, I would like to say a few words with regard to the suggestion and the amendment proposed by Mr. Bansal. (No. 73). So far as his amendment (c) is concerned that is covered by the official amendment (No. 29). So far as his amendment (d) is concerned I am sorry it is not acceptable. The object of the Bill is to give retrenchment benefits even to persons whose services are terminated on completion of a contract of a period of years, on the ground that if he is unemployed for a period before securing alternative employment there is every justification for giving compensation to a worker when he is thrown out of employment after a period of years though he might have been specifically employed for a period. He must be helped to tide over the period between the termination of the previous service and the securing of fresh employment.

I would also like to say this and would like to repeat what I have said before. So far as this legislation is concerned it is in a sense a deterrent legislation. It is a warning to the employer to see that he does not in a light-hearted fashion retrench. It is also a warning to the workers that they should be careful in their work, otherwise they will not have public opinion on their behalf. My feeling is that if both sides realise their sense of responsibility in all probability unnecessary, unjust, inequitable retrenchment can always be avoided, and the employers and workers can sit at a

[Shri V. V. Giri]

common table and come to an understanding on these matters. It all depends upon the strength of the trade union arguments that the workers possess.

For instance on the question regarding ill-health so many different views have been expressed. My feeling is this that in all these matters there must always be the trade union rendering such help as it can to the workers in protecting their lives. Apart from that, if I feel that the employer has not stuck to the real spirit of things there will be occasion for reviewing the whole matter.

As regards (eee) I am agreeable to carry out the suggestion of Shri Vittal Rao that lock-out should find a place after strike.

Shri K. K. Desai: It is covered.

Shri V. V. Giri: While it is covered, so far as that is concerned I thought it may also be mentioned.

Shri T. B. Vittal Rao: Or lock out, or closure or lay off.

Shri K. K. Desai: It will be "or an accident or lock out or a strike.....".

Shri K. P. Tripathi: Lock out not qualified by 'illegal'.

Shri V. V. Giri: Shri T. B. Vittal Rao said that we should omit the words "and who has not been retrenched". I cannot accept the suggestion. The provision for lay off cannot have the effect of preventing retrenchment.

Then, Shri Bhagwat Jha referred to the question of muster rolls, waiting for two hours and so on. I may say that this matter was discussed at great length at the Tripartite conference and the parties have come to the conclusion, unanimous of course, and we should respect that agreement because, after all, we should try to encourage these agreements on fundamental matters relating to conditions of service, and relating to disputes between the employers and employees. Therefore, I regret I will not be able to agree with the suggestion made by my esteemed

friend Shri Bhagwat Jha. I do not think that there is anything more that I am called upon to say.

Shri Bansal: On a point of information. Sir, as regards lock outs, and the addition of the words 'lock-out' so as to make it read "...or an accident or lock out or a strike which is not illegal...", I want to know what the position is if there is a perfectly legal lock out.

Shri V. V. Giri: Lock out which is not illegal. If you want to say, you can say the same thing as you said about a strike. It is not necessary really.

Shri K. K. Desai: Otherwise, he shall be repeating what is stated in the end: cessation of work which is not due to any fault on the part of the workmen. A lock out is something over which the workman has no control. He is simply locked out. If you put in the words 'illegal' it means it is modified. I say, lock out, whatever it is, is there. Whether illegal or legal that does not matter. It is not the fault of the workman that there has been a lock out.

Shri V. V. Giri: I agree with my hon. friend.

Shri Gadgil: Has it not been defined?

Shri Bansal: A lock out may be on account of the fault of the workmen. Supposing the workers in a particular factory are going slow, as you know, Sir, in the case of Indian iron recently, the factory had to lock out. Then, what is the position? I am agreeable to the suggestion of Shri K. K. Desai because the wording is cessation of work which is not due to any fault of the workmen, because, if the lock out is not due to any fault on the part of the workmen, then, the workmen should be entitled to the reckoning of the period for this compensation. But if it is on account of the fault of the workmen and the lock out can be associated with any activity that the workmen indulge in, then, I think he should not be entitled to this lay off. I agree with what the hon. Minister said.

Shri V. V. Giri: I can only agree to the word 'lock-out' being added. In fact I thought the wording cessation of work etc. includes lock-out, closure or lay off.

Shri K. P. Tripathi: I did not get any reply to my remarks on amendment No. 27 of his *vis a vis* the Minimum Wages Act.

Shri V. V. Giri: I have nothing to say.

Mr. Chairman: Am I to take it that amendment No. 2 of Shri T. B. Vittal Rao seeking the addition of the words "or lock-out, or closure or lay off"—the entire amendment—is acceptable to the hon. Minister?

Shri V. V. Giri: Yes.

Shri Bansal: What is the decision, Sir?

Mr. Chairman: He accepts Amendment No. 2:

after "illegal" insert "or lock-out, or closure, or lay off".

Shri V. V. Giri: Only "Lock-out" is agreed to.

Mr. Chairman: Not "closure" or "lay off"?

Shri V. V. Giri: That is included there. In fact, "lock-out" also is included, but since a point has been raised I accept it. Really it is not necessary, but I accept it.

Shri Bansal: Where are you adding the word "lock-out"?

Shri V. V. Giri: After the word "strike".

Mr. Chairman: It may be put after the word "illegal", so that "illegal" may not qualify the word "lock-out".

Now, I put the Amendment to the vote of the House.

Shrimati Renu Chakravartty (Basirhat): May we just know where that word "lock-out" comes?

Mr. Chairman: It would come after the word "illegal".

Shrimati Renu Chakravartty: He says after "strike" and you are saying after "illegal".

Shri V. V. Giri: Yes.

Shri Bansal: You do not want to define whether it is legal or illegal.

Mr. Chairman: I take it the word "lock-out" will come after the word "illegal", because we do not want that "illegal" should also define lock-out.

The question is:

In page 2,

for lines 18 to 24, substitute:

"Explanation—Every workman whose name is borne on the muster rolls of the industrial establishment and who presents himself for work at the establishment at the time appointed for the purpose during normal working hours on any day and is not given employment by the employer within two hours of his so presenting himself shall be deemed to have been laid-off for that day within the meaning of this clause:

Provided that if the workman, instead of being given employment at the commencement of any shift for any day is asked to present himself for the purpose during the second half of the shift for the day and is given employment, then he shall be deemed to have been laid-off only for one half of that day:

Provided further that if he is not given any such employment even after so presenting himself, he shall not be deemed to have been laid-off for the second half of the shift for the day and shall be entitled to full basic wages and dearness allowance for that part of the day."

The motion was adopted.

Mr. Chairman: The question is:

In page 2.—

(i) in line 35, add at the end "or"; and

[Mr. Chairman]

(ii) after line 35 add—

“(c) termination of the service of a workman on the ground of continued ill health”.

The motion was adopted.

Mr. Chairman: The question is:

In page 2, line 14,—

omit “similar”.

The motion was adopted.

Mr. Chairman: Then I come to Amendment No. 2. After the word “illegal” the word should be “a lock-out” because the Clause reads “an accident or a strike ...”

The question is:

In page 2, line 6,—

after “illegal” insert “or a lock-out”.

The motion was adopted.

Mr. Chairman: The question is:

In page 1, line 12,—

omit “paid or”.

The motion was adopted.

Mr. Chairman: The question is:

In page 1, line 24,—

omit “paid or”.

The motion was adopted.

Shri Gadgil (Poona Central): It is 6.30, Sir. There should be both a strike and a lock-out.

Mr. Chairman: The question is:

In page 2,—

(i) in line 3, for “uninterrupted service” substitute:

“uninterrupted employment which has not been earlier terminated expressly by the employer”; and

(ii) omit lines 4 to 7.

The motion was negatived.

Mr. Chairman: The question is:

In page 2, line 3,—

for “uninterrupted service” substitute:

“uninterrupted employment”.

The motion was negatived.

Mr. Chairman: The question is:

In page 2, line 6,—

after “illegal” insert “or lay-off, lock-out or closure, or due to unavoidable climatic reasons”.

The motion was negatived.

Mr. Chairman: The question is:

In page 2,—

for lines 3 to 7 substitute:

“(eee) ‘continuous service’ means uninterrupted service, and includes service which may be interrupted merely on account of sickness, or accident, or such absence on account of family events as may be prescribed, or military service, or the exercise of civil rights and duties, or changes in the management of the undertaking, or intermittent involuntary unemployment if the duration of the unemployment does not exceed a prescribed limit and if the person concerned resumes employment, or pregnancy and confinement if her absence does not exceed a prescribed period.”

The motion was negatived.

Mr. Chairman: The question is:

In page 2, line 6,—

after “illegal” insert “or lock-out or lay off”.

The motion was negatived.

Mr. Chairman: The question is:

In page 2, line 11,—

after “expressions” add “including lock-out”.

The motion was negatived.

Mr. Chairman: The question is:

In page 2, lines 16 and 17,—
omit "and who has not been re-
trenched".

The motion was negatived.

Mr. Chairman: The question is:

In page 2, line 17,—

after "retrenched" add "for
valid and proper reasons".

The motion was negatived.

Shri Bhagwat Jha (Purnea cum San-
tal Parganas): I beg to withdraw my
amendment.

*The amendment was, by leave, with-
drawn.*

Mr. Chairman: The question is:

In the amendmnet proposed by
Shri V. V. Giri printed as No. 27,
in List No. 2—

in the second proviso to the Ex-
planation—

for "for that part of the day"
substitute "for the whole day".

The motion was negatived.

Shri K. P. Tripathi: I would like to
withdraw my amendment No. 28.

Amendment was, by leave, withdrawn.

Mr. Chairman: The question is:

In page 2, line 31,—

after "workman" insert "before
the age of superannuation".

The motion was negatived.

Mr. Chairman: The question is:

In page 2, line 32,—

before "age" insert "prescribed".

The motion was negatived.

Mr. Chairman: The question is:

In page 2, line 35,—

after "behalf" add "and if the
worker is found to be physically
unfit to carry on his work with his
usual efficiency".

The motion was negatived.

Shri A. N. Vidyasankar: I would like
to withdraw my amendment No. 72.

Amendment was, by leave, withdrawn.

Shri Bansal: I would like to with-
draw my amendment No. 73.

Mr. Chairman: Has the hon. Mem-
ber leave of the House to withdraw
his amendment? I would just like to
say that half of his amendment has
already been accepted, and so even if
I had put it to the vote of the House,
I would have put only the other half.
Amendment was, by leave, withdrawn.

Mr. Chairman: The question is:

In page 3, line 4,—

omit "or provident fund".

The motion was negatived.

Mr. Chairman: The question is:

"That Clause 2, as amended,
stand part of the Bill".

The motion was adopted.

*Clause 2, as amended, was added to
the Bill.*

Mr. Chairman: The House will now
stand adjourned and meet again at
1-30 p.m. tomorrow.

*The House then adjourned till Half
Past One of the Clock on Friday, the
27th November, 1953.*