

Saturday,  
21st July, 1956

# LOK SABHA DEBATES

**VOLUME V, 1956**

*(16th July to 10th August 1956)*



सत्यमेव जयते



**THIRTEENTH SESSION, 1956**

LOK SABHA SECRETARIAT  
NEW DELHI

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 Achal Singh, Seth (Agra Distt. (West)).  
 Achalu, Shri Sunkam (Naigonda—Reserved—Sch. Castes).  
 Achint Ram, Lala (Hissar).  
 Achuthan, Shri K. T. (Cranganur).  
 Agarwal, Shri Hoti Lal (Jalaun Distt. cum Etawah Distt.—(West) cum Jhansi Distt.—(North)).  
 Agrawal, Shri Mukund Lal (Pilibhit Distt. cum Bareilly Distt.—(East)).  
 Ajit Singh, Shri (Kapurthala-Bhatinda—Reserved—Sch. Castes).  
 Ajit Singhji, General (Sirohi-Pali).  
 Akarपुरी, Sardar Teja Singh (Gurdaspur).  
 Alagesan, Shri O. V. (Chingleput).  
 Alakar, Shri Ganesh Sadashiv (North Satara).  
 Alva, Shri Joachim (Kanara).  
 Amin, Dr. Indubhal B. (Baroda West).  
 Amjad Ali, Shri (Gawalpore-Garo Hills).  
 Amrit Kaur, Rajkumari (Mandi-Mahasu).  
 Anandchand, Shri (Bilaspur).  
 Ansari, Dr. Shaikatullah Shah (Bidar).  
 Anthony, Shri Frank (Nominated—Anglo-Indians).  
 Asthana, Shri Sita Rama (Azamgarh Distt.—West).  
 Ayyangar, Shri M. Ananthasayanam (Tirupati).  
 Azad, Maulana Abul Kalam (Rampur Distt. cum Bareilly Distt.—West).  
 Azad, Shri Bhagwat Jha (Purnea cum Santhal Parganas).

### B

Babunath Singh, Shri (Surguja-Raigarh—Reserved—Sch. Tribes).  
 Badam Singh, Chowdhary (Budaun Distt.—West).  
 Bagdi, Shri Magan Lal (Mahasamund).  
 Bahadur Singh, Shri (Ferozepore-Ludhiana—Reserved—Sch. Castes).  
 Balakrishnan, Shri S. C. (Erode—Reserved—Sch. Castes).  
 Balasubramaniam, Shri S. (Madurai).  
 Baldev Singh, Sardar (Nawan Shahr).  
 Balmiki, Shri Kantaraya Lal (Bulandshah Distt.—Reserved—Sch. Castes).  
 Banerjee, Shri Durga Charan (Midnapore-Jhargram).  
 Bansal, Shri Ghamandi Lal (Jhajjar-Rewari).  
 Bansilal, Shri (Jalpur).  
 Barman, Shri Upendranath (North Bengal—Reserved—Sch. Castes).  
 Barrow, Shri A. E. T. (Nominated—Anglo-Indians).  
 Barupal, Shri Panna Lal (Ganganagar-Jhunjhunu—Reserved—Sch. Castes).  
 Basappa, Shri C. R. (Tumkur).  
 Basu, Shri A. K. (North Bengal).  
 Basu, Shri Kamal Kumar (Diamond Harbour).  
 Bhagat, Shri B. R. (Patna cum Shahabad).  
 Bhakt Darsan, Shri (Garhwal Distt.—(East) cum Moradabad Distt.—(North-East)).  
 Bharati, Shri Gorwamiya Sahdeo (Yeotmal).  
 Bhargava, Pandit Mukat Behari Lal (Ajmer South).  
 Bhargava, Pandit Thakur Das (Gurgaon).  
 Bhartiya, Shri Shaligram Ramchandra (West Khandesh).  
 Bhatkar, Shri Laxman Shreevan (Buldana-Akola—Reserved—Sch. Castes).

**B—contd.**

Bhatt, Shri Chandrasekhanker (Broach).  
 Bhawani Singh, Shri (Barmer-Jalore).  
 Bhawanji, Shri (Kutch West).  
 Bheekha Bhai, Shri (Banswara—Dungarpur—  
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 Bhonsle, Shri Jagannathrao Krishna Rao  
 (Rannagiri North).  
 Bidari, Shri Ramappa Balappa (Bijapur  
 South).

Birbal Singh, Shri [Jaunpur Distt.—(East)].  
 Biren Dutt, Shri (Tripura West).  
 Bogawat, Shri U. R. (Ahmednagar South).  
 Boovaraghasamy, Shri V. (Perambalur).  
 Borkar, Shrimati Anusayabai (Bhandara—  
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 Borooah, Shri Dev Kanta (Nowgong).  
 Bose, Shri P. C. (Manbhum North).  
 Brajeshwar Prasad, Shri (Gaya East).  
 Brohmo-Chaudhury, Shri Sitannath (Goalpara—  
 Garo Hills—Reserved—Sch. Tribes).  
 Buchalikotiah, Shri Sanaka (Masulipatnam).

**C**

Chakravartty, Shrimati Renu (Basirhat).  
 Chaliha, Shri Bimalprosad (Sibsagar—  
 North-Lakhimpur).  
 Chanda, Shri Anil Kumar (Birbhum).  
 Chandak, Shri B. L. (Betul).  
 Chandrasekhar, Shrimati M. (Tiruvallur—  
 Reserved—Sch. Castes).  
 Charak, Th. Lakhman Singh (Jammu and  
 Kashmir).  
 Chatterjee, Shri Tushar (Serampore).  
 Chatterjee, Dr. Susilranjan (West Dinajpur).  
 Chatterjee, Shri N. C. (Hooghly).  
 Chattopadhyaya, Shri Harindranath (Vijaya-  
 vada).  
 Chaturvedi, Shri Rohanlal [Etah Distt.—  
 (Central)].  
 Chaudhary, Shri Ganeshi Lal (Shahjahanpur  
 Distt.—(North) cum Kheri—(East)—  
 Reserved—Sch. Castes).

Chaudhuri, Shri Tridib Kumar (Berhampore).

Chavda, Shri Akbar (Banskantha).

Chettiar, Shri N. V. N. Ar. Nagappa  
 (Ramanathapuram).

Chettiar, Shri T. S. Avinashilingam (Tirupur).

Chowdary, Shri C. R. (Narasaraopet).

Chowdhury, Shri Nikunja Behari (Ghatal).

**D**

Dabhi, Shri Fulsinhji B. (Kaira North).

Damar, Shri Amar Singh Sabji (Jbabua—  
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Damodaran, Shri G. R. (Pollachi).

Damodaran, Shri Nettur P. (Tellicherry).

Das, Dr. Mono Mohon (Burdwan—Reserved  
 —Sch. Castes).

Das, Shri B. (Jaipur-Keonjhar).

Das, Shri Basanta Kumar (Cottai).

Das, Shri Beli Ram (Berpeta).

Das, Shri Bijoy Chandra (Ganjam South).

Das, Shri Kamal Krishna (Birbhum—Re-  
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Das, Shri Nayan Tara (Monghyr Sadr cum  
 Jammu—Reserved—Sch. Castes).

Das, Shri Ram Dhani (Gaya East.—Re-  
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Das, Shri Ramananda (Barrackpore).

Das, Shri Sarangadhar (Dhenkanal—V  
 Cuttack).

Das, Shri Shree Narayan (Darbhanga Central).

Dasaratha Deb, Shri (Tripura East).

Datar, Shri Balwan Nagesh (Belgaum North).

Deb, Shri Suresh Chandra (Cachar-  
 Lushai Hills).

Deo, H. H. Maharaja Rajendra Narayan  
 Singh (Kalahandi-Bolangir).

Deogam, Shri Kanhu Ram (Chaitaan—  
 Reserved—Sch. Tribes).

Desai, Shri Kanayala Nanabhai (Surat).

Desai, Shri Khandutbai Kananji (Halag).

Deshmukh, Dr. Panjabrao S. (Amravati  
 East).

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Deshmukh, Shri Chintaman Dwarakanath (Kola' a).

Deshmukh, Shri K. G. (Amravati West).

Deshpande, Shri Govind Hari (Nasik Central).

Deshpande, Shri Vishnu Ghaneshyam (Guna).

Dholakia, Shri Gulab Shankar Amritlal (Kutch East).

Dholikar, Shri R. V. [Jhansi Distt.—(South)].

Dhusiya, Shri Sohan Lal (Basti Distt.—(Central-East) cum Gorakhpur Distt.—(West)—Reserved—Sch. Caste].

Digambar Singh, Shri (Etah Distr.—(West cum Mainpuri Distt.—(West) cum Mathura Distt.—(East)).

Diwan, Shri Raghavendrarao Srinivasrao (Omanabad).

Dube, Shri Mulchand [Farrukhabad Distt. (North)].

Dube, Shri Udai Shankar [Basti Distt. (North)].

Dubey, Shri Rajaram Giridharlal (Bijapur North).

Dutt, Shri Asim Krishna (Calcutta South-West).

Dutta, Shri Santosh Kumar (Howrah).

Dwivedi, Shri Dashrath Prasad (Gorakhpur Distt.—Central).

Dwivedi, Shri M. L. (Hamirpur Distt.).

**E**

Echaran, Shri Iyyanni (Ponnani—Reserved—Sch. Castes).

Elenezer, Dr. S. A. (Vikarabad).

Elayaperumal, Shri L. (Cuddalore—Reserved—Sch. Castes).

**F**

Fotedar, Pandit Sheo Narayan (Jammu and Kashmir).

**G**

Gadgil, Shri Narhar Vishnu (Poona Central)  
Gadlingana Gowd, Shri (Kurnool).

Gami Malludora, Shri (Visakhapatnam—Reserved—Sch. Tribes).

Gandhi, Shri Feroze [Pratapgarh Distt. (West) cum Rae Bareilly Distt. (East)].

Gandhi, Shri Maneklal Maganlal (Panch Mahals cum Baroda East).

Gandhi, Shri V. B. (Bombay City—North).

Ganga Devi, Shrimati (Lucknow Distt. cum Bara Banki Distt.—Reserved—Sch. Castes).

Ganpati Ram, Shri [Jaunpur Distt. (East)—Reserved—Sch. Castes].

Garg, Shri Ram Pratap (Patiala).

Gautam, Shri C. D. (Balaghat).

Ghose, Shri Surendra Mohan (Malda).

Ghosh, Shri Atulya (Burdwan).

Ghulam Qader, Shri (Jammu and Kashmir).

Gidwani, Shri Choithram Parabhai (Thana)

Giri, Shri V. V. (Paihapatnam).

Giridhari Bhoi, Shri (Kalahandi-Bolangir Reserved—Sch. Tribes).

Gohain, Shri Chowkhamoon (Nominated—Assam Tribal Areas).

Gopalan, Shri A. K. (Cannanore).

Gopi Ram, Shri (Mandi-Mahasu—Reserved—Sch. Castes).

Gounder, Shri K. Periaswami (Erode).

Gounder, Shri K. [Sakthivadivel (Periyakulam).

Govind Das, Seth (Mandla-Jabalpur South).

Guha, Shri Arun Chandra (Santipur).

Gupte, Shri Badshah (Mainpuri Distt.—East).

Guppa, Shri Sadhan Chandra (Calcutta—South—East).

Gurupadaswamy, Shri M. S. (Mysore).

**H**

Hanada, Shri Benjamin (Purnea cum Santh Parganas—Reserved—Sch. Tribes).

Hari Mohan, Dr. (Manbhum North—Reserved—Sch. Castes).

Hasda, Shri Subodh (Midnapore-Jhargram—Reserved—Sch. Tribes).

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- Hazarika, Shri Jogendra Nath (Dibrugarh).  
 Heda, Shri H. C. (Nizamabad).  
 Hembrom, Shri Lal (Santal Parganas cum Hazaribagh—Reserved—Sch. Tribes).  
 Hem Raj, Shri (Kangra).  
 Hukam Singh, Sardar (Kapurthala—Bharinda).  
 Hyder Husein, Chaudhri (Gonda Distt.—North).

## I

- Ibrahim, Shri A. (Ranchi North-East).  
 Iqbal Singh, Sardar (Fazilka—Siresa).  
 Islamuddin, Shri Muhammad (Purnea—North-East).  
 Iyyunni, Shri C. R. (Trichur).

## J

- Jaggiwan Ram, Shri (Shahabad South—Reserved—Sch. Castes).  
 Jain, Shri Ajit Prasad (Saharanpur Distt.—West cum Muzaffarnagar Distt.—North).  
 Jain, Shri Nemi Saran (Bijnor Distt.—South).  
 Jalpal Singh, Shri (Ranchi West—Reserved—Sch. Tribes).  
 Jaisooriya, Dr. N. M. (Medak).  
 Jaisware, Shri Ramraj (Santal Parganas cum Hazaribagh).  
 Jangde, Shri Resham Lal (Bilaspur—Reserved—Sch. Castes).  
 Jatav-vir, Dr. Manik Chand (Bharatpur-Sawai Madhopur—Reserved—Sch. Castes).  
 Jayaraman, Shri A. (Tindivanam—Reserved—Sch. Castes).  
 Jayashri, Shrimati (Bombay-Suburban).  
 Jena, Shri Kanhu Charan (Balasore—Reserved—Sch. Castes).  
 Jena, Shri Lakshmidhar (Jaipur-Keonjhar—Reserved—Sch. Castes).  
 Jena, Shri Niranjan (Dhenkanal—West Cuttack—Reserved—Sch. Castes).  
 Jethan, Shri Kherwar (Palamau cum Hazaribagh cum Ranchi—Reserved—Sch. Tribes).

Jhunjhunwala, Shri Banarsi Prasad (Bhagalpur Central).

Jogendra Singh, Sardar (Bahraich Distt.—West).

Joshi, Shri Anand Chandra (Shahdol-Sidhi).

Joshi, Shri Jethalal Hanukrishna (Madhya Saurashtra).

Joshi, Shri<sup>9</sup> Krishnacharya (Yadgir).

Joshi, Shri Liladhar (Shajapur-Rajgarh).

Joshi, Shri Moreswar Dinkar (Raigarh South).

Joshi, Shri Nandlal (Indore).

Joshi, Shrimati Subhadra (Karnal).

Jwala Prasad, Shri (Ajmer North).

## K

Kachiroyar, Shri N. D. Govindaswami (Cuddalore).

Kajrolkar, Shri Narayan Sadoba (Bombay City—North—Reserved—Sch. Castes).

Kakkan, Shri P. (Madurai—Reserved—Sch. Castes).

Kale, Shrimati Anasuyabai (Nagpur).

Kamal Singh, Shri (Shahabad—North-West).

Kamath, Shri Hari Vishnu (Hoahangabad).

Kamble, Dr. Devrao Nambavrao (Nanded—Reserved—Sch. Castes).

Kandasamy, Shri S. K. Babie (Tiruchengode).

Kanungo, Shri Nityanand (Kendrapara).

Karmarkar, Shri D. P. (Dharwar North).

Karni Singhji, His Highness Maharaja Shri Bahadur of Bikaner (Bikaner-Churu).

Kasliwal, Shri Nemi Chandra (Kota-Jhalawar).

Katham, Shri Birendranath (North Bengal—Reserved—Sch. Tribes).

Katju, Dr. Kailas Nath (Mandaur).

Kayal, Shri Parat Nath (Basirhat—Reserved—Sch. Castes).

Kazmi, Shri Syed Mohammad Ahmad (Sultanpur Distt.—North cum Faizabad Distt.—South-West).

Kelappan, Shri K. (Ponnani).

Keshavaiengar, Shri N. (Bangalore North).

**K—contd.**

- Keekar, Dr. B. V. (Sultanpur Distt.—South).  
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 Khardekar, Shri B. H. (Kolhapur cum Satara).  
 Khare, Dr. N. B. (Gwalior).  
 Khedkar, Shri Gopalrao Bajirao (Buldana. Akola).  
 Khongmen, Shrimati B. (Autonomous Distts.—Reserved—Sch. Tribes).  
 Khuda Baksh, Shri Muhammad (Murahda-had).  
 Kirolkar, Shri Wasudeo Shridhar (Durg).  
 Kolay, Shri Jagannath (Bankura).  
 Kottukappally, Shri George Thomas (Meenachil).  
 Kripalani, Acharya J. B. (Bhagalpur cum Purnea).  
 Krishna, Shri M. R. (Karimnagar—Reserved—Sch. Castes).  
 Krishna Chandra, Shri (Mathura Distt.—West).  
 Krishnamachari, Shri T. T. (Madras).  
 Krishnappa, Shri M. V. (Kolar).  
 Krishnaswami, Dr. A. (Kanchipuram).  
 Kureel, Shri Baij Nath (Pratapgarh Distt.—West cum Rae Bareilly Distt.—East—Reserved—Sch. Castes).  
 Kureel, Shri Piare Lal (Banda Distt. cum Fatehpur Distt.—Reserved—Sch. Castes).

**L**

- Lakshmayya, Shri Paidi (Anantapur).  
 Lal Singh, Sardar (Ferozepur-Ludhiana).  
 Lallanji, Shri (Faizabad Distt.—North-West).  
 Laskar, Shri Nibaran Chandra (Cachar-Lushai Hills—Reserved—Sch. Castes).  
 Lingam, Shri N. M. (Colimbarore).  
 Lotan Ram, Shri (Jalaun Distt. cum Etawah Distt.—West cum Jhansi Distt.—North—Reserved—Sch. Castes).

**M**

- Madiah Gowda, Shri (Bangalore South).  
 Mahapatra, Shri Siborayan Singh (Sundergarh—Reserved—Sch. Tribes).

- Mahara, Shri Bhajharf (Manbhum South cum Dhalbhum).  
 Mahodaysa, Shri Vajjanath (Nimar).  
 Maitra, Shri Mohit Kumar (Culcutta—North West).  
 Majhi, Shri Chaiten (Manbhum—South cum Dhalbhum—Reserved—Sch. Tribes).  
 Majhi, Shri Ram Chandra (Mayurbhanj—Reserved—Sch. Tribes).  
 Majithia, Sardar Surjit Singh (Taran Taran).  
 Malaviya, Shri Keshava Deva (Gonda Distt.—East cum Basti Distt.—West).  
 Malliah, Shri U. Srinivasa (South Kanara—North).  
 Malvia, Shri Bhagu-Nandu (Shajapur-Rajgarh—Reserved—Sch. Castes).  
 Malviya, Pandit Chatur Narain (Raisen).  
 Malviya, Shri Motilal (Chhatarpur-Datia-Tikamgarh—Reserved—Sch. Castes).  
 Mandal, Dr. Pashupati (Bankura—Reserved—Sch. Castes).  
 Mascarene, Kumari Annie (Trivandrum).  
 Masuodi, Maulana Mohammad Saeed (Jammu and Kashmir).  
 Masuriya Din, Shri (Allahabad Distt.—East cum Jaunpur Distt.—West—Reserved—Sch. Castes).  
 Mathew, Shri C. P. (Kottayam).  
 Mathuram, Dr. Edward Paul (Tiruchirappalli).  
 Mathen, Shri C. P. (Thiruvellak).  
 Maivalankar, Shrimati Sushila (Ahmedabad).  
 Maydeo, Shrimati Indira A. (Poona South).  
 Mehta, Shri Asoka (Bhandara).  
 Mehta, Shri Balvantray Gopaljee (Gohilwad).  
 Mehta, Shri Balwant Sinha (Udaipur).  
 Mehta, Shri Jaswantraaj (Jodhpur).  
 Menon, Shri K. A. Damodara (Kozhikode).  
 Minimara, Shrimati (Bilaspur-Durg-Raipur—Reserved—Sch. Castes).  
 Mishra, Pandit Suresh Chandra (Monghyr North-East).  
 Mishra, Shri Bibhutl (Saran cum Champaran).  
 Mishra, Shri Lalit Narayan (Darbhanga cum Bhagalpur).



*M.—contd.*

- Mishra, Shri Lokerath (Puri).  
 Mishra, Shri Mathura Prasad (Monghyr—North-West).  
 Mishra, Shri Shyam Nandan (Darbhanga—North).  
 Misra, Pandit Lingarai (Khurda).  
 Mishra, Shri Bhupendra Nath (Bilaspur—Durg-Raipur).  
 Misra, Shri Raghubar Dayal (Bulandshahr Diott.).  
 Misra, Shri Sarju Prasad (Deoria Diott.—South).  
 Missir, Shri Vijineshwar (Gaya North).  
 Mohd. Akbar, Sofi (Jammu and Kashmir).  
 Mohiuddin, Shri Ahmed (Hyderabad City).  
 Morarka, Shri Radheshyam Ramkumar (Ganganagar-Jhunjhunu).  
 More, Shri K. L. (Kolhapur cum Satara—Reserved—Sch. Castes).  
 More, Shri Shankar Shantaram (Sholepur, Muchaki Kosa, Shri (Bastar—Reserved—Sch. Tribes).  
 Mudalliar, Shri C. Ramaswamy (Kumbakonam).  
 Muhammad Shafee, Chaudhuri (Jammu and Kashmir).  
 Mukerjee, Shri Hirendra Nath (Calcutta—North-East).  
 Mukne, Shri Y. M. (Thana—Reserved—Sch. Tribes).  
 Muniawamy, Shri N. R. (Wandiwash).  
 Muniawamy, Shri V. (Tindivanam).  
 Murli Manohar, Shri (Ballia Diott. East).  
 Murthy, Shri B. S. (Eluru).  
 Musafir, Giani Gurmukh Singh (Amritsar).  
 Mushar, Shri Kirai (Bhagalpur cum Purnea—Reserved—Sch. Castes).  
 Muthukrishnan, Shri M. (Vellore—Reserved—Sch. Castes).

**N**

- Naidu, Shri Nalla Reddi (Rajahmundry).  
 Nair, Shri C. Krishnan (Outer Delhi).

- Nair, Shri N. Sreekantan (Quilon cum Mavelikkara).  
 Nambiar, Shri K. Ananda (Mayuram).  
 Nanadas, Shri Mangalagiri (Ongole—Reserved—Sch. Castes).  
 Nanda, Shri Gulzarilal (Saberkantha).  
 Narasimham, Shri S. V. L. (Guntur).  
 Narasimhan, Shri C. R. (Kriehnagiri).  
 Naskar, Shri Purnendu Sekhar (Diamond Harbour—Reserved—Sch. Castes).  
 Natavadar, Shri Jayantao Ganpat (West Khandesh—Reserved—Sch. Tribes).  
 Nathani, Shri Hari Ram (Bhilwara).  
 Nathwani, Shri Narendra P. (Sorath).  
 Nayar, Shri V. P. (Chirayinkil).  
 Nehru, Shri Jawaharlal (Allahabad Diott.—East cum Jaunpur Diott.—West).  
 Nehru, Shrimati Shivraj Vati (Lucknow Diott.—Central).  
 Nehru, Shrimati Uma (Sitapur Diott. cum Kheri Diott.—West).  
 Nesamony, Shri A. (Nagercoil).  
 Neswi, Shri T. R. (Dbarwar—South).  
 Nevatia, Shri R. P. (Sahjahanpur Diott.—North cum Kheri—East).  
 Nijalingappa, Shri S. (Chitaldrug).

**P**

- Palchoudhury, Shrimati Ila (Nabadwip).  
 Pande, Shri Badri Dutt (Almora Diott.—North—East).  
 Pande, Shri C. D. (Naini Tal Diott. cum Almora Diott.—South-West cum Bareilly Diott.—North).  
 Pandey, Dr. Natabar (Sambalpur).  
 Pannalal, Shri (Faizabad Diott.—North-West—Reserved—Sch. Castes).  
 Paragi Lal, Chaudhari (Sitapur Diott. cum Kheri Diott.—West—Reserved—Sch. Castes).  
 Paranjpe, Shri R. G. (Bhir).  
 Parekh, Dr. Jayantilal Narbheram (Zala-wad).  
 Parikh, Shri Shantilal Girdharilal (Mehsana East).

**P—contd.**

- Parmer, Shri Rupaji Bhavji (Panch Mahals  
cum Baroda Esat—Reserved—Sch. Tri-  
bes).
- Pataskar, Shri Hari Vinayak (Jalgaon).
- patel, Shri Bahadurbhai Kunthabhai (Surat  
—Reserved—Sch. Tribes).
- Patel, Shri Rajeshwar (Muzaffarpur cum  
Darbhanga).
- Patel, Shrimati Maniben Vallebbhai  
(Kaira South).
- Pateria, Shri Suahil Kumar (Jabalpur  
North).
- Patil, Shri P. R. Kanavade (Ahmednagar  
North).
- Patil, Shri S. K. (Bombay City—South).
- Patil, Shri Shankargauda Veeranagauda  
(Belgaum South).
- Pataik, Shri Uma Charan (Ghumsur).
- Pawar, Shri Vyankatrao Pirajirao (South  
Satara).
- Pillai, Shri P. T. Thanu (Tirunelveli).
- Pocker Saheb, Shri B. (Malaopuram).
- Prabhakar, Shri Naval (Outer Delhi—  
Reserved—Sch. Castes).
- Punnoose, Shri P. T. (Allenney).

**R**

- Rachiah, Shri N. (Mysore—Reserved—  
Sch. Castes).
- Radha Raman, Shri (Delhi City).
- Raghavachari, Shri K. S. (Pudukkottai).
- Raghavaiah, Shri Pisupeti Vekata (On-  
gole).
- Raghubir Sahai, Shri (Btch Distt.—North-  
East cum Budaun Distt.—East).
- Raghubir Singh, Choudhary (Agra Distt.—  
East).
- Raghunath Singh, Shri (Banaras Distt.—  
Central).
- Raghubramiah, Shri Kotha (Tenali).
- Rahman, Shri M. Hifzur (Moradabad  
Distt.—Central).
- Raj Bahadur, Shri (Jaipur—Sawai Madho-  
pur).
- Rajabhoj, Shri P. N. (Sholapur—Reserved  
—Sch. Castes).
- Ramachender, Dr. D. (Vellore).
- Ramanand Shastri, Swami (Unnao Distt. cum  
Rae Bareilly Distt.—West cum Hardoi-  
Distt.—South-East—Reserved—Sch. Castes).
- Ramananda Tirtha, Swami (Gulberga).
- Ramasenu, Shri M. D. (Arruppukottai).
- Ramaswahaiah, Shri N. (Parvathipuram).
- Ramaswamy, Shri P. (Mahbubnagar—  
Reserved—Sch. Castes).
- Ramaswamy, Shri S. V. (Salem).
- Ram Dass, Shri (Hoshiarpur—Reserved  
—Sch. Castes).
- Ram Krishan, Shri (Mohindergarh).
- Ramnarayan Singh, Babu (Hazaribagh  
West).
- Ram Saran, Shri (Moradabad Distt.—  
West).
- Ram Shankar Lal, Shri (Basti Distt.—  
Central-East cum Gorakhpur Distt.—  
West).
- Ram Subhag Singh, Dr. (Shahabad South).
- Ranbir Singh, Ch. (Rohank).
- Randaman Singh, Shri (Shahdol-Sidhi  
—Reserved—Sch. Tribes).
- Rane, Shri Shivram Rango (Bhusaval).
- Ranjit Singh, Shri (Sangrur).
- Rao, Dr. Ch. V. Rama (Kakinada).
- Rao, Shri B. Rajagopala (Srikakulam).
- Rao, Shri B. Shiva (South Kanara—South).
- Rao, Shri Kadyala Gopala (Gudlavada).
- Rao, Shri K. nety Mohana (Rajahmundry  
—Reserved—Sch. Castes).
- Rao, Shri Kondru Subba (Eluru—Reserved  
—Sch. Castes).
- Rao, Shri P. Subba (Nowrangpur).
- Rao, Shri Pendyal Raghava (Warangal).
- Rao, Shri Rayasam Seethagiri (Nandyal).
- Rao, Shri T. B. Vittal (Khammam).
- Raut, Shri Bhola (Saran cum Champaran  
—Reserved—Sch. Castes).
- Ray, Shri Birakisor (Cuttack).
- Razmi, Shri Said Ullah Khan (Sehore).

## \* R—contd.

Reddi, Shri B. Ramachandra (Nellore).  
 Reddi, Shri C. Madhao (Adilabad).  
 Reddi, Shri Y. Eswara (Cuddapah).  
 Reddy, Shri Baddam Yella (Karimnagar).  
 Reddy, Shri K. Janardhan (Mahbubnagar).  
 Reddy, Shri Ravi Narayan (Nalgonda).  
 Reddy, Shri T. N. Vishwanaths (Chittoor).  
 Richardson, Bishop John (Nominated—Andaman and Nicobar Islands).  
 Rishang Keishing, Shri (Outer Manipur—Reserved—Sch. Tribes).  
 Roy, Dr. Satyaban (Uluberia).  
 Roy, Shri Bishwa Nath (Deoria Distt.—West).  
 Rwp Narain, Shri (Mirzapur Distt. cum Banaras Distt.—West—Reserved—Sch. Castes).

## S

Sahaya, Shri Syamnandan (Muzaffarpur Central).  
 Sahu, Shri Bhagabat (Balasore).  
 Sahu, Shri Rameshwar (Muzaffarpur cum Darbhanga—Reserved—Sch. Castes).  
 Saigal, Sardar Amar Singh (Bilaspur).  
 Sakseena, Shri Mohanlal (Lucknow Distt. cum Bara Banki Distt.).  
 Samanta, Shri Satish Chandra (Tamluk).  
 Sanganna, Shri T. (Rayagada-Phulbani—Reserved—Sch. Tribes).  
 Sankarapandian, Shri M. (Sankaranayinar-kovil).  
 Sarma, Shri Debendra Nath (Gauhati).  
 Sarmah, Shri Debeswar (Golaghat-Jorhat).  
 Satish Chandra, Shri (Barcilly Distt. South).  
 Satyawadi, Dr. Virendra Kumar (Karnal—Reserved—Sch. Castes).  
 Sen, Shri Phani Gopal (Purnea Central).  
 Sen, Shri Raj Chandra (Kotah-Bundi).  
 Sen, Shrimati Sushama (Bhagalpur South).  
 Sewal, Shri A. R. (Charuba-Sirmur).  
 Shah, Her Highness Rajmata Kamlendu Mati (Garhwal Distt.—West cum Tehri Garhwal Distt. cum Bijnor Distt.—North.)

Shah, Shri Chimanlal Chakubhai (Gohilwad-Sorath).  
 Shah, Shri Raichand Bhai N. (Chhindwara).  
 Shah Nawaz Khan, Shri (Meerut Distt.—North-East).  
 Shakuntala Nayar, Shrimati (Gonda Distt.—West).  
 Sharma, Pandit Balkrishna (Kanpur Distt.—South cum Etawah Distt.—East).  
 Sharma, Pandit Krishna Chandra (Meerut Distt.—South).  
 Sharma, Shri Diwan Chand (Hoshiarpur).  
 Sharma, Shri Khushi Ram (Meerut Distt.—West).  
 Sharma, Shri Nand Lal (Sikar).  
 Sharma, Shri Radha Charan (Morena-Bhind).  
 Shastri, Shri Algu Rai (Azamgarh Distt.—East cum Ballia Distt.—West).  
 Shastri, Shri Raja Ram (Kanpur Distt.—Central).  
 Shivananjappa, Shri M. K. (Mandya).  
 Shobha Ram, Shri (Alwar).  
 Shriman Narayan, Shri (Wardha).  
 Shukla, Pandit Bhagwaticharan (Durg-Bastar).  
 Siddananjappa, Shri H. (Haasan Chikmagalur).  
 Singh, Shri C. Sharan (Surguja-Raigarh).  
 Singh, Shri Digvijaya Narain (Muzaffarpur—North-East).  
 Singh, Shri Dinesh Pratap (Bahraich Distt.—East).  
 Singb, Shri Girraj Saran (Bharatpur-Sawai Madhopur).  
 Singh, Shri Har Prasad (Ghazipur Distt.—West).  
 Singh, Shri L. Jogeswar (Inner Manipur).  
 Singh, Shri Mahendra Nath (Saran Central).  
 Singh, Shri Ram Nagina (Ghazipur Distt.—East cum Ballia Distt.—South-West).

## S—contd.

Singh, Shri Tribhuan Narayan (Banaras Distt.—East).

Singhal, Shri Shri Chand (Aligarh Distt.).

Sinha, Dr. Satyanarain (Saran East).

Sinha, Shri Anirudha (Darbhanga East).

Sinha, Shri Awadheshwar Prasad (Muzaffarpur East).

Sinha, Shri Banarai Prasad (Moaghyr Sadr cum Jamui).

Sinha, Shri Gajendra Prasad (Palamau cum Hazaribagh cum Ranchi).

Sinha, Shri Jhulan (Saran North).

Sinha, Shri Kailash Pati (Patna Central).

Sinha, Shri Nageshwar Prasad (Hazaribagh East).

Sinha, Shri S. (Pataliputra).

Sinha, Shri Satya Narayan (Samastipur East).

Sinha, Shri Setyendro Narayan (Gaya West).

Sinha, Shrimati Terkeshwari (Patna East).

Sinha, Thakur Jugal Kishore (Muzaffarpur—North-West).

Sinhasan Singh, Shri (Gorakhpur Distt.—South).

Siva, Dr. M. V. Gangadhara (Chittoor—Reserved—Sch. Castes).

Snatak, Shri Nardeo (Aligarh Distt.—Reserved—Sch. Castes).

Sodhis, Shri Khub Chand (Sagar).

Somana, Shri N. (Coorg).

Somani, Shri G. D. (Nagaur-Pali).

Subrahmanyam, Shri Kandala (Vizianagaram).

Subrahmanyam, Shri Tekur (Bellary).

Subramania Chettiar, Shri (Dharmapuri).

Sundaram, Dr. Lanka (Visakhapatnam).

Sunder Lall, Shri (Saharanpur Distt.—West cum Muzaffarnagar Distt.—North—Reserved—Sch. Castes).

Suresh Chandra, Dr. (Aurangabad).

Suriya Prasad, Shri (Morena-Bhind—Reserved—Sch. Castes).

Swami, Shri Sivamurthi (Kushtagi).

Swaminadhan, Shrimati Ammu (Dindigul).

Syed Mahmud, Dr. (Champaran East).

## T

Tandon, Shri Purushoramdas (Allahabad Distt. (West)).

Tek Chand, Shri (Ambala-Simla).

Telikar, Shri Shankar Rao (Nanded).

Tewari, Sardar Raj Bhanu Singh (Rewa).

Thimmalah, Shri Dodda (Kolar—Reserved—Sch. Castes).

Thirani, Shri G. D. (Bargarh).

Thomas, Shri A. M. (Ernakulam).

Thomas, Shri A. V. (Srivaikuntam).

Tivary, Shri Venkatesh Narayan (Kanpur Distt.—North cum Farrukhabad Distt.—South).

Tiwari, Pandit B. L. (Nimar).

Tiwari, Shri Ram Sakai (Chhatarpur-Datia-Tikamgarh).

Tiwary, Pandit Dwarka Nath (Saran South).

Tripathi, Shri Hira Vallabh (Muzaffarnagar Distt.—South).

Tripathi, Shri Kamakhya Prasad (Darrang).

Tripathi, Shri Vishwambhar Dayal (Unnao Distt. cum Rae Bareilly Distt.—West cum Hardoi Distt.—South-East).

Trivedi, Shri Umashanker Mulji bha (Chittor).

Tulsidas Kilachand, Shri (Mehsana West).

Tyagi, Shri Mahavir (Dehra Dun Distt. cum Bijnor Distt.—North-West cum Saharanpur Distt.—West).

## U

Uikey, Shri M. G. (Mandla-Jabalpur—South—Reserved—Sch. Tribes).

Upadhyay, Pandit Munishwar Dutt (Parthargarh Distt.—East).

Upadhyay, Shri Shiva Dayal (Banda Distt. cum Fatehpur Distt.).

Upadhyaya, Shri Shiva Datt (Satna).

## V

Veishnav, Shri Hanamantrao Gencahrao  
(Ambed).

Vaishya, Shri Moidas Bhuderdas (Ahmedabad—~~Reserved~~—Sch. Castes).

Vallabharao, Shri K. M. (Pudukkottai).

Varma, Shri B. B. (Champaran North).

Varma, Shri Manik Lal (Tonk).

Veeraswamy, Shri V. (Mayuram—~~Reserved~~—Sch. Castes).

Velayudhan, Shri R. (Quilon ~~cum~~ Mavelik-  
~~kur~~—~~Reserved~~—Sch. Castes).

Venketaraman, Shri R. (Tanjore).

Verma, Shri Bulaqi Ram (Hardoi Distt.—  
North-West ~~cum~~ Farrukhabad Distt.—  
East ~~cum~~ Shahjahanpur Distt.—South—  
Reserved—Sch. Castes).

Verma, Shri Ramji (Deoria Distt.—East).

Vidyalankar, Shri Amarnath (Jullundur).

Vishwanath Prasad, Shri (Azamgarh Distt.—  
West—Reserved—Sch. Castes).

Vyas, Shri Radhelal (Ujjain).

## W

Waghmare, Shri Narayan Rao (Parbhani).

Wilson, Shri J. N. (Mirzapur Distt. ~~cum~~  
Benaras Distt.—West).

Wodeyar, Shri K. G. (Shimoga).

## Z

Zaidi, Col. B. H. (Hardoi Distt.—North-  
West ~~cum~~ Farrukhabad Distt.—East  
~~cum~~ Shahjahanpur Distt.—South).

## LOK SABHA

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*The Deputy-Speaker*

Sardar Hukam Singh.

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Shri Upendranath Barman.

Shri Frank Anthony.

Shrimati Renu Chakravartty.

Shrimati Sushama Sen.

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Shri Narhar Vishnu Gadgil.

Shri Nageshwar Prasad Sinha.

Shri Dev Kanta Borooah.

Shri M. L. Dwivedi.

Shri Raghunir Sahai.

Shri Asoka Mehta.

Shri B. Ramachandra Reddi.

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Pandit Munishwar Dutt Upadhyay.

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Shri Mahendra Nath Singh.

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Shri Bhagwat Jha 'Azad'.

Shri Ram Dass.

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Shri Bhupendra Nath Misra.

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Shri S. V. Ramaswamy.

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Shri Jethalal Hariharishna Joshi.  
Shri Ramraj Jaware.  
Shri Resham Lal Jangde.  
Shri P. N. Rajabhoj.  
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Shri Anandchand.  
Dr. Ch. V. Rama Rao.  
Shri Ramji Verma.

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Shri Nageshwar Prasad Sinha.  
Shri Ganesh Sadashiv Altekar.  
Shri Goswami Raja Sahdeo Bharati.  
Shri Narendra P. Nathwani.  
Shri Radheshyam Ramkumar Morarka.  
Shrimaji Ila Palchoudhuri.  
Shri N. Rachlab.  
Dr. Natabar Pandey.  
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Shri C. Madhao Reddi.  
Shri N. Sreekantan Nair.  
Shri Rayasam Seehagiri Rao.

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Shri Diwan Chand Sharma.  
Shri Hem Raj.  
Shri H. Sid dananjappa.  
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Shrimati B. Khongmen.

Shri Nageshwar Prasad Sinha.

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Shri Amamath Vidyalkar.

Shri Venkatesh Narayan Tivary.

Shri Satis Chandra Samanta.

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Shri M. R. Krishna.

Shri Jethalal Harikrishna Joshi.

Shri Bhawani Singh.

Shri P. Subba Rao.

Shri P. N. Rajabhoj.

Shri Vishnu Ghanashyam Deshpande.

Shri Satyendra Narayan Sinha.

Pandit Dwarika Nath Tiwary.

Shri C. R. Narasimhan.

Shri Raghubir Sahai.

Pandit Algu Rai Shastri.

Shri Abdus Satter.

Shri Lakshman Singh Charak.

Shri N. Rachiah.

Shri Radheshyam Ramkumar Morarka.

Shri Mangalagiri Nenadas.

Shri T. B. Vittal Rao.

Shri Y. Gedilingana Gowd.

Shri Jaswantraj Mehta.

Shri A. E. T. Barrow.

Shri Choithram Partabrai Gidwani.

**General Purposes Committee**

Shri M. Ananthasayanam Ayyangar (*Chairman*)

Sardar Hukam Singh.

Pandit Thakur Das Bhargava.

Shri Upendra Nath Berman.

Shri Frank Anthony.

Shrimati Renu Chakravarty.

Shrimati Sushama Sen.

Shri K. S. Raghavachari.

Shri B. G. Mehta.

Shri V. B. Gandhi.

Shri Satya Naryan Sinha.

Shri N. C. Chatterjee.

Shri Kotha Raghuramaiah.

Shri G. S. Altekar.

Shri U. S. Malliah.

Shri A. K. Gopalan.

Shri Tulsidas Kilachand.

Shri J. B. Kripalani.

Shri Uma Charan Patnaik.  
Dr. A. Krishnaswami.

**House Committee**

Shri U. Srinivasa Malliah (*Chairman*)  
Shri Birbal Singh.  
Shri Radha Charan Sharma.  
Shri George Thomas Kottukapally.  
Shri Digvijaya Narain Singh.  
Shri Krishnacharya Joshi.  
Shri N. Somana.  
Shri Bhupendra Nath Misra.  
Shri N. D. Govindaswami Kachiroyar.  
Shri Raj Chandra Sen.  
Shri K. Ananda Nambiar.  
Shri M. S. Gurupadaswamy.

**Joint Committee on Salaries and Allowances of Members of Parliament**

*Lok Sabha*

Shri Setya Narayan Sinha. (*Chairman*)  
Shri Bhagwat Jha 'Azad'.  
Shri U. Srinivasa Malliah.  
Shri Diwan Chand Sharma.  
Shri Jagan Nath Koley.  
Shri G. H. Deshpande.  
Shri Nemi Chandra Kasliwal.  
Shri N. C. Chatterjee.  
Shri P. T. Punnoose.  
Shri Asoka Mehta.

*Rajya Sabha*

Shri H. C. Desai.  
Shri D. Narayana.  
Shri R. P. N. Sinha.  
Shrimati Chandrasvati Lakshampal.  
Shri V. K. Dhage.

**Library Committee**

*Lok Sabha*

Sardar Hukam Singh. (*Chairman*)  
Shri V. N. Tivary.  
Shri M. L. Dwivedi.  
Shri U. C. Patnaik.  
Shri M. D. Joshi.  
Shri H. N. Mukerjee.

*Rajya Sabha*

Shri R. D. 'Dinkar' Sinha.  
Shri Theodore Bodra.  
Shrimati Lilavati Munshi.

**Public Accounts Committee**

*Lok Sabha*

Shri V. B. Gandhi. (*Chairman*)  
Shri K. G. Deshmukh.  
Shri U. Srinivasa Malliah.  
Shri Diwan Chand Sharma.  
Shri C. D. Pande.  
Shri Kamal Kumar Basu.  
Shri V. Booveraghesamy.  
Dr. Indubhai B. Amin.  
Shri Nibaran Chandra Laakar.  
Shrimati Tarkeshwari Sinha.  
Shri Tribhuan Narayan Singh.  
Shri Radhela Vyas.  
Shri C. P. Matthen.  
Shri J. B. Kripalani.  
Shrimati Shakuntala Nayar.

*Rajya Sabha*

Shri G. Ranga.  
Shri R. M. Deshmukh.  
Shrimati Pushpalata Das.  
Shri Shyam Dhar Misra.  
Shri P. T. Leuva.  
Shri B. C. Ghose.  
Shri J. V. K. Vallabharao.

**Rules Committee**

Shri M. Ananthasayanam Ayyangar. (*Chairman*)  
Sardar Hukam Singh.  
Pandit Thakur Das Bhargava.  
Shri Satya Narayan Sinha.  
Shri N. Keshavaiengar.  
Shri Shivram Rango Rane.  
Shri Ghamandi Lal Bansal.  
Shri Khushi Ram Sharma.  
Shri Kotha Raghuramaiah.  
Shri Setis Chandra Samanta.  
Dr. N. M. Jeisoorya.  
Shri N. C. Chatterjee.  
Shri Bhawani Singh.  
Shri Kamal Kumar Basu.  
Shri K. S. Raghavachari.

## GOVERNMENT OF INDIA

### Members of the Cabinet

Prime Minister and Minister of External Affairs and also in charge of the Department of Atomic Energy—Shri Jawaharlal Nehru.

Minister of Education and National Resources and Scientific Research—Maulana Abul Kalam Azad.

Minister of Home Affairs—Pandit Govind Ballabh Pant.

Minister of Communications—Shri Jagjivan Ram.

Minister of Health—Rajkumari Amrit Kaur.

Minister of Finance—Shri C. D. Deshmukh.

Minister of Planning and Irrigation and Power—Shri Gulzarilal Nanda.

Minister of Defence—Dr. Kailas Nath Katju.

Minister of Commerce and Industry and Iron and Steel—Shri T. T. Krishnamachari.

Minister of Law and Minority Affairs—Shri C. C. Biswas.

Minister of Railways and Transport—Shri Lal Bahadur Shastri.

Minister of Works, Housing and Supply—Sardar Swaran Singh.

Minister of Production—Shri K. C. Reddy.

Minister of Food and Agriculture—Shri Ajit Prasad Jain.

Minister of Labour—Shri Khandubhai Desai.

Minister without Portfolio—Shri V. K. Krishna Menon.

### Ministers of Cabinet Rank (but not members of the Cabinet)

Minister of Parliamentary Affairs—Shri Satya Narayan Sinha.

Minister of Defence Organisation—Shri Mahavir Tyagi.

Minister of Information and Broadcasting—Dr. B. V. Keskar.

Minister of Trade—Shri D. P. Karmarkar.

Minister of Agriculture—Dr. Panjabrao S. Deshmukh.

Minister in the Ministry of External Affairs—Dr. Syed Mahmud.

Minister of Legal Affairs—Shri Hari Vinayak Pataskar.

Minister of Natural Resources—Shri K. D. Malaviya.

Minister of Revenue and Civil Expenditure—Shri M. C. Shah.

Minister of Revenue and Defence Expenditure—Shri Arun Chandra Guha.

Minister of Rehabilitation—Shri Mehr Chand Khanna.

Minister of Consumer Industries—Shri Nityanand Kanungo.

Minister in the Ministry of Communications—Shri Raj Bahadur.

Minister in the Ministry of Home Affairs—Shri B. N. Datar.

Minister of Heavy Industries—Shri M. M. Shah.

### Deputy Ministers

Deputy Minister of Defence—Sardar S. S. Majithia.

Deputy Minister of Labour—Shri Abid Ali.

Deputy Minister of Rehabilitation—Shri J. K. Bhonsle.

Deputy Minister of Railways and Transport—Shri O. V. Alagesan.

Deputy Minister of Health—Shrimati M. Chandrasekhar.

Deputy Minister of External Affairs—Shri Anil Kumar Chanda.

Deputy Minister of Food and Agriculture—Shri M. V. Krishnappa.

Deputy Minister of Irrigation and Power—Shri Jaisukhlal Hathi.

Deputy Minister of Production—Shri Satish Chandra.

Deputy Minister of Planning—Shri Shyam Nandan Mishra.

Deputy Minister of Education—Dr. K. L. Shrivastava.

Deputy Minister of Finance—Shri Bali Ram Bhagat.

\*Deputy Minister of Education—Dr. Mono Mohon Das.

**Parliamentary Secretaries]**

Parliamentary Secretary to the Minister of External Affairs—Shrimati Lakshmi N. Menon.

Parliamentary Secretary to the Minister of Railways and Transport—Shri Shahnawaz Khan.

Parliamentary Secretary to the Minister of External Affairs—Shri Jogendra Nath Hazarika.]

Parliamentary Secretary to the Minister of Production—Shri Rajaram Giridharlal Dubey.

Parliamentary Secretary to the Minister of External Affairs—Shri Sadath Ali Khan.

Parliamentary Secretary to the Minister of Information and Broadcasting—Shri G. Rajagopalan.

Parliamentary Secretary to the Minister of Works, Housing and Supply—Shri Purnendu Sekhar Naskar.

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**LOK SABHA**

*Saturday, 21st July, 1956*

*The Lok Sabha met at Eleven of the Clock.*

*[MR. SPEAKER in the Chair]*

**ORAL ANSWERS TO QUESTIONS**

**Wheat Varieties**

\*199. **Shri Bhagwat Jha Anadi**: Will the Minister of Food and Agriculture be pleased to state:

(a) whether the Agricultural Research Institute at Pusa in Bihar has developed a new series of improved wheat varieties; and

(b) if so, the special features of these varieties?

**The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa)**:

(a) Yes. (The headquarters of the Institute are at New Delhi).

(b) The special feature of these new wheat varieties are their tolerance for or resistance to the rust and smut diseases, besides possessing capacity for high yield and good grain quality.

**Shri Bhagwat Jha Anadi**: May I know what are these types and how many of them have been invented in this Institute?

**Shri M. V. Krishnappa**: At the Pusa Institute nearly 140 N.P. varieties have been evolved out of which we have recommended 35 varieties to be adopted by various States.

**Shri Bhagwat Jha Anadi**: May I know whether these varieties can be grown everywhere in the country or there is any difference among them?

**Shri M. V. Krishnappa**: Each variety is suited for a particular region, altitude and climate. For example, N.P. 761 is recommended for cultivation in North Bihar and Orissa owing to its early maturing character. Some are recommended for hilly areas like Himachal Pradesh, and some for other climates.

**Shri Bhagwat Jha Anadi**: May I know what steps are being taken by Govern-

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ment to popularise these varieties that have been evolved?

**Shri M. V. Krishnappa**: Whenever we evolve a variety, it is tested again and again in our Institute. When we are certain that it can be propagated, we distribute it to the States. They have seen multiplication farms, and they distribute it to the farmers.

**Shri D. C. Sharma**: May I know if any assessment has been made with regard to the yield per acre of these varieties and the yield per acre of the varieties that are already in use?

**Shri M. V. Krishnappa**: It is only after we are certain that there is an improvement in the yield and the requirement about quality etc. of that variety is fulfilled, that we advise the various States. And it has been going on for a long time. Since the last ten years it is being tried, and we have been able to evolve very good varieties which yield very good results and are resistant to various rusts and diseases.

**Pandit D. N. Tiwari**: May I know whether these varieties are only experimental, or whether they are given on a large scale to cultivators and, if it is the latter, how much has been given so far?

**The Minister of Food and Agriculture (Shri A. P. Jain)**: First the varieties are evolved. Then they are experimented upon, and ultimately they are released. The multiplication of these varieties is the function of the State Governments.

**Shri B. D. Pande**: May I enquire if the hon. Minister has got a list of those varieties which can be grown in the Himalayan regions, at snowfall altitudes?

**Shri M. V. Krishnappa**: Yes, I have a variety, No. 809.

**Mr. Speaker**: Shri Garg.

**Shri B. D. Pande**: Is this the same which Dr. Boshi Sen claims he has invented?

**Mr. Speaker**: Order, order. The questions of those hon. Members who do not care to listen to what the Speaker says need not be answered.

**Shri R. P. Garg**: May I know if Government are aware that these improved varieties of wheat are not available to the agriculturists during the sowing season in the wheat producing areas like PEPSU?

**Shri A. P. Jain**: I think compared to the varieties in respect of other foodgrains,

the improved varieties of wheat are more easily available. But nonetheless I am prepared to accept that in some cases the improved varieties of wheat are not available.

This is a question to which we gave a lot of attention during our deliberations at the Mussoorie Conference, and our idea is that we must work out a plan on which suitable varieties may be indicated, and we should make adequate arrangements for setting up nucleus seed farms and thereafter seed multiplication farms so that the improved varieties may be available to the man who wants to use them.

**Shri B. D. Pandey** I wanted to know whether the variety of wheat mentioned by the hon. Deputy Minister is the one which Dr. Boshi Sen arrogates to himself as having been discovered by him. He says it could be grown at an altitude of 12,000 feet. Is this the variety of wheat?

**Shri A. P. Jain** The variety of wheat which my colleague has mentioned is the one evolved by the Pusa Institute. So far, as Dr. Boshi Sen's claims are concerned, it is a matter between the hon. Member and Dr. Boshi Sen.

**Shri Bhagwat Jha Azad** May I know whether there is any finality about the experiments on these varieties and by what time they would be released and recommended to the farmers?

**Shri A. P. Jain** No seed is ever released until it has been finalised. We take very great care that unless we are sure of the results no wheat is released. And the varieties which we have released have been thoroughly tested.

### रासायनिक उर्वरक

\*१६०. श्री श्रीनारायण दास : क्या

साख और कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या केन्द्रीय सरकार ने देशव्यापी आधार पर रासायनिक उर्वरक की लोकप्रिय बनाने के लिये एक ग्रान्दोलन चलाने के बारे में कोई योजना बनाई है ;

(ख) यदि हां, तो योजना की मुख्य स्वरूपा क्या है ; और

(ग) इस ग्रान्दोलन को आगे बढ़ाने में कितना खर्च किया जाने वाला है ?

साख और कृषि उपमन्त्री (श्री मो० ब० कुलकर्णी) : (क) से (ग). समा की टेबल पर एक विवरण रख दिया गया है। [देखिये परिशिष्ट २, अनुबन्ध संख्या १]

श्री श्रीनारायण दास : विवरण से पता चलता है कि केन्द्रीय सरकार एक योजना तैयार कर रही है जिस में ४.७ लाख कपा खर्च किया जाने वाला है। क्या मैं जान सकता हूँ कि इस रकम का बटवारा विभिन्न राज्यों में किस आधार पर किया जाने वाला है ?

**Shri M. V. Krishnaappa** In each State we have reached the target that has to be brought under paddy and wheat, both. It is about 15 lakhs acres in paddy and about 10 lakh acres in wheat which will come under this scheme. And if the hon. Member wants details, it is a very big list and I am prepared to place it on the Table.

**Shri Dabhi** May I enquire whether indiscriminate use of this fertilizer is not likely to result in the deterioration of the land in the long run?

**The Minister of Food and Agriculture (Shri A. P. Jain)** Indiscriminate use of anything will lead to harmful results.

**Shri A. M. Thomas** Supplementing what Shri Dabhi has asked—recent reports indicate that the resistance of the ordinary agriculturist to the use of chemical fertilizers is in a way justified—may I enquire what safeguards have been taken by Government to see that the utility and the natural fertility of the soil is not diminished by the use of chemical fertilizers?

**Shri A. P. Jain** I do not say we have done everything that we should have done. Nonetheless we are progressing in that line. Experiments using various quantities of fertilizers and the proportion that the fertilizers should form to the compost are being worked out, and mixtures are evolved and they are recommended. Another important thing is the soil testing for which a scheme has been evolved and a beginning has been made. But unless full soil testing is done we cannot obtain optimum results from the use of chemical fertilizers.

**Shri N. B. Chowdhury** May I know whether it may be possible under the proposed scheme to supply chemical fertilizers on a loan basis as is being done by the State on interest-free terms?

**Shri A. P. Jain** Well they are being advanced on the loan basis.

**Shri Gadlingana Gowd** May I know whether Government is considering the question of creating an organisation for distribution of these fertilizers throughout the country?

**Shri A. P. Jain** There is an organisation and all the fertilizers, both produced internally and imported, are pooled together and distributed.

श्री श्रीनारायण दास : विवरण में बताया गया है कि इस ग्रान्दोलन की आगे

बढ़ाने के लिये और प्रचार के लिये साहित्य तैयार किया जायेगा। क्या मैं जान सकता हूँ कि अब तक किन किन भाषाओं में इस प्रकार का साहित्य वितरण के लिये तैयार किया गया है ?

श्री जे. प्र. बन : कुछ तो साहित्य तैयार हुआ है। कुछ अंग्रेजी में और कुछ मैं ने हिन्दी में भी देखा है। मिस्र मिस्र शान्तीय भाषाओं के अन्दर छापना तो राज्य सरकारों का काम है, लेकिन जो दो मुख्य भाषाएँ हैं, अर्थात् हिन्दी और अंग्रेजी, उन में केन्द्रीय सरकार ने निकाला है।

### Dental Colleges

\*261. **Shri V. B. Gandhi:** Will the Minister of Health be pleased to state:

(a) the number of Dental Colleges in the country;

(b) whether these Dental Colleges are affiliated to Universities;

(c) if so, which;

(d) whether any of these Colleges are Government institutions;

(e) whether any of the Dental Colleges have been approved by the Dental Council of India;

(f) whether it is proposed to attach a Dental College to the new All-India Institute of Medical Sciences; and

(g) if so, the reasons therefor?

**The Deputy Minister of Health (Shrimati Chandrasekhar):** (a) Six.

(b) Yes.

(c) to (e). A statement giving the requisite information is laid on the Table of Sabha. (See Appendix II, annexure A No. 2.)

(f) Yes.

(g) The object of the All-India Institute of Medical Sciences is to bring together in one place educational facilities of the highest order for the training of personnel in all important branches of health activity, and dentistry is an important branch of health activity.

**Shri V. B. Gandhi:** All the six dental colleges, according to the statement, are affiliated to Universities. Almost five of them are conducted by the Government and one by an University. Four of them are approved by the Dental Council of India. So, I suppose that we can take them to be good. In view of these facts, is it a fact that the Government's proposals to attach a new dental college to the All-India Institute of Medical Sciences was made solely on the plea that there were no good dental colleges in the city and if so,

what is the Government's definition of a good dental college?

**Shrimati Chandrasekhar:** The object of the dental wing to be attached to the All-India Institute of Medical Sciences is mentioned in the answer to part (g) of the question. As regards good dental colleges, these colleges may be good. According to the requirements of the country, we need more and better colleges. Besides, this college is going to be a post-graduate institute, where there will be more facilities and it will be better equipped.

**Shri V. P. Nayari:** May I know whether, on account of the very small number of dental colleges, most of the hospitals in India do not have dental service as they do not get dental surgeons? May I also know whether Government have any programme to ensure that every hospital owned by the State at least will have a dental unit functioning under the Second Five Year Plan at least?

**Shrimati Chandrasekhar:** All that we can do in the Central Health Ministry is to give assistance to increase the number of doctors and give them training. We have set apart a sum of Rs. 1.5 crores in the Second Five Year Plan. This is for expansion of the existing dental colleges and for establishing new colleges. We are awaiting proposals from the State Governments. As soon as they are received, they would be finalised and the assistance needed will be given by the centre.

**Shri V. P. Nayari:** May I know whether the Government have any idea of the number of qualified dentists who will be required by the country at the end of the Second Five Year Plan and if so, what is the number?

**Shrimati Chandrasekhar:** I require notice.

**Shri B. S. Marthy:** May I know whether any steps are being taken to regularise the dental institutes apart from the dental colleges that are available in the country and if so, what steps are being taken?

**Shrimati Chandrasekhar:** I do not know what dental institutes he means besides the dental colleges mentioned in the list supplied.

**Mr. Speaker:** Next question.

**Shri B. D. Pandey:** May I enquire....

**Mr. Speaker:** I have called the next question. There are as many as 37 questions. I have put down specifically that a number of questions will be got through in a day by hon. Members. Hon. Members who table questions must have an opportunity to put some supplementary questions. I cannot afford to give to a particular question more than four or five supplementary questions.

**Shri Kamath:** Unless it is very important.

**Mr. Speaker:** Almost every question is important.



### Electric Coaches

\*162. **Shri T. B. Vittal Rao:** Will the Minister of Railways be pleased to refer to the reply given to Starred Question No. 657 on the 8th December, 1955 and state:

(a) whether any decision has since been arrived at regarding the proposal to get electric coaches manufactured at the Hindustan Aircraft Factory, Bangalore; and

(b) if so, the nature of the decision taken?

**The Deputy Minister of Railways and Transport (Shri Alagesan):** (a) and (b). Hindustan Aircraft Limited are not submitting proposals for the production of E.M.U. stock, for the present.

**Shri T. B. Vittal Rao:** May I know if there is any Railway workshop where electric coaches are being manufactured or are going to be manufactured?

**Shri Alagesan:** There is a private firm Messrs. Jessops who have undertaken to manufacture E.M.U. stock. An order for 104 coaches has been placed on that firm.

**Shri T. B. Vittal Rao:** In view of the fact that electrification of the railway track has to be done for 400 to 600 miles during the Second Plan period, is there any proposal to have them manufactured in railway workshops instead of in private firms?

**Shri Alagesan:** There is no proposal at present to undertake manufacture of these coaches by the Government. The targets that this firm has laid down may meet our requirements.

**Shri Bhagwat Jha Asad:** How far are our requirements of electric coaches at present being met by internal production?

**Shri Alagesan:** These are imported coaches just now.

### Ayurveda College, Trivandrum

\*163. **Shri A. K. Gopalan:** Will the Minister of Health be pleased to state:

(a) the nature of demands put forward by the students of the Ayurveda College, Trivandrum, Travancore-Cochin State to the State Government as well as to the Travancore University; and

(b) the steps taken to meet the demands of the students?

**The Deputy Minister of Health (Shrimati Chandrasekhar):** (a) and (b). A statement containing the requisite information is laid on the Table of the Lok Sabha. [See Appendix II, annexure No. 3]

**Shri A. K. Gopalan:** May I know whether the syllabus of studies had been approved by the University?

**Shrimati Chandrasekhar:** I think, yes, Sir.

**Shri A. K. Gopalan:** May I know why none of the diploma holders of the college, according to the statement, have so far, not been put in Government service?

**Shrimati Chandrasekhar:** I require notice.

**Shri A. M. Thomas:** There was a strike in this college. May I enquire whether the college has re-opened and if it has re-opened, has it been on any terms that have been arrived at between the college authorities and the students?

**Shrimati Chandrasekhar:** Yes. The college was reopened on the 23rd May, 1956 and the students started attending the classes. As regards the various questions, a special committee was set up under the Chairmanship of the Pro-Vice-Chancellor of the Travancore University. Certain recommendations were made. The students were satisfied and so the college started functioning.

**Shri V. P. Nayar:** May I know whether it is a fact that the students' main demand was that they should be allowed to practise those subjects which they study in detail under the curriculum after they pass out of the college?

**Shrimati Chandrasekhar:** Yes. One of the demands of the students was to permit them to practise modern medicine. I will read the recommendation of the Committee. It is a short one. It says:

"... The Government of Travancore-Cochin issued orders that according to the Medical Practitioners' Act, the competence of the alumni of the Ayurveda College to practise medicine would extend to such modern advances as are recognised by the Council of Indigenous Medicine but not to Surgery and obstetrics."

**Shri Achuthan:** May I know whether the students who had gone on strike have joined the college? What is the course that would be taught to them during this one year?

**Shrimati Chandrasekhar:** I said they have started attending the classes. As regards the second part, I require notice.

**Shri V. P. Nayar:** The hon. Minister said that that modern medicine syllabi have not been approved by the Council. I want to know why, in view of that, the students of the Ayurveda College have been made to study modern surgery in all its details as I find from the curriculum prescribed by the University for these people? May I....

**Mr. Speaker:** Not more than one question.

**Shri V. P. Nayar:** This question only. May I know why the students who have been studying in this college for 4 years taking modern medicine and surgery could not be allowed to practise what they studied?

**Shrimati Chandrasekhar :** I said that the recommendation of the committee was such that they will be allowed to practise such systems of medicine and methods as are recognised by the Council of Indigenous Medicine. Apart from that I do not think I would be able to tell him more.

**Shri A. K. Gopalan :** In the statement it is said that 40 per cent of the hours of study is set apart for modern medicine and this is considered sufficient. Even so, may I know the reason why Government does not consider recruitment of these students?

**Mr. Speaker :** The hon. Member wants the Government to reconsider this. That is all.

**Shrimati Chandrasekhar :** I have asked for notice of this question which was put before.

### Visual Aid for the Blind

\*164. **Shri Gidwani :** Will the Minister of Health be pleased to state:

(a) whether the attention of Government has been drawn to a Reuter message published in Indian Press on 11th June, 1956 from Orlando (Florida) to the effect that a new mirror lens designed and invented by Dr. William Feinbloom to restore useful vision to about 60 per cent of the people now classed as blind has been demonstrated there and that a person with only 2 per cent vision can read a newspaper through the lens; and

(b) if so, whether Government have made any enquiry into the matter with a view to find out the exact facts?

**The Deputy Minister of Health (Shrimati Chandrasekhar) :** (a) and (b) Yes.

**Shri Gidwani :** May I know whether the Government is in a position to state the number of blind and partly blind persons in the country? May I know whether the Government has any scheme to restore vision to such of them to whom it may be restored?

**Shrimati Chandrasekhar :** Apart from the information that we got from the press we have no further information. About the restoration of sight to the blind, enquiries are being made into the matter by the Director General of Health Services. We have not heard anything further. As soon as we hear, we will be able to enlighten the House.

**Shri Gidwani :** My question was whether the Government of India has any statistics as to the number of blind and partially blind people in India and whether the Government has any scheme to restore vision to such of them to whom it could be restored.

**Shrimati Chandrasekhar :** No such scheme is at present under the consideration of the Health Ministry.

**श्रीमती कमलेश्वरमणि शाह :** क्या मैं जान सकती हूँ कि जो बच्चे दिल्ली में कई प्रकार के काम करते हैं—रेडियो स्टेशन में काम करते हैं, क्या गवर्नमेंट उन के लिए कुछ व्यक्ति नियुक्त करने की व्यवस्था करेगी जो कि उन्हें हथर उधर से जा सकें?

For the convenience of the Minister, I shall now put the question in English. There are a number of blind persons who are serving in the radio station and other government and private offices. Will Government consider the question of giving them the aid of some persons who could escort them to those places?

**Mr. Speaker :** These are all suggestions for action. Government have no scheme at present.

**Shri Gidwani :** May I know whether the attention of Government has been drawn to a news item published in the papers to the effect that an eye glass bank has been opened in Bombay with a view to helping the poor and the needy having defective eyes, by collection of the discarded spectacles of citizens and sending them through expert hands for codification and then disbursing them to the poor free of charge?

**Mr. Speaker :** What is the hon. Member's question?

**Shri Gidwani :** May I know whether Government have any scheme in this regard, and whether they are aware that an eye glass bank has been opened in Bombay?

**Mr. Speaker :** The hon. Member is making some suggestion. The Deputy Minister has already said that there is no scheme at present. Both the hon. Members who were allowed to put supplementary questions have suggested various methods such as the utilisation of the worn-out glasses used by some persons and then giving them to the poor and blind persons.

### Indian Airlines Corporation

\*165. **Shri Dabhi :** Will the Minister of Communications be pleased to state :

(a) whether it is a fact that Government are thinking of purchasing planes from Russia for use by the Indian Airlines Corporation ;

(b) if so, how many and when ; and  
(c) at what price?

**The Minister of Communications (Shri Jagjivan Ram) :** (a). Yes, Sir.

(b) and (c). The price and other details are under negotiation.

**Shri Dabhi :** May I know whether these planes will compare favourably with the existing planes, both as regards price as well as in regard to quality of service?

**Shri Jagjivan Ram :** I have said that the price and other matters are under negotiation.

**Shri R. P. Garg :** What is the special advantage in acquiring these planes?

**Shri Jagjivan Ram :** The special advantage is that we shall get planes. It is very difficult to get aircraft of the Dakota type these days. So, the special advantage is that we shall be able to replace the Dakotas that we have lost.

**Shri C. D. Pande :** May I know whether it is a fact that the plane which was presented to the Prime Minister as a sample did not compare favourably with the Viscount, which is the most modern and reliable plane in the world today, as regards both price and comfort?

**Shri Jagjivan Ram :** Nobody will think that an Ilyusin or the Dakota type plane will compare well with the Viscount.

**Shri C. D. Pande :** In point of price?

**Shri Jagjivan Ram :** Even in point of price or anything else, because the Viscount is a much bigger and a much larger plane, and therefore, naturally the price and performance of a Viscount will be decidedly greater and better than those of Ilyusin. So, the comparison, if at all, will be with the Dakota and not with the Viscount.

**Shrimati Tarkeshwari Sinha :** What is the total expected life of that plane, and whether its suitability has been tested in this climate, in this weather and in the atmosphere of India?

**Shri Jagjivan Ram :** It is too early to say about the life. The plane was designed only two years ago. So, even the Russians themselves cannot be sure of its life.

As regards the suitability of the aircraft in the Indian climate, we have got one Ilyusin with the Indian Air Force, and the report is that the technical performance of that aircraft has been quite satisfactory.

**Shri Jaipal Singh :** Are we to understand that quite apart from the issue of negotiations by the Indian Airlines Corporation and also Government, they have now definitely decided in favour of the Ilyusin as the replacement aircraft for all the Dakotas?

**Shri Jagjivan Ram :** It is our idea to get some Ilyusins. The difficulty is that we have lost nine Dakotas during the last three years, and a suitable aircraft of the Dakota type has not been designed

in the world as yet. And we require medium-type aircraft, and it will be advantageous to us if we get a Dakota-type aircraft.

**Shri G. S. Singh :** Before Government came to this decision, did the Minister make a comparative study, with regard to the payload and engine-overhaul-hours, with the other aircraft, before deciding on Ilyusin?

**Shri Jagjivan Ram :** I do not know what other aircraft the hon. Member has in view. These are, of course, the obvious things to be gone into before any purchaser decides to purchase a commodity.

#### Kharagpur Accident

\*266. **Shri Kamath :** Will the Minister of Railways be pleased to state :

(a) Whether the enquiry by the Government Inspector of Railways into the accident at Kharagpur in May last has been concluded; and

(b) If so, with what results?

**The Deputy Minister of Railways and Transport (Shri Alagunan) :** (a). The Government Inspector of Railways, Calcutta, held his statutory enquiry into the accident on 27th and 28th May 1956 and has submitted his Preliminary Report.

(b) His provisional finding is that the accident was brought about by forcibly removing engine crew from the locomotive of the train and setting it in motion unmanned by some persons so far unidentified.

**Shri Kamath :** Has the Minister received a copy of the report of an enquiry made into this matter by persons representing all parties, all Unions and groups, including Members of Parliament, other than the Congress and the INTUC, and if so, have Government examined or considered the report presented to them by this non-official committee?

**Shri Alagunan :** I am not aware of any such report having been received.

**Shri Kamath :** I have got a copy of the report, which has been addressed to the Minister. I can just show it to the Deputy Minister.

**Shri Alagunan :** In such cases, a statutory enquiry is ordered. The Government inspector has already made this enquiry, and we are awaiting his final report. His provisional finding is what is stated in the main answer.

**Shri Kamath :** Does the Government inspector's report refer to the large-scale arrests of leading workers there, who were arrested long before this unfortunate incident took place, and may I know whether and to what extent these large-scale arrests of leading workers there provoked these subsequent happenings?

**Shri Alagasan :** I have already given what his provisional finding is. I do not have the report itself before me.

**Shri Kamath :** Am I to understand that the report is not with the Minister, but only the finding is with him ?

**Shri Alagasan :** I have only the provisional finding. I do not have the contents of the report before me.

**Shri Kamath :** Am I to understand that the Government inspector has not submitted his report or that the Minister has not brought it to the House ?

**Shri Alagasan :** I said I am not able to answer the question because I do not have the contents of the report before me.

**Shri Kamath :** When will the report be presented to Government, and laid on the Table of the House ?

**Shri Alagasan :** If the hon. Member gives me notice, I can give it.

**Shri Kamath :** The notice is there in the question itself.

**Mr. Speaker :** I am not able to follow. The hon. Member wants to know whether a report has been submitted to Government. Now, the reply can be one of two things, namely that there is inability on the part of the Minister to answer this question, may be, because he has not looked into the report or because he has not brought the report here,—that is one thing; and into the second thing is—*or* the report itself has not been submitted, and the Minister does not know exactly when it will be submitted.

**Shri Alagasan :** The final report has not been submitted, and this is only an interim report. The second part of the question was *if so*, with what result? In reply to that, I have given the provisional finding. We should have the final report, because I can answer the question definitely.

**Shri Kamath :** May I know whether the practice of Government inspectors is to submit findings without any report ?

**Mr. Speaker :** An interim report is submitted, but it may be very short and brief. It may not contain all those points which a final report would contain.

**Shri Kamath :** That means that only a one-line finding is there.

**Shrimati Renu Chakravarty :** May I know whether a report containing the findings of various Members of Parliament who visited that area was submitted to the Minister of Railways and Transport, Shri Lal Bahadur Shastri, and if so, whether Government have considered that report? May I also know whether in view of the fact that they have brought forward certain new things in that report, Government have taken up the question of setting up a fresh enquiry as has been demanded by them in that report ?

**Shri Alagasan :** I am not aware of that report, and as such, I am unable to answer that question.

**Mr. Speaker :** If a report is said to have been presented to the Minister in chief, it is supposed to have been submitted also to all the Ministers. Of course, whoever answers must be posted with all the material available with the Ministry as a whole.

**Shri Alagasan :** Unfortunately, I am not posted.

**Mr. Speaker :** Fortunately, hereafter, every Minister must be posted with everything that happens in his Ministry. Otherwise, he must bring the other Minister also here to answer such questions. I hope this will be taken notice of in future by all the Ministers.

**Shri M. K. Mahtta :** Did the inspector while making the inquiry ascertain whether there was a brake-van, and if so, what prevented the Guard from applying the brake when the driver was taken out ?

**Mr. Speaker :** Possibly it is not in the interim report.

**Shri Alagasan :** I am unable to answer that question.

### मजदूरी बोर्ड

\* १६७. श्री जगत वर्मान : क्या जम मंत्री यह बताने की कृपा करेंगे कि जमजीवी पत्रकार (सेवा की शर्तों) और विविध उप-बन्ध अधिनियम के अन्तर्गत कुछ समय पहले बनाये गये मजदूरी बोर्ड ने अब तक क्या प्रगति की है ?

जम उप मंत्री (जी आशिष भल्ली) : पत्रकार सम्बन्धी बोर्ड २ मई, १९५६ को नियुक्त किया गया था। २६ मई, १९५६ को इसकी पहली बैठक हुई। प्रस्तावनी तैयार करके लगभग छः हजार प्रसवारी संस्थाओं और संगठनों को भेजी जा चुकी है। इसकी दूसरी बैठक १३ अगस्त, १९५६ को होगी। आशा है कि बोर्ड अगस्त के आखिरी हफ्ते से अक्टूबर में गवाही देने का काम शुरू करेगा।

जी जगत वर्मान : क्या गवर्नमेंट को अखिल भारतीय जमजीवी पत्रकार संघ का इस आशय का प्रस्ताव प्राप्त हो गया है कि इस बोर्ड का कार्य देर से देर नवम्बर तक चकर समाप्त हो जाना चाहिये और क्या

बोर्ड के लिये कोई प्रबन्ध निश्चित की गई है जिसके अन्तर्गत उसको अपना प्रतिवेदन देना है ?

श्री आशिष बली : इस संस्था के पत्रकार तो बोर्ड के सदस्य हैं। अब यह उसका काम है कि वे अपने काम को जल्दी पूरा करें। जहाँ तक समय का सम्बन्ध है ६ महीने के लिये बेयरमैन की नियुक्ति की गयी है।

श्री जगत वर्मा : क्या इस बोर्ड की यह भी मांगें विद्यमान हैं कि इस बीच में अन्तरिम वेतन क्रम की व्यवस्था के बारे में सिफारिश करें ? यदि नहीं, तो क्या गवर्नमेंट यह आश्वासन देने के लिये तैयार है कि जो वेतन क्रम अन्तिम रूप में निश्चित किया जायेगा वह उस तिथि से लागू होगा जब से कि प्रेस कमीशन की रिपोर्ट निकली थी ?

श्री आशिष बली : इस बारे में बोर्ड ने विचार किया था। हमने उनकी सिखाया, और वे इस फैसले पर पहुँचे हैं कि अन्तरिम रिपोर्ट देने में जो वक्त गुजरेगा उसकी वजह से इन पत्रों में जो कर्मचारी काम करते हैं उनको नुकसान होगा, इसलिये इस समय का उपयोग करके आखिरी रिपोर्ट ही दी जाये। जहाँ तक कि दूसरे सवाल का सम्बन्ध है यह तो कायदे में ही लिखा हुआ है कि उनकी जो सिफारिश होगी उसका प्रभाव रिट्रोस्पेक्टिव (पूत लकी) तरीके से हो सकेगा।

Shri D. C. Sharma : May I know if any decision, tentative or final, has been arrived at that meeting with regard to proof readers in these newspapers being included in the category of working journalists ?

Shri Abid Ali : Yes, journalist proof readers are included. Non-journalist proof readers are governed either by the Factories Act or by the Shop Assistants Act. With regard to retrospective effect being given, the recommendations can be implemented retrospectively.

Shri Feroze Gandhi : May I know the difference between these two categories of proof readers, namely, journalist proof readers and non-journalist proof readers ?

Shri Abid Ali : The hon. Member himself belongs to this industry, and he knows more than I do.

Shri Feroze Gandhi : That is why I am asking what is the difference.

Shri Abid Ali : There is a substantial difference.

Shri Feroze Gandhi : This question is important and it has a bearing on the Wage Board. Is it the point that they want to exclude one category and include the other ?

Shri Abid Ali : We do not want to exclude anyone. The Act will be applicable to all those to whom it can be made applicable. We cannot change it.

Shri Feroze Gandhi : That is again an evasive answer.

Mr. Speaker : I am not going to allow a discussion on this matter. This Act is intended for working journalists, that is, those persons who are interested or employed in the profession of journalism. Those proof readers who are supposed to deal with letters, invitation cards, etc. do not come under that category. This seems to be obvious and understandable.

Shri Feroze Gandhi : May I clarify the point ? The Minister said that there are two categories of proof readers—one journalist proof readers and the other non-journalist proof readers. I want to know whether both the categories will come up before the Wage Board or is there any intention to remove one and keeping the other ?

Mr. Speaker : Yes. He said so. He wanted to restrict it only to those proof readers who deal with journalism or material which comes under journalism, because the Act itself refers to working journalists.

Dr. Lanka Sunderam : In most of the newspaper establishments the same category of proof readers does two types of work, namely, in the news room and in the job section. How can the Minister distinguish between one and the other in order to make the rule effective ?

Mr. Speaker : What does the hon. Member want to suggest ? If the same man does both types of work, it is for the Minister to decide whether he should be included in one category or the other.

Dr. Lanka Sunderam : A vast category of proof readers are employed in both.

Mr. Speaker : If hon. Members want, they can have a discussion on this matter.

Shri Abid Ali : If they are journalist proof readers, they are covered.

Shri Kamath : Are working journalists represented on this Wage Board ? If there is no such representation on the Board, what are the reasons for not having

a representative of the Working Journalists' Federation on this Board?

**Shri Abid Ali :** The *communiqué* concerning the appointment of the Wage Board was placed here and the hon. Member should be aware of the persons who are members of the Board.

**Mr. Speaker :** He only wants to know whether there is a working journalists' representative there.

**Shri Abid Ali :** There are three representatives of working journalists.

#### Cattle-cum-Dairy Farm, Karnal

\*169 **Shri Madhlab Gowda :** Will the Minister of Food and Agriculture be pleased to state:

(a) the quantity of milk, usually produced in Cattle-cum-Dairy Farm at Karnal per day;

(b) how is this milk made use of;

(c) whether any experiments are made on the manufacture of milk products; and

(d) if so, what are they and with what result?

**The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa) :** (a) On an average 4,000 lbs. per day.

(b) Most of it is sold as fluid milk locally. A small part is separated and the skim milk is fed to the calves while the cream is converted into ghee and sold to the public.

(c) Not at present, but it is proposed to undertake such experiments when the National Dairy Research Institute is fully established there.

(d) Does not arise.

**Shri Madhlab Gowda :** When is it likely that these experiments will be taken up?

**Shri M. V. Krishnappa :** As soon as our buildings and equipment are ready. We expect they will be ready in July 1957, and from that date we propose to take it up.

**Shri Madhlab Gowda :** How many milk yielding cattle are there in the farm, and what is the average quantity of milk per cow?

**Shri M. V. Krishnappa :** There are a thousand heads of cattle in the farm and on an average, we get 4000 lbs. per day. All the thousand are not milch cows. I cannot say what will be the number of milch cows.

**Shri B. S. Murthy :** Arising out of the answer to part (b), may I know how much money is realised by the sale of milk and by the conversion of cream into other products?

**Shri M. V. Krishnappa :** This milk is sold to a contractor appointed annually

by calling for tenders. We are selling milk at the rate of Rs. 10-5-4 per maund.

**Shri. B. S. Murthy :** What is the total amount?

**Shri M. V. Krishnappa :** We get 4000 lbs. per day. We sell at Rs. 10-5-4 per maund. It is a simple mathematical calculation.

**Pandit D. N. Tiwary :** May I know whether a report has come to Government that the contractor mixes 5 per cent water with the milk and it is indistinguishable from milk because the machine cannot detect upto to 5 per cent water.

**The Minister of Food and Agriculture (Shri A. P. Jain) :** We do not have any control on the contractor. It is for the purchaser to find out whether it is pure or otherwise.

**Shri Bhagwat Jha Azad :** Why do they keep such contractors who give us water?

**Pandit D. N. Tiwary :** The dairy is run by Government and Government say that they have no control over the contractor. May I know whether the contractor has been left free to do whatever he likes?

**Shri Bhagwat Jha Azad :** That is Government's policy !

**Shri A. P. Jain :** There is the Adulteration of Foodstuffs Act and the Contractor will be punishable under that Act if he adulterates milk.

#### Uniform Medical Standard

\*171. **Dr. Satyawadi :** Will the Minister of Health be pleased to state:

(a) whether any decision has since been taken by Government on the interim report submitted by the Committee appointed by the Central Council of Health to study the question of formulating uniform standards in respect of education and regulation of practice of Vaidyas, Hakims and Homoeopaths; and

(b) if so, the details thereof?

**The Deputy Minister of Health (Shrimati Chandrasekhar) :** (a) No. We are still awaiting the final report.

(b) Does not arise.

**Shri S. C. Samanta :** May I know how Government are giving help to different institutions of homoeopathy and ayurveda when no uniform standard of education has been set up?

**Shrimati Chandrasekhar :** That is a different question. The question which the hon. Member has put will be relevant in connection with another question coming after a few minutes. That will be answered later. This report is in con-



nction with finding out the standards in respect of education and regulation of practice of vaidyas, hakims and homeopaths.

### Telegraph Poles

\* 172. Shri S. C. Samanta : Will the Minister of Communications be pleased to state :

(a) the varieties of poles in use for different telegraph and telephone lines in India ;

(b) the places where wooden poles are easily available for use as poles ;

(c) whether there is any arrangement to treat those poles for long lasting ;

(d) whether different varieties of poles have been experimented with ; and

(e) if so, which type has proved successful ?

The Minister of Communications (Shri Jagjivan Ram) : (a) Hamilton, Rail, wooden and reinforced concrete poles.

(b) Bihar, Orissa, Madras, Assam, West Bengal, Madhya Pradesh and Punjab.

(c) An experimental plant for treating the poles is being tried out in Madhya Pradesh.

(d) and (e). This is still under experimental stage.

Shri S. C. Samanta : May I know whether bamboos were experimented upon for being used as poles ?

Shri Jagjivan Ram : No, Sir. I doubt very much whether the bamboo will stand.

Shri S. C. Samanta : May I know whether treated bamboos were experimented upon as treated wood has been experimented upon and used now ?

Shri Jagjivan Ram : From the list of Timber with me I find that bamboo does not find a place there.

Shri C. D. Pande : Is the hon. Minister aware that in the hills, where telephone lines are not being installed only because there are no poles, it has now been established that chir or pine poles are as good as steel poles ? If so, will the hon. Minister expedite the establishment of telephone connections with chir poles ?

Shri Jagjivan Ram : I think in the hills also we have provided telephones more than the demand there. We have been using more and more wooden poles in the localities where they are readily available. But, it is not only the pole which stands in the way ; there is shortage of other equipment also.

Shri K. K. Basu : May I know what is the difference in price between a concrete pole and a wooden pole ?

Shri Jagjivan Ram : Obviously, the wooden poles are much cheaper than the iron and steel or the cement concrete poles and the transportation cost is also much less in their case. I have not got the comparative figures of prices ; but, obviously, the wooden poles cost something like 1/5 or 1/6 of the cost of cement concrete or iron and steel poles.

### गंगा का पुल

\* 174. श्री अनिरुद्ध सिंह : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मोकामेह में गंगा पर रेलवे सड़क का पुल बनाने का कार्य निर्धारित कार्यक्रम के अनुसार चल रहा है ;

(ख) इस बारे में ३० जून तक कुल कितनी राशि व्यय की गई है और अब तक क्या प्रगति हुई है ; और

(ग) इस पुल के पूरा होने में और कितना समय लगने की संभावना है ?

रेलवे तथा परिवहन उपमंत्री (श्री अल्लबेगान) : (क) जी हाँ ।

(ख) लगभग ७२६.२६ लाख रुपये और जून, १९५६ तक कुल मिला कर ४२.५ प्रति शत काम हुआ है ।

(ग) दिसम्बर १९५६ तक पूरा होने की उम्मीद है ।

श्री अनिरुद्ध सिंह : मोकामेह बिज जो कि उत्तर बिहार, भासाम तथा पूर्वी उत्तर प्रदेश के सामुदायिक जीवन के लिये आवश्यक वस्तुओं को पहुंचाने में जीवन स्रोत का काम करेगा और उसके महत्व को ध्यान में रखते हुये क्या सरकार ने कभी इस प्रश्न पर विचार किया है कि निर्धारित अवधि के पहले ही इस पुल को तैयार कर दे ?

Shri Alagasan : As far as the progress of the work up till now is concerned, it is going according to schedule. In the last working season whatever was planned was done. The work channel was blocked and guide bunds were also put up. It was a very huge one and it is a credit to the organisation that carried out the work and that it was completed in time.

**Shrimati Tarakeshwari Sinha :** May I know whether the steel structures supplied by the British firm were found defective when brought to be fitted in Mokamch and because of that fact the scheduled programme has been delayed for a while?

**Shri Alagesan :** There was a certain delay about the steel required .....

**Mr. Speaker :** The hon. Member asks about the quality of some steel structure that was supplied; whether it was defective and therefore was delayed.

**Shri Alagesan :** I am not aware of it.

#### Steamer Fares on Konkan Trade

\* 175. **Sardar Iqbal Singh :** Will the Minister of Transport be pleased to refer to the reply given to Starred Question No. 2482 on the 23rd May, 1956 and state :

(a) whether the Board appointed to report on the proposal of the Bombay Steam Navigation Company Limited for an increase in the Current Passenger Fares in the Konkan trade has since submitted its report; and

(b) if so, the recommendations of the Board?

**The Deputy Minister of Railways and Transport (Shri Alagesan) :** (a) Yes, Sir.

(b) The Board has recommended an increase of 10 per cent. in the existing rates.

**Sardar Iqbal Singh :** May I know whether the rates have been actually implemented on this line—the 10 per cent. increase?

**Shri Alagesan :** The report is under consideration; it has not yet been sanctioned.

**Sardar Iqbal Singh :** May I know whether it is a fact that without waiting for the report the rates on this line have been increased; and if so, what was the reason for it?

**Shri Alagesan :** I am not aware that the rates have already been increased. I should enquire.

#### Ground Water Exploration Work

\* 176. **Dr. Ram Subhag Singh :** Will the Minister of Food and Agriculture be pleased to state :

(a) whether the ground water exploration programme has been completed;

(b) if so, in how many areas this programme had been undertaken; and

(c) the outcome of this exploration programme?

**The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa) :** (a) No, Sir.

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

**Dr. Ram Subhag Singh :** In which area is this exploration programme being carried on?

**Shri M. V. Krishnappa :** It is meant for 16 States; but we have started from Narmada valley and from the Narmada we have gone to Tapti and we intend to go to Madras, Saurashtra and Rajasthan.

**Dr. Ram Subhag Singh :** The hon. Minister has stated in the reply to the question that (b) & (c) do not arise. May I know whether there is any relation between this reply and the reply to those two parts?

**Shri M. V. Krishnappa :** The original question was: whether the ground water exploration programme has been completed; if so, in how many areas? It is not completed and so the reply to (b) and (c) does not arise.

**Dr. Ram Subhag Singh :** In how many areas has it been undertaken?

**Shri M. V. Krishnappa :** It has been undertaken but has not yet been completed.

**Mr. Speaker :** The only difficulty arises out of the words, 'if so'. There is no connection between the earlier one and the later one.

**The Minister of Food and Agriculture (Shri A. P. Jala) :** We are prepared to answer any supplementary and to supply any further information. Assuming that the reply is not in consonance, we are prepared to answer any supplementary question.

**Dr. Ram Subhag Singh :** What is the result of the exploration that is being carried on at present?

**Shri M. V. Krishnappa :** In the Narmada valley we bored 70 wells. In these we got 30,000 gallons per hour which is supposed to be economic and so in that area wells can be taken up.

**Dr. Ram Subhag Singh :** When is this programme likely to be completed?

**Shri M. V. Krishnappa :** Originally it was scheduled to be completed by the middle of next year—1957. It was originally decided to give it to a contractor. Because there was some delay in procuring equipment and as it was then decided that it should be done departmentally, it will now be completed by the end of 1958. That means there will be a delay of nearly 15 years.

**Shri General :** The hon. Minister said that future work will be carried on in Madras, Saurashtra and Rajasthan. Originally, Punjab and PBPSU were also



in the programme. May I know why these States have been dropped out ?

**Shri A. P. Jain :** My colleague said that it will be carried on in 16 States, the hon. Member may rest assured that Punjab has not been dropped ; it is quite alive.

**Shri N. B. Chowdhury :** May I know whether the programme covers any part of West Bengal ?

**Shri M. V. Krishnaappa :** Yes; in West Bengal we are going to build 37 wells in various parts.

### वायु परिवहन परिषद्

\*१८०. श्री जू. चं. सोबिया : क्या संचार मंत्री यह बताने की कृपा करेंगे :

(क) वायु निगम अधिनियम, १९५३ की धारा ३० के अनुसार बनायी गयी वर्तमान वायु परिवहन परिषद् के सभापति और सदस्यों के नाम क्या हैं ;

(ख) १९५५-५६ में परिषद् के ऊपर कुल कितनी राशि व्यय की गई है ; और

(ग) १९५५-५६ में इस परिषद् द्वारा क्या कार्य किया गया है ?

संचार मंत्री (श्री जगजीवन राम) :  
(क) से (ग). मैं लोक-सभा पटल पर एक विवरण-पत्र प्रस्तुत कर रहा हूँ जिसमें आवश्यक सूचना दी गई है। [बेसिद्धे परिशिष्ट २, अनुबन्ध संख्या ४]

श्री जू. चं. सोबिया : इस परिषद् को विमान सेवाओं पर लिये जाने वाले भाड़ों और बहन शुल्कों की दरों की सामान्य समस्याओं का अध्ययन करने का जो सवाल सौंपा गया है तो उस सवाल पर यह परिषद् कब तक अपना मत दे देगी ?

श्री जगजीवन राम : जहाँ तक मुझे सूचना है वह शायद अपनी रिपोर्ट लिख रहे हैं।

### Rail Sea Co-ordination Committee

\* 281. **Shri Shree Narayan Das :** Will the Minister of Transport be

pleased to state whether the Rail Sea Co-ordination Committee has submitted its report?

**The Deputy Minister of Railways and Transport (Shri Alagunan) :** Not yet, Sir.

**Shri Shree Narayan Das :** May I know by what time it will be done ?

**Shri Alagunan :** There has been some delay in the receipt of replies by the Committee. I expect the report of this Committee within a few months.

### जहाजरानी निगम

\*१८२. श्री भानवत ला धाबाह : क्या परिवहन मंत्री ११ अप्रैल, १९५६ के सत्तारहित प्रश्न संख्या ६०६ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने दूसरा जहाजरानी निगम स्थापित करने के प्रश्न पर विचार कर लिया है ;

(ख) यदि हाँ, तो उसमें कितनी पूंजी लगायी जायेगी ; और

(ग) यह कब से कार्य आरम्भ करेगा ?

रेलवे तथा परिवहन उपमंत्री (श्री धननेशन) : (क) से (ग). एक दूसरा जहाजरानी कारपोरेशन (निगम) जिसका नाम 'पश्चिमी जहाजरानी कारपोरेशन (प्राइवेट) लिमिटेड' है, उसे २२ जून, १९५६ को रजिस्टर्ड किया गया था। इसकी अधिकृत पूंजी १० करोड़ रुपये है और इस समय इसकी चुकता की गई पूंजी ३.५ करोड़ रुपये होगी। ऐसी भाषा की जाती है कि कारपोरेशन १ अक्टूबर, १९५६ से काम करना शुरू कर देगा।

**Shri Bhagwat Jha Azad :** May I know whether Government has already contributed so any shares in this Corporation, and if so, what is the percentage ?

**Shri Alagunan :** Entirely Government Corporation.

**Shri Bhagwat Jha Azad :** May I know whether private individuals also will be called upon to contribute to it ?

**Shri Alagunan :** No, Sir.

**Shri Bhagwat Jha Azad :** May I know the percentage of our requirements to be fulfilled by this Corporation, keeping in view the requirements that we have got at present ?

**Shri Alagasan :** It is intended to operate services on the India-Persian Gulf, India-Red Sea, India-Poland, India-Russia etc. routes.

**Shri M. S. Gurupadaswamy :** May I know whether any foreign experts have been associated with this Corporation ?

**Shri Alagasan :** No, Sir.

**Shri K. K. Basu :** May I know whether it would have a monopoly control or it would compete with private shippers also ?

**Shri Alagasan :** All these liners operate as member of the Conference Lines. If there is any Conference Lines already operating on these routes, we will become a member of such Lines.

#### Urban Water Supply Scheme

\* 183. **Shri A. K. Gopalan :** Will the Minister of Health be pleased to state:

(a) the total amount allotted to Alwaye, Alleppey, Ernakulam and Mattancherry towns of Travancore-Cochin State under Urban Water Supply Scheme during the Second Five Year Plan ;

(b) the total estimated cost of the works ; and

(c) whether the Planning Commission has sanctioned the water supply schemes for the above towns ?

**The Deputy Minister of Health (Shrimati Chandrasekhar) :** (a) No urban water supply schemes for Alwaye and Alleppey were received from the Travancore-Cochin Government. A sum of Rs. 15.10 lakhs was paid for the Ernakulam-Mattancherry water supply scheme in the First Five Year Plan period. Allocation of funds for the Second Plan is under consideration.

(b) The estimated cost of the Ernakulam-Mattancherry Water supply Scheme is Rs. 152.1 lakhs.

(c) The scheme was sanctioned by the Ministry of Health.

**Shri A. K. Gopalan :** May I know whether it has come to the notice of Government that due to lack of supply of fresh water in these areas, malaria is on the increase for the last one year ?

**Shrimati Chandrasekhar :** We know the importance of this problem of water supply. That is why a National Water Supply Scheme has been drawn up and it is up to the State Government to take

the help that is available. There are, in the Health Ministry, schemes to assist them in various ways, and even in the Second Five Year Plan, as I explained to the House a little earlier, Rs. 53 crores is set apart for urban water supply schemes as loans, and about Rs. 28 crores, half of which is Central subsidy for rural water supply scheme.

**Shri A. K. Gopalan :** May I know why especially Alleppey, where this disease is too much prevalent, has been excluded from that scheme ?

**Shrimati Chandrasekhar :** If it is not included in the scheme, it is not that we have neglected it. It is the State Government that has got its own schemes for Alleppey.

#### Passenger Trains

\* 184. **Shri Dabhi :** Will the Minister of Railways be pleased to refer to the reply given to Starred Question No. 2451 on the 23rd May, 1956 and state :

(a) whether Government propose to reduce the number of passenger trains on any sections of the Railways, with a view to providing more capacity for the goods trains to move ;

(b) if so, on which sections the passenger services will be cut down ; and

(c) when ?

**The Deputy Minister of Railways and Transport (Shri Alagasan) :**

(a) to (c) There are no such proposals at present. However to find additional capacity for moving goods traffic—

(i) on the Southern Railway, 4 trains on the metre gauge were cancelled and the runs of two trains on the metre gauge and two trains on the broad gauge were curtailed ; and

(ii) 2 trains on the broad gauge of the Central Railways were cancelled.

**Shri Dabhi :** Am I to understand that in the future there is likelihood of some trains being curtailed ?

**Shri Alagasan :** If it becomes imperative that goods have to be given preference, it may be considered, but as I said, there is no such proposal now.

**Shri Dabhi :** Is it not a fact that only yesterday during the meeting of the National Railway Users' Consultative Council, the hon. Railway Minister stated that there would be an increase of 23 per cent in the metre gauge sections and 10 per cent in the Broad gauge sections ?

**Shri Alagesan :** That is true. Even though some of the trains have been cancelled to find paths for goods trains, I find that the physical quantum of the train services has not been reduced.

**Shrimati Tarkebhari Sinha :** May I know whether it is a fact that increase of speed in the passenger trains reduces the moving capacity of the goods trains? In view of the importance of transport of goods in the Second Five Year Plan, may I know what is the policy of the Government in regard to the increase in speed of the passenger trains and whether Government is bent upon increasing the speed of the passenger trains as for example the Delhi-Calcutta crack train?

**Shri Alagesan :** I do not think there is going to be any anxiety in that respect. If the passenger trains move quicker, the path also is cleared quicker to facilitate goods movement.

**Mr. Speaker :** Is it intended that passengers also must go by goods train?

### Rajkumari Sports Coaching Scheme

\*185. **Shri Kamath :** Will the Minister of Health be pleased to refer to the reply given to supplementaries raised on Starred Question No. 2336 on the 18th May, 1956 and state:

(a) whether Government have decided to get the accounts audited by an independent auditor, who is not a member of the Coaching Committee; and

(b) if not, the reasons therefor?

**The Deputy Minister of Health (Shrimati Chandrasekhar) :** (a) The Coaching Scheme Committee have decided to get the accounts audited by an independent auditor who is not a member of the Committee.

(b) Does not arise.

**Shri Kamath :** Who will do this auditing? May I know the name of the auditor?

**Shrimati Chandrasekhar :** One Shri Vaidyanatha Aiyar.

**Shri Kamath :** Considering the fact that so much money is allotted and spent on this scheme, has Government considered whether any of it could be utilised for coaching in popular Indian games, such as Kabaddi and Wrestling?

**Shrimati Chandrasekhar —rose**

**Mr. Speaker :** How does it arise from this question on provision for auditing?

**Shri Kamath :** This was put last Session by me and the hon. Minister wanted notice. I am repeating it now. May I know whether she will be able to answer it today? The question on the last occasion was whether this expenditure had

been audited and if so, by whom, and thereafter you allowed a number of supplementary questions and at that time I put the same question.

**Mr. Speaker :** I might or might not have allowed it. Even so, why should I allow the same mistake to be committed again?

**Shri Kamath :** You yourself admitted it. Was it a mistake?

**Mr. Speaker :** The question is simply one concerning audit and the hon. Member wanted to know the name of the auditor and Government has given the name. I think the hon. Member is satisfied with it.

**Shri Bhagwat Jha Azad :** May I know since how long the accounts have not been audited and what is the amount that has not been audited?

**Shrimati Chandrasekhar :** It is not a matter of not having audited the accounts. The accounts were audited by an auditor who was also a member of the Committee, to which objection was taken by this, honourable House. So, an independent member is now auditing the accounts in accordance with the desire of this House.

गन्ने में चीनी निकलने का अनुपात

\*१८६. श्री भक्त वर्मान : क्या साह

सदा कृषि मंत्री २ मई, १९५६ के तारंकित प्रश्न संख्या १८७४ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या देहरादून जिले के डोईबाला चीनी मिल से गन्ने में चीनी निकलने के अनुपात के बारे में सारे भाँकड़े एकत्र किये जा चुके हैं;

(ख) यदि हाँ, तो उन भाँकड़ों का विवरण क्या है; और

(ग) उस हलाके में गन्ने के मूल्य में की गयी कटौती को बहाल करने के बारे में क्या निर्णय किया गया है ?

साह और कृषि उपमंत्री (बी. बी. ०. बं. ०. कुल्लुवा) : (क) से (ग). समा की टेबिल पर एक विवरण रक्त दिया गया है। [वेजिबे परिशिष्ट २, अनुबन्ध संख्या ५]

श्री भक्त वर्मान : क्या गवर्नमेंट को इस बात का ध्यान है कि इस प्रश्न पर काफी लम्बे समय से विचार हो रहा है, और अब

भी यही बचाव दिया जा रहा है कि भांके-  
बया किये गये हैं और उन की जांच पड़ताल  
हो रही है ? तो कब तक इस बारे में निर्णय  
हो जाने की आशा है ?

**जान और कृषि मंत्री (श्री छ० प्र० जैन) :**  
भानरेबल मेम्बर को अच्छी तरह से जान  
लेना चाहिये कि भांकों पर उसी वक्त काम  
हो सकता है जब मिल का सीजन खत्म हो ले,  
उस से पहले कोई कार्यवाही नहीं की जा सकती  
है। मिल चूँकि इसी महीने बन्द हुई है इस लिये  
कोई परेशानी की बात नहीं है और न इस में  
देरी ही हुई है।

**श्री भक्त दत्त :** क्या गवर्नमेंट के  
ध्यान में यह बात आई है कि इस मिल के  
वर्तमान मालिकों ने यह घोषित कर दिया है  
कि भगले सीजन से वह मिल चालू नहीं  
रहेगी ? ऐसी हालत में बहाने को गले को कस  
करते (वेरने) के बारे में गवर्नमेंट ने क्या  
इंतजाम किया है ?

**श्री छ० प्र० जैन :** मिल मालिकों ने  
उचित समय पर इस बात की सूचना दे दी  
है। गवर्नमेंट पूरी तौर से इस बात की कोशिश  
करेगी कि कारखाने को चलाया जाये, लेकिन  
कारखाना कुछ पुराना है और नहीं कहा जा  
सकता कि क्या होगा, क्या नहीं होगा।  
बहरहाल, गला वालों को एक दूसरा अधिकार  
भी है कि वह उस का गुड़ बनायें।

**Shri C. D. Pander:** Unlike the Doiwala  
Sugar Mill, in Kashipur Sugar Mill the  
recovery has come to 9-6. Will the hon.  
Minister be pleased to direct the Sugar  
Mill or the State Government to restore  
the price to its original level of one rupee  
and seven annas?

**Shri A. P. Jain:** The hon. Member's  
information is almost correct and we will  
examine the matter with a view to take  
adequate action.

#### SHORT NOTICE QUESTION AND ANSWER Famine Conditions in Mysore State

S. N. Q. No. 1. **Shri M. S. Gurupada-  
swamy:** Will the Minister of Food  
and Agriculture be pleased to state:

(a) whether any report has been received  
by the Government that in some parts of  
Mysore State almost famine conditions are  
prevailing;

(b) if so, the steps Government propose  
to take to meet the famine conditions;

(c) whether any arrangement is being  
made to supply foodgrains to the State  
Government to enable them to supply  
foodgrains to the people through fair  
price shops at reduced rate; and

(d) whether any aid has been given by  
the Centre to engage people in some famine  
relief works to provide employment for  
their livelihood?

**The Deputy Minister of Food and  
Agriculture (Shri M. V. Krishnappa) :**

(a) Reports have been received that owing  
to failure of "Mungar" rains in the Mysore  
District, scarcity conditions have de-  
veloped in 6 taluks of Mysore District, namely,  
Mysore, Nanjangud, Channarayana-  
nagar, T. Narasipur, Gundlupet and Yelandur  
Taluks.

(b) The following steps have been  
taken by the State Government to give  
relief in the affected areas:

(i) Relief works have been started  
to provide work for the able-  
bodied people, and a sum of  
Rs. 10 lakhs has been set apart  
by the State Government for  
this purpose.

(ii) Rs. 20,000 has been allotted for  
grant of Taccavi loans.

(iii) Mid-day meal and gratuitous  
relief centres have been opened  
for the purpose of affording  
doles to poor children and  
the destitutes. For this  
purpose apart from the rice  
supplied by the Government of  
India and referred to in reply  
to part 'C', the Prime Minister  
has donated Rs. 25,000/- from  
National Relief Fund and  
10,000 lbs. vitaminised biscuits.

(iv) A loan of Rs. 10/- to each family  
has been granted for the pur-  
chase of seed ragi.

(v) Extension of time for clearing  
revenue arrears, allowing free  
grazing of cattle in forests, and  
supply of hay at subsidised  
prices.

(c) (i) 98 tons of rice has been supplied  
to the State Government for free  
distribution.

(ii) 2,990 tons of rice has been sup-  
plied at Rs. 14/- per maund  
for issue at concessional price  
of Rs. 11/- per maund. The  
Government of India will bear  
50% of the loss on this con-  
cessional sale.

(iii) 5,700 tons of rice have been allotted for sale at Rs. 16/- per maund through fair price shops.

(d) No request has so far been received from the State Government for financial assistance for relief works. A number of relief works, however, have been undertaken by the State including the Chikhole Reservoir Project costing about Rs. 22 lakhs and approved under the Second Five Year Plan.

I would like to add that the State Government has not asked us because there are standing orders to the effect that it can go ahead with the relief works. After it submits the accounts, we share fifty per cent of the expenditure.

**Shri M. S. Gurupadaswamy :** May I know whether the State Government has submitted any report in respect of the work that it has undertaken in the affected areas? May I also know whether there is any proposal under consideration to open gruel shops?

**Shri M. V. Krishnappa :** My Minister and myself both met the Chief Minister. My Minister asked me to tour that area and I toured it twice. On both the occasions Shri Gurupadaswamy was not there and I had to take the other Members of Parliament. I have arranged food supplies sooner than the Mysore Government expected. The special trains removed the stocks to the taluk headquarters and other places and they are being distributed there.

**Shri M. S. Gurupadaswamy :** On a point of personal explanation, may I say a word? The hon. Deputy Minister came there as a Deputy Minister. I was there but he never informed me about his tour programme. I was myself touring in that area. Unfortunately, he wanted to make his tour a political tour.

He raised this question and I had to answer. It was a completely political tour.

**Mr. Speaker :** Let us not go into that matter now.

**Shri M. S. Gurupadaswamy :** What is the total amount of monetary assistance that the Centre has granted to the State?

**The Minister of Food and Agriculture (Shri A. P. Jain) :** There is no limit to it. The State Government is at perfect liberty to spend as much as it considers necessary. Then it can submit the bill and the Government of India will meet the bill to the extent of fifty per cent.

**Shri M. S. Gurupadaswamy :** May I know whether the Government of Mysore has sent any report till now about the expenditure incurred so far?

**Shri M. V. Krishnappa :** I was there last week for the second time. The State

Government has started works and set apart about Rs. 10 lakhs for relief works which have been taking place in all the six taluks. Now, there has been some rain fall and they are sowing ragi. There is nothing to worry about.

**Shri A. P. Jain :** May I add a word? When these relief works are undertaken the final accounting is done in the end. At every stage the State Government does not inform us that it has spent so much. The work is a continuous process. Some money may have been spent and some bills may have to be paid. The only potent point is that we have not put any limit. The State Government can spend any amount it considers necessary for relief works and we shall share fifty per cent of that.

**Shri N. Rachiah :** May I know whether any aid has been received from the private organisations for distribution in the affected areas and if so, through which agency has such aid been distributed?

**Shri M. V. Krishnappa :** The American butter oil and milk powder received from some of the voluntary agencies like the CARE, the Catholic association etc. were distributed through the agency of the Collector and the Deputy Commissioner and he formed local advisory committees. Through them, these things will be distributed.

**Shri Kamath :** Sir, on a point of guidance, I want to say this. I recollect that the Prime Minister, last year when the question of Shri Krishnamachari's visit to Dalmianagar came up, had said that every Minister who visited a particular area or constituency should inform the Members representing that area or those constituencies. The tour programme has to be sent to them. I find that uniformly no Minister is doing it. So far as my experience goes, nobody has done so except one Minister. I would be grateful if you would, in your capacity as Speaker of this House and the guardian of the rights of the Members of this House, advise the Ministers,—if not direct them, that they should inform the Members of the constituency that they are touring and send a copy of their tour programme in advance.

**Shri A. P. Jain :** I would request the hon. Member to give us a list of the occasions on which information did not reach him. We shall look into it and see that information is sent to the Members. There are not two opinions on that; we want to take the assistance of all the Members.

**Shri M. V. Krishnappa :** Since this had arisen out of my reply I may say that in this particular instance, I have issued my tour programme to all the M.P.s and the M.L.A.s. In fact, they were waiting

for me. In fact, the PSP M.L.As. not Congress people alone, toured with me in that area.

**Shri M. S. Gurupadaswamy:** It is wrong; no tour programme was sent to us. The PSP M.L.As. toured with him because they were there in a committee meeting where the Minister was.

## WRITTEN ANSWERS TO QUESTIONS

### टिड्डी

\*१६८. श्री बिमूति मिश्र : क्या साख और रुबि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार ने टिड्डी-माक्रमण को रोकने के लिये इस वर्ष ३० व्यक्तियों के एक दल को सऊदी अरब भेजा था; और

(ख) यदि हाँ, तो उस दल ने वहाँ पर टिड्डी विरोधी क्या कार्यवाही की है ?

साख और रुबि मंत्री (श्री ध० प्र० जैन) : (क) तथा (ख). समा की टेलि पर एक विवरण रल दिया गया है। [बेसिये परिशिष्ट २, अनुबन्ध संख्या ६]

### Fruit Preservation Industry

\*१७०. **Shri Jhulan Sinha :** Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that Government have under their consideration a proposal to give relief to fruit preservation industry by way of concession in the prices of sugar and tin containers with a view to encourage the expansion thereof; and

(b) if so, the position in respect of the said proposal ?

**The Minister of Food and Agriculture (Shri A. P. Jain):** (a) Yes.

(b) The proposal is still under consideration.

### Daggaon-Ratnagiri-Mangalore Railway Line

\*१७२. **Shri Namblar:** Will the Minister of Railways be pleased to state:

(a) whether any decision on the aerial survey report of the Daggaon-Ratnagiri-Mangalore area has been taken;

(b) if so, what is the decision; and

(c) if answer to part (a) be in the negative, the stage at which the matter stands at present ?

**The Deputy Minister of Railways and Transport (Shri Alagesan):** (a) No, Sir.

(b) Does not arise.

(c) The Southern Railway administration is enlisting the aid of the Survey of India Establishment, Bangalore, who have the requisite specialised equipment, in preparing mounted mosaics and contoured maps from the aerial photographs.

### Assam Rail Link

\*१७७. **Shri Amjad Ali:** Will the Minister of Railways be pleased to refer to the reply given in Starred Question No. 1353, on the 11th April, 1956 and state:

(a) the extent of mileage proposed to be built as an alternative to the Rail link-line from Mal Junction to Binnaguri in the Assam rail-link; and

(b) whether any survey has been undertaken and estimate prepared for the proposed undertaking ?

**The Deputy Minister of Railways and Transport (Shri Alagesan):** (a) 20 miles approximately.

(b) A preliminary Engineering Survey of Ramshai-Binnaguri project has already been completed and the cost of the project is estimated approximately at Rs. 1.8 crores.

### Rice From Burma

\*१७८. **Shri Bhabha Nath Roy:** Will the Minister of Food and Agriculture be pleased to state whether in accordance with the five year agreement signed between the Governments of India and Burma some weeks ago, any consignment of Burmese rice has arrived in India till now?

**The Minister of Food and Agriculture (Shri A. P. Jain):** Yes Sir.

### Railway Workshop at Jagadhari

\*१७९. **Dr. Satyawadi:** Will the Minister of Railways be pleased to refer in the reply given to Unstarred Question No. 1954 on the 19th May, 1956 and state:

(a) the reasons for the negligible representation of the Scheduled Castes in service in the Railways workshop at Jagadhari and the steps taken to remove the disparity; and

(b) the method and machinery for recruitment of staff at the workshop ?

**The Deputy Minister of Railways and Transport (Shri Alagesan):** (a) Suitable and qualified Scheduled Caste

candidates are not forthcoming in sufficient numbers for the skilled and semi-skilled posts in the workshops. To increase the intake of candidates of these communities, prescribed standards have been lowered in their favour and unutilised vacancies are carried over for two successive years.

(b) A statement is placed on the Table of the House. [See Appendix II, annexure No. 7].

### Raders in Aircraft

\*188. **Shri Amjad Ali** : Will the Minister of Communications be pleased to state:

(a) whether it is a fact that super constellations and constellations of the Air India International will shortly be equipped with storm detector radars;

(b) the approximate cost likely to be incurred on it; and

(c) the benefit which they are going to have out of these fittings?

**The Minister of Communications (Shri Jagjivan Ram)**: (a) Yes, Sir.

(b) Rs. 12.08 lakhs.

(c) The weather Radar equipment will help in detecting weather conditions correctly thereby ensuring smoother flights and increasing the safety of operations.

### Wagon Factory near Bareilly

\*189. **Shri Bishwa Nath Roy** : Will the Minister of Railways be pleased to state whether the construction of the Railway Coach and Wagon Factory near Bareilly would start during the first phase of the Second Five Year Plan?

**The Deputy Minister of Railways and Transport (Shri Alagesan)**: The construction of the Railway M. G. Coach building factory is likely to start during the first phase of the Second Five Year Plan. This factory is not meant for the manufacture of wagons.

### Homoeopathy

\*190. **Shri S. C. Samanta** : Will the Minister of Health be pleased to refer to the reply given to Starred Question No. 770 on the 19th March, 1956 and state:

(a) whether the revised detailed schemes for research in Homoeopathy as furnished by various State Governments have been considered;

(b) if so, the amount sanctioned for each institution in 1955-56;

(c) how much has been allotted during the Second Five Year Plan for these institutions; and

(d) the works carried on so far by these institutions?

**The Deputy Minister of Health (Shrimati Chandrasekhar)**: (a) The revised schemes submitted by the State Governments had been examined by the Advisory Committee on Homoeopathy and found incomplete. Fresh proposals are being invited from the State Governments.

(b) and (d) Do not arise.

(c) A sum of Rs. 34.50 lakhs has been provided in the Second Five Year Plan for the Development of and research in Homoeopathy.

### वायु-निगम

\*१८८. **श्री अ. अ. लोचिया** : क्या

संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) ३१ मार्च, १९५६ को दोनों वायु निगमों की कुल पूंजी पृष्क पृष्क कितनी कितनी थी;

(ख) १९५३-५४ में दोनों निगमों की प्रारम्भिक पूंजी क्रमशः कितनी कितनी थी; और

(ग) इन निगमों के प्रारम्भ से लेकर अब तक केन्द्रीय सरकार ने प्रति वर्ष प्रत्येक निगम को कुल कितना ऋण दिया है ?

**संचार मंत्री (श्री जगजीवन राम)** :

(क) से (ग). सभापत्य पर एक विवरण-पत्र प्रस्तुत किया जाता है जिसमें मातृत्व सूचना दी गई है। [रेखिये परिशिष्ट २, अनुबन्ध संख्या ८]

### Jaundice Epidemic

\*192. **Shri Dabhi** : Will the Minister of Health be pleased to refer to the reply given to Starred Question No. 2334 on the 18th May, 1956 and state :

(a) whether the report of the enquiry sponsored by the Indian Council of Medical Research into the jaundice epidemic now been submitted; and

(b) if so, whether a copy of the report will be laid on the Table of the Sabha?

**The Deputy Minister of Health (Shrimati Chandrasekhar)** : (a) and (b) The report has not yet been submitted.

### Railway Workshops

{ **Shri Kamath** :  
\*193. **Shri H. N. Mukerjee** :

Will the Minister of Labour be pleased to refer to the reply given to Starred



Question No. 1472 on the 16th April, 1956 and state :

(a) whether consideration of the proposal to associate labour with the management in all Railway Workshops has been concluded; and

(b) if so, with what result ?

**The Deputy Minister of Labour (Shri Abid Ali) :** (a) and (b). The problem has been studied but since so far there has been little experience of Labour participation in management in this country, it is considered desirable that before concrete proposals are put up to the representatives of Labour, a study should be made of work done in certain European countries where worker's participation has made advances. For this purpose, it is proposed to depute team of representatives of Labour and of officers connected with this work.

### ऊपर के पुल

\*१९४. श्री भक्त बर्मान : क्या परिवहन

मंत्री १६ मार्च, १९५६ के तारांकित प्रश्न संख्या ७७१ के उत्तर के बारे में यह बताने की कृपा करेंगे कि दिल्ली में निजामुद्दीन और ब्रोसला के बीच निकासी (डाइवर्जन) के लिये सड़क का निर्माण करने के पश्चात् ऊपर के दो पुल बनाने का जो कार्य प्रारम्भ किया गया था, उनके निर्माणकार्य में अब तक कितनी प्रगति हुई है ?

रेलवे तथा परिवहन उपमंत्री (श्री बलगेजान) : एक विवरण समा की मेज़ पर रख दिया गया है। [दिक्षिणे परिसिद्ध २, उम्दाम संख्या ९]

### Ghee

\*195. Dr. Satyawadi : Will the Minister of Food and Agriculture be pleased to refer to the reply given to Starred Question No. 1096 on the 3rd April, 1956 and state :

(a) whether any final decision has been taken in regard to the location of twelve Co-operative Rural Creameries and seven Milk Powder Factories;

(b) if so, the details thereof; and

(c) the programme for increasing the Ghee production for the current year ?

**The Minister of Food and Agriculture (Shri A. P. Jain) :** (a) and (b). Yes. A statement showing the location of 12 Co-operative Rural Creameries and 7

Milk Powder factories in placed on the Table of the Lok Sabha [See Appendix II, annexure No. 10].

(c) As already stated in answer to part (a) of Question No. 1096 by Shri B. S. Murthy on 3-4-1956, schemes for increasing ghee production form an integral part of the Dairy Development Projects in the Second Five-Year Plan; there are no separate schemes for increasing ghee production as such. The Dairy Development Projects in the States are at present being discussed with the State Governments and are expected to be finalised shortly.

### Salt Sheds at Ichhapuram

\*196. Shri S. C. Samanta : Will the Minister of Railways be pleased to refer to the reply given to Unstarred Question No. 268 on the 6th March, 1956 and state :

(a) whether manufacturers of Sumadi Salt Factory at Ichhapuram have been given permission to construct temporary sheds to stock salt for transport;

(b) if not, the reasons therefor;

(c) whether complaints have been received that some quantity of salt stocked at the Ichhapuram station were due lost to rains; and

(d) the steps Government propose to take to give protection to the salt stock ?

**The Deputy Minister of Railways and Transport (Shri Alagunan) :** (a) Railway lands at Ichhapuram were leased out to the Factory simply to stock salt but no permission to erect the sheds was accorded.

(b) to (d). Information is being collected and will be laid on the Table of the House in due course.

### इंजन का पटरी पर से उतरना

१०२. श्री रघुनाथ सिंह : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि जून के पहले सप्ताह में, बीहाटी से १५ मील की दूरी पर, पूर्वोत्तर रेलवे के पानीखैली और बनबारी स्टेशनों के बीच, एक-एक करके दो इंजन पटरी पर से उतर गये थे; और

(ख) यदि हाँ, तो इस दुर्घटना का कारण क्या था ?

रेलवे तथा परिवहन उपमंत्री (श्री बलगेजान) : (क) ५-६-१९५६ की सुबह लगभग ४ बज कर ४५ मिनट पर, जब ६०३ थप एक्सप्रेस मालगाड़ी पूर्वोत्तर रेलवे



के पांडु रीजन के पांडु-सुमडिंग सेक्शन में पानीबोली और पानवाड़ी स्टेशनों के बीच जा रही थी, उसका इंजन और उससे लगा हुआ बीपहिया निरीक्षण-डिब्बा (इन्स्पेक्शन कैरिज) नम्बर २११४ मील २७८/६-७ पर पटरी से बिल्कुल उतर कर उलट गये।

इसके बाद ६-६-१९५६ को भयार्तू भ्रमसे दिन शाम को, लगभग ७ बज कर ४५ मिनट पर इंजन नम्बर ८४३ भी पटरी की जांच के लिए जाते हुए लगभग उसी जगह पटरी से उतर गया।

(ख) दुर्घटना के कारण की जांच की जा रही है। जैसे प्रकट वह होता है कि भारी और लगातार बारिश के कारण जमीन खस गयी जिसकी वजह से बड़े बड़े पेड़ व पत्थर पटरी पर घा गिरे और मोड़ व चढ़ाव-उतार पर पटरी अपने सही स्थान से हट गयी जिससे इंजन व डब्बे पटरी से उतर गये।

#### Phonogram System in P.E.P.S.U.

103. Shri Ram Krishan : Will the Minister of Communications be pleased to state :

(a) the names of places in the State of PEPSU where the phonogram system is working; and

(b) the names of places where Government propose to start the said system during the current financial year ?

The Minister of Communications (Shri Jagjivan Ram) : (a) PEPSU : Sangrur Combined Office; Patiala Departmental Telegraph Office; Nabha Combined Office; Kasauli Combined Office; Dhruv Combined Office; Bhatinda Departmental Telegraph Office.

PUNJAB : Ambala C.T.O.; Amritsar C.T.O.; Ambala City C. O.; Banga C.O.; Chandigarh D.T.O.; Delhi D.T.O.; Faridabad C. O.; Faridabad N.I.T.C.O.; Ferozepore D.T.O.; Hoshiarpur D.T.O.; Jagadhri C.O.; Jammu Tawi D.T.O.; Hissar H. O.; Jullundur D.T.O.; Moga C. O.; Ludhiana D.T.O.; Nangal D.T.O.; New Delhi C.T.O.; Rohtak Mandi C.O.; Simla C.T.O.; Srinagar D.T.O.; Fazilka C.O.; Yamunanagar C. O.

(b) No specific names can be given. The extension of Phonogram facilities would depend upon a demand from the public, traffic justification and availability of telephones facilities at the place.

#### Passenger Amenities

104. Shri Ram Krishan : Will the Minister of Railways be pleased to state :

(a) the total amount spent on passengers and other Railway users' amenities in the Bikaner region of the Northern Railway during 1955-56 ; and

(b) the amount proposed to be spent during 1956-57 under this head ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) Rs. 2.09 lakhs.

(b) Rs. 5.22 lakhs.

#### Employment Exchanges

105. Shri Ram Krishan : Will the Minister of Labour be pleased to state :

(a) the total number and locations of Employment Exchanges in the States of the Punjab and PEPSU and the area served by each of them;

(b) whether the programme for increasing the number of these exchanges during the Second Five Year Plan period has been finalised; and

(c) if so, the main features thereof?

The Deputy Minister of Labour (Shri Abid Ali) : (a) A statement containing the information is laid on the Table of the House [See Appendix II, annexure No. 11].

(b) No.

(c) Does not arise.

#### Dental Colleges

106. Shri Ram Krishan : Will the Minister of Health be pleased to state :

(a) whether the programme for the establishment of four new dental colleges during the Second Five Year Plan has been finalised; and

(b) if so, the names of the sites chosen and other features of the scheme ?

The Deputy Minister of Health (Shrimati Chandrakhar) : (a) and (b) The programme for the establishment of new dental colleges during the Second Five Year Plan has not yet been finalised.

#### जयनगर स्टेशन

१०७. श्री अनिरुद्ध सिंह : क्या रेलवे मंत्री १० मई, १९५६ के धाराधिकृत प्रश्न संख्या १९५६ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) पूर्वोक्त रेलवे के जयनगर स्टेशन

पर बिजली पैदा करने वाला संयंत्र कब तक तैयार हो जायेगा;

(ख) रेलवे को अपने इस्तेमाल के लिये कुल कितने किलोवाट बिजली की आवश्यकता होगी; और

(ग) क्या फासतू बिजली, यदि बचे तो, जनसाधारण की दी जा सकेगी भयबा नहीं ?

रेलवे तथा परिवहन उपमंत्री (श्री बल्लभेन्द्र) : (क) भाषा है, इस साल के अन्त तक जयनगर में रेलवे का बिजली घर बन कर तैयार हो जायेगा ।

(ख) रेलवे को अपने इस्तेमाल के लिए अधिक से अधिक ७ किलोवाट बिजली की जरूरत है ।

(ग) जनता के इस्तेमाल के लिए बिजली नहीं बचेगी ।

#### T. B. Hospitals in Travancore-Cochin State

108. Shri A. K. Gopalan : Will the Minister of Health be pleased to state :

(a) the total number of Government T. B. hospitals, sanatoria and clinics in Travancore-Cochin State at present;

(b) the total number of patients getting treatment in these hospitals etc;

(c) the total cost of expenditure on food and medicine in these centres;

(d) whether there is any proposal to open new wards, hospitals, clinics, sanatoria etc. for T. B. patients during the Second Five Year Plan; and

(e) if so, the details thereof ?

The Deputy Minister of Health (Shrimati Chandrasekhar) : (a)

T. B. Hospital	1
T. B. Sanatorium	1
T. B. Centre	1
T. B. Clinics	3
TOTAL	6

(b) 6140 patients on an average.

(c) The average monthly expenditure is Rs. 24,013/12/-.

(d) Yes.

(e) (i) Two T. B. Hospitals of 300 beds each at Pulayanarkottah, Trivandrum and Adichanalloor in Quiloo Distt.

(ii) 5 T. B. Clinics of 10 beds each at Chingavanaru, Alleppey, Muvattupuzha, Quilon and Mavelikara.

#### अय-रोगी

१०३. श्री बाल्मीकी : क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगी कि :

(क) १९५३-५४, १९५४-५५ और १९५५-५६ में अय-रोगियों की संख्या कुल कितनी थी; और

(ख) क्या निर्धन अय-रोगियों की इन वर्षों में कुछ वित्तीय सहायता दी गयी थी, और यदि हां, तो उनकी संख्या कितनी है ?

स्वास्थ्य उपमंत्री (श्रीमती चन्द्रशेखर) :

(क) ऐसे रोगियों के आंकड़े उपलब्ध नहीं हैं ।

(ख) जी हां, भारत सरकार ने केवल नरीब विस्थापित तपेदिक के मरीजों के लिए ही आर्थिक सहायता दी थी । ऐसे रोगियों की संख्या के बारे में, जिन्हें आर्थिक सहायता दी गई थी, भारत सरकार के पास सूचना नहीं है, क्योंकि यह सहायता सीधे सरकार द्वारा नहीं दी गई थी ।

#### बेगार

११०. श्री बाल्मीकी : क्या अय मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि अब भी देश के विभिन्न भागों में बेगार विविध रूपों में प्रचलित है; और

(ख) यदि हां, तो इस सम्बन्ध में क्या कार्यवाही की गई है ?

अय उपर्युक्ती (श्री आशिष बाली) :

(क) कभी कभी सूचना मिलती है कि बेगार अभी भी देश के कुछ भागों में किसी न किसी रूप में जी जाती है ।

(ख) राज्य सरकारों को सूचित किया गया है कि जिला मजिस्ट्रेटों की हिदायत दी जाये कि जहाँ कहीं भी यह लक्ष्य हो कि बेगार जी जाती है, वहाँ पुलिस से जांच कराये और

मुक्तमा सरकारी खर्च पर चलाया जावे । इसके अलावा वहाँ तक अनुसूचित और आदिम जाति क्षेत्रों का संबंध है, राज्य सरकारों से प्रायर्षा की गई है कि वे आदिम-जाति सलाहकार परिषदों से सलाह लें और इस बुरी प्रथा को समाप्त करने के लिये कदम उठावें ।

### Telephone Facilities in Hoshiarpur

111. **Shri D. C. Sharma :** Will the Minister of Communications be pleased to state :

(a) the extent of expansion of the telephone facilities made available in the Hoshiarpur District during the course of the First Five Year Plan;

(b) the details of the schemes still under execution;

(c) the details of the schemes implemented;

(d) the expansion programme of telephone facilities in this district for the Second Five Year Plan ; and

(e) the estimated cost of the above programme?

**The Minister of Communications (Shri Jagjivan Ram) :** (a) (i) Seven long-distance Public Call Offices :—

- (i) Hariana
- (ii) Sham Chaurasi
- (iii) Gardhiwala
- (iv) Dasuya
- (v) Mukerian
- (vi) Bajwara
- (vii) Mahilpur,

(2) Five local Public Call Offices in Hoshiarpur town.

(3) Replacement of 100 line Magneto Exchange at Hoshiarpur by 150 line C.B.

(4) One single channel carrier system between Hoshiarpur and Jullundur.

(b) (1) One trunk switch board to be installed at Hoshiarpur.

(2) Public Call Office at Saroa.

(c) A Public Call Office at Una has since been opened on 21-5-56.

(d) and (e). (1) Expansion of Hoshiarpur exchange to 300 lines.

(2) One additional trunk board at Hoshiarpur.

(3) One more trunk line between Hoshiarpur and Jullundur.

The above-mentioned works are expected to cost Rs. 1.9 lakhs. More proposals will be taken up, if found justified.

### Posts and Telegraphs Employees

112. **Shri D. C. Sharma :** Will the Minister of Communications be pleased to state :

(a) the total amount which has been spent so far on the construction of staff quarters for the Posts and Telegraphs employees during the current financial year;

(b) the number of quarters so far constructed during the current year and

(c) the class of employees for which these quarters have been constructed?

**The Minister of Communications (Shri Jagjivan Ram) :** (a) to (c). The information is being collected and will be laid on the Table of the Lok Sabha in due course.

### Railway Accidents

113. **Shri D. C. Sharma :** Will the Minister of Railways be pleased to State:

(a) the number of accidents on Indian Railways zone-wise during the period from the 1st of February, 1956 till the end of June 1956;

(b) the total loss of life and property;

(c) the reasons thereof; and

(d) the total amount paid as compensation?

**The Deputy Minister of Railways and Transport (Shri A. J. Jagan) :** As the figures for the month of June 1956 are not yet ready, information in reply to parts (a) to (d) is furnished up to May, 1956

(a) *Railway Number of train accidents from 1-2-56 to 31-5-56*

Central	182
Eastern	191
Northern	203
North-Eastern	197
Southern	183
South-Eastern	141
Western	151

TOTAL 1248

(b) 11 persons were killed.

The approximate cost of damage to Railway property was Rs. 6,64,041/-.

(c) *Causes* Number of train accidents due to:

Failure of Railway staff	461
Failure of other than Rly. staff	58
Failure of Mechanical equipment	477
Other miscellaneous causes	163
Still under enquiry	89

TOTAL 1248

(d) Nil.

रेलगाड़ी का पटरी से उतर जाना

११४. श्री रघुनाथ सिंह : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि गत ४ जून को पूर्वोत्तर रेलवे के हाजीपुर तथा बिड़पुर स्टेशनों के बीच यात्री गाड़ी के दो डिब्बे पटरी से उतर गये, जिसके फलस्वरूप ५ व्यक्ति घायल हुए; और

(ख) यदि हां, तो दुर्घटना का कारण क्या है और हताहतों की संख्या कितनी है ?

रेलवे तथा परिवहन उपमंत्री (जी प्रल्लगेगन) : (क) तथा (ख). ३-६-५६ (न कि ४-६-१९५६) को सुबह ६ बजे कर ५ मिनट पर जब ३५४ डाउन बवारी गाड़ी पूर्वोत्तर रेलवे के सोनपुर जंक्शन—बरीली जंक्शन मुख्य लाइन सेक्शन के हाजीपुर और बिड़पुर स्टेशनों के बीच आ रही थी, इंजन से सटा हुआ तीसरे दर्जे का ३६१७ नम्बर का डिब्बा भील १६४/११ पर पटरी से उतर गया जिसके फलस्वरूप ४ व्यक्तियों को मामूली चोटें आयीं, लेकिन कोई मरा नहीं।

दुर्घटना के कारण का पता लगाया जा रहा है।

इंजन का पटरी से उतर जाना

११५. श्री रघुनाथ सिंह : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि गत ८ जून को कासबाबू जाने वाली यात्रीगाड़ी का इंजन सुबह ४ बजे फतेहगढ़ में पटरी से उतर गया जिसके परिणामस्वरूप गाड़ी के छुटने में ५ घंटे का विलम्ब हो गया; और

(ख) क्या यह भी सच है कि कानपुर जाने वाली गाड़ी का इंजन भी उसी जगह शाम को पांच बजे पटरी पर से उतर गया; और

(ग) यदि हां, तो दुर्घटनाओं का वास्तविक विवरण क्या है ?

रेलवे तथा परिवहन उपमंत्री (जी प्रल्लगेगन) : (क) से (ग). सवाल में जिन

दो दुर्घटनाओं का जिक्र किया गया है उनका व्योरा इस प्रकार है :—

(१) ७-६-१९५६ को (न कि ८-६-१९५६ को) रात में लगभग ३ बजे कर ५५ मिनट पर जब इंजन नं० २२५६ बाई० पी० फत्ताबाद से कासबाबू जाने वाली ४७१ अप गाड़ी में लगने के लिए फतेहगढ़ इंजन शोड से निकल रहा था, तो वह ट्रैफिक यार्ड (traffic yard) वाली लाइन पर पटरी से उतर गया। ५ बजे कर २५ मिनट पर इंजन फिर पटरी पर चढ़ा दिया गया और गाड़ी फत्ताबाद से १ घंटा ४२ मिनट देरी से रवाना हुई (न कि ५ घंटा देरी से, जैसा कि सवाल में कहा गया है)।

(२) उसी दिन (७-६-१९५६) को शाम को लगभग ५ बजे कर ३० मिनट पर जब इंजन नं० २२५८ बाई० पी० कानपुर जाने वाली २५२ डाउन में लगने के लिए फतेहगढ़ इंजन शोड से निकल रहा था तो वह लगभग वहीं पटरी से उतर गया जहाँ से पहला इंजन पटरी से उतरा था।

पटरी से उतरने की दोनों दुर्घटनाएं रात में जोर की बारिश से पटरी के बंद होने के कारण हुई।

कुष्ठ अस्पताल

११६. श्री रघुनाथ सिंह : क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगे कि :

(क) इस समय भारत में कितने कुष्ठ अस्पताल हैं; और

(ख) ईसाई धर्मप्रचारकों द्वारा चलाये जाने वाले अस्पतालों की संख्या क्या है ?

स्वास्थ्य उपमंत्री (श्रीमती कञ्जोबाई) :

(क) १५२।

(ख) ५१।

### स्कूल और पुस्तकालय

११७. पंडित डा० ना० तिवारी : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) प्रत्येक महाखंड में रेलवे ने अभी तक कितने स्कूल व पुस्तकालय खोले हैं, और वे किन किन स्थानों में खोले गये हैं;

(ख) १९५४-५५ और १९५५-५६ में इन स्कूलों व पुस्तकालयों पर कुल कितना खर्चा हुआ; और

(ग) क्या गैर रेलवे स्कूलों व पुस्तकालयों को भी कोई प्राथिक सहायता देने का विचार है ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन) : (क) स्कूलों और दफ्तरों के पुस्तकालयों के सिवाय रेलवे में कोई पुस्तकालय नहीं है। अलग अलग रेलों के स्कूलों की सूची समा की टेबल पर रखी जाती है। [देखिये परिशिष्ट २, अनुबन्ध सं० १२]

(ख)

१९५४-५५ . . . ३५,८५,५०० रु०

१९५५-५६ . . . ३६,२०,००० रु०

(ग) गैर-रेलवे स्कूलों को उनकी स्थिति के आधार पर रेलवे की तरफ से प्राथिक सहायता दी जा रही है। पर इसके लिए शर्त यह है कि इन स्कूलों में अधिकांश रेलवे कर्मचारियों के बच्चे और प्राथित पढ़ते हों। रेलवे की तरफ से पुस्तकालयों को प्राथिक सहायता नहीं दी जाती।

### Air-India International

118. Shri Ram Krishan: Will the Minister of Communications be pleased to refer to the reply given to Unstarred Question No. 475 on the 19th March, 1956 regarding foreign agents of the Air-India International and state:

(a) whether the required information has been collected; and

(b) if so, whether a copy of the same will be laid on the Table of the Sabha?

The Minister of Communications (Shri Jagjivan Ram): (a) Yes, Sir.

(b) I lay on the Table of the Lok Sabha statements giving the required information [See Appendix II, annexure No. 13].

### Central Food Godowns

119. Shri Nambiar: Will the Minister of Food and Agriculture be pleased to state:

(a) the stock of foodgrains (Rice, Wheat etc. separately) in the Central Food Godowns in various States (State-wise) at the beginning of July, 1956; and

(b) the total capacity of godowns State-wise?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) and (b). A statement showing the required information is laid on the Table of the House [See Appendix II, annexure No. 14].

### Jagadhri Railway Workshop

120. {Sardar Iqbal Singh:  
Sardar Akarpuri:

Will the Minister of Railways be pleased to state:

(a) the amount of repair works done annually at the Jagadhri Workshop of Northern Railway since 1953-54 to date;

(b) the amount of work expected to be done after re-organisation and extension;

(c) work bills per year since 1953-54; and

(d) whether departmental motor cars are also repaired there?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) to (c). A statement is laid on the Table of the House. [See Appendix II, annexure No. 15].

(d) No.

### Post Offices in Ferozepore and Hissar Districts

121. {Sardar Iqbal Singh:  
Sardar Akarpuri:

Will the Minister of Communications be pleased to state:

(a) the number of departmental post offices in Ferozepore and Hissar Districts of Punjab where telegraph facilities were provided during 1954-55 and 1955-56 and also the names of places where these facilities were given;

(b) the present policy of Government for providing such facilities in other post offices and names of the places where

these facilities will be provided during 1956-57;

(c) whether this policy will be liberalised during the Second Five Year Plan; and

(d) if so, in what respects it is being done?

**The Minister of Communications (Sbri Jagjivan Ram):** (a) A statement showing the required information is placed on the Table of the Lok Sabha [See Appendix II, annexure No. 16].

(b) (i) Telegraph facility is provided in post offices, only if no loss is to be incurred by the Government in doing so. However, telegraph facilities are provided at District Sub-Divisional and Tehsil Head-quarters and places having a population of 5,000 and over even on loss basis subject to certain limits.

(ii) *Hissar District.*

(1) Narnaund

(2) Ellenabad

*Ferozepur District*  
Nil

(c) Yes.

(d) For town with a population of 5,000 and over it is proposed to increase the limit of permissible loss so that more towns of this category could be provided with telegraph facilities.

#### National Highways

122. { **Sardar Iqbal Singh;**  
**Sardar Akarpari:**

Will the Minister of Transport be pleased to state:

(a) the present total mileage of the National Highways in PEPSU and Himachal Pradesh;

(b) the estimated length proposed to be constructed in the Second Five Year Plan period; and

(c) the approximate cost incurred in this behalf during the period of the First Five Year Plan and that proposed to be incurred in the Second Five Year Plan period?

**The Deputy Minister of Railways and Transport (Sbri Alagesan):** (a) to (c) A statement giving the required information is laid on the Table of the House [See Appendix II, annexure No. 17].

#### Agricultural Loan

123. { **Sardar Iqbal Singh;**  
**Sardar Akarpari:**

Will the Minister of Food and Agriculture be pleased to state the amount given as loan to the Punjab and PEPSU Governments for granting advances to the agriculturists during the current year for purchasing tractors and other agri-  
345 LSD

cultural implements under the "Grow More Food Campaign"?

**The Minister of Food and Agriculture (Sbri A. P. Jain):** The loan sanctioned for the purchase of agricultural implements during 1956-57 is as given below:—

Name of the State	Amount of loan sanctioned (Rs. in lakhs)
Punjab	2.70
PEPSU	1.70

No loan was asked for the purchase of tractors.

#### Railway Thefts

124. { **Sardar Iqbal Singh;**  
**Sardar Akarpari:**

Will the Minister of Railways be pleased to state:

(a) the number of thefts committed Division-wise on the Northern Railway during the period from 1st January to 30th June, 1956;

(b) the total value of the goods stolen; and

(c) the number of cases in which culprits were apprehended?

**The Deputy Minister of Railways and Transport (Sbri Alagesan):** (a)

Division	No. of thefts.
Delhi	80
Ferozepore	39
Lucknow	100
Allahabad	179
Moradabad	246
Bikaner	28
Jodhpur	8
	<hr/> 680

(b) Rs. 1,33,088/8/-.

(c) 139.

#### New Post Offices in Ferozepur and Hissar Districts

125. { **Sardar Iqbal Singh;**  
**Sardar Akarpari:**

Will the Minister of Communications be pleased to state:

(a) the extent to which the target for opening Post Offices in rural areas fixed under the First Five Year Plan for Ferozepur and Hissar Districts of Punjab has been reached; and

(b) whether any programme has been chalked out to open Post Offices in all villages of the above districts having population of one thousand and above during the Second Five Year Plan?

**The Minister of Communications (Sbri Jagjivan Ram):** (a) In Ferozepur

and Hissar Districts, 64 and 59 post offices were opened respectively in rural areas during the First Five-Year Plan period and the target was fully reached.

(b) There is no programme to open post offices in all the villages having a population of one thousand and above. However, they will be considered for opening post offices on grouping basis having a population of 2,000 provided that the new office is not within three miles of an existing post office and its estimated annual loss is not more than Rs. 750/-. It is expected that many of the villages in Ferozepur and Hissar Districts having a population of one thousand and above may be provided with post offices on grouping basis during the Second Five Year Plan Period.

### Public Call Office

36. {Sardar Iqbal Singh:  
Sardar Akarpuri:

Will the Minister of Communications be pleased to state:

(a) whether Government propose to open Public Call Office at Nihal Singh Wala in District Ferozepur, Punjab; and

(b) if so, the steps taken in the matter?

The Minister of Communications (Shri Jagjivan Ram) (a) and (b). No; the proposal was examined and has since been dropped, as it involves a loss to the Department.

### Milk Powder from U.S.A.

37. Dr. Ram Subhag Singh: Will the Minister of Food and Agriculture be pleased to state:

(a) the quantity of milk powder so far received from the U.S.A. as gift;

(b) whether the United States has also been exporting milk powder as regular consignments on commercial basis to India; and

(c) if so, the quantity of milk powder that has so far come to India as regular consignments?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) Since the middle of 1951 upto May, 1956, approximately 137 tons and 7,60,000 packages of milk powder have been received in India as gift from the U.S.A.

(b) and (c): Information is being collected and will be placed on the Table of the Lok Sabha as soon as available.

### Meteorological Department

38. Shri Krishnacharya Joshi: Will the Minister of Communications be pleased to state:

(a) the special subjects of studies conducted by the Meteorological De-

partment on the Scientific aide during 1956 so far; and

(b) whether any foreign expert is also engaged in the study?

The Minister of Communications (Shri Jagjivan Ram): (a) A list of important subjects of scientific studies which were undertaken by the India Meteorological Department during 1956 is laid on the Table of the Lok Sabha [See Appendix II annexure No. 18].

(b) No.

### कोयले की खपत

१२६. श्री जू० च० सोबिया : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) १९५४-५५ और १९५५-५६ में भारतीय रेलों में अनुमानतः कुल कितने बजन और कीमत के कोयले की खपत हुई;

(ख) इन वर्षों में कोयले की दुलाई पर कितना खर्च हुआ; और

(ग) इस कोयले की दुलाई टन मीलों के हिसाब से अनुमानतः कितनी थी ?

रेलवे तथा परिवहन उपमंत्री (श्री बल्लभशास्त्री) : (क) से (ग). एक ब्यान सभा-पटल पर रख दिया गया है। [देखिये परिशिष्ट २, अनुबन्ध सं० १६]

### साद्याओं की खरीद

१३०. श्री जू० च० सोबिया : क्या खाद्य और कृषि मंत्री सभा पटल पर इस प्राशय का एक विवरण रखने को कृपा करेंगे :

(क) केन्द्रीय सरकार ने १९५५-५६ में खरीफ और रबी की फसलों के साद्याओं में से प्रत्येक साद्या को देश की विभिन्न मंडियों से कितने मूल्य और कितनी मात्रा में खरीदा था;

(ख) इस अवधि में विदेशों से यदि कुछ साद्या मंगाये गये हों, तो उनके नाम, मात्रा और कीमत क्या है;

(ग) ३१ मार्च, १९५६ को सरकार के पास भिन्न भिन्न खाद्यान्नों का कितना कितना स्टॉक था; और

(घ) ३१ मार्च, १९५५ को सरकार के पास विभिन्न खाद्यान्नों का आवश्यकता से अधिक स्टॉक कितना-कितना था ?

खाद्य और कृषि मंत्री (श्री अ० प्र० जैन) : (क)

साल	खरीदी हुई मात्रा (टन हजारों में)	कीमत (रुपये लाखों में)
१९५५ . .	१२३.५	२९८.६
१९५६ . .	२२.१	१०५.१

(ख) १९५५-५६ के वित्तीय वर्ष में विदेशों से निम्न प्रकार खाद्यान्नों का आयात किया गया :—

खाद्यान्न	मात्रा (टन हजारों में)	कीमत (सी० एंड एफ) (रुपये लाखों में)
गेहूं . .	३१९.३	१,१६४.१
बावल . .	५९.४	४००.०
कुल	३७८.७	१,५६४.१

इन मात्राओं के अलावा पाकिस्तान से १५,००० टन गेहूं उधार लिया गया था।

(ग)	बावल ४७७,००० टन
	गेहूं . ६२,००० टन
	अन्य . ४,००० टन
	कुल . ५४३,००० टन
(घ)	बावल १६,२८,००० टन
	गेहूं . ८७,००० टन
	अन्य . ४९,००० टन
	कुल . १७,६४,००० टन



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### LOK SABHA

Saturday, 21st, July, 1956

*The Lok Sabha met at Eleven of the Clock.*

[MR. SPEAKER in the Chair]

### QUESTIONS AND ANSWERS

(See Part I)

12-07 P.M.

#### MOTION FOR ADJOURNMENT

##### STRIKE NOTICE BY VISAKHAPATNAM HARBOUR AND PORT WORKERS UNION

Mr. Speaker: I have received notice of an adjournment motion from Dr. Lanka Sundaram and Shri A. K. Gopalan.

Dr. Lanka Sundaram (Visakhapatnam): There is a notice of general strike given to the Railway Ministry by the Visakhapatnam Harbour and Port Workers Union. The strike has to become effective on the 23rd, that is, day after tomorrow. In addition to this notice, a contingent strike notice has also been given to the same Ministry by the same union, involving in all twelve matters for adjudication. The strike notice says that if these demands are not conceded or are not referred to an industrial tribunal there shall be a strike. In other words, there is not a strike notice which is absolutely shutting the door for negotiation or settlement, they want an industrial tribunal to be appointed to adjudicate on these demands. I would not go into the details of the demand apart from stating that in the general category there are issues like unfair

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labour practices, unfair trade tests, increase of wages etc. The contingent notice points out the proposed transfer of the harbour and port from the Railways to the Transport Ministry. Since 1921 it was transferred from one authority to another—from the Bengal Nagpur Railway to the Commerce Ministry, from the Commerce Ministry to the Railway Ministry and now the proposal is to send it to the Transport Ministry. In this connection, I had talks with the Railway Minister as early as 12th December. As regards the contingent notice of strike, I want to tell the House—I am not the President of the Union—that he said that he would receive a deputation or send an officer for enquiry. I have been pursuing the correspondence in order to save this threatened disaster in such a vital installation as the Visakhapatnam Harbour which, you, Mr. Speaker, know, has got other installations like the shipyard, naval base, oil refinery and other important institutions. I do not want anything to be done to precipitate this condition on Monday morning and I have raised this matter to draw your attention and the attention of the Ministry to save the strike by referring it forthwith to the Industrial Tribunal as demanded in the strike notice.

Shri A. K. Gopalan (Cannanore): In addition to the strike notice given by the workers at Visakhapatnam Harbour, I may also be allowed to point out the seriousness of the matter as far as other ports also are concerned. In yesterday's papers there is a report of an all-India organisation which says that they have given notice of strike in Calcutta, Madras, Bombay and other places. As far as the Cochin Port is concerned, I myself, when I was there a month back, persuaded the workers

[Shri A. K. Gopalan]

not to go on strike when they gave notice of a protest strike for one day. I asked them to go in for negotiations and I also wrote to the Railway Minister about the same. What I want to point out is that it is not only at Visakhapatnam but in all the other ports also they have given notice of a strike. It is therefore very necessary that this matter must be taken up seriously and the authorities should go into this question.

There is no machinery for negotiation as far as the Cochin Port is concerned. I know that when the Labour Conciliation Officer called both the parties, the labour union representatives went but the Administrator did not go there. So some other thing was taken up by the Officer saying that he could not attend to the conciliation.

When we had been discussing such questions in respect of other places, it had been said that the workers are resorting to violence and other things. Therefore, we want specially to bring it to the notice of the House and the Government that a very serious situation will arise if the Government does not take notice of the seriousness, not only as far as Visakhapatnam is concerned, but of the situation in general. When something happens at Visakhapatnam, the workers at other places may also follow suit and thus in a major industry like this a very serious situation may arise. So, the determination of the organisations to go on strike at other places must also be taken into consideration while considering this question relating to Visakhapatnam. That is what I want to point out.

The Deputy Minister of Railways and Transport (Shri Ajagesan): Sir, I should like to have some time before I can make a full report on this. It is unfortunate that 23rd also happens to be a holiday. I shall be able to make a statement on the 24th.

Shri Namblar (Mayuram): Notice

has been given to the effect that the strike is to begin on the 23rd and therefore, a statement on the 24th will be too late.

Shri Ajagesan: It may be that I might be able to announce that the strike did not take place.

Dr. Lanka Sundaram: Sir, I could not hear what the hon. Deputy Minister said.

Mr. Speaker: The hon. Minister says that he may be able to announce to the House that the strike has not taken place.

In view of the statement which the Minister has promised to make, this matter is put off till the 24th.

#### PAPERS LAID ON THE TABLE

##### NOTIFICATION UNDER ESSENTIAL COMMODITIES ACT

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnaappa): Sir, on behalf of Shri A. P. Jain, I beg to lay on the Table a copy of the Notification No. S.R.O. 1346, dated the 8th June, 1956, under sub-section (6) of section 3 of the Essential Commodities Act 1955. [Placed in Library. See No S-252/56.]

##### NOTIFICATIONS UNDER EMPLOYEES PROVIDENT FUNDS ACT

The Minister of Labour (Shri Khandubhai Desai): Sir, I beg to lay on the Table a copy of the Notification No. S.R.O. 1566, dated the 7th July, 1956, under sub-section (2) of section 4 of the Employees Provident Funds Act, 1952. [Placed in Library. See No. S-253/56.]

I also beg to lay on the Table a copy of the Notification No. S.R.O. 1587, dated the 7th July, 1956, under sub-section (2) of section 7 of the Employees Provident Funds Act, 1952. [Placed in Library. See No. S-254/56.]

**NOTIFICATION UNDER DISPLACED PERSONS (COMPENSATION AND REHABILITATION) ACT**

The Deputy Minister of Rehabilitation (Shri J. K. Bhonsle): Sir, I beg to re-lay on the Table a copy of the Notification No. S.R.O. 1161, dated the 19th May, 1956, under sub-section (3) of section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954. [Placed in Library. See No. S-225/56.]

**BUSINESS ADVISORY COMMITTEE**  
**THIRTY-EIGHTH REPORT**

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): Sir, I beg to move:

"That this House agrees with the Thirty-eighth Report of the Business Advisory Committee presented to the House on the 18th July, 1956"

Shri Kamath (Hoshangabad): Sir, I rise on a point of order. The House has not had notice of this motion. You rightly ruled sometime ago, in the last session, I believe, that even though it might be a report of the Business Advisory Committee, the motion should be made well in time to enable Members to table amendments. It has not been done so in this case. Therefore I suggest that it may be held over till Tuesday by which time I and other Members may be able to give notice of amendments to this motion.

Mr. Speaker: When was this circulated?

Shri Kamath: It was circulated only this morning.

An Hon. Member: The report was presented two days ago...

Mr. Speaker: There is no good merely being satisfied with the presentation of the report. In future, as soon as the report is submitted, hon. Members also must give notice of their intention to make the next motion on a particular day, two days in advance or at least one day in advance.

Shri Kamath: You mean the Minister, Sir.

Mr. Speaker: The hon. Member himself may make a motion. It applies to all hon. Members whoever he may be. It is not only with respect to this that I am saying. This applies to every motion that is sought to be moved. Notice of a motion should be given sufficiently in advance to give opportunity to hon. Members to table their amendments. This will stand over till the 24th, if notice of this motion has not already been given.

Shri Kamath: Very good, Sir, thank you very much.

**BUSINESS OF THE HOUSE**

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): Sir, with your permission I beg to announce that Government propose to take up during next week the following items of business after the passing of the Industrial Disputes (Amendment and Miscellaneous Provisions) Bill:

1. The Bihar and West Bengal (Transfer of Territories) Bill— for reference to a Joint Committee.
2. The States Reorganisation Bill as amended by the Joint Committee for consideration and passing.

**INDUSTRIAL DISPUTES (AMENDMENT AND MISCELLANEOUS PROVISIONS) BILL**

Mr. Speaker: The House will now take up the following motion moved by Shri Khandubhai Desai on the 20th July, 1956, namely:

"That the Bill further to amend the Industrial Disputes Act, 1947 and the Industrial Employment (Standing Orders) Act, 1946 and to repeal the Industrial Disputes (Appellate Tribunal) Act, 1950, be taken into consideration."

[Mr. Speaker]

The motion was put to the House formally and now too. Members may take part in the discussion. The time allotted is 10 hours and the time taken is 22 minutes. So 9 hours and 38 minutes remain. I would now ask hon. Members to apportion the time amongst the various stages of the Bill. There are a number of amendments tabled even by the Government and there are a number of other amendments tabled by other hon. Members. I would therefore suggest that 7 hours may be devoted for the general discussion 3 hours for clause-by-clause consideration.

Shrimati Bena Chakravarty (Bahirath): I would suggest 6 hours and 4 hours.

Mr. Speaker: All right. We shall have 6 hours for general discussion and 4 hours for the clauses. Whatever time is saved out of these 4 hours will be devoted for the third reading.

Now, for the general discussion, out of 6 hours, 22 minutes have been availed of. I would like to have a provisional idea as to how many hon. Members would like to take part in this debate so that I might regulate the time accordingly.

Some Hon. Members rose—

Mr. Speaker: There are 21 Members who want to speak.

Shri N. Sankarantam Nair (Quilon cum Mavelikkara): There are some more who have gone out.

Mr. Speaker: I will take it as 25 Members.

The Deputy Minister of Labour (Shri Abid Ali): I would also like to participate.

Mr. Speaker: Hon. Members may kindly send in their names to me.

Shri Kamath (Hoshangabad) Will both the Ministers reply or only one?

Mr. Speaker: Both will speak: one will intervene and the other will reply.

We will assume half an hour for the reply. So we have 5 hours left. If I give 10 minutes to each Member that will be more than enough. I will not be able to satisfy each group. I find a number of Members taking part from one group. Hon. Members may kindly distribute themselves over the general discussion and also clause-by-clause consideration. If they can suggest one or two Members from each group to speak on the general discussion and ask the rest to speak on the clauses, then I can give them sufficient time. They may give the names of Members who are to speak on the general discussion and reserve the others for the clause-by-clause consideration.

Shri V. V. Giri (Pathapatnam): Mr. Speaker, Sir, I rise to congratulate the hon. Labour Minister for presenting this Bill to this House though long overdue.

I am sure most of the sections of this House welcome the various provisions of this Bill, but I know there have also been honest differences of view on some of the aspects of this Bill. So far as I am concerned, I had much to do with the drafting of this Bill and these proposals, and, if I may say so with great respect to my esteemed friend, Shri Khandubhai Desai, I am responsible to a great extent for the conception and he is responsible for the delivery!

Dr. Lanka Sundaram (Visakhapatnam): And what a baby!

Shri V. V. Giri: Of course, I said so in a lighter vein. I crave the indulgence of you, Sir, and of the House for making a personal explanation to this House as to why I was not able to prepare a consolidated or a comprehensive Bill on this subject while I was in office. I must say that I trumpeted and I advertised early in 1952 that I would present a Bill of that character. It was my sincere intention to do so, but on account of circumstances over which I had no control I could not do so.



The House will remember that in the year 1950, my esteemed friend, Shri Jagjivan Ram, presented a Labour Relations Bill in Parliament but it could not pass through all the stages and the Bill lapsed. At the time when I assumed office, I felt that a fresh approach may be made on the subject of industrial relations because there were certain differences of view in the matter of this legislation and some of the organisations insisted that a greater emphasis should be laid on conciliation more than adjudication. Therefore, I wanted a detailed questionnaire to be issued to the workers' organisations, to the employers' organisations and to the public on the various aspects of industrial relations and I must say the response was very great. Thereafter, there was a tripartite conference at Naini Tal in October, 1952, when the whole matter was discussed at great length. That conference felt that in order that there may be more detailed discussion and conclusions which should form the basis of a consolidated Bill there should be a seven-man committee to go into the matter. They, therefore, proposed that a seven-man committee, representative of all sections, should be brought into existence and produce a report, on the basis of which the consolidated Bill should be produced. The seven-man committee went at great length into the whole matter and I am glad to say that with a good deal of unanimity a report was presented. On the strength of that report, a consolidated Bill was drafted, dealing with all aspects of labour legislation and industrial relations and it was presented to the Cabinet. But unfortunately there were great differences of view taken by various Ministries honestly and genuinely. There were honest and genuine differences on the view-points, and I felt that discretion was the better part of valour and I also felt sincerely that if I had, in spite of the differences, drafted a consolidated Bill it would neither have been useful to the country nor to labour and industrial peace.

I am not here to enter into a controversy. I do not wish to repeat what

I have stated in the letters to the Ministries and of the circumstances which disabled me to produce a consolidated Bill. But I always felt, so soon after I assumed the reins of the office of Labour Minister, that a consolidated Bill was, so to say, a truncated Bill, and in fact, I may just mention that I was satisfied and I advised the sub-committee of the Cabinet that I would be prepared to have a short, revised Bill, in the circumstances mentioned. Whatever it may be, I wanted, under the circumstances, to have some of the fundamental points mentioned in the legislation. In fact, the House will remember that I always laid great stress on the question of lay-off and retrenchment. Luckily for us, owing to the so-called slump in textile trade, that subject came in earlier and a separate legislation was passed, which really tended towards the improvement of industrial peace, because, on the one hand, the employers were circumspect in trying to engage just the number of persons that they required and the workers, on the other hand,—they were also honest and genuine in regard to the retrenchment that was necessary—were not thrown into the streets. They could get some unemployment benefit without contribution so that they could look out for fresh employment. Therefore, the fundamental point or the fundamental objective was disposed of through a separate Bill.

The other points that I considered most important were the revision of standing orders, the definition of workmen, notice of change and the abolition of appellate tribunals. On the question of standing orders, this Bill is certainly a great improvement because, hitherto, the standing orders have been more or less the monopoly of the employers for their guidance and therefore, the new provisions empower the employees' representatives to take part and have joint discussions with the employers so that they may come to an agreement on the basis of which the industry really runs. If the standing orders are understood and acted upon by both sides in a sincere spirit, strikes may not occur. Not only that, both

[Shri V. V. Giri]

as regards the substances and the interpretation if there are differences of view, regarding standing orders, both the parties can appear before any independent authority whose decision shall be final.

I am also glad that the definition of workmen has been elaborated to the advantage of the working classes. Notice of change is an important matter. If I may say so, it is the pivot and the corner-stone of industrial disputes. If a party is dissatisfied with the conditions and wants to change them, each party has to give notice to the other about the intended change, and the *status quo* should be maintained during this interval. But I would like to say straightway that the provision about the notice of change will not work in a successful manner unless the principle—I have always maintained this—that there must be one union for one industry is observed. I do feel that the employer will be happy to see that one union exists in one industry so that he may know exactly with which body he has to deal. I am absolutely certain that if only the workers and the workers' organisations believe in democracy and the democratic running of trade unions in a scientific and well-organised manner, this shall not be difficult. My view is that if the unions can combine together and avoid rivalry, one union in one industry will be possible. I do not believe in non-members taking part in unions elections. If it is possible that members of different trade unions who believe in democracy and democratic running of trade unions can combine together and vote for a single body and a single set of office bearers, this should be possible. On the Railways, through the endeavours of some of us and the Railway Ministry, we have been able to convince the Railway workers to have one union in one industry at all level—at the federation level as well as at the unions level. When that could be possible, I appeal to all sections of the House, especially to those who represent the workers' organisations to ponder over and consider this proposition in

a careful manner and try to arrive at a proposition to have one union in one industry, one central organisation for all the working classes in India.

Closely connected with this question of recognition of trade unions. Employers in India must realise the trade union movement and trade unions have come to stay and whether they like it or not, they have to deal with organised workers in this country, in order to secure industrial peace. Therefore, there is no use of employers shirking this question; they must be in a position to deal with unions which can deliver the goods and which will be in a position to negotiate on equal terms in a peaceful and democratic manner and produce the necessary results. I do hope that Government and employers will help the organisation of unions in a sympathetic way and not unnecessarily interfere with those organisations; they should see that recognition is easily given to unions throughout the length and breadth of the country.

I remember there is a law passed in Parliament—I think it was Dr. Ambedkar's Bill—in or about 1947. I do not see any reason why the Government should not consider it and see that that law is not kept in a suspended state of animation, but put into effect. If necessary a tripartite conference can be called to discuss the matters and remove the deficiencies by amendments. This is a matter which I want my esteemed friend, the Labour Minister to consider.

I have always believed that adjudication is enemy number one of the working classes not only in the matter of settlement of disputes, but it is against the interests of organised trade union movement. So long as adjudication remains on the statute-book, conciliation machinery has no value; at any rate, it will be of less value. You will kindly remember that during the time of the war, this thing has been introduced for the first time as an enactment in England, the United States and India, I can understand a war-time measure to meet the exigencies and emergencies

of the situation; but, after the war, while United States and U.K. have repealed it, India persisted in having that enactment. If experienced countries like the United States and U.K. can do it, why should we not do it also? This adjudication is a counsel of despair. If you want to give full weight and make the conciliation machinery successful, about which everybody seems to have agreed, why can we not decide to remove adjudication from the statute book for at least a period of three years and see how that machinery works? If the machinery does not work properly, we shall again be able to revert back; nothing will prevent us from doing so. But I am absolutely certain in my own mind that so long as adjudication is there, conciliation machinery will not succeed. Workers were accustomed to it, as some of them were accustomed to opium and they cannot get over it. They would not rely on organised trade unions for supporting them when they are in trouble; but, they think they can go to the court and get all they want. I feel that the workers' organisations should try to take courage in both hands and say, "We do not care to have adjudication; but, we want the other machinery for reconciliation and settlement of disputes." There should be a joint standing machinery not merely on paper, but in practice, working day in and day out at all levels and at all stages in the industry, taking away all sense of fear on the part of workers. Then, with that standing machinery as the basis, reconciliation can go and later, if disputes are not settled, have an industrial court, if necessary, on the lines of the U.K. Industrial Act of 1919 and see how we can avoid this adjudicating machinery, which is doing great havoc to the working class movement. I want every one of you, interested in the matter, to consider all the aspects and come to practical conclusions. When I speak about these things, I speak with sense of responsibility, not only because I held the portfolio of Labour three times during my life, but firstly and principally because I have been a trade unionist for 35 years and I have come to the conclusion that internal settle-

ment of disputes is far more abiding and far more permanent than external imposition by a third party, be it Government or God. Therefore, if this House is interested in having real trade union organisations based on democratic and scientific principles and if we want industrial peace, there must be an attempt at taking away this adjudicating machinery lock, stock and barrel for at least three years; this would do great good to the country and to the working class movement and ensure peace in industry.

Of course, I said I shall remove the appellate tribunal. The appellate tribunal, thanks to the Labour Minister has been removed now. At the same time, with my strong views on the question of the abolition of adjudication, if I had agreed and if I had advised the sub-committee to agree to the three-tier system, it was merely choosing the lesser of the evils. I am absolutely certain that if the workers say unitedly "we do not want this adjudication", I know it will be removed though I am not a Minister.

Dr. Lanka Soudaram: Do you agree to the three-tier system?

Shri V. V. Giri: Because, the lesser of the two evils. Whatever I have said, whatever I say, shall apply both to the public sector and the private sector.

I come to the amendment to section 33. This amendment naturally raises many contentions. You must admit that the workers have a genuine feeling that certain rights that they possessed previously are being removed by this amendment. I may tell you that we gave very anxious consideration for a very long time to this matter at the Nainital Conference, at the Seven-men Committee, at the Consultative Committee and elsewhere, both outside and inside these Committees. Two of the central organisations have agreed to it and a third organisation put forward constructive proposals, I do not wish to say anything except merely state a fact. The Labour Minister had in his opening speech told us

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why we have been compelled to have this amendment. At the same time, the following points may be noted by the workers' organisations. Protection on the lines of the existing legislation is preserved to all workmen regarding any matters connected with the dispute before the tribunal. That is as it was before. No doubt in matters connected with the dispute, that right is restricted. But, there are the following safeguards. Simultaneously with the discharge or dismissal notice, the employer has to file an application with the tribunal where the dispute is pending to secure approval of the action taken. He has to pay a month's wages and take him back to service if the tribunal has not approved of the action taken. Not only that. The top executive who are generally victimised by the employers for trade union actions are protected whether the matters referred to, are connected with the existing dispute or matters unconnected with the dispute. At the same time, I have made it perfectly clear before the seven-man committee and elsewhere that so far as this amendment is concerned, that the employers are put on their good behaviour. The employers must be sure that they look only to the spirit of the things and not to the letter and not victimise the workers. If in a year's time, I said publicly as a Minister, it was not found satisfactory and if it was found that the employers were taking mean advantage of this proposition, I would not hesitate to recommend to the Cabinet that this should be repealed. The employers should remember that this was said by an ex-Minister who was responsible, who took courage in both his hands to do it. It is unfortunate if the employers do not know how to behave in a proper manner and assure the workers that they are not anxious to victimise because they have got a right to do so or something of the kind. Then, there is greater hope for industrial peace. I want the Government also to remember the pledges

that I have made to the working classes, to everybody. Therefore, I shall watch whether as a back-bencher or as an ex-Minister or a Member of Parliament as to what they do and would not do. If things are not done properly, I would fight tooth and nail to the last, to repeal the amendment.

Shri Namblar (Mayurham): Will the present Labour Minister follow the same suit?

Shri V. V. Giri: Much better than myself.

Shri Namblar: He can very well do it.

Shri V. V. Giri: I have done it I take the responsibility. I am sure he will do it better than myself.

Shri Namblar: Let it come from the horse's own mouth.

Shri V. V. Giri: A month's wages are given to the workers who are discharged or dismissed. I also gave an assurance that I would try my best to see that these cases are disposed of within a month. I want the Government of India and the Labour Ministry to have as many agencies as possible and see that these cases, when they arise, are disposed of expeditiously. If they have still any doubts, I would like to extend one month to two months I would like the employers to accept it, so that they will receive at least two months wages and there will be greater possibility of the cases being disposed of in two months.

There is another point. Discharge or dismissal involves a stigma. The case is really *sub judice*. When an employer makes an application to the authority to approve his action, it means neither discharge nor dismissal. Instead of saying that he is discharged or dismissed, it may be stated in the provision that he is on compulsory leave for a month or

two. When the matter is decided, he can be discharged if the court approves of the action and if not, he will be reinstated. I think there is a good deal in it. In fact, I mentioned it before the seven-man committee. Nobody loses anything; but a sort of morale is established and a stigma is not put on a man discharged or dismissed. This matter should be considered by my esteemed friend, the Labour Minister.

I do not wish to take up more of the time of the House. I have already taken more time than I should. I do hope that all these points will be considered in a constructive manner and legislation passed. I support the Bill.

Shri A. K. Gopalan (Cannanore): Mr. Speaker, at a time when we have got a Plan for rapid industrialisation and also for increase in production, I do not think that the Industrial Disputes (Amendment and Miscellaneous Provisions) Bill that has been placed before the House is in any way adequate and suitable. Though there are some good provisions in the Bill, when we go into the details of the Bill, we find that section 33 which was far better than it is in the amendment, which gave protection to the workers, has been removed.

First of all, I want to say that it is necessary for rapid industrialisation and industrial peace in the country to have collective bargaining and negotiation. The employer and the worker should be at liberty, whenever any dispute arises to resort to collective bargaining and negotiation. We have to go into the history of the Industrial Disputes Act, when it was enacted and what was its object. In the years 1927, 1928 and 1929, there were big strikes and struggles in India and the employers could not directly deal with the trade unions. They thought and the British Government also thought that they could crush the unions and put down the strikes and struggle with the help of a law. Therefore,

the Trade Disputes Act was enacted in 1927. After that, in 1934, the Bombay Government framed a law of conciliation. They brought in labour officers and conciliation officers as a substitute for the trade unions. After that, the Industrial Disputes Act was passed in 1947. It was framed with the object of weakening the trade unions. It has also made the workers litigant-minded. We see today that most of the trade union functionaries are busy in the courts, the industrial courts, the High Courts or the Supreme Court. And that was the very object of the Trade Disputes Act also. The Government did not want that the unions must be strengthened.

As my hon. friend Shri V. V. Giri has said, compulsory arbitration cuts at the very root of the trade union organisation. The workers come together when there is a necessity. It is necessity that unites the workers. When the workers understand that they have got to get certain demands fulfilled, they join together and form a union. But the fact remains that the Trade Disputes Act, instead of strengthening the unions, actually has weakened the union, with the result that the workers are driven into the courts like the industrial courts, the High Courts or the Supreme Court. So, we see today that the object of the Trade Disputes Act, namely to weaken the trade unions, is being realised in practice, just as the framers of that Act wanted it.

But today, the conditions in the country are different. We have now got before us the Second Five Year Plan, where we have laid down some specific objectives such as increase in production and so on. At a time like this, the main basis of any legislation that is brought forward so far as the workers are concerned should be that industrial peace is created, the relations between the employers and the employees are bettered and collective bargaining and negotiation are made possible

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with the employers. In this connection, I would like to recite to you a small story. A man reached the top of a tree, and then he fell down from there. Somebody asked, 'What about that man', and he was told 'The man is all right, but his head is removed from the trunk; only the head is not to be seen'. In the same manner, this is a very good Bill, but there is no provision in this so far as the most important thing, namely, the recognition of the union is concerned.

In 1947, a Bill to amend the Trade Disputes Act was passed by the Legislative Assembly, but I do not know what has happened to that Bill. I do not know whether it was sent at all to the President for his assent. At least that Bill contained some provisions in regard to the recognition of the trade unions. One of its provisions was that the most representative union of the workers would be recognised. Although I do not support that Bill, and I do not agree to the terms and conditions laid down in that Bill in this regard, yet at least there was some provision in this regard, namely, that there must be some representative union for purposes of collective bargaining and negotiation with the employers.

As you are aware, the basis for collective bargaining is the recognition of the union by the employers. Unless there is a legislation by which the employer is compelled to recognise the unions, and unless and until the employers and the employees are made to come together for collective bargaining and negotiation, whatever amendments we may pass here, ultimately things will end in the courts only.

Coming to the Bill proper, I find that there is a provision in it in regard to penalty for breach of settlement or award. Previously, if there was a violation of the arbitration award, the penalty was confined only to fine. But now imprisonment also has been put in as an alternative

or adjunct to fine. I would like to point out that no employer will be afraid of this punishment, because in practice, there will be no punishment at all. What is important is that Government will have to take action.

Only four days ago, I was at Firozabad, and the demand of the workers there was that the Factories Act should be applied to them. They wanted that they should be given only eight hours of work a day, and the other benefits of the Factories Act also should be extended to them. You are aware that the Factories Act was passed some years ago. But even today, the workers are compelled to go on strike in order to force the employers to apply the Factories Act, but we find that Government are not doing anything at all in this matter. Therefore, I am afraid that even if there be a penalty clause providing for imprisonment, unless Government move in, the workers cannot get what they want. And judging from past experience, I might say that they may not move in.

I was saying that the first thing necessary for settlement of any industrial dispute is that there must be a recognition of the union, in order that there may be collective bargaining. A recognised trade union is also necessary in order that there may be better production by every unit, which can be encouraged by a joint organisation of the management and the workers led by the trade unions in industry. So, it is not only for the purpose of getting some bonus and wages that the workers must be allowed to form a union which should be recognised, but also for the purpose of increasing production, because the workers also want that they must do something for the advancement of the country and for the reconstruction of the country through their organisation. How could the workers do so, unless there is an organisation of their own? So, the development of a healthy and



strong trade union organisation is very important not only for fighting for bonus, wages and other rights of the workers but also for the development of the nation as a whole. From this point of view also, the recognition of the workers' unions is very important.

And what have Government done in this regard? As far as the private employers are concerned, that is another matter. But what is the attitude of Government? Where there are unions, the attitude of Government has all along been not to recognise the unions and not to see that negotiations and settlements are made possible. Only during the last session, we had a debate on the Kharagpur strike. And then, there was also the Kalka strike. We heard many violent speeches from the other side, and it was said that the workers were violent and they were doing all sorts of things. So far as the Kharagpur strike is concerned, some of my friends have gone and visited that place afterwards, and they have enquired and ascertained that there is a union there at Kharagpur which is representative of a majority of the workers, but that union could not negotiate, because it had not been recognised. The authorities had said many a time that they would take steps to recognise it. But they have not done so. If only the trade union there had been recognised, they would have been able to carry on negotiations, and such strikes as had happened would not have happened.

Only a little while ago, I had told you my experience in the port of Cochin, in this connection. I had been to the port, and I saw also the port administration at Cochin. The conciliation officer had given notice to the workers and also to the port administrator for the settlement of some disputes, nearly a year ago. About two months back also, he had given fresh notice to the workers and to the port administrator in order that certain disputes, which have been pending for nearly three years now, could be settled by nego-

tiations. But the port administrator did not come at all. Then I brought the matter to the notice of the Minister of Railways and Transport.

I am saying all this only with a view to pointing out that where there are recognised unions, it is the duty of Government to see that any demands that they put forward are considered by means of negotiation and some compromise arrived at. If that is not done, then the industrial peace which we all desire will not be there.

So far as industrial relations in the public sector are concerned, we also understand that there are certain conditions laid down by the Home Ministry, which have to be fulfilled, before a union can be recognised. But what we find is that the secretary of the union or the other important office-bearers and responsible workers of the union are transferred from place to place. As far as the railways and the postal department are concerned, we know that the most important thing, namely the machinery which can conduct negotiations, is not there.

I want to know from the Minister what difficulty is there that stands in the way of recognition of the unions. One difficulty that is put forward is that there are so many unions, and one does not know which union to recognise. If there are two unions in one place, then either of those unions must be recognised, provided they are registered under the Trade Union Act. If, on the other hand, it is said that there should be only one union for one industry, then it is the duty of Government to see that the necessary conditions are created, which could make such a thing possible.

At the meeting of the Labour Panel, we had put forward a concrete proposal in this connection, namely that there should be a ballot for the purpose. Let the workers in the different unions be given an opportunity to express their wish by means of

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a secret ballot, and let us abide by the decision of the majority of the workers. But it was pointed out in the Labour Panel by somebody that one could not go by secret ballot, because there would be speeches, emotions will be created, and the workers would vote just as they like. But I would like to state here that we are forming even our government on the basis of secret ballot. Emotions are created, and so many other things are created, and yet it is by secret ballot that we are forming our government. If our people could be given the right to form their government by secret ballot, I do not understand why the workers also should not be given the same right, and why they should not be told: 'You express your wish by a secret ballot, and we shall abide by the majority decision'. If the majority of workers are represented in one union, then the workers will have to abide by whatever decision is taken by the representatives of the union. Until recognition of the union is there, until there is one union in one industry representative of the majority of workers in the industry, until the employer recognises that union, certainly there can be no collective bargaining and no negotiation. So the very basis and foundation for collective bargaining as well as negotiation is the recognition of union and one union for one industry. That can be achieved only if Government take courage to ascertain what is the opinion of the majority of the workers. They must say: 'We want to recognise the union. Let us know what is the opinion of the majority of the workers'. On the basis of that, it can be done.

1 p.m.

So I want to ask why it is not done. Yesterday the Minister was talking about the BIR Act. I want to know what is going to be the outcome. Wherever the BIR Act had been there—in Bombay or Madhya Pradesh—so many struggles had been

there. If the employer or somebody can get 15 per cent. of the workers to form a union, such a union can be recognised. The others will have to abide by whatever agreement is concluded between that union representing 15 per cent. of the workers and the management. Certainly, it may be that in one industry or factory there may be 60 per cent. of the workers who do not belong to that union and do not agree with the policy of that union.

So unless and until it is ratified by the whole body of workers, any agreement reached between a union representing only 15 per cent. of the workers and the management, will not be respected. As we see today, as we have seen before, in many places, such an agreement is not respected because it does not represent the view of the whole body of workers. Not only that. Even according to the BIR Act, no worker is allowed to represent himself. He cannot have his own lawyer. For everything he must go to the union, though he is not a member of that union, though he does not like the policy of the union. That means it is compulsory affiliation by which the members are forced to say: 'We cannot do anything. We cannot represent. So at least now let us join the union'. This is forcing them to join that union.

What I say is that such a thing will not happen if there is a union representative of the majority of the workers. As far as the working of the BIR Act is concerned, we know the workers have been subject to many disabilities. The right of the worker had been curtailed. The worker is not, according to democratic principles, given an opportunity to represent himself.

A Bill was passed before, though assent has not been given to it. That can be amended, in that way, if it is not possible to incorporate that amendment in this Bill, especially when



there is no Select Committee motion on this Bill. Let the Labour Minister give us an assurance that immediately a Bill for the recognition of trade unions will be moved amending the old Bill which was not given assent to. Then only there will be some satisfaction as far as collective bargaining and negotiations are concerned. This must be done not only in one place but in all places. We know that in some places the majority of workers belong to one union, but the employer recognises another union where membership is not there, where membership is bogus. He negotiates a settlement with the latter union. This leads to disagreement among the workers. So as far as one industry and the workers of that industry are concerned, let there be one union representing at least the majority of the workers. Let there be some conditions for recognition. Let there be some principles on which a trade union can be recognised. On that basis, recognition of a trade union is the most important thing. As my hon. friend, Shri V. V. Giri said, let there be negotiation and collective bargaining. Give them the opportunity, and only if there is no settlement between the employer and the employees they should be given an opportunity to go to court. That is the most important point I want to bring out.

Coming to the provisions of the Bill, there are certain good provisions here. One is regarding the extension of the definition of 'workman'. But there again, I want to point out that contract labour has been left out. Contract labour exists even in the major industries. As far as Government are concerned, they have not stopped the contract labour system. Contract labour exists in the railways and in other big industries in the public as well as the private sectors. As long as the contract labour system exists, why do Government want to leave that out from the scope of this definition? People doing contract labour even in the major industries for 10 or 15 years are not brought under this. I want to know why. Either the contract labour

system must be abolished or they have to give contract labour the benefit of this provision. Giving them contract labour and not giving them the benefit of this is certainly a wrong policy. We have tabled an amendment to include contract labour within this definition. I hope that will be accepted.

The second point is about the provision regarding notice of change in the conditions. There also so many services are left out. I think they should not be left out. They must also be included. That is the second amendment I wish to suggest.

The provision regarding amendment of section 33 of the Industrial Disputes Act is regarded by the workers and by all others as the most objectionable part of the Bill, because already the protection that has been given to the worker under section 33 is now being taken away. What is the reason for this? The reason is that employers have complained that there is adjudication if protection is there. If the worker beats a man or commits some other offence, there is the Criminal Procedure Code; you can ask the police to take action against him. But here the question is different. The most important thing is that the worker agitates. After the agitation, though the employer does not want it, adjudication proceedings start. When it comes up for adjudication, the employer wants to wreak vengeance on the worker. He knows that the workers are organised into a union, they have agitated the matter and it is now going to be adjudicated upon. So at the time of adjudication, he can, according to the provision now, dismiss a workman. It is said that he has got an opportunity to appeal. If a worker is dismissed pending award, is there anything in this Bill to show that within two or three months, the inquiry will be over and the worker will get something? It may be that the matter is reported immediately to the adjudicating authority, but it may be four months or even five years or seven years before the case is over. In the meantime, what can the worker do? Will the worker

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be in that union? Will the worker be in that industry? When he is dismissed, he has no work. Certainly after one month or so, he will go to some other place because he wants to find some job. That was the reason why there was some protection given, but that protection is now sought to be taken away. When that protection was there, the employer could not do anything to wreak vengeance on the worker. This amendment seeks to take away the limited protection given to the workers under section 33 of the principal Act.

The charge levelled by the employer is that the provision under section 33 has led to indiscipline among the workers, and Government have accepted this version of the employer. I have already pointed out what they can do if there is indiscipline.

[Mr. DEPUTY-SPEAKER in the Chair.]

1-09 P.M.

They have also proposed that where during the pendency of the proceedings an employer finds it necessary to proceed against any workman in regard to any matter not connected with the dispute, he may do so in accordance with the standing orders applicable to the workman. But when the action taken involves discharge or dismissal, he will have to give the workman one month's wages and simultaneously file an application to the tribunal for its approval of the action taken. But when will approval be given? Is there any time-limit for the approval? When there is no time-limit for approval, for five years the worker may have to wait after being dismissed. Half a dozen workers are dismissed from a factory and they are waiting there for approval. There is no time limit for the approval. If the employer wants to see that some workers are sent away from his factory, if he wants that some trade union leaders should be sent away, he can dismiss them and send a report. No time limit is fixed for the approval and it may drag on for even two years.

Supposing the dispute is about bonus. Then, according to the amendment, there can be decrease in wages and they cannot take it up. There may be increase in work-load. That is not a matter before adjudication and so that also can be done. If the question is about bonus, then, there can be decrease in wages. There are many loopholes. The worker can do nothing. Generally he has got the right to protest, to strike but he cannot go on strike. The employer can drive him away, can dismiss him and also change the conditions of service and do anything which is not a subject of adjudication.

Coming to the industrial courts there is the three tier system. We propose that it must be a three-man tribunal and there is no need to have different kinds of courts like those proposed here. Let there be one national industrial court to go into the question.

As far as going to the High Courts and Supreme Court is concerned, we say it will not be of any use. We know how these Courts work. We know what the Bombay High Court did in the bonus case. The Labour Appellate Tribunal said that 4 annas must be given as bonus. But the Bombay High Court said that no bonus need be given because in that year there was no profit. So far as the High Courts and the Supreme Court are concerned, we know they decide things only on the basis of the Constitution and constitutional points and they are not concerned with labour relations. It is not on the basis of labour relations and industrial peace that these courts decide things, whereas the tribunals know something about these.

Another point is the arbitrary power given to Government in the reference of the dispute. Power is given to the Government to decide which is most important point. When the worker thinks that some point is important, the Government may not think so and refer something else to arbitration.

The special INTUC number—May 1956—very strongly opposes it. It says that such powers vested in the Government for referring the dispute are so wide that they can cripple a Union or work up strikes. This question is one of policy and in the ultimate analysis the working class would not agree to such wide powers being vested in the Government. The question which requires an answer is whether such power vested in the Government is in consonance with the democratic principles on which we establish a new order. As far as the working class is concerned, it can never agree to such powers. The question of referring disputes for adjudication as analysed requires a complete change. What we say is that such powers should not be given. It is not only our view; it is also the view of other unions. Such vesting of powers in the executive goes against all concepts of democracy; it is the worker that must have the right to say which are the things to be referred and not the Government.

I have already said about the penalty for breach of settlement. Let the Government assure us that wherever there is a breach of the award, action will be taken at once. Even an assurance is a good thing. Even today there are a few places where the Factory Act and other Acts passed by Parliament are not being implemented. If Government will see that wherever there is an award broken, whichever party it is, action will be taken, then, certainly, this is a very good clause.

I want only to make an appeal to the Labour Minister. When the object is to have industrial peace and also collective bargaining and negotiation, certainly, another Bill for the recognition of the Trade Unions should be brought along with this. It may be a very simple one. If that is brought in and if my friend, the hon. Minister is also pleased to bring back the old section 33 it will be doing good. The new clause goes against the

interest of the worker and it should not be there.

Dr. Loka Sandaram: Mr. Deputy-Speaker, Sir, this the first Republican Parliament of India has waited more than four long years to obtain from Government something in the shape of a charter of working men's rights. I regret to say that my hon. friend, Shri Khandubhai Desai, in introducing this Bill, has not given this House, nor the country and more so the working men themselves such a charter. Yesterday my hon. friend, Shri Desai said—and I am quoting—

"I would like to say that this Bill has been placed before this House after full consultation for the last two or three years. I cannot say that this is the last word."

I have been wondering why, particularly, the Ministry of Labour requires such a long and inordinately long time to go through the process of incubation before a Bill of this character is presented to this House. I have made an analysis of the amendments sought to be moved by my hon. friend Shri Desai to this very same Bill covering 9 pages of closely typed foolscap sheets. They contain 44 amendments. In fact, I have got a feeling that the Statement of Objects and Reasons of this Bill may have to be substantially altered in the light of the amendments of the Minister himself. This is not the first occasion—and I am not saying this in any carping spirit—that the Labour Ministry brought in amendments totally to alter the shape of the Bill which was supposed to be on the anvil of this House. My friend, Shri Giri did it on a previous occasion as the House very vividly recalls. I refer to this only for one reason, namely, that there is a division in the councils of the Government of India in the Labour Ministry, with the result that they do not know how to make up their minds. When the proper moment arrives and if I get a chance I will compare the amendments of my friend the Minister with

[Dr. Lanka Sundaram]

the provisions of the Bill itself. But I say this because I felt, with the interest I had taken in trade union matters, that something fundamental will be done by Government before this Parliament is dissolved to give the working men a sort of a charter of their legitimate and irreducible minimum of rights. I regret to say such a charter is not available.

This Bill like the proverbial curate's egg is good in parts and I congratulate my friend Shri Khandubhai Desai for having at least agreed to the delayed abolition of the Labour Appellate Tribunals. Some of us who had appeared before industrial tribunals know how tortuous the process is. I have got one vivid case where I appeared before a tribunal and it took 11 months to get a first verdict. By the time of the first verdict, 3 of the workers involved in the dispute died. This is on record. The Labour Appellate Tribunals have become so obnoxious to the working man's improvement, I can also say that so far as employers go because if any employer is willing to do his duty by the worker in the interest of his own establishment, he would not like to go from pillar to post, whatever the resources available to the employer might be, for months and years to come. I also congratulate my friend Shri Desai for the new enlarged definition of worker even though I have some difficulties still as regards its scope and content.

Thirdly, I would like to congratulate him for having given the new right to the worker with reference to the alteration of the standing orders. To my mind, unless I misread the situation in the labour sphere, this standing order issue has become perhaps the most vital bone of contention between the employer and the employee. And, every time the employer was in a position to twist the standing orders to suit his own ends without the worker having any adequate relief. But I say that this Bill is good in parts.

I have got one or two difficulties about this Bill apart from its halting, limited character. I tried to go through every comma and full stop and every word, phrase and sentence of this Bill and I could not get any assurance that the worker would get an automatic right of recognition for his trade union, a provision which my friend, Shri Gopalan, referred to as existing in the 1947 Act. I know, and my friend, Shri Khandubhai Desai, also knows, how on the Railways parallel unions were forced and had been deliberately brought into existence and sustained. I am not now going to apportion the blame to Government, but each one in the trade union movement knows how recognition is a matter of vital concern to the people and how in particular there is a distinction apparently drawn, though not within the framework of the Bill, between the private and public sectors. I will give two or three concrete examples. On the Railways, for example, certain unions are recognised and certain are not recognised. Even the Stenographers' Association of the Central Secretariat is recognised, but class III associations were not recognised on the Railways—I had been one of the Railway Unions' President and I know this. I am only illustrating this to show that the discretion is vested in the employer, particularly in the public sector, to withhold recognition. I regret that this sort of extraordinary powers being given to the employer in the public sector cannot be tolerated in this country and they should cease forthwith.

I had hoped that in the framework of the Bill some sort of a time limit for the disposal of disputes will become available. I agree that not all disputes can be disposed of within a specified limit of time, but some sort of phasing for the disposal of these disputes seems to be called for. I have known cases where it has taken more than two years for the worker to get relief even though the Appellate Tribunals are abolished. That is

why I asked my friend, Shri Giri, one question when he made a really admirable speech—I congratulate him on it as one of the pioneer trade union workers in the country and as one who is responsible for laying the groundwork for this Bill itself. I put the question, why does he agree to the three-tier system in the Bill and what is the necessity for the Labour Court, Tribunal and National Tribunal? I can say, based on personal knowledge of industrial disputes, that this sort of appeal after appeal will not conduce to the harmonious labour relations, will certainly not give the worker and, I say in the same breath, the employer quick, speedy and enduring results.

Shri V. V. Giri: There is no question of appeal at all here.

Dr. Lanka Sankararam: I am only illustrating the problem in a general way. Virtually it comes to the same point; categories are divided and approaches are also specifically laid down. In any case, the three-tier system is there. According to the way in which these cases are preferred, the problem is important, and I would straightway suggest to my friend, Shri Khandubhai Desai, to agree to the abolition of the so-called Industrial Tribunal in the middle. Actually, I am anxious to have the Industrial Court and the National Tribunal is enough. But that is a matter for technical investigation. I am prepared to listen to any arguments which Government can advance that this three-tier system is necessary, and absolutely necessary. In my view, on the basis of the advice which I have received from various trade unions, such a three-tier system is not necessary.

I have noted down the words as my friend, Shri Giri, was making his eloquent appeal. He said that he would prefer internal settlement to external imposition. Each one of us trade-unionists knows that this is the objective which is dear to our hearts, but we know from day to day

experience that the bureaucratisation of the public sector and investing the executive authority in certain establishments with powers which are really beyond measure, will never enable the worker to get an opportunity for settlement. Only three months ago there was a case in the Shipyard and from pillar to post the workers went in order to sit down with the employers, but that right to sit down with the employers was not given. A strike notice was served and then some of us intervened to withdraw the strike notice. I am only anxious to point out that this right is not in the concept of this welfare State, and is almost impossible to get in the manner in which the executives entrusted with the running of the public sector are catering for the workmen's movement. I quite realise that nationalisation is inevitable in the context of our country today—welfare State and socialist pattern of society. Let there be no mistake about it. But the fact is that we are running these institutions with the help of these officers, who are invested with powers beyond measure, who are creating trouble for sitting across the table and settling disputes. I can give half a dozen cases where in the public sector this sort of settlement by direct negotiation was not made possible. I should like to hear my friends who are here and who have experience of public and private sectors if they can tell me that I am wrong in my experience. It might be that I am an unfortunate person to have such an experience. I am not saying that the private sector is composed of people who are paragons of virtue, but I find that more and more liberty and scope for uncontrolled and untrammelled activity are available in the public sector. In the private sector, the Government comes in as the third party, but here in the public sector, the Government is a party itself. I think the Government in the Labour Ministry and my friends, Shri Khandubhai Desai and Shri Abid Ali, who are here, will apply their minds to this point. Clearly a distinction is sought to be made,

(Dr. Lanka Sundaram)

may be even unintentionally, but the implication is clear.

Finally, on this point I would like to say that quite a number of civilian establishments of the Government of India are excluded from the operation of this Act. I often wondered—and I would like my friend Shri Abid Ali to tell me why it is so—why the civilian establishments of the Defence Ministry are not given the benefits of this Act. I have seen here the revised amendment No. 43 on the Order Paper to clause 32, defining workman. It only makes a reference to the Army Act, Air Force Act and the Navy (Discipline) Act, but these are for regular combatant personnel. I am here to say that my friends who have experience of the Defence Establishments, the civilian side particularly, know this fact, and I regret to say that these provisions are not made available to one of the vast employing agencies in the Government of India in existence today and I hope that this desideratum, this lacuna will be filled up.

I have got one or two general observations also to make. I find that the system of conciliation at present in operation has become a total failure with the result that some sort of a time limit, say a fortnight, must be automatically placed for this conciliation. I have got a recent experience of a Tribunal case. The workers gave a notice of strike; then the Labour Officer stepped in and thereafter various higher officers came into the picture and it did not lead to any conciliation at all. I am sure most of my friends also will have had similar experience. So, some sort of ceiling must be set for the initial conciliation machinery to complete its work.

I am rather sorry that my friend, Shri Gopalan, had to make a reference to High Courts and the Supreme Court, but I feel that in vital questions of principle or law, there must be the right to appeal to the High Courts

and the Supreme Court. I think that is a protection which the workers want. In fact, I have got before me the joint statement issued on behalf of a number of unions—Naval Base, Naval Armament Depot, M.R.S., Shipyard etc.—urging for such a right. I think this House is entitled to know the implications of the demands which I am voicing here this afternoon. There is a clause relating to the notice of change in the working condition of the employees. That should not be confined to private industries. I hope to have an opportunity to develop this point at the appropriate stage.

On the overall right to strike, I am perfectly clear in my mind that without conceding this right of collective bargaining and settlement there may not be industrial peace in this country. I would be most unhappy to see any curtailment of the right to strike as the ultimate weapon in the hands of the worker. In the present context of our national development, the Second Plan, the concept of a welfare State and a socialist pattern of society, both the Government which is one of the biggest employers, and the private employers must see and notice the time spirit. I regret to say that such a notice of the time spirit is not evident from my knowledge of the private employee or the Government whose departments are now employing vast numbers of industrial and other workers. I hope that this Bill, before it passes through all the stages will be modified in terms of the constructive criticism offered from such widely different personalities as my friends Shri Giri and Shri Gopalan and that after that is made, this will be one of the stages in the evolution of a charter of workmen's rights, and that by the time the next Republican Parliament—the second Parliament—is convened such a charter will be available to this country.

Shri Venkataraman (Tanjore): This is a Bill to amend the existing Industrial Disputes Act for the purpose, as the preamble of the Act itself says



of providing for investigation and settlement of industrial disputes. The larger question of a charter of rights for the labour or the recognition of trade unions and all that are not very relevant to the Bill which is now under discussion. No doubt, it is very necessary that the fundamental principles of labour-management relations should be established before we can proceed to see whether it yields any results. But that by itself, I am afraid, is not now before the House. That would have been before the House if the comprehensive Bill which was promised from time to time by the Labour Ministry had been brought forward. In the Labour Relations Bill which was before the provisional Parliament, there were provisions for collective bargaining, recognition of agents and so on. But as one who has been associated through all the various stages of the negotiations between several trade unions and the employer organisations I find that both in the Indian Labour Conference held in 1951 and again in the Indian Labour Conference held in 1952 in Naini Tal there was no measure of agreement. It was found that unless there was some measure of agreement between the various bodies and at least a measure of agreement among all the trade unions, it was not possible to place a comprehensive legislation before this House. In the meanwhile in the administration of this law, a number of difficulties have arisen and very serious disadvantages have grown for the working class.

In the first instance, the courts began to give a narrow interpretation with regard to the definition of the workmen and excluded quite a large category of employees who deserved protection and—I am sure—which it was intended to give at the time when the 1947 Bill was discussed in the House. I will give you one or two instances. The foreman in a factory was considered to be a supervisor and therefore he was excluded; a charge-hand was also excluded from the benefits of this law. An overman in a

mine who merely supervises the safety arrangements was considered to be not governed by this Act. A mistry in a plantation who just works along with the other workers and draws about Rs. 1-8-0 per day was considered to be a supervisor and he was excluded. Quite a large number of these petty people who deserve the protection of the Industrial Disputes Act have been excluded from the benefit of this law. So, it has become necessary to amend this definition in order to cover those categories of employees.

In 1951, the Select Committee on Labour Relations Bill took evidence of the various interests. The association of technical personnel tendered evidence before that Committee and it pointed out the harrowing tales of victimisation of people who were in the technical employment in the factories. Particularly, the association gave instances from the textile mills. It was thought necessary that we should amend this definition so as to include all the categories of people who deserved protection. But I am afraid even as the clause now stands that sufficient protection will not be given to all the categories. We are again leaving the question open for interpretation by industrial tribunals. I would like my friend Shri Abid Ali to kindly note this and reply in his answer whether according to the definition in the Bill, a doctor, a compounder, a nurse, a midwife and a teacher in the plantation are "employees" under the Plantation Labour Act and whether they would be protected or not. My reading of this clause is that they will come under the category of technical personnel and that they will be protected. I would like to be assured by the Minister that it is the intention because, if tomorrow the courts give a different interpretation, I may be enabled to apply to the Government to change the definition and see that it is brought in line with the intention. Otherwise, it would be open to doubt whether the word

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'Technical' would be confined only to those people who are dealing with engineering, scientific or other aspects of industry or trade and they may, therefore, be excluded. There is a genuine doubt which has been expressed to me by the staff of the South India Plantation Staff Association in their last annual conference and I wish that the Minister would make the intention clear. I know very well that the intention that we express here is not binding on the courts but if the courts give a different interpretation we may approach the Government to bring our intention in accordance with the interpretation.

The present law has got certain defects which have been pointed out by various courts. For instance, there is difference of opinion between the High Courts on the one side and the Labour Appellate Tribunal on the other on the question of what is an industrial dispute—whether an individual dispute is an industrial dispute or not. In the case of *Kandan Textiles*, reported in 1949 *Labour Law Journal*, 875, the Madras High Court held that the case of an individual who has got a dispute with an employer could not be referred to because it was not an industrial dispute and not taken up by a batch of workmen. If you look at the definition of 'industrial dispute,' it says '.....a dispute between the employer and workmen'—in the plural '....or between workmen and workmen....'—in the plural. On the basis of that they interpret that an individual workman cannot have an industrial dispute with the employer. This decision has been followed in 1955, *Calcutta Weekly News*, page 189 and reported again in 1953 *Labour Law Journal*, 137. As against this decision the Labour Appellate Tribunal in the *Swadeshi Cotton Mills* case, reported in 1953, *Labour Law Journal*, 757 says that an individual dispute is also an industrial dispute and so it is within the

competence of the Labour Appellate Tribunal to adjudicate on it.

The conflict of this decision puts the Tribunal in a very disadvantageous position. Under article 227 of the Constitution the decision of the High Court is binding on subordinate courts as well as its tribunals. The decision of the Appellate Tribunal is binding on a subordinate Tribunal. Therefore, it becomes very difficult for them to choose which decision they should accept. This difficulty was realised on the last occasion when the Labour Relations Bill was discussed and then it was decided that an individual dispute should be treated as an industrial dispute. This is the revised definition which they adopted with regard to an industrial dispute:

"A labour dispute means a dispute or difference between an employer on the one hand and one or more of his employees or a certified bargaining agent...."

Therefore, we should bring on par the present legislation with the decision taken in this Select Committee on the Labour Relations Bill, so that this at least is clarified and there may be no further disputes on this matter or uncertainty on this question.

Then again there is another difficulty which has arisen, and that is this, with regard to labour disputes. The definition of 'industrial dispute' says: "any dispute or difference between an employer and an employee with regard to the conditions of employment of any person". Now, the expression "any person" has been interpreted by the then Federal Court in the *Western India Automobile* case to include any third party. But the Labour Appellate Tribunal has interpreted this expression to mean that it refers only to a workman. So again there is a conflict of opinion and we do not know which to accept and whether the Government would be justified in referring disputes relating to



third parties in this question. This is one of the vital matters, because it may be that a person is not governed by the definition of 'workman', nevertheless he may play such a useful part in the trade union that other workers may either like to retain him or get him out for his anti-trade union activities. Unless that right is given with regard to the employment or non-employment of a third person or any person, the trade unions cannot develop in their full sphere of activities. Therefore, I would suggest, it is very important that this also should be remedied as early as possible.

Then, Shri V. V. Giri took credit for bringing the clause relating to compensation for retrenchment, and rightly so. Some of the trade unions had sent many hundreds of telegrams asking him to bring forward that legislation and we were very proud of it. But, unfortunately, I am afraid he does not know that the whole law is about to be torpedoed. In the latest case in Allahabad High Court....

Shri Abid Ali: We will rectify that if it is possible.

Shri Venkataraman: I am very happy. That is exactly what we want, because this will cause one of the worst repercussions in the trade union movement. A company or an industry can on the pretext of closing down send away all its workmen not paying compensation which has been guaranteed under section 25 (f) of the Industrial Disputes (Amendment) Act and then it can restart its business at any time. The Allahabad High Court has held—thank God, it is not a decision in any case, it is only an obiter dictum—that if a company closes down, it has got the fundamental right under the Constitution and no power on earth can compel it to pay compensation for closure. The question here is is not one of damages. The mistake which the Allahabad High Court made was that they interpreted compensation for closure as damages. That is not correct. It is

no punishment for closing down. It is a compensation for the years of service a man has rendered in the industry, by way of provident fund, gratuity and so on. Therefore, this has got to be remedied and I am glad the hon. Minister has taken note of this. He said that this is under the active consideration of the Government.

Shri Abid Ali: I said that if there is some lacuna we will rectify it.

Shri Venkataraman: I am very glad that the Government is looking into this.

Mr. Deputy-Speaker: The hon. Member should try to conclude now.

Shri Venkataraman: Can I have some 5 or 10 minutes more?

Mr. Deputy-Speaker: The hon. Member may have 5 minutes more.

Shri Venkataraman: There are one or two things in which we have gone back on the provisions in the old Bills. Instead of making an improvement we seem to be progressing backwards. In clause 7(a) and 7(b) of the Bill it is said that the Government may appoint two assessors to advise the Tribunal. In the Appellate Tribunal Act the provision in section 9, sub-clause (4) was that after consulting the parties they may appoint assessors. But in the original Industrial Disputes Act, in section 11(5) it was said that only with the consent of the parties can assessors be appointed. So we started with appointment of assessors with the consent of parties, came down to consulting them and are now finally doing away with it. I do not know why this has been done and I am sure the Government will try to see that this is also rectified.

There is one other matter which has been the very centre of controversy and that is the amendment to section 33. My submission is that the law as it now stands is not so bereft

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of protection to the workers as it has been made out by some of the Members. Section 33, before the amendment of 1950 was that, if a dispute was not connected, if the particular change in the condition was not connected with the matter in dispute then the employer had an absolute right. In 1950 the pendulum swung the other way and they said, if there was a pending dispute, no change should be made whatsoever. If we are restoring the position to the level before 1950, as it was in the original 1947 Act, then there is some cause for complaint. But today you will find that if there is any point connected with the dispute, the employer cannot take any action without the permission of the Tribunal. If it is connected with the dispute and the employer claims that it is not connected with the dispute, then the employees can take action under 33-A which is still available to them. If the employer wants to make any change in the conditions of employment then the new clause relating to notice of change comes into operation. He has to give 21 days' notice to the workers within which time they can move the Government and have this as a dispute referred to the Tribunal. Again, if it is a condition which affects an interpretation of the standing orders, now under 13A in Fourth Schedule the employee has a right to go directly to the Labour Court and seek his remedy. If the employer wants to make a change by way of a change in the standing orders, then again he has to go and apply for a change in the standing orders. I have gone through carefully all the possible cases in which an employee can be dismissed or an employee's condition can be changed, and I have come to this conclusion that except in blatant cases of assault, theft, misappropriation or other misdemeanour unconnected with the dispute the employer cannot take any action. He will be obliged to take the permission of the Tribunal or the Labour Court or

some other certifying authority in this case.

Shri Namblar: But in case of victimisation under some pretext what is the guarantee?

Shri Venkataraman: If it is victimisation it must follow one of these things. Firstly it must be a discharge if it is a discharge, according to standing orders. If the application of the standing orders is not proper the employee concerned can at once say that. You may kindly refer to the new provisions. All the criticism that is level with regard to 33A is based on notions about the old Act. The new provisions have not been fully gone into by hon. Member. If a man is victimised, as my friend Shri Namblar said, and has to be dismissed then he has to be dismissed only in accordance with the standing orders. If that is not done, it is open to the worker to go and complain that the standing orders have not been properly applied. Reference may be made to section 13A occurring in clause 32 of the Bill. It says:

"If any question arises as to the application or interpretation of a standing order certified under this Act, any employer or workman may refer the question to any one of the Labour Courts..."

He can go straightway to the court. Therefore, even there, he would be protected.

There is only one matter in which I feel strongly and that is in regard to the power which is reserved by the Government to change or modify the award. I objected to it in 1950 and I said that this would be used, if at all it is used, against the workers. Shri Jagjivan Ram then very eloquently said that this is intended to render social justice and that I need

not be afraid of it. But the unfortunate way in which it has been used—only once it has been used—has disturbed the workers' minds.

**Shri Abid Ali:** In Travancore-Cochin, it was used in favour of the workers.

**Shri Venkataraman:** That was a very small thing. My friend Shri Khandubhai Desai supported me in this question. I want to place on record the telegram from Shri Khandubhai to Shri Hariharnath Shastri, the late-lamented labour leader, on this matter. He said:

"I have a telegram from Mr. Desai. Very much perturbed to read press reports—clause relating to powers to be vested in Government to modify awards given by appellate tribunals highly controversial—. Looking to very strong adverse opinion of working classes, I very earnestly request you to delete clause or postpone further consideration of the Bill till Labour Relations Bill is considered by the Select Committee".

I would say that the hon. Minister should endeavour his very best to see that this power is taken away. This does not do any credit for this legislation. Whatever the decision, the parties must be able to accept it. Whether the decision is adverse to labour or is adverse to the Government, they should accept it. It has had a very sorry episode in our nation's history. I am quite sure that all the representatives of labour would support me in this point.

**श्री अ० ना० विशालकर (जानघर) :**  
श्रीमान् जी, जो बिल आज हमारे सामने है वह मौजदा कानून में कुछ तबदीलियां करने के लिये लाया गया है। घाम तीर पर वे तबदीलियां ठीक हैं और इन्होंने मैं इस बिल का समर्थन करता हूँ। ६१ तबदीलियों में वे दिक्कतें दूर हो जायेंगी जो कि अभी तक

इंडस्ट्रियल डिस्प्यूट्स ऐक्ट (अमendment and Miscellaneous Provisions) Bill

सब से पहली तबदीली जो कि बहुत ही अच्छी है, वह मुकदमों का जल्दी फैसला करने के लिये की गयी है। मुकदमों सम्बन्ध में वर्कमें (कामगारों) को बहुत नुकसान होता था। इस कमी को हटाने की कोशिश की गयी है। इसका श्री निरो जी ने भी समर्थन किया है। यह हमारा तजर्बा है कि इस तरह की कोई व्यवस्था अगर फैसला करने के लिये नहीं होती, तो कई जगह जहां पर यूनियन कमजोर होती है, वहां पर एम्प्लायर (नियो-जक) उसकी बात नहीं मानते। श्री निरो जी का कहना है कि ट्राइबुनल (न्यायाधिकरण) यदि जो कि मुकदमोंवाली के जरिये है उनको खत्म करना चाहिये। लेकिन मैं समझता हूँ कि जहां पर यूनियन मजबूत है वहां के लिये तो यह चीज ठीक है पर जहां यूनियन कमजोर है वहां पर कोई ऐसी मशीनरी न होने से वर्कमें को नुकसान हो सकता है। अगर एम्प्लायर्स को यह मालूम होता है कि यह मामला फैसले के लिये किसी ट्राइबुनल के सामने जाने वाला है तो वे फैसला करने के लिये तैयार हो जाते हैं। लेकिन मैं यह चाहता हूँ कि इसमें वर्कमें और इंडस्ट्रियल डिस्प्यूट्स की जो डेफीनीशन (परिभाषा) हो वह बचीय हो ताकि जो झगड़े हों वे सब उसमें आ जायें और डेफीनीशन पर ही झगड़ा न बनने लगे और वर्कर्स को जल्दी में न्याय मिल जाये। जो डेफीनीशन अब तक थी उसको बचीय करने की कोशिश की गयी है लेकिन दो एक तबदीलियां जो कि नेबर मिनिस्टर (अम मंत्री) माहब करना चाहते हैं उनको मैं नहीं समझ पाया कि वे कहाँ तक वर्कमें के लाभ के लिये हैं। एक तबदीली जो कि वे करना चाहते हैं वह यह है कि "इंडस्ट्री (उद्योग)" की जगह "इंडस्ट्रियल एस्टेबलिश-मेंट (औद्योगिक उपक्रम)" रखा जाये। ये

[श्री प्रा० ना० बिद्यालंकार]

नहीं समझता कि इस तबदीली में वह टेफीनीशन बर्सीय होमी । बल्कि हमने तब ऐसा मान्य होता है कि उसको और भी गेस्ट्रिक्ट (निर्बन्धित) करने की कोशिश की जा रही है ।

दूसरी तबदीली वह यह करना चाहते हैं कि वर्कमैन की टेफीनीशन में में शामिली कुछ लाइन हटा दी जायें जहाँ कि वेज ०.१२ दी गयी है और इस प्रकार हैं :

"and for the purposes of any proceeding under this Act in relation to an industrial dispute, includes any person who has been dismissed, discharged or retrenched in connection with, or as a consequence of that dispute, or whose dismissal, discharge or retrenchment has led to that dispute."

उन्होंने प्रोपोज (प्रस्ताव) किया है कि यह हिस्सा हटा दिया जाये । यह हिस्सा इसलिए रखा गया था कि कई बार घटालतों में यह झगड़े उठते थे कि एक वर्कमैन जो कि नौकरी से निकाल दिया गया है और जो कि प्रब सरविस (सेवा) में नहीं है उसका मामला इसके अन्दर नहीं आता । इस वजह से उसके झगड़े को इस ऐक्ट के मातहत नहीं समझा जाता था । इसलिये इस हिस्से को रद्द कर कानून में इस बात की साफ किया गया था कि अगर किसी को, जिसका कि झगड़ा चल रहा हो, रिटेंच (छूटनी) कर दिया जाये या डिस्मिस (सेवामुक्त) कर दिया जाये या डिस्मिस (निकाल) कर दिया जाये तो उसको भी इसी टेफीनीशन में रखा जायेगा और उसका मामला भी इंडस्ट्रियल डिस्प्यूट ऐक्ट के मातहत लिया जायेगा । मैं समझता हूँ कि कानून को साफ रखने के लिये इस हिस्से को रखना जरूरी है । घटालतों में टेफीनीशन पर अक्सर झगड़े चलते हैं ।

इसलिये हमें चाहिये कि हम टेफीनीशन को साफ रखें ।

एक चीज और है और वह यह कि जो टेकेदारों को लेबर है उसको भी इसमें शामिल कर लिया जाना चाहिये ।

एक चीज और साफ नहीं हुई है । वर्कमैन की टेफीनीशन के बारे में हिस्से में दिया गया है "functions mainly of a managerial nature". यह मामला बहुत तत्त्व है कि वह कौन से फंक्शन्स (कृत्य) हैं जो कि मैनेजीरियल (प्रबन्धकीय प्रकार) नेचर के हैं और इसे साफ करना चाहिये, क्योंकि हमारा यह तर्जवा रहा है कि घटालतों में टेफीनीशन के मामले पर लम्बी बहस चलने लगती है और घनत्व मानने का फैसला होने में बहुत वक्त लग जाता है । इसलिये हमको टेफीनीशन को साफ कर देना चाहिये ताकि इस मामले पर बहस की गुंवाइश ही न रहे । यह कानून वर्कमैन के लिये है ताकि उनके झगड़े जल्दी फैसल हो सकें । इसलिये हमको कोई चीज बेग नहीं रखनी चाहिये और हर मामले को साफ कर देना चाहिये ।

इस बिना में एक और चीज बहुत अच्छी है और वह यह कि इसमें चेंज आफ कंडीशन आफ सरविस (सेवा की शर्तों में परिवर्तन) के बारे में नोटिस देने का प्रावजन (उपबन्ध) किया गया है । बीजे शिड्पूल (धनुषूचो) में उन बातों की लिस्ट (सूची) दे दी गयी है जिनके लिये कि नोटिस दिया जाना चाहिये । मैं समझता हूँ कि यह एक इम्प्रूवमेंट (सुधार) है ।

सरकार ने मेकान एन्ड में कुछ एम्प्लेशन (उन्मुक्तियां) करने का भी प्रावजन किया है । लेकिन जहाँ वह एम्प्लायर के लिये कानून होता है वहाँ उसको वर्कमैन के लिये भी

उस बोला करना चाहिये क्योंकि बर्नमैट का काम है कि वह एम्पलायर और वर्कर दोनों के इंटरैस्ट्स (हित) को वाब (संशोधन) करे।

मेकान ३३ के मुनास्बिब काफो बहस हुई है, और मैं समझता हूँ कि इसमें इसके मुताल्लिक जो कुछ प्रावोजन दिये गये हैं वे काफी हैं और ठीक हैं। लेकिन यह कितो कदर इस बात पर भी मुनहसिर करेगा कि जो अदासतें हैं वे इसको किस तरह से बसती हैं। हमारा यह तजर्बा रहा है कि सेक्शन ३३ को बजह से अदासतें असली मामलों का फैसला करने के लिये बस्त ही नहीं निकाल पाती और कंसेज पेंडिंग (विचाराधीन) पड़े रहते हैं। मैं समझता हूँ कि इसमें यह बहुत अच्छा प्रावोजन कर दिया गया है कि अगर अदासतें चाहें तो सेक्शन ३३ के मामलों को एक या दो ज्यों के पास भेज दें। अगर ऐसा किया गया तो सेक्शन ३३ के केमज की बजह से देरो होतो वो बह नहीं होगा और रिजिट में बहुत सुधार हो जायेगा।

2 P.M.

स्टैंडिंग आर्डर्स (स्थायी आदेशों) के बारे में मुझे यह कहना है कि स्टैंडिंग आर्डर्स एम्पलायर अपनी मर्जी से लागू करते हैं और लेबर कमिशनर (अथवा आयुक्त) या और किसी को भी इसमें दखल देने की मुजाइश नहीं है। अब इसमें स्टैंडिंग आर्डर्स के मामले में जो कोर्ट्स (न्यायालयों) को राइट (अधिकार) दिया गया है वह बड़ी अच्छी और स्वागत योग्य चीज है और इसके कारण बहुत से झगड़े हट जायेंगे अगर स्टैंडिंग आर्डर्स ठीक तरीके से बने हों और ऐसा हंगे पर झगड़ों का स्कोप (क्षेत्र) भी कम हो जाता है और झगड़े बहुत ज्यादा अदासतों में और दूसरी जगह नहीं जा सकते। यह एक अच्छी चीज है।

एक चीज जिस पर मुझे बोझा ऐतराज है वह २५ (आई) सेक्शन को इसमें से हटा देने पर है। मुझे याद है कि जिस बस्त यह सेक्शन बना था तो यह कहा गया कि जो वर्कमैन के इयूज (प्राप्ति) हैं उनकी अदायगी उन्नी तरफ़े से हो जायेगा जेमे कि एरियर्स आफ नैड रेवेन्यूज (बकाया लगान) बमूल किये जाने के और यह अमंडमेंट पास करके इसको मेकान में लाया गया था और उसको प्रायः उसमें से हटाना मंत्रिषालय में मुनास्बिब नहीं है। यह ठीक है कि आपने इसमें यह प्रावोजन रखा है कि जो सैटिलमेंट (समझौते) की लिनाफ-बर्जी करेंगे उनके लिये इसमें पैनास्टो (दंड) बढ़ा दी गई है लेकिन मेरा कहना यह है कि वर्कमैन के इंटरैस्ट में सबसे पहली बात यह है कि जो उसके इयूज हैं वह फौरन उसे मिल जाय और अपने इयूज की बमूली के लिए वह इंतजार में बैठा रहे, यह चीज उसके लिये बड़ी मुसीबत की है और इसी खयाल को सामने रख कर यह प्रावोजन रखा गया था कि उसके इयूज की बमूली तब रेवेन्यूज की तौर पर होगी और मैं समझता हूँ कि इसमें से २५ (आई) को हटा देना मुनास्बिब नहीं है और उसका इसमें रखना चाहिये। यह ठीक है कि इस में हमने सजा का प्रावोजन रखा है कि जो लोग सैटिलमेंट या किसी फैसले पर अमत नहीं करने उनके लिये हमने सजा का प्रावोजन रखा है और यह ठीक भी है कि आप ऐसे लोगों को सजा दें जो कि फैसले पर अमत नहीं करते लेकिन बर्कर्स को उससे क्या फायदा। इन बजह से मैं समझता हूँ कि इसमें ऐसा प्रावोजन जरूर रखना चाहिये ताकि जो ऐवाड (पंचाट) हो उसका इम्प्लीमेंटेशन (कार्यान्वित) फौरन हो और जब बर्नमैट एक ऐवाड को मान ले तो उसका फौरन अमल होना चाहिये। मैं चाहता हूँ कि जो फैसला बेजे है उनको ही यह पावर (अस्ति) हो कि वह अपने फैसलों को इनफोर्स (लागू) करा

[श्री प्र. ना. निधातकार]

सकें। हमें ऐसी व्यवस्था करनी चाहिये कि जो ऐंवाइंड देने वाला कोर्ट हो उसको अपने ऐंवाइंड को इनफॉर्म कराने की उगी तरह से पावर हो जैसे कि कोर्ट्स को अपनी जागे की हुई डिक्लोज को इनफॉर्म कराने की पावर होती है। हम चाहते हैं कि इन कोर्ट्स का कंसट्रक्शन (बनावट) कुछ ऐसा हो नाकि आज ऐंवाइंड को घमल में लाने के सिनारिले में जो काफी देर लग जातो है व न लगने पाये और हमें ऐंवाइंड के इम्प्लीमेंटेशन की तरफ ज्यादा तबज्जह देनी चाहिये और यह देखना चाहिये कि आज जो इसमें दिक्कत पेश पाती है और सिनाफवर्जों को मूरत में फल्ट क्लास मजिस्ट्रेट के पास मुकद्दमा जाता है और जो वहां पर काफी टाइम लगता है और तब तक उस ऐंवाइंड का घमल में आना रुक जाता है, उस ऐंवाइंड के इम्प्लीमेंटेशन को हमें ऐक्स्पेंडाइट (श्रीघ्रता) करना चाहिये और ऐसा इंतजाम करना चाहिये कि उस पर क्रौरन घमल हो और वह टले नहीं। सजा की अपेक्षा ऐंवाइंड के घमल की और हमें अधिक ध्यान देना चाहिये क्योंकि यह वर्कर्स के इंटरेस्ट में है। अदालतों में बक्त लगता ही है और वह अब भी लगेगा। एक फैसला हो जाता है और महीने भर के बाद गवर्नमेंट ने तय किया कि वह फैसला उसे मान्य है और गवर्नमेंट द्वारा उसको मान लेने के बाद भी अगर उसका इम्प्लीमेंटेशन नहीं होता तो आप भले ही उसके लिये मुकद्दमा चलाते रहिये उसमे वर्कर्स को कोई फायदा नहीं होता और इस वास्ते हमें कोई ऐसा इंतजाम करना चाहिये कि जब कोई फैसला हो जाय और गवर्नमेंट उस ऐंवाइंड को मान ले तो उस पर घमल होना क्रौरन शुरू हो जाय और वर्कर्स को जो मुशकिलें आदि उसके द्वारा मिलना है वह उन्हें मिल जाये। हमें इस बिल में कोई ऐसी व्यवस्था करनी चाहिये जिससे ऐंवाइंड स का

इनफॉर्म कराने का जरिया निकल जाय। इन सज्जों के साथ मैं आम तौर पर जो बिल पेश है, उसका समर्थन करता हूं।

Shri K. P. Tripathi (Darrang): Mr. Deputy-Speaker, Sir, I rise to support this Bill. The working classes have been waiting for a very long time for this sort of legislation and the history of this legislation has been well-described by Shri Giri who spoke before me. Nobody else is more competent to describe what went before, what was necessary and how the working classes continued to wait. After all we could not get a comprehensive Bill; we have got a truncated Bill. The reason is very clear. The working classes could not come to agreement on certain matters and therefore a large part of the Bill had to be given up and only a portion of it has been brought up. Shri Gopalan said that this Bill is almost a trunk without a head. To some extent it is true. The question of recognition of a union and the bargaining agent is very important in the industrial history of a country. It will be remembered that in the United Kingdom and the United States one of the reasons which made unions strong and ultimately brought peace in the industrial sphere was the compulsory method of bringing the employers and workers together so that they might negotiate. Of course, the trade unions in those countries have become strong enough today and they do not need that protection. But in those days they needed it. They got this advantage and that was one of the main pillars of their strength. In our country we have been trying to get this, but up till now it has not been possible. But to blame Government for this would be wrong. The blame lies on our own shoulders. Until and unless the leadership in the working classes comes to an agreement on this question

as to how the recognition is to be brought about and how the bargaining agent is to be determined, I have no doubt that this question will continue to be delayed.

Shri Gopalan said that the best way in the circumstances would be to have a secret ballot to determine who is the real representative. The history of secret ballot in India is well known. I do not think it is so easy an affair. It is quite true that members of trade unions who have really enrolled themselves into trade unions should have the right to determine who should be the bargaining agent. But as we know in India today the trade union movement continues to be beset by political leaders and political ideologies and therefore the movement continues to be divided. It would be wiser for us not to seek compulsion by legislation for determination of this issue. It is far wiser for us to determine this issue by sitting together and trying to come to an agreement. So long as the trade union movement in this country continues to think in terms of compulsion by legislation for bringing about this unity, I have no doubt that we will fail. Therefore, I have not lost hope.

I think in the last few years—particularly within the last two years—there has been a trend in the country for bringing trade unions together, towards a general unification. If this trend continues, I think the time will come when it would be possible for us, despite the political aberrations, to come to a stage where the trade union movement in the country will be unified. Till then I have no doubt that the rest of the provisions of the Bill, the Labour Relations Bill as it was called then, will have to wait. Of course, certain portions of it which have been omitted for the time being might have been brought up even without such an agreement. They have been held up I suppose for some other reason; maybe those reasons may disappear and those portions may be brought up earlier.

Now there are certain aspects of this Bill which are very important. Some of them are of course non-controversial in character in the sense that most of the working classes accept them. One is controversial relating to section 32. So far as the abolition of the appellate tribunal and the introduction and acceptance in the legal framework of the arbitration machinery is concerned, so far as the question of giving notice of change of working conditions is concerned, so far as the enlargement of the definition of the term "worker" is concerned; the power given to the unions and the workers to have a hand in the determination of the standing orders; the question of interpretation of awards by labour courts and the possibility for the first time that labour itself might directly go to the court for such an interpretation without the intervention of the Government and finally the punishment clause, namely, the employers are to be punished even with imprisonment if they do not implement the awards—these are all clauses which are non-controversial in the sense that the working class had accepted them earlier. We have been waiting for them and as a matter of fact, they have come very late. Also, I do not say that they have given as much as we desire.

Certain loopholes and lacunae have been pointed out by my friend, Shri Venkataraman. There are similar remarks to be made with regard to some other clauses of the Bill, but by and large they are acceptable and therefore, we are for them. To the extent the Bill helps us to advance towards the goal which we want to attain, we accept it; to the extent it does not, we will continue to press for it.

Coming to the most controversial clause about section 33, there have been several types of approaches to this question. One is that we are giving away a benefit which we have got and the question arises whether we are not justified in doing so. How far are we giving away the benefit



[Shri K. P. Tripathi]

which we have got? To my mind, there are two things: one is the legitimate rational protection which we are not giving up and the other is the irrational protection which has been given away. Under section 33, even in respect of matters which are not connected with the main dispute, once an industrial dispute is before a court or tribunal, no change can be made by the employer. Now, taking advantage of this provision, undoubtedly workers in many parts of the country have resorted to indiscipline and certain examples of indiscipline have been cited. So, it is very clear that this section, instead of merely protecting trade union rights, has now been made to protect the industry also. Therefore, when we meet with this logic, we have to admit that we have gone beyond the intention which was desired and so the working class had to agree to a revision of that section. To that extent, it is quite true that we have given up something, but against this giving up, we have tried to get a measure of protection, which is essential. In the section it is very clearly stated that one per cent. of the total number of workers will be fully protected even in respect of matters not connected with the dispute, the minimum number of such protected workmen being five and the maximum number being 100. It is realised by everybody that generally in trade unions there will be only four or five officers and in larger unions, the most active workers do not exceed 100 in number. Therefore, so far as the trade union movement is concerned, it is fully protected. So far as individual indiscipline is concerned, all the workers are not protected. Although protection has been fully withdrawn so far as individual indiscipline is concerned, full protection of the trade union movement still continues.

The second point made by Mr. Venkataraman is very essential. In clause 22, there are two parts (a) and (b). Under (b), action can be taken

against individuals for indiscipline. Under (a), action can be taken for changing the conditions. So far as (a) is concerned, I have some doubt, because I feel that the balance of the situation has been destroyed. There is section 22 in the original Act followed by section 23, which says that during the pendency of any proceeding in a Tribunal, strike cannot be resorted to. This was possible because, during the pendency of a dispute, all new disputes were automatically referred to the Tribunal, and therefore, strike was unnecessary. But now, the employer has the right to change the conditions: whereas under sections 22 and 23, the workers have no right to go on strike. This destroys the balance. To some extent, that balance is restored by the provision about notice of change. But, if a new dispute arises, it is not automatically referred to the Tribunal. It will be considered by the Tribunal only if the Government refers it to the Tribunal. In the interim period, if the Government does not refer the dispute to the Tribunal, it does not go to the Tribunal. So, there is the possibility that a change may be made; the Government may not refer it to the Tribunal and we cannot go on strike. This destroys the balance on which the whole Bill is designed. Therefore, we come to the logical conclusion that in respect of all changes which are made by the employers while the proceedings are pending in a court of law, it would be the duty of the Government to refer them automatically to the Tribunal. Then the balance will be restored. If that is not done, then the balance will not be there. I do not know what the intentions of the Government are, but we hope that the intentions of the Government are, to maintain this balance. We hope that whenever such disputes arise, the Government will refer them to the Tribunal, so that we may not suffer under sections 22 and 23 unnecessarily.

There is another section which gives the Government the power to do away with the provision of giving notice of



change in times of emergency. Here also the same difficulty will arise. The employer would be able to make a change without giving any notice and we will not be able to go on strike, because sections 22 and 23 will operate. These are the points which should be considered carefully by the Ministry. I have no doubt that Government is trying to make these changes and make the legislation more rational. Only in that hope, we are supporting this measure. The irrationality which would arise due to the existence of sections 22 and 23 shall have to be corrected by Government by executive orders.

There is a proviso at page 14 with regard to individual workers. Where an individual worker is discharged, the employer has automatically to refer it to the Tribunal. But so far as (a) is concerned, that provision is not there. Therefore, in the case of (a), we shall have to go through the procedure of coming to the Government first. It would have been wiser if, instead of taking this duty on their shoulders, the Government had provided that it may be referred automatically by the employers for determination by the Tribunal, so that in the interim period, a change might be held over. I do not know whether the Government would consider this now. I have no doubt that they would have to take all this into consideration in the ultimate enforcement of the law.

The next point that I want to make is with regard to definition. Certain points have been made out by Shri Venkataraman to show how the definition is defective. I also feel that if the terms are not widely interpreted as Shri Venkataraman suggested, it would be difficult for us. With regard to contract labour, we have already passed a resolution demanding the abolition of contract labour wherever there is permanent type of work continuing. I think the main demand under this head is to abolish the contract system. Government should push forward with this programme.

In para (iv) of sub-clause (i) of clause 3, we talk about supervisory personnel being invested with managerial power. The agreement, so far as I remember, was that people drawing Rs. 500 or less should get the right to organise and get the protection of this Bill. In a democratic society, the general rule should be that everybody should have the right to organise. It should not be a particular right. In the way in which trade unionism developed in this country, the trade union movement was regarded as a particular right because it was regarded as a conspiracy in the beginning. In some way or other, whenever we come to legislation, there is always a tendency to limit it to as few persons as possible. The tendency should be to exclude as few persons as possible from this right. When we came to this agreement, we thought that all people getting less than Rs. 500 will have automatically right to organise. But due to the existence of the word 'or' in page 3, sub-clause (iv) it is very clear that a man drawing say Rs. 50 may be clothed with colourable managerial rights and he may not be able to get the benefit of this legislation. There are plantations, as my hon. friend Shri Venkataraman was pointing out, in which a headclerk is drawing Rs. 400 or Rs. 500. He will have a right to be in the trade union. Suppose there is a branch garden where the head clerk draws only Rs. 50 or Rs. 75. The manager may give him some colourable right of management. This man getting Rs. 75 will be prevented from being in the trade union and the man getting Rs. 400 will have the right to organise. This would create a great anomaly. I do not understand the logic of having a clause which prevents such ordinary people from having the right to organise. Therefore, I would have liked the Government to accept the amendment with regard to the word 'or' so that it may be changed into 'and'. There are four or five ways of correcting the situation. Amendments have been filed. The last of the

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amendments is that the word 'or' should be replaced by 'and'.

It is argued that the word 'mainly' is sufficient protection. You know the word 'mainly' is not sufficient protection. If it were sufficient protection, the occurrence of this word in para (iii) would have been sufficient. It would not have been necessary for the subsequent part of the clause to be there at all. The clause would have ended with 'manager'. The very fact that it is not so, shows that it is not sufficient. In a branch garden, for instance, it is necessary for the manager to have a colourable device so that on the spot he may take some action. That is not his main avocation. If you look at the contracts you can see whether his main occupation is management. He is not the manager. He is a head clerk or a clerk. He has the right to supervise, but not to take any decision. The decisions are taken in the main garden. For the purpose of law, this may be sufficient and he may be prevented. If this clause is allowed to be operated in this way, I have no doubt that many of our trade unions will be split. The most important key workers in our unions in the plantations will be hit, and there will be a split on that issue. Therefore, I request the Government to consider these points.

My time is up. I will not take more time of the House.

श्री ठाकुर दस भार्गव (गृहमंत्री)

जनाब डिप्टी स्पेकर साहब, मैं गवर्नमेंट को इस बिल को बड़े झर्से के बाद मैं यहाँ पेश किए जाने पर मुबारकबाद देता हूँ। इस बिल के अन्दर बहुत सी प्रशिक्षण है.....

Shri Venkataraman: May I request the hon. Member to speak in English? This is a legal matter and I would like very much to hear his valued views.

Pandit Thakur Das Bhargava: I would congratulate the Government

for bringing in this measure which is long overdue. Although I am not in any way connected with labour or employer, still I find that principles of justice, fair play and equity are to be found in almost every section of the Bill. I know that whatever comes from our respected Labour Minister shall be imbued with that spirit. When I find Shri V. V. Giri also adorning these Benches, I find the spirit of Shri V. V. Giri and the Labour Minister in every section and in every word of this Bill. I congratulate them both for this production.

Coming to the merits of the Bill, I submit that I am not satisfied with the definition of the word workman. My reasons are obvious. We have just now heard Shri K. P. Tripathi explaining sub-para (iv) on page 3 of the Bill. We have heard Shri Venkataraman also in respect of this when he spoke about nurses, doctors, etc. I think that we should not attempt to define whether a person is skilled or unskilled or supervisory, technical or clerical, because there are many other heads which you do not think of: for instance, the medical line, etc. If you take away these objectives and keep simply workman, on the whole the difficulty will be solved.

Moreover, I understand the idea is to include as many people as possible and to eliminate as few as possible. Therefore, I accept the formula which Shri K. P. Tripathi has propounded before us. In my humble view, I do not know how paras (iii) and (iv) can be reconciled. Para (iii) says:

"who is employed mainly in a managerial or administrative capacity; or"

In the first place, we do not know what is managerial capacity and what is administrative capacity. Any kind of work can be turned into work of administrative nature just as my hon. friend has pointed out. In a branch garden a person drawing Rs. 50 may

be entrusted with some work which may partake of the nature of managerial or administrative work, where in a bigger garden, a person getting higher salary may not come under that category if he is in the headquarters. Similarly, in a sugar mill, any ordinary manager getting Rs. 250 will not be included whereas an engineer or doctor getting Rs. 499 will be included. This is not proper. As a matter of fact, we want that every person must be protected, unless and until he draws a pay of a certain amount and also has got some managerial or administrative work. Therefore, I think, the Government will be well advised to have both these conditions in this sub-para (iii) on page 3 of the Bill. That would meet the ends of justice. Therefore, we should say, any person drawing more than Rs. 500 and having administrative or managerial powers shall be excluded. I can understand that. Otherwise, if you keep the provision as it is, many complaints will arise and people who are not drawing a large amount and who are doing administrative or managerial work in an ordinary capacity will not be protected.

Then, I come to the qualification of the judges of these three classes of courts. I should think that we should make some change in so far as the second class is concerned. I am not impressed by the argument that there should be only one class of officers. Even in our courts, we have the High Courts, the sessions courts, first class magistrates, etc. They are dealing with different kinds of work. When I peruse Schedules 2 and 3, I find that the work is quite different. The Labour Court will only deal with Schedule 2 and the Tribunal shall deal with both Schedules 2 and 3. There is no point in insisting that all the judges must be of the same calibre and must do the same work. If the work is different, there is no point in saying that there should not be different classes. I am rather happy that the appellate courts which were the source of so much delay

are now being taken away, and these courts have been appointed in their place. After all, we know the nature of the work that was done by these appellate courts and even their judgments were not binding for all time. So, I am satisfied that the change from the appellate courts to these three courts is quite justified.

But I am anxious that in so far as the qualifications for appointment to the industrial tribunal are concerned, in addition to sub-sections (a) and (b), a new sub-section (c) may be added to the effect that a person who holds this post must be a person who has experience of at least ten years of judicial work and one year of labour work. The real qualification that we want in a person of this kind is that he must have had a thorough grounding, so far as the judicial work is concerned. If he has served for ten years as a judicial officer, I think the main qualification will be satisfied, and he must have experience of one year in labour work also. After all, there will be many judges of this kind in every State; we shall have at least three or four such courts in every State. In order that there may not be any difficulty, I am anxious that you do not narrow down the scope of the qualifications to such an extent that you will not be able to find competent judges to fill these posts. I would therefore respectfully request the Labour Minister to kindly consider this humble suggestion of mine, which I have put in in amendments Nos. 136 and 137 of which I have given notice today. In those amendments, there is only one small difference. In the amendment that the Minister has been pleased to put forth, the qualification is that the person must have put in two years' experience in labour work. But I have suggested only one year in my amendment. So far as the general qualification is concerned, however, I am anxious that at least seven or ten years' judicial experience must be there.

Now, I come to clause 8. I am very glad that the general principles of

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civil law have been regarded as good so far as these courts are concerned, namely that if the employers and the employees come to a compromise and they want to appoint an arbitrator, they can do so. By making a provision of this nature, you are making a new law. So far as labour legislation is concerned I am very happy that so far as mutual consent and amity are concerned, they have been given the place of preference as they should be. In ordinary civil law, whenever there is an agreement to refer a matter to arbitration, the parties could do so. We have a similar provision in the Arbitration Act also. But even apart from that, we have a provision in the civil law to the effect that whenever the parties to a dispute come to an agreement so far as arbitration is concerned, then the matter is referred to the arbitrator, and his decision is binding. I am very glad that you have accepted that principle here.

But may I humbly ask you to consider one more thing in this connection, namely, that in a civil case, when there is a suit pending also, if the parties come to an agreement, they could refer the matter to arbitration, because it is regarded that the method of arbitration is perhaps superior to the method of decision by courts. So, there is a provision in the Civil Procedure Code that if in a pending suit, the parties want to send a case to arbitration, they are allowed to do so. I want that a similar provision should be made in clause 8 here, so that the parties, if they come to an agreement while the suit is pending, could refer the matter to arbitration. Once you accept the principle that arbitration is much better than decision by court, then logically it follows that even if they have sent the case to the labour court, if they come to a decision later on to refer the matter to arbitration, they should be allowed to do so.

Further, I find that in all other cases, under the Civil Procedure Code

as well as under the Arbitration Act, there is a provision that after an arbitrator has given his decision or award, it could be objected to on grounds of fraud, misrepresentation and so on. I think, taking human nature as it is, even the award of the arbitrators in these cases will be objected to in many cases. I do not find any provision corresponding to the one that is to be found in the Civil Procedure Code or the Arbitration Act in this regard.

Shri Venkataraman: It is not the intention that it should be objected to on those grounds.

Pandit Thakar Das Bhargava: I am very glad about it, and I wish that such a provision should not be there even in ordinary cases. I do not like the idea of a person first choosing his own judge and then trying to pick holes also in what he has done. So what is done here is really a good thing. At the same time, I would like to submit that you will find in the long run people complaining,—in spite of the fact that they have selected their own arbitrator,—just as they are complaining under the civil law. That is the difficulty that arises. Otherwise, so far as the principle is concerned, it is a good one. The party chooses its own judge, and then abides by the decision that he gives.

Pandit K. C. Sharma (Meerut Dist.—South): The judge may go wrong.

Dr. Lanka Sundaram: Judges are above law.

Pandit Thakar Das Bhargava: Let the judges go wrong. But I hope my hon. friend will not go wrong with me, but may kindly allow me to go on.

So far as the new provision in regard to standing orders is concerned, I am very happy. Just as our President can ask the Supreme Court to

give their opinion on any matter relating to the interpretation of the Constitution, likewise, it is provided here that the workers or the employers or both could go to court and ask the court to give its decision about a particular standing order. That is a very good idea. It will obviate many difficulties. Further, many disputes may not arise at all because the right interpretation will be available to the parties concerned, once they have raised the matter before the court.

Similarly, in regard to modifications of the conditions of service. I welcome the provision made in the proposed section 33, which is a much-debated section. I have sent notice of an amendment to this section. Once I had an occasion to appear before an industrial tribunal. There I found that the employers experienced a certain difficulty, and that difficulty was this. While the dispute was going on, some of the labourers had taken in into their heads to do some sort of mischief: they put some earth, and some pieces of iron into the machines. I for one do not want to take sides in this matter. At the same time, I am anxious, that so far as misconduct is concerned, whether it is connected with the dispute or not, a misconduct is misconduct, and it should be within the powers of the employers to see that the misconduct is not allowed to be perpetrated, because after all, if it is allowed, production will stop.

Shri U. M. Trivedi (Chittor): The labour leaders will lose votes if they do that.

Pandit Thakur Das Bhargava: I am a very humble man, and so far as the labour leaders are concerned, I respect all of them. I do not want to see that in any way they lose their prestige. At the same time, as a humble citizen of this country, I do want that we may have provisions in this law which may be quite just.

the misconduct is connected with the dispute or not. For the employers will always say that it is not connected with the dispute while the employees will always say that it is connected with the dispute. So, it is very difficult to decide this matter. So far as sub-section (1)(a) of proposed section 33 is concerned, I do not want to have any change, but so far as sub-section (1)(b) is concerned, I want to point out that it is most difficult to decide whether a misconduct is connected with the dispute or not. But there are certain pieces of misconduct, such as assault or arson and so on, in respect of which I do not see any justification for any sort of leniency being shown to the man who is guilty of it. I am therefore anxious that so far as misconduct is concerned, it should be made punishable by the employer. At the same time, I do not want to give the employer a free hand, for in that case, Sri Nambiar might ask "What would happen in cases of victimisation?" I have therefore provided an antidote to this in my amendment to proposed section 33(5), which runs thus and which is a very salutary provision also:

"Where an employer makes an application to a conciliation officer, Board, Labour Court, Tribunal or National Tribunal, under the proviso to sub-section (2) for approval of the action taken by him, the authority concerned shall, without delay, hear such application and pass, as expeditiously as possible, such order in relation thereto as it deems fit."

This is good as far as it goes. But I further want that in cases where the court ultimately finds that the employer has not behaved well or that his order of punishment was wanton or unjustified, the court can give in respect of that matter suitable damages, apart from the other remedies which are open to it. I do not want that the employer should get unnecessary powers in a case of this nature. If the employer misbehaves, he can also

So far as misconduct is concerned, it is most difficult to decide whether  
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be imprisoned, and in fact, we have got a section to that effect, and any contravention of that section will attract the remedy of imprisonment even so far as the employer is concerned. I also know that the employers are too powerful and they are not going to be imprisoned. But in a valid case of victimisation, there is no reason why they should not be punished. Therefore, I want to have it both ways. The first thing is that so far as misconduct is concerned, that misconduct, whether it is connected with the dispute or not, should be punishable by the employer. Secondly, if the employer is found ultimately to have misbehaved and not done justice to the man, then suitable action must be taken and punishment must be awarded. You may say that in such cases imprisonment is the only punishment that can be awarded. I can understand that.

There is one thing which has been suggested, and rightly, and that is that in cases of this nature, expedition is most necessary. If the case prolongs for six months, so far as the labourer is concerned, he will not stick to that place. He may go away and then he may lose his appointment. Therefore, as we have done in the Representation of the People Act that within such and such time, the court must decide the case, accordingly here we can say that within a reasonable period, two months or three months, this matter of approval of punishment must be decided by the court. Even if it were a fixed period, it would be the right thing to do. If we do that, nothing will be lost. On the contrary, we shall gain.

Now I have to make another submission also. The original Act, as was pointed out by my hon. friend, Shri Venkataraman, had a provision about assessors, that with the consent of the parties, assessors could be appointed. Here we find two kinds of provisions. One is in regard to the appointing authority, that they can appoint assessors. Then we have got a provision that the courts also can associate with

themselves a person or persons having special knowledge about the matter in dispute.

Now, when assessors are appointed, what will be their functions? Is it necessary to hear them? If the court does not hear them and delivers judgment without hearing them, what would happen? I know that under the Criminal Procedure Code, when we had assessors, it was necessary that the courts must have taken the opinion of the assessors on all the charges. If the court did not do that, the judgment of the sessions judge would be set aside by the High Court. Though it was not necessary to accept their findings, it was necessary to hear them. Now, if we have got a provision for appointment of assessors, you must make a provision here to the effect that their opinion will be taken. Otherwise, what is the use of Government appointing assessors? We should have a provision that their opinion should be taken, but no court should be bound by their opinion. We have done away with assessors in respect of the Criminal Procedure Code.

Shri Venkataraman: Will not the words "two persons as assessors to advise the Tribunal" in the proposed section 7A(4) cover the case? It means their advice must be taken.

Pandit Thakur Das Bhargava: Suppose one of them is not present. Suppose both are not present on a certain date. Then what will happen? The same difficulty which arose in the case of the appellate court with one Judge present and others absent, would arise. Therefore, you must also make a provision that if one of them is absent or if both are absent—as you have made in the case of the Judges—it will not invalidate the decision of the court. But you must also provide that the Judges must otherwise hear their advice, because what is the good of Government appointing them if they are not to be heard?



So this provision must be made. Otherwise, difficulty may subsequently arise. Some courts may hold the words 'to advise the Tribunal' to mean that the advice was not taken and therefore, the judgment is wrong. I am fearing this difficulty. In short, the provision will be more or less like this: they have a right to be heard, their advice will not be binding; then their absence on any particular date or dates will not be material; thirdly, even if one of them is not present, nothing will happen.

Then we have a provision under clause 9(e) which says:

"A Court, Labour Court, Tribunal or National Tribunal may, if it so thinks fit, appoint one or more persons having special knowledge of the matter under consideration as assessor or assessors to advise it in the proceeding before it".

I have tabled an amendment to the effect that this should be deleted. My submission is that it is much better to examine such persons with special knowledge as witnesses, so that both parties may have an opportunity of cross-examining them. Their advice may not be binding or may not even be taken, but their evidence must be taken. This is a better procedure than associating them with the court. Also, a question may arise when two persons are there as to what should be done when there is no unanimity.

My submission is that so far as assessors are concerned, this Bill is silent on the points I have mentioned, and therefore we should make the necessary provisions so that difficulties may not subsequently arise.

Shri N. Sreekantan Nair: I am not very happy at the form of the Bill as it is placed before the House. There is a saying in my language, Malayalam, which means that a thing is too bitter to be swallowed and too sweet to be spat out. This is what I deeply feel in regard to this Bill.

One of the laudable changes is the widening of the definition of 'workman'. But it takes away with the left hand what is given by the right. The definition, of course, is intended or supposed to be intended to include technicians and supervisory staff. But when it is said 'mainly managerial', every employer will contend that all officers under the sun are doing 'mainly managerial' work, so much so that there won't be any supervisory staff.

Shri Venkataraman: May I just remind my hon. friend that there is a judgment of the High Court of Madras which says that mere designation as 'manager' will not be binding, mere payment of wages as 'manager' will not be binding but only the actual duties performed would determine whether a person is a manager or not?

Shri N. Sreekantan Nair: May I also remind my hon. friend, Shri Venkataraman, who is publisher also of the Madras Labour Journal that the Labour Appellate Tribunal found a teacher in a kindergarten school whose duty includes washing children, to be not within the purview of the Industrial Disputes Act. That was the ruling of the Appellate Tribunal in a case which was defended by his own junior who is also editor of the paper.

Shri Venkataraman: I suppose that decision is based on the fact that it is neither clerical nor manual—not on the ground 'managerial'.

Mr. Deputy-Speaker: Order, order. Let us proceed. Enough has been reminded on both sides.

Shri N. Sreekantan Nair: Anyhow, though he was confronting the hon. Labour Minister with what he said before he was Minister, he himself swallowed his own objection to that definition of 'workman' while he was speaking.

I was discussing this question with a foreign gentleman. He was astounded at the fact that there could be people drawing below Rs. 500/- in

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managerial or supervisory posts. I told him that there may be people with managerial status getting Rs. 50. (Interruption). To just throw these people at the tender mercies of the employer is too hard. Naturally, they must at least be given protection under the Industrial Disputes Act in the matter of fixity of employment. That can be given provided the limit of Rs. 500 is accepted for both supervisory and managerial staff. That is the minimum which the hon. Labour Minister can do on this matter.

As to the question of contract workers, it may be argued that it is implied. But, as has been suggested by my hon. friend, Shri A. K. Gopalan, it is better to make it plain so that there may be no possibility of misinterpretation or misrepresentation.

As to the question of the benefits of the new chapter IIA providing for 21 days notice, it has been set off or counteracted by the changes in section 33. Much has been said to justify the change and my learned friend, Pandit Thakur Das Bhargava, was very vehement about the punitive measures. As a matter of fact, all the case laws provide ample protection for the employer. He can suspend a worker, he can conduct an inquiry and he can then dismiss a worker even without consulting the Tribunal. He won't be penalised and the action would not be vitiated even if there is no sanction by the court for inquiry and punishment. This is the position as the case law stands today. You want the worker to be dismissed first. He will get one month's wages. If this goes on for more than one month, for 5 or 6 months or even one or two years, he will starve and he may even go away. Because he is no worker, the union will have no interest in him so much so that after two or three years, when his reinstatement is ordered, the worker may not exist, he may have gone out of the land, he might have perished. Is this justice, is this fairness? I say he should not be dismissed. Shri Gopal was suggesting that he may be

relieved. That is the position now. He can be suspended; he can be kept out of the factory but he has got to be paid his wages. Now the position is that when he is suspended he is not paid his wages. You want to take punitive action without even a nominal enquiry. I think it is unfair to bring in this clause to amend section 33.

The question of gratuity, provident fund and other claims go when he is dismissed. Nothing is mentioned about the rights of the dismissed worker. Only if it is suspension can all these questions be kept pending.

The provision regarding one per cent. of protected workers, I think, is a most heinous provision that can be brought. I would rather have no protection at all for anybody than allow one per cent. of the workers to be labour aristocrats, to be differentiated from others so that other workers who are victimised, who are penalised can be made to agitate against the office-bearers of the union and the leaders of the movement so that it may spell the ruin of the trade union movement in this country much more than anything else.

Shri Nambiar: Creation of disruption in the labour ranks.

An Hon. Member: Here comes a Daniel for judgment?

Shri Nambiar: It is a provocation to disrupt.

Mr. Deputy-Speaker: Let it not be decided between Members themselves.

Shri N. Sreekantan Nair: If my learned friend's suggestion to send him to jail if he misuses that provision is accepted, no employer might misuse it. But, as the case law stands today, with the amendment, the recalcitrant employer goes scot-free. On the other hand, as the law stands now, under section 33, he has to get the prior sanction and even if it is a dismissal without enquiry he has to institute a proper enquiry and if that enquiry is not proper he can be taken to task



and penalised also. So, if a change is contemplated, at least Pandit Bhargava's suggestion may be put in so that the employer might be penalised if he deliberately goes beyond his jurisdiction in dismissing an employee.

Perhaps, I will be the only man in this House to raise the question of the Appellate Tribunal. I do not agree with the abolition of the Appellate Tribunal in the present state of things. I represent a Central Trade Union Organisation and we do not agree to it. If you accept the principle of adjudication, then, you have to provide the necessary checks and balances and appeals; otherwise, adjudication becomes a farce. I know that other opinions have been voiced by other organisations. But, if the concept that adjudication itself is wrong—as advanced and advocated by Shri Giri—is accepted, I have no complaint. Initially it may go against the interest of the workers. But after a few buffetings the workers will become hardened and will know how to organise themselves and know how to kick back and fight back. In the present context, if the tribunal gets unfettered freedom, naturally, he becomes subject to all sorts of personal prejudices and may go wrong. If today the lower tribunals are more popular than the Appellate bodies, it is because of the Democles' sword hanging over their heads. I am no friend of the Appellate Tribunal. In fact, I was the first trade unionist in India to raise a hue and cry against a corrupt judge of an appellate tribunal. I complained to the President and I wrote in the Press openly challenging the Government to proceed against me so that I may at least throw mud on him if I cannot obtain justice. The reply that I got from the President of India was that we would get a separate Bench for South India. I do not think the members of the appellate tribunal are really above board in everything, but because they are there most of the lower tribunals are behaving properly. When they are removed, naturally, all sorts of complications will come in. If he wants to speed up

the proceedings I humbly submit that the hon. Minister brings in a provision that no legal practitioners will be allowed to butt in in these industrial disputes unless he is a manager of a firm without any actual legal practice and if it is enforced, 99 per cent. of the industrial disputes will cease. Protracted Adjudications will stop.

Shri B. S. Murthy (Euru): How does it help?

Shri N. Sreekantan Nair: Because these lawyers would not come and create difficulties and twist matters and the dispute will be decided on real merits. Now, the worker is not capable of engaging very high-paid lawyers..... (Interruption).

Mr. Deputy-Speaker: Order, order; let the hon. Member continue. A trade union leader should not get so easily provoked.

Shri N. Sreekantan Nair: We are also human.

Anyhow this system of lawyers is encouraged more and more by the tribunals in this country. In trade union cases the tribunal itself puts this question: Why don't you accept this lawyer? Naturally, if the man wants to win his case he has to please the Tribunal. So he is compelled or cajoled to accept the lawyer. This leads to legalistic arguments and the cases are protracted and the expenditure of the labourers is enhanced by these lawyers butting in.

If the hon. Minister is bent upon abolishing the appellate tribunal then there should be sufficient protection to the worker; some provision for appeal has to be made. It may be reference either to the respective High Court or Supreme Court. I am normally not a believer in justice being meted out by the High Courts and the Supreme Court, in the case of industrial disputes, because I know that they always measure things on the basis of statutes laid down in the country

[Shri N. Sreekantan Nair]

and they do not realise the rapid changes that occur in the industrial relations in the country. We know what the Labour Appellate Tribunal and the Supreme Court did in the bonus case. They did not take into consideration the concept of the Welfare State or the socialist pattern of society. They allow the employer 6 per cent. interest on capital, 4 per cent. interest on all reserves, allow him 1/15 of the total value for rehabilitation and then and then only will the worker get any quantum of bonus. That was the decision of the labour Appellate Tribunal. But even that decision was made worse by the Full Bench of the Supreme Court coming in and making it inflexible. This kind of interference has always been there. But, there must be some sort of Democles' sword for these tribunals. I would say that as a trade union worker I feel that it may go against the workers. So, appeals must be possible and all the procedure adopted by the tribunals must also be adopted by the High Court. If the employer is the appellant, I submit that the employer must bear all the expenses of the worker incurred in presenting the case. This is the suggestion which I have very seriously placed before the House and I am sure that if it is not conceded now, opinion from all over the country will compel this House to reconsider this question.

3 P.M.

One more point I would like to bring to the notice of this House and that is regarding the existing members of Labour Courts and Tribunals. They have been initiated into the art of adjudication and this is a different line from the Civil Jurisprudence. Industrial adjudication is not so much a question of legal cleverness which demands 10 years' experience as demanded by Pandit Thakur Das Bhargava. This is a matter in which legal wisdom is more of a danger than help. It is human considerations and equity that ought to weigh with the Tribunal.

[PANDIT THAKUR DAS BHARGAVA in the Chair]

There should be no hair-splitting distinction between one quibble of law and another quibble. Those people who have some experience may be allowed to function as Presiding Officers of Labour Courts and Tribunals, and I would also suggest, as mentioned by you, Mr. Chairman, that the minimum qualification for tribunals may be one year's experience of labour adjudication. But I oppose 10 years' judicial experience. I also oppose the provision of conception of appointing pensioned judges. Instead of fixing the maximum age limit to be 65, I would suggest that it be brought down to 55 so that people with choleric temperament because of superannuation and old age should not come in here and disfigure the adjudication proceedings in courts.

Shri Basmal (Jhajjar-Rewari): Every right-minded person would welcome a measure that leads to maintaining and increasing the area of industrial peace, and to the extent this Bill goes in that direction, I welcome it.

The hon. Minister was pleased to say that most of the changes that are now being made in the Act are as a result of joint consultations and the largest measure of agreement between the employers and workers. I agree that some of the provisions at least are as a result of such agreement, but I also know that on some of these changes there has not been that unanimity which a person like me would like. Nevertheless, I do think that this measure has come not a day soon and will lead to the establishment of better relations between workers and employers.

I am anxious that now that we have launched on the Second Five Year Plan, nothing should be done to disturb industrial peace, and in order to achieve that objective, if the employers or the workers have to sacrifice something out of the rights they have got or are supposed to have got, I would

not consider that sacrifice as any great loss on the part of the one or the other.

The discussion this morning, I must say, has been of a very high level. The labour leaders who have spoken before me have all of them tried to appreciate the changes that are being brought into the Act. I must say that in one or two cases I did find a smacking of sticking to the rights that had been obtained or the so-called rights that have been obtained by the workers. I am not one of those who view this piece of legislation from the point of view of rights and privileges. I want to examine the Bill from the point of view of a layman who is anxious to see that the production in this five-year period increases to the maximum, and that nothing happens which will hinder our rapid industrial progress. From that point of view I would urge that we now sit down and decide on a five-year industrial truce. I am sure that the workers and employers will be in a position to decide here and now that they will not have any dispute during the five-year period and all differences that arise between them will be settled by mutual agreement and arbitration. I fully agree with my friend, Shri Giri, that we should rely more and more on collective bargaining and conciliation. But the difficulty is this. We are not in a position now when we have embarked on the Five Year Plan to experiment. In normal times I would have certainly left the whole movement to be given a trial to see whether we cannot settle our differences by mere conciliation, voluntary agreements and collective bargaining. Supposing that fails, can we afford at this juncture to see our industrial harmony disrupted? Therefore, we have to have an approach where free play is given both to collective bargaining, and where collective bargaining is not possible due to one reason or another, to adjudication. But I am sure that our labour law will work in such a manner that more and more we begin to rely on the inherent strength of the organisation of workers and of the employers to settle

whatever differences arise between them. To that extent I congratulate the hon. Minister who has been able to bring about a provision in the Bill which will now give the force of law to any collective agreements that have been mutually arrived at. I agree with the suggestion made by you, Sir, that even during the course of a dispute which is referred to adjudication, if the parties come to an agreement, they should be allowed to come to that agreement and settle their differences mutually.

A number of my friends have spoken about the definition of "workman". I am one of those who believe that every workman should have the right to have his grievance voiced. But as long as we do not develop functional trade unions in our country, we will have to keep some distinction between those who have the responsibility of taking work from employees or supervising their work and the ordinary workers. To that extent, I think, there is a lacuna in this definition. When you say that the person who is in a managerial and supervising capacity but who gets less than Rs. 500 a month will be a workman, a doubt arises in my mind as to what will happen in hundreds and thousands of small factories where the manager or the supervising person does not get more than Rs. 300 or Rs. 400 a month. Do you think that they should all automatically become workmen? If the definition in this respect is not amended, I am afraid a lot of difficulty will be created in smaller undertakings. I would suggest that the hon. Labour Minister must keep that aspect of the matter in view.

In almost all the legislations of advanced countries in the world, those people who work in a confidential capacity or who are looking after the Watch and Ward are generally excluded. Suppose a person is a confidential Secretary to the General Manager or the Managing Director, I do not think he should be covered by the definition of "workman". I would request the hon. Labour Minister,

[Shri Bansal]

therefore, to consider very seriously whether these people and the people who are responsible for watch and ward should not be excluded from this definition. If it is insisted that they should come within the purview of this Act, then I think they should have the right to form separate unions apart from the workers' unions so that the harmony and the efficient working of the undertaking will not be disturbed.

Much has been said about the amendment to section 33. I do not want to say much on it. That is one section where there has been a substantial agreement between the workers' and employers' representatives at the various forums. I know that the employers are not satisfied with the change made and a large number of representations have been made to the Government. From the debate today, I find that even some of the workers are not satisfied with it. As it is both of them are somewhat dissatisfied. Even then they tried to hammer out this formula in the various meetings with the help of the Government. I think a fair trial should be given to this new formula. I agree with your suggestion if it is found acceptable to the Labour Minister that if it is misconduct whether it is connected with the dispute or not, the employer should have the right to take necessary action but I for one would like to see that we try to implement this new formula in the proper spirit so that this biggest cancer in the industrial relations after 1947 is removed. I do not want to go into the long history of trials and tribulations which the industry has had to face on account of the existing provision because these things are too well-known.

Coming to the machinery for compulsory adjudication, I beg to differ from the statement of the Labour Minister that the present provisions of the Bill are as a result of agreement between the employer and the work-

ers. I feel that the employers have always been pressing that the adjudicators of the industrial tribunals and the national industrial tribunals should be sitting High Court judges. In one of the meetings I think—I do not remember—the Labour Minister said that he would accept that suggestion. Later on he said that this suggestion could not be worked. I have not been able to understand why it was found to be unworkable. If sitting judges are appointed to these two tribunals, it will not only add to the prestige of the tribunals in the eyes of the workers and the employers but there will also be greater sense of justice and fairplay. I do not want to refer to particular cases but we have often heard it said that a retired High Court judge who is superannuated looks forward naturally to his continued employment and for that purpose his judicial outlook is somewhat vitiated. I am not saying that it is so always but there is a chance and it has been brought to the notice of the Minister from time to time. It is for this reason that I have said times without number that in these cases the presiding officer should be a sitting High Court judge and the entire arbitration machinery at these two levels should be placed under the jurisdiction of the High Courts. If the sitting High Court judges are appointed to these presiding offices, in my view the jurisdiction automatically passes to the High Court and that will lead to a very healthy development. But if that is not possible, another suggestion has been mooted and I think discussed at a very high level also that the entire judicial machinery should be handed over to either the Law Ministry or to some other Ministry so that the executive Ministry which is looking after the labour relations does not come into play again and again. It is not that I am casting any aspersions on the bona fides of any Ministry. Perhaps there would be a greater feeling in the minds of the

people that the adjudication will be conducted on an absolutely impartial basis. It is not too late to consider either of these two suggestions.

The Labour Minister has not only not incorporated these provisions to make appointments from the sitting judges but he has watered down certain provisions in the Bill. He has brought certain further amendments. I am sure the Minister will explain and give his reasons when the clause by clause discussion comes up and if I have any observations to make I shall offer them at that time.

You were pleased to say certain things about the assessors. I only want to underline what you said with a modification that in the case of assessors, a panel of names both of workers and of employers should be maintained. Such panels could be had from the appropriate employers and workers organisation. If Government at any time wants to appoint assessors, they should be drawn from these panels.

As for the notice of change, there has been no such agreement at any of the conference. I know that this has a very long history. But, now the amendment is too drastic. The genesis of this notice of change was, as far as I know, the introduction of the latest labour saving machinery. It was urged on behalf of the workers that the employers should not introduce any labour saving machinery without giving notice of the change to the trade unions. But, I find that a large number of other things have been included. In my opinion, there is an apprehension of certain genuine difficulties being created in the way of the working of the industries. For instance, if there is going to be a change of shift or some such thing, the employer may think that there must be a change in the shift on account of certain factors, say to achieve greater efficiency—and if he is to wait for 21 days or for the agreement from the workers, it will be very difficult. I would therefore suggest that

if possible this notice of change should not apply to as large a number of categories as has been now provided in the Bill.

As regards the abolition of the appellate tribunal, here again, the employers have not seen eye to eye with the Government or with the other trade unions which have been asking for the abolition of the appellate tribunal. In the beginning when the tribunal was appointed there were conflicting judgments by the various tribunals and even the same tribunal gave decisions differing from each other on the same question at different times. A lot of confusion was created. After some years of experience, they have come to a position where they were beginning to gain a lot of respect for themselves. I cannot welcome the abolition of these tribunals. There should be no dilatoriness in the judgements and disputes should be settled as soon as possible. But, I agree with my friend, Shri Nair, that in the present state of affairs there must at least be one appeal. Inasmuch as there is no provision for even one appeal, I think it is a retrograde step. My apprehension is that even the workers will not like it after some time. There are judges and judges and tribunals and tribunals. I am sure it will be felt that perhaps the provision for at least one appeal was absolutely necessary in the circumstances which obtain in our country today. I would, therefore, very much like—if there is not going to be an Appellate Tribunal—that at least one appeal is provided from the Industrial Tribunal to the National Tribunal and from the Labour Court to the Industrial Tribunal. It will not lead to any drastic change in the Bill and it can be provided, in my opinion, quite easily.

There are other small points to which I will not refer at this stage. I will deal with them when we come to the discussion on the clauses.

Mr. Chairman: Shri G. D. Samant.

Shri T. B. Vittal (Sae (Khamrui):  
Sir, I rise on a point of order. There is no quorum in the House.

Mr. Chairman: The bell is being rung. Now there is quorum. Shri G. D. Somani can now proceed.

Shri G. D. Somani (Nagpur-Pali):  
Mr. Chairman, Sir, much has already been said from all sides and I would, therefore, try as far as possible to avoid repetition and to confine myself to a few important features of the Bill. In the beginning I would like to welcome the approach of the hon. Labour Minister, which he indicated at the end of his speech yesterday while opening discussion on this Bill, when he remarked that in the context of the Second Five Year Plan there is no place now for stoppage of work or for any conflicts in the relations between the employers and employees.

Sir, at a time when we are on the threshold of an immense and ambitious scheme of industrialisation under the Second Five Year Plan, it is in the fitness of things that we should all realise that the production on all fronts has not only got to be maintained but increased, and that can only be possible if we have an atmosphere of goodwill and harmony all round. To that extent, both sides—that is the employers' and the workers' representatives—have really to re-orientate their outlook in a manner which will enable our industrial production to go on unhampered.

Indeed there are quite definite indications of several major agreements having been arrived at during the year and a half that have preceded, where due to the bipartite machinery, I mean to say, due to the joint negotiations between both sides, it has been possible, for example, to take out the major issue of bonus from the industrial courts and a five-year agreement was entered into between the chief textile industrialists of Ahmedabad and Bombay. Due to these bipartite negotiations a basis has been created where recourse can be had more and more to

collective bargaining and mutual negotiations than recourse to industrial courts. It has also been agreed in principle in Bombay, between the representatives of the industry and of the workers, that all further disputes in the Bombay City mills will be referred to a bipartite joint machinery and as far as possible they will be kept out of the scope of being referred for adjudication. These are all happy signs, and as pointed out by my hon. friend Shri Giri—he pointed out at the time of initiating discussion on this Bill, explaining his attitude, that this 'adjudication' was Enemy No. 1 of the workers—I hope this spirit of collective bargaining and mutual negotiations will develop, when there will be no longer any necessity for any recourse for compulsory adjudication. But so long as that atmosphere is not created I quite recognise that some sort of a machinery is essential where, in case the mutually agreed settlement is not available, recourse can be had to adjudication.

Now, coming to the actual provisions of the Bill, I would just like to say a few words about this question of definition. I am aware that several of my friends on the labour side have welcomed the change and they have indeed praised that this widening of the definition of 'workers' is in the right direction. But I have my own fears in this connection and even as the definition stands at present I think the inclusion of apprentices and clerks under the definition is already causing difficulty. The point is, whether the absence of this widening of definition has really caused any difficulty or not. That is the question which has to be considered. Sir, I am submitting from my own experience of Bombay that so far as these supervisory and technical personnel are concerned they have really got an organisation of their own and whenever there have been any difficulty they have just contacted the Millowners' Association. We have found by our actual experience that these mutual contacts have helped a great deal



in dealing with any dispute might have arisen concerning the supervisory or technical personnel. I for one, therefore, do not see how, in what manner and in which part of the country these superior personnel have felt any difficulty, under the present circumstances, in having their grievances not being redressed.

As Shri Bansal pointed out, in most of the advanced countries of the world adequate precaution is taken to ensure that all these personnel, whether supervisory or technical, are those who hold positions of confidence and are kept outside the purview of any industrial legislation. For instance, in the United States of America the term 'employment' is defined so as to exclude any individual employed as a supervisor. In Canada, again, the definition excludes a superintendent or any other person who exercises supervisory functions or is employed in a confidential capacity with the running of the establishment.

Shri Venkataraman: What about Australia?

Shri G. D. Semaal: I have given the instances of two highly industrialised countries. I have already submitted the actual experience that I have got about the difficulties which these supervisory and technical personnel experience in major centres like Bombay, and how we have been able to evolve a satisfactory way of dealing with those difficulties. We should remember, when we are talking of strengthening the machinery of joint consultation and collective bargaining and the desirability of extending the scope of mutual negotiations, it is rather going too far to extend the scope of industrial disputes and to create a spirit in the minds of superior executive officers of concerns to look to the courts and to the Government for redressing their grievances rather than to their own employers. It might create unnecessary complications if the supervisory, technical, or superior staff have to resort to all sorts of complicated actions under the Act. Thereby, the

supervising capacity will be really very much affected. Therefore, I think that this change in the definition of workman and this widening of the scope of the definition to include their technical and supervisory staff is not a healthy change and it might lead to unnecessary complications. I think it should have been left to be mutually negotiated. If any such difficulty could be brought to the notice of the employers' organisation, explaining the circumstances where the supervisory personnel were subject to any unjust treatment or where their grievances were not redressed, I think it would be far more easier to get the difficulties redressed than to bring about this extension and widening of the scope of the definition and thereby creating a series of complications which might retard the smooth functioning of the various concerns. After all, so far as the majority of the concerns in the country are concerned, one will find that very few people are left out, because the remuneration of Rs. 500 per mensem has been provided in the Bill. Therefore, for all practical purposes, most of the supervisory, technical and senior staff will be covered under this Act. By the existing provision, the area of conflict will rather be extended than narrowed down, and the spirit of joint negotiation will be adversely affected rather than promoted by the widening of the definition of workman.

Coming to the question of the appellate machinery, the position is very clear. Even among the workers' representatives, they are not unanimous in asking for the abolition of this machinery. After all, when it was found out that there was complete chaos and conflict in the various judgments of the labour courts before 1950, the Government thought fit to establish this appellate machinery. I do not think there is much justification for doing away with this machinery at this stage. In explaining the objectives, the Minister gave the reason, and the reason was that much delay ensued in this matter. If the reason is one of delay in the

[Shri G. D. Samsal]

functioning of this appellate machinery. I think it should be possible to strengthen the existing machinery itself and thus eliminate all possible delays and to ensure that the functioning of the appellate machinery is expedited. But, as it is, in view of the overwhelming opinion on the labour side in favour of the abolition of this appellate machinery, Government have decided to do away with it. But then, the replacement of this machinery by the three-tier adjudication machinery has not been brought about in the manner in which it could have been done. It could have been done in such a way that it could bring satisfaction to all sides. As has been pointed out by the preceding speaker, all along or at least in the beginning stages, some talks were going on, and it was understood that the sitting high court judges would be replaced, along with the abolition of this appellate machinery, and that at least these industrial tribunals and the national tribunals would be manned by sitting high court judges to ensure that justice would be done and also to see that the judicial machinery is manned by the proper type of persons. But, somehow, due to some difficulties or due to certain State Governments, it has not been possible for the Government to accept that suggestion, and as it is, there are doubts in the minds of several disinterested persons whether the replacement of this machinery will enable our judicial machinery in the labour courts to function smoothly and efficiently.

Then, in regard to the question of assessors, one would have thought that with the abolition of this appellate machinery, the parties concerned—whether they are the workers or the employer—would be given the discretion to appoint the assessors whenever they want to appoint assessors, so that the case would be followed up automatically. But as it is, it appears that it has been left to the discretion of the State Governments concerned to appoint the assessors or not to appoint them. That again might create difficulties because, in the absence of the

expert advice of the assessors in several complicated cases, it may not be possible for a one-man tribunal that is contemplated to be set under this Bill, to do full justice to the various cases. I should think that even now, at this stage, it is possible for the hon. Minister at least to ensure that these assessors are always associated, if either of the parties involved ask for it, and that it is not left to the discretion of the State Government to appoint the assessor or not to appoint them.

Much has been said about the amendment of section 33A, in regard to which, of course, the employers have all along felt genuine difficulties. My friend Shri A. K. Gopalan has feared a lot of adverse consequences following the amendment, but I think more than adequate safeguards have been provided in the Bill. In case any employer dismisses or discharges any workman, under this amendment he will have to get the approval of a tribunal for the dismissal or the discharge. Indeed, I think it would have been better if the provision had been that if the worker had felt aggrieved it would be open to him to go to the court rather than to compel the employer, after having dismissed the worker for his neglect, to seek the approval of the court. After all, it is the aggrieved party who should go to the court for redress and it should not have been made compulsory for an employer to be called upon to approach the court to prove the case for discharge or dismissal or whatever the punishment that is given to the worker for his misconduct.

Shri Nambiar: Because it is the employer who wants to remove the worker, he is the aggrieved party and so he must go to the court.

Shri G. D. Samsal: The employer wants to remove the workman for certain solid reasons. I do not at all share the fear expressed by my friend Shri A. K. Gopalan that any very serious consequences will follow. After all, each employer looks more the contentment of his workers and to the smooth running of the concern rather



than to do something deliberately and discharging or dismissing the workers or to take some action against them which might lead to serious discontent among the workers. It is common knowledge of each and every employer that it is very difficult to keep his concern running unless he has the willing co-operation from his workers, and that any drastic action like dismissal or discharge cannot under any circumstances be taken lightly. It is only when there is no other way open and only when the case is serious enough that recourse to severe action is taken. I do not at all share the apprehension that of those who think that great calamity or a very serious situation will develop as soon as this amendment is carried out. As it is, discipline and efficiency require some sort of powers for those who have to conduct or run the concerns. The mere fact that this amendment is being made will not, in any way, I am sure, lead to any undesirable consequences about which apprehensions have been expressed.

The last point to which I would like to draw the attention of the House is about the powers given to the conciliation officers. As it is contemplated under the Bill, the conciliation officers will be vested with wide discretionary powers of a civil court under the Code of Civil Procedure, 1908, and it may be genuinely apprehended that such arbitrary powers might lead to a lot of complications. Indeed, so far as the calling of particulars or other information is concerned, I think even without these powers the conciliation officers can call for such records or for such information as they may require, and so, it is hardly justified or necessary to arm the conciliation officers with such wide powers. That is all that I want to say.

**Shri Bhagwat Jha Azad (Purnea Santal Parganas):** I welcome this measure because of certain changes which were long overdue. I receive this measure with pleasure in that I find that there are certain changes and amendments which will help labour in

its task for greater production in the country during the Second Five Year Plan. Up till now, the employers had, as it were, a one-sided affair or traffic. They could change the conditions of service in any way they liked and they could initiate changes in the standing orders as they liked. Now the possibility of such things has been removed. Till now, the standing orders have been purely for the employers' advantage in the sense that only they can initiate changes in them. But now, labour also can initiate changes in the standing orders. Therefore, we welcome this provision.

We are most happy to find that these long blessed, with a question mark before it, appellate tribunals have gone. We used to file cases which used to be pending for four or five years. Recently we had some cases; the appellate tribunal sat over them for five years. The labours won them but then employers moved the Supreme Court and it asked for Rs. 2 lakhs security from the labour. Now we are very glad that the 1950 Act has gone; I am sure it would give us some relief. Also, there is provision for voluntary resort to arbitration by parties by a written agreement. I will not dilate on these advantages; they are so apparent and it is enough to say that we receive them cordially and wholeheartedly.

I would now like to point out certain lacunae that are there in this legislation. The most important and controversial matter is about the definition clause. I would have liked Mr. Somani to be here just now. He has given us a sermon and said, "What is the necessity for widening this definition? The relation between the employers and the employees is so cordial in Bombay. The supervisory and technical staff are so pleased with us." He quoted the practice in certain other countries like Canada. I would also like to quote other countries. What are the reasons for industrial peace in those countries? In industrially advanced countries like Britain and Canada there is collective bargaining, which has not been achieved in India. ]

[Shri Bhagwat Jha Azad]

Britain, they have got properly organised unions. I must confess, not as a leader but as a humble worker, that we have not got properly organised unions as they have got in Britain. There are also employers' associations in other countries. They sit round and they voluntarily decide all the disputes. Sometimes, they also set up ad hoc committees which have no connection at all with the Government. They have voluntarily set up a joint machinery which normally decides their disputes. There is also provision for referring disputes to independent arbitration. Like other under-developed countries, in India, also we are not properly organised. In countries like Britain the employers are not so blood-thirsty as their counterparts here. They do not suck every drop at the first moment; they want to derive profits in the long run. They look more towards the future than to the present. Therefore, in these countries technical and supervisory staff are not included in the definition of "workmen". But in India the conditions are quite different; the relations are not so good. Therefore, we certainly want that this sort of legislation should come before Parliament to guide us in our day-to-day work. I feel that though the definition has been widened compared to what it was before, still it is not up to the mark. According to the present definition, technical and supervisory staff getting above Rs. 500 per month will not be included. But even the supervisory and technical staff getting below Rs. 500 will be sought to be excluded under the pretext that they have been given some managerial work. Therefore, I feel that this definition does not go far enough to cover all the technical and supervisory staff. I would strongly urge the House to accept the amendment of Mr. Tripathi and Mr. Venkataraman in which they seek to widen the scope of this definition.

So far as clause 22 of this Bill—dealing with section 33 of the original Act—is concerned, there is a controversy. Mr. Venkataraman has said

that he has examined the pros and cons and that all sorts of disputes would be covered by that clause, I disagree with him on one point. As Mr. Tripathi has pointed out, during the pendency of a dispute if other disputes arise, they cannot go on strike and Mr. Somani, who so highly praised the relationship between the supervisory staff and the employers, can certainly take action against the labour. The balance had been tilted to the advantage of the management and to the disadvantage of the workers. During the pendency of proceedings in a court or tribunal, if a fresh dispute arises, the workers cannot go on strike, but they can change the conditions. Therefore, we feel that there is still a case for providing certain other safeguards under this section.

As I have pointed out, the provisions of this Bill are no doubt welcome. Since the first Act was passed in 1929, we feel that we have covered much ground. I am not so optimistic as my friend Mr. Gopalan. He says that there is no chance of settlement, arbitration or administration of justice. I am not so negative in my approach; I feel that during this period, we have covered sufficient ground and we have improved the relationship between the labour and the management. But still I agree that we have not been able to develop collective bargaining to the extent it prevails in other countries and hence the necessity for the present legislation. Nonetheless, I feel there is a case for proceeding still further. We must give sufficient chances for the recognition of the unions. Also, labour leaders, whether belonging to this side of the House or that side, should see that unions are working properly. In this country, unions have been given a certain colour. When A goes, it is one colour; when B goes, it is another colour and when C goes, it is red colour. But still, I am of the opinion that so far as the recognition of unions is concerned, all chances must be given to the labour to express

its opinion and there should be no delay in giving the recognition, though I must add that it is because the recognitions of unions held by my friends have been so few, some of the remarks have been made. I do not share those remarks. I welcome the provisions of this legislation. The definition clause should be widened and other safeguards should be provided in section 33.

With these words, I welcome this measure.

**Shrimati Bama Chakravarty:** Mr. Chairman, at the outset, I would like to say that I want to voice the perturbation of the workers at certain changes in this Bill in regard to certain rights which they had so long enjoyed. This is a Bill as a result of which we want a satisfactory solution of industrial disputes. Everybody wants industrial peace, the worker and the employer and the nation at large. But, this industrial peace has to be based on democratic principles. That is why the worker feels that this Bill has come about at a time when he expected far more from the Government, especially, as it is coming on the eve of the Second Five Year Plan. We have heard of this Plan again and again from the employers, Ministers and various Members of this House. It is because it is coming on the eve of the Second Plan, this Bill should have embodied the policy which the Government wants to adopt towards labour. The first and the fundamental basis of such policy should have been, as almost all Members have stated, collective bargaining. We have to judge this Bill from the point of view whether it is actually helping collective bargaining or it is increasing litigation mindedness of the worker—I should not say litigation mindedness—but rather that the worker is being forced to go further and further to litigation. When I was listening to Shri G. D. Sumari, some suggestions came from certain sections of the House which has capital at its back which is able to fight out in the legal courts with the power of money. They can go on from month to month whilst the worker, at that very moment, is

fighting an unequal battle, a battle in which he has to contend with poverty. That is why all trade unions, irrespective of their opinions have been demanding that it is time that we have more of collective bargaining for coming to decisions round the table rather than compulsory adjudication which is another word for litigation. That is why we feel that the benefit which had been given to the worker in section 33 and which is sought to be taken away how is going to hit the worker very hard. It is not only taking away certain rights which the workers had under the present Act in this unequal battle. The safeguards about which Shri K. P. Tripathi and Shri Veekaraman spoke will actually mean that we will have to go further to labour courts, and a further process of litigation will take place. There is also the further point that even if there is a fresh reference to the tribunals, the screening process of the Government will have to be gone through. This is the reason why labour is seriously perturbed about section 33 with the result that certain good clauses have not been appreciated to such an extent. Experience has shown that during the pendency of a dispute before a tribunal, this one right which was given to the worker helped him tremendously. At every stage we have found that the employer, being the powerful partner, by various methods has brought about oppression of various types. The question has been raised,—Shri K. P. Tripathi put it in his own way in fine words—we do not want the irrational protection given by section 33. This irrational protection is stated to be because of misconduct, etc. Certain cases have been quoted. If there had been any discipline, any sort of mischief, rights have been given to the employers to punish the worker. That is the point that I want to stress on this House. The right is there for the employers to immediately suspend him. In certain other cases, they have also the right to dismiss. This power has been utilised by the employers. It is not that the employers have not used

[Shrimati Renu Chakravarti]

this fight. What they want is a further enhancement of their position. That is why we feel that what has been given by the right hand has been more than taken away by the amendment of section 33. I want the Labour Minister to understand the volume of opinion that has been coming to us from the last session to this session. From the time when we asked Government to expedite this Bill, from the time when we were asked not to send this Bill to a Select Committee, to this day, a large volume of opinion has come to us from the trade unions that you have done a very wrong thing in not having taken the Bill to a Select Committee, in not having screened it—not only ourselves, but all sections of the House—because it deals with a matter of such vital importance to labour.

I would refer to what Shri V. V. Giri said. We wanted that this Industrial Disputes Act should have embodied within itself certain fundamental approach to labour and its rights. That fundamental approach was the question of collective bargaining, the key-stone of which is recognition of unions. I will not take much time. I do not feel that it is of fundamental importance and everybody who has spoken up till now, except the representatives of employers has said that this is something without which this Bill becomes impotent. We would like the Labour Minister, when he replies, to tell us clearly what is it that he is contemplating about the recognition of trade unions. At the same time, I warmly welcome what Shri K. P. Tripathi said. One of the reasons for the present position is the fact that we in the various trade unions have not been able to come to a conclusion ourselves. It is right that all the trade unions should sit together and come to some decision rather than take upon us the compulsions of law. I hope that Shri K. P. Tripathi would do his best to convene such a meeting of all the organizations of Central trade unions so that this can be done. At the same time, as we

are legislating here and Government is a party to the legislation, we would like the Government to make the position clear as to what it thinks should be done about recognition. Every labour dispute comes to this fundamental point. Only the other day, when I was leading a delegation to the Chief Minister of West Bengal in the case of an industry like the steel industry, the United Iron and Steel Workers Union, this question was raised, in front of the labour officers. Again and again when disputes arise, we want to thrash them out across the table and find a solution. At that time, the labour officers said, we have been asking the employers to come, but the reply is that we do not recognize the union and that is all. The Chief Minister was flabbergasted. He asked, can't you force them to come. He did not know the law in detail. Anybody who deals with this matter knows that there is no compulsion. Because the employer does not recognise the union, he did not come and he did not discuss. The dispute goes on and finally ends in a crisis. This is one of the fundamental points to which I do feel that the Government has not seen its way to give full importance. There have been many cases in which the Government itself is a party. There is the question about the Chittaranjan Union. In Chittaranjan, there were three unions. The I.N.T.U.C. lost its recognition because it did not have sufficient representation. The two other unions have amalgamated and formed one union. Even that has not been recognised. I can give so many instances. The question of the South Eastern Railway Union has come up. The whole affair came to a climax. This question has been hanging for months. I think that is the union which has the largest following. I hope the Labour Minister will make this point clear.

I would like to say that certain welcome clauses of the Bill have also some drawbacks. I hope that in the second reading of the Bill, that is, in the amendment stage, we shall be

able to make the Government accept some of the amendments which have more or less received the unanimous approval of all the sections of the House. Especially, there is the question of the definition of 'workman' on which so much stress has been laid again and again. I would not like to go into that now.

4 P.M.

But there is the question of giving notice when there is a change in the conditions of service. That provision is good as far as it goes. But here too, the good of section 9A is taken away by section 9B where Governments or to any class of workmen section 9A; if in their opinion it may cause serious repercussions on the industry concerned and public interest so requires it, they shall not apply it to any class of industrial establishments or to any class of workmen employed in any industrial establishment. There are various industries in which this can be applied. But I feel doubtful whether it is at all necessary for Government to intervene in a matter involving notice of change in the conditions of service.

Then, there is the question of punishment for breach of settlement or award. There, again, Government have to give more thought. As a matter of fact, I find that even under the existing law, there are penalty clauses in cases of illegal lock-outs and various other things, and the employers can be imprisoned. But I would like to know in how many cases Government have agreed to such a thing and the employers have been imprisoned. So, I would say that it is not enough merely to put in this clause of penalty, at the same time leaving the judgment entirely in the hands of the executive authority or Government.

There is one other very fundamental point, and that is that no right is given by this Bill to the worker to refer a matter directly to the tribunal. There again, I can speak for my

State. I was discussing it with certain friends of mine only the other day. In my State, in the case of a majority of the disputes, one of the biggest problems is to get the Government agree to refer a matter of dispute to the tribunal. I could give you any number of examples, where only after a great deal of trouble and after the lapse of so many months, some minor matter only have been referred to the tribunal. Only the other day, on the dispute relating to the Kutchi steel workers,—we wanted certain matters to be referred to the tribunal. In that case,—we did not get a reply for months. We had written to the Government in the month of January. Till June there was no reply to it. Then, in June when we went on a deputation to the Chief Minister, the Labour Minister when he was asked, said, 'Oh! yes, we are going to give you a reply'. And you know what reply we got from him? When the reply came in July, it was that the employers had looked into the matter and they were satisfied that the discharge notices were all right, and therefore, the matter need not be referred to the tribunal. This is the disgraceful way in which certain Governments behave. That is why we are totally opposed to this screening by Government. We feel that if you really want to solve the disputes, then the matters of dispute should be referred by the workers directly to the tribunal.

Then, there is the question of the standing orders. We certainly welcome the changes that have been made in this respect. The certifying officer has the right to make a scrutiny of the standing orders. But we would at the same time like to point out that these officers are not always the best people to judge what the standing order should be, in order to bring about real industrial peace and amity between the workers and the employers. That is why we suggest that model rules should be framed by a tripartite

[Shrinati Banu Chakravarty.]

conference, which should form the basis of all industrial standing orders. We feel that this would go a long way towards a solution of this problem.

Now, I come to the dismissal clause. According to section 33, we find that no worker can be dismissed unless he has been paid one month's wages. But I would like to point out that the worker is the worker partner in the dispute as far as money goes and further, in this Bill, no time-limit has been placed on the tribunal, within which time it should give its judgment. We know that sometimes there is a long delay of as much as even six months or a year. So, we would like to say that we are against the total modification of the existing section 33. But we have not got enough votes, and therefore, in the end, Government may push through whatever amendments they have brought forward. But we feel that if the dismissal clause is kept as it is, it will be a further attack on the rights of the workers. He should be paid not one month's wages as is provided for here, but wages for the period of pendency of the dispute before the tribunal, that is to say, till the tribunal gives its final verdict, he should be considered to be a workman in service, and he should be paid wages. Very often it happens that it takes about six months or so to dispose of the case, and in many cases, the workers would have gone by that time. And even if they are reinstated afterwards, there will be no chance of justice being done to them. So, the section should be modified in the light of what I have stated.

Now, I come to the exception made in respect of civil servants. I feel that this section is unfair because even for notice of change in conditions of service, no right has been given to them. Some of them are in important industries, no doubt, but I feel that

they have also suffered from certain glaring injustices in regard to their conditions of service, and they have no means of getting justice done to them. Sometimes, there are such long delays that they have no means of getting their difficulties solved. All methods of conciliation, and all avenues for conciliation are barred to them. I therefore urge that the discrimination sought to be made in their case should be done away with.

Finally, in regard to the High Courts, I feel that very often they have given stay-orders which have gone against the workers. Therefore, I would urge that their jurisdiction should not be allowed in these cases.

In conclusion, I would like to reiterate one most important thing, namely that the present section 33 should not be changed. What has been given to the worker under the existing section should be retained, because labour, at this moment, is an unequal partner in the fight, and therefore, at least this much must be given to it. The employer has got the full right already to suspend the worker, if he thinks that he has done something which warrants punishment.

की रा० रा० शास्त्री (बिला कलपुर मध्य) : इस बात को सारे देश में स्वीकार किया जा रहा है कि अगर हमें पंच वर्षीय योजना को कारगर बनाना है, तो मजदूरों का सहयोग बहुत ही आवश्यक है। जब कभी हम मानवीय धन मंत्री का माघन समाचारों में पढ़ते हैं या वर्कमेंट के बयान पढ़ते हैं, या जो पंच वर्षीय योजना हमारे सामने पेश की गई है, उसको पढ़ते हैं, तो हम को ऐसा विश्वास होता है कि जब मजदूरों का मोहदा समाज के सम्भर ऊंचा दिया जा रहा है और इस बात को स्वीकार किया जा रहा है कि शास्त्र ने मजदूर एक स्वतंत्र नागरिक हैं और उस को वह अधिकार मिलना चाहिये।



हम सोच बहुत दिनों से यह उम्मीद लगाये हुए थे कि जो कुछ पंच वर्षीय योजना में कहा गया है उस उसूल को, जब कभी मजदूरों का कानून लागू होगा उस में जरूर देख दिया जायेगा। सभी पंच वर्षीय योजना के सम्बन्ध में जो हाउस की कमेटियां बनाई गई थीं उनमें हम ने बहुत बहुत की, परन्तु मुझे इस बात को देख कर बहुत धक्का होता है कि जो उसूल वहां पर बनाये गये और जो बातें वहां पर हम लोगों ने की, उन सब बातों को ठाक पर रख कर यह विवेक हमारे सामने पेश किया गया। मुझे ऐसा लगता है कि वास्तव में इच्छा तो है कि हम इस बीच को करें और मजदूरों का बोझा बढ़ाये, लेकिन इस विल को देख कर ऐसा मालूम पड़ता है, और कुछ बातें निश्चित रूप से ऐसी रही हैं, कुछ कदम ऐसे लिये गये हैं, कि उनका बहुत बुरा प्रभाव मजदूर आन्दोलन पर पड़ेगा।

मैं यह जरूर समझता हूं कि इस विवेक में दोनों तरह की बातें हैं, अच्छी बातें भी हैं और बुरी बातें भी हैं। अब स्वच्छन्द हुआ या तो हम ने देखा कि अक्षर हड़तालें होती थीं और मजदूर ताकत के जोर पर मालिकों से अपनी बात को मनवाता था। कांग्रेस का राज्य बाया और इस बाढ़ का प्रचार हुआ कि हड़तालें बन्द हों तथा घटालतों के जरिये से बसने हल किये जायें। उस का भी एक्सपेरिमेंट (प्रयोग) बहुत दिनों तक हुआ और अन्त में हम इस नतीजे पर आये कि इस तरीके से व्यवसायिक शांति अच्छी तरह से नहीं होती और तरक्की नहीं हो रही है। अब दूसरी स्टेज (अवस्था) आई कि मालिक और मजदूर दोनों मिल कर, साथ बैठ कर आपस में अपने मतों से तब करें। जहां तक इन सब चीजों का तात्पर्य है कि मालिक और मजदूर आपस में बैठ कर मतनों को ठीक करें, इस में किसी को ऐतराज नहीं होगा, और यदि ऐसा हो सके तो

व्यवसायिक शांति कमजोर हो जाती है। लेकिन इस बात को देख कर क्या अन्तर्भव हुआ कि इस के लिये कोई उपाय विवेक में नहीं सुझाया गया है।

मालिक और मजदूर मिल कर आपस में अपने मतों से तब करें, बात शिल्कुल सही है, लेकिन आखिर, मजदूर जब बात करेगा तो अपनी यूनियन (संघ) के जरिये से करेगा, अपने संघटन के जरिये से करेगा। इस विवेक में शुरू से आखिर तक किसी व्यवहार पर भी इस बात का बिक नहीं किया गया कि जो संस्थाएं समझौते के लिये बातचीत करनी वह कौन सी यूनियन (संघ) होंगी, किन को अधिकार मिलेगा और किन को नहीं। जैसा सभी मानवीय व्यवस्था सोमानी जी ने विवेकों का हवाला दिया था, मैं कहता हूं कि यूनियां में ऐसे भी देखें जहां पर इस बात का प्रावधान (उपबंध) है कि अगर कोई मालिक मजदूर यूनियन से बात नहीं करेगा तो वह धनकेयर मेजर प्रैक्टिस होगी। तो अगर कोई मालिक मालिक रिजमनारान्ड रिजिस्ट्रेंटिय यूनियन (गाम्यता प्राप्त प्रतिनिधि संघ) के साथ बात न करे तो जरूर ही इस के बारे में इस विल में कोई व्यवस्था होगी चाहिये। क्या आपने इस बात पर भी विचार किया है कि जो प्रावधान (उपबंध) आपने इस विल में रखे हैं उनका मजदूर आन्दोलन पर क्या असर पड़ेगा? यह ठीक है कि हम सोच जो वहां पर बैठे हैं, वे यह महसूस करते हैं कि इस विवेक में तीन चार अच्छी बातें हैं और हम उनका स्वागत करते हैं। लेकिन जो कमियां रह गई हैं, हम ध्यान करते हैं उनको भी आप कुछ उद्योगों को स्वीकार करके दूर करने की चेष्टा करें। आप ने मजदूर की परिभाषा में जो पुनरावृत्ति स्ट्राइक (परीक्षक कर्मचारित्व) और टैक्निकल स्ट्राइक (प्रशिक्षक कर्मचारित्व) को शामिल किया है, इसका हम स्वागत करते हैं यह एक सही बात है।

[ श्री ए० ए० आर्य ]

कंटेक्ट मेजर (कॉन्टैक्ट मेजर) के बारे में मैं समझता हूँ, एग्जिक्ट को साफ़ नहीं किया गया है। इसको साफ़ कर देना चाहिये। इसके साथ ही साथ स्टैंडिंग ऑर्डर (स्थायी आदेशों) को बदलने का जो हक साथ एक मामलों को ही दिया गया था वह अब मजदूरों को भी दिया जा रहा है, वह जो छीक ही किया जा रहा है और ऐसा होना भी चाहिये। एग्जिक्ट ट्रिब्यूनल का जो अन्त किया जा रहा है इसका भी हम स्वागत करते हैं। मामलों को कॉन्टैक्ट मेजर (कॉन्टैक्ट मेजर) करने के बारे में जो नोटिस देने की बात कही गई है, इसका भी हम स्वागत करते हैं और इसे स्वीकार करते हैं। वे हैं कुछ बातें जिन का हम स्वागत करते हैं। लेकिन इसके साथ ही साथ मेरा दिल यह कहता है कि सेक्शन ३३ को रद्द करने की जो बात कही गई है, वह ट्रेड यूनियन मूवमेंट (कॉन्टैक्ट मेजर) के लिए अच्छी नहीं होगी। अगर आप मजदूरों के किसी भी सेक्शन को बुलायें और मिनिस्टर साहब उनके साथ बैठकर बात करें और उनके इस के बारे में उनको राय पूछें तो मैं निश्चित रूप से कह सकता हूँ कि वे इसको स्वीकार नहीं करेंगे। वे आपको साफ़ साफ़ यह बता देंगे कि जो अधिकार इस बिल में हम को दिये जा रहे हैं या जो जो कामों की बातें इस बिल के द्वारा हमारे लिये की जा रही हैं, अगर आप सेक्शन ३३ को रद्द करते हैं, तो वे हमें स्वीकार नहीं हैं। अगर आप उनको यह बता दें कि अगर उनका कोई मामला कोर्ट के अन्दर है उस वक़्त जो मामला है वह अनुशासन के नाम पर उनको निकाल सकता है और फिर उनसे उनको राय पूछें और उनको यह बताने के लिए कहें कि बोला यह बिल तुम्हें मंजूर है या नहीं, तो यह मेरा पक्का विश्वास है कि बहुतों तक आप मजदूरों का तात्पर्य है वे एक आवाज से यह कहें कि हम इन समाज

कंटेक्ट (रिवाजों) को कोर्ट के अन्दर लाना है लेकिन हम यह नहीं जान सकते हैं कि मामलों को वह अधिकार हो कि वे मुद्दों के दौरान में मजदूरों को निकाल सकते हैं। मैं आशा करता हूँ माननीय मंत्री जी इस बात पर अवश्य ध्यान देंगे। मैं आपको यह भी बताना चाहता हूँ कि बहुतों का ध्यान एन० टी० यू० सी० का तात्पर्य है और उनके द्वारा जो समाचार पत्र निकाला जाता है और जिस के एडिटर आदर भी के० पी० मिश्रा जी हैं, इसके अन्दर भी इस बात को कहा गया है कि अगर मजदूरों को आप एग्जिक्टिवी कलैस मुकद्दमा मेजर के अधिकार से रद्द करना चाहते हैं तो सेक्शन ३३ की तद्विधी नहीं होगी चाहिये। इसमें लिखा है :—

"If, there is automatic reference of dispute, then the question of sections 33 and 33A may not arise at all, but as long as this automatic reference of the dispute is not provided, we are totally against any modification of section 33 or 33A".

हो सकता है कि सरन को इस धोर से जो बात कही जा रही हो वह माननीय मंत्री जी को स्वीकार न हो। लेकिन कम से कम आई० एन० टी० यू० सी० (भारतीय राष्ट्रीय कॉन्टैक्ट मेजर) जो बात कहती है उसको तो उन्हें अवश्य स्वीकार करना चाहिये। मैं आशा करता हूँ, हमारे दोनों माननीय मंत्री जो कि मामलों के तथा मजदूरों के इंटिरेस्ट को अच्छी तरह से जानते हैं, इसको अवश्य स्वीकार कर लेंगे। हम सोचते हैं कि रोडमार्क मजदूरों के बीच काम करते हैं यह कह सकते हैं कि इस कानून के पास ही जाने के बाद मिलों के अन्दर लगे हुए कम होने के बजाये बढ़ जायेंगे। यह सही है कि एक प्रेजेंट ट्रेड यूनियन कर्कस (वर्तमान कॉन्टैक्ट मेजर कर्कस) को भी इसमें कोर्टेशन दिया गया है, इसको हम



स्वीकार करते हैं। लेकिन जब तक आप ट्रेड यूनियंस को रिकमाइंड (बान्गला देने) करते की बात नहीं सोचते तब तक वाणिज्य स्थापित नहीं हो सकती। आप सोचिये कि अगर कोई चीज किसी ब्यासस के बन्दर नहीं है और जो एक्टिव वर्कर्स, (सक्रिय कर्मचारी) हैं उनमें से बालिक बांच ब्र: को हटा देता है तो इसका क्या नतीजा निकल सकता है। मैं जानता हूँ कि अगर कोई जगड़ा हुआ तो उसका दोष हम को ही दिया जायेगा और कहा जायेगा कि यही दोष है जो मजदूरों को मड़काते हैं। लेकिन मैं आपको बकीन दिताता हूँ कि ऐसी बात नहीं है। अगर बालिकों ने इस देश का इस तरह से दुस्प्रयोज किया जैसा कि मेरा विश्वास है वे करेंगे, और कुछ भी मजदूरों को निकास दिया, तो मजदूर उसी वक्त उनको जवाब देने और लड़ जायेंगे और उनको निकालने नहीं देंगे। इसका नतीजा यह होगा कि हड़ताल होगी, जिसे गैर कानूनी करार दे दिया जायेगा, दफा १४४ लगा दी जायेगी, गिरफ्तारियां होंगी, लेकिन इससे काम चलने वाला नहीं है। तो मेरा पक्का विश्वास है कि मजदूर उसी कारखाने के बन्दर लड़ाई करने, लजड़ा करने और बालिक उनको यही जवाब देना कि मुझ को कानून के बन्दर यह अधिकार है कि उनको नौकरी से बसव कर दूँ और इस अधिकार का ही मैंने उपयोग किया है। यह ठीक है कि कानून में जब एक बात लिखी जाती है तो बाद में जाकर उसमें से बहुत सी बातें कियें निकल जाती हैं। इस बास्ते में श्रावना करता हूँ कि आपको मजदूरों के प्वाइंटोफ को समझने की कोशिश करनी चाहिये, जिस चीज में उनको मलाई हो रही चीज करनी चाहिये। बी वीकेटरमन् साहब ने इसका इंटरव्यूशन (ब्याख्या) जो निकाला है उसको मैं ठीक नहीं मानता हूँ। यह कह सकते हैं कि रैंडमी के वक्त अगर कोई बालिक किसी मजदूर को निकालना है या

किसी को बिलगित करता है, तो यह ऐसा नहीं कर सकेगा। मैं समझता हूँ कि जो देश अभी नहीं है उसमें यका यह है कि यहाँ एक बालिक कॉन्डिशन को बंध करने का समझक है, उसको तो एक बन्दर पर रखा गया है। फिर यह कहा गया है कि इंटरमिनि (अन्युनासन) के नाम पर यह उसको बिलगित कर सकना है। इसका क्या नतीजा होगा? जब तक तो यह या कि बालिक अगर किसी मजदूर को निकालना चाहता है तो पहले उसको ऐसा करने की इजाजत लेनी पड़ेगी तब यह ऐसा कर सकेगा लेकिन जब पहले यह ऐसा कर सकेगा और बाद में उसे इजाजत लेनी पड़ेगी। आप देखिये कि बनीन बालबान का बन्दर पड़ गया है। अब तो यह एकसन (कार्यवाही) से लेने के बाद एप्रुवल (स्वीकृति) लेना जबकि पहले उसे पहले एप्रुवल लेनी पड़ती थी। मैं चाहता हूँ अगर ब्यादा कुछ नहीं तो आप देश ३३ को न बदलिये। जो भी हक मजदूरों को मिल गए हैं वे उन्हें बिले रखने चाहिये। अगर आप यह हक बालिकों को देते हैं कि जब चाहें वे मजदूरों को निकाल बाहर करें तो जो एक बड़ा हक मजदूरों को मिला हुआ है वह उनसे छिन जायेगा। अगर आप इस हक को बना नहीं रखने दे सकते हैं तो इसका तो कर ही दीजिये कि यहाँ बालिकों को आप यह हक देते हैं कि वे इंटरमिनि (अन्युनासन) के नाम पर मजदूरों को निकाल सकते हैं तो आप मजदूर को इसका हक तो दे दीजिये कि अगर यहाँ पर बिस्पुट (विवाद) होता है तो मजदूर का यह बसना बाटोवैटिछी (स्वतः) ब्यासस के बन्दर बना जाए। इसमें बर्नियेट की इंटरकैन्सम (हस्तक्षेप) जरूरी नहीं होनी चाहिये। देखने को ) ठीक मान्य होता है कि बर्नियेट यह फैसला करे कि कौन या बसना बंधावपूर्ण बना होता चाहिये और कौन या नहीं मैं जब बर्नियेट के हाथ में कोई पावर बाउंडिंग जाती

[श्री रा० रा० काशी]

है तो वह उसका ठीक से उपयोग नहीं कर पाता है। गवर्नमेंट के हाथ में वह पावर है कि जिस किसी यूनियन को वह चाहे उसे रिकग्नाइज करे और जिस यूनियन को चाहे उसकी पीठ पर हाथ रख दे और जिस यूनियन को चाहे बर्बाद करे। तो वह जो हक है वह भी बहुत अस्तरनाक शक्ति हो रहा है। मैं चाहता हूँ इस अधिकार पर भी प्रतिबन्ध लगे। साथ ही साथ किसी मालिक को मजदूर को निकासने का और यदि हड़ताल हो तो उसे और कानूनी करार देने का, घटाने के अन्तर केस न ले जा सने का तथा गवर्नमेंट से ऐसा करने के लिए इजाजत लेने का, जो अधिकार मालिकों और गवर्नमेंट के पास है, उससे मजदूरों पर क्या बीतेगी इस पर गौर कर लिया जाना चाहिये। मालिकों को जो यह अधिकार दिया गया है वे इसका दुरुपयोग करेंगे।

घास रोडमर्सी यह बात कहते हैं कि पंच वर्षीय योजना को सफल बनाने का हर किसी को उपाय करना चाहिये। साथ ही घास घास पंच वर्षीय योजना में कहते हैं कि :—

"A strong trade union movement is necessary both for safeguarding the interest of labour and for realising the targets of production".

मजदूरों का इंटेरेस्ट (हित) भी इसी में है, हमारे देश का इंटेरेस्ट (हित) भी इसी में है कि ट्रेड यूनियनियज्म स्ट्रॉंग फुटिंग (कामिक संघों का बुद्धिमान) पर हो। अब वे स्ट्रॉंग किस तरह से बन सकती हैं, इसके बारे में घास कहती है :

"Another step in building strong unions is to grant them recognition as representative unions under certain conditions".

तो यदि घास यूनियन को स्टांग बनाना चाहते हैं तो घास क्यों उनको रिकग्नाइज (मान्यता) नहीं देते हैं। हमारी दमन में वही बताता कि वह घास वह नहीं करते हैं तो घास किस लिए वह योजना बनाते हैं। मैं बताता हूँ कि वानसीव संघी और यूनियन को मान्यता प्रदान करने के बारे में जो उनकी नीति है उसको वह स्पष्ट करेंगे।

साथ ही साथ घासने योजना में कहा है कि गवर्नमेंट एक माडल एम्पलायर (घासने नियोजक) के रूप में देश के सामने घासने लाने लगे उसको देखकर जो दूसरे एम्पलायर (नियोजक) हैं वे इंस्पीरेशन हुआ (प्रेरणा प्राप्त) कर सकें। लेकिन वह बड़े साम्राज्य की बात है कि जो उसके अपने एम्पलायर हैं उनको वह इसमें से निकास देना चाहती है। तो मैं जानना चाहता हूँ कि जब गवर्नमेंट एक माडल एम्पलायर बनना चाहती है तो क्यों उसके जो डिपेंड (रखा बिभाव) के एम्पलायर (कर्मचारी) हैं उनको भी वही प्रोटेक्शन (संरक्षण) नहीं देती जो कि प्राइवेट बिल्डिंग में मजदूर काम करते हैं, उनको मिले होते हैं। जहाँ तक गवर्नमेंट का सम्बन्ध है वह इससे बचना चाहती है। घास हमारे देश के अन्तर एक प्राइवेट (गैर सरकारी) और एक पब्लिक (सरकारी) सेक्टर (उद्योग क्षेत्र) है। जो पब्लिक सेक्टर (सरकारी उद्योग क्षेत्र) है वह दिन-बिदिन बढ़ता जा रहा है। वह सब की मांग है कि पब्लिक सेक्टर (सरकारी क्षेत्र) बढ़े। तो पब्लिक सेक्टर के जो कर्मचारी हैं उनकी सम्पूर्ण ऐसी सक्रिय कंजिडर होनी चाहिये, उनका ऐसा संगठन होना चाहिये तथा उनको ऐसे हक प्राप्त होने चाहिये कि बिना देखकर घास प्राइवेट एम्पलायर (गैर सरकारी नियोजक) को वह कह सकें कि अन्तर गवर्नमेंट मजदूरों को अधिकार देकर अपनी तरह से

काम चला सकती है तो क्या यह है कि आप भी ऐसा नहीं कर सकते हैं। मैं चाहता हूँ कि वह उन पर भी लागू होना चाहिए।

यहाँ तक इस विवेक में संशोधन करने का प्रश्न है, हम लोगों ने अपने अपने संशोधन भेजे हैं और मैं उम्मीद करता हूँ कि जिस संशोधन के बारे में मवरनेट समझे कि इससे मजदूरों, समाज और देश का कल्याण होगा, उस संशोधन को वह स्वीकार करेगी। मवरनेट खुद भी यह महसूस करती है कि इस विवेक में कुछ कमो रह गई है और आप ने देखा कि मिनिस्टर साहब ने खुद ४४ संशोधन भेजे हैं। मैं धन्य में निवेदन करना कि वह बात नहीं होनी चाहिए कि आप पहले ही वह तय कर लें कि जो कुछ आप कह रहे हैं, वह ठीक है, क्योंकि आप लोगों की तादाद ज्यादा है और अगर बैठने वालों की तादाद कम है, इसलिए उनकी सही बात को भी न माना जाये। हमें इस बात का ध्यान रखना चाहिए कि हम लोगों की स्थिति यहाँ पर कोई अपोजिट्स—दुश्मन—की तरह नहीं है। वह देश हम सब का है। आप भी इस देश के हैं और हम भी इस देश के हैं और हम दोनों इस देश का सुधार करना चाहते हैं और यहाँ के लोगों का स्तर ऊँचा उठाना चाहते हैं। इस अवस्था में वह उचित और आवश्यक है कि हमारी तरफ से जो भी सही बात कही जाये और आप समझें कि इससे देश का कल्याण होगा, जो आप जिद्द को छोड़ कर उस को स्वीकार करें। उसी से हमारा, आपका और इस देश का कल्याण होगा।

ठाकुर कृष्ण किशोर सिंह (मुजफ्फरपुर—उत्तर-पश्चिम) : समापति महोदय, कई वर्षों से इस बात की चर्चा चल रही थी कि हमारे सामने बहुत बड़े पैमाने पर मजदूरों के कानून संशोधन के रूप में आये। जब कमो यहाँ पर किसी मेबर कानून या उस के संशोधन का चिक्र आया, सब धन्य मंत्री की तरफ से

वह धन्यवादन दिया क्या कि वे इस कानून को इस ठेकन (बन) में ला रहे हैं, ठीक ठेकन में ला रहे हैं और ठीक ठेकन में ला रहे हैं इत्यादि, इत्यादि। उन्होंने वह भी कहा कि इस अवस्था में उन का जो भी उम्मीद है, वह सब इस में समाविष्ट होना। लेकिन इस विवेक को देख कर मैं अनुभव करता हूँ कि पहले सोचने के बाद पुष्टि मिलनी है। धन्य मंत्री ने कहा है कि हमने ठाँवों तक इस विषय का मुझे जो अनुभव हुआ है, उस के आधार पर मैं ने इस बिल को बना कर यहाँ पेश किया है। मैं नहीं जानता कि उन्होंने इस बारे में किस तरह का अनुभव प्राप्त किया है।

उन्होंने बर्कमैन (मजदूर) की डेप्रीजेशन (परिचाया) बदलने की ओरिष्ठ की है। मैं ने इन्डस्ट्रियल कमेटी (अनौपचारिक समिति) में भी उनसे कहा था कि आप ट्रिब्यूनल (न्यायाधिकरण) के ऐंवाइंट (पंचाट) को पहिए और अपने अफसरों को पढ़ने को कहिए। जो मजदूर इस में नहीं आते हैं, उन का इस में समावेश होना चाहिए। मैं नहीं जानता कि मंत्री महोदय ने या किसी अफसर ने मेरे नोट को देखा है या नहीं।

श्री आशिष बली : बहुत गौर के साथ।

ठाकुर कृष्ण किशोर सिंह : बाब एंड बार्ड स्टॉक (सुस्लानम) और पीयन (चपरासी) वगैरह उस में नहीं आते हैं। न वे रिक्स्ट मेबर (प्रवीण अधिकारी) में आते हैं और न अगस्टिफ मेबर (अधवीण अधिकारी) में—न डेप्युटी मेबर (आरीरिक अधिकारी) में शामिल किए जाते हैं और न कर्तैरिक स्टॉक (कमर्च कर्मचारी) में आते हैं। स्कूल में काम करने वाले टीचर्स (अध्यापक) को भी असाहिदा कर दिया गया है और डाक्टर को भी। बर्कमैन की जो डेप्रीजेशन भी नहीं है, उस में वे जोध नहीं आते हैं।

[ अन्तर मुक्त विधोरे विह ]

हृत्तर प्रश्न यह है कि धारक हंडस्ट्रियल डिस्पूट (औद्योगिक विवाद) क्यों बढ़े होते हैं ? रेकननीशन बाउंडेड-मुनिशन (कामिक संघ को मान्यता देना) के मामले को लेकर बहुत ज्यादा हंडस्ट्रियल डिस्पूट (औद्योगिक विवाद) बढ़े हो जाते हैं, लेकिन इस को दृष्टि में रख कर हंडस्ट्रियल डिस्पूट की रेकननीशन में कोई तरकीब करना मुनासिब नहीं समझा गया है । मैं समझता हूँ कि हंडस्ट्रियल डिस्पूट की बोधी में न रहने पर भी बहुत जगह स्ट्राइक (हड़ताल) होती है । डालमिया नगर बहुत बड़ा फनरन (समाचार) है । वहाँ सिर्फ रेकननीशन की बजह से ही हड़ताल का नोटिस दिया गया और धारक में पंचायतें बने रह गईं । धातु स्थिति यह है कि मिल मालिकों की तरफ से धनकेसर मेबर प्रेसिडेंट (बमिकों सम्मन्धी अनुचित व्यवहार) होती है, बजहुरों के साथ इस-ट्रीटमेंट (बुरा व्यवहार) होता है, गाली गलौष होती है, एसाल्ट (प्रहार) होते हैं और उन के बारे में धातु कहते हैं कि कोर्ट में जाओ, मुकदमा करो, क्रिमिनल प्रोसीडिग (वाणिज्यक धमियोग) करो । सरकार को वह महसूस करना चाहिए कि बजहुर सिर्फ पैसे के लिए नहीं मरता है—उस को प्रतिष्ठा भी चाहिए और सद् व्यवहार भी चाहिए । धनर मिल मालिक की तरफ से उस के साथ इस-ट्रीटमेंट होता है, दुर्व्यवहार होता है, तो वह भी हंडस्ट्रियल डिस्पूट का एक बड़ा कारण होना चाहिए । मिल-मालिकों की इस तरह की हरकतों से बहुत बड़े डिस्पूट बढ़े ही जाते हैं । मैं समझता हूँ कि सरकार को इस बात का नोटिस देना चाहिए और ऐसी व्यवस्था करनी चाहिए कि कोई भी मिल-मालिक या मैनेजर या एडमिनिस्ट्रेटिव ऑफिसर (प्रशासी पदाधिकारी) इस तरह की हरकत न करे, जिस के कारण इस प्रकार की घटाना उत्पन्न हो जाये—बाहे वह हंडस्ट्रियल घटाना न हो, लेकिन एक हड़ती तरह की घटाना तो हम कार्यों से हो ही जाती है ।

इस विषय में कम मंत्री ने यह भी कहा कि हंडस्ट्रियल नीत (औद्योगिक धमिति) के लिये वे यह कानून बनाना चाहते हैं । मैं समझता हूँ कि धनर यह बात हंडस्ट्रियल विनिस्टर (उद्योग मंत्री) की तरफ से कही जाती, तो ज्यादा बोधा की बात होती । मैं तो यह सोचता था कि वे कम मंत्री हैं और बमिकों के हितों की रक्षा का उत्तरदायित्व उन के ऊपर है । उन को इस बात का ध्यान रखना है कि बमिक बेकार न होने पायें, उन का बीकन-स्तर ठंढा हो, उन को और सुविधाये दी जायें और जो सुविधाये उन को इस समय उपलब्ध हैं, उन पर किसी प्रकार का कुठाराघात न हो । इन बातों की दृष्टि में रख कर वे कोई कानून हमारे सामने लाते, तो हम को प्रसन्नता होती । लेकिन मैं तो यह अनुभव करता हूँ कि जो हक बमिकों को दिया गया था, वह भी इस कानून के जरिये खत्म हो रहा है । सेक्शन ३३ में जो भी हक उन को मिला हुआ है, धातु वह इस कानून के जरिये प्रायः हो रहा है । मैं समझता हूँ कि कम मंत्री का जो पद है, उस की प्रतिष्ठा के लायक धायद इस तरह की बातें नहीं हैं । उन को तो बमिकों के हितों का रक्षक होना चाहिए, न कि उन के हकों को छीनना चाहिए ।

धातु राष्ट्र के नाम पर बजहुरों से बलिदान करने के लिए कहा गया है । लेकिन प्रश्न यह है कि राष्ट्र किस के लिए है ? क्या वह उन बूट्टी मर लोगों के लिए है, जो नीक उड़ा रहे हैं ? मैं समझता हूँ कि वह राष्ट्र बजहुरों का है और बजहुरों के लिए है । धनर बजहुर नहीं रहेंगे—धनर उन के हक उनकी प्रतिष्ठा, उनकी रोखी और उन की नीकरी नहीं रहेगी, तो फिर वह राष्ट्र खेवा किस के लिये ? इस लिए मैं चाहता हूँ कि सरकार की तरफ से ऐसा कानून बने कि किसी मालिक को किसी को बिलमिन्न करने का—

बर्खास्त करने का—हक न हो। कोई ऐसी व्यवस्था की जाती कि अगर किसी समय वह समझा जावे कि कोई मजदूर किसी काम के लायक नहीं है, तो उस को किसी दूसरे काम पर तबाना जावे या उसके लिए कोई दूसरा उपाय बूँदा जावे, किसी की विवधिस (पदच्युत) करने की बात क्यों की जाती है? क्या हम यह महसूस नहीं करते कि वह सजा तो मजदूर के लिए गरम के बराबर है? जिस तरह डेपिटस पनिसमेंट (मृत्यु दंड) है। (जिसको कि प्रायः समाप्त किया जा रहा है), उसी तरह यह बर्खास्त करना है और उस को भी समाप्त कर दिया जाना चाहिए। सरकार को या किसी मित-यासिक को किसी व्यक्ति को भूसा मारने का हक नहीं होना चाहिए। हम ने कांस्टीच्युशन (संविधान) में लोगों को राइट टु वर्क की गारंटी दी, लेकिन प्रायः हम एम्पलायमेंट को राइट टु डिस्मिस दे रहे हैं और उस पर कानूनी मोहर लग रहे हैं। हमारे जम मंत्री को देखना चाहिए कि इस तरह की बात न हो।

जहां तक स्ट्राइक (हड़ताल) और लाक-आउट (ताला बन्दो) का सम्बन्ध है, मैं यह कहना चाहता हूँ कि लाक-आउट की डेफ़िनीशन में यह बताया गया है कि :

“Lock-out means the closing of a place of employment, or the suspension of work, or the refusal by an employer to continue to employ any number of persons employed by him.”

एक तरह तो प्रायः ने एक लेक्चन से स्ट्राइक और लाक-आउट को एक बगल रख दिया है और ऐसा मालूम होता है कि सरकार एम्पलायर और एम्पलाई की एक ही नजर से देख रही है, लेकिन दूसरी तरह प्रायः मित-यासिक को लाक-आउट करने का अधिकार दे रहे हैं, उस को विवधिस करने का अधिकार दे रहे हैं, जो कि कानून के मुताबिक नहीं दिया जाना चाहिए। मैं समझता हूँ कि बिज-

नेस पर प्रायः स्ट्राइक को रखते, उसी तरह लाक-आउट को रखते और अगर प्रायः देखा करते तो बिज-यासिक को विवधिस करने का अधिकार हरमिस नहीं होना चाहिए।

प्रायः चाहते हैं कि कानसिलिएशन प्रोसी-डिच (समझौते की का रीति) के दरमियान किसी तरह का विवधिस न हो या चैच थाड विवधिस न हो, लेकिन कानसिलिएशन प्रोसीडिच (समझौते का कार्यवाही) की डेफ़िनीशन (परिभाषा) को प्रायः ने बदलने की कोशिस नहीं की। प्रायः ने बताया है कि पब्लिक यूटिलिटी सर्विसिज (सार्वजनिक सेवा की सेवाएं) के बारे में कानसिलिएशन प्रोसी-डिच कब शुरू समझी जावेगी और कब कलम समझी जावेगी, लेकिन जो पब्लिक यूटिलिटी सर्विसिज नहीं हैं, उन के बारे में नहीं बताया गया है कि कानसिलिएशन प्रोसीडिच कब शुरू होती है और कब कलम होती है।

इसके अलावा एम्पलाई को और ट्रेड यूनियन को यह भी खबर होनी चाहिये कि कंसिलियेशन प्राक्सिस कब अपनी रिपोर्ट (प्रतिवेदन) भेजते हैं ताकि उनको मालूम हो सके कि मामला कलम हो गया। इस रिपोर्ट (प्रतिवेदन) के लिये कोई समय निश्चित कर दिया जाना चाहिये, नहीं तो इसका कोई फल नहीं रहेगा। १९५७ के पहले जबकि डिफ़ेंस थाफ इंडिया एक्ट (भारत रक्षा-संचिनियम) लागू था तो एडजुकेशन (शाला निर्माण) के एवाड (पंचाट) के लिय समय निश्चित था लेकिन अब ज्यों ज्यों प्रायः “एक्स्पि-डीसलसी” (बीघटा से) कलम का प्रयोग करते जाते हैं त्यों त्यों ज्यादा समय लगता जाता है। प्रायः को यह खबराना चाहिये कि इस “एक्स्पिडीसलसी” कलम का फल क्या है। यदि इस समय को प्रायः एक साल भी निश्चित कर दे तो हर्ब एतराब न होना लेकिन कुछ समय तो निश्चित डीकिवे। अभी तो आई और तीन साल तक का समय लग जाऊ है।

[ ठाकुर नृपल फिरोर सिंह ]

दूसरी बात मैं यह कहना चाहता हूँ कि हमारा मेबर (मैम्बर) एक बहुत बड़बोरो पार्टनर (साझेदार) है। अगर किसी बन्नी के बन की बोखे हो जाती हैं तो उसे आप कानिबेबिल धाफेंस (इन्सुरेंस कवराज) मानते हैं और उस मामले की वैसी पब्लिक प्रोसीक्यूटर (सरकारी अधिवक्ता) करता है। लेकिन जब मजदूरों का बोख होला है तो उनको आप बन्नी की सहायता नहीं देते। आप उनको धकेला छोड़ देते हैं कि वे कैन्सिडियेशन धाफेंस (समझौता पदाधिकारी) के सामने जायें, ट्राइबुनल (न्यायाधिकरण) के सामने जायें, सरकार को दरखास्त दें। मेरा सुझाव है कि यदि कोई एम्प्लायर धाफेंस कानून के विरुद्ध कार्य करे तो उसकी भी कानिबेबिल धाफेंस (इन्सुरेंस कवराज) माना जाये और उस मामले में सरकार मजदूर को सहायता दे अगर बन्नी रखने की बरत हो तो उसके लिये सरकार अपनी तरफ से बन्नी भी रखे। अगर सरकार ऐसा करेगी तो उसे मजदूरों का पूरा पूरा सहयोग मिलेगा।

इसमें आपने बन्नी की उम्र ६५ साल रखी है। मैं बदन से कहना चाहता हूँ कि यह उम्र बहुत ज्यादा है। मेरा सुझाव है कि अधिक उम्र वाले जब लोग घरायश में तो जाते हैं, बेर से जाते हैं, केवल बंटा दो बंटा काम करते हैं, कभी उनके पेट में दर्द होता है और कभी कुछ होता है और जो काम दो दिन में खत्म हो सकता है उसको पूरा करने में उनको १८ या २० दिन तक समय जाते हैं। इसलिये मैं बदन से निवेदन करना चाहता हूँ कि ५५ वर्ष से नीचे उम्र वालों को आप रखें। ६५ वर्ष वाले मिनिस्टरी का काम कर सकते हैं लेकिन उनसे जब का काम नहीं लिया जा सकता।

जब आपने अपने ऊपर बहुत बड़ी ज़माने डेरी से की है। वर्कगेंट ही जब बहुत बड़ी एम्प्लायर होती और वह जब भी होती। वह ज़माने की बात नहीं मालूम होती। जो आप जब रखते हैं आपको उन पर विचार होना चाहिये और उनका फैसला माना होना चाहिये। लेकिन आपने इसमें बहुत बड़ी रखा है कि आप उनके फैसले को बाकी नहीं (संशोधित) भी कर सकते हैं। ऐसा करने से बड़ी मजबूती हो सकती है बन्नी कि बन्नी के मामले में हो चुकी है। इसके कारण हम एक अच्छे मिनिस्टर को जो चुके हैं। वरुण जो मिनिस्टर साहब उनकी बहुत धाये हैं वे भी काबिल हैं, लेकिन इस प्रोवीजन (उपबंध) के रखने से मजबूती हो सकती है और इससे मजदूरों का सरकार में विचार भी कम हो जायेगा। इसलिये मैं चाहता हूँ कि एवार्ड को बदलने की जिम्मेदारी सरकार अपने हाथ में न ले बल्कि इसको ट्राइबुनल (न्यायाधिकरण) के हाथ में ही रखें। और उसके जो फैसले हों उनको माना जाय।

श्री बाबिल बन्नी : भाव सुनह से इस बिल पर बर्बा हो रही है। उस तरफ से जो बातें कही गई हैं उनको सुनकर मेरा यह ज्ञान होता है कि जो बीजे इस बिल में रखी गई हैं उनके विरोध भी बहुत मुंदाइस नहीं है।

आखिरी माननीय सदस्यों ने जो चीजें कही हैं मैं पहले उनका जबाब देना चाहता हूँ। उन्होंने कहा कि ६५ वर्ष की उम्र रखी गई है। आपको मालूम है कि अभी तक इंडस्ट्रियल डिस्प्यूट एक्ट (औद्योगिक विवाद अधिनियम) में उम्र की कोई कैद नहीं थी। उत्तर या खसरी साब का प्रावधान भी रखा जा सकता था। अब हमने ६५ साल की उम्र रखी है।

वहाँ तक सोने का सवाल है, वहाँ पर पार्लियामेंट के सदस्य भी सो जाते हैं।

*Shri Venkataraman (Tanjore):* But they do not decide cases.

श्री जवाहर लाली : वे भी देश के बारे में सब कुछ फैसला करते हैं। जबान भाषणी भी कभी सो सकते हैं। लेकिन मैं यह मानता हूँ कि जो बीमार हों उनको इस काम पर नहीं लगाया जाना चाहिये। जिनकी सेहत अच्छी हो उनको ही रखना चाहिये। इसमें कोई बहस की गुंजाइश नहीं है।

जहाँ तक बकीलों का सवाल है, जब तक दोनों पार्टीज राजी नहीं होती वहाँ बकील जा ही नहीं सकता। जहाँ तक दूसरे कोर्ट, जैसे हाईकोर्ट या सुप्रीम कोर्ट, का सवाल है जब बकरी मामल हुआ हमने बकील रखे हैं वे मजदूरों की मदद करते हैं। जो कार्यवाही इम्प्लीमेंटेशन के बारे में की जाती है उसमें हम अपने बकील रखते हैं। उसमें मजदूरों को बकील रखने का कोई सवाल ही पैदा नहीं होता।

*Shri A. K. Gopalan:* Among those who are present now, I was looking into the point whether there was anybody who did not know English. I find that everybody here knows English and we can all follow English. Is it not, therefore, better that at least now they Deputy Minister speaks in English? In fact he can also speak English well.

*Mr. Chairman:* It is left to the individual Member to choose the language in which he should speak. I cannot force any hon. Member to speak in a language which is different from the language in which he has chosen to speak. So, it is now left to the Deputy Minister to choose the language in which he should speak.

श्री जवाहर लाली : मेरे दोस्त गोपालन साहब तो बहुत अच्छी हिन्दी बोलते हैं और बड़े बड़े वक्ताओं में हिन्दी में बकरीयें करते हैं। जो मैं बोल रहा हूँ उसे वे अच्छी तरह

समझ लेंगे और फिर हमको चाहिए कि हिन्दी समझने की भाषा भी ही बननी चाहिये। व तो जनता के प्रतिनिधि हैं और जनता के नजदीक जाना चाहते हैं। उनको इस तरह बरा तेजी से काम उठाना चाहिये।

तो मेरी जर्ज यह है कि हमने कंजिडिक्शन प्रीसीडिन्स (समझीये की कर्मचारी) कुछ धीरे-धीरे होने के बारे में कन्स निर्दिष्ट कर दिया है। अगर इस बारे में कोई कमी यह नहीं है तो उसको भी हम दूर कर देंगे ताकि उसके बाद जो कठिनाई मानवीय व्यवस्था में बरामदी है वह न रहे जाये।

यूनिवर्स (संघ) के बारे में भाषने करमाया कि उनके रिक्लमनीशन की भाष उम्मीद करते थे और भाषने पंचसाला बोक्क के बारे में भी जिक्र किया। पंचसाला बोक्क में मजदूरों के लिये क्या चीजें होनी चाहिये वह जो एक असल बात है। इस विस का भी उद्देश्य यही है कि जो चीजें वहाँ पर निर्दिष्ट की गई हैं वह जल्दी घमल में आ सकें। उद्योग में तरक्की और शान्ति होनी चाहिये, मजदूरों में उत्साह होना चाहिये और जहाँ तक हो सके लगवें होने ही न चाहियें, और अगर हो भी जायें भी भाष में उनका फैसला हो जाना चाहिये, या पंचायत से फैसला हो जाय। अगर पंचायत में भी यह फैसला न हो सके तब मामला अदालत में जाये। इन सब बातों को सामने रख कर यह विस पेश किया गया है और जो कामदे बनें उनमें भी इस बात का ध्यान रखा जायेगा कि मामले का जल्द फैसला हो।

बास्की भी ने करमाया और ठाकुर साहब ने भी करमाया कि मामलों के फैसले होने में दो दो और तीन तीन साल लग जाते हैं। जहाँ तक लैट्रल जर्जल ट्राइब्यूनल का जालूक है हम खुद उसके पीछे पड़े रहते हैं और करीब २२ जब मुकदर कर दिये थे। १९३५ की एक भी जर्जल बाकी नहीं रही है बिना

[श्री शशिधर जलो]

उनके बिलके बारे में हाई कोर्ट का सुप्रीम कोर्ट का आर्डर है। जो तीन साल की बात तो अब रही ही नहीं क्योंकि अब तो धीमी का मतलब ही नहीं रहेगा।

एप्लेट ट्राइब्यूनल (अपीलीय न्यायाधिकरण) न चाहने की एक बात बतह रही थी कि उद्योग सम्मन्धी केसेज के फैसले तो एक ही साल के लिये लागू रहते हैं और उसके बाद दोनों पार्टीज को हक रहता है कि नोटिस दें और तरीके बदलें तो उसके लिये एप्लेट ट्राइब्यूनल बगैरह की पुंजाइस नहीं रहती है। डेर लगने की अब बिलकुल सम्भावना नहीं रहेगी।

सेक्शन ३३ के बारे में मैं समझता हूँ कि दिमानों में कुछ गलतफहमी है। बहुजो बिल आपके सामने पेश है इसमें एम्पायर (नियोजक) को यह इजाजत हासिल नहीं है कि वे किसी वर्कर को डिस्मिस (पदच्युत) कर सकें बल्कि इस बिल के द्वारा उनको पहले से ज्यादा प्रोटेक्शन (संरक्षण) मिल रहा है। धनमय यह बताता है कि सेक्शन ३३ और ३३ ए के होते हुए भी बहुत से वर्कर्स हटा दिये जाते थे। अगर कोई मेम्बर साहब यह समझते हों कि सेक्शन ३३ के होने के कारण वर्कर्स नहीं हटाये जाते थे तो मैं बहुत नम्रता से निवेदन करना कि उनका ऐसा समझना गलत है। हम उनको मदद करते ही रहते हैं जहाँ जहाँ मदद करना जरूरी होता है। श्री सारंग ने धमी करमत्ता कि अगर वर्कर्स का कोर्ट के सामने जाने का आटोमेटिक (स्वतः ही) हक हो तो सेक्शन ३३ ए० को हटाने के विरोध की पुंजाइस नहीं रहती। जहाँ कहीं केसेज पोंडन हों और अगर वर्कर्स को हटाया जाय तो वर्कर्स को यह अधिकार है कि वह कबैर हमारे पास जाने हुए ट्राइब्यूनल के पास जाये और वह ट्राइब्यूनल बड़े बड़े केसेज में और जो छोटे छोटे केसेज हैं उन के लिये कोर्ट की मार्फत हम यह चाहेंगे और ऐसी कोशिश करेंगे कि जो महीने के अगर वह केसेज फैसल हो जाय। किसी साहब

ने इस के बारे में यह करमत्ता कि किन विवाद कर देना चाहिये। महीने का कन्ट्रिब्यूशन निवृत्त कर दें तो मैं उन से पूछना चाहूँगा कि अगर उस विवाद के अगर फैसल फैसल नहीं हुआ तो क्या होगा? कर्ब कर लीजिये कि एक वर्कर को डिस्मिस कर दिया जाय है और आप जो महीने का ट्राइब्यूनल के फैसल का फैसला हो जाने के लिये मुकदमा कर देते हैं और वह उस विवाद के अगर फैसले नहीं होता है तो उस का क्या बनेगा? क्या वह हमेशा के लिये हटा दिया जायगा?

ठाकुर वृन्त किशोर सिंह : एक्सटेन्शन (समय बढ़ाने) का एक्ट (अधिकार) दे दीजिये।

श्री शशिधर जलो : इसीलिये तो हम कोई इस तरह की मियाज नहीं रख रहे हैं। अभी तक वर्कर्स को अगर हटा दिया जाय तो उन को एक भी पैसा नहीं मिलता था। हम इस तरह का कानून बना रहे हैं ताकि एक वर्कर जिस को कि जनवरी की तनखाह मिल चुकी है और करबरी में हटाय़ा गया है तो उस को करबरी का भी पैसा मिलना चाहिये। करबरी के महीने में अगर वह हटाय़ा गया है तो मार्च या अप्रैल में उस का फैसला हो जाना चाहिये। आज हालत यह थी कि वर्कर्स को हटाते हैं तो उन को पैसा नहीं मिलता है। और अगर इस बदली पर और किया जाये तो मैं समझता हूँ कि मेम्बर साहबान इस तरीके पर पहुँचेंगे कि जो हालत आज वर्कर्स की है उस को हम इस तरह के काबरे कानून बना कर के कुछ बेहतर ही बनाने की कोशिश कर रहे हैं।

ठाकुर वृन्त किशोर सिंह : दो, दो और तीन-तीन महीने तक के वर्कर्स सस्पेंड (निलम्बित) रहते हैं।

श्री शशिधर जलो : ठीक करता है और वह उन की और बेरी जानकारी में है कि ऐसे भी वर्कर्स हैं जो कि तीन तीन साल से सस्पेंड पड़े हुए हैं इस से कोई इन्कार नहीं कर सकता है। अब हम इस तरह के काबरे और



कामूब बना कर के इस बात की कोशिश कर रहे हैं कि ऐसी चीजें और बाइसाइडी वर्कर्स के साथ न हों ।

बी बोरोलन से अपनी स्पीच में रैकमनीशन बाय यूनियन की बाबत बहुत कुछ कहा और कुछ दूसरे मामलों ने भी इस की तरफ इशारा किया । बी० जार्ड० जार० के अनुसार ११ परसेंट मेम्बर हो बाय किसी यूनियन में तो उस का रैकमनीशन का हक हो जाता है लेकिन फर्ज कर लीजिये कि दो यूनियन हैं, एक में ११ हैं और दूसरा में १७ हैं जबवा २२ हैं तो जिस में ज्यादा मेम्बर होने उस को रैकमनीशन (माफ्यता) का हक हो जायेगा । ८१ परसेन्ट को कम्पलशन (माफ्यता) नहीं है कि वह उस यूनियन को माने अगर उन को एक किस की बाबत ही जाती है कि वो रैकमनाइज है उस यूनियन में सब शामिल हो जायें । उस यूनियन के शामिल किएरें भी बने यूनियन में शामिल हो जायें और उस पर कब्जा कर में और अपने मन के मुताबिक यूनियन को बनायें इस हासत में डिफायर की मुंजाइज कही रह जाती है । लेकिन उनकी यह भाव कि यूनियन को जिस हाल में भी हो मान मो कुछ मंजरी नहीं है । उन्होंने ने प्रीबिसाइट (जनमत संग्रह) के लिये जो कहा तो यू० पी० की यूगर इंडस्ट्री का प्रीबिसाइट का समुदाय बाइ धा गया । जार्ड० एन० टी० यू० सी० के खिलाफ सब के सब मिल गये । उस समय सिव्जन साल भी ने मुक्त हड़ताल की हुई थी जब कि वोट डल रहे थे और वह वोट सिव्जन साल भी को जिन्दा रखने के लिये पड़े क्योंकि लोग वह नहीं चाहते थे कि वे मर जायें और असल बात तो यह है कि कोई भी इंसान वह नहीं चाहता कि कोई बक्स इस तरह मर जाय उस वोट ने सिव्जन साल भी की मान बचा भी लेकिन बाद में हम ने देखा कि जिन लोगों ने वहाँ एक साथ मिल कर वोट लिये थे जब उन के कमेटी में रखने वाले सदस्य के नामों की लिस्ट देने की कहा गया तो वे एक लिस्ट नहीं दे सके और वह एक साल दो साल तक

किस साथ तक नहीं दे सके । इस तरह हम ने देखा कि वे लोग भी इस चीजे पर एक साथ मिल गये थे साथ नहीं रहे इस से कही नहीं जा सकता है कि इस तरह भी चीजें एक कभी बरकरार हो सकने रह कर के बरकरार कर के एक में मिल जाते हैं और वास्तव में उन के एक साथ मिलने का कोई मकसद नहीं रहता है इसलिये वर्कर्स को यह दृष्टि हक से देना चाहिये .....

Shri A. K. Gopalan : By election the Government also changes.

बी जार्जिज जमी : कंसलेशन तक वर्कर्स के साथ करती है और उस के बाजार पर दूसरे पांच साल के लिये एमेकन होता है और लोग वर्कर्स के पिछले कंसलेशन के कार्यों को देख कर बोट डेते हैं और फिर को यह चुनते हैं वह पांच साल के लिये वर्कर्स को बनाते हैं । अब अगर आप काफ़े से एक साल के लिये रैकमनीशन देना चाहते हैं तो मुझे उस में बहुत संशय है । बम्बई में और दूसरी जगहों पर जो एक तरह का एक्सीटीमेंट (प्रयोग) हो रहा है उस से आप लोगों को डिफायर है—

बी ज० क० मोरालस : बम्बई का एक्सीटीमेंट (प्रयोग) बहुत बुराव है और अच्छा नहीं है .....

An Hon Member: This is a black Act.

बी जार्जिज जमी : यूनियन वाले काफ़े को ब्लैक एक्ट कहा गया । उस की ब्लैक हाल में बाज दिया गया है जब उस को मुक्त बाइये । मैं समझता हूँ कि इस दिन की जिन्होंने ब्लैक बिल कहा है उन्होंने मुझे से ऐसा कहा है और लोग उसका कर नहीं कहा है क्योंकि बुवह से ले कर इस बिल तक चितने सदस्यों ने इस पर तकरीरें की हैं जब वे इस की टापीक की है और कहा है कि इस में बहुत सी अच्छी बातें हैं । अब हो सकता है कि इस में एक साथ खानी रह गई हो और वह सामाजिक है ही कि जो हवारे सामने मेम्बर साहबान बैठे हुए हैं उन का ध्यान बाइतौर पर एक साथ कभी

[श्री धाविर बली]

की धीर बाये धीर विरोध करने की दृष्टि से ही मैं समझता हूँ कि उन्होंने इस बीच की क्या है।

वहाँ एक मजदूरों के काम का सवाल है वह बीच स्पष्ट है कि मजदूर मेहनत से काम करें ताकि राष्ट्र मजबूत हो धीर उन्नत हो धीर साक्षी वह बीच भी मान ली गई है कि मजदूरों को उन की मेहनत का उचित मेहनताना मिले धीर मैं समझता हूँ कि हर वर्कर जब वह बात समझ बना है कि वह जो काम करता है वह किसी बात बर्ग या लोगों के लिये नहीं करता है बल्कि वह राष्ट्र के हित में काम करता है धीर वह वह भी समझता है कि जब राष्ट्र उन्नति करेगा तो उस का धाविर हक उस को पूरा पूरा मिलने वाला है।

मेरी बहन श्रीमती रेणु चक्रवर्ती ने पितरंजन का जिक्र किया। मैं स्वयमपितरंजन गया था धीर मैं ने बहुत से वर्कर्स से इस यूनियन के सम्बन्ध में बातचीत की धीर मैं बतलाऊँ कि वर्कर्स से मैंने उस यूनियन की बाबत पूछा लेकिन केवल एक ने बतसाया कि हाँ सुनते तो हैं कि कोई ऐसी यूनियन वहाँ पर है। मैं ने उस से पूछा कि क्या तुम उस यूनियन के मेम्बर हो तो उस ने कहा कि मैं मेम्बर नहीं हूँ। कहने का मतलब यह है कि वहाँ पर लोगों को बिल्कुल इस बात का पता ही नहीं है कि वहाँ पर कोई यूनियन है धीर वास्तव में वह नहीं के बराबर है धीर अगर कोई सफ़्त डेढ़ ईट की अपनी मस्जिद बना ले धीर उस में नमाज पढ़े तो उस की खुशी है। वर्कर्स जानते हैं कि कांस्टीट्यूशन (संविधान) के सिद्धान्त से उन को यूनियन बनाने का हक है धीर धाविर देश में किसी धाविराटी की वह मजाल नहीं है कि सिर्फ यूनियन में काम करने की वजह से किसी भी वर्कर को हटा सके। वह बात सुनती है कि कोई धाविरा करे इन्डिस्ट्रियल (छान्नाछान) वर्कर्स, लेकिन यूनियन में काम करने की वजह से किसी भी वर्कर को

कोई भी हानि नहीं लगा सकता, वह बीच वर्कर्स एक अच्छी तरह पहुँच गई है धीर वे यूनियन बनाने का हक पूरा अच्छी तरह समझते हैं। . . . .

Shri A. K. Gopalan : Why do not we try to take the opinion of the workers ?

श्री धाविर बली : हम चाहते हैं कि वर्कर्स सही ठीर से यूनियन बनायें धीर उन के द्वारा अपनी धाविरा रखें धीर जो यूनियन वे बनावे वे मजबूत हो धीर हम उन को सही साइंस पर प्रोत्साहित (श्रीकृष्ण वर कार्य करने) की तरफ इशारा कर रहे हैं। धीर जिस तरीके से धाविराबाद, जमशेदपुर धीर इंदौर कबैरु में हो रहा है उसी तरीके से वे अपनी यूनियन को अपनावे धीर अपने को मजबूत धीर संकलित करें धीर अहाँ बकरत हो वहाँ टक्कर भी ले में।

वहाँ पर कामका धीर बड़गपुर का भी कुछ जिक्र किया गया है। मैं समझता हूँ कि अगर वह किया जाता तो ज्यादा अच्छा होता। जो भी वहाँ पर हुआ उस में मैं समझता हूँ कि कोई भी ट्रेड यूनियन वाला सहमत नहीं होना धीर वह रास्ता देख धीर स्वयं वर्कर्स के हित में नहीं था। एक बार वर्कर्स की कोई डिमांड अगर कहीं पर पूछी होने से रहे भी गई हो तो भी किसी को मारने का हक नहीं है।

जब हिन्दुस्तान में सब हिन्दुस्तानी रहते हैं, एंजिन ड्राइवर हिन्दुस्तानी, एंजिन का धाविराइन हिन्दुस्तानी, मार्ब हिन्दुस्तानी, पैरेमेयर हिन्दुस्तानी, मालिक हिन्दुस्तानी, सब किसी ट्रेड का पिछना था किसी को मारना कैसे उचित हो सकता है ? अगर कहीं बोर्डे बहुत लोग भी इस जगह के बाकी हैं तो जो हमारे माई यपोजीवन में बैठे हुये हैं उनका भी कर्तव्य है कि वह लोगों को समझावे कि वे बीच देखें मैं नहीं होनी चाहिये। या रहा है सन् १९३७, हटा

बीजिये हमको धनर इनको मोम बोट हैं तो, इसके बारे में कोई हवाब धाफका खबरा नहीं, लेकिन धनर धाप हटा नहीं सकने तो पत्थर धीर साठी बरवाने की मेहरबानी तो न कीजिये। धनर इतनी बात समझ भी बाब तो ज्यादा धब्बा होना कि पत्थरों धीर बाजियों से बचनमेंट को धाप नहीं हटा सकने।

वहाँ तक ऐडजुडिकेशन (न्याय निर्णय) के लिये भी टायर का सम्बन्ध है, स्टैंडिंग बाइसें धीर छोटे केसेज होने वह जायेंगे एक बात साम के अनुमती जब के पास, जो उससे बड़े होने वह जायेंगे इंडस्ट्रियल ट्राइब्यूनल के सामने धीर जो बहुत ही महत्व के केसेज हैं वह जायेंगे नेशनल ट्राइब्यूनल के सामने। सामर विवाकपटनय के माननीय सदस्य ने कहा बा कि धपील के प्रलन धसन तरीके इस सम्बन्ध में रहने दिये मये हैं। जैसा, बमामि भी, धाफने फरमाया बा, जैसा महत्व के केसेज होते हैं वैसे वह सुप्रीम कोर्ट (उच्चतम न्यायालय) हाई कोर्ट (उच्च न्यायालय) तैसन जब (सत्र न्यायालय) धीर मैजिस्ट्रेट के पास बाते हैं, उसी प्रकार से यहाँ भी होगा, इसमें धपील की कोई गुंजाइश नहीं रहती है।

जो दो साम. के अनुमती जब को ट्राइब्यूनल में रखने की बात है उसमें ह्वाय उद्देश्य वह बा कि हम उनके अनुमय का साम भी ज्ञेय धीर जो दो साम से ज्यादा काम कर चुके हैं उनको इस कामदे के पास होने के बाद वह कह देना कि तुम धर धले बाधो, उनको रिट्रैब कर देना, हमको धब्बा नहीं लगा, वह एक धनुचित बात होगी इसलिये हमको उनके अनुमय का साम भी लेना है धीर उनको काम भी देना है। इसलिये हम उनको रख रहे हैं, वे मोम बोड़े बोड़े दिनों के बाद बाते रहने धीर हाई कोर्ट के जजेय बा रिटाचर्ड जजेय ही रहने।

बर्कसे (निर्धारक) के बारे में मैं यह कहना चाहता हूँ कि यह बात खुद बर्कसे की तरफ से उठी थी कि कुछ बर्कसर हो जायेंगे, दूसरे कोर्ट के सामने केसेज बसाम धीर तीसरे ट्रेड यूनियन फील्ड (धमिक संघ क्षेत्र) में काम करें, हो सकता है कि मजदूरों के बरमान इतने बहुत कठिन धीर अनुम की मोम न हों, बाज के ऐतराय को ध्यान में धाने के बाद यह होना चाहिये कि वहाँ जहाँ बहुत बकरत हो वहाँ यह रले जायें।

भी बेंकटारमन ने कम्प्लेन्स क्लारेब के बारे में फरमाया बा, वह ऐक्ट में है ही धीर इंटरप्रेसन (व्याख्या) में बा बाते हैं। वहाँ तक उन्होंने इलाहाबाद हाई कोर्ट बचमेंट का जिक्र किया, मैं यकीन दिताता हूँ कि वहाँ पर जो कायदा पास होता है, उसको धमत में धाना हो चाहिये। धनर किसी बात बबह से ऐसी प्रलत रूतिग हो गई तो उससे हक नहीं मिलेगा कि वह उस पर कार्रवाई करे। ऐक्ट में कोई कमी बाकी है तो हम बत्ती से बत्ती उसको निकाल दें। इसमें कोई दो धय नहीं हो सकती है।

इम्प्लिमेंटेशन (कार्यान्विति) के बारे में भी मैं धर्ज कर हूँ। हम खुद इस बात की कोशिस कर रहे हैं कि हमारी मैजिनीरी (तन्त्र) पूरे तरीके से काम करे। हम बकसर बड़ा रहे हैं धीर इस बात की कोशिस हो रही है कि वहाँ कोई ऐबाई (पंचाट) धाना कि बत्ती से उसका पूरा इम्प्लिमेंटेशन (कार्यान्विति) हों क्योंकि ऐबाई (पंचाट) के बारे से बर्कसे की जो कुछ दिया गया है, वह धीरन उसके हाथ में धाना ही चाहिये। इसके लिये हम खुद बड़े धातुर धीर उत्तुब हैं, यह मैं यकीन दिताता चाहता हूँ।

धाय जिक्र धाना बा कि धनर कहीं बर्कर को हटा दिया जाय तो उसको कम्प्लेन्सन न मिलेगा। ऐक्टिंग बिल में सेक्शन २२ में

[श्री बाबिर बली]

जिना है कि बाब को व्यवहार है कि वह जो चाहे रितीत (व्यवस्था) दे सकता है। वह वर्कर को रिहन्डेटमेंट (पुनर्निर्माण) कर सकता है और एम्प्लोयर्स (रोजगारी) के वीरिब (काम) का बेतन दे सकता है। इसके अलावा वह जो भी चाहे कम्पेन्सेशन (अतिपुति) वर्कर को दे सकता है।

श्री बंसल ने कॉन्फिडेंसल क्लर्क (गुप्त काम सम्बन्धी क्लर्क) और बाबरीन के बारे में जिक्र किया था कि उनको भी हक होना चाहिये यूनियन बनाने का। जहाँ तक हमारे कायदे का सवाल है, उसमें, मैं शर्त करूँ, बाबरीन और कॉन्फिडेंसल क्लर्क को हक है कि वह अपनी यूनियन बनाये, लेकिन मैं उनसे भी शर्त करूँगा कि बाब एन्ड बाई और कॉन्फिडेंसल डेस्कन्स के जो लोग हैं उन के साथ एम्प्लायर का इतना सम्बन्ध व्यवहार हो कि उनको ट्रेड यूनियन में जाने की जरूरत न पड़े। यह बीच कुछ मुश्किल भी नहीं है।

स्ट्रेट मेबर के बारे में भी मैं शर्त करूँ। इस अर्ग्युमेंट (संशोधन विवेक) में और पहले भी ऐक्ट के निहाय से एम्प्लायर और एम्प्लायीज दोनों के रिक्वेन्स का जिक्र आता है। श्री स्ट्रेट के एम्प्लायीज हैं वह वर्कर्स और एम्प्लायीज में आ जाते हैं। उनको भी ऐडजुस्टमेंट का हक मिला हुआ है। दूसरे को हक है उनमें भी वह भोग आते ही हैं, इसलिये कहीं भी कोई दिक्कत मान्य नहीं होती।

ट्रेड यूनियन (अधिक संघ) की मेम्बरशिप (सदस्यता) का जिक्र किया गया था और कहा गया था कि ट्रेड यूनियन के मेम्बर कम हो रहे हैं। मान्य नहीं कि मेम्बर आह्वान पार्लियामेंट में क्यों ऐसा जिक्र करते हैं। कुछ कम होने के बाद से सारी सूचनाएँ

मन्सार्ड तो उससे मान्य हुआ है कि सन् १९४७-४८ में २७९९ ट्रेड यूनियनों रजिस्टर्ड थीं। सन् १९५२-५३ में वह ४६०६ हो गई, और उसके बाद भी बढ़ रही हैं। सन् १९४७-४८ में टोटल मेम्बरशिप १६,६२,६२६ थी, वह बढ़कर २०,९४,६३२ हो गई। इस तरह से सन् १९४७ से लेकर १९५३ तक में १६ लाख से २० लाख मेम्बरशिप बढ़ गई है।

**Thakar Jagal Kishore Shah:** What about its proportion to the total number of employees?

श्री बाबिर बली : जी हाँ, एम्प्लायीज का नम्बर भी बढ़ा है। सवाल यह था कि ट्रेड यूनियन्स कम हो रही हैं और ट्रेड यूनियन्स की मेम्बरशिप कम हो रही है। इसके बारे में मैं जिक्र कर रहा था कि वह कम नहीं हुई है, बल्कि ज्यादा हुई है।

जहाँ तक कि हमारे एम्प्लायर (मिस्टर) और एम्प्लायीज (कर्मचारी) का सम्बन्ध है, इसके बारे में दूसरे माइनों ने भी डरवाया और हमेशा कहा ही आता है, और हम भी यह चाहते हैं कि उनके बीच में हमारी कितनी कम जरूरत पड़े हम उसना ही कुछ होंगे और ट्रेड यूनियन के बिना ही मजबूत होंगे उसना ही ज्यादा अच्छा होगा। इस बात के बिना हर एक कोशिश करेगा कि ट्रेड यूनियन मजबूत हों, वर्कर्स ज्यादा से ज्यादा ट्रेड यूनियनों में शामिल हों, अपने हक को समझें, अच्छाई को समझें, बुराई को समझें, दुस्मन को समझें, दोस्त को समझें और देश की तरफ जो उनका फर्ज हो उसको धरा कर लेंगे उस की तरफ की कोशिश करें। एम्प्लायर भी, वैसा माननीय सदस्य सोमानी जी ने कहा था और उन की बात मुझे बहुत पसन्द आई, सब पूरी ईमानदारी से बातें करने मने हैं और वह भी इस बात को समझने मने मने हैं कि जहाँ तक ...

एक माननीय सदस्य : क्या यह सचमुच समझने लग गये हैं ?

श्री आशिष अल्ला : मेरा यकीन है कि यह समझने लगे हैं कि मैं तो बहु समझता हूँ कि चूंकि हम इस विवाद में इसलिये बहु श्री ईमानदारी से समझने लगे हैं कि किस चीज में उन का फायदा है, बर्कस का फायदा है, या

सब से ऊपर मुल्क का फायदा है। इन चीजों को साधने में हमें कुछ गव घपने घपने फर्क को ध्यान में रखते हुए इस मुल्क का प्रागे उन्नति की तरफ बढ़ाने जायें, यात्रा इनों की जरूरत है।

*The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, the 24th July 1956.*