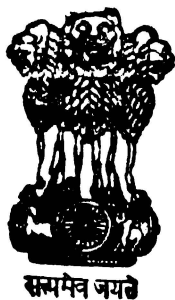


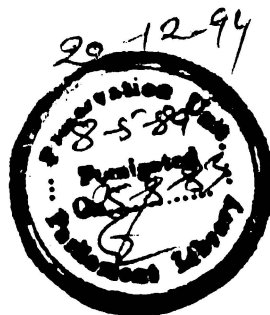
Wednesday, 5th April, 1950



PARLIAMENTARY DEBATES

(PART I—QUESTIONS AND ANSWERS)

OFFICIAL REPORT



VOLUME II, 1950

FIRST SESSION
OF
PARLIAMENT OF INDIA
1950

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PARLIAMENTARY DEBATES
(PART I—QUESTIONS AND ANSWERS)

Wednesday, 5th April, 1950.

The House met at a Quarter to Eleven of the Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

INCOME-TAX DOCUMENTS

*1406. **Shri Sidhva:** (a) Will the Minister of **Finance** be pleased to state whether it is a fact that a bundle of important documents carried by a high income-tax officer relating to collection of income-tax from a millionaire firm, was found missing from the first class coupe between Itarsi and Manmad during the 1st week of December, 1949?

(b) Is it a fact that the officer who was travelling by the Punjab Mail with these documents found the following morning the trunk which contained the missing documents?

(c) Were the documents subsequently found intact or were any documents missing?

(d) Was the police informed and if so, with what result?

(e) Has this case been settled or is still pending?

The Minister of Finance (Dr. Matthal): (a) Yes, in November 1949. The papers lost were not original documents but only copies and notes which the officer had prepared in respect of two important groups of cases under investigation. Fresh copies of these documents have since been prepared.

(b) and (c). The officer was travelling by the G.I.P. Mail from Kanpur to Bombay. The documents were not in a trunk but in an attache case. The missing attache case was found lying beside the railway track between Banapura and Dharam Kund on the Bombay—Itarsi line on 27th November 1949 by the Guard and Driver of another train who picked it up. On receipt of this information the officer went to Itarsi and took possession of the attache case. Most of the important papers were, however, found missing.

(d) Yes. The investigation is still proceeding.

(e) The case is still under investigation by the Commission.

Shri Sidhva: Is it a fact that in the same coupe in which this officer was travelling there was also a wealthy cloth merchant of Kanpur, who was affected particularly by this case?

(1809)

Dr. Matthai: There was a fellow passenger in the coupe but who he was I do not know.

Shri Sidhva: Is it a fact that during the enquiry it was found that the documents related to that very gentleman who was travelling in that coupe?

Mr. Speaker: There is a police enquiry proceeding I suppose?

Dr. Matthai: Yes, Sir.

Mr. Speaker: It will not therefore be proper to ask questions in respect of a matter under police enquiry.

Shri Tyagi: May I know the name of the firm to which the documents related?

Dr. Matthai: I am not in a position to give the information. The whole matter is under investigation.

Shri Tyagi: Telling me the name of the firm will not prejudice the case at all.

Mr. Speaker: The hon. Member need not argue. The whole matter is under enquiry.

Shri Tyagi: There should be no objection to telling me the name.....

Mr. Speaker: That is what the hon. Member feels but the hon. Minister thinks otherwise.

Shri Tyagi: Do not you think, Sir, that my question is in order?

Mr. Speaker: The question should not be put. It would be impolitic to put a question relating to an enquiry which is in progress. It would affect the results of the enquiry, obviously.

Shri Sidhva: When was the enquiry instituted? What stage has it reached?

Dr. Matthai: As soon as the incident occurred we reported the matter to the Railway Police and also to the Police Special Establishment and they are still continuing their investigations.

Shri Kamath: With regard to the papers which are missing are their copies available in the Income-tax Office here?

Dr. Matthai: As I said in my answer, the papers that were missing were notes and copies of documents which this particular officer had prepared for his own use.

Shri Sonavane: Is anyone arrested in this case?

Dr. Matthai: The matter is still under investigation.

Sardar Hukam Singh: Is it a fact that several attempts have been made to steal such important papers by private detectives engaged by other firms also?

Dr. Matthai: Not to my knowledge.

Shri Tyagi: The matter is being investigated since November. How long will it take to finish the investigations?

Dr. Matthai: It is with the Police.

Mr. Speaker: It is a police enquiry.

Shri Tyagi: Since November.

Mr. Speaker: May be.

Shri Sidhva: Who was the officer who was travelling with the documents? Did he belong to the Income-tax Enquiry Commission?

Dr. Matthal: He is an Income-tax Officer who is working as an authorised official under the Income-tax Investigation Commission.

Sardar Hukam Singh: Is it the only instance where documents have been stolen or have any other instances also occurred?

Dr. Matthal: Not so far as I know.

FOREIGN MONETARY AID FOR PUBLIC HEALTH

*1407. **Seth Govind Das:** Will the Minister of Health be pleased to state the amount of money received so far by Government from U.N.R.R.A., U.S.A. and U.K. during 1949-50 for the elimination of disease and improvement of health of the people?

The Minister of Health (Rajkumari Amrit Kaur): The Government of India have not received any monetary assistance from U.N.R.R.A., U.S.A., or the U.K. during 1949-50. The U.N.R.R.A. stopped its supply activities in 1947.

सेठ गोविन्द दास : इन देशों के सिवा और किसी देश से किसी प्रकार की मदद इस सम्बन्ध में मिली है या मिल रही है ?

Seth Govind Das: Has any help been received or is being received from any other countries except these?

राजकुमारी अमृत कौर : जी हां, वर्ल्ड हेल्थ आर्गनाइजेशन और यूनाइटेड नेशन्स चिल्डरन्स इमरजेंसी फंड इन दोनों से हमें मदद मिल रही है ।

Rajkumari Amrit Kaur: Yes Sir, we are getting help from the World Health Organisation and the United Nations' Children's Emergency Fund.

सेठ गोविन्द दास : वह मदद कितनी है ?

Seth Govind Das: What is the amount of this help?

राजकुमारी अमृत कौर : मेरे ख्याल में हमें कोई साढ़े दस लाख डब्ल्यू० एच० ओ० से मिला है और यूनीसेफ से ९ लाख डालर एक मिला है और ६ लाख डालर बी० सी० जी० कैंपेन के लिए मिला है ।

Rajkumari Amrit Kaur: As far as I remember we have received ten and a half lacs from W.H.O. and nine lac dollars from U.N.I.C.E.F. as also six lac dollars for the B.C.G. campaign.

सेठ गोविन्द दास : पिछले साल से यह कुछ कम है या ज्यादा है ?

Seth Govind Das: Is this amount more than that of the last year or less?

राजकुमारी अमृत कौर : डब्ल्यू० एच० ओ० का तो पिछला साल ही पहला साल था और आइन्दा साल और भी ज्यादा मिलने की उम्मीद है। यूनीसेफ से भी अभी एक साल ही से मिल रही है।

Rajkumari Amrit Kaur: The previous year was the first year of the W.H.O. and more help is expected in the coming year. We are getting help from U.N.I.C.E.F. from one year only.

Shri Kamath: What are the various health measures on which this contribution is being spent?

Rajkumari Amrit Kaur: Malaria control, V. D. control, Tuberculosis control and maternal and child welfare.

Shri Kishorimohan Tripathi: What is the total amount of contribution we make to the W.H.O. and the other organisations?

Rajkumari Amrit Kaur: We have given Rs. 2 lakhs to the U.N.I.C.E.F. To the W.H.O. we are giving the contribution that all countries have to give on a basis that has been worked out by the United Nations. I think our contribution this year, because of the devaluation of the pound, will be in the neighbourhood of Rs. 10 lakhs and last year it was about Rs. 7½ lakhs.

Sardar Hukam Singh: Are there any agencies which offer vitamin pills or other medicines for free distribution among students as a part of their relief work to improve the health of the students?

Rajkumari Amrit Kaur: There are no such organisations that offer them particularly for students. Certain charitable institutions as also the U.N.I.C.E.F. give us vitamin tablets and powdered milk but not particularly for students.

Sardar Hukam Singh: Is the hon. Minister aware that a consignment is lying at Madras port undelivered, because the customs exemption certificate has not been obtained and is it a fact that it was sent by some agency for distribution to students?

Rajkumari Amrit Kaur: I am not aware of any such consignment. If the hon. Member will give me particulars I shall make enquiries about it.

STUDENTS IN MILITARY ACADEMIES

***1408. Seth Govind Das:** Will the Minister of Defence be pleased to state:

- (a) the number of students studying in Military Academies; and
- (b) the progress of the Poona Institute in this respect?

The Minister of Defence (Sardar Baldev Singh): (a) 918 at the National Defence Academy, Dehra Dun and 331 at the Officers' Training School, Poona.

(b) The hon. Member probably wishes to know the progress made in respect of the National Defence Academy at Khadakvasla, near Poona. The foundation stone of this Academy was laid by the hon. the Prime Minister on the 6th October 1949. Since then, construction work has commenced and by the end of 1950 it is hoped that the construction of the followers' quarters, living accommodation for a number of officers and the main Approach road to the Academy of about 5 miles will be completed. The construction of the main administrative building is expected to be taken in hand in April 1950.

सेठ गोविन्द दास : जहां तक देहरादून का सम्बन्ध है वया वहां पर कोई इस प्रकार की योजना है कि हर वर्ष वहां विद्यार्थियों की संख्या बढ़ती जाये ?

Seth Govind Das: As regards Dehra Dun is there any such Scheme whereby the number of students be increased every year?

सरदार बल्देव सिंह : जहां तक देहरादून का ताल्लुक है उस जगह हम उतने ' विद्यार्थी ले रहे हैं जितनी कि हम को जरूरत है, और अगर वहां पर ज्यादा विद्यार्थी लेने की जरूरत हुई तो उसमें कोई रुकावट नहीं है और हम ज्यादा विद्यार्थी लेने के वास्ते तैयार हैं ।

Sardar Baldev Singh: As far as Dehra Dun is concerned we are taking as many students only as we require. If any necessity of taking more students would arise then there would be no difficulty. We are prepared to take more students.

सेठ गोविन्द दास : तो क्या मैं यह मान लू कि अगर वहां पर ज्यादा विद्यार्थियों की जरूरत हुई तो गवर्नमेंट के पास उन विद्यार्थियों को लेने का प्रबन्ध है ?

Seth Govind Das: May I then take it that if there would arise any necessity of taking more students then the Government have provision to take more students?

सरदार बल्देव सिंह : जी हां ।

Sardar Baldev Singh: Yes Sir.

Maulvi Wajed Ali: With reference to part (a) of the answer, may I know how many students are from the State of Assam?

Sardar Baldev Singh: No provincial figures are maintained. As the hon. Member will realise it is not the policy of the Government to encourage provincialism.

Dr. R. S. Singh: May I know whether any figures of rural and urban students registered in our Military Academies are maintained, if so.....

Mr. Speaker: Order, order.

Shri R. Velayudhan: May I know whether the students are given any stipends or scholarships or any such concession?

Sardar Baldev Singh: Yes, Sir; there are some scholarships.

Shri Nandkishore Das: On what basis are students selected for this Academy?

Sardar Baldev Singh: There are two classes of students at the Dehra Dun Academy. One class is in the Army Wing and the other is in the Inter-Services Wing. There are two separate examinations held by the U.P.S.C. for the two classes. Those who are successful at these examinations, have to appear for an interview before a Services Selection Board.

Shri Chalhha: May I know whether any differentiation is made between martial and non-martial races even now?

Sardar Baldev Singh: None, no distinction is made.

Mr. Speaker: This question has been put so many times.

Shri Kesava Rao: May I know what are the special reasons for selecting the site near Poona for the Military Academy?

Sardar Baldev Singh: I think the report of the Committee was circulated about eighteen months ago, and the reasons for selecting the Kharakvasla site for the Inter-Services Wing were described fully in that report. One of the main reasons is that Kharakvasla has got an ideal climate and is also suitable for training for the Army, Navy and Air Force.

Shri Kesava Rao: Is it not a fact that the place is surrounded by hills and therefore air training is not possible there?

Sardar Baldev Singh: If the hon. Member happens to go to that site some time, he will himself be convinced that it is the best site available.

NON-GOVERNMENT MILITARY ACADEMIES

***1409. Seth Govind Das:** Will the Minister of Defence be pleased to state:

(a) the number of academies, run by non-Governmental agencies for imparting military education; and

(b) the amount of annual grant given by Government to such institutions?

The Minister of Defence (Sardar Baldev Singh): (a) The Government of India has no information about any non-Government military academies.

(b) Does not arise.

INCOME-TAX PAID BY BOMBAY MUNICIPAL CORPORATION

***1410. Shri Sidhva:** (a) Will the Minister of Finance be pleased to state whether income-tax is levied on income from charges on drinking water in bulk supplied by the Bombay Municipal Corporation to suburbs and suburban Municipalities?

(b) If so, how much income-tax was recovered during the years 1946, 1947, 1948 and 1949 January to December?

(c) Under what section is the income-tax levied on local bodies?

The Minister of Finance (Dr. Matthal): (a) Income-tax is levied on the income derived by the Bombay Municipal Corporation from the supply of water to customers outside its local jurisdiction.

(b) The information cannot be disclosed in view of section 54 (1) of the Income-tax Act.

(c) Section 3, read with section 4(3) (iii) of the Indian Income-tax Act.

Shri Sidhva: May I know whether such income-tax is charged to any local bodies in this country who supply water outside their limits?

Dr. Matthal: There is a general provision in the Income-tax Act that the income of local authorities is taxed only to the extent of the income derived by them from the supply of commodities and services outside their jurisdictional area. Within their jurisdictional area the income is exempt from income-tax,

Shri Sidhva: May I know whether the Bombay and Calcutta Corporations, supply water to the Railways outside their jurisdiction, and whether income-tax is charged to them or they are exempted from it?

Dr. Matthal: I do not know what the position is with regard to this particular point, but the principle is that if the income is derived by the supply of goods and services outside the jurisdiction of the municipal area, it is only then that it would be subject to income-tax.

Shri Sidhva: May I know the reason why the hon. Minister refuses to disclose the information? Is it under the Act or is it.....

Mr. Speaker: The hon. Member is expected to know the Income-tax Act.

Shri Sidhva: I am not expected to know all the clauses of it.

Mr. Speaker: He has referred to a specific section which prohibits the disclosure of information relating to such things.

Shri Sidhva: May I know how much amount has been recovered from the Bombay Municipal Corporation for this purpose?

Mr. Speaker: Order, order. I do not think I will allow that question.

FLAG DAY COLLECTIONS

*1411. **Dr. M. M. Das:** Will the Minister of Defence be pleased to state:

- (a) the amount of money collected on the last Flag Day; and
- (b) how the money was spent?

The Minister of Defence (Sardar Baldev Singh): (a) Presumably the hon. Member refers to the Flag Day Collections made at the end of 1948, because the collections made at the end of 1949 have not yet all been received from State Governments and nothing of the 1949 collections has been spent as yet. The collections made in October 1948 amounted to Rs. 12,59,333-15-4.

(b) A detailed statement is placed on the Table of the House [See *Appendix VI, Annexure No. 37*].

Shri Rathnaswamy: Has any amount out of this collection been set apart for the relief of disabled soldiers?

Sardar Baldev Singh: The hon. Member will get the details from the statement that I am laying on the Table of the House, but this Fund is meant for the benefit of the *ex-servicemen* whether they are disabled or otherwise.

CUSTOMS BARRIERS

*1412. **Shri Kesava Rao:** (a) Will the Minister of Finance be pleased to state whether there are any internal customs barriers operating in India after January 1950?

(b) How many were there after 15th August, 1947?

(c) Have any compensations been given to the States which have abolished these customs barriers?

The Minister of Finance (Dr. Matthal): (a) Yes; in Rajasthan, Madhya Bharat, Saurashtra and Hyderabad.

(b) Such barriers existed in the majority of the former Indian States.

(c) No. compensation has been given in any case but an *ad hoc* grant of Rs. 45 lakhs has been given to the Travancore-Cochin State for the year 1949-50 to avoid a sudden dislocation of the State finances.

Shri Kesava Rao: May I know whether any former State is levying customs duties on food grains?

Dr. Matthal: I am sorry I have not got the information, but the internal customs are still in force in the States which I have mentioned; on what commodities it is levied, I have no information.

Shri Kesava Rao: Do the Government propose to ask the States concerned to immediately abolish the duty on food grains?

Dr. Matthal: The question of the existing land customs in these States was examined by the Krishnamachari Committee and the agreement that has been made by the Central Government is on the basis of the recommendations made by the Krishnamachari Committee. We cannot go beyond that.

Shri Lakshmanan: What is the net loss to the Travancore-Cochin Government consequent on the abolition of internal land customs?

Dr. Matthal: I have not got detailed information on that, but there is a question about Travancore-Cochin coming after this question, relating to this subject.

Shri Dwivedi: May I know what alternative taxes have been imposed as a result of the abolition of these customs barriers?

Dr. Matthal: That is a matter entirely for those Unions of States. The Central Government has nothing to do with it.

CENTRAL BOARD OF PHYSICAL EDUCATION AND RECREATION

*1413. **Shri S. C. Samanta:** Will the Minister of Education be pleased to state:

(a) whether any grants-in-aid to the Physical Education Institutions in the country are given; and

(b) if the answer to part (a) above be in the affirmative, (i) the names of such institutions with their location; and (ii) the amount of aids given?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) Yes, Sir.

(b) (i) The Hanuman Vyayam Prasarak Mandal, Amraoti (C.P.) Rs. 10,000.

(ii) Delhi Hockey Association, Delhi, Rs. 3,027-15-0.

(iii) Bombay Olympic Association, Bombay, Rs. 3,000.

Shri S. C. Samanta: May I know whether a Central Board of Physical Education and Recreation has been set up?

Shri Khurshed Lal: Yes, the Government have set up an Advisory Board of Physical Education.

Shri S. C. Samanta: Have any additional posts been created for the purpose?

Shri Khurshed Lal: The Board consists of honorary members.

Shri Rathnaswamy: Is any grant given to the Y.M.C.A. College of Physical Education, Madras?

Shri Khurshed Lal: The only grants that have been given are those to the institutions I have mentioned.

Dr. Deshmukh: May I know what is the total budget of the Central Government on this?

Shri Khurshed Lal: The provision for 1950-51 is Rs. 1 lakh.

Shri Kishorimohan Tripathi: May I know what grant has been given to the *Hanuman Vyayam Prasarak Mandal, Amraoti*?

Shri Khurshed Lal: I have given that figure—it is Rs. 10,000.

Shri S. O. Samanta: May I know whether any scholarships have been instituted for higher education in this subject?

Shri Khurshed Lal: Not that I know of.

Shri S. O. Samanta: In which of the Universities are men and women students adequately and systematically given training in physical education?

Shri Khurshed Lal: I require notice of that.

ABOLITION OF CUSTOMS DUTIES IN STATES

*1414. **Shri Sivan Pillay:** (a) Will the Minister of Finance be pleased to state from which date the land customs in the state of Travancore-Cochin was abolished?

(b) Was it done under instructions from the Government of India?

(c) What is the amount of loss of revenue to the State on that account up to the end of January, 1950?

(d) In what way do the Government propose to recoup this loss to the revenues of Travancore-Cochin?

(e) Has land customs been allowed to continue in any other State acceding to the Union and if so, what are the names of such States?

(f) In what manner, if any, do the Government propose to abolish the land customs in those States?

The Minister of Finance (Dr. Matthal): (a) From the 17th September 1949.

(b) The decision was taken by the State in consultation with the Government of India.

(c) Roughly, about Rs. 35 lakhs.

(d) The recoupment of the loss is not the responsibility of the Government of India, but an *ad hoc* grant of Rs. 45 lakhs has been sanctioned for the year 1949-50 only, to assist the State.

(e) Rajasthan, Madhya Bharat, Saurashtra, and Hyderabad.

(f) Land Customs in these cases will be abolished gradually over a period not exceeding four years in Hyderabad, and five years in the other States.

Shri Sivan Pillay: Have Government made any enquiry as to whether the increase in food subsidy from 50 to 75 per cent. after the financial integration would be sufficient to cushion the financial shock that has come about as a result of the immediate and complete abolition of land customs?

Dr. Matthal: I am afraid that that question goes far beyond the scope of the present question, but I may inform the hon. Member that the arrangement that we have made with the Travancore-Cochin State is that whatever revenue deficit they may incur during 1949-50 or whatever loss in revenue they may incur because of the abolition of land customs, whichever is lower, will be reimbursed by the Central Government.

Dr. Deshmukh: What is the expectation of revenue from income-tax in the Travancore-Cochin State?

Dr. Matthal: This does not arise out of this question.

LAKHANPUR-UDHAMPUR ROAD IN KASHMIR

*1415. **Shri Baigra:** Will the Minister of States be pleased to state:

(a) whether the survey of the proposed road from Lakhanpur to Udhampur in Jammu and Kashmir state has been completed;

(b) when the road building programme will commence; and

(c) whether in view of the importance of this road link for strategic and public convenience reasons, a target date has been fixed for this road to be completed?

The Minister of Home Affairs and the States (Sardar Patel): (a) Yes.

(b) and (c). It has been decided not to proceed with the project for the present for reasons of economy.

श्री बैगड़ा : क्या यह बतलाया जायेगा कि यह सड़क कितने मील सर्वे हुई और उस पर कितना रुपया खर्च हुआ ?

Shri Baigra: Will the hon. Minister be pleased to state as to how many miles of this road have been surveyed and what amount of money has been spent thereupon?

Sardar Patel: I cannot say what the expenses incurred on the survey are. The whole road has been surveyed and the alignment has been completed.

Mr. Speaker: He wants to know the mile-length of the road.

Sardar Patel: I do not know. We have not got it. It must be with the P.W.D.

श्री बैगड़ा : कब तक उम्मीद की जा सकती है कि इसका काम शुरू हो जायेगा ?

Shri Baigra: When is it expected that work on this road would commence?

सरदार पटेल : जब पैसा मिलेगा तब शुरू होगा ।

Sardar Patel: The work would commence when money would be available.

DISPLACED GOVERNMENT SERVANTS FROM BALUCHISTAN

*1416. **Sardar Hukam Singh:** (a) Will the Minister of Home Affairs be pleased to state whether it is a fact that the Government of India have decided to treat former non-Muslim employees of the Chief Commissioner's Province of Baluchistan, who have migrated to the Dominion of India, as Central Government employees who opted for India?

(b) Has similar treatment been accorded to displaced Government employees of the N.W.F.P., and Sind and if not, why not?

The Minister of Home Affairs and the States (Sardar Patel): (a) Yes.

(b) No; because the Government servants from Baluchistan were Central employees while the others were not.

Sardar Hukam Singh: Is it a fact that in the first instance choice was given to N.W.F.P. employees to opt for India if they so wanted?

Sardar Patel: It may have been given. I have no idea. Priority was given to Baluchistan employees because they were Central Government servants. But about N.W.F.P. employees, we have tried to provide for as large a number of them as possible.

Sardar Hukam Singh: Have the N.W.F.P. employees who came from: Agencies and not districts been given the same privilege as that given to other servants of the Central Government?

Sardar Patel: The same treatment has been given as far as possible. Baluchistan is a separate thing, because it was directly under the Central Government.

Sardar Hukam Singh: Agencies in N.W.F.P. also were directly under the Central Government.

Sardar Patel: Those who were directly under the Central Government were given the same treatment.

Sardar Hukam Singh: Is it a fact that the cadre of service of servants in districts and in Agencies was uniform in N.W.F.P. and the servants were interchanged occasionally? If that were so, then has the same treatment been given to both? If they are of the same cadre, then would Government consider giving those persons who come from districts the same treatment as is given to others who come from Agencies?

Sardar Patel: If there are any cases of persons of the same cadre who are not provided for and if they are brought to notice, they will be considered.

Shri Kamath: Is it not a fact that the Partition Council decided that employees of Provincial Governments other than those of Punjab and Bengal should not be given the right to opt for either India or Pakistan and as a result the financial adjustments agreed to in the partition scheme left these displaced Provincial Government servants in Sind, N.W.F.P. and Baluchistan to Government of Pakistan?

Sardar Patel: You can see that from the report of the Partition Committee.

Shri Kamath: Is it not a fact that the present concession extended to these displaced government servants from Baluchistan have been made *ex-gratia* on compassionate grounds, and if so, what are the reasons for not extending the same concession *ex-gratia* to displaced government servants from Sind and N.W.F.P.

Sardar Patel: As I said, Baluchistan employees were Central Government servants. That is the reason for the distinction. (*Interruption.*) The Central Government had to accept direct responsibility for its servants.

PREVENTION OF BLINDNESS

***1417. Shri S. C. Samanta:** (a) Will the Minister of Health be pleased to state what are the recommendations of the Joint Committee appointed by the Central Advisory Board of Health and Central Advisory Board of Education regarding prevention of blindness in India?

(b) How far have those recommendations been implemented by the Ministry of Health?

The Minister of Health (Rajkumari Amrit Kaur): (a) and (b). The recommendations of the Committee are summarised on pages 84—100 of the Committee's Report, a copy of which is placed in the Library of the House. Copies of the Report were sent to the States Governments for necessary action.

The main recommendations in so far as the Union Government is concerned are (i) an Indian Council on blindness with corresponding Councils in the States should be appointed, and (ii) an Adviser in Ophthalmology should be appointed in the office of the Director General of Health Services.

The State Governments were addressed first with regard to the formation of Councils in their respective jurisdiction. The Governments of Bombay, Hyderabad and Patiala and East Punjab States Union have formed Councils on Blindness. The other State Governments are considering the formation of similar Councils. The Government of India propose to consider the formation of a Central Council after the State Councils have been formed.

A post of Adviser in Ophthalmology was created on a temporary basis in 1947 and the Federal Public Service Commission were requested to recruit a suitable candidate. The officer selected by the Commission belonged to the I.A.M.C. and was not desirous of leaving his permanent post in the Army for a temporary one on the civil side. The question of filling the post was postponed pending a decision regarding the re-organisation of the Directorate General of Health Services.

Shri S. C. Samanta: May I know whether any census has been taken of the blind people in India?

Rajkumari Amrit Kaur: So far as I am aware, no census has been taken.

Shri S. C. Samanta: May I know the percentage of students reading in schools and colleges who are affected by eye disease?

Rajkumari Amrit Kaur: I cannot tell you the exact percentage, because no census has been taken in this respect either.

Shri S. C. Samanta: Has the Junior Red Cross Society done anything in the matter of blindness?

Rajkumari Amrit Kaur: No. The Junior Red Cross Society cannot undertake this work.

Dr. V. Subramaniam: Is there any institution in Delhi for blind children and if so, what is the grant that Government give to it?

Rajkumari Amrit Kaur: There is no institution for blind children, so far as I know, in Delhi.

श्री द्विवेदी : क्या मैं पूछ सकता हूँ कि भारतवर्ष से कोई डाक्टर अमेरिका शिक्षा पाने के लिये भेजे गये थे जहाँ पर कि आंखों का एक बैंक खुला है जिस से कि अन्धों को आंखें दी जाती हैं ?

Shri Dwivedi: May I ask, was some doctor from India sent to America to receive training in the Eye Bank which provides eyes to the blind?

Rajkumari Amrit Kaur: I am not aware whether any doctor has been sent for this special study, but scholarships are given sometimes to those who wish to go in for postgraduate studies in ophthalmology.

Dr. V. Subramaniam: Will the hon. Minister give proper help to the institution in Delhi, if its case is brought to her notice.

Mr. Speaker: Order, order. It is a suggestion for action.

Shri Kesava Rao: What is the percentage of the blind in the country?

Shri Chattopadhyay: May I know whether blindness is on the increase or not?

Shri Sonavane: In view of the fact that there has been no census, will the hon. Minister arrange to have some counting of the blind?

Mr. Speaker: It is a suggestion for action.

Shri S. C. Samanta: May I know the names of States where there are associations for the prevention of blindness?

Mr. Speaker: That is too wide a question.

Shrimati Velayudhan: May I know whether there are any private institutions which do relief work for the blind people.

Mr. Speaker: I do not think that question need be answered.

REHABILITATION FINANCE ADMINISTRATION

*1418. **Shri Raj Bahadur:** Will the Minister of Finance be pleased to state:

(a) the number of applications received from the displaced persons residing at present in the State of Rajasthan for loans from the Rehabilitation Finance Administration up to the 15th February, 1950;

(b) the number of such applications granted and the amount of loans sanctioned;

(c) the number of such applications from Bharatpur and Alwar Districts in Rajasthan; and

(d) the number of applications from the aforesaid districts granted up to the 15th February, 1950?

The Minister of Finance (Dr. Matthal): (a) 329.

(b) 66 for a total amount of Rs. 6,24,000.

(c) 73 from Bharatpur and 19 from Alwar.

(d) Four for a total amount of Rs. 36,000 from Bharatpur; and five for a total amount of Rs. 48,000 from Alwar.

Shri Raj Bahadur: May I know the number of applications pending now from Rajasthan?

Dr. Matthal: Out of the 329 applications received, 66 have been sanctioned and 45 were rejected or filed. So that gives the hon. Member a basis for his information.

Shri Raj Bahadur: May I know whether there is any machinery to ensure that the loans advanced are spent on the purposes for which they are so advanced?

Dr. Matthal: It is constantly under review.

Shri Raj Bahadur: But is there any machinery?

Mr. Speaker: He says there is.

Dr. Matthal: There are several offices and branch offices and the officers working in these offices have to exercise scrutiny precisely on that matter which the hon. Member raised.

Shri Raj Bahadur: May I know whether the loans advanced to refugees in Bharatpur and Alwar were advanced after the receipt of this question or before that?

Mr. Speaker: Order, order. That is making an insinuation.

Lala Achint Ram: May I know, Sir, the actual amount paid to the applicants?

Dr. Matthal: To the applicants in this particular case or generally.

Lala Achint Ram: In Rajasthan.

Dr. Matthal: I am afraid I have not got the information, but generally, as I told the House a little while ago, if you take the total amount sanctioned by the Rehabilitation Administration, I think it is only about half of that which has so far been actually disbursed. I should not be surprised if the same proportion applies in this case.

Shri Vyas: May I know whether there were any Meos among those who applied for this loan?

Dr. Matthal: I have no information.

LOAN BY GWALIOR GOVERNMENT

*1419. **Lala Raj Kanwar:** Will the Minister of Finance be pleased to state.

(a) whether the Gwalior State gave a loan of rupees 1½ crores to Government in perpetuity in the early seventies of the last century;

(b) whether there is any other precedent of a loan being given in perpetuity; and

(c) whether there is any likelihood of this loan being returned to the Gwalior State or the Madhya Bharat Government or the amount utilised for the sole benefit of the Gwalior State within a measurable distance of term?

The Minister of Finance (Dr. Matthal): (a) Yes, Sir.

(b) Yes, Sir.

(c) The loan was advanced for and the whole of the amount of the loan has been spent on the construction of part of the railway system lying in the State and there is no question of the loan being returned to anyone.

Lala Raj Kanwar: May I know what is the precedent of a loan being granted in perpetuity?

Dr. Matthai: Since I received notice of this question, I looked up the papers where there are quite a number of precedents.

Lala Raj Kanwar: May I know a few instances of loans of that nature?

Mr. Speaker: Order, order. We need not go into that.

Shri Jajoo: May I know the rate of interest on this loan?

Dr. Matthai: This particular loan was given, I think, at four per cent.

Shri Jajoo: Is it being regularly repaid?

Dr. Matthai: As a matter of fact, this loan was spent really on the construction of the railways and now that these railways have been taken over by the Centre, this amount appears as part of the capital at charge of the Indian Railways.

Shri Kamath: As the loan was given in perpetuity, is there any reason why the loan should be returned before the expiry of the term of perpetuity?

Mr. Speaker: Order, order.

Sardar Sochet Singh: Will the Government of India be indebted to the Gwalior Government for all time to come?

Mr. Speaker: The hon. Minister has cleared the ground. He said that the amount is not going to be paid back on account of the integration of the Railways.

Sardar Sochet Singh: Which means they are ever indebted to the Gwalior State.

Mr. Speaker: It is open to the hon. Member to draw any inference.

ART GALLERY OF EUROPEAN ARTS

*1420. **Prof. S. N. Mishra:** (a) Will the Minister of Education be pleased to state whether Government propose to establish an Art Gallery of European Arts in India?

(b) If so, what is their scheme for the purpose?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) There is no such proposal under consideration of the Government.

(b) The question does not arise.

Prof. S. N. Mishra: May I know whether even a section of European art pieces is contemplated in the present collection of the Government of India?

Shri Khurshed Lal: With the limited finances that we have, it will be quite enough if we can set up even a good gallery of Indian art.

ANTHROPOLOGY

*1421. **Dr. Deshmukh:** (a) Will the Minister of Education be pleased to state whether there are any facilities for the study of and research in Anthropology in India?

(b) What steps have Government taken so far to encourage the study of and research in this science?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) and (b). Yes. Since 1945 the Government of India have set up a Department of Anthropology where facilities for the study of and research in different branches of Anthropology are provided. Steps are taken to encourage research depending on the availability of necessary funds.

Dr. Deshmukh: Is any instruction in this science imparted at any place?

Shri Khurshed Lal: Yes, by the Director of Anthropology and his assistants at Calcutta. They give lectures and help research.

Dr. Deshmukh: What is the number of students attending the lectures?

Shri Khurshed Lal: I want notice of that question.

Dr. Deshmukh: Is there any scheme for enhancing or increasing the facilities for education in this science?

Shri Khurshed Lal: With the limited funds at our disposal, it will not be possible for us to provide greater facilities than exist at present.

Dr. Deshmukh: May I know if any scholars have been sent to foreign countries by Government for higher studies in Anthropology?

Shri Khurshed Lal: I want notice of that question.

Shri Buragohain: Was any field-survey undertaken in the Abor Hill District and Mishmi Hill District?

Shri Khurshed Lal: I do not think it arises out of this question.

Shri S. C. Samanta: May I know whether any Anthropology section is being opened in the Delhi University?

Shri Khurshed Lal: The Director of Anthropology has his office at Calcutta.

Shri Chaliha: Was any investigation of the Abor Hill District carried by the Director himself?

Shri Khurshed Lal: How does it arise out of this question?

STUDY OF INDIAN ARCHITECTURE

*1422. **Dr. Deshmukh:** (a) Will the Minister of Education be pleased to state whether there are facilities for the study of and research in Indian Architecture?

(b) What steps have Government taken so far to encourage the study and research in this science?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) and (b). The hon. Member's attention is drawn to a statement placed on the Table of the House.

STATEMENT

Indian Architecture forms part of the courses in Architecture provided at the following institutions :

- (i) Delhi Polytechnic.
- (ii) Sir J. J. School of Arts, Bombay.
- (iii) Kalaabhavan Technical Institute, Baroda.
- (iv) Bengal Engineering College, Sibpur.

As far as is known, no research work in Indian Architecture is being carried out at these institutions.

2. With a view to ensuring a uniformly high standard of Architectural Education, the All India Council for Technical Education has set up a Board of Technical Studies in Architecture and Regional Planning. This Board has prepared a comprehensive five year course of training in Architecture of a standard comparable to the courses of the Royal Institute of British Architects. The Board has also prepared a model scheme for the establishment of Architectural Institutions in the States.

3. For advanced training and research, a specialist committee has been appointed by the Board to consider the question of establishment of a Central Institute of Architecture.

FACILITIES FOR STUDY AND RESEARCH IN ETHNOLOGY

*1423. **Dr. Deshmukh:** (a) Will the Minister of Education be pleased to state whether there are any facilities for the study of and research in Ethnology in India?

(b) What steps have Government taken so far to encourage the study of and research in this science?

(c) If not, do Government propose to consider the matter?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) and (b). Yes, facilities for the study of, and research in the Science of Ethnology are available in the Department of Anthropology which was established by the Government of India in December, 1945.

(c) Does not arise.

Dr. Deshmukh: May I know if any research in this science is being done by the Council of Scientific and Industrial Research?

Shri Khurshed Lal: No, Sir. At present it is being done by the Director of Anthropology.

Shri Borooah: May I know whether a party of Norwegian Ethnologists has come to India recently to do some research work in the North-East hills of Assam?

Shri Khurshed Lal: I require notice of that.

THEFT OF ARMS FROM KANPUR ARMOURY

*1424. **Shri R. Velayudhan:** Will the Minister of Defence be pleased to state:

(a) whether there was a theft of fire-arms and ammunition from the armoury and Magazine of the 7th Cavalry Battalion at Kanpur recently; and

(b) if so, whether any part of the stolen fire-arms and ammunition was recovered?

The Minister of Defence (Sardar Baldev Singh): (a) Yes.

(b) Not yet.

Shri B. Velayudhan: May I know whether there was anything stolen from the same Magazine last year?

Sardar Baldev Singh: I require notice.

Shri Tyag: What was the quantity of fire-arms and ammunition stolen?

Sardar Baldev Singh: Five pistols, four rifles and 914 rounds of ammunition.

Shri Kamath: Is this theft being investigated—is it being enquired into?

Sardar Baldev Singh: The investigation is proceeding.

Shri Sidhva: Is it a fact that these thefts take place frequently and if so what steps are Government taking to prevent them?

Sardar Baldev Singh: All the thefts that have taken place the hon. Members have brought to the notice of the House.

Shri Sidhva *rose*—

Mr. Speaker: I think the presumption is not correct.

Shri Sidhva: I would refer to the theft that took place in the Kirkee factory.

Mr. Speaker: There may be two, three or five thefts, but it cannot be said that they have been frequent.

Shri Sidhva: Why should there be theft in arms and ammunition factory?

Mr. Speaker: Why should Members put any questions which are inadmissible? But still they put.

सेठ गोविन्द दास : क्या यह बात सही नहीं है कि जहाँ जहाँ बड़ी २ फैक्टरियाँ और डिपो हैं वहाँ पर यह चोरियाँ हुई हैं और होने के बाद अभी तक उनकी इन्वेंटरी का कोई नतीजा नहीं निकला है, और खासकर के जबलपुर में ?

Seth Govind Das: Is it not a fact that these thefts were committed at places where big factories and depots are situated and that the enquiries instituted therein and particularly in Jubbulpore have yielded no results?

Mr. Speaker: Order, order.

Shri Kamath: When was this particular theft discovered and have any arrests been made?

Sardar Baldev Singh: I could not say offhand whether any arrests have been made, but as soon as this theft took place enquiries were instituted and the matter is still under investigation.

Shri Raj Bahadur: May I know whether any of the employees in the Arms and Magazine depots have been suspected and whether any action has been taken against them?

Mr. Speaker: Order, order.

Sardar Sochet Singh: What was the date of occurrence of the theft?

Sardar Baldev Singh: I have not got the exact date, but I can get it for the hon. Member if he wants.

MOTOR ACCIDENT IN JUBBULPORE

*1425. **Shri Kamath:** Will the Minister of Defence be pleased to state:

(a) whether it is a fact that recently, in the latter part of January, or early in February 1950 a military vehicle knocked down a rickshaw near the Gun Carriage Factory, Jubbulpore, killing three women and one child outright;

(b) who was driving the vehicle;

(c) who were the occupants of the vehicle at the time;

(d) whether the matter was reported to the Military Police;

(e) if so, whether any investigation has been made; and

(f) if so, what stage it has reached?

The Minister of Defence (Sardar Baldev Singh): (a) Yes.

(b) A civilian driver in military employ.

(c) Certain military personnel of Signal Training Centre, Jubbulpore,

(d) Yes.

(e) A Military Court of Enquiry was held. The driver of the vehicle was handed over to civil police for prosecution.

(f) Investigation is still in progress.

सेठ गोविन्द दास : क्या गवर्नमेंट के पास जबलपुर से इसके सिवा और भी इस प्रकार की शिकायतें आई हैं कि वहां फौज के जो ड्राइवर होते हैं वह ज्यादातर बहुत तेजी के साथ गाड़ियों को चलाते हैं जिस से एक्सीडेंट होते हैं और लोगों को असुविधा होती है ?

Seth Govind Das: Apart from this particular case, have the Government received any more complaints from Jubbulpore against the usual rash driving of vehicles by the military drivers resulting in accidents and much inconvenience to the people there?

सरदार बलदेव सिंह : जहां तक गवर्नमेंट का ताल्लुक है इस प्रकार की शिकायतें आई हैं और जो लारी के ड्राइवर हैं उनके बरखिलाफ ऐक्शन लिया गया है । जैसा कि मैंने अभी अपने सवाल के जवाब में बतलाया कि उस ड्राइवर को पुलिस के हवाले कर दिया गया है ।

Sardar Baldev Singh: The Government have received such complaints and they have taken action against the drivers involved, as for example, the driver in this particular case has been handed over to police for prosecution.

Shri Kamath: Has it been reported to the hon. Minister that for three days after this accident had taken place the police were not allowed by the military authorities to examine any military vehicle and that in the mean time the particular vehicle concerned in this accident was washed and painted up?

Sardar Baldev Singh: I am not aware of the information that the hon. Member is conveying to the House, but I want to assure him that as far as the investigation is concerned there will be no difficulty raised by the military authorities and every facility will be given to investigate this particular case.

Shri Tyagi: Has any compensation been paid to the families of the persons injured?

Sardar Baldev Singh: No such claim has been received up till now.

Shri Tyagi: Is it the custom in the Defence Department that when such accidents occur the families of those who are injured are paid any compensation?

Mr. Speaker: Order, order. I think it is too general a question.

SCHEDULED AREAS IN STATES

*1426. **Shri P. K. Ramiah:** Will the Minister of **Home Affairs** be pleased to state whether any Order has been issued under para. 6 of the 5th Schedule to the Constitution declaring certain parts of States in parts A and B of the First Schedule of the Constitution of India as Scheduled Areas?

The Minister of Home Affairs and the States (Sardar Patel): An Order of the President in respect of Part A States has been issued. The necessary Order in respect of Part B States will be issued shortly.

LAWS AGAINST FOREIGN MISSIONARIES IN PRINCELY STATES

*1427. **Dr. R. S. Singh:** Will the Minister of **States** be pleased to state:

(a) the number of acceding Princely States in which laws were in force against the permanent residence of foreign missionaries;

(b) whether those laws are still in force there; and

(c) whether the Government propose to abrogate those laws or introduce similar laws in all the States of the Union of India?

The Minister of Home Affairs and the States (Sardar Patel): (a) So far as we have been able to ascertain, none of the Indian States had any such law in force.

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

Dr. R. S. Singh: Is it a fact that some of the foreign missions missionaries in India are being utilised by the conservative elements of the west for propagating their partisan political views in India?

Sardar Patel: Government have no information of that kind.

Shri Chaliha: May I know whether any foreign missionaries are carrying on anti-Indian propaganda in the hills and other places?

Sardar Patel: No such case has been brought to the notice of Government.

Dr. R. S. Singh: Is it a fact that some of the foreign missionaries in Assam are trying to make a deal with the Muslim Leaguers to capture political power over there?

Sardar Patel: I do not think so. The missionaries are trying to adjust themselves to the changing conditions.

Shri Tyagi: Are these good-will missions of foreign countries?

Mr. Speaker: Order, order.

Sardar Patel: All missions are alike.

Dr. M. M. Das: Sir, may I know whether any Member of this House is entitled to ask your favour of directing any hon. Minister in charge of absentee Members' questions to give the answers to those questions?

Mr. Speaker: If the question is of importance, if the Speaker is requested and if there is time, he may permit that. In this case the hon. Member is absent. The general rule is that unless a specific authority is given one does not like the idea of encouraging Members to put questions and then remain absent and have them answered in the House. Again, there is also the further practice that such questions do not come up unless the whole Question List is over, and if time is left then that question is taken up.

Dr. M. M. Das: Under Rule 42 sub-rule (c).....

Mr. Speaker: I have not referred to it, but I believe it applies to Members present, not to Members absent.

TRANSFER OF ENCLAVES FROM BOMBAY TO HYDERABAD

***1430. Shri Deogirikar:** Will the Minister of States be pleased to state:

(a) whether on 26th January 1950 some 10 villages from Sholapur District were transferred to Hyderabad State;

(b) If the answer to part (a) above be in the affirmative whether any consent was taken either of the people in those villages or of the Government of Bombay before doing so;

(c) whether Primary Education, Co-operative Societies and Gram-panchayats in the reported transferred villages will continue as before;

(d) whether the land revenue to which these villages will be subjected to, in Hyderabad State is heavier than the land revenue in Bombay State; and

(e) whether there was any representation made by the inhabitants of those villages against their transfer and if so, with what result?

The Minister of Home Affairs and the States (Sardar Patel): (a) Yes.

(b) The Government of Bombay had agreed to the proposal.

(c) This is the responsibility of the Hyderabad Government now.

(d) Yes, but the Hyderabad Government have decided to continue the existing rate of Land Revenue in Bombay.

(e) A number of petitions were received but in those matters one can hardly expect any unanimity.

Shri Deogirikar: May I know whether the farmers in those villages have to pay import and export octroi duty?

Sardar Patel: I do not think so.

Shri Deogirikar: May I know what advantages these villagers are going to get in respect of the enhanced land revenue and octroi duty which they will have to pay now?

Sardar Patel: They do not have to pay any enhanced land revenue. The *status quo* has to be maintained according to the Agreement.

Shri Deogirikar: Do the acts of the Bombay Government such as tenancy legislation, compulsory education, prohibition and monogamy continue in those villages?

Mr. Speaker: I do not think it is a question which need be answered.

Shri Sonavane: What are the names of these villages which have been transferred?

Sardar Patel: All the information is contained in the White Paper.

Shri Sonavane: What are the reasons for transferring these villages from Sholapur District to Hyderabad State?

Sardar Patel: Good administration.

FOREIGN SCHOLARSHIPS FOR BACKWARD AND SCHEDULED CASTES STUDENTS

*1431. **Shri Yadav:** (a) Will the Minister of Education be pleased to state:

(a) the number of backward class students who are studying in the U.S.A., U.K. and other foreign countries;

(b) the number of Scheduled Castes students, studying in the U.S.A., U.K. and other foreign countries,

(c) how many of them are Government scholars (Backward Class and Scheduled Castes separately); and

(d) whether there are some applications still pending?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) The information is not readily available and it will have to be collected from our Missions abroad.

(b) and (c). (i) Complete information is not available as in respect of private students it will have to be collected from our Missions abroad.

(ii) Of the seven Scheduled Castes Government scholars studying abroad, five are in the U.K. and two in the U.S.A.

(iii) Figures for Backward class students will have to be collected.

(d) The question does not arise since no Government of India scholarships were awarded after 1947.

● **श्री यादव :** क्या मैं जान सकता हूँ कि कितनी दरखास्तें आई हैं ?

Shri Yadav: May I know the number of applications received?

श्री खुरशीद लाल : मैं ने अज्ञ किया कि सन् ४७ के बाद कोई स्कालरशिप ही नहीं दिया गया । लिहाजा दरखास्तों का सवाल ही नहीं उठता ।

Shri Khurshed Lal: I have stated that this question does not arise since no scholarship was awarded after 1947.

Shri R. Velayudhan: Is there any reason for stopping the scholars from studying abroad in 1948-49?

Shri Khurshed Lal: The Scheduled Caste scholarship scheme was stopped for the reason that it was thought that it would be better to give education to a greater number here than to send a few mediocres abroad.

Shri Kesava Rao: May I know whether it is a fact that many of the foreign-returned Scheduled Castes and other tribes people are not given suitable jobs?

Shri Khurshed Lal: I would require notice of that question.

Mr. Speaker: It does not arise.

Shri Kesava Rao: Is it a fact that very recently a Doctor of Agronomy was offered a job of Rs. 120?

Mr. Speaker: Order, order. No individual questions.

Shri Sonavane: Are there no students above the mediocre calibre among the Scheduled Castes?

Mr. Speaker: Order, order.

Shri R. Velayudhan: May I know whether there are Scheduled Caste students who have got first and second class in the London School of Economics?

Mr. Speaker: He has not followed the answer. His answer was that instead of sending a few people outside, a greater number is given education here.

Shri Khurshed Lal: In the general scheme of scholarship the very best people were sent. The scheme for the Scheduled Castes had to be instituted separately because very few of them could come under the general scheme and naturally the students who were selected under the special scheme for Scheduled Castes were not first class students, and it was thought desirable that it would be better to give instruction to a greater number of people here with the same amount than to send a few who are not first class abroad.

Shri Sonavane: May I know what arrangements are made to bring the Scheduled Castes up to that level?

Mr. Speaker: Order, order.

Shrimati Velayudhan: I want to know whether any student from the Scheduled Castes was selected after the abolition of the scheme?

Shri Khurshed Lal: The number of persons selected from 1945 to 1947 are as follows: 9 were sent to U.K. and 6 to U.S.A. making a total of 15. There has been no selection since 1947.

Shrimati Velayudhan: I want to know whether the hon. Minister is aware if any student was sent after the abolition of the scheme?

Mr. Speaker: The question appears to be contradictory.

Shri Khurshed Lal: These were sent in 1945-46-47 under the general scheme. The Scheduled Caste scholarship scheme was abolished in 1945.

SCHOOLS FOR THE BLIND

*1432. **Lala Raj Kanwar:** (a) Will the Minister of Education be pleased to state the number of schools for the blind of both sexes in the various States including the Centrally Administered areas in the country?

(b) What financial or other assistance is afforded by the Government to these Schools?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) and (b). Hon. Member's attention is drawn to a Statement laid on the Table of the House.

STATEMENT

(a) The total number of Schools for the Blind of both sexes in the various States including the Centrally Administered Areas in the country is 44.

(b) Education including the education of the blind is the concern of the State Governments. Almost all the Institutions for the Blind receive grants-in-aid from their respective State Governments, but the exact amount of the grants is not known. The Government of India have, however, given a sum of Rs. 7,520 as grant-in-aid to 14 Institutions for the Blind for transcribing books in Uniform Indian Braille, during the year 1949-50, and offer expert technical advice and co-ordinate their activities.

Lala Raj Kanwar: May I know what is the number of schools for the blind in the Centrally Administered Areas?

Shri Khurshed Lal: I would not be able to give the number of schools.

Lala Raj Kanwar: What is the number of blind boys and girls of school-going age?

Shri Khurshed Lal: I do not think there are any statistics about this.

Shri Deshbandhu Gupta: Out of this figure of 44 given by the hon. Minister is there any institution in Delhi which is receiving any aid?

Shri Khurshed Lal: Two. The Institute for the Blind, New Delhi and the Industrial School for the Blind, Tughlakabad.

Shri Deshbandhu Gupta: What is the amount of aid given to the Institute for the Blind in New Delhi?

Shri Khurshed Lal: I would require notice.

सेठ गोविन्द दास : क्या सेंट्रली एडमिनिस्टर्ड एरिया में अन्धों की संख्या बाकी के स्थानों से अधिक है ?

Seth Govind Das: Is the number of blind persons in the Centrally Administered Areas exceptionally large as compared to others?

श्री खुरशीद लाल : जी नहीं, और सूबों में भी अन्धे बहुत हैं।

Shri Khurshed Lal: No, Sir, there are many blind persons in other areas as well.

ठाकूर लालसिंह : भोपाल सेंट्रली एडमिनिस्टर्ड एरिया है। क्या यहां कोई इस किस्म के इंस्टीट्यूशन कायम है और उनको क्या इमदाद मिल रही है ?

Thakur Lalsingh: Bhopal being a Centrally Administered area, is any institution of this type working there and, if so, what aid it is receiving?

श्री खुरशीद लाल : भोपाल अभी सेंट्रली एडमिनिस्टर्ड एरिया हुआ है। अभी तक वहां कोई इंस्टीट्यूशन नहीं है।

Shri Khurshed Lal: Bhopal was included in the Centrally Administered Areas only recently; no such institution, therefore, exists there at present.

EDUCATION FOR ARMED FORCES PERSONNEL

*1433. **Shri B. K. P. Sinha:** (a) Will the Minister of **Defence** be pleased to state whether there is any provision for imparting general education to the man in the Defence forces?

(b) If so, what is the scope and nature of this education, and if not, why not?

(c) What is the language and script in which education is imparted?

The Minister of Defence (Sardar Baldev Singh): (a) Yes.

(b) In the Army facilities exist for preparing the men up to the Army Special Certificate of Education which has been recognised by most of the Universities as equivalent to the Matriculation. Similarly facilities are provided for education in the Naval and Air Force establishments.

(c) Army—Hindustani in Roman script. For Army Special Certificate of Education, however, the medium of instruction is English.

Navy—English.

Air Force—English.

Shri B. K. P. Sinha: May I know what is the amount spent over this education?

Sardar Baldev Singh: I require notice.

Shri B. K. P. Sinha: May I know if Government will consider the advisability of abolishing the Roman script altogether and adopting the Devnagri script in his place?

Mr. Speaker: Order, order. That will be a suggestion for action.

INDIAN *EX*-POLICEMEN OF HONG-KONG

*1434. **Giani G. S. Musafir.** (a) Will the Minister of **Home Affairs** be pleased to state whether Government have received a representation from the *ex*-policemen (Indian Nationals) of the Hong-Kong Government who were dismissed from service because of their anti-British activities during the World War II?

(b) If so, do Government propose to deal with their case of re-employment in the Indian Police Force, at par with the other *ex*-service men?

The Minister of Home Affairs and the States (Sardar Patel): (a) No.

(b) Does not arise.

INDUSTRIAL FINANCE CORPORATION

*1435. **Shri Chandrika Ram:** Will the Minister of **Finance** be pleased to state with what amount, to which Industries and to what States, the Industrial Finance Corporation has given help in the year 1949-50?

The Minister of Finance (Dr. Matthai): I lay on the Table of the House a statement containing the information required by the hon. Member.

STATEMENT

The Industrial Finance Corporation of India has sanctioned during the year 1949-50 i.e. during the 12 months ending the 31st March 1950, accommodation to industries aggregating Rs. 3,41,25,000. An analysis of the accommodation sanctioned industry-wise is given below :

Type of Industry	Amount sanctioned
	Rs.
(1) Textile Machinery ...	43,00,000
(2) Mechanical Engineering	20,00,000
(3) Electrical Engineering ...	25,50,000
(4) Cotton Textiles	78,50,000
(5) Chemicals	8,00,000
(6) Cement	40,00,000
(7) Iron and Steel (Light Engineering)	25,00,000
(8) Electric Power	9,00,000
(9) Aluminium	40,00,000
(10) Mining	30,00,000
(11) Oil Mills	1,75,000
(12) Unclassified	20,50,000
	3,41,25,000

The distribution of the assistance granted amongst the various States is as follows :

Name of State	No. of applications sanctioned	Amount sanctioned
		Rs.
Assam
Bombay	7	63,50,000
Bihar
Madhya Pradesh (C.P.)	1	10,00,000
Delhi, Ajmer and Merwara and other Centrally Administered areas.
Punjab
Madras	2	45,00,000
Orissa	2	19,00,000
U.P.	7	51,75,000
West Bengal	5	1,22,00,000
Greater Rajasthan	1	30,00,000
		3,41,25,000

Shri Chandrika Ram: Is there any scheme for giving help to Leather industries?

Dr. Matthai: It is not in the list as set out here and whether it is included in any of the other main categories or included here, I do not know, but if the hon. Member will kindly put down a question, I will try and collect the information for him.

Shri Chandrika Ram: What are the industries in the list?

Dr. Matthal: I could read a long statement.

Mr. Speaker: He may refer to the statement.

Shri T. T. Krishnamachari: May I ask, Sir, what time is taken by the Industrial Finance Corporation to dispose of the applications for a loan and what time does it take after the application is disposed of, for the amount to be disbursed?

Dr. Matthal: It is difficult off-hand to answer the first question. I think it has been put to me before. It depends of course on the kind of enquiry that has to be done with reference to the circumstances of the applicant industry. With regard to the second question, what I am in a position to say at present is that there is still a considerable lag between the amount sanctioned and the amount disbursed, the reasons being more or less the same as in the case of the Rehabilitation Administration.

Shri T. T. Krishnamachari: Would I be correct in saying that the time taken is usually a period of a year for the transaction to be completed?

Dr. Matthal: I have known a particular case where it has been less than a year.

Shri Deshbandhu Gupta: What is the minimum time taken by the Corporation to decide a case?

Dr. Matthal: It is very difficult for me to give precise answers to these questions.

Shri Tyagi: Is the hon. Minister aware whether some of this help has gone to the village industries as well?

Dr. Matthal: It is really for large-scale industries.

WRITTEN ANSWERS TO QUESTIONS

DEFENCE DEPARTMENT 'GROW MORE FOOD' CAMPAIGN IN SHILLONG

*1428. **Shri R. K. Chaudhuri:** (a) Will the Minister of Defence be pleased to state whether it is a fact that the Defence Department spent some money during last two years for 'Grow More Food' Campaign in Shillong and if so, what is the total amount?

(b) Is it a fact that last year the Shillong Indp 181 Bdge Group spent money and petrol in arranging to plough land by tractor?

(c) Is it a fact that nothing was grown?

(d) Is it a fact that Shillong 181 Indp Bdge Group purchased "rotten potatoes" seeds from some merchants when the season was over last year?

The Minister of Defence (Sardar Baldev Singh): (a) No.

(b) Yes, some money and petrol were spent in ploughing the land with tractors.

(c) No, it is not a fact. About 230 maunds of crops were harvested and the expected yield from the current crops is about 13,650 maunds.

(d) The reply is in the negative.

APPOINTMENTS OF HIGH COURT JUDGES

*1429. **Shri Nadimuthu Pillai:** (a) Will the Minister of **Home Affairs** be pleased to state whether there is any proportion allowed for the Bar, the I.C.S. group of District Judges and the non-I.C.S. group of district Judges in the matter of their recruitment to the High Courts and whether these groups are still treated as separate and distinct sources for purposes of recruitment to the High Courts in India?

(b) How many are there from each of these groups on the High Courts in Calcutta, Bombay, Madras and Patna to-day?

(c) Have Government communicated this policy to these States for observance by them when they make proposals for appointments to their High Courts?

(d) If Government have not communicated this policy to the various Governors and Chief Justices of States do Government propose to communicate it now?

The Minister of Home Affairs and the States (Sardar Patel): (a), (c) and (d). High Court Judges are recruited from the Bar, and District Judges belonging to the Indian Civil Service and the Provincial Civil Service, but no proportion of vacancies is reserved for any of these categories. Selection is made solely on considerations of merit and this policy is well known to State Governments.

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

STATEMENT

Number of Judges (including the Chief Justice) from the three categories i.e. the Bar, the I.C.S., and the P.C.S., in the High Courts at Calcutta, Bombay, Madras and Patna.

Name of High Court	Members of Bar	I.C.S.	P.C.S.
Calcutta	13	5	1
Bombay	7	4	Nil
Madras	... 11	5	Nil
Patna	... 5	5	1

AGRICULTURAL FINANCE CORPORATION

*1436. **Shri Chandrika Ram:** (a) Will the Minister of **Finance** be pleased to state whether there is any proposal for setting up of an Agricultural Finance Corporation?

(b) If the answer to part (a) above be in the negative, what steps, if any, are Government taking to finance the programme of the agricultural development of the country?

The Minister of Finance (Dr. Matthal): (a) There is no proposal for the setting up of a Central Agricultural Finance Corporation, but a suggestion had been made to the States Governments that they might consider the advisability of setting up suitable organisations.

(b) The programme of agricultural development of the country is usually financed through States Governments. In addition to providing finance to the States for the execution of the multi-purpose river valley projects, the Government of India have been rendering extensive financial assistance to the States in connection with the 'Grow More Food' campaign.

WAR PENSIONERS TRIBUNALS

***1437. Shri Rathnaswamy:** (a) Will the Minister of **Defence** be pleased to state how many War Pensioners Tribunals are at work in India?

(b) How many cases of appeals were heard in 1949-50?

(c) Is there any proposal to abolish this establishment?

The Minister of Defence (Sardar Baldev Singh): (a) Eight, including one Central Appeal Tribunal which hears appeals against the decisions of seven Pensions Appeal Tribunals proper.

(b) 11,366 appeals were heard and disposed of by the seven Pensions Appeal Tribunals during the period 1st April 1949 to 28th February 1950.

(c) The Pensions Appeal Tribunals are concerned with claims arising out of Service during the war of 1939-46. Judging by the number of appeals at present outstanding, it would appear that most of these Tribunals can be closed by the end of this year.

INDIAN DANCING

***1438. Shri Rathnaswamy:** Will the Minister of **Education** be pleased to state:

(a) whether any state aid or encouragement is given to improve the art of Indian dancing;

(b) whether any representations have been received by the Government for state aid; and

(c) if so, what steps have so far been taken on these representations?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) Grants-in-aid are being given by the Government direct or through the Local Administration to some institutions like Visva Bharati (West Bengal); Kalakshetra (Madras); Sangeet Bharati (Delhi); whose curriculum includes dancing. No grant is being given to any organisation specifically for dancing.

(b) and (c). No request has been received from any organisation exclusively for dancing.

TOUR OF TURKISH STUDENTS

***1439. Shri Joachim Alva:** Will the Minister of **Education** be pleased to state:

(a) whether a batch of Turkish students which toured Pakistan in February-March 1950, expressed a desire to visit India; and

(b) whether any invitation was tendered to them to tour India by the High Commissioner for India in Pakistan?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) A batch of Turkish students requested our Ambassador for facilities to tour in India and study the social and economic conditions here. They also requested for some financial assistance and concessions in Steamer and Train fares. The proposal is under consideration of the Government of India. It is not known whether the same batch of students has been touring Pakistan.

(b) We have no information.

REPARATION CLAIMS IN RESPECT OF ASSAM AND MANIPUR

*1440. **Shri J. N. Hazarika:** (a) Will the Minister of **Defence** be pleased to state what is the total amount of compensation claimed by Indians in Assam for damages caused during the last War (in India)?

(b) What is the total amount of claims which are still to be paid?

(c) What is the total amount of claims so far lodged through the Government of Assam?

(d) What are the amounts paid to the people of the State of Manipur for damages done in the State?

(e) When will all the claims be paid?

The Minister of Defence (Sardar Baldev Singh): (a) to (e). It is presumed that the hon. Member is referring to claims for damages resulting from occupation by Allied troops and the enforcement of denial measures. This information is not readily available and it will take far more effort and time to collect it than its interest or practical value justifies.

CENSUS OF VEGETARIANS AND NON-VEGETARIANS

*1441. **Lala Raj Kanwar:** Will the Minister of **Health** be pleased to refer to reply given to part (d) of my Starred Question No. 582 on 1st March 1948 regarding Research in vegetarian and non-vegetarian diets and state whether enquiries into the matter are likely to be made in connection with the forthcoming decennial census?

The Minister of Health (Rajkumari Amrit Kaur): A country-wide enquiry regarding vegetarian and non-vegetarian diets and their effects on health, etc., cannot be undertaken in conjunction with the forthcoming decennial census. As the enumerators are honorary the census questionnaire has to be kept as simple as possible.

GRANT TO VELLORE CHRISTIAN MEDICAL COLLEGE

*1442. **Shri Obaidullah:** Will the Minister of **Health** be pleased to state:

(a) the amount of grant that is given to the Vellore Christian Medical College by the Government of India; and

(b) whether it is a fact that the management admits only 10 per cent. of non-Christians to the College?

The Minister of Health (Rajkumari Amrit Kaur): (a) The Government of India do not pay any grant to the Christian Medical College, Vellore.

(b) The College authorities have not fixed any percentage for the admission of non-Christian students.

AERODROMES IN ORISSA

*1443. **Maulvi Haneef:** (a) Will the Minister of **Defence** be pleased to refer to the answer given to starred question No. 864 on the 14th March, 1950 regarding aerodromes in Orissa and state what has happened to the lands and buildings of the abandoned aerodromes in Orissa?

(b) Was any site in the district of Balasore in Orissa acquired after the year 1945 for the construction of an aerodrome for civil aviation?

(c) If so, what has happened to this site?

The Minister of Defence (Sardar Baldev Singh): (a) All land requisitioned for the construction of airfields (subsequently abandoned) in Orissa has been derequisitioned (*i.e.*, returned to original owners). Defence Ministry assets created on one airfield were handed over to the owners on 'No cost basis' in lieu of restoration. The assets on another airfield have been handed over to the State Government for housing refugees. No saleable assets were created on the other abandoned airfields.

(b) No.

(c) Does not arise.

CONCILIATION COMMITTEE

***1444. Shri K. C. Sharma:** Will the Minister of Defence be pleased to state:

(a) whether it is a fact that the Ministry have abolished the Conciliation Committees which were formed in Cantonments to advise the Government on labour disputes; and

(b) if so, the reasons therefor?

The Minister of Defence (Sardar Baldev Singh): (a) No; there have never been any Conciliation Committees in Cantonments.

(b) Does not arise.

STRIKES IN CANTONMENT BOARDS

***1445. Shri K. C. Sharma:** (a) Will the Minister of Defence be pleased to state the number of strikes by employees in Cantonment Boards in 1948-1949?

(b) What were the main causes of the strikes?

(c) What steps have Government taken to eliminate these?

The Minister of Defence (Sardar Baldev Singh): (a) Five.

(b) Demands for revision of pay, recognition of Cantonment Board Employees' Unions, provision of rent-free accommodation, representation of employees of Cantonment Boards on Enquiry Committees, confirmation of temporary employees and re-instatement of certain discharged employees.

(c) Strikes by employees of Cantonment Boards are primarily matters for the Boards to deal with and Government can only proffer advice. Demands which were considered reasonable have been accepted by the Cantonment Boards.

SURPLUS LAND AT AMAUSI AERODROME

***1446. Shri N. S. Jain:** Will the Minister of Defence be pleased to state whether it is a fact that about 600 acres out of the land acquired by Government for building the Amausi Aerodrome in U.P. was declared surplus by the Defence Authorities?

(b) Are Government aware that there was a demonstration at Lucknow by the tenants for the return of this surplus land to them?

(c) Why has the land not been returned to its original tenants?

The Minister of Defence (Sardar Baldev Singh): (a) and (c). Acquired land at Amausi airfield measures only 414.61 acres. It was declared surplus to Defence requirements but a major portion is required for Civil Aviation. The balance of 189.28 acres which is not required by Civil Aviation will be released shortly.

(b) I am not aware of any such demonstration.

INTERNATIONAL BANK MISSION

***1447. Shri Hanumanthaya:** (a) Will the Minister of Finance be pleased to state whether a Mission of the International Bank of Reconstruction and Development with Mr. Joseph Rucinshi as leader is touring India?

(b) How many members are in the Mission?

(c) What is the purpose of their tour?

(d) Who bears their expenses?

The Minister of Finance (Dr. Matthai): (a) A Mission from the International Bank arrived in Delhi on the 5th March, 1950 and left on the 28th March, 1950. The Mission did not tour India.

(b) Three members of the Mission with four others on the Staff.

(c) To discuss with officials of Government of India and to obtain economic data on the general economic conditions of India with a view to ascertain whether India has the capacity to service further loans.

(d) International Bank.

I.A.S. EXAMINATIONS (1948)

***1448. Shri Bharati:** Will the Minister of Home Affairs be pleased to state:

(a) the total number of candidates who appeared for the Joint Competitive examination for appointment to I.A.S. and other superior services held in the year 1948;

(b) the total number of persons declared qualified for appointment;

(c) how many, out of the list of such qualified persons, have been appointed so far to I.A.S., I.P.S., and to each of the other categories of service separately for which the joint examination was held?

The Minister of Home Affairs and the States (Sardar Patel): (a) 1,990.

(b) 179.

(c) A statement giving the information is laid on the Table of the House.

STATEMENT

Number of candidates selected for appointment to Indian Administrative Service, Indian Police Service, Indian Foreign Service and each of the other categories of Central Services separately for which the Joint Examination was held in 1948 :

Service	Candidates selected for appointment
Indian Administrative Service	32
Indian Police Service	18
Indian Foreign Service	4
Indian Audit and Accounts Service	10
Military Accounts Department Service	1
Indian Railway Accounts Service
Indian Customs Service	6
Income-tax—Officers Service (Class I)	35
Transportation (Traffic) and Commercial Department Service	6
Indian Postal Service	4
Military Lands and Cantonments Service, Class I	3
Income-tax—Officers Service (Class II)	24
Military Lands and Cantonments Service Class II	2
	145

NOTE—In the case of most of these candidates offers of appointment have already been issued to them, and some have joined duty. In the case of the others the offers of appointment are under issue, or are expected to issue shortly.

I.A.S. EXAMINATIONS (1949)

*1449. **Shri Bharati:** (a) Will the Minister of **Home Affairs** be pleased to state the number of candidates who appeared for the Joint Competitive examination for I.A.S. and other superior services held in the year 1949, separately from each State?

(b) What is the principle or basis on which the candidates appearing for the written examination were selected for the *viva voce* examination by the Union Public Service Commission?

(c) What is the probable number of vacancies in each of the categories of service for which the joint competitive examination was held?

The Minister of Home Affairs and the States (Sardar Patel): (a) A statement giving the information is laid on the Table of the House.

(b) Selection of candidates for the *viva voce* examination is made by the Commission at their discretion on the basis of the performance of each candidate at the written examination.

(c) The number of vacancies to be filled will be finally determined in the light of the administrative needs and the number of qualified candidates available and their suitability for the different services.

The Minister of Health (Bajkumari Amrit Kaur): (a) I presume the hon. Members means the Inter-provincial Mental Hospital at Ranchi. The average annual expenditure for the three years ending 1948-49 was Rs. 7,31,030.

(b) It varies from Rs. 171 for ordinary non-paying patients to Rs. 400 for paying patients.

(c) The number of beds occupied at present is 297, but the maximum authorised bed strength is 336.

PROPERTY OF MIR LAIK ALI

***1452. Shri Hanumanthaiya:** (a) Will the Minister of States be pleased to state what was the value of movable and immovable properties of Mir Laik Ali the former Prime Minister of Hyderabad?

(b) How much of these had been disposed of before his escape?

(c) What does the Government of Hyderabad propose to do with the rest of the properties?

The Minister of Home Affairs and the States (Sardar Patel): (a) About Rs. 20 lakhs in addition to a Sugarcane farm in the the State with machinery worth about Rs. 10 lakhs.

(b) None, as far as the Government are aware. However enquiries are still going on.

(c) The Custodian of Evacuee Properties has taken possession of all known properties of Mir Laik Ali.

SCHOOLS FOR ADULTS IN CENTRALLY ADMINISTERED AREAS

***1453. Shri Balmiki:** (a) Will the Minister of Education be pleased to state the number of Schools for adults in the Centrally Administered Areas?

(b) How many of them are run in Harijan Basties?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) The number of schools for Adults in the Centrally Administered Areas (excluding Bhopal and Himachal Pradesh—for which no information is available) is 124.

(b) Information is being collected and will, when available, be placed on the Table of the House.

NATIONAL DEFENCE ACADEMY AT KHADAKVASLA

***1454. Shri Sanjivayya:** (a) Will the Minister of Defence be pleased to state whether the Government of India have decided to construct buildings for the National Defence Academy to be established at Khadakvasla near Poona?

(b) Have the various State Governments agreed to contribute towards this expenditure?

The Minister of Defence (Sardar Baldev Singh): (a) Yes.

(b) Yes, all the late Provinces (now States) and the States of Hyderabad and Mysore.

KHAJURAHO MONUMENTS

*1455. **Shri Dwivedi:** (a) Will the Minister of Education be pleased to state whether the Khajuraho Monument appearing on the new eight annas postage stamps is regarded archaeologically important?

(b) If the answer to part (a) be in the affirmative, what steps have Government taken or propose to take to preserve them and maintain them through the Central Archaeological department?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) Yes, the Kandarya Mahadeva Temple appearing on the new eight annas postage stamps belongs to the Khajuraho group. It is regarded as archaeologically important.

(b) The Khajuraho monuments which belonged to the former Chhatarpur State were outside the jurisdiction of the Central Archaeological Department. According to the new Constitution, the Government of India propose to declare them as monuments of national importance and take charge over their conservation.

PAKISTAN RAIDS ON TRIPURA

*1456. **Shri G. S. Guha:** (a) Will the Minister of States be pleased to refer to the answer given to my Starred Question No. 418 on the 21st February 1950 and state whether the detailed report of the Chief Commissioner of Tripura has been received about the raid in Sonamura Division?

(b) If so, what are its main contents?

(c) Has the report on the road link connecting all the Divisions of Tripura with Agartala been received?

(d) If so, within what time is it expected to complete the scheme?

(e) What are the Divisions with which communications exist through Eastern Pakistan only?

(f) Has the report of the Special Officer mentioned in reply to my supplementary question raised on reply to the question referred to in part (a) above been received and if so, what are its main points?

The Minister of Home Affairs and the States (Sardar Patel): (a) and (b). Yes. The report indicates that on the 28th January 1950 a large armed mob collected near Bakshnagar where the Kalamchoura Police Station is also situated. The small Police Force was not adequate to deal with the mob and the Officer in charge of the Kalamchoura Police Station withdrew with his men with the intention of tackling the mob after obtaining reinforcements. But taking advantage of the absence of the Police the mob attacked the Police Station and the Bakshnagar Tehsil Office and withdrew after burning them. It is reported that the mob was supported by Ansars.

(c) and (d). The Chief Commissioner has submitted estimates amounting to Rs. 1.25 crores for the construction of internal roads linking the various important divisions of Tripura with Agartala. It may not be possible to put the scheme through before the monsoon is over. He has, however, in anticipation of sanction been asked to take up the construction of two roads.

(e) All Divisions of Tripura except two are dependent on communication through Pakistan territory.

(f) The report has been received. It is not in the public interest to disclose its contents.

ANTHROPOLOGICAL SURVEY

*1457. **Shri Borooah**: Will the Minister of **Education** be pleased to state:

(a) the amount of money spent for the Anthropological Survey of India in the year 1949-50; and

(b) the States in which field survey was made in 1949-50 and what is the nature of the work done?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) The total amount of money spent by the Department of Anthropology during 1949-50 is approximately Rs. 5,34,000.

(b) Field surveys were made in 1949-50 in the following States:

(i) Assam—on the Abors in the Abor Hills.

(ii) Hill tribes of Travancore—Kanikars, Uralis, Kuravas, Malapantram, etc.

(iii) Behar—on the Sentals, Gayawals, etc.

(iv) Chingleput (Madras)—Excavation of skeletal remains in collaboration with the Department of Archaeology.

(v) Community studies for UNESCO in the Sarisha Union in West Bengal.

SALES TAX IN STATES

*1458. **Shri Sanjivayya**: (a) Will the Minister of **Finance** be pleased to state whether any directive was issued to the State Governments to exempt certain specified articles essential to the life of community from Sales-tax?

(b) If so, what are such articles?

The Minister of Finance (Dr. Matthai): (a) No.

(b) Does not arise.

WORLD HEALTH DAY

*1459. **Shri Sanjivayya**: (a) Will the Minister of **Health** be pleased to state whether Government are contemplating to observe "The World Health Day" on April 5 and 6?

(b) If so, what are the various functions arranged by the Government?

The Minister of Health (Rajkumari Amrit Kaur): (a) It is proposed to celebrate World Health Day on the 7th April 1950.

(b) A note giving detailed information regarding the celebration of "World Health Day" is placed on the Table of the House. [See Appendix VI, annexure No. 89].

PERMISSION FOR SOCIALIST PARTY MEETING

*1460. **Shri D. S. Seth**: Will the Minister of **Home Affairs** be pleased to state:

(a) whether the Socialist Party, Jama Masjid Unit, Delhi, applied for permission to hold a public meeting at Azad Park (opposite Jama Masjid) on 24th March, 1950, in connection with "Save Secular Democracy" campaign;

- (b) whether the permission applied for was granted; and
 (c) if not, what was the reason for the refusal of permission?

The Minister of Home Affairs and the States (Sardar Patel): (a) Yes.

(b) and (c). The permission was refused since there was an apprehension that in view of the surcharged atmosphere as a result of communal disturbances on the 19th March, there might be clashes if any meetings were held. Accordingly it was decided not to allow any public meeting whatsoever for some days.

AYURVEDIC COLLEGES

***1461. Shri Dwivedi:** (a) Will the Minister of Health refer to the answer given to my supplementary on question No. 1079 on 23rd March 1950 and state what are the requisite qualifications which the graduates of the colleges and universities of the indigenous systems of medicine are required to have in addition to their degrees to be placed at par with the graduates of Allopathic Medical Colleges?

- (b) How and where can such qualifications be acquired?
 (c) Have Government set up any standard for such qualifications?
 (d) If the answer to part (c) above be in the affirmative, what is the body appointed for this purpose?
 (e) If the answer to part (c) above be in the negative, when do Government propose to do so?

The Minister of Health (Rajkumari Amrit Kaur): (a) to (e). The graduates of the Colleges and Universities of the indigenous systems of medicine will be treated on a par with graduates of modern medical colleges when they possess qualifications recognised under the Indian Medical Council Act, 1933. The Government of India have appointed a Committee under the Chairmanship of Dr. C. G. Pandit which has been asked *inter alia* to recommend in what manner special training in Ayurvedic and Unani systems can be incorporated during the last year or so of the undergraduate medical course in modern medical colleges for the benefit of those desiring to qualify themselves in these systems or alternatively to suggest how Ayurveda and Unani can be fitted in as subjects for post-graduates medical study. Government will take further necessary action when the Pandit Committee's Report has been received.

DEGREES RECOGNIZED BY GOVERNMENT

***1462. Shri Snatak:** (a) Will the Minister of Education be pleased to state whether Government recognize the Degrees awarded by any private educational institutions for Government service?

- (b) If so, what are the names of these institutions and what are the Degrees awarded by them?
 (c) Is any financial assistance given by the Government to these institutions?
 (d) If so, what is the amount granted to each of these institutions?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) I would invite the hon. Member's attention to my reply to Starred Question No. 775 by Mr. Dwivedi. on 10th March, 1950.

- (b) to (d). Do not arise.

EXCHANGE BANK OF INDIA AND AFRICA

*1463. **Shri Sidhva:** Will the Minister of **Finance** be pleased to state:

(a) whether the decision sanctioning the loan of Rs. 87.43 lakhs to the Exchange Bank of Africa and India was taken by the Central Board of the Reserve Bank as required by Section 18(1) before the advance was made;

(b) if so, on what date and what was the text of the resolution;

(c) whether the loan was sanctioned in one instalment or more. If in more than one instalment whether the decision of the Central Board was taken whenever any instalment was sanctioned;

(d) the names of Directors of the Central Board who attended the meetings for this purpose;

(e) whether title deeds mortgaged with the Reserve Bank are first or second mortgage, and what is the nature and value of the security; and

(f) how much of the amount from the original loan is likely to be recovered?

The Minister of Finance (Dr. Matthai): As these matters are at present under investigation by the Bombay High Court in connection with the liquidation proceedings relating to the Bank, the Government of India are advised by their legal advisers that it will not be in the public interest to disclose the information asked for.

MILITARY TRAINING FOR STUDENTS

157. **Seth Govind Das:** Will the Minister of **Defence** be pleased to state the number of students receiving military training in (i) schools; and (ii) colleges and universities?

The Minister of Defence (Sardar Baldev Singh): At present 85,200 students in Schools and 21,378 in Colleges and Universities are receiving military training under the National Cadet Corps Scheme.

CENTRAL SUBJECTS IN STATES

158. **Shri Sanjivayya:** (a) Will the Minister of **States** be pleased to state when the administration of the Central subjects in the former Indian States will be taken up by the Government of India?

(b) Will the employees engaged in the administration of such subjects be placed on the same cadre as that of the present Central Government servants?

The Minister of Home Affairs and the States (Sardar Patel): (a) The Central subjects in Part 'E' States have been taken over from the 1st April 1950, except in the case of Patiala and East Punjab States Union where they will be taken over on the 13th April 1950.

(b) The attention of the hon. Member is invited to the Press notes issued on the subject on the 21st March and 1st April 1950. Copies of the Press Notes are available in the Library of the House.

DENTAL COLLEGES AND HOSPITALS

159. Lala Raj Kanwar: (a) Will the Minister of Health be pleased to state the names of (i) Dental colleges and (ii) Dental Hospitals in the country?

(b) What proportion or percentage of the population of the country is believed to be suffering from dental maladies or defective teeth?

(c) What steps do Government propose to take to improve matters in this regard?

The Minister of Health (Rajkumari Amrit Kaur): (a) The Dental Colleges which train students for dental qualifications recognised under the Dentists Act, 1948, are (1) Sir Currimbhoy Ebrahim Dental College, Bombay; (2) The Nair Hospital Dental College, Bombay; and (3) The Calcutta Dental College, Calcutta. Facilities for dental treatment are available at all important State hospitals in India.

(b) No statistics on the subject are available.

(c) This is a matter which primarily concerns the State Governments. The Government of India have asked all Governments of Part A States to raise the standard of teaching in the existing institutions and to establish new institutions. The use of dental vans for rural areas has also been recommended as also the compulsory examination of teeth in teaching institutions in the urban areas.

INDIAN PHARMACOPOEIAL COMMITTEE

160. Lala Raj Kanwar: Will the Minister of Health be pleased to state:

(a) the Composition of the Indian Pharmacopoeial Committee;

(b) the date of its appointment;

(c) the terms of its reference; and

(d) the date by which the Committee has been asked to submit its report.

The Minister of Health (Rajkumari Amrit Kaur): (a) to (c). A copy of the notification constituting the Indian Pharmacopoeia Committee is attached. [See Appendix VI, annexure No. 40.]

(d) The Committee is entrusted with the work of preparing an Indian Pharmacopoeia and keeping it up to date. Its work is of a permanent nature but it has been set up for five years in the first instance.



Wednesday, 5th April, 1950



PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)

OFFICIAL REPORT

VOLUME IV, 1950

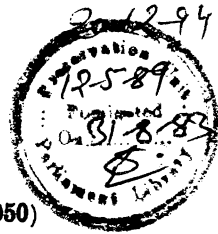
(1st April, 1950 to 20th April, 1950)

First Session

of the

PARLIAMENT OF INDIA

1950



CORRIGENDA

to

the Parliamentary Debates (Part II—Other than Questions and Answers), 1st Session, 1950,—
In Volume IV,—

1. No. 3, dated the 4th April, 1950,—
Page 2507, line 19 from bottom for "tribal and other backward areas" read "scheduled castes".
2. No. 4, dated the 5th April, 1950,—
Page 2561, line one under clause 182, for "—ssion" read "submission".
3. No. 6, dated the 8th April, 1950,—
(i) Page 2647, line 11 from bottom for "so" read "to".
(ii) Page 2648, line 9 after "far" read "so".
(iii) Page 2670, line 11 from bottom for "coutry" read "country".
4. No. 7, dated the 10th April, 1950,—
Page 2710, line 13 from bottom for "its" read "to", and in last line for last word "we" read "were".
5. No. 9, dated the 12th April, 1950,—
(i) Page 2810, line 6 from bottom for "act" read "Act".
(ii) Page 2822, for existing line 19 from bottom read "into effect on 19th October, 1949 certain actions had been taken under the old".
6. No. 10, dated the 14th April, 1950,—
Page 2832, for existing line 19 from bottom read "(Occupancy or tenancy right not to be extinguished)".
7. No. 11, dated the 15th April, 1950,—
(i) Page 2896, line 24 after "not" insert "go".
(ii) Page 2900, line 7 for "express" read "expenses".
8. No. 12, dated the 17th April, 1950,—
(i) Page 2922, line 12 for "Shri Hussain Iman" read "Shri Hussain Imam".
(ii) Page 2923, line 4 for "all the said" read "all is said".
(iii) صفحہ ۲۹۲۶ لائن ۴ میں -دمزکورہ کی جگہ دہزارا پیڑھیں -
(iv) Page 2930, between lines 10 and 11 from bottom insert "[Mr. DEPUTY-SPEAKER in the Chair]".
(v) Page 2934, line 1 for "49, 5000" read "49, 500".
9. No. 14, dated the 19th April, 1950,—
(i) Page 3020, line 9 from bottom for "re-established" read "re-establish".
(ii) Page 3022, line 19 for "away" read "way".
(iii) Page 3024, line 12 for "members" read "numbers".
(iv) Page 3025, line 18 for "placed" read "displaced".
(v) Page 3026, line 19 from bottom for "by 375" read "be 375".
(vi) Page 3029, line 28 for "by" read "ly".
(vii) Page 3031, line 12 after "Notified" insert "Area".
- (viii) पृष्ठ ३०३९, पंक्ति १२ में "जातता" के स्थान पर "जानता" पढ़ें और पंक्ति २२ में "जिस को कि" के स्थान पर "जिस को कि" पढ़ें ।
(ix) Page 3044, line 20 for "Mr. Speaker" read "Mr. Deputy-Speaker".

10. No. 15, dated the 20th April, 1950.—

- (i) Page 3059, line 16 for "Article any" read "Article 327".
 - (ii) Page 3084, line 11 from bottom for "effected" read "effete".
 - (iii) Page 3087, line 26 against "9. Tripura" for "6" read "2".
 - (iv) Page 3104, line 8 for "Formaula" read "Formula".
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PARLIAMENTARY DEBATES
(PART II—PROCEEDINGS OTHER THAN QUESTIONS AND ANSWERS)

Wednesday, 5th April, 1950

The House met at a Quarter to Eleven of the Clock

[MR. SPEAKER *in the Chair*]

QUESTIONS AND ANSWERS
(See Part I)

11-45 A.M. ELECTION TO COMMITTEES

STANDING FINANCE COMMITTEE

The Minister of Finance (Dr. Matthai) : I beg to move :

"That this House do proceed to elect, in such manner as may be approved by the Honourable the Speaker, sixteen members along with the Minister of State for Parliamentary Affairs, who shall be an *ex-officio* member, to serve under the Chairmanship of the Finance Minister on the Standing Finance Committee for the financial year 1950-51."

Mr. Speaker : The question is :

"That this House do proceed to elect, in such manner as may be approved by the Honourable the Speaker, sixteen members along with the Minister of State for Parliamentary Affairs who shall be an *ex-officio* member, to serve under the Chairmanship of the Finance Minister on the Standing Finance Committee for the financial year 1950-51."

What does this 'along with' mean? Inclusive?

Dr. Matthai : Excluding.

Mr. Speaker : Very well.

The motion was adopted.

INDIAN CENTRAL COCONUT COMMITTEE

The Minister of Food and Agriculture (Shri Jairamdas Doulatram) : I beg to move :

"That in pursuance of clause (g) of section 4 of the Indian Coconut Committee Act, 1944 the members of this House do proceed to elect, in such manner as the Honourable the Speaker may direct, one member from among themselves to be a member of the Indian Central Coconut Committee *vice* Shri P. Govinda Menon who has ceased to be a member of Parliament."

Mr. Speaker : Motion moved :

"That in pursuance of clause (g) of section 4 of the Indian Coconut Committee Act, 1944 the members of this House do proceed to elect, in such manner as the Honourable the Speaker may direct, one member from among themselves to be a member of the Indian Central Coconut Committee *vice* Shri P. Govinda Menon who has ceased to be a member of Parliament."

Shri Kamath (Madhya Pradesh) : On a point of information, Sir, may I know how many times during the last twelve months this Central Coconut Committee met and what fillip has been given to the cultivation of coconut in India as a result of the activities of this Coconut Committee?

Shri Jairamdas Doulatram : I do not think that the Central Coconut Committee has met probably more than twice. With regard to the fillip, I believe if the report which has been circulated and placed in the Library of the House is read, hon. Members will get a full idea of the work done.

Mr. Speaker : I will put the motion to the House. The question is :

"That in pursuance of clause (g) of section 4 of the Indian Coconut Committee Act, 1944 the members of this House do proceed to elect, in such manner as the Honourable the Speaker may direct, one member from among themselves to be a member of the Indian Central Coconut Committee *vice* Shri P. Govinda Menon who has ceased to be a member of Parliament."

The motion was adopted.

INDIAN OILSEEDS COMMITTEE

The Minister of Food and Agriculture (Shri Jairamdas Doulatram) : I beg to move :

"That in pursuance of clause (s) of section 4 of the Indian Oilseeds Committee Act, 1946 the members of this House do proceed to elect, in such manner as the Honourable the Speaker may direct, six members from among themselves to be members of the Indian Oilseeds Committee."

Mr. Speaker : The question is :

"That in pursuance of clause (s) of section 4 of the Indian Oilseeds Committee Act, 1946 the members of this House do proceed to elect, in such manner as the Honourable the Speaker may direct, six members from among themselves to be members of the Indian Oilseeds Committee."

The motion was adopted.

Mr. Speaker : I have to inform hon. Members that the following dates have been fixed for receiving nominations and holding elections, if necessary in connection with the following Committees, namely :

	Date for nomination	Date for election
1. Standing Finance Committee	8-4-1950	10-4-1950
2. Indian Oilseeds Committee		
3. Indian Central Coconut Committee	10-4-1950	12-4-1950

The nominations for these Committees will be received in the Notice Office up to 12 NOON on the dates mentioned for the purpose. The elections, which will be conducted by means of the single transferable vote, will be held in the Assistant Secretary's Room (No. 21) in the Parliament House between the hours 10-30 A.M. and 1 P.M.

STANDING COMMITTEES FOR MINISTRIES OF HOME AFFAIRS, INDUSTRY AND SUPPLY, INFORMATION AND BROADCASTING AND LABOUR.

Mr. Speaker : I have also to inform the House that up to the time fixed for receiving nominations for the Standing Committees for the Ministries of Home Affairs, Industry and Supply, Information and Broadcasting, and Labour, 15 nominations in the case of each of these Committees have been received. As the number of candidates is equal to the number of vacancies in each of these Committees, I declare the following Members to be duly elected :—

1. **Standing Committee for the Ministry of Home Affairs**—(1) Shri D. Sanjivayya, (2) Shri Ram Sahai Tewari, (3) Shri C. Subramaniam, (4) Pandit Thakur Das Bhargava, (5) Shri Manilal Chaturbhai Shah, (6) Shri P. Kodanda Ramiah, (7) Shri Jai Sukh Lal Hathi, (8) Shri Motilal Pandit, (9) Dr. Y. S. Parmar, (10) Lala Achint Ram, (11) Pandit Mukut Bihari Lal Bhargava, (12) Giani Gurmukh Singh Musafir, (13) Shri K. A. Damodara Menon, (14) Thakur Bhanu Pratap Singh, and (15) Shri Abdul Hamid.

II. Standing Committee for the Ministry of Industry and Supply.—(1) Shri Braja Kishore Prasad Sinha, (2) Shri R. A. Massey, (3) Shri M. R. Masani, (4) Shri Feroz Gandhi, (5) Shri Sardar Singhji, (6) Shri Sadiq Ali, (7) Shri V. Kodandarama Reddi, (8) Shri Manilal Chaturbhai Shah, (9) Shri T. M. Kaliyannan, (10) Shri Rohini Kumar Chaudhuri, (11) Shri R. L. Malviya, (12) Shri B. L. Sondhi, (13) Shri T. A. Ramalingam Chettiar, (14) Shri V. Ramaiah, and (15) Shri U. Srinivasa Mallayya.

III. Standing Committee for the Ministry of Information and Broadcasting.—(1) Shrimati Kamala Chaudhuri, (2) Shri T. R. Deogirikar, (3) Dr. H. C. Mookerjee, (4) Shri P. M. Audikesavalu Naicker, (5) Shri Jainarain Vyas, (6) Shri Ratnappa Kumbhar, (7) Shri K. C. Sharma, (8) Shri Himmat Singh K. Maheshwari, (9) Moulvi Faiznur Ali, (10) Shri T. Channiah, (11) Shri Nemi Sharan Jain, (12) Shri Sri Narayan Mahtha, (13) Captain Awadesh Pratap Singh, (14) Shri M. A. Hasan and (15) Shri Kanhaya Lal Balmiki.

IV. Standing Committee for the Ministry of Labour.—(1) Shri Appikatta Joseph, (2) Shri V. S. Sivaprakasam, (3) Shri Bijoy Kumar Pani, (4) Prof. K. T. Shah (5) Shri R. Venkataraman, (6) Shri M. R. Masani, (7) Shri Rasoolkhan Pathan, (8) Shri R. Subramanian, (9) Prof. Shibban Lal Saksena, (10) Shri R. L. Zangre, (11) Shri H. V. Tripathi, (12) Shri Gopinath Singh, (13) Khwaja Inait Ullah, (14) Shri Gokulbhai Daulatram Bhatt, and (15) Shri Damoder Swarup Seth.

PART C STATES (LAWS) BILL

The Minister of Law (Dr. Ambedkar) : I beg to move for leave to introduce a Bill to provide for the extension of laws to certain Part C States.

Mr. Speaker : The question is :

“That leave be granted to introduce a Bill to provide for the extension of laws to certain Part C States.”

The motion was adopted.

Dr. Ambedkar : I introduce the Bill.

FOREIGN EXCHANGE REGULATION (AMENDMENT) BILL

The Minister of Finance (Dr. Matthai) : I beg to move for leave to introduce a Bill further to amend the Foreign Exchange Regulation Act, 1947.

Mr. Speaker : The question is :

“That leave be granted to introduce a Bill further to amend the Foreign Exchange Regulation Act, 1947.”

The motion was adopted.

Dr. Matthai : I introduce the Bill.

OPIUM AND REVENUE LAWS (EXTENSION OF APPLICATION) BILL

The Minister of Finance (Dr. Matthai) : I beg to move for leave to introduce a Bill to provide for the extension of certain opium and revenue laws to certain parts of India.

Mr. Speaker : The question is :

“That leave be granted to introduce a Bill to provide for the extension of certain opium and revenue laws to certain parts of India.”

The motion was adopted.

Dr. Matthai : I introduce the Bill.

AJMER-MERWARA TENANCY AND LAND RECORDS BILL

Mr. Speaker : The House will now proceed with further consideration of the Bill to declare and amend the law relating to agricultural tenancies, record-of-right and certain other matters in Ajmer-Merwara, as reported by the Select Committee.

Clauses 2 to 37 were disposed of. We are now taking up clause 38 and further clauses.

Shri Frank Anthony (Madhya Pradesh) : Sir, is it in order for Members to leave their seats and walk about in the House when you are standing ?

Mr. Speaker : It is not in order. Members should be in their seats while the Speaker is on his legs.

Shri Kamath (Madhya Pradesh) : Is it in order for the hon. Member to change his seat ?

Mr. Speaker : Order, order. Let us proceed to the Legislative Business.

The procedure which I propose to follow is that I shall collectively call the clauses to which there are no amendments and so far as clauses to which amendments are tabled, I shall call each such clause separately and put the amendments to the House.

Clauses 38 and 39.

Clauses 38 and 39 were added to the Bill.

Clause 40.

(Acquisition of proprietary right by tenant.)

Amendments made :

In part (c) of sub-clause (3), after the word "holding", insert "in the manner prescribed".

In sub-clause (5), for "by an amount equal to the amount of revenue assessed under sub-section (3)", substitute "as prescribed".

—[*Shri Jairamdas Doulatram*]

Clause, as amended, was added to the Bill.

Clauses 41 to 48.

Clauses 41 to 48 were added to the Bill.

Clause 49.

(Compensation for improvement, etc.)

Amendment made :

For existing clause, substitute :

"49. *Compensation for improvement, when permissible.*—A tenant who has made a work of the kind to which the provisions of clause 13 of section 4 apply, whether such work was made before or after the commencement of this Act, shall be entitled to claim compensation—

(a) if an order of ejection is passed against him ; or

(b) if he has been wrongfully ejected from his land and has not recovered possession thereof :

Provided that in case of a dwelling house mentioned in sub-clause (i) of clause (13) of section 4, the tenant may, instead of claiming compensation, sell or remove the materials thereof or, with the written consent of the landlord and within such period as the court deciding the claim for compensation may specify, transfer the right of residence therein to any tenant of the village.

Provided further that except in case of such dwelling house compensation shall not be payable for any work made more than thirty years prior to the date on which the order of ejection was passed or the tenant was wrongfully ejected."

—[*Shri Jairamdas Doulatram*]

Clause, as amended, was added to the Bill.

Clauses 50 to 54

Clauses 50 to 54 were added to the Bill.

Clause 55 :

(Tenant's rights in trees, etc.)

Amendment made :

In part (i) of sub-clause (2), for "in the presence of" substitute "after notice in writing to"

—[*Shri A. P. Jain*]

Clause, as amended, was added to the Bill.

Clause 56

Clause 56 was added to the Bill.

Clause 57

(Surrender by tenant)

Amendment made :

For "second proviso to section 28", substitute "section 29".

—[*Shri Jairamdas Doulatram*]

Clause, as amended, was added to the Bill.

Clauses 58 to 60

Clauses 58 to 60 were added to the Bill.

Clause 61

(Acceptance of premium, etc.)

Amendment made :

In the proviso, —

(1) in part (a)—

(i) at the beginning, omit "(a)" and

(ii) at the end, omit "or"; and

(2) Omit part (b).

—[*Shri Jairamdas Doulatram*]

Clause, as amended, was added to the Bill.

Clauses 62 and 63

Clauses 62 and 63 were added to the Bill.

Clause 64

(Scale of rent, etc.)

Amendments made :

For "Except as otherwise provided", occurring at the beginning, substitute "subject to the provisions of section 63".

For the second proviso, substitute :

"Provided further that if a tenant grows cotton or a crop in which cotton predominates on more than one-fourth of the irrigable area of his holding, the rent of such excess area shall be payable at double the *bighori* at customary rates."

—[*Shri Jairamdas Doulatram*]

Clause, as amended, was added to the Bill.

Clause 65*(Status and liability of person permitted to remain possession)**Amendment made :*

Insert at the beginning "Notwithstanding anything contained in section 106".

—[*Shri Jairamdas Doulatram*]*Clause, as amended, was added to the Bill.***Clauses 66 to 77***Clauses 66 to 77 were added to the Bill.***Clause 78***(Option of tenant to pay in cash)**Amendment made :*

For existing clause, substitute :

" 78. *Application for Kuta*.—If, by an agreement between a land holder and his tenant the *batai* rent of a holding is payable in cash by *Kuta*, either party may apply in the prescribed form to the *tahsildar* to depute an officer to make the *Kuta*."

—[*Shri Jairamdas Doulatram*]*Clause, as amended, was added to the Bill.***Clauses 79 to 86***Clauses 79 to 86 were added to the Bill.***Clause 87***(Landlord's power to charge cess and irrigation dues.)**Amendment made :*

For existing clause, substitute :

" 87 *Landlord's power to charge irrigation dues*.—If a landlord has constructed a tank whether before or after the commencement of this Act, he shall, subject to the rules made by the Chief Commissioner, be entitled to charge irrigation dues from persons irrigating land from such tank, at such rates as may be prescribed."

—[*Shri Jairamdas Doulatram*]*Clause, as amended, was added to the Bill.***Clauses 88 to 91***Clauses 88 to 91 were added to the Bill.***Clause 92***(Arrears deemed satisfied when tenant is ejected)**Amendment made :*

Omit "such", occurring before "arrears".

—[*Shri Jairamdas Doulatram*]*Clause, as amended, was added to the Bill.***Clauses 93 to 95***Clauses 93 to 95 were added to the Bill.*

Clause 96*(Grounds of ejectment)**Amendment made :*

After part (d), add :

“(e) that he has sublet or otherwise transferred his holding or part thereof in contravention of the provisions of this Act.”

—[*Shri Jairamdas Doulatram*]*Clause, as amended, was added to the Bill.***Clause 97***Clause 97 was added to the Bill.***Clause 98***(Procedure in ejectment for decreed arrears)**Amendment made :*

In sub-clause (3), after “ejectment”, insert “from his holding or part thereof as prescribed”.

—[*Shri Jairamdas Doulatram*]*Clause, as amended, was added to the Bill.***Clause 99***(Procedure for ejectment on other grounds)**Amendment made :*

In sub-clause (1), for “(d)”, substitute “(e)”.

—[*Shri Jairamdas Doulatram*]**Mr. Speaker :** The next amendment is No. 150 in the Final List.**Shri A. P. Jain** (Uttar Pradesh) : There is amendment No. 149 which is in the name of the hon. Minister.**Mr. Speaker :** I have been given a list of agreed amendments and that amendment is not in my list.**The Minister of Food and Agriculture (Shri Jairamdas Doulatram) :** Amendment No. 150 replaces No. 149, which is not to be moved.*Further Amendment made :*

For sub-clause (2), substitute :

“(2) If the sub-divisional officer finds that the tenant is liable to ejectment, he shall pass a conditional order for his ejectment either from the entire holding or from such portion thereof, as, having regard to all circumstances of the case, he considers desirable and shall also direct that—

(i) in the case of an order under clause (b), (c) or (d) of section 96 the tenant shall repair the damage, or pay such compensation as the Court may direct within two months from the date of the order, or such further time as the Court may, for reasons to be recorded, allow ; and

(ii) in the case of an order under clause (e) of that section, the tenant shall obtain surrender of, or eject the sub-lessee of other transferee from, the holding or part thereof which is sub-let or otherwise transferred in contravention of the provisions of this Act and resume possession of such holding or part, as the case may be, within such time as the Court may specify.”

—[*Shri Jairamdas Doulatram*]*Clause, as amended, was added to the Bill.*

Clauses 100 to 103

Clauses 100 to 103 were added to the Bill.

Clause 104

(Ejection of person occupying land without title)

Amendment made :

In sub-clause (1), for "to whom section 102 applies", substitute "mentioned in section 102."
—[Shri Jairamdas Doulatram]

Clause, as amended, was added to the Bill.

Clauses 105 and 106

Clauses 105 and 106 were added to the Bill.

Clause 107

(No separate relief claimable, etc.)

Amendment made :

For "tenant", substitute "person".

—[Shri Jairamdas Doulatram]

Clause, as amended, was added to the Bill.

Clause 108

(Tenant's right to claim inquiry, etc.)

Amendments made :

In part (i), omit "or as premium".

—[Shri A. P. Jain]

For "shall declare that for any period, not exceeding three agricultural years, the tenant of the land in respect of which such contravention was made shall be entitled to hold such a land free of any rent, and shall", substitute "shall award to the tenant monetary compensation not exceeding two hundred rupees and".

—[Shri Jairamdas Doulatram]

Clause, as amended, was added to the Bill.

Clause 109

Clause 109 was added to the Bill.

Clause 110

(Prosecution of landholder, etc.)

Amendments made :

In sub-clause (1), omit all the words after "Indian Penal Code (XLV of 1880)".

Omit sub-clause (2).

—[Shri Jairamdas Doulatram]

Clause, as amended, was added to the Bill.

Clause 111

(Compensation for exaction by landholder, etc.)

Amendment made :

For sub-clause (1), substitute :

"(1) If a landholder compels his tenant to render any service, or makes use of any cattle or any agricultural implement of his tenant against the will of such tenant, whether for remuneration or not, the sub-divisional officer shall, on the application of the tenant made within one month of such service or use and on the charge being established, award to the tenant a sum, not exceeding one hundred rupees, as compensation."

—[Shri Jairamdas Doulatram]

Clause, as amended, was added to the Bill.

Clause 112*(Penalty for habitual infringement of rights of tenant)**Amendments made :*

In sub-clause (1), omit "(1)" occurring at the beginning.

—[*Shri Jairamdas Doulatram*]

Omit sub-clauses (2), (3), (4) and (5).

—[*Shri A. P. Jain*]*Clause, as amended, was added to the Bill.*

Shri Ethirajulu Naidu (Mysore) : Sir, the Deputy-Speaker had devised a formula by which this process could be simplified and time saved by putting all the clauses and corresponding amendments agreed to, together instead of every clause and the amendments relating thereto separately. If there is no objection to that procedure, that would save a considerable amount of the time of the House.

Mr. Speaker : It will not only save time but also the constant physical exertion on my part that it involves, namely to get up and sit after every motion. But I think the present procedure is necessary to check up the amendments relating to each clause, unless of course there are no amendments to clauses which can be put collectively. I was asked about that procedure last evening but I thought this procedure which I am following is more in keeping with the regular practice.

Clauses 113 to 116*Clauses 113 to 116 were added to the Bill.***Clause 117***(Grant which cannot be resumed)**Amendments made :*

In part (b) of sub-clause (1), for "province", substitute "State".

In sub-clause (5), after "such grant shall", insert "as prescribed".

—[*Shri Jairamdas Doulatram*]*Clause, as amended, was added to the Bill.***Clause 118***(Grounds on which certain grants may be resumed)**Amendment made :*

For part (v), substitute :

"(v) in case the grant is held at the pleasure of the grantor, on the ground that it is so held".

—[*Shri Jairamdas Doulatram*]*Clause, as amended, was added to the Bill.***Clauses 119 to 124***Clauses 119 to 124 were added to the Bill.***Clause 125***(Power to form and alter patwaris' circles)**Amendment made :*

For "province", substitute "State".

—[*Shri Jairamdas Doulatram*]*Clause, as amended, was added to the Bill.***Clauses 126 to 129***Clauses 126 to 129 were added to the Bill.*

Clause 130*(Maintenance of maps and field books)**Amendment made :*

For "province", substitute "State".

—[*Shri Jairamdas Doulatram*]*Clause, as amended, was added to the Bill.***Clause 131***(Obligation of owners as to boundary marks)**Amendment made :*

In part (b) of sub-clause (1), before "material" insert "such".

—[*Shri Jairamdas Doulatram*]*Clause, as amended, was added to the Bill.***Clause 132***(Record-of-rights)**Amendment made :*

In part (iii) of sub-clause (2), for "province", substitute "State".

—[*Shri Jairamdas Doulatram*]*Clause, as amended, was added to the Bill.***Clauses 133 and 134***Clauses 133 and 134 were added to the Bill.***Clause 135***(The annual registers)**Amendment made :*

In sub-clause (3), for "province", substitute "State".

—[*Shri Jairamdas Doulatram*]*Clause, as amended, was added to the Bill.***Clauses 136 to 141***Clauses 136 to 141 were added to the Bill.***Clause 142***(Record and rent-rate operations)**Amendment made :*

In sub-clause (1), for "province", substitute "State".

—[*Shri Jairamdas Doulatram*]*Clause, as amended, was added to the Bill.***Clause 143***Clause 143 was added to the Bill.***Clause 144***(Sanctioned rates)**Amendments made :*

In the proviso, for "province", substitute "State".

In the proviso, in line 3, after "rent cases, shall", insert "in the manner prescribed".

—[*Shri Jairamdas Doulatram*]*Clause, as amended, was added to the Bill.*

Clauses 145 and 146

Clauses 145 and 146 were added to the Bill.

Clause 147

(Basis of rates for hereditary tenants)

Amendment made :

In part (f) of sub-clause (2), for "province", substitute "State".

—[*Shri Jairamdas Doulatram*]

Clause, as amended, was added to the Bill.

Clauses 148 to 153

Clauses 148 to 153 were added to the Bill.

Clause 154

(Grounds of enhancement of fixed money rent)

Amendment made :

In part (b), after "other than a work", insert "in respect of which irrigation dues are payable under section 87 or which is".

—[*Shri Jairamdas Doulatram*]

Clause, as amended, was added to the Bill.

Clauses 155 to 160

Clauses 155 to 160 were added to the Bill.

Clause 161

(Period for which rent is not liable to modification)

Amendments made :

In part (i) (a), omit "on the expiry of the period of settlement of the area in which the holding is situated".

In part (ii), at the end, for the colon, substitute a fullstop.

Omit the proviso.

—[*Shri Jairamdas Doulatram*]

Clause, as amended, was added to the Bill.

Clauses 162 to 171

Clauses 162 to 171 were added to the Bill.

Clause 172

(Limitation in cases under this Act)

Amendment made :

For existing clause, substitute :

"172. Except as provided in section 171, no application under this Act shall, if the period for filing it is specified therein, be filed after the expiry of such period."

—[*Shri Jairamdas Doulatram*]

Clause, as amended, was added to the Bill.

Clause 173

(Payment of court-fees under this Act)

Amendment made :

In the second proviso to sub-clause (2), for "province", substitute "State".

—[*Shri Jairamdas Doulatram*]

Clause, as amended, was added to the Bill.

Clause 174*(Subordination of courts)**Amendment made :*

In sub-clause (1), for "province", substitute "State".

—[*Shri Jairamdas Doulatram*]*Clause, as amended, was added to the Bill.***Clause 175***(Place of sitting of revenue courts)**Amendments made :*

For "province" wherever it occurs, substitute "State".

In sub-clause (4), for "(a), (b) or (c)", substitute "(a) or (b)".

—[*Shri Jairamdas Doulatram*]*Clause, as amended, was added to the Bill.***Clauses 176 and 177***Clauses 176 and 177 were added to the Bill.***Clause 178***(Collector's powers to authorise certain courts, etc.)**Amendment made :*In part (b), after "a *naiib-tahsildar* of", insert "not less than".—[*Shri Jairamdas Doulatram*]*Clause, as amended, was added to the Bill.***Clause 179***Clause 179 was added to the Bill.***Clause 180***(Powers of Chief Commissioner to create new courts)**Amendment made :*

For existing clause, substitute :

" 180. *Powers of Chief Commissioner to create new courts.*—The Chief Commissioner may—

- (a) create an honorary court and invest it with powers to hear and dispose of cases which a *tahsildar* may hear and dispose of under the provisions of this Act;
- (b) establish a *punchayat* in any village or group of villages of the State, and invest such *punchayat* with powers to hear and dispose of cases which a *tahsildar* may hear and dispose of under the provisions of this Act, and to perform such other duties as may be prescribed ;
- (c) sanction the creation of a *shamlat* committee in any village or town which has at least three hundred acres of stable land as *shamlat dahi* ; and
- (d) define the jurisdiction of the courts created or established under clause (a) or (b) of this section and provide for submission of the cases decided by them for confirmation to courts specified by him :

Provided that no court so created or established under clause (a) or (b) shall hear or decide a case if such court or a member thereof is interested in the result of such case :

Provided further that if, at the commencement of this Act, there exists a *shamlat* committee in any village or town to which the provisions of clause (c) apply, the Chief Commissioner may recognize such committee as one created under this section."

—[*Shri Jairamdas Doulatram*]*Clause, as amended, was added to the Bill.***Clause 181***Clause 181 was added to the Bill.*

Clause 182*Submission to confirming court)**Amendment made*

For existing clause, substitute :

" 182. *Submission to confirming court*.—When under the provisions of this Act, a revenue court is required to submit the record of a case to a confirming court, it shall not comply with such provisions—

- (i) unless any of the parties to such case has, within seven days of the decree or the order passed therein, made an application bearing a Court-fee stamp of the value of two rupees and eight annas to such revenue Court, requesting that the record be submitted for confirmation ; or
- (ii) if such decree or order is passed on the admission of a party to the case, or in terms of a compromise ; or is based on the award of an arbitrator appointed by the parties ; or
- (iii) if the parties to the case apply in writing that they accept the decree or order as final :

Provided that if any party challenges a decree or an order mentioned in clause (ii) on the ground that it does not conform to the compromise or the award, or that it goes beyond it, such Court shall, on the application of such party submit the record to the confirming court. "

[*Shri Jairamdas Doulatram*]*Clause, as amended, was added to the Bill.***Clause 183***Clause 183 was added to the Bill.***Clause 184***(Procedure for confirmation)**Amendment made :*

Add the following proviso :

"Provided that no such written statement shall be entertained on behalf of a party who has not applied for submission of the record under clause (i) of section 182, unless it bears a court-fee stamp of the value of rupees two and annas eight."

[*Shri Jairamdas Doulatram*]*Clause, as amended, was added to the Bill.***Clauses 185 and 186***Clauses 185 and 186 were added to the Bill.***Clause 187***(Revision)**Amendments made :*

In sub-clause (1), before "may make", insert "be".

In sub-clause (1) omit "and which is not required to be submitted to him for confirmation under the provisions of this Act".

[*Shri Jairamdas Doulatram*]*Clause, as amended, was added to the Bill.***Clauses 188 to 201***Clauses 188 to 201 were added to the Bill.*

Clause 202*(Mode of service of summons or notice)**Amendment made :*

In sub-clause (2), for "if acceptance of service so made is refused", substitute "if any person mentioned in sub-section (1) refuses to accept service".

[*Shri Jairamdas Doulatram*]*Clause, as amended, was added to the Bill.***Clause 203***(Power to make rules)**Amendments made :*

For part (h) of sub-clause (2), substitute :—

"(h) for providing the principles on which the part of the holding from which a tenant is to be ejected be determined and for the demarcation of such part ;".

In part (q) of sub-clause (2), omit "arbitration boards".

In sub-clause (4), for "Central Legislature", substitute "Parliament".

[*Shri Jairamdas Doulatram*]*Clause, as amended, was added to the Bill.***Clause 204***Clause 204 was added to the Bill.***Clause 205***(Provision for pending and other cases)**Amendment made :*

For existing clause, substitute :

"205. *Provision for pending and other cases.*—(1) After the commencement of this Act, no court shall entertain any proceeding for the establishment or enforcement of a claim, prohibited by, or inconsistent with, the provisions of this Act, whether such claim arose before or after such commencement.

(2) A proceeding, in respect of any matter covered by this Act, pending in any civil or revenue Court at the commencement of this Act shall, notwithstanding anything contained in section 169, be heard and decided by such Court in accordance with the corresponding provisions of this Act, and if there is no such corresponding provision, it shall be quashed.

(3) Notwithstanding anything contained in this Act, the record of every case in which the proceeding is so quashed shall be submitted for confirmation in accordance with the provisions of section 183 by the Court quashing the proceeding to the Court to which it is immediately subordinate and the Court to which the record is so submitted shall follow the procedure specified in section 184."

[*Shri Jairamdas Doulatram*]*Clause, as amended, was added to the Bill.***Schedules***The First and Second Schedules were added to the Bill.***Clause 1***(Short title, etc.)**Amendments made :*

In sub-clause (1),—

For "Ajmer-Merwara", substitute "Ajmer"; and

For "1949", substitute "1950".

In sub-clause (2),—

For "province", substitute "State"; and

For "Ajmer-Merwara", substitute "Ajmer".

[*Shri Jairamdas Doulatram*]

Clause, as amended, was added to the Bill.

The Preamble

Mr. Speaker : The question is :

"That the Preamble stand part of the Bill".

The motion was negatived.

The Enacting Formula

Amendment made :

For existing Enacting Formula, substitute :

"Be it enacted by Parliament as follows :—"

The Enacting Formula, as amended, was added to the Bill.

Title

Amendment made :

For "Ajmer-Merwara", substitute "Ajmer".

The Title, as amended, was added to the Bill.

Shri Jairamdas Doulatram : I beg to move :

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

Mr. Speaker : Motion moved :

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

Shri M. A. Ayyangar (Madras) : I only want to say one word. Even the amendments have not been read. Only the numbers have been given. We are not the only persons who are concerned. The outside public also must know. Therefore, my request is that the hon. Minister may, in as short a time as possible, say if there have been any major amendments that have been carried out or if they are only formal amendments. If there are any major amendments, a brief resume of them will be necessary. Otherwise, how is the world to know?

Mr. Speaker : I may just explain the position. I believe that before these amendments were finally agreed upon, hon. Members who took keen interest in the Bill had carefully gone through all the amendments and the list given to me was a list of agreed amendments. It is not that the House is unaware of what it has been passing. If, on the suggestion made by the Deputy-Speaker, the hon. Minister were to give an explanation about the nature of the amendments, it would mean that the House had been passing something which it was not aware of

Shri Sidhva (Madhya Pradesh) : I think the largest number of Select Committee meetings were held on this particular Bill.

Mr. Speaker : I quite appreciate the intention and motive behind the hon. Deputy-Speaker's suggestion.

Shri M. A. Ayyangar : He may just refer to the changes ; that is what I suggested.

Mr. Speaker : In any case, I just now referred to the probable implication of the request being accepted and complied with.

Shri M. A. Ayyangar : I do not press my suggestion.

Ch. Ranbir Singh (Punjab) : I congratulate the hon. the Agriculture Minister for getting this measure passed by this House.

[Ch. Ranbir Singh]

[MR. DEPUTY-SPEAKER *in the Chair*]

But I must appeal to him that it is not only Ajmer-Merwara but other well known Centrally Administered Areas also require such legislation. I do not want to say anything more at this stage except to appeal to him that in the near future either this legislation should be extended to those areas with some amendments or fresh legislation in respect of them should be brought before the House.

Shri Biswanath Das (Orissa) : I do not think I need waste much of the time of the House. I am glad that my hon. friend has been able to secure an easy passage of this most contentious Bill in this House.

I had, as I said in the first instance, very strong objections to certain provisions of this Bill. I had, however, to give way in view of the feelings of this House to certain amendments of mine and also in view of the fact that the hon. Minister assured me that he will give close attention to them. Whatever those objections may be, it is but fair that I should place one or two facts before this hon. House as also before the hon. Minister in charge of this Bill.

There is one question which is very important and which is painful equally. It is regarding the acquisition of zamindari rights by tenants and similarly the acquisition of tenancy rights by zamindars. As the House is aware many provinces like Madras, Bihar have gone ahead in the process of liquidating zamindaris. Then there are other provinces like the Uttar Pradesh and Orissa where legislation for the liquidation of zamindaris have been pending. In this regard, as I have already stated this Bill will not further the objects we have all in view; on the other hand, it will hamper the progress and will give a fillip to the agitation of the zamindars. The tenants have been given the right to acquire rights of zamindars and the compensation that they have been called upon to pay is twelve times the rent. Similar provision is to be found nowhere in the scheme for the liquidation of zamindaris or in tenancy laws in Bihar or Madras. Nor is it to be found in the Bills of the Uttar Pradesh, Madhya Pradesh or Orissa. Under these circumstances, I would request my hon. friend to stay his hands off and not to allow any acquisition in the way that has been proposed.

Then I come to the other question : the alternative acquisition of tenancy rights by the zamindars. Here the compensation offered is a plot of land. A plot of land is nothing. It is not even worth its name, nor is it a substitute, in any sense of the expression, unless it has equal advantages and is situated in a convenient locality as the land that has been acquired. There is nothing of the kind in the provisions of the Bill. Nor has the Bill, as passed into law, provided any arrangements for bringing improvement and its expenses on the waste land or any land that has come to him in lieu of the land acquired to the level of the land that has been compensated. I would appeal to my hon. friend the Minister of Agriculture to make rules in this regard. I know his heart and I do feel that he will certainly pay attention to this aspect of the question.

The other point that I want to bring to the notice of the hon. Minister is this. This Bill having been passed a part of the work towards liquidation of zamindaris is being done. But as has been pointed out by my hon. friend from the U.P. this is not a thing which can be done all at once. The State Governments have first taken to tenancy reform. The second step they have taken is the assessment and collection of income-tax on agricultural incomes. This reduces the demand of the zamindar and makes it easy and convenient for the purposes of liquidation of the zamindari and the compensation under the circumstances naturally becomes small. In this regard the Central Government have not brought forward any legislation to impose income-tax on landed incomes, as has been done in most of the States in India for the past eight or ten years. Therefore, let me hope that such legislation also will be taken up in due course by the Government.

Last of all let me hope that the liquidation of zamindaris Bill also will follow without any delay. I have nothing more to add and I thank my hon. friend for all the trouble that he has taken to discuss with hon. Members of this House outside it with a view to making the passage of this Bill so smooth and convenient.

Pandit M. B. Bhargava (Ajmer) : I had no intention to intervene in the debate at this stage, but I wish to clarify certain points that have been raised by my hon. friend Mr. Biswanath Das.

Mr. Deputy-Speaker : But they are not very relevant for the purpose. At this stage only those amendments which have been carried out as a result of the Select Committee Report may be touched upon and he has not referred to any of them.

Pandit M. B. Bhargava : All the same I owe it to the House to place on record my hearty congratulations to the hon. Minister for Agriculture who has been taking very keen interest in the problem of my province and particularly in connection with the tenancy law which is by far one of the longest pieces of legislation that this House has been called upon to enact.

In spite of the changes that have been brought about by so many amendments, I would like to bring to the notice of the House that there were many informal discussions and most of the amendments that were accepted by the House were agreed amendments. This was done in the larger interests of the country, so that the time of the House may be utilised for more important legislation.

I would in this connection like to emphasise that as has been promised by the hon. Minister, this Bill will be only an intermediate stage towards the attainment of the goal of the abolition or elimination of the middleman between the tiller of the soil and the State, in this case the zamindar and the *Istimrardar*. Secondly, I would repeat that all the benefits which this piece of legislation seeks to confer upon the tenants, depend upon the preparation of the record of rights and the determination of the rent-rates in Chapter XII and I have not the slightest doubt that the hon. Minister for Agriculture will take immediate steps to start survey and settlement in the *Istimrari* area, so that the full benefits of the legislation may be reaped by the peasantry. Thirdly, in regard to the rulemaking powers, as provided in clause 203, I would request the hon. Minister to take interest in seeing that all those rules are duly framed and that the Chief Commissioner is given due instructions to administer them to the best advantage of the tenants, and to organise *Panchayats* in villages at an early date and to invest them with requisite powers under the provisions of this Act. Our experience in the local area is that even now the attitude of the local administration is pro-*Istimrari* and zamindari. I hope, that my humble request will be heeded to by the hon. Minister and that he will take pains and issue necessary instructions so that the main purpose of this Bill may be achieved at an early date and the tenants may get all the benefits envisaged by this piece of legislation. This is all that I have to submit. I would once more put on record my hearty congratulations to the hon. Minister.

Shri Jairamdas Doulatram : I do not propose to detain the House for more than two or three minutes.

I am grateful to the House for the co-operation which Government have received in getting this very lengthy and to some extent controversial Bill through Parliament in such a brief space of time. The attempt was made to secure saving of time by prolonged informal discussions with friends who had tabled the amendments, and I must thank them publicly for the spirit of accommodation which they showed in seeing that an arrangement was arrived at which while saving the time of the House also kept the interests of the tenants perfectly safe. It was in that spirit of accommodation that we reached an agreement which today has been adopted by the House in the shape of these numerous amendments.

[Shri Jairamdas Doulatram]

Throughout this Bill it has been my effort to take the House into the fullest confidence and allow the Bill to be shaped in deference to the wishes of the representative of the people. That is why we had a very large Select Committee and also such lengthy sittings of the Select Committee. We had also appointed a small Sub-Committee of the Select Committee with a view to iron out the differences. Even in the Select Committee we found a large number of Members, whether representing the interests of the tenants or of the landholders, showing the maximum spirit of accommodation. I cannot forget their contribution—I am not merely returning compliments but it is a fact which I sincerely feel—and I cannot but place before the House my appreciation of the spirit of accommodation shown by men like Shri Ajit Prasad Jain and Pandit Mukut Bihari Lal Bhargava—who more than any person in my opinion is responsible for the present shape of the Bill and also my hon. friend Shri Mahavir Tyagi and one other Member who is absent, namely, Begum Aizaz Rasul. I could see how those who represented divergent opinions, those who had experience of their own Provinces, those who were new to the task ultimately decided that we should try to give a shape to the Bill which was in the interests of the tenants of Ajmer-Merwara, whatever might be the conditions which prevailed in U. P., Bihar and elsewhere.

A few suggestions have been made by my hon. friend Shri Biswanath Das. I have the greatest respect for his opinions because I know how sincerely and honestly he holds them, and I can assure him that to the extent some of his suggestions are capable of being implemented either in Rules or otherwise they will be taken into consideration and to the extent it is possible and feasible, effect will be given to them. Similarly, I cannot but give an assurance to my friend Ch. Ranbir Singh also. I know he has great sympathy for the tenants of Delhi and of other Centrally Administered Areas. I propose also to have the question examined as to what extent the relations now existing between the tenants and landholders in the Centrally Administered Areas need further readjustment and to what extent legislative action is necessary in that behalf. I must also assure my friend Pandit Mukut Bihari Lal Bhargava that his suggestions with regard to the Chief Commissioner's powers, with regard to the nature of changes which the Rules may necessitate, and also with regard to steps being taken towards the abolition of the intermediaries will all be considered and I hope also early decision taken on them.

The question of a survey and record-of-rights is a matter which involves some amount of allotment of money and I do propose to re-discuss this question with the Standing Committee of Agriculture. This question had come up before them some time ago, but we were not able to secure as much financial accommodation as was necessary. But now that the House has expressed its view so strongly on the early implementation of these necessary steps I do hope that the requisite finance will be made available.

I wish to place on record my appreciation of the work done by some people who have never come before the House but who have had a large share in drafting the Bill. I want to thank publicly Mr. Belgrami whose wide experience both of U. P. legislation and the conditions of Ajmer have enabled us to place on the Statute Book a Bill which I think is probably as perfect as could be made possible, looking to the actual situation in that area, and looking also to the time that was available to us all with regard to this legislation. I wish also to thank officers of the Ministry of Law who have been made to work day and night under my pressure to see that all the amendments are properly drafted and brought before the House. Whatever may have been the efforts made by now on Government's side or on the side of the Members of the House to act justly I do hope that the tenants will welcome this as an essential and inevitable step, but as an intermediary step to a bigger step which will follow, I hope, soon hereafter.

Mr. Deputy-Speaker : The question is :

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

The motion was adopted.

LABOUR RELATIONS BILL

The Minister of Labour (Shri Jagjivan Ram) : I beg to move :

"That the Bill to provide for the regulation of the relationship between employers and employees, for the prevention, investigation and settlement of labour disputes and for certain matters incidental thereto, be referred to a Select Committee, consisting of Shri Harihar Nath Shastri, Shri R. Venkataraman, Shri Satyendra Narayana Sinha, Shri Sarangdhar Das, Shri Hari Vishnu Kamath, Shri M.R. Masani, Shri B.L. Sondhi, Dr. Panjabrao Shamrao Deshmukh, Shri V.C. Kesava Rao, Shri Gokulbhai Daulatram Bhatt, Shri T. A. Ramalingam Chettiar, Shrimati Sucheta Kripalani, Shri Sadiq Ali, Shri V. S. Sivaprakasam, Shri R. Velayudhan, Shri Sita Ram S. Jajoo, Shri Khandubhai K. Desai, Prof. Shibban Lal Saksena, Shri M. Ananthasayanam Ayyangar, Shri Prabhu Dayal Himatsingka, and the Mover, with instructions to report by the last day of the first week of the next session."

At this stage I do not want to make any long speech. The intention of this Amending Bill has been made clear in the Statement of Objects and Reasons itself. The most important provision in this Bill is that we have tried to lay the greatest stress on negotiations, collective bargaining and conciliation and settlement of disputes by methods other than cessation of work. The other defect we noticed in the existing Industrial Disputes Act was that we had not enough power for the enforcement or the implementation of the awards given by tribunals. Powers have been taken in the Bill to see that the awards of the tribunals are implemented.

There are other important provisions also in this Bill which have been enumerated in the Statement of Objects and Reasons, and I do not propose to repeat them. I may inform the House that very recently we had a meeting of the Indian Labour Conference on which employers, employees and the various State Governments were represented. That Conference considered this Bill in great detail and opinions of employers' and workers' representatives were expressed on the various provisions embodied in this Bill. The Government will consider those suggestions in due course and we propose to bring to the notice of the Members of the Select Committee the various suggestions made in this behalf.

The Press in this country has also taken considerable notice of this measure and there had been comments practically in every paper in this country. We can safely presume that we have a fair measure of public opinion before us on this measure. We will take this public opinion into consideration in the Select Committee and we will try as far as possible to accommodate the public opinion as well. As I said in the beginning, I do not propose to make any lengthy speech and I commend the motion for the acceptance of the House.

Mr. Deputy-Speaker : Motion moved :

"That the Bill to provide for the regulation of the relationship between employers and employees, for the prevention, investigation and settlement of labour disputes and for certain matters incidental thereto, be referred to a Select Committee, consisting of Shri Harihar Nath Shastri, Shri R. Venkataraman, Shri Satyendra Narayana Sinha, Shri Sarangdhar Das, Shri Hari Vishnu Kamath, Shri M. R. Masani, Shri B.L. Sondhi, Dr. Panjabrao Shamrao Deshmukh, Shri V.C. Kesava Rao, Shri Gokulbhai Daulatram Bhatt, Shri T.A. Ramalingam Chettiar, Shrimati Sucheta Kripalani, Shri Sadiq Ali, Shri V.S. Sivaprakasam, Shri R. Velayudhan, Shri Sita Ram S. Jajoo, Shri Khandubhai K. Desai, Prof. Shibban Lal Saksena, Shri M. Ananthasayanam Ayyangar, Shri Prabhu Dayal Himatsingka, and the Mover, with instructions to report by the last day of the first week of the next session."

Shri Sarangdhar Das (Orissa) : I beg to move :

“That the Bill be circulated for the purpose of eliciting opinion thereon by the 3rd July, 1950.”

In moving this amendment, I have to point out that the Bill has various defects and it affects hundreds of thousands of people working in industrial concerns and that labour is practically illiterate, or if literate, they are so in the regional languages and not in English. The Bill has been published in English and circulated among the Members of this House as well as employers' organizations and probably certain federations of labour and unions, but I have reports from various localities in India that many of the unions do not know what the Bill, is. Consequently, it is very necessary that the Bill should be circulated among labour unions, I mean, individual labour unions and not simply among federations such as the All India Trade Union Congress, the I.N.T.U.C and the Hind Mazdur Sabha but among the individual unions which are affiliated to these federations. The Bill must first be circulated among them to get their opinion. The hon. Minister just now said that it has been commented upon in the Press and that there is a good deal of support from the public. I want to know whether the public are producing the goods in the factories or those working men. In this case the working men themselves are involved because their right to strike is being taken away and they are being compelled to arbitration. The Government is taking very wide powers in introducing this compulsory measure. There are various other defects which I wish to point out in due course, but in the beginning I want to say that recently the International Confederation of Free Trade Unions have declared in clause 30 of their Manifesto as follows:

“It is the aim of organised labour to achieve the foregoing objectives in so far as they are matters for collective bargaining by negotiation and discussion but if employers obstruct the achievement of these objectives then Free Trade Unions reserve the right of their members collectively to leave their employment whenever they choose since the right to strike follows from their right to work.”

Mr. Deputy-Speaker : Will the hon. Member take some time to conclude his speech?

Shri Sarangdhar Das : Yes, Sir.

Mr. Deputy-Speaker : The House will now stand adjourned till 2-30 p. m.

The House then adjourned for Lunch till Half Past Two of the Clock.

The House re-assembled after Lunch at Half Past Two of the Clock.

[MR. SPEAKER *in the chair*]

Shri Sarangdhar Das : As I was saying before the recess that labour has the right to work, consequently, the right to strike is also a fundamental right with labour. It has been established all over the industrial world whether it is in Europe or in the United States. By that right to strike alone, labour has improved its standard of living, conditions of work, housing and other matters. In all democratic countries, the labour union movement has prospered on account of this fundamental right to strike. Therefore, it will be seen that the basic relationship is between the employer and labour. As long as they negotiate with each other as they have done in Great Britain and the United States, the employer realises that he cannot keep down the wages any more and both parties come to an understanding. Recently, in the United States an Act has been passed—the Taft Hartley Act—which gives certain powers to the President of the United States. In the recent nation-wide coal strike in that country, the President by virtue of this Act, instead of allowing the employer and the labour to settle their disputes between themselves, coerced the miners to go back to work. They held out for many months, because you cannot coerce large masses of people to do something against their will. The leader of the Miners' Federation or Union, whatever it is, himself gave the order to the miners, hundreds and thousands of them, to go back to work ; but they did not. Ultimately, it was through negotiation between labour and the mine-owners that the wages were raised and certain other facilities were given and then the strike was

ended. Thus in the United States, this right to strike has done labour so much good as to incorporate in their collective bargaining agreement a term that the employer cannot take a new hand unless that man already belongs to a Union. That is to say, before entering the factory or workshop, the man joins the Union and then he is taken in by the employer. These are the facilities which have been secured by labour after many years of struggle which has cost them much "blood and tears."

In our country, the Trade Union movement is only of recent origin may be not more than a quarter of a century. What labour has done so far by the right to strike and latterly through Arbitration Boards and voluntary arbitration, this Bill seeks to provide through compulsory arbitration.

Shri Jagjivan Ram : That is not new.

Shri Sarangdhar Das : May be ; you may think so. But, you see how that compulsory arbitration has failed in the case of the Miners' strike that I mentioned just now. It is also very clear that if you declare that strikes are illegal because the complaints have not gone to voluntary arbitration, that the complaints should go to compulsory arbitration, it will take a long time for appeals and so on and so forth and it cannot be enforced on large masses of people. It is also impossible in the present conditions of our society to get people to arbitrate and do justice to labour which is the weaker party.

Now, we have to examine what we have done through the Industrial Disputes Act that was passed probably two years ago. It is on the Statute Book and the main objective of that Act was to establish industrial truce between the employer and labour. I believe on several occasions, the Minister himself has said that labour has fully observed that truce. I had also pointed out on a previous occasion about the employers not implementing the arbitration awards, in some cases fully, and in some cases partly. In this connection, I know of one in the Talcher coal fields where the award has not been fully implemented and it is still pending although the award was passed some one and a half years ago.

I also know there are cases in Delhi and other industrial cities where arbitration awards have not been fully implemented ; also the Government has failed in this respect because neither the employers nor Government have done anything to implement the promise of fair wages and improvement of housing conditions and also of social security. This Bill, if enacted, will make matters worse than it has been so long and thereby production, instead of going up, is bound to go down because of the dissatisfaction of labour and the restrictions put on labour and their organizations. It is also my opinion that the provisions of the Bill are weighted in favour of the employers. Under these circumstances I demand on behalf of labour that this Bill should be circulated and the opinion of individual Unions from all over the country should be taken and accordingly the Bill should be modified as labour wants. My plea in requesting this is quite sound on the ground that whenever any legislation is proposed such opinions are taken *e.g.*, if a Tenancy Legislation is brought forward, it is circulated among the landlords and tenants who are the two parties in the matter and their opinions are taken. So also any other bills are circulated among the Bar Associations or general public organizations which are interested. In this case the Minister has said that recently there was a Tripartite Conference between the Labour Representatives, Employers' Representatives and the Government. I know from press reports that there were certain representatives of these three Federations, the Indian Trade Union Congress which is Communist, the Hind Mazdoor Sabha and the Indian National Trade Union Congress. There is no doubt that there are individual Unions affiliated to these organizations but that does not mean that while rushing this Bill through, those Federations have all the considered opinion of the individual Unions. Moreover, I may point out that in this Conference we do not know what decisions were taken. We have not received as Members of Parliament the proceedings of that Conference and that gives me an idea that whatever is being done in this matter is between a few people only. Particularly hundreds

[Shri Sarangdhar Das]

of Unions do not know what is going on and how the Bill is being rushed through. I therefore request the Minister of Labour to consider this seriously and send the Bill for circulation. I also warn the House that unless this is done and labour's opinion from down below is expressed, this measure will not help in the realization of the objective that the Government as well as everyone else in the country have in view, of increasing production and thereby improving our standard of living. It will rather be a backward step that will be taken. I therefore again commend my amendment to the House and I hope everyone in this House will give it the consideration that it deserves not only for the benefit of labour but also for the benefit of the country as a whole.

Mr. Speaker : Amendment moved :

“ That the Bill be circulated for the purpose of eliciting opinion thereon by the 3rd July 1950.”

Dr. Deshmukh : (Madhya Pradesh). I am conscious that I am a Member of the Select Committee and so I do not propose to speak on the merits of the Bill but I wish to answer the arguments which have been advanced by my friend.

Mr. Speaker : I was thinking, in view of the nature of this Bill, to call upon Mr. Shastri, who I believe is the Secretary of the I.N.T.U.C.

Dr. Deshmukh : I will not take much time.

Mr. Speaker : If I have to make an exception, I would like to make it in the case of Mr. Shastri whose connections with the labour organizations are so well-known and perhaps he may be able to deal with the subject better so far as Mr. Das's speech is concerned.

Dr. Deshmukh : In view of the fact that I have more or less started my speech, I think it would be.....

Mr. Speaker : The hon. Member did not start his speech. He was going to make a request to me. I will see if it is possible for me to allow him time later but I am unwilling to make an exception, because it will land me every time into a difficulty of sitting in judgment as to whether a particular Member should be allowed or not. I would prefer some inconvenience to some Members rather than break a wholesome rule. Let us see what Mr. Shastri has to say.

Dr. Deshmukh : Will it not amount to some amount of discrimination?

Mr. Speaker : Yes. He should not ask me to extend that discrimination later on.

Shri Harihar Nath Shastri (Uttar Pradesh) : Sir, at the outset, I should like to express my gratefulness for the kind permission you have given me to speak on this occasion. As a matter of fact I am one of those few Members who have sought your indulgence on very few occasions because I have not felt myself competent enough to deal with many of the subjects that have cropped up before the House. But this is a subject over which I claim to have made some special study, both theoretically as also in actual practice during the last 25 years and I hope therefore I would be pardoned if I encroach upon your indulgence and take a little more time than what I have done on previous occasions.

I regard this Bill as one of the most important measures that have been brought forward before this House during the last two years and from the point of view of capital and labour relationship I regard this measure as the most important. It is not possible for me to state categorically at the outset whether I am in favour of this Bill or I am opposed to it. As a matter of fact so far as the body of the Bill is concerned I have got serious differences with various provisions in this Bill. All the same so far as its structural principles are concerned I must say unhesitatingly that I am in substantial agreement with them.

Ever since this Bill saw the light of day some weeks ago it has roused considerable interest in this country. In certain quarters it has been received well, whereas in others it has been adversely commented upon.

Reference was made by the hon. Minister to a conference known as the Indian Labour Conference that took place in this city in the latter part of March, when I had the privilege to lead the delegation of the most important labour organisation in this country. At that Conference, so far as labour was concerned, it was represented by three influential groups, namely, the All-India Trade Union Congress, the Hind Mazdoor Sabha and the Indian National Trade Union Congress. So far as the attitude of the A.I.T.U.C., which is a Communist-dominated organisation is concerned it stood for the total and unequivocal rejection of the Bill. It refused to take part in the discussions and the representatives of that organisation withdrew from the conference. Then there was the Hind Mazdoor Sabha, the Socialist organisation, which questioned the propriety of bringing forward the Bill so hurriedly but all the same it took part in the discussion and put forward a number of constructive suggestions to improve the Bill. Then there was the I.N.T.U.C. which took the view that I am going to present for the benefit of the House. The question of urgency was raised, particularly by the Hind Mazdoor Sabha and also by the All India Trade Union Congress and it was stated that there was no hurry nor urgency in the country to bring forward a legislation of this nature. I stated then and I do so again that so far as the urgency of this measure is concerned it was accepted unanimously by all trade union groups so far back as 1947 when there was an Industrial Conference, which took place in November 1947, when the famous resolution known as the resolution on Industrial Truce was presented before the Conference and passed by the unanimous agreement of all the parties concerned. One of the main provisions of the said resolution was that the existing legislation on labour and management relationship is defective and that the time has come when the defects should be rectified and a new legislation should be brought forward. It was in the light of those observations and in accordance with that resolution that this Bill has been conceived. As a matter of fact labour opinion in this country during the last two and a half years has, times without number criticised the Government for the delay in bringing forward this measure. I am therefore happy that the Bill has been brought forward, though late.

Now the question has been raised by the previous speaker that the Bill should be circulated for eliciting public opinion. In this connection I would recall incidentally the Hindu Code Bill which was brought forward during the previous year. There were people then who wanted that important piece of social legislation to be speeded up and put on the Statute Book and at the same time there were other sections of the House who were opposed to that salutary measure and they put forward similar proposal that the measures should be circulated for eliciting public opinion. Whenever a measure of this nature comes up those groups that are opposed to such measures and who want to impede their progress, are in the habit of making propositions like this, which would unduly delay their progress. I may respectfully submit that it is already too late and speaking as one who has been connected with the Trade Union Movement in this country for a much longer period than my friend, for whom I have great esteem I can say that labour, due to the handicaps that it has been subject to, cannot put up with the present state of affairs and it is anxious that this Bill with the necessary improvements should be put on the Statute Book as early as possible.

Before I deal with the body of the Bill I should like to speak a few words on its structural principles. Today the greatest need of the moment is the maintenance or as a matter of fact the acceleration of industrial production in this country, which is necessary for the economic prosperity of the nation and at the same time, necessary also for raising the standard of living of the common man. It has been

[Shri Harihar Nath Shastri]

stated that strike is the right of a worker. I do not dispute that strikes constitute the right of workers, but may I submit that today there is a greater right for the workers, and that right is the right to work rather than to strike. It is this aspect which labour has to bear in mind at the present juncture. Today the time has come when we should seriously consider that if we want to raise the standard of the masses, if we want to improve the conditions of work of the working classes, the relation between capital and labour has to be regulated in such a manner that without serious dislocation of work the settlement of disputes may be possible through conciliation, mediation and, failing that, arbitration.

Labour legislation in this country has had a very recent origin. It was for the first time in the year 1929 that a Central Act was passed and put on the Statute Book. But that Act proved utterly ineffective and its provisions, so far as I could recollect, were never, except on one or two occasions, put into actual practice. For the first time in the year 1937, when the Congress Ministries came into power in eight Provinces, in the Province of Bombay a Bill was introduced known as the Bombay Industrial Disputes Bill.....

Shri Jagjivan Ram : Industrial Relations Act.

Shri Harihar Nath Shastri : Yes ; which was subsequently enacted. The same Act, as a result of subsequent experiences, was re-modelled in its final form known as the Bombay Industrial Relations Act.

Fortunately, while we are going to take concrete steps to regulate relationships between labour and capital in this country, we have the advantage of the rich and ripe experience of other countries and it may not be out of place to make a passing reference to some of those experiences which may be useful to the Select Committee and to this House. Before narrating those things, I should like to mention one basic factor. A controversy has arisen today and it was there in the past also, on one aspect of industrial relations, and it is this whether the State should interfere in industrial disputes or whether it should leave them to be decided by mutual negotiations between the parties concerned. Secondly, if it is necessary to interfere, to what extent should the State interfere in industrial disputes ? Now, there are countries that claim to have developed a system of voluntary collective bargaining, a collective bargaining based on the free and unhampered will of the two parties concerned in the dispute. The most outstanding instances of such a system are the United Kingdom and America. There are countries that rely on conciliation, mediation, and, failing that, arbitration. Specific instances of such countries or such a system are furnished by Australia, New Zealand and Canada.

Now I would commence with a brief examination of the British system, I may state that in the early stages of collective bargaining efforts were made to settle industrial disputes by negotiation. But later on, difficulties arose and then in the year 1856 a Parliamentary Commission was appointed by the British Government and it came to the conclusion that collective agreements should have a provision in them that if any disputes were not settled by mutual negotiations, they should be settled by arbitration. These recommendations worked in actual practice for some time when in the year 1896 and subsequently in the year 1919 they were supplemented by two important Acts known as the Conciliation Act of 1896, and the Industrial Courts Act, of 1919. In these Acts it was provided that the agreements that are concluded between the two parties should contain specific provisions that disputes not settled by conciliation should be referred to arbitration. Now, there are specific instances— I do not propose to take the precious time of this House by dealing with each of those cases, but I should enumerate in a minute five industries—in which well-regulated arbitration boards did function as a result of collective bargaining. They were: Railway Staff National Tribunal, Coal Mining Arbitration

Tribunal, Civil Service Arbitration Tribunal, Quarry Industrial Court of Arbitration, and London County Council Arbitration Tribunal. Of course, it is contended by persons who are opposed to the method of arbitration, and it is also said by trade unionists and by those who are interested in this problem in the United Kingdom, that our legislation is retrograde in that whereas we want to make our arbitration machinery compulsory, the machinery in Great Britain, is although the system of arbitration is there, voluntary and not compulsory. In reply to that, I should only like to state that in the United Kingdom, after a great deal of prosecutions and trials of strength, both the industry and labour have attained a stage of development in which both of them have come to recognise that they stand on terms of equality and that both the interests of industry as well as labour demand that instead of resorting to strikes, the best policy is to settle disputes by mutual negotiation. They have accordingly grown a long and deeprooted tradition which makes it unnecessary in their case to introduce compulsion to the extent to which it is proposed to do under this Bill. I may further submit that in the history of even such an industrially advanced country where the trade union movement has made tremendous progress, occasions have arisen when they have had to resort to compulsory arbitration to a greater degree than is proposed under this Bill. In this connection I may invite your attention to the situation that developed during the last war when in the year 1940 a Tripartite Conference took place in the United Kingdom, at which it was decided that so long as the war lasted there should be no stoppage of work, that the method of negotiation should be fully explored first and that if no settlement by mutual negotiation could be reached then the matter should be referred to an arbitrator by mutual agreement, and if no mutual agreement was possible then the matter should be referred to the National Arbitration Tribunal. Thus, when there was a national emergency, even such a developed country like the United Kingdom had to resort to compulsory arbitration. Apart from that, as I have just observed, even the principle of arbitration by voluntary agreement which has the strong backing of public opinion in that country is as good as resort to compulsory arbitration.

Now I would like to deal with the situation in another great country. I mean the United States of America. Today the position there is that labour strongly cherishes collective bargaining based on voluntary methods. The reason is that today there is no section of labour in the U.S.A. which is not organised. But may I state that there was a moment in the history of the trade union movement in the U.S.A. during the latter part of the 19th century and the beginning of the 20th century when, in a number of disputes, it was not the workers who opposed the principle of arbitration but the employers. The State wanted to impose arbitration, and it was the employers who opposed it in spite of the fact that labour wanted the system of arbitration to be introduced. But a situation has developed today when neither the employers nor the labour, because they are fully organised and completely developed, want compulsory arbitration, and a system of collective agreement has developed in the U.S.A.

All the same, there are two things that I should like to state. In the first place, while there is the system of voluntary agreement in most of the industries in America, there are—and there have been—industries where some sort of arbitration has been in practice, *e.g.*, the rail industry and the maritime industry, and this system has worked very satisfactorily there.

The other factor which I should like to stress here is that America is a country where the President is all-powerful and even though there are Acts and legislations in regard to settlement of disputes by mutual agreement and negotiation, I can quote not one, but several instances, where the President felt that the time had come when it was necessary to use his special powers in order to maintain the essential production of the country. He has used them and has prevented strikes, in such circumstances.

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Now, let us take Australia. There is the system of compulsory arbitration there. Prior to 1920, it worked well. But in or about that year, the industrial interests and the farmer classes clamoured against the provision of compulsory arbitration. They launched a nation-wide campaign for its abolition. Then a Conservative Government came into power, and it did away with the provision of compulsory arbitration. In 1935 when a new General Election was fought, the Labour Party in Australia had it as one of the main issues of their programme that the principle of compulsory arbitration should again be put on the Statute Book, while the Conservatives were opposed to it. The labour won the election, and again it was as a result of the unanimous desire of the working classes of Australia that the principle of compulsory arbitration was put on the Statute Book and it is still there. The same is the case with regard to New Zealand. In New Zealand there is a system of automatic conciliation *cum* arbitration. The procedure is that if a dispute is not settled by mutual negotiations, it goes automatically to conciliation. In most of the cases the disputes are settled by conciliation, but if there is disagreement, the board of conciliation is automatically converted into a board of arbitration and the board of arbitration settles the dispute.

Sir, I have quoted a long list of instances, but with your permission I might state that even in our country, as far back as the year 1918 the greatest man of our time, whom we all worship as God, conceived the idea of labour organisation based on truth and non-violence and the idea of management—labour relationship based on the system of mutual negotiations and arbitration. We all know under what circumstances some time in the year 1918, under the inspiration of Mahatma Gandhi the Ahmedabad Labour Association was formed and that union under the guidance of Mahatma Gandhi has during the last thirty years, even when there was no labour legislation in our country, successfully practised the method of conciliation and arbitration with immense good to the working classes of Ahmedabad. The result is that even today, as compared to most other places, the wages and conditions of work in Ahmedabad have continued to be better than in other places in this country. So, I submit, that this is not a novel experiment that we are going to embark upon. It is not only based on the experience in other countries, but it is based on the experiments that have been carried out in this country. From this point of view, I would again submit that I am in agreement with the objectives and the structural policy of the proposed legislation.

Now, I come to the actual body of the Bill and would make a few observations not on details but on some of the salient points. I should first enumerate a few points that I feel are wholesome in the Bill and which should command the support of the House. For instance, opportunity is given to the parties under the provisions of the Bill to carry on negotiations directly and thereafter through conciliator. Secondly, the Bill visualises the setting up of a bargaining agent, known as certified bargaining agent. Thirdly, there is an improved system of certification, of standing orders. Fourthly, there is provision for control by the Government of undertakings in case of failure on the part of employers to implement awards of industrial Tribunal. Then, instead of the superficial penalties prescribed under the existing law, penalties like imprisonment is provided for in the present Bill. Lastly, provision has been made for realisation of dues from employers in respect of awards of Industrial tribunals as land revenue dues.

Now, I shall offer some criticisms in regard to the important provisions of this Bill. Chapter I deals with definition. There are a large number of subjects which may appropriately be dealt with in the Select Committee, but there are just two or three points that I should like to emphasise here. First of all there is the definition in regard to civil servants in whose case the rights as enjoyed by other categories of workers are not allowed. In my opinion such discrimination is not proper and it militates against the international convention to which our country has been a party. It was at San Francisco where I had the privilege to represent the organised labour

of this country and where the representatives of our Government were also represented. The entire delegation took a stand to support that convention. According to that convention the right of organisation to the extent of embarking on a strike was denied only to two categories of workers. They were the Police and the Military. In regard to the rest of the categories of workers no discrimination was sought to be made under that convention. India, as I said, was a party and yet I fail to understand why a departure is being sought to be made from that convention.

Then, another provision that is most amazing is that not only gazetted officers have been put under the definition of the civil servants, but in a large number of cases even poor chaprassis and clerks with paltry emoluments of Rs. 30 and 50 are brought under the purview of the exalted civil servants.

Shri Jagjivan Ram : As if they are not.

Shri Harihar Nath Shastri : I should be happy if they were. For instance, in the offices of the General Managers of the various Railways and the Railway Board, in the office of the Director-General of Posts and Telegraphs and in various other cases they have been deprived of the privilege enjoyed by the rest of their fellow-workers in similar undertakings in this country, which in my opinion is not proper.

Then, I come to the other important item in the Definitions Chapter and it is in regard to labour disputes. I am glad that dismissal is included within the scope of labour disputes. But then there are two serious shortcomings in that definition. In the first place, while on the one hand dismissal is included as being a labour dispute, there is a subsequent proviso in the same Chapter which lays down that a dismissal made by an employer for any good cause shall not be regarded as a dismissal. I think the two things are contradictory to each other. After all, when an employer dismisses an employee, he does so only on a cause which in his opinion is a good cause. If you put a proviso that dismissal for a good cause shall not constitute a dispute.....

Shri Jagjivan Ram : It has also to be shown to be a good cause.

Shri Harihar Nath Shastri : But where is it to be shown? Unless you make provision that all industrial disputes relating to dismissals are brought forward before the appropriate authority, where will the poor worker who has suffered establish that he is innocent?

Then there is another shortcoming which has occurred at various other places in this Bill, and it is this that whereas dismissal has been regarded as a labour dispute, the cases of retrenchments are not covered under this. As a matter of fact, in the subsequent provisions of this Bill it has been specifically provided that where in the opinion of the employer labour is surplus to the actual requirements of the industry, such cases will not be brought forward before any authority. This is one of those most serious objections against this Bill which organised labour in this country will never be prepared to accept and which it will stoutly oppose. What do we find today? We have been noticing during the last two years that the volume of unemployment in this country is increasing by leaps and bounds, that in every industry large-scale retrenchments have been going on, and this is being done under the cloak of a very harmless expression known as 'rationalisation', as if of all people labour alone is opposed to rationalisation. But this clamour of rationalisation is a myth and a hoax. Let me submit, as I have done on previous occasions, that we representing labour in this country are not opposed to rationalisation but we feel that if the process of rationalisation is hampered in this country it is due to the unhelpful attitude of the industrialists. It should be borne in mind that it is not due to surplus labour that the industrial expansion of this country is receiving a set-back today, but it is due mainly to the fact that industrial organisation in our country has reached a stage when unless it is thoroughly overhauled and put on a proper footing the industrial progress of our country is thoroughly in the dark and

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there is no future for it. Those of us who have been dealing with the industries since the commencement of the trade union movement in this country know that the real elements that are responsible for the retarding of industrial growth of our country are the wasteful system of the managing agency, the overhead expenses and serious mismanagement that has been revealed in several cases. Only the other day the House passed a Bill in regard to the Sholapur Textile Factory. The Sholapur Textile Factory has been one of the best equipped textile factories in this country and still the Government came to the conclusion, as a result of enquiry, that due to gross mismanagement and inefficiency of the management a stage had come when it became impossible for the factory to carry on and that in the interests of production it was necessary that the factory should be taken charge of, by the Government. And may I submit that it is no the one instance but that there are numerous such instances in the country today? I have been receiving telegram—at least a dozen telegram in the course of the last seven days—from my organization in Madras in respect of a mill known as the Monakshi Cotton Mill which employs about 15,000 workers. That is also one of the best equipped factories. But that factory has been consistently flouting the Provincial Government and it is bent upon violating the awards of the Industrial Tribunal and it has been persisting in locking out the factory.

I submit for your consideration that as long as that state of affairs continue the situation in our country cannot improve and therefore I would submit to the hon. Minister : let him not be influenced by the interested propaganda that has been carried on by the industrialists into putting on the Statute Book a provision that may be most inequitous and that may spoil all that he has done so far. Let not a provision of such far-reaching importance and prejudicial to the interest of the workers and the community as a whole be introduced into this Bill.

The next point in connection with the definition is about bonus. In regard to the bonus during the last two years and more, it has been the contention of the employers that bonus is an *ex-gratia* payment that it is at the sweet mercy of the employer to pay bonus or not to pay it and that it does not constitute part of the wages. Labour fought for this right. Cases in regard to bonus went to Industrial Tribunals, they went even to the Federal Court and judgment was given in favour of the workers. Now what is the reason that a privilege which the workers had obtained from the highest tribunals of the land should be nullified ?

Shri Jagjivan Ram : May I ask, on a point of information, whether my hon. friend will quote any award where bonus has been treated as part of the wages ?

Shri Harihar Nath Shastri : No, Sir, I cannot give any specific instance at the present moment, as I do not recollect it. But I should like to state that so far as bonus is concerned, it has been held that it is not a *gratis* payment and it does not depend on the sweet will of the employers.

Now, I come to the supervisory staff. In regard to the supervisory staff, we have experienced a lot of handicaps and there have been numerous cases of victimizations and persons drawing salaries even lower than the actual workers, have been victimized simply because they happened to have a certain element of supervision on the worker. In almost all the textile factories there are people who are known as jobbers and in Bombay they are known as *Mukadams*; they are in fact manual workers but yet on behalf of the employers they have the authority to supervise the work of other employees. I should respectfully submit that any provision in the law that may discriminate against them would not be proper and even if it is deemed necessary to have such a clause or such a definition as the 'supervisory staff' I should submit that it should be limited only to the people who are in the key positions, namely, the managers, the chief chemists or the engineers, but the rest of the staff should not be covered under that definition.

Now, I would hurriedly survey a few other chapters, not all. There is Chapter III which deals with the Standing Orders. I must congratulate the hon. Minister that even in the manner in which this Chapter has been framed, it registers a distinct improvement on the old Standing Orders Act, according to which the employers were free to frame any kind of standing orders and the certifying authority had only to sign it irrespective of its provisions, and the result was that in most of the Standing Orders there was a general provision that an employer had the right to dismiss any employee whom he wants to dismiss with 15 days' notice, with the result that he could victimize any number of workers at his sweet will. Now according to the provisions in regard to these standing orders, as embodied in the present Bill, he has got a certain degree of protection, which labour welcomes very much. But what I desire to submit is that the process laid down in the Bill is very elaborate. According to that process, every industrial undertaking shall send five copies of the Standing Orders to the certifying authority, then the certifying authority shall call representatives of labour and employers, consult them, and after consulting them he will certify the Standing Orders. My own opinion is that instead of undergoing all this elaborate process, the best thing would be for the Central Government or for the Provincial Government to prepare model standing orders and to enforce them and if any party, either the employer or the employee, has any objection in regard to any of the provisions of the model standing orders, he can appeal to the Industrial Tribunal and the award of the Industrial Tribunal shall be final.

Then, I shall come to Chapter IV. This is, in my opinion, the most important chapter in this Bill. It deals with the conciliation machinery. Here a serious defect has been noticed by me. Under section 26 of the Bill, the notice of dispute has to be given when a labour dispute has arisen or is likely to arise; this is almost the same provision as is embodied in the existing Act. I feel that the procedure should be laid down in this Bill in conformity with the Bombay Act, under which if an employee or employer wants any change, he must give seven days' notice, and if after mutual negotiations, no agreement is possible, then the matter should be referred to conciliation, and in the meantime, no party should have the right to effect any change in the conditions of work.

Then, I come to another very important chapter which deals with certifying agents. In the definition of certifying agents, it has been laid down that individual unions with 30 per cent membership shall be deemed as certifying agents, but where there are federations even with 15 per cent membership, they will have priority. Even at the Indian Labour Conference, I supported this measure and I do so even today. But, while I was examining the provisions of this Bill in regard to this chapter, a difficulty occurred to me in connection with the Railways. Now, the situation in the Railways is this. There are Unions covering not only one Province, but as many as three Provinces. For instance, the East Indian Railway covers the Provinces of Bengal, Bihar and the whole of U. P. and three Provinces are covered under one Union. Now, there are nine State Railways in this country. Supposing there are four Unions in four important Railways that command a majority and are wedded to one Federation whereas there are five other Unions which command a majority and are wedded to a rival Federation, what will happen? If, on scrutiny, it is discovered that the Federation which has within it five Unions has a slightly larger membership than the Federation which has got four Unions. In that case, if the provision of the Bill is accepted in the form in which it is put, what happens is that the Federation which has got four important Unions and spread over more than one half of the country, will be deprived of the privilege of acting as the certifying agent. I think, this provision needs examination and some variation may have to be made in instances like this.

Now, I come to the most controversial portion of the Bill which is in regard to the appellate tribunal. When these provisions in regard to the appellate tribunal were presented in the form of a separate Bill before this House, I was simply shocked to read the provisions of that Bill and I tabled an amendment that the Bill should

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be postponed for a year. In the first place, I should like to take this opportunity to request the hon. Minister that, since this chapter relating to appellate tribunal forms a part of this Bill which is going to be referred to a Select Committee, the Appellate Tribunal Bill should not be proceeded with.

Shri Jagjivan Ram : That has come from the Select Committee.

Shri Harihar Nath Shastri : In view of the fact that it is a part of this important measure and could be considered as a whole, as a part of elaborate labour legislation, I submit that there is no hurry or urgency to proceed with that measure and I would suggest that it should be dropped. Anyway, this is by way of a casual observation for the consideration of the hon. Minister.

I would like to state that labour is apprehensive that if appellate tribunals are to be constituted, they are bound to be utilised for delaying the implementation of awards of industrial tribunals. After all, what is the situation today? We find that there have been awards in various Provinces given by the industrial tribunals. In the first place, they have not been implemented. Secondly, where pressure was brought to bear upon the employers, they have resorted to other tactics. They have referred the cases to the High Courts of their Provinces. I know of a recent case in connection with a banking concern, where they rushed to the Supreme Court to delay the implementation of the Award given by a responsible tribunal consisting of retired High Court Judges. I am, as I said, not happy over the appellate tribunal business. But, even if it is deemed necessary to have any appellate tribunal, I am definitely of opinion that it should be governed by the following considerations. In the first place, it should only deal with such matters as involve principles of law. Secondly, recourse to the tribunal should be allowed only if the Government of any State feels that it is desirable to do so in the public interests. Thirdly, any party may refer a case to an appellate tribunal only with the specific permission of the industrial tribunal.

Shri A. P. Jain (Uttar Pradesh) : You do not want uniformity of law.

Shri Harihar Nath Shastri : We do want uniformity of law; but that should be governed by these considerations.

Before I finish, there are only one or two more observations that I wish to make. In the case of all awards, Government have assumed powers in their hands to modify or even annul the awards not only of the industrial tribunal, but also of the appellate tribunal. It may be noted that this provision goes even beyond the scope of the existing Act whose defects are sought to be rectified under the proposed legislation. In the existing law the provision is that Government has power to modify or revise an award which deals with an industry or undertaking under its direct charge. So far as private enterprise is concerned, Government has no such power under the present law. Now, it is proposed to expand the scope of the existing law and give a handle in the hands of Government to change any award that it may deem proper. I would like to submit that if the authority of the judiciary is tempered with in this manner, it will be reduced to a farce. I should emphatically like to stress on my personal behalf and on behalf of the working class of this country that the authority of the Judiciary should not be interfered with in the manner in which it is proposed to be done.

Lastly, I should like to deal with Section 98. Under that section 'Go slow' is to be deemed as an illegal strike. I have already stated as to why the production in this country is being hampered with and I do not propose to deal with it now. It

is a myth that loss in production is due to negligence of labour and if such a provision is put on the Statute Book, it will prove extremely detrimental to the interests of labour and as I pleaded with the Minister at the Labour Conference,—and this is the unanimous desire of the various labour groups—this provision must go out of the Statute Book.

There are many important things that I wanted to say in connection with this Bill but as it was a special case that the hon. Speaker made an exception for me. I do not propose to encroach more upon your indulgence and shall conclude with these few remarks.

Shri Jagjivan Ram : I will not try the patience of the House by quoting the analogy from other countries because I do believe that while taking advantage of the experiences of other countries, we cannot afford to copy those procedures in the case of our country. Even where we have to copy them, we will have to adapt them to the conditions and circumstances which exist in this country and therefore I will not quote examples from U.S.A., U.K., New Zealand, Canada or Australia though we have tried to examine the legislations prevailing in those countries. The amendment that has been moved by my friend Mr. Sarangdhar Das has arisen out of some misconception and misunderstanding of the principles of this Bill. I would request him to further examine the provisions embodied in the Bill and he will be convinced that the arguments that he has urged are not justified by the provisions in this Bill. The importance he has attached to the banning of strikes or to the deprivation of the working class of their right of strike is based on the fact that he has not tried to understand the spirit underlying the provisions of this Bill. Nowhere in this Bill even a feeble effort has been made to deprive the working class of its rights to strike. That right is there. What has been tried to be done in this Bill is this that certain limitations have been sought to be placed upon their right to strike. And what are those limitations? Here we come to the fundamental question whether in a dispute between the employers and employees Government should intervene or not and if we give a satisfactory answer to this, the entire question of whether some limitation should be put on the working classes right to strike or not, whether compulsory arbitration or adjudication should be given or not will be satisfactorily answered. When a dispute between an employer and employee arises is it the concern of the two parties alone? Do those two parties alone stand to lose or suffer or is it that the repercussions of that is going to affect the society and the community as a whole? I do not want to elaborate this point. You may remember, Sir, when two years ago in this very House the Industrial Disputes Bill was being discussed and when that veteran trade union leader—I will not hesitate to call him the Father of Trade Unionism in this country—Mr. N. M. Joshi—raised the very objections which Mr. Das has now raised. All the points were discussed in very great detail and I will be simply repeating those arguments if I try to meet the points raised by Mr. Das. I will refer him to the proceedings of this House for the year 1947 and he will find in them a very satisfactory and convincing reply to the objections he has raised. In passing I may say that a dispute between an employer and an employee does not have an affect only on those two parties. It affects the community and so long as you believe in the principle that the Government represents the community and the Government has to safeguard the interest of the community as a whole, Government cannot afford to be a silent spectator to the disputes between them. If this principle is conceded, he will have to concede this principle also that in a dispute between employers and employees, Government's intervention is necessary in order to safeguard the interests of the community as a whole. So when Government's intervention becomes necessary, we intervene but there is another aspect of the question which I wish friends like Mr. Das could appreciate. There is a dispute between employer and employee and in any struggle or fight, it is the weaker party which always stands to lose. Mr. Das himself admitted that the working classes in this country are weaker, in comparison with the employers. Do you want Government to let them fight and decide

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among themselves? I do not agree with that. I certainly believe that Government will have to protect the weaker section, and where it is a fight between the employer and the employee and where it is found that the workers are going to suffer by continued struggle and strike, it becomes incumbent upon Government to refer that matter to adjudication whether the employer agrees or not. Similarly if a section of recalcitrant labour wants to hold the community at ransom, is it his proposal that I should be a silent spectator to that spectacle? No Government can afford to be that. We will have to refer that to adjudication whether labour agrees or not. Mr. Das has quoted the Taft Hartley Act in America. I have also tried to know something about that Act and see how it is functioning and I wish Mr. Das will carefully read that Act and also the application of that Act by President Truman and the circumstances in which that Act has been applied. If he will try to analyse it he will realise for himself that compulsory adjudication in the conditions prevailing in this country is necessary not only in the interest of the working classes but also in the interest of India as a whole.

Another point raised was that the Bill should be circulated to elicit the opinion of a large number of trade unions in this country. Even if this Bill were translated into the regional languages of the various parts of this country, I put a very straight question to my friend Mr. Das what percentage of the workers of this country are in a position today to understand this Bill? Will it not amount to this: that if they have to express any opinion on this Bill they will have to depend upon the views or opinions of their leaders like Mr. Das?

Shri Sarajgdhar Das : I do not think so.

Shri Jagjivan Ram : You may not think so but I also claim to know something of the workers of this country.....

Shri Sarajgdhar Das : Even though the percentage of the literate workers may be very small, why are you afraid of drawing the opinion of that small percentage?

Shri Jagjivan Ram : I also claim to know something of the working classes of this country and if Mr. Das thinks that the workers in the country will really be in a position to express their opinions on measures that are to be discussed in this House it should then be possible that they—the leaders—should sooner withdraw themselves from the working classes than continue there. Then we will not have to depend upon the opinions or views of friends like him, for we could approach the workers directly. But today whether we send this Bill to the Central Organisations or to the unions directly, it makes no difference, because even in that case the opinions, that will come to us will be the opinions of the office-bearers of the unions and of leaders like Mr. Das.

But we have tried to ascertain the opinion of the workers of this country. As I have explained we placed this measure before the Indian Labour Conference where the three Central Organisations of the workers were represented. We have also done something more. We supplied a very large number of copies of this Bill to the Central Organisations for being circulated among their constituent units. I am not sure whether Mr. Das is connected with any Central Organisation or not: I am not sure whether he is aware of the working of the Central Organisations or not. But what they did was this. I wish Mr. Shastri had narrated it for the enlightenment of Mr. Das. What they did was that they obtained a very large number of copies of this Bill and circulated them among their constituent units, invited their opinions and suggestions and with the opinions of their constituent Unions they came to the Indian Labour Conference to place them before the employers and the Government.....

Shri Sarajgdhar Das : May I point out that their Working Committee has passed a resolution on this Bill which is different from what the hon. Minister has said

Shri Jagjivan Ram : What Working Committee?

Shri Sarangdhar Das : The Hind Mazdoor Sabha Working Committee.

Shri Jagjivan Ram : It is for the Hind Mazdoor Sabha to decide, because though they speak one thing in the Conference it might be that they have said another thing to Mr. Das. I cannot help it. But I have a fair measure of the opinion of the working classes before me. When I talked about the comments of the newspapers I did not say whether they were in favour of or in opposition to this Bill. What I said was that practically all the newspapers in this country had commented upon this Bill and to be honest I must frankly admit that the Bill has received a mixed reception. I did not mean to say that the Bill had been supported by all the newspapers. What I meant to say was that we had before us the reactions of the leading newspapers of this country and we could safely presume that we had before us the opinions of a fairly good amount of the influential public before us and therefore it was not necessary to circulate the Bill for eliciting public opinion, unless Mr. Das's intention is, as has been pointed out by Mr. Shastri, that the Bill should be delayed. If that is the intention I cannot help it but I do feel that there is no necessity for circulating the Bill at all. I agree with him that the opinion of the workers should be ascertained but the method he suggests will not help us to ascertain the opinion of that section of the working class which Mr. Das wants should express their opinion, because they are not given the opportunity to express their opinions and the leaders who approach them to get their opinions certainly influence their opinions and they do not want to take their real opinion.

Another thing that Mr. Das urged was that this Bill is weighted in favour of the employers. If an impartial person goes through this Bill, he will find that it is not weighted in favour of either the employers or the workers. What I have tried to do is to hold the balance even as far as possible. If it is weighted here and there, it might be that it is weighted in favour of the workers but that weightage I do not regard as weightage. When you put some additional weight in favour of a weaker party it means that you are trying to balance it. Even where an effort has been made to place some weightage in favour of the workers, it has been done only with a view to maintain the balance.

I now come to Mr. Shastri. For the most part he has tried to meet Mr. Das and also he has quoted examples from various foreign countries in order to prove that compulsory adjudication is not a novel experiment in this country but has been tried in far more industrially advanced countries as well. As I have said, I do not want to go into that question in any great detail. I hold that so long as conditions in this country are such as to make Government intervention necessary, we will have to intervene and we will have to order compulsory adjudication or arbitration. What is our objective? Our objective is quite clear from the provisions of this Bill. The principle on which this Bill is based is that more and more scope should be given to the employers and employees for settling their disputes among themselves without any intervention from the Government. That is why we have introduced negotiation, which is compulsory. We have introduced conciliation and we have introduced arbitration and failing all these three voluntary processes, if we find that the dispute is not likely to resolve we have introduced compulsory arbitration or adjudication. But the objective is quite clear: it is to gradually reduce Government intervention and when the relations between the employers and the employees develop on such lines that Government intervention becomes unnecessary, Government may withdraw itself completely. No useful purpose will be served by quoting examples from the U. K. and the U.S.A., I mean examples of collective bargaining. We want to encourage that but we cannot shut our eyes to the realities of the situation, namely, the condition of the working classes of this country and the magnitude of the illiteracy and ignorance that is prevalent among a very large section of them and more than all these the fact that so long the working class movement in this country has been a movement for the working class but not by the working class. As soon as the working class movement in this country

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becomes a movement of the working class by the working class and for the working class, it will be possible to encourage collective bargaining and it will be possible for Government to withdraw itself completely from the disputes between the employers and employees. In the present stage Government intervention and interference is necessary, necessary even from the point of view of the workers themselves.

Mr. Shastri has raised serious objections to the provisions in this Bill regarding civil servants. I wish he had appreciated one thing. Responsible and sensible as he is, and as he represents a very sensible and responsible organisation, I wish he had given more thought to this question of civil servants. What is it that a man wants first of all things ? He wants security above everything else. I will go to the extent of saying that he wants security even in preference to food and the bare necessities of life. What a worker wants is security of service. Have we not provided ample security of service to the civil servants ? Whatever this right of association and strike and other things may mean, in the case of the working class, the security of service has greater importance than some increase in wages. I wish trade union leaders would appreciate this point in greater measure. What is the fight for ? The provisions that have been made for the maintenance of security of service in the case of civil servants are such as will take many years for the workers in industrial concerns to attain. The I.L.O. Convention has been quoted; its authority has been adduced. As if we are ignorant of that Convention, as if we are trying to violate that recommendation! What is that recommendation ? I do not want to read that recommendation, but it guarantees freedom of association in the case of Government servants also. Have we tried to deprive the Civil servants of their freedom of association ? We have not. If my friend will refer to the Trade Unions Bill, he will find that civil servants can organise themselves in their own unions. So, we conform to the I. L. O. Convention ; we do not infringe upon their right of freedom of association. They can organise. The only thing that we deprive them of is the right to strike. And I firmly believe that apart from anything else, from the point of view of the security of the State this right should never be given to civil servants. I do not know whether my friend Mr. Shastri wants the civil servants of this country to have the right to strike—he was not very clear on that point. But I for one do firmly hold that no Government can afford to give this right to their civil servants, and what we have proposed in this Bill is this much and nothing more.

Then he has raised several points about retrenchment. I agree with him to a very great extent and I may categorically say that the question of retrenchment is still under consideration of Government. We hope that when we take a decision the provisions in this Bill will be modified in the Select Committee according to that decision.

About supervisory staff, the question requires to be looked into further, but I may inform the House that the conditions as they exist today are that supervisory staff cannot form their unions and they cannot join the unions of workers, with the inevitable result that they cannot have collective bargaining, they cannot have negotiations with the employers, they cannot form their organisations, trade unions or associations, and even if they form them they do not become a legal entity under the terms of the Trade Unions Act. And unless they become a legal entity they will not carry any weight either with the employer or with the Government. So, what we have done is that we propose to give them the power to organise themselves in their own unions so that they can secure the Status of a legal entity under the Trade Unions Act and may be in a position to negotiate with the employers and also to represent their grievances to the Governments concerned. But there may be certain complications. It was not possible to lay down definite categories of supervisors. It requires examination and it will be examined in the

Select Committee—as to how we can safeguard the interests of that category of supervisors who are nominally supervisors but who are not in any way superior to the manual workers just like the jobbers and others he has quoted. That question, therefore, can be examined in the Select Committee and set right.

Similarly, in the case of certifying agents, federation of trade unions, change of conditions, and standing orders, these are small points which do not involve principle and they will be examined in the Select Committee and we may try how far we can improve them.

Then I come to the question of appellate tribunal. This is a question which involves some principles. This question has a history behind it. As my friend Mr. Shastri himself also is aware, we are having a number of awards which differ on the same question. Different principles are being laid down by different Judges in different States on the same question. Take even the question of bonus. There are so many conflicting awards that if a person has to argue a case before a tribunal and he searches for precedents and case-laws, so many conflicting precedents and case-laws come before him that he becomes confused and perplexed. What is the remedy? My friend, Mr. Shastri has not taken the pains to suggest a remedy for this difficulty. The only remedy is to set up some authority which will revise these conflicting awards and will lay down case-laws and precedents for this country. The Civil and Criminal Laws in this country have been practised for so many years that a very formidable quantity of case-laws has developed. In the case of labour legislation our experiment has started just in the recent past and we have not before us any appreciable amount of case-laws or precedents. Therefore, we have to create case-laws and precedents. These are more important than the civil and criminal case-laws, because what labour legislation seeks to do is something more than what the civil and criminal laws seek to do, and if precedents are necessary even in the case of the latter, they are all the more necessary in the case of labour legislations. So what we attempt here is that the Appellate Tribunal will coordinate. They shall lay down some uniform principles on which important matters concerning labour-management relations may be decided. From that point of view, we attach great importance to the setting up of the Appellate Tribunal. Of course, it is for the Select Committee to see, in matters of detail, whether something could be done to satisfy some of the wishes of friends like Mr. Shastri.

On the question of 'go slow' policy, the provisions lay down that if it is proved by a Tribunal that either the labour or the employer has indulged in a 'go slow' policy, then that action will be treated as an illegal strike or an illegal lock-out as the case may be. I do not find anything in this proposition to which serious objection can be taken.

The other question that was raised was in regard to the power of Government to modify the Award. This House is a sovereign House. Nobody can question its sovereignty.

Shri Gautam (Uttar Pradesh): Except the Supreme Court and the Constitution.

Shri Jagjivan Ram Yes, but the Supreme Court does not come into the picture here. We are talking of the Tribunal.

This House has been set up under the authority of the Constitution itself, and the Constitution has provided that this House is sovereign and this government will be here as long as the House wishes it to continue. So, if power is given to Government to modify or change the Awards, I personally do not see anything wrong in it. It means that the power has been given to this sovereign Parliament, or to the sovereign Legislature in the State, to modify or interfere with the Award of the Tribunal. I do not think that it can be termed as 'riding roughshod' on the decisions of the judiciary.

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Now, let us see what is the necessity for this provision. Hon. Members will realise that in some cases the Awards that are given by the Tribunals are decided on the merits of the case before them, without realising what is going to be the repercussion or reaction of the same on other industries or even on some Departments of the Government itself, or on the society as a whole. When Government which has the overall picture before it feels that some amendment, or even repeal, or modification of the Award is necessary, I think that it is necessary that it should have the power in its hands.

I do not want to take more time of the House. I want to assure hon. Members this much, that it is never the intention of this Government to intervene unnecessarily in the relations between labour and capital. On the contrary, it is our intention to develop the labour movement in this country on such lines that a time may soon come when labour will feel sure of its ground and will be in a position to hold its own with the employers and get satisfactory terms and conditions of service, so that Government intervention may not be necessary.

With these words, I commend my motion.

Mr. Deputy-Speaker : I shall first put the amendment of Mr. Sarangdhar Das. The question is :

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 3rd July 1950."

The motion was negatived.

Mr. Deputy-Speaker : The question is :

"That the Bill to provide for the regulation of the relationship between employers and employees, for the prevention, investigation and settlement of labour disputes and for certain matters incidental thereto, be referred to a Select Committee, consisting of Shri Harihar Nath Shastri, Shri R. Venkataraman, Shri Satyendra Narayan Sinha, Shri Sarangdhar Das, Shri Hari Vishnu Kamath, Shri M. R. Masani, Shri B. L. Sondhi, Dr. Panjabrao Shamrao Deshmukh, Shri V.C. Kesava Rao, Shri Gokulbhai Daulatram Bhatt, Shri T. A. Ramalingam Chettiar, Shrimati Sucheta Kripalani, Shri Sadiq Ali, Shri V. S. Sivaprakasam, Shri R. Velayudhan, Shri Sita Ram S. Jajoo, Shri Khandubhai K. Desai, Prof. Shibbhan Lal Saksena, Shri M. Ananthasayanam Ayyangar, Shri Prabhu Dayal Himatsingka, and The Mover, with instructions to report by the last day of the first week of the next session."

The motion was adopted.

TRADE UNIONS BILL

The Minister of Labour (Shri Jagjivan Ram) : I beg to move :

"That the Bill to provide for the registration and recognition of trade unions and in certain respects to define the law relating to registered and recognised trade unions and to certain unfair practices by employers and recognised trade unions, be referred to a Select Committee consisting of Shri Harihar Nath Shastri, Shri R. Venkataraman, Shri Awdhewar Prasad Sinha, Prof. K. T. Shah, Sardar Hukum Singh, Shri Damodar Swarup Seth, Shri R. K. Sidhya, Shri M. R. Masani, Shri Arun Chandra Guha, Shrimati G. Durgabai, Shri Ramraj Jajwara, Shri S. N. Buragohain, Shri M. L. Dwivedi, Shri R. Subramaniam, Shri V. Kodandarama Reddi, Shri Tribhuvan Narayan Singh, Shri A. K. Menon, Shri R. L. Malviya, Shri Chandrika Ram, Shri Rasool Khan Pathan, Shri Balwant Sinha Mehta, and the Mover, with instructions to report by the last day of the first week of the next session."

I do not propose to say much on this occasion. Why this amendment has become necessary has been explained in the Statement of Objects and Reasons and I am afraid that I cannot add anything new to what has been stated there.

One very important provision in this Bill is that civil servants will have unions of their own and will not be affiliated to unions of others. The office bearers of their unions also will not be others. We have provisions for compulsory recognition as well as for reducing the number of outsiders from the executive of the trade unions. That will make the working class movement of this country really a working class movement and for their sake I hope that the House will accept my motion.

Mr. Deputy-Speaker : Motion moved :

"That the Bill to provide for the registration and recognition of trade unions and in certain respects to define the law relating to registered and recognised trade unions and to certain unfair practices by employers and recognised trade unions, be referred to a Select Committee consisting of Shri Harihar Nath Shastri, Shri R. Venkataraman, Shri Awdheswar Prasad Sinha, Prof. K. T. Shah, Sardar Hukum Singh, Shri Damodar Swarup Seth, Shri R. K. Sidhva, Shri M. R. Masani, Shri Arun Chandra Guha, Shrimati G. Durgabai, Shri Ramraj Jajwari, Shri S. N. Buragohain, Shri M. L. Dwivedi, Shri R. Subramaniam, Shri V. Kodandarama Reddi, Shri Tribhuvan Narayan Singh, Shri A. K. Menon, Shri R. L. Malviya, Shri Chandrika Ram, Shri Rasool Khan Pathan, Shri Balwant Sinha Mehta, and the Mover, with instructions to report by the last day of the first week of the next session."

Shri Sarangdhar Das (Orissa) : I beg to move :

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 3rd July 1950."

The arguments that I had submitted in the case of the previous Bill hold good here as well. I, therefore, do not wish to say very much about this Bill. The hon. Minister spoke about diminishing the number of outsiders in the Executive of the Unions. In one breath he said that the workers are so illiterate that you cannot send this Bill for circulation, because they cannot express their opinion and it is the opinion of people like me which will be expressed, that is to say, the unions with their working-men executive are not able to stand by themselves and cannot fight with their employers if the latter are suppressing the workers. Again in this Bill it is said that the number of outsiders would be reduced. I do not see how he can sustain himself by displaying two faces on the same question.

Everyone knows that there are certain people—as we had in the political movement—who bring about certain changes. In the political movement did you have the crores of people in the vanguard? Was it not the few of you in this House or outside who did the work and brought about what the crores of people in India wanted. Political freedom was not brought about by the crores of people fighting in the vanguard. It was the few people starting from Mahatma Gandhi down to you and me who did it. But it was the desire of the crores of people to be free and we did it—we brought it about. So in the case of the working classes, where they have disputes, they organise themselves in order to improve their conditions—they have to fight with the more powerful party—the employers. There must be outsiders or members from other unions to assist them. What has been the case in England? In England at one time, say about seventy or eighty years ago, there were all kinds of people in the unions. Where do Attlee, Sir Stafford Cripps and others come from? Were they not connected with unions? They were not working men. Of course there are workmen in British public life now who have risen by dint of merit. But in the beginning there were intellectuals who were interested in the unions and they started the unions—they managed them, until the workers themselves were able to handle their own affairs.

Recently I had an occasion to meet some British trade union leaders who had come here. The hon. Minister and Mr. Shastri said that I do not have much experience of trade unions. I might, however, mention here for the information of my friends that I was a member of a union in the city of San Francisco in 1910 and 1911 when some of my friends were not perhaps born! Even then I say that I would bow down to the trade union leaders from England. During the days of our freedom movement the British Government was trotting out the argument that the people of India did not want freedom and it was only a man like Mahatma Gandhi or C.R. Das who were shouting. In the same strain you are saying that the working men of this country, the downtrodden people, do not want these things.

Shri Jagjivan Ram : What things?

Shri Sarangdhar Das : What the hon. Minister imputed to me. They do not know how to express their opinion. I protest against that. I say definitely that those people, those workmen, although illiterate, know what is good for them and what

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is not good for them. Probably, for an outsider who is connected with the Union it is necessary to explain to the working man and to illustrate to him how the various laws operate, because legal points are beyond his understanding. But it is never the case that an outsider goes and imposes his opinion. I say that the Government considers itself to be the *maa bap* of the men working in the industries and imposes its own opinion on them.

As I said in the beginning, there is not much to say on this Bill. You and I and all of us are talking of democracy—and at the same time you are depriving the people directly concerned from expressing their opinion on this. I do not see how we can call ourselves a democracy. This is not democracy. It is quite possible there may be many people here who know the labour problems and sympathise with labour. But theirs is not the opinion of labour. The Hind Mazdoor Sabha, or the I.N.T.U.C., or the A.I.T.U.C., although they have unions affiliated to them are not the final bodies, so that their opinion is not the opinion of the working people. Therefore, I would request you to send the Bill to the working people. Why are you afraid of that? Let the opinion as has been expressed by the Tripartite Labour Conference come from them. My point is that in a democracy it is not right for the Government to bring forward a Bill and just take the opinion of certain unions or the Federations. So, although I know that my hon. friends are against my motion, still I would urge upon them to accept it.

Shri Harihar Nath Shastri *rose*.—

Mr. Deputy-Speaker : Unless the hon. Member has any special points to make the hon. Minister will reply.

Shri Harihar Nath Shastri (Uttar Pradesh) : I will not take long—I should finish by five o'clock.

Sir, instead of going into elaborate detail as I did in connection with the previous Bill I will only offer a few remarks on this. So far as the Interpretation clause is concerned, the definitions are almost the same as exist in the Labour Relations Bill except for slight variations, and the observations I have made in connection with that Bill stand in connection with this Bill also except that I would urge that the definitions in this Bill as well as in the Labour Relations Bill should be similar and should not differ.

There is a provision in the Bill in regard to appeals against an order of the Registrar in connection with the registration of a trade union. It is provided here that any appeal from the Registrar of Trade Unions should lie with the High Court. I think it is unnecessary duplication, and my view is that instead of referring such matters to the High Court they may be made uniformly referable to the Industrial Tribunal as has been done in connection with the Labour Relations Bill.

Then there is an important clause, namely, clause, 24, under which it is contemplated to reduce the number of outsiders to one-fourth or four, whichever is less. While our organisation also favour the idea of putting workmen as far as possible in charge of the trade union organisations and various trade unions, we feel that such a drastic departure from the existing practice will mean a serious handicap to the trade union organisations in their present stage of infancy. I would therefore urge that instead of the number being fixed at one-fourth or four whichever is less, it may be made one-fourth or four, whichever is greater.

Then there is clause 36 read with clause 40. Under clause 36 the recognition of a trade union can be withdrawn if it indulges in unfair practices. And under clause 40 it has been laid down, among other things, that it shall be an 'unfair practice' "for a majority of the members of the trade union to take part in an irregular strike" and "for the executive of the trade union to advise or actively to support or to instigate an irregular strike." I feel that this is a very drastic

provision. While we make any provision for illegalisation of strikes we should bear in mind that there are various factors which are at the present moment instrumental in bringing about strikes, and unless we deal with those factors strikes cannot be stopped. I would therefore like to urge that a provision of such sweeping nature should not find a place in this Bill. Moreover, so far as recognition is concerned, it is laid down in clause 36 that if "the executive or the members of the trade union have committed a ny unfair practice set out in section 40" the recognition can be withdrawn. I feel in regard to this also that this is a sweeping provision. There are occasions and circumstances in which it becomes inevitable for a sporadic or a lightning strike to take place, and if at all any provision is necessary it should lay down the time-limit within which a union should be permitted or allowed to call upon its members to desist from such strikes. If such a provision is made here, it might meet the situation.

As a matter of fact I do feel that the present Bill registers a very substantial improvement on the Trade Union Act of 1927. While I make these few observations—and if time permitted I would have made many more observations in criticism of this Bill—I feel that so far as the structure of the Bill is concerned it is a substantial improvement and I support it subject to the criticisms that I have offered or I may offer in the Select Committee.

Shri Jagjivan Ram : I am thankful to the House for the support, but I do not accept the amendment of Mr. Das. When I said that the workers are not in a position to express their opinion, and when today in this Bill I want to reduce the number of outsiders in the executive of the trade unions, there is nothing contradictory in these two propositions, or there is nothing in them which cannot be reconciled. If I say that today most of the office-bearers and executive of the trade unions are outsiders, I do not mean to say that there are not persons among the actual workers who cannot hold these posts. But in most cases opportunities are not given to them.

Again, I do not want to quote from U. K. but some trade union leaders from England came recently and they came to see me also. They expressed surprise when they came to know that such a large number of office-bearers and executive of trade unions in this country were persons who are professionals or intellectuals and who have never in their life been employees in any factory or in any establishment. Well, what was the position sixty years ago in U. K. ? We have to take advantage of their experience. But we have not got to start from the same point from which they had started there. That is the advantage of any country which starts at a later stage either in the field of industrialisation or in the field of the labour movemet. We cannot repeat the same mistakes or go through the same stages which they have covered. We have to leave out certain stages which we think are not necessary. One thing which I have learnt from Mr. Das is this novel definition of 'democracy'. For the first time I have heard that democracy means that every Bill will have to be circulated among millions of people. If that definition of democracy were to be accepted, then this House will not be in a position to pass a single piece of legislation during the tenure of its whole life.

Shri Sarangdhar Das : Then I would request you not to circulate any Bill.

Shri Jagjivan Ram : I am glad that Mr. Das realizes the mistake of his proposition or his definition of democracy. I am sure he will revise his opinion about the definition of democracy. (*Interruption*). If that is the definition of democracy we stand nowhere. Even circulation does not mean that we will ascertain the wishes or opinions of the millions of people. That has never been the case, and circulation also does not mean that. As I have stated, we have a fair
5 P.M. measure of opinions before us, and this is a Bill which should be expedited as early as possible in the interest of the working classes if we have to develop their organisation on sound lines.

I commend my motion to the House.

Mr. Deputy-Speaker : The question is :

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 3rd July, 1950."

The motion was negatived.

Mr. Deputy-Speaker : The question is :

"That the Bill to provide for the registration and recognition of trade unions and in certain respects to define the law relating to registered and recognised trade unions and to certain unfair practices by employers and recognised trade unions, be referred to a Select Committee consisting of Shri Harihar Nath Shastri, Shri R. Venkataraman, Shri Awdheshwar Prasad Sinha, Prof. K. T. Shah, Sardar Hukam Singh, Shri Damodar Swarup Seth, Shri R. K. Sidhva, Shri M. R. Masani, Shri Arun Chandra Guha, Shrimati G. Durgabai, Shri Ramraj Jajware, Shri S. N. Buragohain, Shri M. L. Dwivedi, Shri R. Subramaniam, Shri V. Kodandarama Reddi, Shri Tribhuvan Narayan Singh, Shri A. K. Menon, Shri R. L. Malviya, Shri Chandrika Ram, Shri Rasool Khan Pathan, Shri Balwant Sinha Mehta, and the Mover, with instructions to report by the last day of the first week of the next session."

The motion was adopted.

The House then adjourned till a Quarter to Eleven of the Clock on Thursday, the 6th April, 1950.