

Friday,
6th February, 1948

THE
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(LEGISLATIVE) DEBATES

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CONSTITUENT ASSEMBLY OF INDIA (LEGISLATIVE)

Friday, 6th February, 1948

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. Speaker (The Honourable Mr. G. V. Mavalankar) in the Chair.

STARRED QUESTIONS AND ANSWERS

(a) ORAL ANSWERS

INDUSTRIAL CONCERNS IN INDIA OWNED BY NATIONALS OF FOREIGN COUNTRIES.

126. **Mr. R. K. Sidhva:** (a) Will the Honourable Minister of Industry and Supply please state the names of all the industrial concerns in India owned by nationals of foreign countries?

(b) How many of them in India are owned partly by nationals of foreign countries and partly by Indian nationals and what are their names and what is the capital invested in each?

(c) Have Government received any proposals for starting new industries from the nationals of foreign countries?

(d) If so, from whom were they received and what are the details?

The Honourable Dr. Syama Prasad Mookerjee: (a) and (b). The information asked for is not readily available but is being collected.

(c) and (d). A list showing the proposals received or considered by the Controller of Capital Issues during 1947 is placed on the table of the House.

List

S. No.	Name of the Company.	Business.	Proposed Issue.
1	Goodyear Tyre and Rubber Company (India) Limited.	Manufacture of tyres.	Rs. 300 lakhs.
2	Tribeni Tissues Limited.	Manufacture of Cigarette paper	Rs. 170 lakhs.
3	Acm Aluminium Rolling Mills Limited.	Manufacture of Aluminium foils and linings.	Rs. 25 lakhs.
	Parimal Limited.	Manufacture of Textile machinery.	Rs. 150 lakhs.
5	Lewis and Taylor (Mysore) Limited.	Manufacture of Woven beltings and Fire hose.	Rs. 12 lakhs.

N. B.—Besides these there is an inquiry from Sorabji Nowroji and Co. of Bombay in respect of a proposal for establishing a Factory for manufacturing Umbrella Ribs and handles in collaboration with non-Indian manufacturers. Particulars have not yet been received.

Mr. R. K. Sidhva: Can we get any idea as to what the list referred to in reply to (c) and (d) contains, so that we may ask supplementaries.

Mr. Speaker: Is it a very long list?

The Honourable Dr. Syama Prasad Mookerjee: No. I can read it out.

Shri B. Das: In respect of establishing businesses in India, do the Government propose to follow the recommendations of the External Capital Committee?

There was a report of this Committee in 1926 or so which stated that seventy-five per cent. of the capital should be owned by Indians and twenty-five per cent. by non-Indians.

The Honourable Dr. Syama Prasad Mookerjee: In all these cases about fifty per cent. of the capital is owned by Indians.

Mr. R. K. Sidhva: As far as the Goodyear Tyre and Rubber Company (India) Limited is concerned, may I know what is the percentage of capital of Indians and how many Indian Directors are in that concern?

The Honourable Dr. Syama Prasad Mookerjee: As I said just now, all these details are not available now. I have asked for these details and I can supply them as soon as they are received.

Diwan Chaman Lall: May I know whether it is a fact that the Reserve Bank has made an enquiry regarding part (a) of the question?

The Honourable Dr. Syama Prasad Mookerjee: I am not aware.

Diwan Chaman Lall: Will the Honourable Minister kindly look into this matter and if there is an enquiry to expedite this enquiry so that this House may have full information on the subject.

The Honourable Dr. Syama Prasad Mookerjee: I shall make note of the suggestion.

Mr. R. K. Sidhva: May I know from the Honourable Minister as far as these questions are concerned if he will give answers in this House or he will put them on the table or he will supply to me only? Will he place it also in this House?

Mr. Speaker: He will, I presume, place it on the table. That is generally what is done.

PRICE OF SUGAR IN INDIA BEFORE AND AFTER DE-CONTROL.

129. ***Mr. R. K. Sidhva:** (a) Will the Honourable Minister of Food please state what was the prevailing price of sugar immediately after de-control and on 15th November 1947, 15th December 1947 and 15th January 1948 in the following cities:

Allahabad, Cawnpore, Lucknow, Muradabad, Bareilly, Agra, Delhi, Patna, Gorakhpur, Calcutta, Simla, Jullander, Ludhiana, Ambala, Bombay, Poona, Ahmedabad, Madras, Bezwada, Masulipatam, Nellore, Nagpur, Jubbulpore, Cuttack, Gauhati and Shillong?

(b) Was sugar available in sufficient quantity at all these places after de-control?

The Honourable Shri Jairamdas Doulatram: (a) and (b). Sugar was de-controlled with effect from 8th December, 1947. A statement showing the required information is placed on the table of the House.

Statement

S. No. Name of the Cities Prices per maund of sugar on 15-11-47 15-12-47 15-1-48 Wholesale or retail Whether sugar was available in sufficient quantities in all the cities after decontrol

1	Allahabad	Rs. 23/2/-	Rs. 50/-	Rs. 35/-	Retail	Available in sufficient quantities.
2	Cawnpore	Rs. 23/2/-	Rs. 45/-	Rs. 38/12/-	"	Ditto
3	Lucknow	Rs. 23/2/-	Rs. 40/-	Rs. 37/8/-	"	Ditto
4	Miradabad	Rs. 23/2/-	Rs. 40/-	Rs. 35/-	"	Ditto
5	Barcilly	Rs. 23/2/-	Rs. 40/- to Rs. 42/8/-	Rs. 37/8/-	"	Ditto
6	Agra	Rs. 23/2/-	Sugar was not available	Rs. 37/8/-	"	Ditto
7	Delhi	Rs. 25/-	Rs. 40/- to Rs. 45/-	Rs. 37/8 to Rs. 40/-	"	Ditto
8	Patna	Rs. 22/11/-	Rs. 22/11/-	Rs. 43/-	Wholesale	Ditto
9	Gorakhpur	Rs. 23/2/-	Sugar was not available	Rs. 35/- to Rs. 37/8/-	Retail	Ditto
10	Calcutta	Rs. 28/2/-	Rs. 28/2/-	Rs. 50/- to Rs. 60/-	"	Very limited quantities available.
11	Simla	Rs. 26/9/9	Rs. 40/-	Rs. 35/-	"	Small quantities available.
12	Jullunder	Rs. 25/14/10	Rs. 17/8/-	Rs. 37/8/-	"	Sufficient quantities available.
13	Ludhiana	Rs. 26/4/-	Rs. 60/-	Rs. 38/2/-	"	Ditto
14	Ambali	Rs. 25/-	Rs. 45/-	Rs. 30/-	"	Ditto
15	Bombay	Rs. 23/7/3	Rs. 23/7/3	Rs. 43/8/-	Wholesale	Ditto
16	Poona	Rs. 23/1/-	Rs. 23/1/-	Rs. 41/-	"	Ditto
17	Ahmedabad	Rs. 23/11/-	Rs. 23/11/-	Rs. 41/-	"	Ditto
18	Madras	Rs. 23/14/0	Rs. 24/7/-	Rs. 38/3/-	"	Ditto
19	Bezwada	Rs. 24/-	Rs. 52/5/10	Rs. 39/4/4	"	Not available immediately after decontrol but available from January 1948.
20	Muslipatam	Rs. 24/6/6	Rs. 24/-	Rs. 40/-	"	Available in sufficient quantities.
21	Nellore	Rs. 24/6/6	Rs. 24/6/6	Rs. 42/8/0	"	Ditto
22	Nagpur	*Rs. 25/-	Rs. 25/-	Rs. 50/- to Rs. 60/-	Retail	Ditto
23	Jubbulpur	*Rs. 25/-	Rs. 25/-	Rs. 50/- to Rs. 60/-	"	Ditto
24	Cuttack	Rs. 25/15/3	Rs. 30/7/7 1/2	41/14/6	Wholesale	Not available in sufficient quantities.
25	Gohati	Rs. 20/0/-	†Rs. 60/-	†Rs. 60/-	Retail	Ditto
26	Shillong	Rs. 20/0/-	†Rs. 60/-	†Rs. 60/-	"	Ditto

N. B.—*Price of sugar before decontrol and sold under Government control upto 31-12-47.
 †Seized stocks sold at Rs. 32/8/- per maund under Government control.

Mr. R. K. Sidhva: May I know, Sir, what is the position as regards the rates prevailing on the 15th of January and 15th of December compared with the controlled rates that existed? At least this information may be given for Bombay, Allahabad and Cawnpore, if at all.

The Honourable Shri Jairamdas Doulatram: If I am asked for any specific town, then I will be able to give the information.

Mr. R. K. Sidhva: If you do not mind, for Cawnpore and Bombay.

The Honourable Shri Jairamdas Doulatram: *Cawnpore* on 15th November the price was Rs. 23-2-0 and on 15th December it was Rs. 45. On 15th January it fell to Rs. 38-12-0.

Mr. Tajamul Husain: Since Government are aware that the price of sugar has considerably increased after de-control, what do Government propose to do in this connection.

The Honourable Shri Jairamdas Doulatram: I do not admit that the price has increased. It has increased in some places. It has decreased in other places. It depends upon the movement of sugar. In places where there are proper facilities, the prices are falling and in places where there are not proper facilities, the prices may not have fallen, but sometimes risen.

Mr. Tajamul Husain: Will the Honourable Minister kindly inform the House what was the price of sugar before de-control in Patna and after de-control?

The Honourable Shri Jairamdas Doulatram: In regard to Patna the price has risen. It was Rs. 22-11-0 on 15th of November, Rs. 22-11-0 on 15th of December and it was Rs. 43 on 15th of January.

Seth Govinddas: Is it not a fact, Sir, that the price of sugar is generally falling in every place and sugar which was not available at that time is available practically in every town according to the requirements of the public?

The Honourable Shri Jairamdas Doulatram: That is generally true, but there are cases where as I have said on account of difficulty of movement prices may not have fallen, but on the whole there is a fall in price.

Seth Govinddas: Are Government making arrangements for better transport so that on account of less facilities of transport the prices may not increase in certain places.

The Honourable Shri Jairamdas Doulatram: We tried to upgrade sugar and give it earlier priority for one month and the question of giving the same priority is still under consideration. With regard to increasing transport facilities in general that question is also being tackled by the Department.

Mr. R. K. Sidhva: The Honourable Minister stated that the prices are generally falling down. He just now gave the figure for Allahabad and said it was Rs. 22-2-0 for November whereas on 15th of January it is Rs. 38. May I know in view of the other reply he also gave, how does he reconcile the statement that the prices are falling down. Does he state that the prices are falling as compared with black market or controlled prices?

The Honourable Shri Jairamdas Doulatram: In some cases black-market prices and in some cases controlled prices.

Mr. R. K. Sidhva: May I know in which cases are they compared with controlled prices.

The Honourable Shri Jairamdas Doulatram: I will require notice to this question and I will find out.

Mr. Speaker: I think there should be no argument about it.

The Honourable Shri Jairamdas Doulatram: I am sorry, I must correct myself. Prices have not fallen below controlled rates.

Shri H. V. Kamath: Will any action be taken against those who concealed so much sugar which became readily available after de-control?

The Honourable Shri Jairamdas Doulatram: I suggest your legislation about it.

Dr. B. Pattabhi Sitaramayya: Is there any proposal, Sir, to import Cuban sugar and stock it in order to control and regulate the prices?

The Honourable Shri Jairamdas Doulatram: I am not aware of it.

Dr. Pattabhi Sitaramayya: Is it not a fact, Sir, that in Calcutta Cuban sugar is selling at Rs. 40 a maund though it is obtained at Rs. 10 a maund?

The Honourable Shri Jairamdas Doulatram: I am not aware of it.

Shri M. Ananthasayanam Ayyangar: Will Government consider the desirability of collecting large quantities of Cuban sugar so that it can be released to the market to supply the consumers?

The Honourable Shri Jairamdas Doulatram: I will go into the matter.

Shri L. Krishnaswami Bharathi: Is it not a fact that the rise in price of sugar is due to the action of the U. P. Government who entered into a deal with the Sugar Syndicate agreeing to purchase sugar at the control price and fix the selling price Rs. 35-4-0 immediately after de-control?

The Honourable Shri Jairamdas Doulatram: I do not admit, Sir.

Shri L. Krishnaswami Bharathi: It was in the papers.

Mr. Speaker: Order, order. No arguments please.

Shri B. P. Jhunjunwala: Was it merely due to transport difficulties that the price rose from Rs. 22 in November to Rs. 40 in January, or were there some other causes which led to the increase?

The Honourable Shri Jairamdas Doulatram: There were two factors. One was the need for giving higher wages to labour. The other was the increase in the price of sugarcane.

Shri B. P. Jhunjunwala: If there were these two factors, what should be the correct price of sugar after allowing for them, say Rs. 40 or something more or less?

The Honourable Shri Jairamdas Doulatram: Rs. 35-7-0

Shri Deshbandhu Gupta: May I know if Government have been able to secure sugar for its own requirements, I mean military and other, at the controlled rate?

The Honourable Shri Jairamdas Doulatram: Yes.

Shri Mohan Lal Saksena: Is it not a fact that after making allowance for the rise in wages etc. the actual price will come to about Rs. 28 only per maund?

The Honourable Shri Jairamdas Doulatram: No. Because the increase in wages and in sugarcane prices makes a difference of about Rs. 14.

Dr. B. Pattabhi Sitaramayya: May I know, Sir, how the difference in price, as it stood at Rs. 21 on the day before sugar was frozen and the price at Rs. 35 fixed by the Sugar Syndicate namely, Rs. 14 is disposed of?

The Honourable Shri Jairamdas Doulatram: Rs. 5 for the industry and Rs. 9 for the labour.

Prof. Shibban Lal Saksena: Is the Honourable Minister aware that the increase in the cost of sugarcane and the labour increase only comes to Rs. 10 including the increased cess?

The Honourable Shri Jairamdas Doulatram: That is not my information.

Dr. B. Pattabhi Sitaramayya: Have Government taken care to see that the Rs. 5 which was intended for the producers of sugar was made over only to those Companies which had made a loss in the previous five years or was it taken also by those Companies which had made a profit?

The Honourable Shri Jairamdas Doulatram: I will require notice of that.

Shri Mohan Lal Saksena: May I know whether the income-tax which was to have been deducted out of the profit which has been given to the industry has been deducted or is it to be deducted at a later date?

The Honourable Shri Jairamdas Doulatram: I will require notice of that.

Shri Mohan Lal Saksena: May I just repeat this question? It was pointed out to us that out of Rs. 5 which was given to the industry, more than half will come to Government as income-tax. I wanted Government to make sure whether it has been so deducted.

The Honourable Shri Jairamdas Doulatram: I expect it must have been deducted, but if he wants definite information, I require notice.

Shri Rohini Kumar Chaudhuri: Does the Honourable Minister mean to say that sugar is available in sufficient quantities in Gauhati and Shillong?

The Honourable Shri Jairamdas Doulatram: I cannot say straightaway.

CEMENT FACTORIES IN INDIA

139. ***Mr. R. K. Sidhva:** (a) Will the Honourable Minister of Industry and Supply please state (i) the total quantity of cement manufactured by various Cement factories in India during the years 1939—1947:

(ii) the names of the Cement Factories and (iii) their average total daily output during the above period?

(b) Is it a fact that all the factories do not manufacture to their maximum capacity?

(c) If so, why?

(d) What is the total requirement of the whole country?

(e) How do Government intend to make up the shortage of supply?

(f) Has any new concern applied for licence for starting cement factories?

(g) If so, what are the details?

The Honourable Dr. Syama Prasad Mookerjee: (a) (i) and (iii). The installed capacity is 2·075 million tons per annum. Information regarding the actual output during the years 1939-47 is being collected and will be laid on the Table as soon as it is ready.

(ii). A statement is laid on the table of the House.

(b) Yes, Sir.

(c) Transport difficulties, inadequate supplies of coal for want of wagons and labour unrest are the causes of inadequate production.

(d) About 3 million tons per annum.

(e) By taking steps to secure production up to existing capacity and by installing additional capacity.

(f) Yes, Sir.

(g) A statemnt is laid on the table of the House.

Statement

Cement Works in India.	Rated daily out-put of factories in tons.
KYMORE	834
KHALARI	334
CHAIBASSA	334
DALMIANAGAR	500
SOME VALLEY	666
KALYANPUR	120
JHAJHA	40
KISTANA	266
MADUKARAI	600
DALMIAPURAM	234
ANDHRA	100
DWARKA	600
LAKHERI	750
BANMOR	200
SHAHABAL	666
DALMIA DADRI	133
BHADRAVATI	66
SURAJPUR	333
PORBANDAR	140
Total	6916

Statement

S. No.	Promotor.	Location.	Capacity in tons.
1	Associated Cement Co.	Bihar	1,00,000
2	"	Patiala State	1,00,000
3	"	Bombay	1,00,000
4	"	Bombay	1,00,000
5	"	Madras	1,00,000
6	"	Assam	1,00,000
7	"	Porbandar	1,00,000
8	"	Madras	1,00,000
9	Dalmias	Madras	1,50,000
10	"	Bihar	1,50,000
11	Shri Digvijay Cement Co.	Jamnapur	1,00,000
12	Anhra Cement Co.	Madras	70,000
13	India Cements Ltd., Tinnevely	"	1,00,000
14	R. B. Shesha Reddi (Kurnool)	"	50,000
15	Mysore Iron and Steel Works	Mysore	30,000
16	Travancore Cements Ltd.	Travancore	50,000
17	J. P. Srivastava & Sons	Bhopal	1,00,000
18	Bird & Co.	Gangpur State	1,00,000
19	Sirmur Traders	Sirmur State	1,00,000
20	National Cement Mines and Industries Ltd.	U. P.	1,00,000
21	C. C. Mankiwalla	Bombay	1,00,000
22	Deccan Cement Co.	"	1,00,000
23	Mr. Christensen	"	1,00,000
24	New Hindustan Cement Co.	C. P.	1,00,000
25	Tehri Garhwal State	Tehri Garhwal State	1,00,000

In addition to this, one unit of 1,00,000 tons capacity each has been allotted to Madras and Orissa. Names of the parties are under consideration. Government of India also are setting up factory of 2,00,000 tons capacity in Bihar (Sindhri).

(b) Proposals received during 1947 for setting up new cement factories. (These will be considered after the new cement plan is drawn up).

S. No.	Promotor.	Location.	Capacity in tons.
1	Janjira Darbar	Jafarabad	2,00,000
2	Bhavnagar Darbar	Bhavnagar State	not known
3	Shree A. S. Murthy	West & East Godavari (Madras)	50,000
4	Sri S.S. Natarajan	South Arcot (Madras)	50,000
5	Madras Government	Near Thungabhadra (Madras)	30,000
6	"	Near Godavari project	30,000
7	New Industrial Enterprise Ltd., Poona	Bombay	1,00,000
8	Mr. M. N. Dalal, Bombay	Palanpur State	1,27,750
9	Bihar Limestone and Mineral Co.	Demu (Bihar)	1,00,000
10	Rewa State	Rewa State*	3,20,000

Mr. R. K. Sidhva: May I know whether in view of the greater necessity of building materials and cement in future, the Government intend to have their own cement factories where it is possible in India?

The Honourable Dr. Syama Prasad Mookerjee: There is a proposal to have a cement factory at Sindhri which will produce about 2,00,000 tons per annum.

Mr. R. K. Sidhva: What is the result of that proposal?

The Honourable Dr. Syama Prasad Mookerjee: If cement is produced it will be available. What else?

Mr. R. K. Sidhva: But my question was not that. I asked whether Government intend to start this factory in Sindhri.

The Honourable Dr. Syama Prasad Mookerjee: That is what I said. Along with the Sindhri fertiliser factory, there will be a cement factory owned by Government.

Shri M. Ananthasayanam Ayyangar: May I know what steps are being taken to meet the deficiency by encouraging private industries to come forward, and if there is a particular scheme, where are those factories going to be located, and whether they are distributed over the whole of India or concentrated in a particular place?

The Honourable Dr. Syama Prasad Mookerjee: I have answered that question in (a). A statement is laid on the table of the House. Roughly, the position is this. About two years ago, a plan for expansion of cement for about 3 million tons per annum was approved by the Government of India. The Associated Cement Companies were permitted to instal eight new units. Dalmias were permitted to instal two new units. Besides this and the expansion of two other small factories, thirteen concerns in India were permitted to establish cement production. A new A. C. C. unit is already in production at Chaibasa, and another in Surajpur. So also three Dalmia concerns. The Travancore Cements limited is under erection and is expected to be in production by the end of 1948. Dalmias and A. C. C. have placed orders for some other of their schemes and we have also received a scheme from the Andhra Cement Company and the Mysore Iron and Steel Works. All these schemes I expect will materialise in the course of 1948 and 1949. The remaining concerns to which Government of India have granted licence have been unable to carry forward their schemes and I am now considering whether these licences should not be cancelled and granted to other applicants who are in a better position to establish factories.

Shri H. V. Kamath: Arising out of answer to parts (a) and (b), how much labour is employed in the cement industry and what are the causes of the labour unrest in this industry?

The Honourable Dr. Syama Prasad Mookerjee: I cannot say exactly what the number is. About the causes, the main cause is that they are dissatisfied.

Shri H. V. Kamath: What are their demands?

The Honourable Dr. Syama Prasad Mookerjee: I cannot say exactly what their demands are, probably more wages and more facilities.

Shri Biswanath Das: Arising out of the reply given by the Honourable the Minister for Industry and Supply, may I know what has become of the scheme to instal a cement factory at the Hirakud Dam site which was recommended by the experts and which was, I believe, accepted by the Government of India and also the Government of Orissa, and also whether there is the possibility of its being started immediately so as to come into production this year?

The Honourable Dr. Syama Prasad Mookerjee: One lakh tons unit has been allotted to Orissa and I believe it will be possible to help in the materialisation of that scheme.

Shri Biswanath Das: When is it proposed scheme to be taken on hand for production by installing the machinery, etc.?

The Honourable Dr. Syama Prasad Mookerjee: That stage has not yet arrived. We shall have to discuss it with the Orissa Government and also take up with the promoters.

Shri Biswanath Das: May we have more information on this score, Sir, because I understood that the installation of the factory is going to materialise soon, because of the fact that the Dalmias are going to take it up and supply the machinery that they have on hand?

The Honourable Dr. Syama Prasad Mookerjee: I shall collect the latest information and give it to the Honourable Member.

Seth Govinddas: The Honourable Minister said that the licences of those parties who have not yet started the work will be cancelled and new licences may be given. Will the Honourable Minister see that if the new licences are to be given proper advertisements are issued in the papers so that any one wishing to apply may do so?

The Honourable Dr. Syama Prasad Mookerjee: I do not think that will be necessary. If a particular party wants to produce cement the party itself will be anxious to come to Government and ask for help. But we shall see that proper publicity is given.

Dr. B. Pattabhi Sitaramayya: May I know if there is allotment of a cement factory for the Ramapadasagar project in the Godavari district?

The Honourable Dr. Syama Prasad Mookerjee: Not to my knowledge.

AGREEMENTS ENTERED INTO BY INDIAN INDUSTRIALISTS WITH FOREIGN FIRMS

131. ***Shri Deshbandhu Gupta:** (a) Will the Honourable Minister of Industry and Supply be pleased to state whether it is incumbent on industrialists to disclose to Government the terms or agreements entered into with foreign industrialists?

(b) Are Government aware of any secret agreements entered into by some Indian industrialists with foreign firms?

The Honourable Dr. Syama Prasad Mookerjee: (a) Firms desirous of establishing industries in India with the help of foreign industrialists are required to state what percentage of the capital proposed to be issued will be reserved for non-Indians. Disclosure of the other terms of agreement entered into with foreign industrialists is not insisted upon.

(b) No.

Shri Deshbandhu Gupta: Is the Honourable Minister sure that there are no other clauses in the agreements which may be prejudicial to national interests?

The Honourable Dr. Syama Prasad Mookerjee: The whole question is now being re-examined by Government, as to how far foreign capital should be allowed to be invested in India and under what conditions. In fact this matter was considered by the Industries Conference last December and certain specific recommendations have been made which are now before Government.

Shri Biswanath Das: As this relates to a very important matter of policy for this country, will the Members of this House be taken into confidence before a financial decision is reached?

The Honourable Dr. Syama Prasad Mookerjee: I am already discussing our draft proposals with the Standing Committee of the legislature.

Shri B. Das: Is the Honourable Minister aware of the negotiations by promoters of Indian chemical industries with Imperial Chemicals and American combines to start huge chemical industries in India? And will the Honourable Minister, in view of his reply to part (a) of the question, examine those secret agreements between these combines, because we are aware that Imperial Chemicals American Cartels and Weishers of Germany have all along been enjoying the benefits of the last war and made huge profits and shared those profits.

The Honourable Dr. Syama Prasad Mookerjee: I shall try to get some more information. But if the Honourable Member has some secret information already he may pass it on to me.

Shri B. Das: Is the Honourable Minister aware that certain Indian promoters are promoting twenty crores worth of company in partnership with Imperial Chemicals? In view of the freedom of the new Indian Government now, is it necessary that Indian chemical promoters should combine with the U. K. combine—Imperial Chemicals—and manufacture destructive chemicals for the destruction of humanity?

Mr. Speaker: Order, order.

Shri Rohini Kumar Chaudhury: Is there any ban against joint business by Indians and Europeans resident in India either as a firm or as a company?

The Honourable Dr. Syama Prasad Mookerjee: There is no ban as such.

Shri Deshbandhu Gupta: Is it the intention of Government to go into the agreements already entered into or will they only lay down the procedure for future agreements?

The Honourable Dr. Syama Prasad Mookerjee: Once we lay down our policy it will certainly be our endeavour to see that even existing concerns come within its scope as soon as possible.

EXTENT OF INDIAN AND FOREIGN CAPITAL IN MATCH INDUSTRY IN INDIA

132. ***Shri Deshbandhu Gupta:** Will the Honourable Minister of Industry and Supply be pleased to state:

- (a) the extent of Indian capital and control in match industry in India;
- (b) the extent of foreign capital and control in the same industry; and
- (c) the production percentage of Indian concerns as against that of foreign controlled match factories?

The Honourable Dr. Syama Prasad Mookerjee: (a) and (b). Government have no information in regard to the extent of foreign and Indian capital invested in the Match industry. Five large units are operated by a Swedish Match Company whose Board of Directors is composed of four Indians and 3 non-Indians. Besides these, there are 160 factories run as cottage industries, which are believed to be entirely Indian.

(c) About 60 per cent. by the Swedish Match Company and 40 per cent. by the rest.

Shri M. Ananthasayanam Ayyangar: With regard to parts (a) and (b), will Government agree to collect the necessary information on the point?

The Honourable Dr. Syama Prasad Mookerjee: I have already issued directions to that effect.

Shri H. V. Kamath: Among foreign match makers—I mean, manufacturers are there none but Swedish?

The Honourable Dr. Syama Prasad Mookerjee: I suppose they are the best.

Shri M. Ananthasayanam Ayyangar: Is there any proposal on the part of Government to have this match industry as a monopoly for fiscal purposes?

The Honourable Dr. Syama Prasad Mookerjee: That has not been considered; but I will remind the Honourable Member that there are 160 factories which are owned by Indians and most of them are run as cottage industries. So if Government take them over they will be hitting a section of Indian small industrialists themselves.

Shri H. V. Kamath: May I know who controls WIMCO? Whose capital is invested there?

The Honourable Dr. Syama Prasad Mookerjee: So far as my present information goes, half of this company's capital is subscribed by investors in this country. But I have not been able to get the exact proportion of Indian capital.

PRODUCTION OF TEXTILES, SUGAR AND PAPER IN INDIAN AND FOREIGN OWNED FACTORIES

133. ***Shri Deshbandhu Gupta:** Will the Honourable Minister of Industry and Supply be pleased to lay on the table of the House a statement showing production figures for textiles, sugar and paper in the factories under the management of Indian industrialists and in those under foreign management for the years 1945-46 and 1946-47?

The Honourable Dr. Syama Prasad Mookerjee: A statement is laid on the table of the House.

Statement

Material	Year	Total Production			Remarks
		Under Indian Management	Under foreign Management	Grand Total	
TEXTILES--					Separate figures of production of mills under Indian and foreign management not readily available.
Yarn	1945 (Calendar year)			1,625,351,000 lbs.	
	1946 " "			1,396,496,000 lbs.	
	1947 (January, to June)			645,382,000 lbs.	
Cloth	1945 (Calendar year)			4,687,589,000 yds.	
	1946 " "			4,002,787,000 yds.	
	1947 (January to June)			1,891,094,000 yds.	
SUGAR--					
	1945-46 (April to March)	809,814 tons	140,598 tons	950,412 tons	
Sugar	1946-47 (April to March)	787,776 tons	137,777 tons	925,553 tons	
PAPER--					
Paper	1945 (Calendar year)	18,066 tons	52,356 tons	71,022 tons	Production in Indian States not included as liable figures not available.
	1946 " "	17,980 tons	50,904 tons	68,884 tons	
(Excluding Boards and Kraft)	1947 " "	15,494 tons	36,860 tons	52,354 tons	

ADVERTISEMENT IN THE *Indian Trade Journal* INVITING TENDERS FOR LIQUID METAL POLISH

134. *Shri Deshbandhu Gupta: Will the Honourable Minister of Industry and Supply be pleased to state:

(a) whether it is a fact that the advertisement inviting tenders for 25,000 lbs. liquid metal polish from the Director of Civil Supplies was published in the *Indian Trade Journal* on 10th July, 1947 and the due date for opening tenders was fixed as 22nd July 1947;

(b) whether Government are aware that the *Indian Trade Journal* was received in Calcutta on 18th July, 1947 and there were only four days left to get the forms from Bombay and send them duly filled;

(c) whether Government are further aware that no tender forms were available at Calcutta office; and

(d) whether the Director of Supplies, Bombay, received any complaint about this inconvenience?

The Honourable Dr. Syama Prasad Mookerjee: (a) Yes, Sir.

(b) The *Indian Trade Journal* is published in Calcutta and accordingly the Journal of 10th July 1947 should be available to the Calcutta firms on the same day. The firms had, therefore, 12 clear days to submit their tenders.

(c) According to usual practice, tender forms are sent to other circles for sale in their area, and the same was done in this case also. However, enquiries made show that Calcutta Office had not received the tender forms sent by the Director of Supplies, Bombay, and the forms are presumed to have been lost in post.

(d) Yes, Sir.

Shri Deshbandhu Gupta: May I know if in the event of such miscarriage by post or something else a telegraphic tender could not be accepted in future?

The Honourable Dr. Syama Prasad Mookerjee: In fact in this case a tender by telegram was received and was considered, although the tender was not accepted.

POST-WAR RECONSTRUCTION PLAN FOR TRAINING OF GRADUATES AND FACILITIES FOR ANDHRA GRADUATES.

135. *Shri V. C. Kesava Rao: (a) Will the Honourable Minister of Agriculture be pleased to state the various post-war reconstruction plans for training an adequate number of graduates in agriculture, dairy-farming, veterinary, animal husbandry and allied sciences?

(b) What are the facilities the Government of India propose to give to the Andhra University to train Andhra graduates?

(c) What is the number of students sent to foreign countries for higher training in the above subjects?

The Honourable Shri Jairamdas Doulatram: (a) The Training Schemes of the Central Government already in force or to be brought into force in the near future are as follows:

1. *College of Agriculture, Delhi.*—To meet the immediate needs of candidates drawn from the Centrally Administered Areas and from those Provinces and States which have no Agriculture College of their own, the Central Government have set up at Delhi (Qarol Bagh) a College of Agriculture as an *ad hoc* measure.

2. *Indian Agricultural Research Institute.*—The arrangements for post-graduate training at the Indian Agricultural Research Institute, Delhi have been extended so as to accommodate 100 students per year as against 24 of the pre-war period.

3. *Botanical Survey of India.*—A two-year course for the training of students in Botany and allied subjects has been started under the Botanical Survey of India, Calcutta.

4. *Institute of Fruit Technology.*—The Central Government have under consideration a proposal to set up an Institute of Fruit Technology for the post-graduate training of students in fruit preservation, horticulture, etc. A small training class is already being conducted at Delhi by the Indian Council of Agricultural Research.

5. *Central Drilling School, U. P. (near Roorkee).*—The Central Drilling School set up near Roorkee by the Central Government is meant to train engineering graduates etc. in the drilling of tube-wells (by modern mechanical equipment) for irrigation purposes.

6. *Training in Fisheries and Zoology.*—The Central Government have set up Inland and Marine Fisheries Research Stations at Calcutta and Madras where arrangements will be made shortly for the training of graduates in Inland and Marine Fisheries and Zoology.

7. *Training in Veterinary Science and Animal Husbandry.*—These subjects are already being taught at the Indian Veterinary Research Institute, Izatnagar to students nominated by the Provinces and States. It is proposed to extend the training facilities at the Institute as early as possible.

8. *Training in Dairy Farming.*—There are at the moment limited facilities for the training of students at the Dairy Research Institute of the Central Government located at Bangalore.

To meet the growing requirements of the country, Government have under consideration schemes for setting up a Central Research Institute and College and Centres for training of technicians.

(b) The Government of India are prepared to consider with an open mind any proposals which the Andhra University submits on the subject.

(c) The number of scholars (nominated by the Central and Provincial Governments) sent abroad for training in various subjects is as follows:

		Nominated by	
		Central Government	Provincial Governments
(i)	Agriculture and Allied subjects	45	54
(ii)	Dairy	13	4
(iii)	Animal Husbandry	14	10
(iv)	Fisheries	18	5
(v)	Zoology	1	2
(vi)	Forestry	4	2
(vii)	Soil Conservation	—	6
(viii)	Poultry	—	3
(ix)	Horticulture	12	7
(x)	Veterinary	—	3

Seth Govinddas: In view of the fact that the Central Government is going to invest a few crores of rupees for opening a dairy in Jubbulpore, will it not be advisable to have some sort of an institution for imparting training to students in the same place, so that they may have some practical knowledge?

The Honourable Shri Jiramdas Doulatram: This matter is under the consideration of Government.

Mr. Tajamul Husain: May we know, Sir, what is the annual cost of sending students for higher training to foreign countries?

The Honourable Shri Jairamdas Doulatram: I require notice of that question.

Shri V. C. Kesava Rao: Will Government consider the question of inclusion of veterinary science as a compulsory subject in the curriculum of agricultural colleges to enable agricultural demonstrators working in the villages to give necessary help to the cultivators?

The Honourable Shri Jairamdas Doulatram: Government will certainly consider that matter.

Shri M. Ananthasayanam Ayyangar: May we know, Sir, why the Agricultural College was located at Delhi which is a city and not given a rural atmosphere and located in a village?

The Honourable Shri Jairamdas Doulatram: Delhi may be a town, but round about it are villages.

NUMBER OF TELEPHONES IN ANDHRA DISTRICTS AND POLICY FOR INSTALLATION

136. *Shri V. C. Kesava Rao: Will the Honourable Minister of Communications be pleased to state:

(a) the number of private telephones in the Andhra districts;

(b) the number of applications received during 1947-48 for installation of new telephones;

(c) the number of telephones granted to the public; and

(d) the policy of Government in the matter of installation of telephones and the priority list, if any, in the instaution of the same?

The Honourable Mr. Rafi Ahmed Kidwai: (a) 907 direct connections and 122 extensions.

(b) 596.

(c) 446 installed and 90 under installation.

The balance of 60 are awaiting expansion of systems.

(d) In the Presidency Towns and other important towns where Telephone Advisory Committees have been formed, it is left to those Committees to determine the order in which telephones should be given to the applicants on the waiting list. In other places, the following order of priority is observed:

(1) Restoration of telephones disconnected during the war under the Defence of India Rules.

(2) Doctors and nurses.

(3) Banks.

(4) Public Institutions, such as hospitals, schools, colleges, clubs, important political organisations, etc.,

(5) Members of the Legislature, and

(6) Accredited Press Correspondents and daily newspapers.

The Telephone Advisory Committees also show preference to these classes of applicants.

Seth Govinddas: Will Government be pleased to state by what time they expect to reinstall the telephones disconnected during war-time?

The Honourable Mr. Rafi Ahmed Kidwai: As soon as new connections are available.

Pandit Balkrishna Sharma: In the list of priority read out by the Honourable Minister, poor legislators have been put down in the 5th category. Will he try to promote them?

The Honourable Mr. Rafi Ahmed Kidwai: They have only recently been added to the list. They will have to wait for their promotion.

Shri M. Ananthasayanam Ayyangar: May we know, Sir, in how many of the places which are served by telephone system, trunk facilities are available?

The Honourable Mr. Rafi Ahmed Kidwai: So far as the Andhra districts are concerned, there are fifteen telephone exchanges; six new exchanges are to be installed under the new scheme; then there are sixteen other places where new installations are contemplated.

Shri M. Ananthasayanam Ayyangar: Sir, my question does not appear to have been properly understood. The existence of a telephone exchange in a town does not necessarily mean that it is connected with the trunk. I want to know—particularly so far as the Andhra districts are concerned—how many of the telephone exchanges are on the trunk line?

The Honourable Mr. Rafi Ahmed Kidwai: I think the number is six; but I require notice of that question.

Shri H. V. Kamath: Is the Honourable Minister aware that the latest telephone directory of Delhi was published as far back as January 1947?

Mr. Speaker: That question does not arise.

Shri Deshbandhu Gupta: Can the Honourable Minister give an assurance to this House as to the approximate date by which the general shortage of telephones in the country will be over?

The Honourable Mr. Rafi Ahmed Kidwai: I think a statement was made in reply to a question about two days ago—I think it was on the 3rd of this month. I would refer the Honourable Member to that.

Shri Deshbandhu Gupta: Is it not a fact, Sir, that in Delhi it has not been possible for Central Advisory Committee appointed by the Honourable Minister, to give not even ten connections, since it was appointed?

The Honourable Mr. Rafi Ahmed Kidwai: I thought, Sir, the question was about Andhra and not about Delhi.

Mr. Tajamul Husain: May I know, Sir, how long will it take for Government to publish a new directory, in view of the fact that the present directory is dated January 1947?

Mr. Speaker: That does not arise out of this question which relates to Andhra.

NUMBER OF TEXTILE MILLS IN ANDHRA DISTRICTS AND FACILITIES TO HANDLOOM WEAVERS

137. ***Shri V. C. Kesava Rao:** Will the Honourable Minister of Industry and Supply be pleased to state:

(a) the number of textile mills for which licences have been granted and their location in the Andhra districts;

(b) whether Government propose to consider fresh applications for setting up textile mills in the Andhra districts;

(c) whether Government propose to arrange for allotting enough yarn to the handloom weavers in the meantime, in view of the fact that most of the labourers and the middle class people in Andhra area are living mainly on weaving; and

(d) what facilities Government propose to provide for the Handloom Co-operative Marketing Societies to contact prospective buyers of handloom cloth overseas especially in Malaya, South Africa and West Indies?

The Honourable Dr. Syama Prasad Mookerjee: (a) Nine; at Adoni, Kamalapuram, Bellary, Tadpatri, Peukonda, Kurnool, Rajahmundry, Masulipatam, and Guntur.

(b) Government are prepared to consider fresh applications from any prospective promoters who can show that they can obtain suitable machinery within a reasonable time.

(c) The responsibility for the allotment of yarn to handloom weavers in the Andhra Districts rests with the provincial Government.

(d) The Deputy Chief Controllers of Imports, and Indian Trade Agents and Commissioners abroad, provide any information which prospective exporters in India desire for establishing contacts with foreign importers. Exports to South Africa are, of course, not allowed at present.

POST-WAR RECONSTRUCTION PLAN FOR OPENING NEW RAILWAYS IN ANDHRA DISTRICTS AND CONSTRUCTION OF LOCO SHED AT BEZWADA.

138. *Shri V. C. Kesava Rao: Will the Honourable Minister of Railways be pleased to state:

(a) the post-war reconstruction plans for opening new railways in Andhra districts; and

(b) whether Government propose to consider the question of constructing a loco shed on the lines of Perambur Workshop (Madras) at Bezwada?

The Honourable Dr. John Matthai: (a) The only new railway project proposed by the Madras Government for inclusion in the Post-war Reconstruction Plan of Railways in Andhra Districts was the construction of the Ellore-Saveri Valley Branch. This has not yet been surveyed and in view of limited resources, the Central Board of Transport have decided that work should not proceed on this project at present.

In addition to the above, a survey is in progress for a direct line between Nagpur and Vizagapatam of which a portion will lie in the Andhra Districts.

(b) There is no proposal to open a Locomotive Workshop at Bezwada.

Shri V. C. Kesava Rao: Is the Honourable Minister aware that due to the language difficulty, most of the Andhras are not going to the workshop for training.

The Honourable Dr. John Matthai: I have no information on that point.

Mr. Tajamul Husain: Do Government propose to construct a railway bridge across the Ganges to connect Patna and Hajipur in Bihar as a post-war reconstruction measure?

Mr. Speaker: I am afraid it does not arise from this.

POST-WAR PLAN re CONSTRUCTION OF HIGHWAYS AND CLASS I ROADS IN ANDHRA

139. *Shri V. C. Kesava Rao: Will the Honourable Minister of Transport be pleased to state:

(a) the post-war plans of the Government of India in the construction of highways and class I roads in Andhra Desa;

(b) the present mileage of highways and class I roads in Andhra; and

(c) whether the Government of India propose to give any assistance to the Provincial Governments and local authorities in the construction of class II, III and IV roads and if so, the nature of the proposed assistance?

The Honourable Dr. John Matthai: For the purposes of this question and in the absence of any guidance given therein, the region called 'Andhra Desa' is assumed to comprise the following districts, namely: Chittoor; Cudapah; Anantpur; Kumool; Bellary; Nellore; Guntur; Kistna; West Godavari; East Godavari; Vizagapatam South and Vizagapatam North.

(a) The Government of India propose to accept financial responsibility for certain roads in this region called National Highways totalling some 900 miles of which, subject to budget provision being available, it is proposed to spend Rs. 124 lakhs or so during the next five years.

(b) As "roads" is a provincial subject this Ministry have not full information concerning roads other than National Highways, but from the statistical information available, which may not be quite up-to-date, the mileage of the remaining roads is about 9650 surfaced and 5100 unsurfaced. These figures ignore village roads and tillage tracks, full information concerning which has not been available.

(c) Yes. All classes of roads other than National Highways are provided for in the Provincial Development plans which receive substantial assistance from the Government of India by way of the block grants made for development purposes. Provincial Government's have also available for road development the moneys allocated to them from the Central Road Development Fund.

NEGOTIATIONS FOR THE LEASING OF NORTH ANDAMANS FORESTS.

140. *Shri T. T. Krishnamachari: (a) Will the Honourable Minister of Agriculture be pleased to state whether the negotiations for leasing the north Andamans forests have been concluded?

(b) If the answer to part (a) above be in the affirmative, who are the parties with whom the arrangement was finally concluded?

(c) What was the nature of the previous experience in such business of each one of the parties to this arrangement?

(d) What are the commitments of Government in this matter?

(e) Are the lessees to pay any royalties to Government on the timber taken out by them from the forest and if so, how does the scale of royalties fixed compare with the scales already in vogue in the matter of exploitation of Government forests by private lessees?

(f) Was any survey of the forest resources of the Andamans conducted by Government?

(g) Was the decision of Government to lease out the forest arrived at by reason of expert advice obtained by Government being in favour of this method of exploitation?

(h) Do Government propose to place on the table of the House the text of the agreement, or in the event of the agreement not having been completed, a copy of the draft agreement, which has been given to the parties who are to be the lessees?

The Honourable Shri Jairamdas Doulatram: (a) The negotiations were concluded on 7th January 1948.

(b) The parties are the Government of India on the one hand and the following four firms on the other: (i) Messrs. Hind Constructions Ltd., (ii) Messrs. Dalmia Jain Ltd., (iii) Messrs. Himatsingka Timber Ltd. and (iv) Messrs. Anamallais Timber Trust Limited.

(c) A statement No. I containing the information required is placed on the table.

(d) Out of the authorised capital of Rs. 2½ crores fifty one per cent. of the shares will be held by the Government of India, nine per cent. by the public and forty per cent. by these companies. The other commitments of the Government of India are set forth in a statement No. II a copy of which is placed on the table.

(e) Yes: As the Andamans forests have not so far been leased out to private agency, a comparison cannot be made.

(f) A survey was undertaken by the Government of India just before the war broke out, and a working plan was nearing completion; but the records were destroyed during the Japanese invasion of the Islands. A new working plan of the area to be leased out is under contemplation.

(g) Yes.

(h) The terms and conditions of the Lease are contained in Statement No. II placed on the table. The draft Agreement is being drawn up in consultation with legal experts.

Statements I

REVIEWS EXPERIENCE IN
TIMBER TRADE OF THE
FOUR FIRMS:

1. Hind Construction Ltd.,
2. Himatsingka Timber Ltd.,
3. The Anamallais Timber Trust Ltd.,
4. M/s. Rohitas Industries Ltd., (Dalmia Jain Ltd.)

Name of Firms Managing Agents	Previous experience	Present equipment	Marketing experience
1. Hind Constructions Limited: 8, Royal Exchange Place, Calcutta	Have fabricated country boats for Bengal Government worth twenty lakhs through Messrs. Giribardas, Maheswari & Co., Calcutta; annual turn over regarding construction of industrial undertakings worth Rs. one crore per year. 30 year's forest experience. Experience in Saw-milling, preservation and seasoning of timber, construction of large-scale industrial undertakings.	No equipment at present but negotiating for purchase of plywood factory in Bombay. Propose to manufacture building items on a large scale.	Sold timber for the Indian market to the value of Rs. 30 lakhs through allied concerns during 1945-46.
2. Himatsingka Timber Limited, 6, Old Post Office Street Calcutta.		Possess one Saw-Mill at Chittagong. Can arrange to import mill at any moment.	Possess extensive organization in India. One of the agents to the Government of India for Andamans timber. Exporting timber to U. K. and Egypt, &c.
3. The Anamallais Timber Trust Ltd., Chalakudi.	(a) Have done very large timber extraction work in Cochin, Travancore and British India, extracting on an average about 15,000 tons of timber per annum. (b) Erected various Saw-Mills. The Herbert Saw-Mills at Chalakudi erection & running of Government Saw Mills at Ghoripore.—Setting up and running of U. K. S. Mill at Calicut. (c) Have been in charge of erection and running of the Seasoning Plant at the Ghoripore Saw Mills. Well acquainted in Croo-rotting and ascu-treatment (d) Director and partner in the Managing Agency of the Western India Plywoods—fully equipped and modern plywood factory—the capacity is 30,000 sq. ft. per day. (e) In a position to undertake the large-scale exploitation and fabrication of timber products	The Herbert Saw Mill is the best mill on the Coast with a capacity of 2300/2500 tons intake, equipped with breakdown Band Mill, Re-saws, Cross-cuts, &c. The plywood Factory has three peelers, hot and cold press, a dryard of the most modern type and all other auxiliary machines capable of producing 30,000 sq. ft. of finished products.	Engaged in timber work for the last 25 years and have connection all over India. Have been doing export business in timber to the U.K., Germany, France, Italy, & America. Messrs. Duncan Ewings have agreed to serve as Sales Agents in all important centres of the world.

Marketing experience in timber, timber products such as plywood, pressed boards, tea chests, other packing boxes and furniture, &c.

Possess an upto-date American and Indian Veneer Plant for manufacturing veneers and plywood. This plant comprises of the following machinery.

(a) Working for the last 6 years in the forests of Bihar for soft and hard timbers, bamboos, ballies &c. for plywood factory, saw-mills, ground wood-mill paper, pulp and construction work.

(b) Possess an efficient saw-mill at Dalmianager.

(c) Doing seasoning of sawn timber in hot air circulation kilns for the last 5 years as per design of Forest Research Institute, Dehra Dun.

(d) Have an efficient American as well as Indian Veneer and Plywood plant and are working for the last 14 years manufacturing all types of plywood sheets, tea chests and other boxes materials, tea trays, carromboards and other stuff. Possess a small pressed board plant and a big toys and furniture making plant.

(e) Possess experience of construction of large-scale industries such as paper, cement, Sugar plywood, vegetable glue, chemical factory sulphuric acid chambers, &c.

1. Three Cross cut-saws.
2. American Peeling lathe.
3. 4 Peeling lathes.
4. 2 knife grinders.
5. 1 Veneer clipper.
6. 1 Cyclone Drier.
7. 1 Jointer.
8. 1 Panel sizer.
9. 1 Tepper.
10. 1 Hot hydraulic press.
11. 2 Cold hydraulic press.
12. 2 Glue spreaders.
13. 2 Glue mixers.
14. 2 Saws (American)
15. 6 Saws (Indian).

(b) Possess one Saw-mill with the following equipments—(1) 2 band saws ; (2) Circular saw benches ; (3) Frame saw ; (4) 2 Planing Machines.

(5) 1 Saw Sharpener.

(c) Small plant for press-boards.

Statement II.

Terms and Conditions of the lease of the North Andamans Forests

(1) The four promoting firms and the Government with shareholders from the public will form a Corporation with an authorised capital of 2½ Crores rupees of which 51 per cent. of the shares will be held by Government, 40 per cent. by the firms and 9 per cent. will be issued to the public; the name of the Corporation will be The Andamans Forest Industries Limited.

(2) The articles and memorandum of Association will be approved by Government and will not be altered without the consent of Government.

(3) The Board of Directors will consist of a Chairman and six Directors. Of these, the promoting firms collectively and Government will each have one nominated Director. As regards the other five who are to be elected under the law it will be agreed between Government and the promoting firms by exchange of letters that their combined votes will be so exercised that three or more of the Directors will be the nominees of the promoting firms and another Director a nominee of Government.

(4) The Chairman of the Board of Directors will be one of the 2 Government Directors and he will be nominated by the Government.

(5) The promoting firms, in return for expert administrative and executive supervision, will be entitled to 5 per cent. of the net profits subject to a minimum of Rs. 36,000 per annum.

(6) The Company cannot at any time allocate for dividend an amount in excess of 6 per cent. of the paid-up capital and all reserves. For the purposes of this calculation, the amount of all reserves built out of the profits on which taxes have been paid will be taken into account.

(7) The Corporation will enter into an agreement with Government for working the forests in North and Middle Andamans subject to the following conditions :—

(a) The period of the agreement will be for 25 years.

(b) The management of the forests as well as the formulation of the working plan for it will continue to be the responsibility of the Forest Department. The Corporation will be concerned only with the actual felling, removal, conversion and sale of timber and other forest produce earmarked for such exploitation by the Forest Department according to the terms and conditions of its working plan.

(c) The Corporation will have no right whatsoever over land except such permissible rights as are given from time to time for making clearance to erect temporary huts, building of roads, clearing of waterways, etc. For erection of permanent or semi-permanent buildings and other installations of a capital nature approved by Government the Corporation should get lease from the Chief Commissioner in accordance with the rules in force in the Island for the settlement of land.

(d) The Corporation will be allowed to have the sole right to establish such industries as are agreed to by Government to be ancillary to the exploitation of the forests and which will be considered as capital assets connected with such exploitation. The Corporation should establish and run an up-to-date saw mill with a capacity of about 11,500 tons sawn output per month and a pressure creosoting plant capable of treating about 7,000 to 8,000 P.G. sleeper units a month within two years from the date of leasing the North Andamans Forests. If the Corporation desire to establish any other industry for utilisation of forest produce or for any other purpose, it will be in the same position as any other firm which has to apply to the Chief Commissioner for permission, each such application being considered on its own merits.

(e) Royalty for the timber will be charged at the rates given below :—

(i) Padauk, Zebrawood and Chooi 0-12-0 per cft. in log.

(ii) Gurjan and Pynma and Silver Grey 0-6-0 per cft. in log.

(iii) Misc. Spp. Badam, Lalchini, Mohowa, etc. (Hard-wood spp.) 0-4-0 per cft. in log.

(iv) Match logs, Dhup, Papita, Lambapati, Didu, Bakota, Letkok 0-3-0 per cft. in log.

Royalty for any other forest produce removed by the Corporation with the approval of the Government will be charged at rates which may be agreed upon by Government.

(f) In addition to royalty, out of the net profits after paying all working expenses, commission to the promoting firms and taxes, an amount equal to 6 per cent. of the paid-up capital of the Company shall be deducted and the remaining surplus will be divided in equal proportions between the Company and the Government.

(g) The Corporation will work the forest only according to the Instructions from time to time issued by the Chief Forest Officer. In case of any dispute the matter would be referred to the Inspector General of Forests whose decision will be final.

(h) The Inspector General of Forests will fix up a phased programme for extraction for the first five years. If the Corporation fail to follow this programme, provision will be made for a penalty at varying rates.

(i) The Corporation should supply timber (a) to the Forest Department for use in the area of operation at cost plus royalty; (b) for Government or public use as approved by the Chief Commissioner, Andamans, in the North Island, at cost price plus royalty plus a nominal (4 per cent.) profit; (c) for all timber supplied to Government or to such industries declared to be essential by Government up to 50 per cent. of the total felling at cost plus royalty plus a fixed profit (10 per cent.). This option of taking up to 50 per cent. of the felling will include, besides other demands, logs for match industries, and acceptable hard-wood sleepers for Railways. The match logs will be disposed of as per orders of the Government (and it must be remembered that match logs whether from North Islands or from South Island should be sold to match industries at the same price irrespective of the cost of production). The sleepers will be restricted to 10 per cent. of the quantity earmarked as coming under the 50 per cent. option by Government. In the case of sleepers the price will be cost plus royalty plus profit subject to the maximum of the ruling price in Calcutta minus freight and handling charges.

(j) The Corporation should not interfere in any way with the existing rights of the aboriginal population of the Island or the customary rights granted to cultivators and other inhabitants of these Islands for collection of the forest produce required for their local needs. In all these matters the Chief Commissioner shall be final authority.

(k) The Corporation will abide by any directions issued by Government from time to time regarding the prices at which varieties of timber can be sold in the various markets.

(l) All proposals for capital expenditure of Rs. 2½ lakhs and above will require the prior sanction of Government. Government's approval will also be necessary to the appointment of any person on a salary of Rs. 1,500 per month or more.

(m) The Corporation will, as far as possible, employ only Indian personnel and use Indian materials.

(n) In the event of any dispute between the parties regarding the working of any term of the agreement, the matter shall be referred to arbitration in an agreed manner.

(o) On the termination of the full period of the agreement, if Government decide to continue to exploit the forests through commercial firms, this Corporation would be given the first refusal.

(p) On termination of the agreement after the full term, if the Government take over the work of future exploitation, compensation will be paid for all capital assets considered to be ancillary to the working of the forests. In valuing the assets depreciation on the actual cost will be calculated as in the Income-tax rules.

(q) Government or the Corporation can terminate this agreement after two years' notice by assigning sufficient reasons.

Shri T. T. Krishnamachari: May I ask the Honourable Minister, if two of the parties—Hind Constructions Limited and Dalmia Jain Limited have had any previous experience?

The Honourable Shri Jairamdas Doulatram: With regard to Dalmia Jain, they have been working for the last six years in the forests of Bihar for soft and hard timbers, bamboos, *ballies* etc., and have a plywood factory, sawmill, and ground woodmill.

With regard to Hind Constructions Limited, they have fabricated country boats for Bengal Government worth twenty lakhs and they are putting up a plywood factory in Port Blair.

Shri T. T. Krishnamachari: May I ask the Honourable Minister if he considers fabricating boats as enough experience for this firm to be included in this list, where such large and vital interests of the Government of India are concerned?

Mr. Speaker: Order, order. That is a matter of opinion. That is not asking for information.

Shri T. T. Krishnamachari: May I ask the Honourable Minister if he has no data to go upon as regards royalties *e.g.* royalties fixed in regard to the previous exploitation of Government forests in India which can be compared with the royalties fixed for payment by this corporation?

The Honourable Shri Jairamdas Doulatram: Numerous rates prevail ranging from half an anna per cubic foot to Rs. 2/13 per cubic foot. It all depends on the area and the local conditions.

Shri T. T. Krishnamachari: May I ask the Honourable Minister if the information that I have, that the royalties that are fixed for this firm are 25 per cent. of the normal fixed for a similar type of timber taken out of forests in India, is true?

The Honourable Shri Jairamdas Doulatram: There is no one rate with which these rates could be compared. The rates vary from half an anna to Rs. 2/13. There are over six categories of these rates.

Shri T. T. Krishnamachari: May I ask the Honourable Minister if this firm is to be given ten per cent. of the profits as part of its remuneration, or is there any other fixed amount to be payable to them for a period of years in the initial stages?

The Honourable Shri Jairamdas Doulatram: Well, I believe after the Honourable Member has studied the statements which I have placed on the table, most of his doubts will be cleared.

Shri T. T. Krishnamachari: The doubts can be cleared now.

The Honourable Shri Jairamdas Doulatram: I shall read out some of the terms of the contract:

"Royalty for the timber will be charged at the rates given below:

- | | | |
|---------------------------------------|-----|-------------------------|
| (i) Padank, Zebra-wood and Chooi | ... | As. 12 per cft. in log. |
| (ii) Gurjan and Pynma and Silver Grey | ... | As. 6 Ditto. |

Shri T. T. Krishnamachari: I did not ask that question.

The Honourable Shri Jairamdas Doulatram: I am giving you information.

Shri T. T. Krishnamachari: It is gratuitous, and I am not in need of it. I wanted an answer to the other question, namely, whether ten per cent. of the profits is to be assigned to this firm or any sum fixed during the initial stages?

The Honourable Shri Jairamdas Doulatram: I shall read out the clause relating to profits:

"In addition to royalty, out of the net profits after paying all working expenses, commission to the promoting firms and taxes, an amount equal to six per cent. of the paid-up capital of the Company shall be deducted and the remaining surplus will be divided in equal proportions between the Company and the Government."

Shri M. Ananthasayanam Ayyangar: Were all tenders broadcast throughout India before the agreements were entered into with these firms?

The Honourable Shri Jairamdas Doulatram: Tenders were invited and thirty three firms applied and after a very careful scrutiny only four could be selected. One of the principal considerations was the financial standing of the firm. The other was the capacity to organize labour to the extent required in a far off place like Andamans.

Shri M. Ananthasayanam Ayyangar: Who are the Managing Agents of the Hind Construction Limited?

The Honourable Shri Jairamdas Doulatram: Birla's.

Shri T. T. Krishnamachari: What is the total commitment of Government in this regard?

The Honourable Shri Jairamdas Doulatram: I shall require notice of that.

Shri T. T. Krishnamachari: What is the nature of the expert advice Government had before leasing out the forest to this firm?

The Honourable Shri Jairamdas Doulatram: I shall require notice of that.

Shri T. T. Krishnamachari: It is a part of the question. The question is there. Notice has already been given.

Mr. Speaker: The Honourable Member requires details of that expert advice.

Shri T. T. Krishnamachari: It is presumed that the nature of the expert advice should also be disclosed.

The Honourable Shri Jairamdas Doulatram: I think I might give a little fuller reply to clear some of the points and give the background of this whole contract.

About 1939 or 1940 our predecessors in office wanted to give this contract to a European firm and during the war the matter remained in suspense. At the end of the war the whole question of exploiting the Andamans was considered

and Government came to the decisions that they must have a determining voice in this enterprise. Therefore there are a number of clauses, as will be clear from a study of the agreement, which have guaranteed that Government have got the dominant voice in this contract. The management of the forests has to be by the Government. The working plans have to be planned out by the Government. The Chairman of the Board of Directors has to be the nominee of the Government. 60 per cent. of the shares are to be held by the Government and the public, 51 per cent. out of this to be held by Government. The profits that can be earned by the firms are fixed. All these matters were very carefully considered. As a matter of fact the syndicate will continue to work under the instructions of Government. It is open to the Government to terminate the agreement after two years notice. All these precautions have been taken to see that the public interests are guaranteed. The whole matter was thoroughly discussed and some kind of principle laid down as to the conditions under which we can allow such firms to exploit the timber in Andamans. The only thing they have got to do is the process from felling to selling but the plans have to be laid down by the Government.

Shri T. T. Krishnamachari: As Government is engaged in the exploitation of the forest resources directly in other parts of India, and as in this instance there being only a very small residue of the actual work of exploitation left to the firm, may I know whether, after taking into account the conditions that have been mentioned by the Honourable Minister, Government could not undertake this responsibility completely?

The Honourable Shri Jairamdas Doulatram: It was considered that in the public interest the best way of exploiting these distant areas would be through private firms which had plenty of organising capacity, financial standing and experience in this timber exploitation.

Shri T. T. Krishnamachari: Is it the conception of the Minister that public interest is best served by the Government if certain financiers are given a large portion of the profits that are legitimately due to the Government?

Mr. Speaker: That would be entering into an argument.

Prof. N. G. Ranga: Is it not a fact that for a large number of years the Government of India themselves had been exploiting these forests, before the war and they had the requisite knowledge as also the experts?

The Honourable Shri Jairamdas Doulatram: You mean the Andamans Forests?

Prof. N. G. Ranga: Yes.

The Honourable Shri Jairamdas Doulatram: I am not aware.

Shri B. Das: Are Government aware that some of the most rare timbers in the world are only to be found in the Andamans and therefore the scale of royalty that has been announced by the Honourable Minister is very low? Is the Honourable Minister aware that such timber has so much value in European countries for furniture and other purposes that he will have to revise the scale of royalties for these rare timbers which the Andamans produces?

The Honourable Shri Jairamdas Doulatram: The royalty that has been fixed has been so fixed on the consideration as to what is fair and after due consideration of the conditions in distant Andamans.

DEFECTS IN THE PASSENGER AND MAIL TRAINS RUN BY ASSAM RAILWAYS.

141. ***Shri Rohini Kumar Chaudhuri:** (a) Will the Honourable Minister of Railways be pleased to state whether Government are aware that the passenger and mail trains run by Assam Railways have the following defects even now:

- (i) that the water closets are not provided with lights in the mail trains;
- (ii) that some inter and third Class compartments in mail trains and almost all such compartments in passenger trains are not provided with light;

(iii) that the water cisterns in water closets leak and water supply is stopped after about three hours of journey from the terminal stations;

(iv) that most of the roofs of compartments leak and great inconvenience is caused when it rains; and

(v) that third class passengers have to travel on footboards?

(b) If so, what steps are being taken to remove these defects?

The Honourable Dr. John Matthai: (a) (i) and (i'). It is possible that, on occasion, some of the water closets and compartments may run without light due to the bulbs being stolen. Since the formation of this Railway, almost all the rakes have been fitted with electric lights, but inspite of anti-theft fittings being used, theft of bulbs has continued, though probably not to the former extent.

(iii) Coaches are not allowed to proceed from starting stations with leaking taps and pipes, but most of the coaches are old and have not been adequately overhauled for a long time, and it is possible that during the journey some taps and pipes develop leaks.

(iv) Rail coaches on this Railway are not in a good state of repair, as during war they were not sent to shops regularly due to pressure of military traffic. This has resulted in heavy arrears of repair and overhauling work. Since the Railway was partitioned adequate workshop capacity has not been available. Endeavours are made to carry out, in sick lines, certain types of repairs including attention to roofs, but progress generally is slow.

(v) Government are aware that unhappily overcrowding in railway trains on the Assam Railway continues and that a few passengers do take recourse to the dangerous practice of travelling on footboards. Unfortunately more trains or bigger rakes cannot be provided due to shortage of rolling stock. Accommodation will be increased as coaching stock becomes available.

(b) Everything possible is being done to restore normal travel facilities, but the position cannot be entirely satisfactory until adequate workshops are provided. A senior officer has been placed on special duty to draw up a scheme for a fully mechanised workshop for the Assam Railway.

Shri Rohini Kumar Chaudhuri: May I know what efforts have actually been made by Government to meet these difficulties, when these were made and when Government expect that their efforts will bear fruition?

The Honourable Dr. John Matthai: This is a matter to which we have given a good deal of attention. As regards the question of lights to which the Honourable Member has made special reference, it will interest him to know that on the Bengal and Assam Railway before the war we used to provide 26,000 bulbs a year. Last year we provided about 2½ times that number. In spite of it lighting facilities have not been adequate and it seems to me therefore that unless we are in a position to counter effectively the pilferage that is going on, on a large scale particularly on the Assam Railway, it would not be possible for us to meet this problem satisfactorily.

As far as the general condition of the coaches is concerned the Honourable Member is aware that as the result of the partition, the arrangement which we made was that the Saidpur workshop should do repairs for the Assam Railway. Unfortunately this arrangement has not worked satisfactorily and therefore the whole of that work now has to be done in the Dibrugarh workshop, which has very little capacity. Therefore unless we are in a position to provide fresh workshop facilities the present unsatisfactory situation is likely to continue.

Mr. Speaker: I think all this was explained in the last budget debate.

Shri Rohini Kumar Chaudhuri: As nothing has been done since the last budget session, this question has been put.

INCONVENIENCE TO PUBLIC ON ACCOUNT OF INSUFFICIENT BUSES PLYING BETWEEN
NEW DELHI AND DELHI.

142. ***Shri Rohini Kumar Chaudhuri:** Will the Honourable Minister of Transport be pleased to state whether Government are aware that there are not sufficient number of City buses plying between New Delhi and Delhi and that a great deal of inconvenience is therefore caused to the public?

The Honourable Dr. John Matthai: Government have received complaints regarding the inadequacy of the service and the question of improving the present transport arrangements is under consideration.

Shri Deshbandhu Gupta: What has happened to the proposal for taking over the G. N. I. T. by Government? Has the agreement been completed and when will it become effective?

The Honourable Dr. John Matthai: The position at present is that negotiations are still continuing. I said, in answer to a question sometime ago, that Government were thinking of acquiring a controlling interest in the G. N. I. T. That was the basis on which negotiations proceeded for a long while. But recently they have made another proposal, that instead of Government acquiring a controlling interest, Government should acquire the whole of the assets of the concern. On that basis therefore the negotiations have got to continue for sometime yet. In any case as far as we are concerned we propose either to buy the whole of the G. N. I. T. or, at any rate, to acquire a controlling interest.

Shri Deshbandhu Gupta: How long have these negotiations been in progress? Is it not a fact that the Honourable Minister's predecessor gave an assurance to this House during the last Budget session that the agreement would be concluded soon and that Government will have a controlling interest in the company?

The Honourable Dr. John Matthai: Last October I thought the arrangements were going to be finalised on the basis that Government would acquire a controlling interest. I had a series of discussions with the parties concerned finalised but just a fortnight ago a further communication has come from them and I thought that we had reached a stage where the arrangements could be that they would rather have the whole interest bought by Government. So it is necessary for us now to examine the matter again on that basis.

Shri Deshbandhu Gupta: Will the Honourable Minister fix a date line within which to conclude the agreement, whatever it be, because any delay would be to the detriment of the public interest.

The Honourable Dr. John Matthai: I am as anxious as the Honourable Member to conclude the negotiations at the earliest possible date.

CARRIAGE OF ASSAM MAILS TO AND FROM CALCUTTA BY AIR

143. ***Shri Rohini Kumar Chaudhuri:** (a) Will the Honourable Minister of Communications be pleased to state whether Government are aware that ordinary mails i.e., letters and packets, for which extra postage for conveyance by air are not paid, are not carried by air from Calcutta to Gauhati, despite the assurances given to that effect by Government on the floor of the House in the last Autumn Session and the public announcement made by the Director of Posts and Telegraphs, Assam, on the day of opening the Service?

(b) Are Government aware that mails to and from Assam are not carried regularly by Pakistan Railways even now and if so, do Government propose to direct the Postal authorities to carry Assam mails to and from Calcutta by air?

The Honourable Mr. Rafi Ahmed Kidwai: (a) No surcharged airmails and first class unsurcharged mails are being given air conveyance between Calcutta and Gauhati.

(b) Does not arise.

(b) WRITTEN ANSWERS

DETAILS OF WAR DISPOSAL MATERIAL LYING AT VARIOUS CENTRES AND THAT SOLD TO ALLEN BERRY AND CO.

144. *Dr. P. S. Deshmukh: (a) Will the Honourable Minister of Industry and Supply be pleased to state the names of centres at which War Disposal material is still lying?

(b) Do Government propose to place on the table of the House a statement giving details of the articles lying at these centres with their approximate values?

(c) Do Government propose to give a complete list of articles sold to Allen Berry and Co. together with the price for which each lot was sold giving details of all the lots?

- The Honourable Dr. Syama Prasad Mookerjee: (a) A statement I showing the various important Depots and Engineering Parks at present housing surplus material is placed on the table of the House.

(b) The compilation of such a statement would involve time and labour out of proportion to the purpose it would serve. If information in respect of any particular Depot is required I shall be glad to obtain and furnish it to the Honourable Member.

(c) A statement II giving details of the lots and prices at which Vehicles etc. were sold to Messrs. Allen Berry & Co. is placed on the table of the House.

Statement I

LIST OF MAJOR ORDNANCE, VEHICLES AND MEDICAL STORES DEPOTS AS WELL AS E.I.N.Cs PARKS AND DEPOTS, Q.M.G., S. FOOD STORE DEPOTS AND USASS DEPOTS.

Engineering Parks

1	Krishnarajapuram	10	Chandil
2	Secunderabad	11	Waltair
3	Bombay	12	Barrackpore
4	Deolali	13	Lucknow
5	Vizagapatam	14	Allahabad
6	Arkonam	15	Jhansi
7	Avadi	16	Jubbulpur
8	Coimbatore	17	Delhi Cantt.
9	Ghorpuri		

Engineering Stores Depots

18	Cochin	22	Calcutta
19	Raipur	23	Kandivelli
20	Panagath	24	Kankinara
21	Poona	25	Kurla

Vehicle Depots

26	Avadi	32	Delhi Cantt.
27	Nirsa	33	Ranchi
28	Bombay	34	Secunderabad
29	Pawai Sub-Depot		
30	Dhanbad	35	Dhanbad
31	Panagerh		

Ordnance Depots

36	Kanpur	46	Ramgarh
37	Allahabad	47	Agra
38	Muthra	48	Jubbulpur
39	Shahjahanpur	49	Bombay (Nasik Road)
40	Kandivelli	50	Panagarh
41	Avadi	51	Chheoki
42	Kirkee	52	Fort William, Calcutta
43	Ferozepur	53	Dehu Road.
44	Jamalpur	54	Secunderabad
45	Mokameh		

Medical Store Depots

55 Paipur	58 Bombay
56 Panagarh	59 Madras
57 Poona	

Depots' Holding QMG's Foodstuffs

60 R. S. D. Avaoi	74 Mily. Farm, Ranchi
61 R.S.D. Pannagar	75 S. S. D. Trimulgherry
62 S. S. D. Madras	76 Mily. Farm, Ferozepore
63 S. S. D. Bangalore	77 Mily. Farm Dudwa
64 S. S. D. Bairagarh	78 Mily. Farm Sunaripore
65 S. S. D. Poona	79 Mily. Farm Lucknow
66 S. S. D. Eastern Command	80 S. S. D. Bombay
67 S. S. D. Dehra Dun	81 No. 1 Ghee Centre, Agra
68 S. S. D. Calcutta	82 S. S. D. Delhi Cantt
69 Mily. Farm, Allahabad	83 S. S. D. Delhi Fort
70 S. S. D. Jhansi	84 S. S. D. Mhow
71 S. S. D. Kalyan	85 S. S. D. Vizagapatam
72 Mily. Farm, Jullundar	86 S. S. D. Coimbatore
73 Mily. Farm, Ambala	87 Mily. Farm, Meerut

OSASS, Depots

88 Taratola Depot, Calcutta	102 Kamarhatty Hanger, Calcutta
89 H. E. Yard & Grade Mills Siding, Calcutta.	103 Cossipore Signal Depot, Calcutta
90 Lothian Depot, Calcutta.	104 Paharpur Signal Depot, Calcutta
91 Albion Depot, Calcutta,	105 Alipur Air Stip and Brooklyn Depot, Calcutta
92 Bhagawathi Depot, Calcutta	106 National Jute Mills, Calcutta
93 Brooklyn Depot, Calcutta	107 Upper Union Docks, Calcutta
94 Lebyon Depot, Calcutta	108 Belgurriah Depot, Calcutta
95 Kalighat Tanks, Calcutta	109 Kalighat Depot, Calcutta
96 Pharpur Timber Depot, Calcutta	110 Lekhapani Depot, Assam
97 Lansdowne Depot, Calcutta	111 Margherita Depot, Assam
98 Belghurriah G. E. S. Calcutta	112 Tinsukia Depot, Assam
99 Hoboken G. E. S. Calcutta	113 Titebar Depot, Assam
100 Kalaikunda Depot, Calcutta	114 Nakachari Depot, Assam
101 Kamarhatty W/House, Calcutta	115 Makum Depot, Assam
	116 U. S. A. S. S. Depot, Factory Rd., New Delhi

Depots Under Tata Aircraft, Ltd.

117 Titaghur Depot, Titaghur	120 Agra Depot, Agra
24 Parganas.	121 Allahabad Depot, Allahabad
118 Pannagar Depot, Pannagar	122 Jodhpur Depot
119 Ranaghat Depot, Ranaghat	123 Salawas Depot

Statement II

SHOWING THE DESCRIPTION AND SALE VALUE OF AMERICAN SURPLUS STORES SOLD TO MESSRS. ALLEN BERRY AND COMPANY

Stores	Quantity	Sale Price
(i) Motor Cars	153 Nos.	
Motor Cycles	352 Nos.	
Tractors	678 Nos.	
Trailers and Semi trailers	9,134 Nos.	
Trucks of various sizes	22,282 Nos.	
	<u>32,599 Nos.</u>	4,30,00,000 (Two bulk deals of Rs. 1·80 crores and Rs. 2·50 crores).

Notes.—Quantities are approximate. Sale was on the basis of whole Depots and not according to specified numbers.

(ii) M. T. Spare parts at Rs. 250 per ton nett	16,000 tons nett (approx)	40,00,000
(iii) Vehicle Assembly and reconditioning plant	1 No.	15,00,000
(iv) Jeeps	200 Nos. }	91,32,500
Dodge Trucks	991 Nos. }	
Tractors	200 Nos. }	
(v) Hangars	3 Nos.	1,12,500
(vi) Brake fluid Hyd.n 53 gallon drums	25 Drums	419
(vii) Subsistence Stores		1,332
(viii) Spare for drum plant		13,000
(ix) 1 Steam Launch		30,000

POLICY *re* DISPOSAL OF WAR MATERIALS

145. *Dr. P. S. Deshmukh: (a) Will the Honourable Minister of Industry and Supply be pleased to state the policy regarding disposal of war materials that is in vogue?

(b) Has the policy undergone any change since 2nd September, 1946? If so, what?

(c) Have any cases of corruption in the disposal of war materials been brought to the notice of Government and if so, how many?

The Honourable Dr. Syama Prasad Mookerjee: (a) The general policy regarding disposal is that the requirements of the Central and Local Governments should have first claim; that disposal of commodities which are subject to a Government control should be effected in the same way as obtains under the control system in operation; and that otherwise all Disposals articles should be sold by auction or through open methods of tender with fixed reserve prices.

(b) The new Government, shortly after they took office on the 2nd of September 1946, appointed a Disposals Enquiry Committee. A copy of the Resolution setting up this Committee is tabled. Under the previous disposals policy, speed of disposals and the obtaining of the maximum price were the chief considerations, and considerable quantities of stores were sold on the basis of negotiation. As a result of the recommendations of the Enquiry Committee, the method of negotiation has been to a large extent give up, and the policy now is to give the greatest possible publicity to the stores available. The prime objective of present disposals policy is to ensure the most beneficial use of surplus goods. For that reason disposals have recently been considerably slowed down to enable Government to ensure that the maximum use of surplus stores is made for the purpose of relief and rehabilitation. In order to assist Government in ensuring that suitable use is made of disposals stores for industrial purposes, it is proposed to establish a committee to inspect and examine surplus plant, machinery and raw materials and advise Government on the best methods of their utilisation in industry.

(c) There have been many vague allegations of corruption. But the Disposals Enquiry Committee reported that they found no definite indications of it, and Government are satisfied that the revised methods of disposal now being adopted have reduced the possibilities of corruption to the minimum possible. When complaints of corruption are received they are investigated, but so far no case has ever been substantiated.

Resolution.

GOVERNMENT OF INDIA

DEPARTMENT OF INDUSTRIES AND SUPPLIES

New Delhi, the 12th October, 1946

No. D-1 (265).

RESOLUTION

In order to have the advantage of some outside study of the problems and difficulties so far encountered in the disposal of war surpluses, the Government of India have decided to

appoint a small Committee which will operate on the terms of reference below :

- (i) To review the problems of the Department and to advise whether the organisation, personnel, and class of officer and staff are adequate and suitable for handling these problems.
- (ii) To advise whether the methods of disposal in themselves are suited to producing results which are :
 - (a) in the interests of the public,
 - (b) expeditions.
- (iii) To advise whether, in their view, there are definite indications of corruption.
- (iv) And in general to suggest methods of improving the performance and standards.

2. The Committee will be called the Disposals Enquiry Committee and will consist of Sir Maurice Gwyer and Dewan Bahadur Sir T. Vijayaraghavacharya, Mr. S. Bhoothalingam, O.B.E., I.C.S., will act as Secretary to the Committee.

3. It is expected that the Committee should be able to report within one month.

INVESTIGATION INTO THE CONDUCT OF TEXTILE COMMISSIONER SERVING IN CENTRAL PROVINCES AND BERAR

146. *Dr. P. S. Deshmukh: (a) Will the Honourable Minister of Industry and Supply be pleased to state the name of the Textile Commissioner serving in Central Provinces and Berar?

(b) Is it a fact that the Police have discovered some evidence against him?

(c) Do Government propose to lay on the table of the House a statement containing the information?

(d) What stage has the investigation reached?

(e) From what date has this Textile Commissioner been working in Central Provinces and Berar?

The Honourable Dr. Syama Prasad Mookerjee: (a) to (e). The Provincial Textile Commissioner is an officer of the Provincial Government and this question should properly be put in the Provincial Legislature. However information has been called for.

CLASSIFIED LIST OF VARIOUS FACTORIES LOCATED IN WEST PUNJAB AND SIND BEFORE PARTITION.

147. *Dr. P. S. Deshmukh: (a) Will the Honourable Minister of Industry and Supply be pleased to lay on the table of the House a classified list of various factories located in West Punjab and Sind before partition?

(b) How many of these belong to people who are now in India?

The Honourable Dr. Syama Prasad Mookerjee: (a) and (b). The information is being collected and will be laid on the table of the House.

GOVERNMENT SUBSIDY ON SUGAR USED BY FRUIT PRESERVATION ASSOCIATION

148. *Diwan Chaman Lall: Will the Honourable Minister of Food be pleased to state:

(a) whether it is a fact that the quantity of sugar frozen was 90,000 tons in all;

(b) whether it is a fact that the frozen price was Rs. 16/8 per maund;

(c) whether this sugar was available ex-factory at about Rs. 21 per maund;

(d) whether Government propose to set aside 10,000 maunds for the benefit of the Fruit Preservation Association; and

(e) whether Government have decided to give a subsidy to the Association of at least Re. -/3/6 per pound on sugar used for the purpose of Jams, Canned fruits, Squashes, etc., applicable to factories producing more than 600 tons per year?

The Honourable Shri Jairamdas Doulatram: (a) The quantity of sugar frozen is 89,740 tons.

(b) and (c). The frozen price was not Rs. 16/8/- but the ex-factory price, which was Rs. 21/4/- per maund for the standard grade.

(d) The matter is under consideration.

(e) A proposal to this effect has been made by the Fruit Preservers' Association, and is under examination. At present the price of sugar which may be made available to the Fruit Preservation Industry by Sugar Millers is under discussion between them, the Fruit Preservation Industry and Government, and after the outcome of their discussions, a decision will be taken whether any subsidy should be given or not.

BREACH OF CONVENTION IN GIVING PUBLICITY TO SHORT NOTICE QUESTIONS IN THE PRESS BEFORE BEING ANSWERED IN THE HOUSE

Mr. Speaker: Before I call upon Shri Ananthasayanam Ayyangar to put his short notice question, I have to invite the attention of the House to an important breach of the conventions of the House in the fact that, I found that this question got publicity in the press yesterday. I might just invite the attention of Honourable Members to the desirability and the necessity also, of no question or motion finding publicity in the press before not only these are admitted but, so far as questions are concerned, before they are answered in the House. It is fair both to the House as also to the Government that the question and answer should go to the public together. I only wanted to invite the attention of the House, and also of the Press, to this fact.

Shri M. Ananthasayanam Ayyangar: Sir, I was equally surprised to note that there had been a reference to the question in the press. That is why I asked the question yesterday whether the question was admitted or not because when once it had appeared I wanted to be clear about it. I am extremely sorry it got publicized and I do not know how it got publicized. It is equally a surprise to me.

SHORT NOTICE QUESTION AND ANSWER

PRECAUTIONS AGAINST ATTEMPTS ON LIFE OF MAHATMA GANDHI AFTER BOMB EXPLOSION

Shri M. Ananthasayanam Ayyangar: (a) Will the Honourable Minister of Home Affairs be pleased to state, whether, in view of the fact that there was a bomb explosion in the prayer ground at the residence of Mahatma Gandhi a few days prior to his being shot at, any precautions were taken by Government to prevent a repetition of the incident? If not, why not?

(b) If necessary precautions were taken, do Government propose to disclose them, without affecting public interest or the investigation relating to the Assassination of Mahatma Gandhi?

(c) Are sufficient steps being taken to protect the lives of the Honourable Ministers of Government against such attacks?

The Honourable Sardar Vallabhbhai Patel: (a) and (b). Prior to the bomb explosion the guard at the Birla House where Gandhiji was staying consisted of one Head Constable and 4 Foot Constables. After the bomb outrage, the guard placed at Birla House and their respective duties and functions were as follows: (i) One Assistant Sub-Inspector of Police, two Head Constables and sixteen foot constables were employed at the entrance and at various important points near the main building and at the place where the meeting was held. They had instructions to stop all persons who appeared to be doubtful characters.

(ii) A plain clothes staff of one Sub-Inspector, four Head Constables and two constables, all armed with revolvers, were deputed for personal protection. Their duty was to watch suspicious characters at the prayer meeting and act promptly in the event of any indication of trouble or threat to life. They were posted mixed with the crowd at the prayer meeting.

(iii) Three plain clothes men were stationed on the path leading from the main building to the place where prayer meetings were held. They were to deal with suspicious characters or to prevent any of the crowd from attacking Gandhiji while he was on his way to the platform at the prayer meeting and back.

(iv) A small detachment of troops consisting of one N. C. O. and above twenty men were placed on duty for patrolling the compound and preventing ingress of visitors from over the boundary walls.

The Police considered that to make these precautions more effective they should search every stranger going into the compound for attending the prayer meetings or at other times. The Superintendent of Police, New Delhi, approached Gandhiji's staff with this proposal but was told that Gandhiji would not agree to this. The D. I. G. also approached Gandhiji's staff but with the same result. The D. I. G. then saw Gandhiji and personally represented to him that there was danger and they should be allowed the facilities asked for, otherwise they would be discredited if anything untoward happened, but Gandhiji would not agree. He said that his life was in the hands of God, that if he had to die no precautions could save him and that he would not agree to anybody being restricted from coming to the prayer meetings or anybody being allowed to come between his audience and himself. I myself pleaded with Gandhiji for allowing the Police to do their duty in regard to his protection, but without success. To my profound regret and utter sorrow and to the irreparable loss of all of us, the nation and the world, the weak spot, both I and the police had apprehended, was deceitfully and successfully exploited by the assassin and Gandhiji's prophetic words that "if he had to die no precautions could save him" came true.

(c) As far as possible and consistent with the wishes and inclinations of the Honourable Ministers concerned, sufficient precautionary measures have been taken to protect their lives.

Pandit Balkrishna Sharma: Is it a fact that any Superintendent of Police was asked to be present at the time of the prayer meeting and that on this fateful day the Superintendent was not there?

The Honourable Sardar Vallabhbhai Patel: There were plenty of armed police but I have no information whether the Superintendent was or was not there. But I will make enquiries.

Pandit Balkrishna Sharma: On the day of the explosion of the bomb Hotel Marina was searched and some clothes were found marked with the initials 'N. V. G.'—Nathuram Vinayak Godse—and on that information the police went to Bombay and asked the Bombay police to find out this man. The Bombay police returned our police saying that they were on the track of that man but somehow they lost the track. Is it a fact that they had lost the track of Nathuram Godse?

The Honourable Sardar Vallabhbhai Patel: It is difficult, or rather it is inadvisable to disclose all the facts that are under investigation. I can only say this that an officer was sent to Bombay immediately after the arrest of the first offender who threw the bomb and after taking his statement, to contact the Bombay C. I. D. As a result of their discussions it was thought that some persons should be arrested. But then it was considered inadvisable to have the arrests made immediately as others who were involved in the conspiracy might get a clue and go underground or run away. Therefore, both the Bombay Police and the Delhi C. I. D., after consultation, came to the

conclusion that the conspiracy should be further pursued and a little more time might be taken. It is also true that they were on the track of these people, but they were not all in Bombay.

Pandit Balkrishna Sharma: If the information is not in any way going to affect the investigation of the case may I ask if it is true that Nathuram Godse travelled back to Delhi by aeroplane?

The Honourable Sardar Vallabhbhai Patel: I do not think that it is proper to disclose matters under investigation.

Shri Deshbandhu Gupta: Was it not possible for the Delhi C. I. D. to procure photographs of the assassin from Bombay if it is correct that he was named by the person arrested earlier, and to have supplied the photographs to the people who were on the watch at the prayer meeting so as to make it easier for the watch and ward people to identify the assassin and arrest him in time?

The Honourable Sardar Vallabhbhai Patel: What the Delhi police did in pursuance of the information received was to trace these people. But all of them were not at one place and it was not possible to take photographs of people who were not in Bombay.

Shri L. Krishnaswami Bharathi: Is it a fact that this Government was informed by the Bombay police that a desperate character had left Bombay in pursuance of this conspiracy?

The Honourable Sardar Vallabhbhai Patel: That is not so.

Shri H. V. Kamath: Are Government aware that as a sequel to the great tragedy that has overtaken us, certain groups and individuals are foisting the entire blame on the Home Minister alone, thus trying to sow discord in the Government's ranks and creating confusion in people's minds?

Mr. Speaker: Order, order. Next question.

Shri Rohini Kumar Chaudhuri: May I know if it is customary for the police to consult the convenience of the person whom they are commissioned to protect? As a matter of fact they never consult the Governor General or Governor in this matter.

The Honourable Sardar Vallabhbhai Patel: In the present case the person concerned was a different person and it was not possible for the police to do anything without consulting him.

Shri Rohini Kumar Chaudhuri: But in view of what has happened, will the Honourable Minister please see that the entire question of protection is left in the hands of the police?

Mr. Speaker: Order, order. It is entering into argument.

Shri Rohini Kumar Chaudhuri: I am only saying that in future the matter should be left to the discretion of the police.

Mr. Speaker: That will obviously depend on the person concerned.

Pandit Balkrishna Sharma: As a matter of fact that Honourable the Home Minister has said in reply that arrangements for the protection of our Ministers have been made consistently with their wishes. There are some of our Ministers whose wishes in the matter, I submit, should not be taken into consideration because . . .

Mr. Speaker: That is not asking for information. That is arguing the matter.

Shri Rohini Kumar Chaudhuri: May I know, Sir how is it that one Raghu, Mali, grappled with the assailant first and that the police came only some time afterwards? Where were the police at that time?

The Honourable Sardar Vallabhbhai Patel: I cannot say whether the police came first or the mali came first. It is merely newspaper report.

Mr. Speaker: I think it is better not to enter into the question in greater detail. It is neither advisable nor in the public interest.

MINIMUM WAGES BILL

The Honourable Shri Jagjivan Ram (Minister for Labour): Sir, I beg to move:

"That the Bill to provide for fixing minimum wages in certain employments, as reported by the Select Committee, be taken into consideration."

This Bill, Sir, had a very chequered career. It was introduced by my predecessor, the Honourable Dr. Ambedkar, in the old Legislative Assembly in the year 1946. It was referred to a Select Committee the same year, but in the meantime the old Legislative Assembly ceased functioning and the Bill had again to be referred to a Select Committee or rather the Select Committee had to be reconstituted in November last. The Select Committee since then has considered the Bill and reported as I presented on the 28th of January. The necessity for a piece of legislation of this nature is paramount in our country, especially in those employments where the workers are not in a position to organize themselves and get their grievances removed and their legitimate demands fulfilled by the employers. In those industries where a large number of workers are employed or where there are facilities and conveniences for trade union workers to organize the labourers in those concerns, it is not so desirable as in the case of those workers who are scattered mostly in the rural areas where the trade union workers do not find it convenient to go and organize them and do something tangible for them. The inevitable result of all this has been that the workers in a very large number of industries, mostly situated in rural areas or in small towns, get wages which are not at all consistent with the labour that is put in in the operation of their work, and these industries are popularly known as sweated industries. The Bill provides that something might be done to improve the lot of the workers in these sweated industries. The schedule in which certain industries have been enumerated is not exhaustive. I would say the schedule is simply illustrative. But while including the various industries in the schedule, we had to take into consideration the factor that many of the provincial governments will not be in a position to take many industries at the same time, more so when we are limiting the period for the provisions of this Act to be put into execution only to two years in respect of Schedule I and to three years in respect of Schedule II. But there is provision that the Provincial Government concerned, if they so choose, may include in the schedule any number of industries which they may find they are in a position to take into their hands as early as possible. The provisions of this Bill are not so complicated and there have been definite improvements made in the Select Committee over the original Bill. The Provincial Governments will set up Advisory Committees which, after making investigations, will make recommendations to Provincial Governments for the fixation of minimum wages in the industries given in the schedule. The Provincial Governments may, on their own initiative, also fix the minimum wages. This piece of legislation is very necessary. As a matter of fact, Sir, this should have been on the statute book long before. I hope that the House will unanimously adopt this legislation.

Mr. Speaker: Motion moved:

"That the Bill to provide for fixing minimum wages in certain employments, as reported by the Select Committee, be taken into consideration."

Shri Harihar Nath Shastri (U. P.: General): I rise just to speak a few words in support of the motion. It is one of those few measures that have long been overdue in this country and for which the working class has constantly been agitating for the last 20 years. In fact the question of setting up a minimum wage fixing machinery came to the forefront and it aroused considerable interest in this country as far back as 1928, when the International Labour Conference adopted a convention which contemplated the creation of such a

[Shri Harihar Nath Shastri]

machinery in case of trades in which no arrangements existed for the effective regulation of wages by collective bargaining and where wages were exceedingly low. The question as to the nature of such machinery and also the trades to which it may apply was left by the I.T.C. to the Member States. This Convention has been ratified and is in operation in almost all the European countries, but so far as the Government of India is concerned, they came to the conclusion in the year 1929 that they could not give any indication of the possible ratification of this Convention at that moment until a thorough enquiry as regards the practicability of such ratification had been held. The subject was carefully examined by the Royal Commission on Labour in the year 1930 and it opined that machinery for fixing minimum wages should be created in trades in which wages were exceedingly low. The Commission, however, could not suggest any such trades as it felt that in the absence of reliable information as regards the rates and earnings it would be unwise to attempt any legislation on the lines of this Convention. It recommended that a selection be made of the industries in which there was a strong presumption that wages were exceedingly low and that conditions warranted detailed investigations and that after the investigations took place, necessary legislation in that direction should be undertaken. For full 12 years the Government of India overlooked this important subject and made no effort in that direction. It was only in the year 1943 that the subject was opened by the Tripartite Labour Conference of the Government of India, where a Resolution was passed urging on the Government, the advisability of setting up a Committee to investigate questions of wages and earnings with a view to provide adequate materials on which to plan a policy of social security to the country. In pursuance of that Resolution, the Government of India set up an Expert Committee and that Committee made enquiries into 38 selected industries and trades whose Reports on the subject were separately published by the Government of India. The final Report was published in the year 1946. I am grateful to the Government and particularly, to the Honourable Minister for Labour, that he took the earliest opportunity after the publication of these Reports to take up the question of introducing a Bill relating to the fixation of minimum wages.

Out of the 38 trades in which investigations were carried out by the Committee, the Government prepared a Schedule of 12 trades where the wage fixation machinery should apply in the first instance. So far as the Schedule goes, I must say this has been very carefully prepared and not one superfluous item has been added. In each of these, wages are scandalously low and for the information of the House I shall just quote a few instances.

In the *Beedi* industry, minimum wages to children are 4 as. to 6 as. in Bengal and 3 as. to 4 as. in C.P. and Berar. As for adults, the minimum in South India is Rs. 18-4-0, in C.P. and Berar Rs. 13, in Bombay though the minimum for men is no doubt Rs. 30 the minimum for women is only Rs. 16.

In the Tanneries, the minimum wage in Madras is 8 as., in Bengal 8 as. and in Cawnpore 6 as.

In the Carpet Weaving Industry in Mirzapur situated in U.P., the wages are Rs. 15. In Srinagar it is Rs. 12 and in Amritsar it is Rs. 10-8-0.

In the Shellac Industry in Bihar, the minimum wages are Rs. 5, in C.P. 8 as. per day and in Mirzapur 8 as.

In the Mica Mine Industry in 1944 the wages of an unskilled cooly were 8 as. and that of females 7½ as.

In Plantations, the average monthly cash earnings in the Assam Valley in the year 1944 was Rs. 9-10-3 and in the Surma Valley Rs. 7-18-7.

In Rice Mills, the minimum wages in Madras were 8 as. and 7 pies, in C.P. 8 as., in Bihar 8 as., and in Orissa 6 as.

From the above figures it would be seen that conditions in these industries are most disgraceful. Workers employed there—especially those who are unskilled—are on the verge of starvation and if any legislation is urgently needed for them, it is for them. The present measure no doubt will prove a blessing to workers employed in these industries.

Along with the Select Committee Report, there is a note attached from my esteemed friend Diwan Chaman Lall. I fully endorse his viewpoint that minimum wage should be fixed on the basis of a living wage. In fact, this is one of the basic demands that the working class of this country is agitating for. I do appreciate that it will not be possible at the present moment to realise the objective of a living wage to industrial workers in most of the industries. From the opinion expressed by eminent economists of this country, the living wage of a worker having a wife and two children should be somewhere near Rs. 140.

It is obvious we cannot have it in every industry at the present moment. All the same it is clear that the worker cannot put up with the present deplorable state of affairs. He is willing to reconcile himself to a position in which he is a victim of the worst kind of exploitation. A fair wage, a wage that may enable him to lead a decent standard of living in conformity with the economic standard of our country must be assured to him. In certain bigger industries minimum basic wages on this basis have already been fixed and I am sure there will be a general and substantial rise in wages of workers employed in industries that this particular Bill seeks to cover.

There is just one word that I should submit before I finish. There are certain industries that in my opinion should have been included in the Schedule. Conditions of workers employed in them are as bad if not worse as in those trades that have been included in the Schedule. It was from that point of view that I gave notice to move certain amendments in this connection. But I have only just now very carefully heard the speech of the Honourable Minister in which he says that the Schedule is not exhaustive, but it is simply illustrative, and in view of that assurance and in view of a separate clause in the Bill which empowers the Provincial Government to revise the Schedule and to add new industries in it, I do not propose to press my amendment.

With these few words, Sir, I congratulate the Honourable Minister and offer him on behalf of myself and the working class of this country its gratefulness and I am sure this Bill will prove a boon to the working class of this country, who have been expecting since this Government came into power that ameliorative measures will be brought forward to advance their welfare.

Kazi Syed Karimuddin (C. P. and Berar: Muslim): Mr. Speaker, Sir, by bringing this Bill, the Ministry of Labour deserves our sincere congratulations. The Labour problem in India was greatly neglected in the days of the foreign domination and it was left to private enterprise and private enterprise took unfair advantage of the weakness of the labour when they had no power to sustain and to hold out against the capitalists. I am also, Sir, very much satisfied at the rapidity with which the recommendations of the International Labour Conference regarding the minimum wages have been implemented by this Government.

The speaker who preceded me, Sir, has cited the standard of wages in C.P. regarding the *beedi* factories. In my opinion, I do not think what he has given out is an authoritative figure about the standard of wages in these factories. In 1947 and 1948 the wages are more than what he has cited today.

In regard to 2 or 3 provisions of this Bill, I want to draw the attention of the Minister in charge of this Bill. In clause 22 it has been laid down that no complaint will be taken cognizance of without a formal complaint by the Department; secondly not without sanction; and thirdly the complaint should be lodged within 6 months from the date of the commission of the offence;

[Kazi Syed Karimuddin]

but in clause 23 exemption of employer from liability in certain cases is provided. What is stated in clause 23 is this: if an employer is prosecuted and he comes in court, he can make application to the court that somebody else has committed the offence and not he and he be brought to the court and on summoning him the offence will be laid against the second accused and the first trial will wait till the second trial is acquitted.

On a perusal of clause 23 as it stands I think this is just like a case that if a man is prosecuted for murder, he makes an application that somebody else be prosecuted and be brought before the court and tried first. In my opinion this is inconsistent with both Criminal Law and Procedure. In the case of the employer making an application against the other man the provision of sanction is dispensed with and the period of 6 months is dispensed with, and a complaint can be lodged by him. The result will be that such complaints will be vexatious. Suppose there is a rich employer and he asks his servant to admit and accordingly he will prosecute him. He will come to the court and accept the mistake and the employer will be acquitted. In my opinion this is a very peculiar provision of law which is inconsistent with the laid down principles of criminal jurisprudence. Therefore, I would like before this Act is put clause by clause that the Labour Minister considers this and takes away this clause 23.

In regard to the provisions of clause 19 there is no penalty provided at all in the Act. In sub-clauses (b) and (c) of clause 19 it is laid down that 'the Inspector may examine any person whom he finds in any such premises or place and who, he has reasonable cause to believe, is an employee employed therein or an employee to whom work is given out therein; and require any person giving out work and any outworkers, to give any information, which is in his power to give and take copies of any register etc.' Suppose the employee refuses to give the information, what is the penalty provided in the Bill? Therefore, my submission is that there should be a penal clause if there is an offence contravening the provisions of clause 19. This is all that I want.

Shri B. Das (Orissa: General): Mr. Speaker, Sir, I congratulate the working classes of India and their external labour leaders for obtaining the Utopia which they have all along been dreaming and which they have not accomplished, but which may now be achieved through the kindness of my Honourable friend Srijut Jagjivan Ram. Sir, I was against nationalisation of industry, but after reading the Select Committee report on the Minimum Wages Bill I am wholeheartedly for nationalisation of all industries in India. Not only that; I am also for nationalisation of Government in the sense that only the working classes and those who are working with them and claiming the Utopia of which they have been reading and dreaming should be members of Government so that they can work these nationalised industries properly in their own light. I cannot visualise any one can work this Minimum Wages Bill when it is passed. I am grateful to my Honourable friend Mr. Shastri for giving us the background of minimum wages, how people were cautious and wanted to go slowly. In 1944 the Government of India appointed Committees and they came to a decision and that decision was implemented by my Honourable friend Dr. Ambedkar. That Bill contained 19 clauses and the new Bill which has emerged from the Select Committee contains 30 clauses. These two Labour Ministers are also Ministers in the present National Government. They are great patriots; they have conceived the Utopia of the working classes in such a way that I can predict that it will be unworkable. The industries will not survive, the cost of living will go up. The working classes may aspire to the minimum standard of wages of Rs. 140 a month as my friend Mr. Shastri would want. I hope that day will come but that is a day which even Mr. Shastri who is a much younger man than myself may not envisage.

Prof. Shibban Lal Saksena (U. P.: General): Are you opposing the Bill?

Shri B. Das: I am just making certain observations. Unfortunately the Select Committee did not have any one from the employers' side. There were one or two but they were silent, e.g., Shri Rohini Kumar Chaudhuri, Shri Ramalingam Chettiar, Mr. Ishaq Seth, etc.

Prof. Shibban Lal Saksena: They were converted.

Shri B. Das: I am glad, and I wish to be converted too. But allow me, while you have got your Utopia, to register my views. I am not an employer but just an industrial brain who feels and says what he feels sincerely and rightly.

Sir, I congratulate my very good friend Prof. Ranga who has attained what he conceived and dreamed as his Utopia for agricultural labour. My impression is—I may be corrected if wrong—that agricultural labour in India is something like 75 per cent., and I think it will come to 10 crores or a little more. My Honourable friend wants to fix minimum wages for them. Of course the Central Government and the Select Committee which consisted of labour leaders from all over India have dressed up the baby that was left over by Dr. Ambedkar, and we will have to nurse it. The Central Government have no responsibility nor the labour leaders in this House who may perhaps find themselves as members of the Central Advisory Board. Then who will do it? The appropriate Government. The appropriate Government now means the nine Provincial Governments. I do not know if State labour comes in at any stage. The Bill is silent about that. Although in clause (1) it is said that the Bill extends to all provinces of India, the Bill is drafted in such a way that it may apply to States. As to how far by legislation or by agreement or by concurrence the Central Government will be able to persuade the States to adopt this Utopian condition of living for the working classes in the States I have my own doubts. But, as I was saying, the appropriate Governments have been asked to nurse this foreign baby. We are all Indians and have our Indian ways and social conditions. To nurse this baby conceived at Geneva it took the Government of India all the years from 1929 to 1947 to produce this Bill. How can the Provincial Governments, pre-occupied as they are and most of them ignorant of labour administration except the Government of Bombay, frame these rules? How can they carry out these millions of obligations and responsibilities that are thrust on them? They are of average mind and average standard of culture and intellect as any one of us here. I do not know how the dreams of the working class leaders which have been concentrated and given shape and form in the Minimum Wages Bill will be practised by the Provincial Governments. Unfortunately the Central Government takes no responsibility in any matter at all. It leaves it to other Governments and to the great leaders of the kisans and mazdoors—like my Honourable friend Prof. Ranga—to go to every province and demand that agricultural labour should be paid so much. It is not the low scale of 1944 as read out by my Honourable friend Mr. Shastri; we know what has happened in 1948, when we are paying thrice the previous wages everywhere. I will just quote one instance because I had a letter from my business house at Cuttack. Diesel oil that was sold at Rs. 55 a ton during the war rose to Rs. 130. Then it went down to Rs. 100 in the middle of 1946 and now it has gone up to Rs. 160. Part of it is no doubt due to the agitation of the working classes in the U.S.A. who want higher wages. It is a vicious circle that we live in. The working classes want more wages and a higher standard of living. At the end of every war labour wants better conditions of living. But we in India are not so vicious that our employers and workers would fight like dogs and cats. We are all one people with one mind. But in the U.S.A. and the U.K. and other foreign countries the two live in water-tight compartments and no one understands the other. My Honourable friend Mr. Kamath says he does not understand farm labour and

[Shri B. Das]

it is Prof. Ranga who advises him as to what wages are to be paid. But do I not understand my own farm labour—though I have only a few acres of land—that I will be advised by an extraneous agency from Bombay City that will advocate salaries and wages which my Honourable friend's province will never be able to bear in industry or in agriculture? Sir, I may be asked why I did not give any amendments to the clauses of this Bill. But when I find that all are agreed that Utopia must be there it is no use my giving any amendments. But I do say that it is the intention of the new draft that has emerged and I find that of the 33 clauses 13 clauses are completely new. This is due to the greed and inhibitions of the labour leaders from the time of the Whitley Commission when my friend Diwan Chaman Lal left it. Its report is voluminous but no action appears to have been taken upto now. It has in this Bill been crystallised and given shape and form, but whether it can be put into action, I have great doubts. I hope my Honourable friend will not bring amendments in a year or two saying that such and such a clause should be changed as it was unworkable.

The Committee has been very clever. Everything has been left to the Provincial Government and it is possible that the Provincial Government may not understand the implications of this Bill.

I am a small employer and I am wondering why the clerical section has been included in the definition as part of the workmen. What pertains to Bombay and Calcutta we should not put into practice all over India. The clerk is as much part of the Managing Agent and Employers as the Managing Agent himself. There is nothing sacred in the management of any industrial concern. The moment anything is written in the book the clerk goes to his trade union and tells everything to the working classes. I am a non-violent man and I want my clerk to be non-violent and not steal a march on the employer and try to manufacture grievances where perhaps no grievances exist.

I went over the schedule with regard to which my Honourable friend, Mr. Shastri with his weighty consideration made the observation that it includes every profession. I am speaking on behalf of the employers. I wish there were a clause here that the employer could have minimum wages. After this has been given effect to the employer will not be left even with bread and butter!

Prof. N. G. Ranga (Madras: General): We have offered them 5 per cent. and yet they are making so much noise!

Shri B. Das: That 5 per cent. offered by the Congress Economic Committee will come later on. I am getting old. I have yet to see one gentleman who advocated the cause of labour and socialism in India write a book on the socialist economic structure of the working classes of India. It is all right to say that the industry will be satisfied with 5 per cent. but let Prof. Ranga, a great economist, and Prof. Saksena and others see how their theory, when applied in practice, will work the national economics which they trot out at times without thinking. I am not advocating a capital system of economics but I would say that we are just part of that machinery that is continuing: that the life of employers is a little bit capitalistic in design and thought. That machinery has its economics worked out. It is going on maintaining certain standards of life. Though Prof. Ranga may be an important member of the Working Committee, yet I, as a Congressman, am entitled to examine and see how that 5 per cent. basis will work and how India will be prosperous. The other day I made the same observation. The labour demand cannot be satisfied if industry dies out and if nationalisation is worked out according to a plan which nobody barring the working class leaders can work out in the way they are thinking of.

I am very sceptical as the Provincial Governments are left with Himalayan tasks which are beyond their comprehension or their ability to discharge.

I respectfully ask my friends the working class leaders and the Honourable Minister of Labour to take away the clerical staff from the definition of "workmen". We do not want fifth columnists in our offices, who will be sitting in their office and thinking out mischief.

Pandit Balkrishna Sharma (U. P.: General): Whether you keep them or not, they are already there as fifth columnists.

Shri B. Das: I want my friend to come and work this Bill here or in the province. The old conception that this Government is here and will nationalise industry will not do. You nationalised the railways and got nothing out of it!

One remark I will make on (h) in Clause 2 about the new definition of wages. The working classes get many advantages such as housing accommodation, supply of light, medical attendance, gratuity and various other things. It says wages means all remuneration but does not include—and it gives a list of these things. If the working classes get certain benefit from industry let them acknowledge it. Sometimes these benefits—housing, lighting, medical benefit and all these things—come to a huge amount. There is no need of giving the dog a bad name: and in this case the employer seems to be the worst rascal and scoundrel on the earth. If the working classes derive direct and indirect benefit, why should it be excluded from the wages. When the new economy comes, i.e., the socialist economy, that will decide the prosperity of the country, they will have to take account of the 20 per cent. extra benefit which labour gets but does not acknowledge. Really, I do not know why it has been introduced.

All these suspicions, all these inhibitions of important labour leaders in India have been incorporated into language which I wish, in a free India, we should not have thought out and given shape to.

The Bill will be passed. I do want minimum wages to be fixed, but I do not want the Geneva scale nor the U.K. scale. At least here the working classes have been contented before discontent was introduced by the socialist leaders after studying a few pages of Karl Marx and similar books. Would that Prof. Ranga write a book and I will uphold it as, the "Rangaian" theory.

Mr. Speaker: Is the Honourable Member likely to take a long time?

Shri B. Das: I am about to finish.

I am sorry that the Bill has been made so intensely harsh and suspicious of the employer. We have no animosity against the working class. We want to live as brothers and I ask the working class leaders to speak of us employers with the same brotherly feeling.

Mr. Speaker: There is one more announcement that I have to make. As the 12th February 1948 is to be a public holiday, the House will not be sitting on that day.

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

The Assembly re-assembled after Lunch at Half-Past Two of the Clock, Mr. Speaker (The Honourable Mr. G. V. Mavalankar) in the Chair.

Diwan Chaman Lall (East Punjab: General): Sir, let me begin by congratulating the Honourable the Labour Minister for bringing this measure before this House. The measure is so simply conceived, after a great period of gestation, that I do not think it is necessary to make long speeches either in support or against it. Nevertheless, I am very glad to hear the voice of my very old friend Mr. B. Das, who in his usual and customary manner, has condemned any labour legislation that may be brought forward for the amelioration of the working classes, in a speech which I seem to remember having

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heard repeatedly since the year 1924. There is nothing new in what my friend Mr. Das has said, because, in spite of the protests that he has been making repeatedly on the floor of this House against measures of this nature and attempting to make our flesh creep with the dire consequences that might follow the passing of labour legislation and suggesting that such labour legislation will never work, yet the repeated attempts made by the Government to put on the statute book labour legislation have proved that labour legislation has worked. My Honourable friend may rest assured that there is every intention, I hope, on the part of the Central as well as the provincial governments to make this particular piece of legislation work in the manner in which it has been conceived.

One must not be led away by these extravagant arguments, forgetting the fact of the necessity for protecting the men, women and children who are unable to protect themselves. There is a responsibility which rests not only upon those of us who have advocated this type of legislation but upon every member of the legislature, no matter to which particular ideological party he may belong, to do his level best to protect the interests of such people who are, as I said, unable to protect themselves. My Honourable friend must not forget that when we are wanting more production in this country, further industrialisation and the best machines that we can get hold of, it is equally necessary that we must get hold of the best human material that is available and try to protect not only our industry but also those who are employed in industry.

This measure may be looked at from three broad points of view. There is first of all the brief history, which my Honourable friend Mr. Harihar Nath Shastri touched upon very briefly and very ably. There is the structure of the measure before us and finally there is the content or the value of the measure, what it sets out to do and that has to be considered.

In regard to the history of this measure I happened to have been present at the particular conference of the International Labour Office in 1928, representing the workers of India, when this particular matter was brought up and finally the recommendation was made and a Convention was adopted, which was brought before this House. We were then living under an absolute regime, a regime which was all out to help industry, a major portion of which in those days was in the hands of foreigners, and therefore any measure of this nature which would help the indigenous people to safeguard their own interests was anathema to the powers that be on that occasion. Therefore from 1929 onwards no steps were taken by the then Government to implement this measure or to give support to the recommendations and conventions adopted by the International Labour Conference in this particular respect. Later on the Royal Commission on Labour sat for a period of a year and a half and I had the honour of being a member of that Commission. Although strictly speaking this particular matter was not within the terms of reference of the Labour Commission, yet the Labour Commission in its report recommended that an enquiry should be made, a precise enquiry as far as possible, to find out what particular industries should be brought within the purview of minimum wage legislation and the particular direction given by the Labour Commission was in respect of the *beedi* making industry, the mica industry and similar industries, where, keeping in view the over-riding principle laid down by the Convention passed at Geneva, namely that where workers were unable because of the lack of organisation to protect their own interest and where wages were low, they should be protected, minimum wage fixing machinery should be established. Many years later this matter was taken up and now as a result of the enquiry that has been held into such industries, where labour is unable to protect itself and

where labour is ill-paid and wages very low, the Government has come forward with this Bill for enactment.

The structure of this measure is desirable. The structure is so simple that there can be no dispute as to the form in which it has been brought before us. The Bill itself deals at present with two classes of workers which are specified in the two schedules attached to this measure, that is the type of worker who will be protected by minimum wage fixing machinery to begin with. Then it is stated that in regard to the first lot of workers in Schedule No. I the period within which this legislation will come into effect will be two years, that is to say workers who are employed, let us say, in woollen carpet-making or shawl-weaving establishments, rice mill, flour mill or *dal* mill, tobacco (including *bidi* making) manufactory, plantations, oil mill, local authority, road construction or in building operations, stone breaking or stone crushing, lac manufactory, mica works, public motor transport, tanneries and leather manufactory. We do not in Schedule I, except in the matter of plantations, touch agriculture. That has been left to Schedule II, because of the very serious difficulties, administrative and otherwise. A longer period has been given in respect of workers engaged in that particular employment. I hope Government will not wait for the full period of two years. This is the maximum period fixed and it will be incumbent upon the Central and provincial governments to bring into force legislation of the type envisaged in this measure. In regard to Schedule II, as I have stated, within three years they are bound to bring in legislation but I do hope that both Central and Provincial Governments will take steps immediately to implement the provisions of this measure, so that there may be no unnecessary delay in bringing relief to those who are urgently in need of relief.

The second portion in regard to the structure of this measure deals with the type of wages that have got to be fixed. These are divided into three parts. Firstly it may be a basic rate and allowance to be adjusted according to the cost of living. Secondly, it may be basic rates with or without cost of living and cash value of concessions in respect of essential commodities which are handed over by employers to workers. Thirdly there may be an all-inclusive rate. The cost of living and cash value concessions will be computed at intervals under the direction of Government. Here there is a bit of a snag which has got to be guarded against. Honourable Members will remember that our own cost of living is not based on any table worked out on a scientific basis. When we are dealing with minimum wages which have got to be based upon the fluctuation in the cost of living it is necessary that the machinery must be fool proof, that there must be no possibility of jugglery as far as that machinery is concerned and steps will have to be taken by my Honourable friend and his colleagues to set up such a scientific machinery available to the Government which will be able to give us the fluctuations of the cost of living from time to time on a scientific basis.

The third point in regard to the structure of the rates is the procedure for fixing minimum wages. The procedure is a very simple one. There will be an enquiry—an *ad hoc* enquiry I presume considering that we have had various types of enquiry already—which will report and thereafter the rates will be fixed.

The fixation of the rates itself—and that is the fourth point in regard to the structure—depends upon another procedure which has been laid down in the shape of advisory committees, sub-committees of advisory committees, an Advisory Board and a Central Advisory Committee. It is necessary that there should be a large number of these committees because it is impossible to centralise work of this nature. Wherever any particular industry is in need of such assistance in the shape of fixing of minimum wages it will be necessary to appoint some sort of committee which will deal with it on the basis on which Trade Boards have been appointed in England to deal with this particular problem.

The last point in regard to the structure of the rates, Honourable Members

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should know, deals not only with the question of wages but also with the question of fixation of hours of work. You may fix wages and not fix hours of work and thereby nullify all the benefits that might accrue through the passing of this particular measure. Overtime is also to be considered and piece rates are also to be considered. For these purposes registers have to be kept regularly and a series of Inspectors appointed so that there is no leakage in the application of this particular measure, and so that the provisions of this measure may not be evaded by any employers of the type that my Honourable friend Mr. B. Das represents. He would possibly like to evade the provisions of this measure because he does not like them, but I do hope that his heart is large enough to look not only to his dividends but to the dividends in human life and happiness and human comfort which in the changed circumstances of today should be the major concern of each one of us.

I must confess that late as we are, this measure is of very great value to the working classes. It is not possibly known how vast the scope of this measure is likely to be. I personally would have liked that instead of detailing, as we have detailed, in schedule I rice mills and so on and so forth, we had also taken all together—the seasonal factories as a whole—in which we witness a great deal of suffering for the working classes. Those who work in these seasonal factories suffer a great deal because of the unregulated nature of the employment and the unregulated nature of the wages that are paid to them. There are no trade unions, as far as I know, among seasonal workers. Therefore the first condition laid down in the Convention passed at Geneva does apply to them. Secondly, in many parts of the country seasonal workers are badly hit as regards the quantum of wages paid to them. I am quite certain that once my Honourable friend has started operating this measure he will be able to extend the scope of the measure on a larger scale than is envisaged in the schedules before us. It is not surprising, Mr. Speaker, that there are today in the year 1948, 300,000 workers in these seasonal factories—of both kinds, partial as well as predominantly seasonal factories. According to the figures that we have been able to collect, although in 1942 there were over 1,088,000 workers in the plantations, in 1944 the figure was—taking tea, rubber and coffee together—about 1,200,000. The actual figure is 1,154,000. In mica, lac, stone and similar employments you may add another 100,000 workers. In carpet making, for instance, it is an extraordinary fact that we found when we went round making enquiries in the various concerns throughout India that the generality of those employed are either children or women. In fact today according to the latest reports, in a town like Gwalior, in the carpet making factories about 71 per cent. of the workers are either children or women. Similarly, if we take for instance the perennial factories which are not covered by the scope of this measure, there has been a tremendous increase in factories during the last few years, let us say from 1939 to 1944. Actually the figures are that the increase in employment has gone up by 46 per cent. in recent years. And with industries spreading and other industries coming up in order to feed these permanent industries there will be a further increase in employment. It is therefore necessary, keeping these vast figures in view, to bring this measure into force as early as possible.

I need hardly add any more in regard to the necessity of this measure than what has already been said on the floor of this House. But I would like to say a word in regard to an objection that has been raised by one of my Honourable friends sitting on these benches in regard to the procedure. He wanted that the penal clause in respect of the employer should be dropped. This has been carefully considered in Select Committee and the reason why the Select Committee accepted this particular position was this. We do not want, and nobody wants, to penalise an innocent man. After all if a place of employment is in charge of a particular individual and if the owner of this particular

place of employment has given every instruction that he could in order that this measure may not be evaded and has shown due diligence in regard to this matter, I see no reason, even though he may technically be held guilty why he should be responsible and why the man who is actually in charge and has disobeyed the orders given by the owner should not be the person to be convicted. After all my Honourable friend knows that a large number of people may be arrested for a particular crime, but if any one of them can prove that he is innocent then he cannot be punished for the particular crime. And this is all that this particular penal clause sets out to do. If a man can prove that he himself is not guilty, that he has taken every precaution in order that this measure may not be evaded and that he showed due diligence in this respect, then surely I do not see how my Honourable friend wants that that particular individual should also be convicted whereas the formalities of the law would be complete and the crime could be punished properly by punishing the proper man who is really in charge of the place of employment, and that is the reason why this particular provision was accepted by the Select Committee.

I commend, Mr. Speaker, the provisions of this measure, late as they are by at least twenty years, to Honourable Members of this House.

An Honourable Member: Only twenty years.

Diwan Chaman Lal: My Honourable friend says only twenty years. It is a long period particularly in my life. Having struggled for this particular measure for more than twenty years myself I am very glad to see that under a free government my Honourable friend has brought this measure before this House and asked the consent of this House that it should be passed into law.

Mr. E. K. Sidhva (C. P. and Berar: General): Sir, it is an undoubted fact that this government is alert for the welfare of the workers is proved by the instance, that within a short session of seven days; three legislations for the benefit of the workers have been brought. Two have been passed into law, and one will be passed today, namely, the Dock Workers Bill. Another very important Bill, consolidation of the law relating to factory labour, has been referred to the Select Committee. Sir, to that extent Government certainly deserves praise, and particularly the Honourable Minister in charge of Labour, who takes keen interest in ameliorating the conditions of the labouring class in this country, and that is the reason why he brings in so rapidly measures which he feels sincerely are in the interests not only of the labourers but also of the country as a whole and of producers. I was really surprised to find the other day, on a similar measure, my friend Mr. Das, protesting against the measures which are being brought for the good of this class of people. From the smashing reply that the Honourable Minister gave—unfortunately the Honourable Member was not present—he must have seen that the arguments advanced by him were very hollow. Today also he repeated most of the arguments in the same breath saying that these measures would not be beneficial for the expansion of industry and production. Sir, I have been associated with some of my industrialist friends for fifteen years and I have been telling them since then that in the interests of their own industry, the time has come when they must by themselves protect the interests of the labourers employed in their factories. They would not listen to it. The result has been that when the time came for them to accede to the demands of the labourers, the labourers' demands were far greater. I am sure my Honourable friend Mr. Das is a well-wisher of the industrialists, and I can tell him that the arguments advanced by him are very harmful to them. If he is a well-wisher, he must tell them that the time is so rapidly changing that if the industrialists themselves, instead of compelling government to intervene, brought these measures into their own industries, India will be happy and production will be greater. But, Sir, friends like Mr. Das would go and tell the industrialists in the manner in which he

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has been telling us. I can tell him that he is not serving the friends whom he represents. I have led many strikes in the past but today I am against strikes, because I want increased production, but that does not mean that the labourers' legitimate interests should not be safeguarded. These are the main points that we have to bear in mind. Mr. Das' voice is the voice in the wilderness in this House but if outside this House he tells the industrialists that they must fall in line with times he will be doing a service to the country.

Now, coming to the provisions of this Bill, while I congratulate the Government, let me tell them that I am not satisfied with the provisions of the Bill. My friend Mr. Chaman Lall, has stated that a scientific process has been suggested under the Bill for fixing up minimum wages. First of all two years have been given to the provincial governments to rise from their slumber to consider what will be the minimum wage for the class of people in schedules I and II. Now, Sir, times are rapidly changing. We know how rapidly conditions in the country as far as labourers are concerned, are moving, and in this Bill it is stated in two years—they may do it earlier—the provincial governments should frame a law. But do we feel that provincial governments will be in a mood by themselves to frame a law earlier unless somebody goads them and somebody is after them? And then also they require to be thoroughly convinced that it should be done. There should have been a provision that within three months immediately after the passing of this Bill all the provincial governments should move on. Another point is that the procedure is most cumbersome for fixing minimum wages. Sub-Committees are to be appointed main committees are to be appointed; Provincial Advisory Boards and Central Advisory Boards are to be appointed. I can really not understand why there should be this long procedure. Already labour is complaining of delay and with these committees suggested in the Bill it passes my comprehension to understand how we can proceed with rapidity unless it is intended that things should go on slowly, and ultimately the result may produce zero. I am very sorry for the members of the Select Committee. Some of them are really propounders of the labourers, agriculturists and peasants and they are a party to it. At least Mr. Chaman Lall had a short note to put in. I have been applying my mind for the last two nights as to what should be the minimum wage and I must admit that I cannot come across a solution for suggesting straightaway what should be the minimum wage. With all that, realising the conditions that are prevailing in the country, from the last five years' cost of living we know what it is and some guidance should have been given that it should be Rs. 1-8 or Rs. 2 in certain factories and certain industries. I do not say that mine is really a practical proposition: but the suggestion that has been made by the members of the Standing Committee is also not helpful. Therefore I do feel a drastic change will have to be made in this Bill very soon by the Honourable Minister. I am sure he is very keen for the welfare of the labourers and I am sure he will have no other alternative but to come before this House within six months to say that this measure is not helpful. Again how will he come within six months? He has given two and three years to the provincial governments. He has to wait all that period. Therefore at least in that respect he must make rules. The rules regarding period cannot be against the provision of the act. But he must give directions to the Provincial Governments that it is not the intention of the legislature, nor is it the intention of the Central Government that this minimum wage fixation.....

The Honourable Shri Jagjivan Ram: Will the Honourable Member please see section 28?

Mr. R. K. Sidhva: I am very glad that that provision is there to give direction, but I am pointing out specifically that he must give direction in

this respect that they must not wait for the period that has been mentioned in the Act. The Provincial Government will say "After all, the law has been passed and law is greater than your direction to me." They may argue if they want to evade. Some Provincial Governments who do not want to go with the times might state that "the law has been made. Why did not you make the law binding upon us? Your directions are all right. We will carry them out, but not to the extent that the law has made them do." Therefore I do feel, as I have stated, that the provisions that are made are not very helpful to the workers in regard to the minimum wages about which we are so very anxious to see something definitely done.

In regard to the Advisory Committee also, what should be its constitution? Who should be the members of that committee? We have framed so many Acts and whenever a body is appointed, at least it is mentioned that there will be so many from labour, so many from industry, and so on. There is nothing of that kind here. One does not know whether there will be a 100 per cent. industrial representatives or 100 per cent. labour representatives.

The Honourable Shri Jagjivan Ram: There is section 1.....

Mr. Speaker: Instead of replying in bits, let the Honourable Member speak what he likes and then leave it to the Minister to reply. That would be better.

Mr. B. K. Sidhva: Sir, I was referring to the Advisory Committee's composition. If you will see clauses 6 and 7, they do not coincide with clause 9. Here are two statements, one is "not exceeding one-third of its total number"; the other is "equal number". Also there is the use of the words "independent members", one of whom shall be appointed as Chairman. Well, Sir, it is true that composition has been shown in this Clause 9 and to that extent it is certainly an improvement. But I do feel that when you are having a measure for the benefit of the labourers, you must have a majority of the labourers. The constitution is shown, but today the time has gone when you want to have equality of two classes and on the top of it add number of independent members. Those independent members may override the half of the members belonging to the labour who will be represented here. When you frame a particular measure for the benefit of a particular class, it is an essential factor that that class should be fully represented and therefore, Sir, I would have desired that a larger representation should have been given to the labourers' representatives and certainly some portion to the representatives of the industrialists. I do not know why, for what reason, the "independent members" should be brought into it; because their views are independent? I know that their views are never independent. They go with one or the other. Independents are generally with the upper class, and they never join the smaller class of people, because they are selected from that class. Therefore, I state, the object would be frustrated. I am very clear in my mind that this measure will not bring that kind of satisfaction that the country desires and the labourers desire for the purpose of improving their condition by fixing a minimum wage for which they had been clamouring for a number of years. Mr. Chaman Lal stated that he felt that this is a scientific process that has been suggested and that it will bring about an improvement. Let us hope. I only hope that it will. I have my misgivings in this respect and I hope, I may prove wrong, that the Provincial Governments will immediately frame laws falsifying my views and prove that what I stated was incorrect. I only hope to find that Provincial Governments are going ahead in this matter and have brought about measures which will really bring happiness and prosperity to this class of people.

Prof. N. G. Ranga: Mr. Speaker, Sir, some of our friends seem to be somehow in a querulous mood this afternoon. They seem to be more anxious to find fault with this very good Bill than really to read it carefully as has

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been shown just now by my Honourable friend Mr. Sidhva and his speech. I do agree and I do appreciate the services which Mr. Sidhva has rendered to certain sections of our labour in his labour work, but I wish to assure him that this Bill is indeed a revolutionary Bill and it helps us to take the very first step towards the social revolution that we want to achieve so far as the labour world is concerned.

Sir, till now most of our labour leaders have concentrated their attention on the needs of the industrial workers who do not number more than ten millions today. But on the other hand, there have been not less than seventy millions of agricultural workers strewn all over the country and in all our villages, and it is about these people that most of our labour leaders have till now paid so little attention. I would very much like Mr. Sidhva to devote a portion of his time and resources and great gifts for the welfare of these agricultural workers. If you were to pay some attention to Part II in the Schedule, you would realise how great is the scope of this Bill indeed. It seeks to benefit all the workers employed in agriculture, and even if, at a moderate computation, you were to assume that there were only 40 permanent farm servants in every village and about seven lakh and fifty thousand villages there are in our country, we shall arrive at the approximate figure of thirty million permanent agricultural workers who will come to be benefited by this Bill when it becomes an Act. It is true that the Select Committee has proposed that the Provincial Governments should try to give effect to it so far as the agricultural sector is concerned at least within a period of three years. Now this is a sort of maximum time-limit that we have given to them. It does not mean that all the Provincial Governments should have to wait for these three years at all. If friends like Mr. Sidhva and others in all our different Provinces were to exert themselves on the side of agricultural labour and were to organise these people and to bring sufficient pressure to bear upon the Provincial Governments, then it would not be impossible for him and so many of us who are interested in agricultural labour to persuade as many of our Provincial Governments as possible and their legislatures to give effect to the provisions of this Bill so far as the agricultural labour is concerned within this period of three years. After all, all the Provincial Governments are now not only popular but they are also national and Congress-minded.

I know when we consider this particular period in juxtaposition to the needs of the agricultural workers, it does appear to be a very, very long and prolonged period. But after all we have to take into consideration the administrative side of it also. It is not as if we have an irresponsible executive which we are bound to oppose at every moment and on every occasion. We have got our own Governments and they are responsible Governments. The responsibility is now on our own shoulders and we can possibly do it within one or two or three years and therefore we said to ourselves in the Select Committee that we would be doing the right thing indeed for the agricultural workers themselves if we are to fix a maximum period of three years within which the Provincial Government ought to try to give effect to this whole Act. We do not want to give this direction at a much earlier period, but we do not want to place this time limit beyond three years and that is the only explanation which I can possibly give and I hope it will be satisfactory even to my Honourable friend Mr. Sidhva. He has taken objection to the constitution of all these various committees. I can only tell him that if we do not constitute all these committees in various parts of the country with power given to them to appoint their own sub-committees, it will not be possible for them really to give effect to this Bill at all. His own pious wish was that there should be a sort of limit prescribed here alone as one Rupee or Rs. 1-8 or 10 annas or something like that. At the same time at the same breath he confesses also

that it would be rather impractical to make such a suggestion. Now if that is the position of an experienced Labour Leader, what must be the position of the Provincial Governments as well as the various other agencies who have got to give effect to this Bill? That is why we do not want to fix any figure at all. How can you? It is an impracticable thing even today as my Honourable friend Diwan Chaman Lall has already warned the House. We should have proper index figures of the cost of living and the basis on which the present index figures of cost of living had been prepared are themselves defective. It is yet doubtful whether including tobacco in the item that they put in there as food materials is to be justified or not. There is still dispute over it, and whether they should pursue the present sample methods of collecting information from various parts of the country and for various sections of the people and then prepare the cost of living index, over that there is also a dispute. The experts are still considering these matters. In these circumstances how would it be possible for the Provincial Governments or even for this Legislature to straightaway say that it should be one Rupee in Bombay, two Rupees in Madras, three Rupees in Calcutta and so on? Therefore, Sir, it is necessary that these committees should be appointed and the more and more of them, the better it is. In fact I wish I could claim to have been responsible for suggesting to the Government of India in the last Tripartite Conference when Dr. Ambedkar was then in charge of this particular proposal that it would not be enough to have only one Provincial Advisory Committee, but on the other hand there should be district committees in regard to agriculture for every important group in every district, so that as conditions change, as the needs of the agriculturists as a whole both the employing classes as well as the employees. It would be in their interest that these separate rates are fixed for these different groups.

Then, Sir, I wish to say in answer to what fell from my Honourable friend Mr. Das that I am very happy indeed that this Bill has been introduced, not only that it is being introduced as a sort of Minimum Wages Bill, but it is sought to be extended to the agricultural workers. Till now, Sir, the Government of India has been concentrating on Industrial workers' alone. They are a microscopic minority. As I have already told you they do not exist more than 10 million people. On the other hand, for the first time the Government of India comes forward with a very important Bill and seeks to extend it to at least 30 more millions of permanent workers in the agricultural industry and still another 40 millions of casual workers who are employed off and on by various employers, but nevertheless permanently on labour and on land. Therefore, Sir, for being the author of ushering in this very first step in social revolution, I should certainly take this opportunity to congratulate our Minister for Labour, Mr. Jagjivan Ram.

My Honourable friend Mr. Das, I wonder whom he represents. He represents the people of Orissa, it is true. I do not think that he has been sent here by the industrialists from anywhere in India and he is not himself an industrialist and I do not know why he wants to come out here and plead for industrialists. It is because he is not himself an industrialist as such, I am afraid he is a danger even to those industrialists as my Honourable friend Mr. Sidhva has put it. If an industrialist were to be here who holds himself responsible for industrial welfare and progress of this country he certainly would not be taking up the stand or the attitude which my Honourable friend Mr. Das is taking up because an industrialist would know the real consequences of such an attitude. Sir, it is that sort of attitude which is responsible for the breaking out of these strikes. This is responsible also for the fall in industrial production. It is also that sort of attitude which prevented also the earlier British Government in not doing enough for industrial labour and that is why today our industrial labour is both unorganized and also inefficient.

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Sir, it is in the interests of the industrialists themselves, if I may say so that our labour should be treated properly, should be able to look after themselves, should be helped to become more and more efficient. Then alone it will be possible for the industrialists to serve themselves as well as serve the country. Let them also remember that whenever we talk of industrialists or employers in India it is not only the private industrialist that we have in our mind. The State itself is being a bigger and bigger industrialist as well as an employer. The State today is responsible for employing more than over 2 millions of workers in this country and when the State comes forward with such a legislation, let it be taken that the State should and must have considered all its possible effects upon itself as an employer and as an industrialist and let not the private industrialist arrogate to themselves the privilege of speaking about the interests of the industrialists.

Shri B. Das: The State employer is wholly absent.

Prof. N. G. Ranga: It only means that the State employer is so perfectly satisfied with this and feels himself so completely safe in the hands of my Honourable friend as well as this House that he does bother to rise in his seat and oppose it, whereas my Honourable friend the absentee industrialist is so very keen and so much more keen about the industrialists themselves.

Then, Sir, there is this question of seasonal workers. So far as they are concerned, I am also anxious that the benefits of this Bill should be enjoyed by them, but just when, that is the point. Wherever they are employed they should benefit by this measure in a very short time. If you begin to provide these facilities for all these permanently employed workers you will be well on your way in getting all the information that you want in regard to the seasonal workers and that will help you indeed to extend the benefits of the Bill to the seasonal workers at the earliest possible moment and as you know only the other day the Factory Amendment Bill was introduced and for once indeed it has also made a revolutionary departure. Hitherto in the past in the Factory Act there was a distinction between perennial and seasonal factories and workers employed therein. This Bill seeks to do away with all these distinctions. Therefore it also helps us to get all the necessary information and will enable the Provincial Governments as well as the Centre hereafter to extend the benefits of this Bill to the seasonal workers at a very early period.

Then my Honourable friend Mr. Sidhva took objection to the inclusion of independent members in this Bill. I do not know whether he is acquainted with British labour legislation or its administration. There is an institution called Trade Boards in England. It was brought into existence in order to help and protect the unorganizable labour and they are known as sweated industries. One of the best means the British Government had felt at that time by this unorganizable labour could be organized would be to develop these Trade Boards. Just as it is here provided there is representation provided there for labour and for industrialists. Both of them are equally represented and in addition to that there are in England any how four or five independent members.

Mr. B. K. Sidhva: What about Independent members like Mr. Das? Where will he vote?

Prof. N. G. Ranga: I can only say this much. If my Honourable friend Mr. Sidhva goes to the Committee he will find Mr. Das there, after he has had his *khana* and then after he has enjoyed his *cheroot*, I am sure he would be able to take Mr. Das along with him wherever he wants to go.

Sir, I was telling you about what is happening in England. These independent members generally are those who are themselves interested in labour, who have been helping labour from the point of view of social service

Take the settlements there,—the adult education centre, the workers' education centre and all these various educational as well as social and welfare organisations. It is these people who are employed in these various organisations who are being brought in there generally as independent members. In addition to that there are one or two experts who are well versed in the administration of these various Labour Acts and also the social institutions that are established by the British Government. Therefore this element of independent members has served a very good purpose in England, and that too not on the side of industrialists but on the side of labour itself. That is why I for one have agreed to the inclusion of these independent members in this particular scheme, and I can assure my Honourable friend Mr. Sidhva that if later on it were to be found that this element does not really work for the benefit of the workers I would be the very first one to join hands with him in asking Government to bring forward an amending Bill to drop this element of independent members.

Lastly, Sir, I have this to say in justification of this Bill. My Honourable friend Mr. Chaman Lall has already told you about the whole system of this Bill; so I need not go into that. And Mr. Shastri has given you the history behind this very idea, and I will therefore not touch on that. All that I have to say is that it is such a revolutionary Bill that any Government—and specially our Government—can surely be proud of it. And I sincerely hope that all the labour workers in this country will try to pay a little more attention to the organisation of agricultural labour, will come to organise them as assiduously and as spiritedly as they have been helping industrial labour till now. And I also wish to make an appeal to all the social workers in this country, particularly the Congress people themselves, to turn their attention to agricultural labour and organise them. And it is not going to be a very easy matter; it is much more difficult to organise agricultural labour than to organise industrial workers. It is indeed very convenient for you to remain in your cushy rooms in the towns and to go in the evening to the chawls and slums and other places of industrial workers and deliver a few speeches and commune with them for one or two hours and thereafter say to yourselves that you have done your duty by industrial labour or labour as a whole. It is not like that when it comes to organising agricultural labour; it is a very painful job. You do not get even proper food or proper matting to sit or lie down upon. These people do not even know what is meant by comfort, and naturally they do not understand your own needs of comfort. You have to put up with all the inconveniences of labour work among agricultural workers. There is caste feeling and there are so many other things also,—the wretched blot of untouchability against which Mahatma Gandhi worked so long and with such splendid results. Even then today there is untouchability strutting about our country and in our villages. You have got to overcome all these troubles and all these impediments and thereafter alone you can possibly bring these people together into one agricultural labour organisation and help them to realise their own responsibilities. And yet if we do not make haste possibly wrong elements are likely to make haste and get hold of these people, capture their minds, pervert their minds also, and turn them perhaps into a sort of menace to our national unity and national progress. Therefore if this measure is to prove really beneficial, as it ought to be and may be expected, to our agricultural labour, it is the duty of every one of us here in this House to do whatever we possibly can to help our agricultural workers to organise themselves.

Shri K. Santhanam (Madras: General): Sir, I have no doubt that the Select Committee have done really a good bit of work. We have in effect got an entirely new Bill and of course under the old usual rules it would have been sent for circulation. But I am not here to suggest that there should be

[Shri K. Santhanam]
 any dilatory tactics. Therefore I want to offer certain observations on the merits of the Bill. I may say at once that I concede the necessity and desirability of a legislation for fixing minimum wages. In many parts of the country the wages are so deplorably low that any attempt to bring them up to a minimum is certainly worth making. Therefore I shall try to examine the actual provisions of the Bill, as to how far they will help the country to achieve this objective.

Sir, we have been having a lot of lecturing both by Mr. Chaman Lall and Prof. Ranga. They have spoken as if by this Bill we are enacting a charter of emancipation for the downtrodden workers of this country. I wish I could share their optimism; and if I thought it would really emancipate them as effectively as they expect I would have gone into greater raptures than they over this Bill. But what exactly does the Bill do? It proposes to authorise the Provincial Governments to fix minimum wages and appoint committees for that purpose. I think there is a confusion of ideas running throughout the Bill. They do not know whether they are enacting a measure for fixing minimum wages or for fixing wages. If it is a question of fixing wages we want a very complicated detailed machinery for each occupation, for each sub-occupation, for each village, for each district and for each province. But we do not want in this country one thousand or ten thousand kinds of minimum wages. I can understand a committee saying that there are broad classifications, half a dozen or a dozen, *e.g.*, skilled and unskilled agricultural labour, artisan and semi-artisan labour, skilled and unskilled, etc.—and then trying to have minimum wages fixed for broad categories, because the very principle of minimum wages is that the workers in each industry or in each locality should negotiate with the employers and get something more than the minimum wages. If the idea is that these minimum wages should be the wages the whole object of the Bill is defeated. But if you say that in each industry, in each occupation and even within each industry for every category of occupation there should be separate minimum wages—Prof. Ranga suggested that with various harvests there should be committees to fix separate minimum wages—the entire labour world and the business world will be more or less atomised. It will prove to be an engine in the hands of employers to defeat the labour world. They will say, “Your minimum is this and that, you have got one anna more than the other minimum, you have two annas more than the third minimum”, etc. There will be so many standards and each industry will have a separate standard. I do not think that is the objective we should aim at. We should have broad categories,—urban workers, skilled and unskilled who should have this minimum of Re. 1 or Rs. 1-8 and rural workers getting so much minimum (about 8 or 10 annas) or something like that.

There should be other machinery for the negotiation and fixation of wages. When the Select Committee considered the Bill these two objectives, namely wage fixation and settlement of minimum wages got mixed up with the result that they have produced a very complicated structure, which I think may not ultimately prove very beneficial to the workers; it may, on the other hand, have the effect of dividing them into factions and sections, each vying with the other to get a little more. I think that is a matter which the Honourable Minister for Labour will have to keep in mind.

Then, Sir, Mr. Sidhya has already pointed out the complicated structure of these committees. Take for instance the Central Government. The Central Government is to have a committee of its own for dealing with workers in occupations controlled by the Centre. In addition to that there is going to be another body called the Central Advisory Board. I do not see how the

works of these bodies are going to be co-ordinated. I visualise a lot of confusion; and in a field where simplicity and speed are of the utmost importance we have brought about a very complicated mechanism which is likely to lead to delay and inefficiency.

I do welcome the bringing in of the agricultural workers within the scope of this Bill. In fact, I should have preferred that the whole Bill had been viewed by the Select Committee more from the point of view of the agricultural workers than of the other workers. So far as industrial workers are concerned, their conditions of service are regulated by Factories Act and other enactments. But the agricultural workers—especially landless workers are totally ignored. I, therefore, feel that suitable provision should have been incorporated to safeguard their interests. It is true they have been brought under Part II of the Schedule to the Bill; but in actual operation most of the provisions in this Bill may not be applicable to them. Take, for instance, clause 7, "Wages in kind". It is obvious that wages in kind have to be fixed by some machinery, but in many parts of the country, there is no regularity as to whether a worker will be paid in cash or kind. During certain seasons of the year (for example, during harvesting season), he is paid in kind. In other seasons he is paid in cash. There should, therefore, be some flexible machinery by which this transformation of wages into kind and cash can be more or less regulated from day to day, from week to week and from month to month. As I understand the proposed machinery, it is an attempt to fix a particular stereotyped form of payment either in cash or in kind, or partly in cash and partly in kind, for a considerable period of time. I do not think any such rigid regulation will suit many classes of agricultural workers. What is really wanted is a sort of stable, but elastic machinery by which minimum wages can be settled periodically, not a machinery which will fix wages for four or five years. This machinery should also be based on territorial considerations, with a district or a province as the unit. The board (or whatever you may call it) will determine that for a particular period of, say, two or three months, no agricultural labourer shall be paid less than the amount fixed by it, either in cash, or in kind.

My own feeling is that the Bill as such can be easily adapted for the benefit of the agricultural workers. I do not know if this Bill was approved by many of the Provincial Governments which had the interests of the agricultural classes in mind. I would not be surprised if its entire operation were limited to the industries referred to in Part I of the Schedule.

Sir, in spite of all these defects I do support the consideration of this Bill, for we have to start somewhere. As I said it is not too early that a measure of this kind is introduced. I would, therefore, suggest to the Honourable Minister for Labour to have the defects which I have pointed out in view, particularly those regarding the committees. I would also urge that he should try to have separate provision regarding agricultural labourers which will deal with them in a realistic fashion.

श्री गोकुलभाई दौलतराम भट्ट : माननीय सभापति जी, जब से मजदूरों में जागृति आने लगी है और उनके नेताओं में उनसे ज्यादा जागृति आने लगी है, तब से उनके मुतल्लिक नये नये कानून बनने लगे हैं। और अभी अभी हम जो कि जनताकी सेवा करने वाले यहां आकर बैठे और हमारे हाथों में जबसे कारोबार आया है, तब से हम यह देख रहे हैं कि हमारे प्रतिनिधि जो सरकारी बेन्चों पर बैठे हैं, वह अगर घीमी गतिसे काम करने लगते हैं, तो सफ़री संस्था पर इलजाम लगता है।

[श्री गोकुलभाई दौलतराम भट्ट]

.. मैंने पहले ही कहा कि मजदूरों में जो जागृति आई है, उनके नेताओं में उनसे बढ़कर जागृति आई है, तो हमें भी अपनी रफ्तार बहुत तेज करनी चाहिये। और हमें थोड़ा बहुत सन्तोष भी होता है कि हमारे जो प्रतिनिधि और जिनको तर्जुबा है, वैसे प्रतिनिधि यहां बैठे हैं और वह भी अपनी रफ्तार तेज कर रहे हैं। यह एक सन्तोष की बात जरूर है और हम उनको धन्यवाद दें या हम खुद धन्यवाद लें, यह एक अगल चीज है। लेकिन हमें यह देखना है कि जो चीज हमारे सामने रखी जाती है वह मजदूरों के फायदे के लिये है या नहीं। कानून तो बहुत बन जाते हैं, लेकिन इन कानूनों को लागू करते समय, जो उनमें से फायदा पहुंचना चाहिये, वह फायदा सचमुच मजदूरों को पहुंचता है या नहीं पहुंचता है, यह देखना भी जरूरी है जितना कनन बनाना।

मैंने इसके लिये यह बात कही है कि अभी जो हमारे सामने बिल पेश हुआ है वह सम्पूर्ण तो नहीं कहा जा सकता लेकिन बड़े बड़े उद्योग धन्धों में जो मजदूर लोग हैं, उनके लिये तो दूसरे कानून पहले ही बन चुके हैं और उनमें तबदीलियां होती रहती हैं। लेकिन जो बिल अब आया है वह ऐसा है कि जिस में छोटे छोटे उद्योग धन्धों में काम करने वाले मजदूरों—मजदूर शब्द वहां इस्तेमाल नहीं किया लेकिन काम करने वाले ऐसा शब्द रक्खा है— तो उन छोटे छोटे मजदूरों का ख्याल और उनको कम से कम कितनी तनखाह देनी चाहिये उसका इसमें ख्याल किया गया है। अब जमाना और है। अब हमें छोटे से छोटे आदमी से लेकर बड़े से बड़े आदमी तक पहुंचना है और उनकी सहूलियतों को देखना है सुविधाओं को देखना है। और यह बिल छोटे छोटे उद्योग धन्धों में काम करने वालों की तरफ जा रहा है इससे थोड़ा बहुत सन्तोष हमें होता है।

यहां इस बिल में एक चीज खासतौर पर हमारा ध्यान आकर्षित करती है और वह यह है कि सन् १९४६ में डाक्टर अम्बेडकर ने जो बिल पेश किया था, वह ऐसा समझ लीजिये कि एक साधारण नमूना था। लेकिन उसमें जो त्रुटियां थीं, उन सब त्रुटियों को दुरुस्त करने के लिये मिनिस्टर साहब के मातहत जो सेलेक्ट कमेटी बनाई उसमें यह बिल पेश हुआ और वहां बहुत कोशिश के बाद बिल सुधारा गया। सबसे बढ़िया एक दुरुस्ती जो वहां हुई, वह यह है कि "वर्कमैन" (workman) के बजाय "एम्प्लोयी" (Employee) शब्द रक्खा गया है। एम्प्लोयी शब्द अच्छा है। इससे यह हुआ कि जो कारकून था कर्क लोग थे, उनका भी इसमें समावेश होजाता है और मैं यह जरूर कहना चाहता हूं कि आजकल मजदूरों की जो पैदाइश होती है उस के मुकाबले में मध्यम स्थिति के कारकून हैं वह लोग कहीं घाटे में पड़े रहते हैं, और उन लोगों की तरफ हमारी तवज्जह नहीं जाती है। एम्प्लोयी (Employee) शब्द की इस विल में व्याख्या दी गई है और उसमें ऐसे कारकून लोगों का भी

समावेश किया गया है और यह बड़े सन्तोष की बात मालूम होती है कि हाथपैरों से काम करने वाले, वह तो हैं ही उनको तो उठाना है ही, और उन लोगों की सहूलियतों को देखना है, लेकिन उसके साथ साथ यह जो कारकून लोग हैं और जो थोड़ा बहुत दिमागी काम करने वाले हैं और उनको तन्क्वाह भी कम मिलती है उनकी तरफ हमारी नज़र अभी तक नहीं गयी थी इस "एम्प्लौयी" (Employee) शब्द से उनको तरफ जा रही हैं और उनको भी हम सहूलियत देने की कोशिश कर रहे हैं। तो यह एक खास बात है जो मैंने आपको बतलाने की कोशिश की है।

और ज्यादा क्या कहूं। हां यह बात ठीक है कि जो काम करने वाले हैं, उनकी तरफ ज्यादा ध्यान नहीं रखा जाता था, उनकी तरफ तो लापरवाही बरती जाती थी। अब थोड़ा सा वक़्त के साथ यह पेन्डुलम (pendulum) दूसरे सिरे पर चला गया है और ऐसा मालूम होता है कि इसमें एम्प्लौयर के साथ बहुत कड़ा रख रखा गया है। तो बात यह है कि आजतक जो काम देने वाले हैं उन्होंने मजदूरों की तरफ कड़ा रख रक्खा है और अब समय आगया है कि जब उनकी थोड़ी चिमकी लेनी चाहिए और शायद इसी बात को मद्दे नज़र रख कर उनके लिये कुछ ज्यादा सज़ा देने की बात बतलाई गयी है और इसी लिये ज्यादा थोड़ा कड़ा रख रक्खा गया है कि वह जल्दी से सीधे हो जाय और बदली हुई परिस्थिति को समझ लें।

इस बिल के बारे में काफ़ी कहा गया है और मैं इस बिल को ज़रूर पसन्द करता हूं और इसका स्वागत करता हूं यह कहते हुए कि यह बिल मुकम्मिल और सम्पूर्ण तो नहीं है, लेकिन पूर्णता की तरफ जा रहा है।

श्री सन्तानम् ने कहा है कि इसमें कमेंटियों की बहुत कुछ उलझनें हुई हैं, जब कमेंटियां नहीं बनती हैं, तो हम इनके लिये चिल्लाते हैं और जब वह बनती है, तो हम यह कहते हैं कि हम कहीं इनके जाल में न फंस जायं। हम देखते हैं कि हमारा तजुर्बा क्या होता है और हमारे लेबर मिनिस्टर साहब देखेंगे और उसमें मुआफ़िक दुरुस्ती ज़रूर कर देंगे।

यह बिल जो हमारे सामने आया है, उसका हम स्वागत ज़रूर करते हैं। यह बिल छोटे छोटे धन्धों में काम करने वालों के लिये मध्यम स्थिति वालों के लिये है और इसमें काफ़ी गुंजाईश है। मैं मानता हूं कि हम जितना आगे जाना चाहते हैं, उसी मुआफ़िक हम आगे जा रहे हैं और इससे भी बढ़कर हमारी रफ़्तार तेज़ होगी। यह बिल व्यापक है, ज़रूरी है।

मैं यह आशा करता हूं कि यह बिल मददगार होगा और हम इस बिल का स्वागत करते हैं लेकिन बाहर की दुनियां और जो मजदूरों के नेता हैं, वह लोग क्या कहते हैं। हम तो यहां एक दूसरे की प्रशंसा करते हैं, लेकिन बाहर की दुनियां में अगर इससे सन्तोष होगा, तो सचमुच इससे ज़रूर फ़ायदा होगा।

(English translation of the above speech)

Shri Gokulbhai Daulatram Bhatt (Eastern Rajputana States Group):
Mr. Speaker, Sir, ever since the time of awakening amongst the labourers and their leaders who have relatively become more awakened, fresh legislations are being framed for their benefit. We people who are servants of the public have just occupied these seats and since the time we have assumed office, we are noticing that if our representatives sitting on the Treasury Benches move slowly, the whole Administration is blamed.

I pointed out at the very outset that the labour leaders are far more awakened than the labourers, and consequently we should also move quickly. Further we do feel somewhat satisfied that those of our representatives who are present here and possess the requisite experience are also moving faster. It is surely a matter of satisfaction and it is a different matter whether we congratulate them or congratulate ourselves. But we have got to see whether the measure that is placed before us is at all beneficial to the labour or not. Quite a good number of laws are enacted. But it is all the more imperative that we should see whether any benefits envisaged in the Bills really accrue to the labourers or not. In this connection I have pointed out that this Bill which has been placed before us cannot be said to be a complete one. Many other legislations for the benefit of labourers employed in large factories have already been previously framed and changes are made into these from time to time. But the Bill which has now been presented provides that the labourers—the word 'labourer' does not occur any where, but the word 'workman' has been used, *i.e.*, those workmen employed in small factories should be paid the specified minimum wage. Now the times are different and we have to look to the convenience of the highest and the lowest and to provide them with facilities. This Bill covers the case of workers employed in small factories and this gives some consolation. When we look into this Bill our attention is drawn to the Bill brought forward by the Honourable Dr. Ambedkar in 1946 which had no special features about it. This Bill was referred to the Select Committee under the guidance of the Honourable Minister for removing certain anomalies existing in it and after strenuous efforts, it was set right. The most important amendment carried out in this Bill is the substitution of the word 'employee' in place of 'workman'. The word 'employee' is appropriate. This brings the office workers or clerks also within its scope. Further I would like to say that the office workers who fall within the category of middle class people generally remain at a loss, compared with their contemporaries who belong to the labouring class. Our attention is not drawn to them. The word 'employee' has been amplified in this Bill so as to cover the case of office workers also. Further it is a matter of great gratification that though they are not manual workers, their condition has got to be ameliorated, and this fact has to be looked after. But along with this we had not paid any attention to this category of office employees who more or less do brain work, and get less wages. This word "employee" covers their case and we are trying to give them this benefit. This is a special feature which I have tried to explain. I have nothing to add further. Of course, it is quite apparent that adequate attention was not being paid towards those who really work and were altogether neglected. Now with the lapse of this short period, the pendulum has swung to the other side and it now appears that a stiff attitude is being adopted towards the 'employer'. The reason for this is that the employers have until now been treating the labour harshly and now time has come when they should be rigidly dealt with and it is probably after keeping this thing in view, that provision has been made to inflict severe punishment upon

them, and a serious view taken in the matter, so that they may soon be put on the right path and be made to adapt themselves to the changed environments.

Much has been said in connection with this Bill and I surely commend this and welcome it, with the feeling that though this is not a complete one, yet it is going towards perfection.

Shri Santhanam has stated that there are some complications in regard to the Committees. We clamour when the Committees are not set up, and when these are formed, we apprehend we may not be entangled. Let us see how things fare; Honourable the Labour Minister will surely look into it and make necessary changes. We do welcome this Bill which has been brought before us. This Bill covers the case of those employed in small factories and middle-class people and there is sufficient scope in it. I admit this that we are advancing as we ought to have and intend to accelerate our speed further more. This Bill is an obvious necessity. I hope that it will prove useful and we welcome it. But what are the reactions of the foreign countries and labour leaders? We indulge here in mutual praise, but if it satisfies the outside world, then surely it will prove beneficial.

Shri Biswanath Das (Orissa: General): Sir, I very heartily congratulate the Honourable the Minister for Labour for having piloted this Bill. My only difficulty is that the Bill has not been properly considered in Select Committee. My Honourable friend, Prof. Ranga, has already given an indication of the enormity of the scope and the expected functions of this Bill. While you were thinking for days and days together of labour or ordinary legislation affecting a few lakhs or of one or two millions of people, this is a legislation which affects crores. My friend, Prof. Ranga underestimated when he said that it might at best affect six or seven crores. I believe, Sir, being a person who first started Ryot organisations since 1920 feel that even in India, after the division of Pakistan and Hindustan, this Bill will affect no less than 10 crores of people.

A Bill of these dimensions and importance, I believe should have been considered more closely and more thoroughly than it has been done by the Select Committee. The Select Committee had hardly one month. I was a member of the Select Committee and I need not state the circumstances which prevented me from attending the meetings of the Select Committee.

Coming to the second point, that the Bill is the joint responsibility of the National Cabinet as a whole, I assume that the Government has launched this Bill, knowing its full implications. If you have to make it very useful and helpful to agricultural labour, then I am afraid, not only the Minister for Labour but also other Ministers will have to put their heads together and evolve something which will really help agriculturists and agricultural labour, because these are indivisible. The railways in India have not been helpful to agriculture. The trade policy of the Government of India was not helpful to agriculture and above all the financial policy of the Government of India had ever hardly helped agriculturists much less agriculture.

Need I also state that the Reserve Bank and the Imperial Bank of India have only helped to take away the raw materials as cheaply as possible without helping our biggest industry—agriculture.

Therefore, unless all these Ministers put their heads together, I do not believe that they have launched this Bill with a realization of its full implications contemplated in this legislation.

I welcome the measure as I have welcomed three other measures that my Honourable friend has launched.

[Shri Biswanath Das]

For the first time in India an attempt has been made by Government to give some protection to agriculture and agricultural labour. When you want to protect agricultural labour you are bound to protect agriculture. In that view, though not directly, but indirectly, agriculture, I feel sure, is bound to be benefited and to that extent also I congratulate my Honourable friend for having thrust indirectly upon his colleagues the need for the protection of agriculture.

There is one question which I am unable to understand. You conceive and produce a child and throw it on the provinces for nursing. I must confess that I fail to see the implications of this. As I have already said when you talk of agricultural labour you necessarily talk and think of the agriculturist and that in its turn implies agricultural production. If you have to fix minimum wages you have to realise the difficulties under which you are labouring. The country is mainly agricultural: there are not many industries. Even in agricultural areas you cannot have equality of wages, not even in a sub-division. Wages of agricultural labour means that it is the land that will have to bear the burden of the wages. Therefore all these problems ought to have been discussed before a Bill of this magnitude is launched. I would be sorry if my Honourable friend has not consulted the provincial governments. I have not got the views which the provincial governments have placed before him. Even after passing this Bill there is a lapse of two or three years and I would appeal to the Honourable Minister to take the provincial governments into his confidence. I do not at all share the view of my Honourable friend Mr. Sidhva when he does not want to confide in the provincial governments. There is no reason for me to feel that I am more patriotic and my friends in the provincial legislatures or the provincial ministers are less. It is absurd and a position which is untenable. I would appeal to my Honourable friends in this House and also to you, Sir, not to be swayed away by such suggestions. They are as patriotic, need I say, may be more patriotic than myself. They are the people who have to face the difficulties. They should therefore be consulted and taken into confidence. This Bill makes the provincial government the arbitrator between labour and the ryot, if I may describe him as such. I know in certain provinces there is a tendency to have small holders. Some have on the anvil legislation to break up the bigger holdings, not only to liquidate the zamindars but also to discourage concentration of holdings and to see that smaller peasant proprietors are encouraged. If that is so, the ryot himself becomes the labourer. That is so already in most cases. To illustrate my point—in agriculture seasonal rain counts for every thing, though it may sometimes disappoint us. In the case of six or seven weeks of continuous rains the smaller cultivators finish transplanting their lands and become labourers themselves in other fields. Even the middle-sized farmer, after finishing his own, goes to help others. I know of villages where exchange of labour comes in as a sort of barter. This Bill brings in revolutionary changes. In the first place it supplants fixed wages for customary wages and customary service.

Shri M. Ananthasayanam Ayyangar (Madras: General): It is optional.

Shri Biswanath Das: You may say today that it is optional but things will act and react soon once the Bill is passed. That being the position, this will necessarily break up the existing state of things. Break will come and is bound to come. It is a social revolution which you have to face and I am not at all unwilling to face such a situation. I have made my position very clear to the Honourable Minister and I quite appreciate his views. That is the reason why I said that the Nehru Ministry is more socialistic than the socialists themselves. I admire and advocate social legislation. I want to see the status of the ryot and the agriculturist improved. No one was happy when the foreigners carried away our raw materials very cheap in the name of trade.

To that end I would support any legislation that goes to improve the condition of labour and the agriculturist. Here again you have to make a distinction in the sense that there are certain commodities which we produce and export and certain other commodities which we consume ourselves. In regard to those commodities which we export this Bill is a boon, in the sense, that it will raise the cost of production and add to the wealth of the country. I want the Government of India to take a fair share of their responsibility. It is they and they alone, not the provincial government, who can say what is the fair price or the fair wages in such cases. No provincial government has machinery to know that. The Government of India have this information which the provincial governments have not. Why do not you therefore face the situation yourself? Having conceived and produced the child, nourish it yourself. That is my position.

As a minister in charge of land legislation, I had to take statistics. I took a census of certain specified areas, where there were settlement officers. Calculations and accounts revealed that holders owing and cultivating land 10 acres or less constituted about 85 per cent. and holders of 20 acres and less constituted about 95 per cent. If that is the picture, there is hardly any difference between the agriculturist and agricultural labourer.

[At this stage Mr. Speaker vacated the Chair, which was then occupied by Mr. Hussain Imam (one of the Panel of Chairmen).]

It is impossible for a cultivator holding 10, 15 or 20 acres to keep accounts. He is neither trained nor accustomed to do it, but you thrust accounting on him. He pays wages to labour. But he pays in kind whenever payment in kind is available, that is in production season. Sometimes he pays even in the shape of the harvested commodities. Very scarcely does he pay in money. That being the position, to expect accounting from him would certainly be cruel. The Act provides penalties. I appeal to the Honourable Minister to consider and see whether the village rivalries, as they exist today, will not be magnified and whether or not resourceful people in the villages will not make use of these provisions to harass one party or the other.

I have one other objection and I should state it. The Bill divides itself into two parts. The first relates to industrial labour. I have no objection about that part of it. I would agree with all my friends so far as industrial labour is concerned. But I believe that a separate legislation, a separate Bill, would have been beneficial to agricultural labour. Even now, let us pass the Bill. But I would appeal to the Honourable Minister in charge of the Bill to keep in mind whether or not he should give more thought to it. I would ask him also to take the Provincial Governments into confidence. Because of its enormity, its usefulness and of the other elements that are necessary he should bring in a separate legislation for it in a shape which you and I would heartily and willingly welcome and co-operate. You have to do this if you mean making this really useful and helpful. In my capacity as Minister some lady friends approached me to pass an anti-dowry legislation. When I approached other institutions they told me "well, it is not anti-dowry legislation that will help us; the need of the hour is finding of bridegrooms for which we have to borrow money from the *sowcar* at a high rate of interest and pay this in instalments". Let not this legislation share the very fate that was depicted to me.

Sir, you are thinking of minimum wages. You are fixing minimum wages. Need I say that this minimum will be your maximum and will be a never-reaching maximum unless you take certain other steps? What are those steps? You know your country. You know the conditions. There are certain seasons and agriculture is confined to seasonal rains. For about six months in the year, especially from January to the end of May—say five months—most

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of your people remain idle and have no work. Anything will be acceptable to them. When I am hungry I will go in for any wages. Your legislation will not help me. Therefore Government should take upon themselves a programme of work, as they have already taken a big programme of irrigation, such as those of village industries, hand industries and the like. Unless they do all this in a wider and greater scale to see that employment is offered to the people so that the economic forces are made to act and react to stabilise, settle and effect wages, this so-called fixation will remain only a fixation on paper. I welcome the Bill, but I want Government to take their full share of responsibility. I want Government to provide possibilities and opportunities for labour to find a call everyday so that the employer will go to the worker's home and the ryot will approach the worker. Then the wages will work and re-work, act and react and adjust themselves. Thus could you make this Bill effective and the name 'minimum wages' will justify itself and add to the happiness of the country bringing greatest good to the community. Otherwise it is bound to remain merely on paper.

Mr. Naziruddin Ahmad (West Bengal: Muslim): Mr. Chairman, Sir, I rise to support the principles of the Bill. In doing so I must not be blind to the fact that the Central Government is concerned largely with pious wishes. The real test of the pudding will be the ability of the Provinces to bear the strain. As has been aptly pointed out, the Central Government after a period of gestation for twenty years has produced a child and it is being moved on to the Provinces to nurse. The question does not depend upon pious principles. It is not a fight between Mr. Das on the one side supporting the case of the capitalists and industrialists, and those Honourable Members on the other who support the case of labour. The question depends on the merits of individual industries and concerns. The whole question must depend on the ability of each industry to support the increased cost of labour and the ability of labour to increase production. It is upon the action and reaction of these two forces that the success of this scheme will depend.

Coming to agricultural labour I fear that there might be some difficulties there. We know that agricultural land is a provincial subject. We also know that in the Provinces agricultural laws are being passed. In Bengal, agricultural land is let out to sub-tenants on a half and half produce sharing basis and it is proposed that they would get about two-thirds of the produce. There are other legislations for acquiring by the State land belonging to the middle class tenants and letting it out to sub-tenants. In these circumstances I fear there may be a clash between the present Bill so far as its application to agricultural labour is concerned and the agricultural laws which are developing in the Provinces. In fact it is that which has got to be kept carefully in view and, if necessary, the law amended to suit the circumstances of the case.

With regard to agriculture there is another difficulty namely that most of our agriculturists specially in Bengal are middle class people. They are not like large industrialists with big capital at their command. They are small middle class tenants and the cost of labour has already risen so high that agriculture has ceased for the middle classes to be much of a paying proposition. In these circumstances perhaps we are thrusting upon the middle classes a system which they cannot bear and possibly they will have to go out of existence altogether. The application of the melodious principle of minimum wages to the agricultural labour should be carefully watched and should be adjusted to local circumstances.

There is one clause which has led to some controversy. It is clause 23. It is the exemption of an accused person by his being able to produce a suitable scape-goat. Clause 23 says that if a man is made an accused and if it is proved that an offence has been committed, he will be saved if he can find a

suitable victim or accomplice upon whom responsibility could be successfully fastened. That is a most dangerous principle to enact. In fact an accused person who is going to be convicted, if given the option of buying his immunity by finding a scape-goat, it would amount to asking him to manufacture false evidence. In fact we know such a thing as jail editors. In old times editorship meant some trouble and there was such a thing as a dummy editor who was only to admit editorial responsibility for some editorial mischief and go to jail as the writer's substitute. The real writer remained behind. The effect of clause 23 would be like this: a big employer violates the law and is prosecuted and the case is proved against him; he finds he is in danger and he will employ a dummy, a man of straw and he will manufacture evidence to get him convicted; perhaps the dummy would be a willing partner in the business, and if a fine is imposed, it may be that he is insolvent and the fine could not be recovered, and if he is imprisoned, he goes cheerfully to jail saving the really guilty man. Diwan Chaman Lall, for whom I have the highest respect, has spoken against this view. He says that clause 23 enacts a very good principle. He thinks that if a man is honest, he should be able to prove that somebody else has committed the crime and he should be allowed to go scot-free. The whole thing is begging the question. If a man can show that he is honest or that there is even a doubt about his guilt, he would not be convicted at all. His acquittal must not depend upon his ability to fasten the responsibility upon somebody else. If this principle is once allowed and extended to other spheres, then every murderer, every thief, every dacoit, every robber, should be given the same opportunity because the same argument of honesty and innocence should be made applicable to him also.

Prof. Shibban Lal Saksena: Proxy. It is given in Nepal.

Mr. Naziruddin Ahmad: So an offender, if he is allowed a proxy, as has been pointed out by Professor Saksena, that proxy can be easily procured. If there is a murderer—there is one who committed a murder recently here—if he can show that somebody else has committed the murder, then he will get away scot-free. If we once admit this principle, there is no reason why it should not be admitted to other cases. But the principle is a startling principle altogether. So I submit that clause 23 is a most mischievous clause. It will invite encouragement to the manufacture of false cases. By this law, a man who is going to be convicted, will be invited to manufacture false cases. I do not think that such a thing should be encouraged at all.

I generally agree with the principles underlying the Bill, but much will depend upon the ability of the employer and the employed to bear each other's burden.

Now I have certain other suggestions to make in connection with the Bill of a drafting nature. Unfortunately I have stood up in this House on too many occasions with drafting amendments. But I submit they are as important as amendments of a substantial nature. Yesterday we had the experience of a draftsman who used certain common words in the midst of a sentence beginning with capital letters. They were ordinary common words, common nouns, adjectives and others, but they were spelt with capital letters at the beginning. He capitalised common nouns. Perhaps he was a capitalist. But today we find that there is an opposite tendency. I find there is the expression "appropriate government". The word 'Government' should begin with a capital letter in this case. I have found that on thirty different occasions, the word 'Government' has been used with a small letter.

The Honourable Shri Jagjivan Ram: Beginning an end of capitalism.

Mr. Nasiruddin Ahmad: Capitalism is largely gone in this Bill. But I find that in two places he has returned to capitalism and he has capitalised the word 'Government'. This is midway between capitalism and nationalisation which is like mixed economy. There are clauses wherein some other words which should begin with capital letters, as for instance the words 'committee' and 'sub-committee' in clause 5, actually begin with small letters. But the same words in clause 6 and clause 7 begin with capital letters. So here the principle of mixed economy prevails. In these circumstances I shall take the opportunity of making some drafting suggestions. In fact the word 'Government' should begin with a capital letter, if by Government is meant Government established by law. If by the word 'government', we mean the act of governing, it must begin with a small letter. That is common sense. But there has been no uniformity. My suggestion is—either make 'Government' begin in all cases with a small letter—let the Government look small—or, if you like it to begin with a capital letter, then let it begin with a capital "G" in all cases. There should be some uniformity. The same thing applies to the word 'sub-committees'. Then in certain clauses—clauses 20, 21 and 22—there has been set up an 'Authority'. The word should begin with a capital letter. The word appears many times there, but the word begins with a small letter in all cases. I find in clause 2 the "head of the Department" is mentioned. Here the word 'department' begins with a capital letter. So I find the Department is bigger than the 'government' itself. That also perhaps agrees with the real state of affairs. Some of the heads of Departments are all in all and they dictate policy and somehow or other the Ministers have to support them. The 'government' in this Bill looks smaller than a Department. There is a tendency in the ministerial circles to uphold the dignity and prestige of the draftsman, although they may be wrong. When a mistake is pointed out, no castigation is meant beyond saying that to err is human. The responsibility of draftsmen is very great. This Bill, and the two other Bills where there were similar mistakes, had come through Select Committees.

The Honourable Members' attentions were not drawn to the serious state of affairs. Otherwise, the eminent members of the Select Committees would have been very glad to correct them. They have a right to rely upon the Ministers and Ministers should make it a point to make the draftsmen do their job well and justify their pay. They are drawing fat salaries not for doing the work in the way they have been doing, but they should do their work properly and Bills should be carefully revised. In fact, when an Act goes out to the public they would have a right to expect a high standard of draftsmanship and if there is bad draftsmanship we shall be blamed. I only desire that some humble workers like me—there are a few other workers also—would not like to take the responsibility of bad draftsmanship. I want to wash my hands entirely clean of bad draftsmanship. The effect of bad draftsmanship I have seen. Lawyers, judges and litigants have frequently abused the Legislature for passing badly drafted laws. So I should think this is a time where draftsmanship should be improved. Yesterday we allowed a large number of mistakes willingly to go in without challenge. Perhaps it is all due to hurry. It was explained yesterday that the matter was in consideration stage for twenty years and after long last a Bill has been prepared and the Bill has come out from the Select Committee and then suddenly it is thrown upon the shoulders of the members, as it were. There is hardly any breathing time to go through them. In these circumstances, I shall make necessary submissions in proper time. I hope those will be carefully considered, and if necessary, accepted.

Shri C. Subramaniam (Madras: General): Mr. Chairman, Sir, I welcome this Bill even though I am neither a labour leader nor a Kisan leader. I welcome it because it is a measure which, along with the two other measures that we considered a few days back, gives an assurance to labour that the

Government on their part are doing their best to protect and safeguard their rights, whatever might be the attitude of the employers. With this assurance, I hope the labour would realise that they, also owe a duty to the community, namely, to step up production at this critical juncture when we are short of every essential goods.

Sir, this is the first measure which deals with agricultural labour. Some members thought that as far as agricultural labour was concerned, action might be delayed, and indeed the Bill also tacitly admits it by providing that the time-limit to give effect to this law for agricultural labour will be three years whereas for industrial labour it will be two years. I can tell you, Sir, that the problem of agricultural labour is also becoming more and more acute and difficult. In my own Province of Madras, it is really a big headache to the Provincial Government. Every harvesting season there is a dispute and the labourers refuse to go to work unless a certain amount of wage is paid and either a Minister or a high official of the Government has got to run to that place, bring about an *ad hoc* settlement, fix the wages and ask the labourers to go for work. This is the state of affairs going on in Madras and I suppose it is also the case in other Provinces. As a matter of fact, we have been requesting the Provincial Government that they should set up some machinery to fix the wages of agricultural labour also, but so far they have not taken any action. I therefore feel sure the Provincial Governments would welcome this measure because it creates a machinery by which a minimum wage can be fixed for the agricultural labour in all its categories.

Then, Sir, my Honourable friend Mr. Santhanam pointed out that the procedure laid down in this Bill is too complicated. I respectfully beg to differ from him. The procedure for fixing minimum wages is laid down in Clause 5. Two methods are suggested there for the Provincial Governments. One is, you appoint a Committee to advise you. The other is that by notification in the official Gazette you publish your proposals and ask for opinions from persons affected thereby. In cases where you appoint a Committee, the Clause also says that for different localities there may be different Sub-Committees. On their advice, and in the other case, after the publication of your proposals, you can fix minimum wages. That is all that is laid down. I do not see what complication there is in this procedure. In the case of fixation of wages, especially in regard to agricultural wages, it has to apply all over the country. Therefore, there can be no inflexible rule and flexibility is given in Clause 3, so that in fixing wages various local considerations may be taken into account. Then Clause 6 is there relating to revision of minimum wages and for that purpose there are Advisory Committees and Sub-Committees. Then we come to Clauses 7 and 8 relating to a Provincial Advisory Board to assist the Provincial Government and a Central Advisory Board to advise the Provinces. The other Clauses relate to the mode of enforcement of payment of minimum wages and the penalties for contravening the provisions of the Bill. So I fail to see the complexity in this Bill. I think this is a simple measure which should be welcomed, and welcomed not only by the labourers but also the land owners as far as the agricultural labour is concerned, and also by the other industrialists.

Then some criticism was levelled against the provisions in Clause 23 by the previous speaker. Clause 23 is necessary because of the comprehensive definition of "employer" in Clause 2. Let me read the definition:

"(e) 'employer means any person who employs, whether directly or through another person, or whether on behalf of himself or any other person, one or more employees, etc., etc.'"

Now, I own some land in Madras. I am residing in Delhi. If on my behalf, my agent is employing certain labour in Madras. I am an employer under this definition. Supposing my agent is not honest, I may be hauled up and I may be convicted. Supposing I appoint an honest agent, and instruct him to pay the minimum wages and provide him with sufficient money, even in that case,

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in terms of this Bill, I am liable to be hauled up for the dishonesty of my agent. Then, is it not open to me to say, "As far as I am concerned, I am honest and I have taken the precautions necessary and it is only my employee, the agent there, who has misbehaved"? Therefore certainly it is only in cases where this vicarious liability is sought to be fastened upon a person the saving clause comes into effect and sufficient safeguards are given so that persons may not evade the law because the onus of proving that he has used due diligence to enforce the execution of this Act and that the said other person committed the offence in question without his knowledge, consent or connivance is on the accused person. Further the witnesses produced by the accused are liable to be cross-examined not only by the actual offender but also by the prosecution. In these circumstances the analogy of a murderer and a proxy is misleading. Clause 23 is really necessary considering all these things. I feel it is a very wholesale measure and it would be welcomed not only by the labourers but also by the industrialists and the landlords.

Prof. Shibban Lal Saksena: First of all I congratulate most heartily the Minister in charge of this Bill. The Bill I must point out is a completely changed Bill and I know from my experience in the Select Committees that the credit for this should go to the Minister himself. He is very jealous when an attempt is made to change the Bill. So if the Bill has been changed completely, I am sure the Minister should have agreed to change it and that is why it has been a changed Bill. I must say at the outset that this Bill is one which supplies a very long felt want. The result of the Bill, I am sure, will convince all those friends of mine who have surprised me by criticising it. I never thought that anybody could criticise this Bill but this is a Bill which has been long over due. Everybody knows that there are about 10 crores of agricultural labourers and their condition borders on serfdom and if this Bill is trying now to give them some measure of legal protection by which they can have at least some decent wage, if not a really living wage, I think we are doing something which America did a century ago when it abolished slave labour. Actually so many people in the villages are slaves. For two rupees even now the people work for the whole month and sometimes the accounts go on gathering and when the man leaves the master he will simply be told: 'You will have to pay so much'. In every way he is a slave; he cannot leave; he will not get a single pie, probably only whatever his master pleases to give him in order to keep him alive. So I am very glad that this Bill has come. This Bill will now be said to be the Magna Charta of those people. People have said that it is very difficult to apply it. In fact it is now our work, the work of the workers among the labourers and agriculturists who will see that they are made conscious of their rights and that they get these rights. Now we have got something to hope by and I am sure if this becomes a Law then we shall see that it is enforced. The Government will themselves find that those people who have come to know that they possess rights under the Bill will demand and get them. Some of my Honourable friends here said they were non-violent people and this was a very violent measure. I want to tell them that the Prophet of non-violence whose death we are still mourning, he wrote not today but 12 years ago in 1936 and I would like to quote what he said. It was on February 1, 1936 and he wrote on Sweated Labour. He had seen the article in the *Modern Review* of Mr. Keenan, Manager of Tatas and he pointed out that then the contractor's cost had some fall in the price of ore. The wages were three annas in a concern like the Tatas where millions and millions were employed and to pay three annas to the labourer was something extraordinary. In those days Mahatma Gandhi had introduced an experiment in the All India Spinners' Association. They paid only one anna six pies, or two annas per day. He had made an experiment and had insisted that *khadi bhandars* must pay at least eight annas per day.

result was that in the *bhandars* the wages of the sisters were raised up to six annas and he was trying to get it raised to eight annas. In that connection he says:

"The Modern Review for December 1935 contains an article by Mr. Keenan, General Manager, Tata Iron and Steel Works, which shows that sweating exists in India in quarters unsuspected by us. *Khadi* movement for the first time revealed the extent of unemployment in the country and the length to which the unemployed were prepared to go in order to earn a wage, no matter how sweated it was. But Mr. Keenan's description of the conditions of the labourers on the iron ore mines shows that even *Khadi* though it gave a sweated wage, offered it under better conditions than those under which the 19,000 odd labourers on those mines are getting it. Writes Mr. Keenan:

'A short time ago, I went on a trip to the Mines. We have saved a lot of money by letting out contracts on the tender system. In fact, the cost of mining ore at one of our Mines had dropped from annas fourteen to annas seven, but I might tell you that I have found out, on enquiry, that the average wages of labour at one of our Mines has dropped to three quarters of an anna per day: The price of rice has dropped a good deal I know. But at the same time I cannot say that the wages that our contractors are paying at the mines is any credit to the Tata Iron and Steel Company and it is high time that we took some drastic action to ensure to the workmen a wage sufficient to keep their bodies and souls together. For the past three weeks, Mrs. Keenan has been impressing this fact on my mind morning, noon and night. While we were at one of the Mines, a girl who was about eighteen years of age, carrying a baby in her arms, who could not be over two months, stopped my wife's trolley. The girl's breasts were not only useless but they were sagging. Although my wife could not understand the *Kohl* language, even an amateur could gather that the woman was trying to show that her child was starving and pointing to her belly, that she also was lacking in food and illustrated the child's condition by lifting one of her breasts. Instead of the child being appeased, although it appeared to be receiving milk, it kept on crying, which only emphasised the fact that there was no milk in that breast:

We can cut down our costs in the works. Let us by all means not imitate Mr. Woolworth and have all our goods in display in Jamshedpur but let us also think of the aboriginals who live back on the hills many of whom live on top of the ore properties which we now own and whose ancestors have lived there for centuries. Let us realise this fact and ensure that these workmen get a living wage

Above all, there is a crying need for the awakening of public conscience in the matter of giving wages for all labour. Let everyone, whenever he has directly to deal with labour, voluntarily or involuntarily refuse to accept that labour until the labourer has been paid a living wage for a day's work. Mr. Keenan's article should be an eye-opener not only for the *Tatas*, but for everyone who should refuse to accept sweated labour of any kind whatsoever."

With reference to my Honourable friend Mr. Das who claims to be non-violent and here he must refuse to take any article if he knows that the labourer has been paid a sweated wage. In fact some friends have said that every industry will have to decide what wage it can pay. I contest that. I say the principle is this. You shall not pay anybody a wage on which he cannot make his living. He must be paid a minimum wage, if not a living wage, a living wage on which he can fill his belly. Mahatma Gandhi has said it must be our moral duty and we must refuse to accept any article which has been made by sweated labour. In fact when the All India Spinners' Association was started many *Khadi bhandars* said we will not sell *Khadi*, but he insisted and ultimately he succeeded and now *Khadi* spinners are getting a much higher wage than they were getting before.

Mahatma Gandhi wrote the following article under the caption "Duty of *Khadi* Wearer":

"Difficulties in the path.—I have before me several letters, some protesting against the constant rise in the prices of *Khadi* and some piteously appealing to me to show the way to poor middle class people for buying dear *Khadi*.

The All-India Spinners' Association exists only for the betterment of the *khadi* producers, the majority of whom are poor women spinners. I hold that the Association cannot be satisfied till every woman who puts in an honest hour in spinning gets one anna per hour. We are on the point of reaching half an anna per hour and if the consumers and the Congress

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Governments do their duty, the Association expects to give the anna per hour much earlier than most people expect.

Before the new policy of the Association was laid down, its aim was to cheapen *Khadi* mostly in disregard of the wages of the spinners, the most helpless artisans, perhaps in the world. This continued for nearly a decade. It was a mistaken policy, but the mistake was conscious and based on faulty reasoning. I must take the largest share of the blame for the mistake. *Khadi*-weavers had the sole benefit of the mistake. Is it right for them to complain when the mistake is being repaired and the spinners are gradually being paid what is their due.

'The Association has expected hearty co-operation from the *Khadi*-wearers, and I am glad to be able to say that on the whole the increase in the price of *Khadi* has not been resented by them. Many consider it a privilege that they are partners in the tardy justice that is done to the dumb sisters whose need is infinitely greater than that of the wearers of *khadi*.'

Therefore, Sir, I wish to point that those people who think there is some new principle are wrong. It is a principle laid down 42 years ago and now the directive to all Governments that they may introduce this legislation has gone and I am glad that they have done it and I hope the whole House will give the Honourable the Minister full co-operation as also I hope those friends of ours who had some fear that it was something new, an Utopia, for the workers. It is not an Utopia and the labour conditions of our country are bordering on slavery and by this Bill we will only be making them a little better. We cannot raise their wages only without raising the general standard of living all along in the country. So we will have to go slowly but I do agree that this Bill is a very important Bill and I know the Honourable the Labour Minister will have the blessings of eleven crores of people—ten crores agricultural labourers and one crore industrial labourers. Another aspect of the case has not been realised. People complain of paying more but people forget that by paying more they will get more work. You know the Punjabis have come from Pakistan and it is surprising what an amount of work they can do. If you employ a Punjabi labourer he will in one day do the work of eight labourers. Of course you will have to pay more, perhaps twice or thrice. But by paying that you will get eight times the work done by an ordinary worker. Therefore if you pay more you will get many times the amount you pay. So in actual practice you will find that it is not dearer but cheaper to give that minimum wage; and with a contented stomach he will turn out better work in eight hours than he would turn out in twelve hours with an empty stomach. I therefore think that this is a very essential measure which will be as good as the measure which abolished slavery in America. It will really abolish slavery here because once we get a charter we shall see that it is applied. Some Honourable friends expressed apprehensions that Government shall not have the machinery to apply it. That is not true. I know the rural areas and all my life I have spent among the agricultural workers; and I know that if only we had some such law all these years there would not have been this difficulty. In the last inquiry committee about sugar while we were fixing the minimum wage the only argument advanced was that if a worker can be had for two or three annas a day we should not pay him five annas. Now that argument will not be possible because agricultural labour will have the same living wage as industrial workers in those areas. And I hope that this argument that has so far been advanced by industrialists will also be advanced no more. In fact if ten crores of our workers who will be benefited by this get even double of what they are getting I am sure we will transform the whole surface of the country. This measure may sound revolutionary today but when it is put into force I know it will really be a very beneficial measure which is worthy of the times in which we live.

Sir, much has been said about clause 23. I also feel that clause 23 should not be here; but one thing has to be considered. This is a new Bill which will apply to about 11 crores of labourers; and I think that at least in the very beginning we may go slowly. So if in the actual working of the Bill we find in the first or the second year that this clause is being abused we can certainly remove it. But in the very beginning I think it should not be objected to as a revolutionary measure of this kind should not be rushed through in a manner which will defeat its own purpose.

I therefore fully support this Bill. I am glad that I am able to support the Honourable Minister in every respect with regard to this Bill. Only one suggestion I have to make. In part I of the Schedule there are about 12 items given. I would like to suggest some more, specially press, paper, pottery, timber, etc. I know that the Provincial Governments are given power to add to the Schedule, and so there is no reason to be very argumentative about it. And I think that if our Provincial Governments are approached by the workers in these industries they will see that these are included. So I hope that these other industries I have mentioned,—paper, press, pottery and timber—will be included.

An Honourable Member: The question may now be put.

Mr. Chairman: The question is:

"That the question be now put."

The motion was adopted.

The Honourable Shri Jagjivan Ram: Sir, the measure before the House has been so closely analysed that my task of giving a reply has been lightened to a very great extent. There are some people in this world who are superhuman, in the sense that it is human nature that if somebody tries to do good to a person, that person tries to do good to him. But there are some persons who even if they are harmed by some one, they try to do good to him. My Honourable friend Mr. Das belongs to this latter category of superhuman beings. He began by saying that the Bill tries to bring in Utopia. I do not know how to characterise my Honourable friend Mr. Das, whether he is after Utopia or Utopia is after him. But in any case he has not only realised Utopia but he has begun to give proofs that he is living in Utopia. I am justified in saying so because my Honourable friend Mr. Das comes from Orissa; I wish he had some knowledge of the condition of labourers in his own province and of the anxiety of his own Government to do something in the matter; specially of his Labour Minister who is so anxious to do something for agricultural workers, more so because agricultural operations in a large portion of his province have practically come to a stand-still. I wish my friend Mr. B. Das has realised that position before blaming the Government off and on for bringing measures before the House which are likely to affect the industrialisation of this country. Some Honourable friends have remarked, and Mr. Das himself said, that he is not an industrialist; therefore when Mr. Das gives proof of his overflowing sympathy for the industrialist class I place him in the category of superhuman beings.

Anyway, Sir, how is this Bill going to effect the expansion of either industry or agriculture in this country; one must analyse that. Some friends remarked that my colleagues who are in charge of the employing departments of the Government are not here. But let there be no misunderstanding that this Bill does belong only to the Labour Minister. It is a Bill of the Government of India. Let there be no misunderstanding that any particular Minister, who brings in a Bill is alone responsible for it. The entire Government and all the Ministers are responsible for that. And if today, I am in charge of this Bill, it does not mean that it belongs to the Labour Minister. It belongs to all the Ministers.

[Shri Jagjivan Ram]

But the Labour Minister's responsibility is not only to see that the condition of the labourers are improved. His responsibility is equally with the other Ministers, who are in charge of the employing departments, to see that the industry in this country expands, and I may assure my friends that it is equally my responsibility to see that the wealth of this country increases because unless the wealth of the country increases, I will not be in a position howsoever might be my concern and anxiety to improve the lot of the working classes to do anything concrete in that direction. So I will be going against my profession and my interest and anxiety for improving the condition of the working classes if I bring forward any measure which is likely, even in the lowest degree, to adversely effect the expansion of either industry or agriculture in this country. But when I support this measure, I am doing this because I am convinced that this measure is bound to help in the industrial expansion and in the increase of products and I wish those friends who are sceptical about it to realise that position. They should appreciate that position.

How is it going to effect industrial expansion? Today there is a cry for more production. For production certain conditions are necessary. We require efficient machinery; we require implements; we require capital; and above all these things one special factor without which all these factors will be useless, is the human factor. You cannot ignore it. Up till now, even in the matter of agriculture, we have been insisting that there should be facilities for irrigation: there should be facilities for improved implements: there should be facilities for procuring manures for the cultivators: there should be facilities for procuring better seeds for the cultivators. But nobody has so far taken into consideration that human factor without which all these facilities to the cultivators will not add to increased production of agricultural goods.

I wish my friends who raised the question of various tenancy legislation in the provinces could realise one factor which is so important—more important than the products which we manufacture here either for our own consumption or for exports. We can do without export. We can do without certain other manufactured products which contribute to our luxury. But we cannot do without increasing the produce of foodgrains, without which we cannot survive. I do not want to labour this point in greater detail, but in passing I may say that we cannot depend for all times to come on import of foodgrains from other countries. We will have to increase our agricultural products to maintain our country and to survive.

And how is that to be done? I would ask my friends interested in agriculture and who have opportunities to live in villages, to watch two plots of land, one belonging to the person who works in the field himself and the other belonging to a man who engages hired labour to do his cultivation. If statistics were to be collected and if it were to be computed that per acre there is an additional yield of at least one maund in the plot which is cultivated by the owner himself, one cannot imagine what a colossal loss of foodgrains we are incurring every year.

And how and why does it happen? Because the wages we still pay to the agricultural workers is inconceivably low, because he is not interested in the field. He has nothing to do with the produce in that field. He knows whether there is a bumper crop in the field or a famine he is not going to get more than 2 or 1½ seers a day for his hard labour in that field. And in cultivation if a plough goes a few inches deeper there is naturally more yield than if you simply scratch the field. And what interest has the labourer to utilise all his strength in order that the plough-share may go a few inches deeper? He knows that even if he scratches the land he will get the same wages. Then why should he work harder? Thereby we are losing thousands and thousands of tons of foodgrains every year and this is a measure, not in the

interests of the agricultural labourers themselves, but it is a measure in the interests of the entire nation. I may say, Sir, without any disrespect to any friend in any side of this House that anybody who opposes this measure is not an enemy of the agricultural labourers alone but of the entire nation.

In this view of the matter I think this Bill is a revolutionary one. Other friends have called it a revolutionary Bill from the point of view that for the first time something concrete is conceived in this Bill for the welfare of the agricultural labourer. But I call this Bill a revolutionary one not because it conceives something which will contribute to the betterment of the lot of the agricultural labourers but it is a revolutionary one because it conceives of a situation in which India may be made self-sufficient in the matter of foodgrains.

Similarly, you can argue for all the industries that have been included in the Schedule. Some friends have raised the question whether agricultural cultivators will be in a position to meet the minimum wages for the workers. Well, I have always taken the view that the minimum wage for a labourer should not depend upon the capacity of any employment to bear that burden. If you find that agriculture cannot bear that burden it is better that one should not engage in agriculture. If a cultivator finds that he is not in a position to pay even the barest minimum wage to his worker, why should he engage himself in agriculture? Why should he carry on that business? You cannot go on carrying on any business or industry on the exploitation of other persons. Are we going to accept this principle? I think this will be lowering the dignity of this House if you were to propound this theory and principle—that because a certain person is not in a position to pay reasonable wages to his employees he should not pay those wages. It means we are putting a premium on the exploitation of a helpless man by a resourceful and more influential person. That is not fitting for any legislation, more so of a Legislature of a country which hopes to give the message of justice and equality to other countries. I think Sir that any friend who opposes this Bill under the misunderstanding that this will be instrumental in putting an end to the expansion of industry or agriculture because it envisages the payment of minimum wages to the workers will not be fitting to this House.

If the industries are not in a position to bear that burden, let them close their shops. If it is found that they are necessary in the interest of the state and the country, it is open to the state and the country to subsidise those industries. If the country and the nation think that agriculture is indispensable it is up to the general taxpayer and the Government to subsidise agriculture but in no case any industry or agriculture should be allowed to exist and subsist on the exploitation of the workers or the masses. I trust, Sir, the House will accept this Bill.

Mr. Chairman: The question is:

“That the Bill to provide for fixing minimum wages in certain employments, as reported by the Select Committee, be taken into consideration.”

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Saturday, the 7th February, 1948.