

Friday,
2nd April, 1948

THE
CONSTITUENT ASSEMBLY OF INDIA
(LEGISLATIVE) DEBATES

Official Report

VOLUME IV, 1948

(19th March to 5th April, 1948)

SECOND SESSION

of the

CONSTITUENT ASSEMBLY OF INDIA (LEGISLATIVE)
1948



WEDNESDAY, 31ST MARCH, 1948—

Starred Questions and Answers	2785—2825
Authenticated Schedule of authorised expenditure (other than Railways) for 1948-49—Laid on the table	2825—28
Election to Committee on Public Accounts	2828—35
Election to Standing Finance Committee	2835—37
Election to Standing Finance Committee for Railways	2837—39
Election to Central Advisory Council for Railways	2840
Election to Indian Nursing Council	2840
Election to Standing Committee for Ministry of Health	2840
Election to Standing Committee for Ministry of Defence	2840
Demands for Supplementary Grants (15th August, 1947 to 31st March, 1948)	2841—73
Demand No. 92—Capital Outlay on Civil Aviation	2843—46
Creation of a Statutory Corporation to take over the Business of Air India International, Ltd.	2843—46

THURSDAY, 1ST APRIL, 1948—

Starred Questions and Answers	2875—2921
Motion for Adjournment <i>re</i> Increase in Postal Rates between India and Pakistan without consulting the Assembly—Ruled out of order	2922—23
Workmen's State Insurance Bill—Consideration of clauses—not concluded	2925—61
Appendix	2962—3027

FRIDAY, 2ND APRIL, 1948—

Declaration by Members	3029
Starred Questions and Answers	3029—47
Short Notice Questions and Answers	3047-48
Election to Standing Committee for Ministry of Commerce	3048-49
Workmen's State Insurance Bill—Passed as amended	3049—87

SATURDAY, 3RD APRIL, 1948—

Election to Standing Finance Committee for Railways	3089
Indian Lac Cess (Amendment) Bill—Introduced	3089
Indian Aircraft (Amendment) Bill—Passed as amended	3089-90
Discussion of Non-official Resolution on a day allotted for Official Business	3091
Provincial Insolvency (Amendment) Bill—Passed as amended	3092—3106
Junagadh Administration (Property) Bill—Consideration of clauses—not concluded	3106—15
Resolution <i>re</i> Elimination of Communal Organizations—Adopted as amended	3116—51

MONDAY, 5TH APRIL, 1948—

Starred Questions and Answers	3153—89
Short Notice Questions and Answers	3190—94
Election to Standing Committee for Ministry of External Affairs and Commonwealth relations	3195
Elections to Central Advisory Council for Railways and Indian Nursing Council	3195
Junagadh Administration (Property) Bill—Passed as amended	3195—3220
Control of Shipping (Amendment) Bill—Passed as amended	3221—25
Delhi and Ajmer-Merwara Rent Control (Amendment) Bill—Passed	3225—29
Income-tax and Business Profits Tax (Amendment) Bill—Referred to Select Committee	3229—38

CONSTITUENT ASSEMBLY OF INDIA (LEGISLATIVE)

Friday, 2nd April, 1948

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

DECLARATION BY MEMBERS

The following member made the declaration under Rule 2C:
Shri Satis Chandra (U. P.: General).

STARRED QUESTIONS AND ANSWERS

ORAL ANSWERS

PAKISTAN GOVERNMENT'S TREATMENT OF INDIANS HAVING PROPERTY THERE

1175. *Mr. R. K. Sidhva: (a) Will the Honourable the Prime Minister be pleased to state whether it is a fact that Indian firms and individual nationals of India who have their moveable and immoveable properties in Pakistan have been treated as "evacuees" by the Government of Pakistan?

(b) Is it a fact that the Government of Pakistan and the Provincial Governments of Pakistan contemplate passing legislations restricting the movements and disposals of properties of the nationals of India?

(c) Do Government propose to draw the attention of the Government of Pakistan that such nationals of India should not be treated as "evacuees"? If not, why not?

(d) Do Government propose to make arrangements for all such properties to be taken over by the High Commissioner for India in Pakistan?

The Honourable Pandit Jawaharlal Nehru: (a) Any property in West Punjab which the owner cannot personally occupy or supervise, or, in the case of corporation, property which forms the assets of any business or undertaking which has ceased wholly or partially to operate owing to the recent disturbances is evacuee property.

(b) If by Indian Nationals is meant non-Muslims belonging to Pakistan areas who wish to come over to the Indian Dominion, the position in West Punjab is that evacuee property cannot be sold or transferred without the Custodian's permission. The law in N.W.F.P. is somewhat similar. An ordinance on similar lines for Sind has been passed by the Legislature, but has not yet been approved by the Governor General of Pakistan.

(c) No. The law similar to West Punjab applies to evacuees from the Indian Dominion.

(d) No. The position is covered by the laws of the two Dominions stated above.

Mr. R. K. Sidhva: Sir, I am afraid the word "evacuees" caused a little complication. My point was that there are certain firms run by Indian nationals who have their branches in Pakistan and their properties also there. I wanted to know whether they are to be treated as evacuees although the original firm was in India before the partition.

The Honourable Pandit Jawaharlal Nehru: Probably there are many borderline cases which are very difficult. We know cases where a great deal of injustice has been done to firms and factories which have not been treated as evacuee property. We have been receiving protests and sending repeated messages and the matter continues to be discussed. In fact a few days ago there was a Conference and many of these matters were discussed and to some extent satisfactory decisions arrived at. Many other matters were not decided. So this thing goes on and it is very difficult to be precise about it. But it is perfectly true that many firms and factories who have branches there have been placed in a very difficult and invidious position.

Shri H. V. Kamath: What is the policy of our Government with regard to Pakistan nationals who similarly hold moveable and immovable properties in the Indian Union?

The Honourable Pandit Jawaharlal Nehru: Nobody quite knows who is a Pakistan national and who is an Indian national; it is vague, except for those who permanently reside somewhere. Those people who are moving from one side to the other are for the moment nationals of both or of neither.

Shri H. V. Kamath: What about permanent residents of Pakistan who hold properties here in the Indian Union?

The Honourable Pandit Jawaharlal Nehru: I have myself not come across any major instance of that type here except the people who have gone away from here leaving some of their properties behind. These properties vest in the Custodian of Evacuee Property.

Prof. N. G. Ranga: Has the attention of Government been drawn to a press statement published in yesterday evening's papers that as many as 20 or 25 special train-loads of people called Meos are moving from Pakistan area to our area? If so, do Government propose to take any action at all to see that such large-scale movements of these people do not take place and create further complications?

The Honourable Pandit Jawaharlal Nehru: Yes; I confess I did not know anything about it till I saw that message in the press. I have no information but shall inquire into it.

Dr. P. S. Deshmukh: In view of the definite partition and the separate existence of the two Dominions, is it not time that we decided and demarcated who are our nationals and who are Pakistan's?

The Honourable Pandit Jawaharlal Nehru: No, Sir; it is definitely not possible.

Shri Mihir Lal Chattopadhyay: What is the legal position with respect to persons who have been coming to the Indian Union from Eastern Pakistan?

The Honourable Pandit Jawaharlal Nehru: I have just said that it is impossible to define the legal or constitutional position of people moving from one side to the other, till things settle down. People move between the two Dominions and one does not know exactly what nationality law applies. So long as both Dominions belong to a larger group called the British Commonwealth group the nationality law does not offer quite so much difficulty as it might otherwise do. But anyhow things are so fluid at the present moment that it is impossible to define finally. All that you can say is that it is for the individual himself to say what he considers himself to be.

Mr. R. K. Sidhva: Will Government pursue this matter with the Pakistan Government that our original nationals who have properties in Pakistan should not be treated as evacuees?

The Honourable Pandit Jawaharlal Nehru: We cannot, because it applies both ways.

Mr. E. K. Sidhva: These original residents or nationals of territory that is Pakistan.....

The Honourable Pandit Jawaharlal Nehru: What is an original national of Pakistan?

Mr. Speaker: I am afraid we are entering into an argument.

Pandit Balkrishna Sharma: May I know if the properties of those people who had their head offices in Karachi and Lahore and whose moveable and immoveable properties were also in India are being treated by our Government as evacuee property?

The Honourable Pandit Jawaharlal Nehru: So far as I know, in theory neither in Pakistan nor here are these treated as evacuee property. In practice if a place according to them is deserted or not used, they treat it as such. So the question arises whether the place is functioning or not.

Shri H. V. Kamath: What about the immoveable property left behind by Mr. Jinnah himself in the Indian Union?

Mr. Speaker: Order, order; next question.

LICENCES FOR IMPORT OF GOODS FROM FOREIGN COUNTRIES

1176. *Mr. E. K. Sidhva: (a) Will the Honourable Minister of Commerce be pleased to state whether import licences for goods from Japan, Germany, Italy, Switzerland, Belgium, America, Russia and other countries are granted to *bona fide* merchants?

(b) If so, under what conditions and what is the monetary limit fixed for goods to be imported from each country?

(c) What is the policy of Government in the issue of import licences to merchants?

The Honourable Mr. C. H. Bhabha: (a) Yes, Sir.

(b) and (c). Attention of the Honourable Member is invited to the Ministry of Commerce Public Notice dated the 12th December 1947, which was reproduced in the *Gazette of India* Extraordinary of the same date, and to the Public Notice, dated the 4th March 1948, issued by the Chief Controller of Imports. They lay down the principles governing the issue of import licences for the half yearly period January-June 1948. The procedure for obtaining goods from Germany is explained in the Press Notes of 13th May 1947 and 2nd September 1947 and 18th February 1948 and that from Japan in the Public Notice dated the 4th February 1948 issued by the Chief Controller of Imports. Copies of all these Press Notes and Public Notices are available in the Library of the Legislature. Monetary ceilings have not been determined for imports from each country separately but they have been fixed for different goods or categories of goods to be imported from dollar and hard currency areas and from non-dollar and easy currency areas. Subject to keeping within the ceiling figures fixed for each article, licences are issued mainly on the basis of reasonable requirements of particular manufacturing concern and of the value of past imports of similar articles and other particulars contained in the applications.

Mr. E. K. Sidhva: Is not it a fact that in several cases licences have been issued to persons other than to *bona fide* merchants?

The Honourable Mr. C. H. Bhabha: I am not aware of that. If my Honourable friend will bring specific cases to my notice they will be investigated.

Pandit Balkrishna Shharma: May I know why licences for penicillin and sulpham drugs were not issued to the firm who were the direct agents of the manufacturers and were issued to people who were not dealing in those drugs before?

The Honourable Mr. C. H. Bhabha: Licences for these drugs are issued only on the recommendation of the Health Ministry which examines and scrutinises each case.

Dr. P. S. Deshmukh: Does not the Government know the cost price of such article imported and the price at which it is permitted to sell such articles in India?

The Honourable Mr. C. H. Bhabha: The Government has no such information and I may inform my Honourable friend that there is no such thing as price control for the sale of these imported articles.

Dr. B. Pattabhi Sitaramayya: Is it the policy of Government to see that progressively the Indian element of these *bona fide* merchants is increased as against the British or foreign element, though the latter may be represented by Indian agencies?

The Honourable Mr. C. H. Bhabha: That is the policy of Government and executive instructions have been issued to the officers dealing with these import licences.

Shri Mihir Lal Chattopadhyay: What is the policy of Government in regard to the import of silk from foreign countries?

The Honourable Mr. C. H. Bhabha: Silk goods are not allowed to be imported but silk yarn is allowed to be imported from certain areas, and as far as possible licences for the import of silk yarn is given to the association of silk mills which distributes the silk to the various members of this association.

Seth Govinddas: Are Government going to take any steps to see that only such goods are imported into this country which are not available here and that licences only for these are given?

The Honourable Mr. C. H. Bhabha: That aspect of the question is borne in mind when fixing the monetary ceilings.

Shri Kishori Mohan Tripathi: Are there any restrictions on the import of woollen goods from Australia and Japan?

The Honourable Mr. C. H. Bhabha: No such restrictions except ceilings being fixed.

Shri M. Ananthasayanam Ayyangar: May I know from the Honourable Minister if all these import licences are granted by the Secretariat, or whether any particular licences or categories of licences are given for the Honourable Minister himself to dispose of?

The Honourable Mr. C. H. Bhabha: No, Sir. It is physically impossible for a Minister to look into thousands of licences for each of these things. In course of routine some special licences are brought to the attention of the Minister.

Pandit Lakshmi Kanta Maitra: What is the routine for rayon and artificial silk?

The Honourable Mr. C. H. Bhabha: If my Honourable friend cares to see me I shall explain to him the detailed procedure that has to be adopted in the matter of rayon, because as far as possible this is not considered to be an essential commodity and it is a commodity for which there is a sailing both for the sterling and the dollar areas and as far as possible efforts are made to avoid the dollar area.

Shri M. Ananthasayanam Ayyangar: May I know what the special licences are which he spoke of and what are the extraordinary circumstances which require the attention of the Minister himself?

The Honourable Mr. C. H. Bhabha: While there are special licences which are required to be issued by other sister Ministries like the Food Ministry, which might be importing food from particular areas and such *ad hoc* licences are desired by that Ministry to be issued by the Commerce Ministry, such licences are brought to the attention of the Minister in charge of Commerce.

Shri B. P. Jhunjhunwala: Have any instances of the breach of the policy laid down by the Government been brought to the notice of the Government by the officials, and what action, if any, has been taken in such cases?

The Honourable Mr. C. H. Bhabha: No breach of policy has been brought to the attention of Government by the officials themselves. But if any such breach of policy attracts the attention of the Ministry concerned or some of the senior officials, then the matter is investigated and suitable action is taken in such cases. One type of action that has been taken has been the suspension or cancellation of certain licences and an enquiry is immediately instituted against some of the officers who break the rules attached to this policy.

Shri H. V. Kamath: The Honourable Minister said that there is no price control as regards these commodities or goods. Considering that decontrol of luxury goods, especially motor cars, has not been in the public interest, do Government propose to reimpose price control for luxury goods?

The Honourable Mr. C. H. Bhabha: That is a question that my Honourable friend might address to the Industry and Supply Minister, who is concerned with price control.

Mr. Speaker: I am proceeding to the next question.

HOUSING FACILITIES FOR LABOUR CLASSES IN TEXTILES, COAL MINES AND JUTE INDUSTRIES

1177. ***Shri V. C. Kesava Rao:** (a) Will the Honourable Minister of Labour be pleased to state what are the housing facilities provided for the labour classes of the following industries: (i) Textiles, (ii) Jute, and (iii) Coal mines?

(b) What is the average cubic feet of space allotted to each industrial worker?

(c) Is any compensatory allowance given to workers, where no industrial housing facilities are provided?

(d) If the answer to part (c) above be in the negative, do Government propose to consider the question of advising the industries to consider the granting of this allowance?

The Honourable Shri Jagjivan Ram: (a) and (b). A few employers have provided houses for their workers in the textile and jute mills but in such housing schemes only a small proportion of the total number of workers has been accommodated with the result that many workers have to live in slums. Even where houses have been provided, they are mostly single-room tenements, unventilated, overcrowded and insanitary. In the mining industry the employers have provided dwellings known as "dhowrahs" for housing a considerable proportion of the miners but the housing conditions there also leave much to be desired. Government are now engaged in working out the details of a programme for providing a million workers' houses of approved design. In the case of miners a beginning has already been made and the first 1000 houses which the Government are constructing in the coal-fields area of Jharia are expected to be ready in the course of a year. The programme is for constructing 50,000 houses for coalminers in about five years. The latter scheme is financed through the levy of Cess on coal.

(c) From the report of the Labour Investigation Committee it would appear that, generally speaking, no such allowances are being paid.

(d) Government feel that the giving of advice would not be enough. As already indicated, they are considering a housing scheme to which, in accordance with resolution on Industrial Truce adopted at the recent Industries Conference, Government, employers and labour will be required to contribute in suitable proportions.

Shri V. C. Kesava Rao: May I know what percent of the labour in the textile category is provided with houses?

The Honourable Shri Jagjivan Ram: A very negligible proportion.

Seth Govinddas: Are the Government aware that in the Chhindwara district of C.P. in the coalfield area the housing conditions of labour are very bad, and is there any scheme for putting up houses in that area?

The Honourable Shri Jagjivan Ram: Yes. I have stated that the housing conditions in the coalfields are also not satisfactory and we have a scheme for constructing houses in the coalfields.

Seth Govinddas: The Honourable Minister said that in Jharia there is a definite scheme of housing. I am asking if there is any such scheme so far as the Chhindwara area is concerned.

The Honourable Shri Jagjivan Ram: I am afraid the Honourable Member has not followed me. There is a scheme for 50,000 houses for the coalminers and the C.P. coalfield will be covered by that scheme.

Shri S. V. Krishnamurthy Rao: Have the Government accepted the recommendations of the Bhore Committee that one of the conditions for starting any new industry should be the insistence of housing accommodation for labour by the employers?

The Honourable Shri Jagjivan Ram: That concerns the Ministry of Health.

Shri S. V. Krishnamurthy Rao: The Bhore Committee has recommended that before any licence is given for a new industry, one of the conditions will be for the provision of accommodation by the industry for labour. Has that condition been accepted by Government and is it being insisted upon?

The Honourable Shri Jagjivan Ram: The question is still not clear to me.

Mr. Speaker: The Bhore Committee had recommended that in the case of starting new industries, no permission should be granted unless there is a condition precedent that certain houses will be put up by the industrialists. Have Government accepted that recommendation of the Bhore Committee and are they acting upon it?

The Honourable Shri Jagjivan Ram: As regards the workers' houses, the Government have not accepted that policy. But Government have accepted the policy that in case of new factories, certain conditions as regards health, safety and sanitation should be insisted upon and the industrialists concerned will be given a licence provided they fulfil those conditions.

Shri V. C. Kesava Rao: May I know how much time will be taken to complete the housing scheme for miners?

The Honourable Shri Jagjivan Ram: I have already stated that it is a five year scheme.

Shri T. A. Ramalingam Chettiar: Have the Government decided as to what sort of subsidy they will give to the industrialists who put up houses?

The Honourable Shri Jagjivan Ram: The question is not of giving a subsidy to the industrialist: the question is one of setting up a housing board, and the board will look to the execution and supervision of workers' housing. In what proportion Government, industry and labour are to contribute towards the housing fund is a question which is still under the consideration of the Government.

Shri H. V. Kamath: With reference to part (b) of the question, may I know what is the optimum room or space, according to international health experts, which is required for a human being to maintain himself in proper health?

The Honourable Shri Jagjivan Ram: We have laid down a specific plan for a worker's house, which contains two rooms and two verandahs. The rooms are of the size 12' x 10'.

Prof. N. G. Ranga: How many houses do the Government of India propose to construct in an acre? Is it 15 or 20?

The Honourable Shri Jagjivan Ram: I cannot indicate that off-hand.

MINIMUM SALARY FOR ENGINEERING SERVICES

1178. ***Shri V. C. Kesava Rao:** (a) Will the Honourable Minister of Works, Mines and Power be pleased to state the minimum pay fixed for a qualified Engineer (degree holder) in India?

(b) Are Government aware that in certain non-Indian firms, electrical engineering graduates are employed in the scale of Rs. 85-2½-50-5-75?

(c) Do Government propose to consider the question of introducing a legislation to fix a minimum salary for the engineering services?

Shri Satyanarayan Sinha: (a) There is no minimum pay fixed for qualified Engineers in India. The Central Public Works Department usually offer Rs. 150 p.m. to start with to qualified Engineers who hold degrees in the scale of Rs. 100-300.

(b) I have no information.

(c) No.

ALLOCATION OF BUSINESS PREMISES TO REFUGEES IN DELHI

1179. ***Shri V. C. Kesava Rao:** (a) Will the Honourable Minister of Relief and Rehabilitation be pleased to state whether Government have begun the allocation of business premises to the refugees?

(b) On what principles have Government based the allocation of these business premises?

The Honourable Shri K. C. Neogy: It is presumed that the question relates to Delhi.

(a) Allotment of shops is in progress.

(b) Allotment is made in consultation with the Central Advisory Committee on the basis of the length of experience and the kind of business formerly engaged in, as well as the status in relation to the volume of business and investment, the amount of taxes assessed or paid etc. Consideration is also given to the economic need of the locality where business premises suitable for a qualified applicant are available for allotment.

Shri V. C. Kesava Rao: May I know whether any business premises are occupied forcibly by the refugees?

The Honourable Shri K. C. Neogy: Oh, Yes. That is our principal headache. The number of such cases is 3,334.

Mr. Hussain Imam: How many such forcibly occupied houses have been vacated?

The Honourable Shri K. O. Neogy: I am not dealing with houses but business premises.

Mr. Hussain Imam: How many such business premises have been vacated?

The Honourable Shri K. O. Neogy: So far as this category is concerned, none.

کیا کسی کو روکھا گیا ہے مسافروں کے لئے کچھ بزنس پر مسند لٹری کے ذریعہ allot
کئے گئے ہیں -

Giani Gurmukh Singh Musafar: Have some business premises been allotted by lottery?

The Honourable Shri K. O. Neogy: Not at all.

Prof. N. G. Ranga: How many business premises are there which have not yet been unlawfully occupied and which have been lawfully allotted to any of these poor refugees?

The Honourable Shri K. O. Neogy: Let me give the figures as far as I have got them category by category. First of all there is the category of shops, which were sealed by the Custodian. They are actually available to us for purposes of allotment without any difficulty. There are 125 of them. For these 125 the cases of 56 applicants have been finalised but the allotments have not yet been declared. Then the second category consists of shops in respect of which caretakers were appointed by the Custodian. They are not sealed but they are in the possession of caretakers. Then there is another category of shops wrongfully occupied by local persons and the number of this category is 427. I have already given the number of the category of shops unlawfully occupied by refugees, the number being 3,884.

Prof. N. G. Ranga: Has any shop been allotted to any of these refugees in New Delhi?

The Honourable Shri K. O. Neogy: I have not got the figures separately for New Delhi and Old Delhi. If the Honourable Member wants the figures separately I shall certainly supply them in that manner.

Prof. N. G. Ranga: How many months will Government take to come to a decision about the 56 houses, in regard to which the allotment is being finalised?

The Honourable Shri K. O. Neogy: It is true that they were in possession of the Government for some time but I am afraid I have not been able to convey to the House the complexities of the problem. I have indicated the various considerations that have to be taken into account. Then again there is another consideration which is very important and that is the proportion of shops to be allocated to refugees from different areas. If you want to observe all these various principles it becomes a terribly difficult job. Let me assure my Honourable friend that no avoidable delay has taken place in this matter.

Prof. N. G. Ranga: Then there are the 73 premises which are in charge of caretakers. Does that mean that these 73 are still vacant or caretakers are making use of them?

The Honourable Shri K. O. Neogy: The caretakers are conducting business.

Prof. N. G. Ranga: Are they refugees?

The Honourable Shri K. O. Neogy: Yes, they are.

Dr. P. S. Deshmukh: Have Government under consideration any scheme for the progressive decrease in the number of small shops, as other vocations become available to the refugees?

The Honourable Shri K. O. Neogy: I do not understand what my Honourable friend means by small shops.

Dr. P. S. Deshmukh: Is not the Government aware that there has been an abnormal increase in the number of small shops in Delhi as well as all over the country? Does not the Government consider that the mere increase of them is a non-productive method and something should be done to decrease the number of small shops and utilise the people for other purposes?

The Honourable Shri K. C. Neogy: These shops do not fall under the scheme to which I have referred in answer to this question and the whole matter is being looked into by the authorities of the Delhi Province as also the Municipality.

RESULTS OF RECENT DISCUSSIONS BETWEEN RELIEF AND REHABILITATION MINISTERS OF INDIA AND PAKISTAN

1180. *Mr. B. K. Sidhva: Will the Honourable Minister of Relief and Rehabilitation be pleased to make a statement on the result of his recent visit to Lahore to discuss with the Minister of Relief and Rehabilitation, Government of Pakistan the various pending questions between the two Dominions?

The Honourable Shri K. C. Neogy: The Honourable Member is referred to the Press Communique dated the 16th March, 1948, a copy of which is laid on the table.

PRESS INFORMATION BUREAU GOVERNMENT OF INDIA PRESS COMMUNIQUE

RESULTS OF INTER-DOMINION TALKS IN LAHORE

Agreement Reached on Several Matters

The Ministers of Relief and Rehabilitation for Pakistan and India have been holding discussions at Lahore for three days and have examined a great many matters outstanding between the two Dominions, with the assistance of administrative officers concerned.

Three important considerations have influenced the discussions and the decisions taken. The first is that there should be reciprocity on both sides in full and generous measure so that an atmosphere of lasting goodwill may be created. The second is that in so far as possible, both Dominions will use their good offices to persuade States that have acceded to either Dominion to fall in line with the decisions taken during this meeting. The third is that from time to time, complaints have been made by one Dominion to the other in regard to incidents involving hardships and injustice to individuals. It has been agreed that in future whenever there is a complaint, the Dominion concerned will promptly make arrangements to investigate the incident and ask for association with the enquiry of a representative of the other Dominion. The two Ministers have agreed that drastic and exemplary action will be taken against offenders.

The Ministers feel that one of the most important matters which must be dealt with very quickly, concerns the recovery and restoration of abducted women. The machinery that exists for the purpose and results achieved so far have been reviewed and it is recognised that results have fallen short of expectations. An improved machinery is being set up and an all-out effort is called for and would be made. The basis of all efforts hitherto made for the recovery of abducted women has been voluntary in character. If despite the improved machinery, quick and satisfactory results are not achieved, stern Legislation may have to be enacted to deal with the situation.

Exchange of prisoners has been delayed owing to certain legal technicalities. The Pakistan Government is enacting almost immediately a Central Ordinance and it is expected that India will enact similar legislation as soon as the text of the Pakistan Ordinance is available. The Pakistan Government have emphasised the importance of bringing the Delhi Province within the scope of the scheme for exchange of prisoners in respect of cases arising after the 15th August 1947. The Government of India are examining the question in relation to Delhi Province and a decision may be expected shortly. It is hoped that actual exchange of prisoners will be started in the near future. Meanwhile, instructions are being issued to ensure that the prisoners concerned will be treated well and taken care of in the jails, of the two Dominions.

The Government of Pakistan have specially raised the question of discharged Muslim soldiers of the Pakistan forces and their families. The Government of India agreed to use their good offices to secure that these persons are removed from Patiala at a very early date and given the option of staying in India or going to Pakistan. The Honourable Mr. Neogy has assured the Honourable Raja Ghaznafar Ali Khan that he will have this matter treated as one of top priority.

The decision regarding recovery of contents of vaults and safe deposits and banks has been reviewed. It is felt that the work should be expedited and steps are being taken to secure this.

A satisfactory agreement has been reached in regard to transfer of Government securities, certificates, bonds, debentures and shares of Joint Stock Companies held by evacuees in the two Dominions. It is expected that the work of transfer will be expedited.

It has been agreed that licensed arms detained by other Dominion during the process of evacuation will be restored to owners. Machinery has been set up to expedite the restoration and it has been decided that arms licences of evacuees which were valid on 14th August 1947 will be deemed to be valid for this purpose.

It has been agreed that property of evacuees which has been detained in either Dominion during searches or otherwise and for which receipts have been issued by Government officials will be restored to the owners on production of such receipts.

As regards funds of co-operative banks in East and West Punjab Province, the Registrars of Co-operative Societies of the two Governments have evolved an agreed scheme in pursuance of a decision taken at the Conference held in December 1947. It is hoped that the scheme will be implemented immediately. Although the matter is not directly concerned with the agreement between East Punjab and West Punjab Provinces, both Dominions have agreed to use their good offices to secure substantial application of the principles of the scheme to States on either side.

Among other matters discussed were Provident Fund of Government and non-Government employees including teachers, settlement of contractors' dues, extension of period of validity of cheques issued to such contractors and exemption from Customs search and duty of personal belongings of evacuees. For most of these matters, satisfactory solutions have been reached and it is expected that others will be settled shortly.

Three important questions pertaining to property will be discussed by a Committee of Administrative Officers of the two Dominions on the 22nd March. These are :

- (1) transfer of moveable property of evacuees,
- (2) restoration of property to evacuees who wish to return to their homes, and
- (3) an Inter-Dominion settlement in regard to immovable property.

Ministry of Relief and Rehabilitation.
New Delhi, March 16, 1948.

Mr. R. K. Sidhva: May I know whether as a result of the discussions which the Honourable Minister had with the Pakistan Minister at Lahore they have come to a definite decision? In that communique it is not explicitly stated as to what decisions have been arrived at, whether all decisions have been arrived at and if there are any questions pending whether the Ministers will meet again?

The Honourable Shri K. C. Neogy: The question of implementation of the agreements is pending consideration on both sides, and some of the matters have already been taken up for implementation. Some matters are still being pursued for the purpose of further consideration.

Mr. R. K. Sidhva: At what stage is it today?

The Honourable Shri K. C. Neogy: I am afraid it is a long list of subjects that we discussed at the conference and unless questions are put to me more specifically it is very difficult to give an answer. Take for instance the question of the exchange of prisoners. The exchange is likely to start on the 5th of this month, that is in two days, as between the East and West Punjab Governments. That is a piece of information that has come to us only recently. There are other matters regarding property, rescue of abducted women etc., and some progress has been made in regard to some of these items. In regard to others the matter is still pending negotiation.

Mr. R. K. Sidhva: In regard to the question of property, may I know whether any decision has been reached for exchange of property?

The Honourable Shri K. C. Neogy: That is an issue which was not covered by this conference to which my Honourable friend has referred. That is a matter which was recently discussed by an official committee of the two Dominions. That Committee has made a report and I am glad to be able to tell the House that so far as the officers are concerned they were unanimous in their recommendations on both sides. That report of the Committee

is under careful examination, and within, say, the next few weeks an Inter-Dominion Conference at the Ministerial level is likely to take place for the purpose of considering these recommendations and finalising them.

Mr. R. K. Sidhva: Can the House have some idea of the report?

The Honourable Shri K. C. Neogy: It is expected to be treated as confidential. Apart from anything else, the report is of a Committee of Officers of the two Dominions.

Dr. P. S. Deshmukh: Is it not a fact that there is a world of difference between the spirit in which the Pakistan Government implements the decisions and the spirit in which we implement them.

Mr. Speaker: Order, order. It is a matter of opinion.

Shri Mihir Lal Chattopadhyay: Was the discussion at the conference held at Lahore confined to Western Pakistan and the Indian Union?

The Honourable Shri K. C. Neogy: That was so.

Prof. N. G. Ranga: What is the respective time-lag between taking a decision and enforcing it on the Pakistan side and on our side? Is any count being kept at all?

The Honourable Shri K. C. Neogy: If I have learnt anything since taking over charge of the Ministry, it is the art of patience.

1181. *[With drawn]

IMPORT OF RAW FILMS INTO INDIA

1182. ***Seth Govinddas:** (a) Will the Honourable Minister of Commerce be pleased to state what is the total value of raw film imported into India during the years 1939 and 1947?

(b) Do Government propose to stop the drain on India's foreign exchange due to the importation of raw films?

(c) Have Government considered the feasibility of establishing a raw-film producing industry in the country?

The Honourable Mr. C. H. Bhabha: (a) I lay on the table a statement containing the required information.

(b) Until raw films are manufactured in the country, it will not be possible to stop importing them, particularly as they are an important raw material of the vast motion pictures industry.

(c) Yes. Raw film manufacture is a highly technical and specialised industry. The establishment of this industry will necessitate the establishment of a number of chemicals and inter-mediate which are not produced in the country at present. The most important requirement is gelatine of a very special quality produced by only a few firms in the world. The question of manufacture of industrial nitro-cellulose (required for making raw film) at the Cordite Factory, Aruvankadu, has already been taken up and some success attained in experimental production. The question of production of acetic acid and acetic anhydride required for the manufacture of cellulose acetate has received consideration. One of the stages in the development of the raw film industry is "casting" of the film from solutions. The first "film casting" plant has already been imported into the country and installed by a firm in Calcutta for the production of transparent film. Every assistance is being given to this firm and its progress watched. It is proposed to go further into the question of establishment of photographic film industry after it has had some success on its plant.

Before a plan can be formulated for the production of raw films a large number of auxiliary industries will have to be established.

Statement

Following are the figures of import of raw cinematograph films during the years 1939-40 and 1946-47 and four months ending July 1947 :

	Value Rs.
1939-40	31,02,565
1946-47	54,11,316
April-July 1947	38,15,434

Figures later than July 1947 are not readily available.

Seth Govinddas: Is there any plan before the Government for starting a raw-film producing industry by the state itself?

The Honourable Mr. C. H. Bhabha: No, Sir, there is no such plan at the moment.

Seth Govinddas: Have any private parties except the one to which the Honourable Minister has referred, applied for licence to open such factories in this country?

The Honourable Mr. C. H. Bhabha: I should like to have notice of that question.

Seth Govinddas: With reference to part (b) of the question, are Government aware that most of the films which are produced in this country are of a trash nature and do Government therefore propose to give licences to those concerns only which produce good films?

The Honourable Mr. C. H. Bhabha: As I have said, the film industry is a very important industry in this country. Keeping that in view Government have been issuing import licences.

Dr. B. Pattabhi Sitaramayya: May I know whether the film exporters from foreign countries are bound to supply these films to whomsoever licences are given by the Government of India?

The Honourable Mr. C. H. Bhabha: Not necessarily. Before issuing licence we generally require some proof that negotiations have taken place between the importer and the exporter at the other end regarding the supply by the exporter from that end.

Seth Govinddas: Is it not a fact that these days no licence is required by any film producer for importing these films and they are at liberty to import any amount of film they require?

The Honourable Mr. C. H. Bhabha: No, Sir, that is not correct.

TRAINING COURSES FOR REFUGEE WOMEN

1183. ***Shri V. C. Kesava Rao:** (a) Will the Honourable Minister of Relief and Rehabilitation be pleased to state the training courses proposed to be started for refugee women and the probable number that can be trained and the duration of such training?

(b) Is the selection of candidates done by a committee?

(c) Are non-officials associated with the committee?

(d) Do Government propose to make use of the training facilities provided by the Ministry of Labour for this purpose?

The Honourable Shri K. C. Neogy: (a) The Ministry proposes to start training courses for 350 refugee women in a variety of subjects. The duration of courses under this scheme varies from subject to subject, but on an average will be 12 months. Besides this scheme, arrangements have been made with the Ministry of Labour for the training of 300 refugee women in a number of vocations. The duration of these courses is about 6 to 8 months. Apart from these

the Ministry has some women's Homes in Delhi and Kurukshetra where refugee women are taught a number of useful occupations. The number of refugee women benefiting from training at these Homes is 888.

(b) Yes.

(c) Yes.

(d) These are already being utilised.

Shri H. V. Kamath: What are the various subjects, occupations and vocations in which training is proposed to be given to these refugee women?

The Honourable Shri K. C. Neogy: Knitting, embroidery, spinning, tailoring, fruit and vegetable preservation, sewing and cutting, crochet work, preparation of food articles, dress-making, soft toy making, cooking, carpet weaving, calico printing, dyeing, fancy leather work, hand embroidery, laundrying, basket making, pottery, clay modelling, art in relation to craft work, art painting etc. I may add that there are courses in shorthand and typewriting which are provided by the Labour Department in their Training Centres which are also being utilised for this purpose.

Shri V. O. Kesava Rao: May I know whether any training is given in nursing and midwifery to these refugee women?

The Honourable Shri K. C. Neogy: There is a regular nursing class at Kurukshetra. It is considered to be a very successful experiment.

Shrimati G. Durgabai: May I know from the Honourable Minister as to what arrangements the Government are making to provide employment for these women after they complete their training?

The Honourable Shri K. C. Neogy: We will have some little time to consider this. And I should very much appreciate if the Honourable the Lady Member were to favour me with her suggestions in this matter.

Dr. B. Pattabhi Sitaramayya: In regard to the training given in cooking is any attempt made to widen the range in cooking so as to include South Indian preparations?

The Honourable Shri K. C. Neogy: I am afraid they may be found to be somewhat too hot.

Seth Govinddas: In view of the fact that there is a great dearth of nurses in this country, is any training in nursing being given to these refugee women?

The Honourable Shri K. C. Neogy: I have already stated that we have got a very successful class in nursing at Kurukshetra.

Shri H. V. Kamath: Are there general literacy classes?

The Honourable Shri K. C. Neogy: I imagine so.

Shri H. V. Kamath: Are there competent teachers in adequate number to impart training in all these various vocations?

The Honourable Shri K. C. Neogy: We are gradually putting on the field adequate number of teachers in all these various vocations.

Shri H. V. Kamath: Both men and women?

The Honourable Shri K. C. Neogy: Yes.

Begam Aizaz Rasul: May I know where these centres are located, and how many?

The Honourable Shri K. C. Neogy: So far as Delhi is concerned, there are the Samsad Manzil and Bal Niketan. And four relief centres are located at Karol Bagh, Subzi Mandi, Paharganj and Babar Lane. Then we have the home at Kurukshetra to which I have already made a reference. Then there are a few other centres which are proposed to be started in Delhi as also at Kurukshetra.

RESEARCH INSTITUTIONS IN DELHI

1184. *Dr. P. S. Deshmukh: Will the Honourable Minister of Works, Mines and Power be pleased to state:

(a) the number of Research Institutions in Delhi;

(b) the names and the number of new Institutions like the Central College of Agriculture that are proposed to be started within the next three years; and

(c) whether Government propose to consider the desirability of starting these Institutions in the rest of India?

Shri Satyanarayan Sinha: The question should have been addressed to the Honourable Minister for Education who has agreed to answer it on the day allotted to his Ministry.

NEPAL'S PRIME MINISTER VISIT TO THAT OF INDIA.

1185. *Mr. R. K. Sidhva: Will the Honourable the Prime Minister be pleased to state the object of the visit of the Prime Minister of Nepal to the Prime Minister of India?

The Honourable Pandit Jawaharlal Nehru: His Highness the Maharaja of Nepal is in India for medical treatment and for rest. The Government of India invited him to visit Delhi as an act of courtesy to the Prime Minister of a friendly neighbouring State with which we have close ties.

GOVERNMENT FURNITURE DUMPS IN NEW DELHI.

1186. *Shri B. Shiva Rao: Will the Honourable Minister of Works, Mines and Power be pleased to state:

(a) the number of Government furniture dumps in New Delhi;

(b) the periods for which each of these dumps have existed;

(c) the estimated value of each of these dumps; and

(d) the estimated depreciation in the value of each dump?

Shri Satyanarayan Sinha: (a) to (d). The information asked for by the Honourable Member is being collected and will be laid on the table.

VALUE OF ALLOPATHIC AND PATENT MEDICINES AND SURGICAL INSTRUMENTS IMPORTED DURING 1946-47

1187. *Dr. V. Subramaniam: Will the Honourable Minister of Commerce be pleased to state the total value of:

(i) allopathic medicines and patent medicines imported into our country during the year 1946-47; and

(ii) surgical instruments, and other appliances for medical purposes for the same period?

The Honourable Mr. C. H. Bhabha: (i) and (ii). A statement is placed on the table of the House.

Statement

Showing the quantity and value of (1) Drugs and medicines (excluding chemicals but including proprietary and patent medicines) (2) optical instruments and (3) Surgical instruments imported on private account into British India by sea from abroad during 1946-47

ARTICLES AND COUNTRIES OF CONSIGNMENT I. DRUGS AND MEDICINES (EXCLUDING CHEMICALS)	Quantity Value	
	Cwts.	Rs.
1. <i>Aloes</i> —		
United Kingdom	1	712
Aden & Dependencies	460	26,129
Union of South Africa	104	7,490
Nether lands	21	3,839
TOTAL	586	38,179

STARRED QUESTIONS AND ANSWERS

3043

Articles and countries of consignment	Quantity		Value
	Cwts.	Rs.	
2. Asfoetida—			
Maskat Territory			5,050
Trucial Coast	9		1,750
Kuwait	93		11,125
Iran	922		1,29,630
United States of America	9,949		21,906
TOTAL	11,010		1,69,461
3. Campho—			
	Lbs.		
United Kingdom	1,740		13,011
Burma	8,204		40,264
Straits Settlements	500		5,045
Hongkong	85,171		1,16,093
Netherlands . . . . .	..		2
China	155,617		6,59,561
United States of America	98,473		2,83,778
TOTAL	349,705		14,17,754
4. Cocaine—			
	Ounce.		
United Kingdom	497		12,993
China	1,000		4,540
United States of America	11,600		29,986
TOTAL	13,097		47,519
5. Codliver Oil—			
	Lbs.		
United Kingdom	578,575		7,75,898
Commonwealth of Australia	144		154
Norway	1,269		1,293
United States of America	1,872		1,774
TOTAL	581,860		7,79,190
6. Morphia—			
	Ounce.		
United Kingdom	3,220		1,29,717
United States of America	27		5,727
TOTAL	3,247		1,35,444
7. Preparations of Opium and morphi.—			
United Kingdom			2,17,384
Switzerland			203
United States of America			14,618
TOTAL			2,32,204

At and countries Consignment	Quantity Lbs.	Value Rs.
8. Proprietary and patent medicines'.—		
United Kingdom . . . . .	..	82,96,279
Palestine . . . . .	..	2,149
Ceylon . . . . .	..	1,32,457
Hongkong . . . . .	..	878
Union of South Africa . . . . .	..	73,378
Canada . . . . .	..	22,706
Commonwealth of Australia . . . . .	..	1,39,495
France . . . . .	..	31,619
Switzerland . . . . .	..	1,55,719
Italy . . . . .	..	11,102
United States of America . . . . .	..	11,65,682
TOTAL . . . . .	..	50,31,464
9. Quinine Salt—		
(a) Quinine sulphate or bisulphat—		
United Kingdom	25,647	10,32,821
Burma	1,466	85,951
United States of America	681	19,389
TOTAL	27,794	11,38,161
(b) Quinine hydrochloride or dehydr chloride.—		
United Kingdom	6,103	4,08,174
United States of America	496	19,789
TOTAL	6,599	4,27,963
(c) Other sorts—		
United Kingdom	21,144	11,52,341
Straits Settlements	560	3,750
China	1	90
United States of America	4,132	1,27,510
TOTAL	25,837	13,18,691
10. Sacchari —		
United Kingdom	22,781	2,44,284
Straits Settlements	3,136	1,14,369
Canada . . . . .	..	2
Commonwealth of Australia	27,290	9,59,662
Netherlands	11,717	3,57,625
Belgium	8,450	2,43,687
France	13,212	2,49,813
Switzerland	21,866	4,29,379
Italy	2,012	28,630
United States of America	37,611	2,72,593
TOTAL	1,48,075	29,00,044

STARRED QUESTIONS AND ANSWERS

3045

Articles and countries of
consignment

11. *Sarsaparilla and preparations thereof—*

	Quantity Lbs.	Value Rs.
United Kingdom	...	62,777
Br. West India Islands	...	14,000
Commonwealth of Australia	...	703
United States of America	...	63,130
TOTAL	...	1,40,709

12. *Storax including liquid storax—*

United Kingdom	265	1,376
France	49,952	20,331
United States of America	544	3,599
TOTAL	50,761	25,306

13. *Other sorts—*

United Kingdom	2,24,25,146
Palestine	9,003
Adon and Dependencies	2,095
Ceylon	37,150
Burma	13,788
Straits Settlements	4,16,924
Federate Malay States	1,643
Hongkong	1,71,950
Union of South Africa	31,693
Zanzibar and Pemba	1,715
Kenya Colony	59,265
Anglo-Egyptian Sudan	373
Canada	3,90,036
Br. West India Islands	223
Commonwealth of Australia	4,12,902
New Zealand	1,27,314
Sweden	4,238
Norway	1,556
Denmark	20,512
Netherlands	4,07,949
France	2,01,302
Spain	6,285
Portugal	5,003
Switzerland	45,88,381
Italy	3,28,688
Czechoslovakia	4,09,454
Syria	2,071
Mascat Territory	980
Trucial Coast	808
Saudi Arabia	26,107
Iran	1,87,542
China	52,400
Egypt	28,170
Morocco (Fr. Protectorate)	12,152
United States of America	1,30,80,604
Mexico	2,701
Brazil	51,336
TOTAL	5,33,49,613

Articles and countries
of consignmentQuantity Value
Rs.

II. Instruments, Apparatus etc—

(a) Optical—

United Kingdom	5,15,143
Palestine	6,980
Ceylon	21,806
Burma	194
Straits Settlements	50
Union of South Africa	30
Canada	5,06,528
Commonwealth of Australia	3,534
Netherlands	1,515
France	4,337
Switzerland	2,990
Italy	8,404
Czechoslovakia	13,067
China	81,005
United States of America	27,20,572
TOTAL	39,13,155

(b) Surgical—

United Kingdom	16,39,539
Ceylon	918
Burma	180
Straits Settlements	5,457
Canada	46,061
Commonwealth of Australia	77,524
New Zealand	40
Sweden	6,833
Belgium	200
Switzerland	1,37,774
Italy	8,131
China	38,624
United States of America	11,28,166
TOTAL	30,89,446

Shri H. V. Kamath: How many factories are there in this country for the manufacture of surgical instruments, private or state-owned?

The Honourable Mr. C. H. Bhabha: I should like to have notice of that question.

Shri Khurshed Lal: Are Government aware that there is a great shortage of penicillin and such other drugs in this country?

The Honourable Mr. C. H. Bhabha: The Government is fully aware of that and all possible assistance is being given under the direction of the Health Ministry. Whenever the Health Ministry suggests imports from abroad, licences are very freely issued.

Shri H. V. Kamath: Are the surgical instruments manufactured in this country standardized or tested?

The Honourable Mr. C. H. Bhabha: I do not know. This question should be addressed to the Ministry of Industry and Supply.

Dr. V. Subramaniam: May I know the arrangements that are made to request these many companies in India to prepare medicines which are required in India?

The Honourable Mr. C. H. Bhabha: This question does not arise from the previous question at all. The question under discussion is about imports of medicines and surgical instruments from abroad.

SHORT NOTICE QUESTIONS AND ANSWERS

Prof. N. G. Ranga: Prof. Shibban Lal Saksena has authorized me to put his short notice question.

Mr. Speaker: I have once stated that I am not inclined to permit authority except, of course, in cases where a member's absence is due to unavoidable reasons.

Prof. N. G. Ranga: That is how it has happened. He was obliged to go to Gorakhpur on a very important matter because he had a conference there, and he gave me this letter of authority.

The Honourable Shri K. C. Neogy: The Honourable Member, in order to make assurance doubly sure, has also given regular notice of substantially the very same questions. They will come up later.

Mr. Speaker: The other question also falls through since the member is absent.

REFUSAL OF DISTRICT MAGISTRATE MONTGOMERY, TO RESTORE AN ABDUCTED HINDU GIRL TO INDIAN DOMINION

Prof. Shibban Lal Saksena: (a) Will the Honourable Minister of Relief and Rehabilitation be pleased to state whether the attention of Government has been drawn to a news item published in the *Hindustan Times*, dated the 6th March, 1948, stating that the District Magistrate of Montgomery refused to restore a Hindu girl to the Deputy Liaison Officer of the Indian Dominion on the ground that he could not displease the Muslim Zamindar of the *ilaga*, from whose custody he girl had been recovered and the girl was sent back to the Zamindar?

(b) If the answer to part (a) above be in the affirmative, has any representation been made to the Government of Pakistan in this connection?

(c) If so, what has been the result of such representation?

(d) Do Government propose to see that this unfortunate Hindu girl is recovered and restored to her parents?

(e) Are Government aware that a very large number of young abducted Hindu and Sikh women are in possession of Zamindars and other rich and influential men of Pakistan, and that the Government of Pakistan is not prepared to restore them?

(f) Are Government aware of the intensity of feeling in the Indian Dominion on this question? If so, what steps do they propose to take in the matter?

The Honourable Shri K. C. Neogy: (a), (b), (c) and (d). Yes. Government noticed the news item and instructed their representative at Lahore to institute enquiries. All the facts of the case are not yet clear. The woman who is vehemently opposed to being brought out to the Indian Union has now been taken to the Ganga Ram School Camp in order to see whether she can be persuaded to go peacefully to her relations in India.

†Answer to this question laid on the table, the questioner being absent.

(e) Government have received such reports.

(f) Government are aware of and share the intensity of public feeling on the question of the rescue of abducted women and are constantly taking all possible steps for the rescue and restoration of these unfortunate persons.

REPRESENTATION TO PAKISTAN GOVERNMENT *re* THE LOCATION OF ABDUCTED WOMEN IN FIVE KASHMIR BORDER DISTRICTS AND THE CLOSING OF THOSE DISTRICTS TO INDIAN TROOPS AND CIVILIANS.

†Prof. Shibban Lal Saksena: (a) Will the Honourable Minister of Relief and Rehabilitation be pleased to state whether Government are aware that five of the districts, which border Kashmir, are completely closed and neither Indian troops nor civilians can enter them, and that most of the abducted women have been kept in those five districts?

(b) Has any representation been made to the Government of Pakistan in this respect?

(c) If so, what has been the result of such representation?

(d) What further steps do Government propose to take in the matter?

The Honourable Shri K. C. Neogy: (a) Five of the districts of West Punjab bordering on the Jammu and Kashmir State are closed to Indian troops functioning elsewhere in West Punjab under the Military Evacuation Organisation. Conditions in these districts are reported to be not such as to enable non-Muslim civilians to go about with any sense of safety-or security. It has also been reported that a large number of non-Muslim women abducted from West Punjab as well as from Jammu and Kashmir State are in these districts.

(b) Yes.

(c) Government of Pakistan have undertaken to rescue these women through their own administrative machinery.

(d) The matter is being constantly reviewed and discussed with the Pakistan authorities.

ELECTION TO STANDING COMMITTEE FOR MINISTRY OF COMMERCE

The Honourable Mr. C. H. Bhabha (Minister for Commerce): Sir, I move:

"That this Assembly do proceed to elect in such manner as the Honourable the Speaker may direct, one member to serve until the end of the financial year 1948-49 on the Standing Committee to advise on subjects concerning the Ministry of Commerce, *vice* Mr. M. A. Sreenivasan, resigned."

Mr. Speaker: Motion moved:

"That this Assembly do proceed to elect in such manner as the Honourable the Speaker may direct, one member to serve until the end of the financial year 1948-49 on the Standing Committee to advise on subjects concerning the Ministry of Commerce, *vice* Mr. M. A. Sreenivasan, resigned."

Prof. N. G. Ranga (Madras: General): May I know whether this Committee has met at all, and if so how many times, since it was constituted last, and whether it has discussed the proposals that came before the Havana Conference?

The Honourable Mr. C. H. Bhabha: That matter was not discussed. The committee met on one occasion. I am sorry to have to report to the House that out of a total of 10 members on this committee, three members were present on that one occasion, and then the fourth member entered but left within five minutes after the beginning of our discussion. Any one of my Honourable

friends on this committee who was present then will bear testimony to this. Subsequent to that we tried to convene a meeting on several occasions, but it was not suitable to all the members concerned. As a result of that, no meeting has subsequently been held.

Mr. Naziruddin Ahmad (West Bengal; Muslim): The difficulty is that these committee meetings clash with the sittings of this House. Members have to divide their time between the meetings of the Committee and the duties in the House. If times and dates are selected suitably, then of course the members will be able to attend meetings of the committees. Otherwise it is an unnecessary slur on the members to say that they are indifferent.

Shri H. V. Kamath (C.P. and Berar; General): May I request you, Sir, to see that Committee meetings are not called when the House is sitting?

The Honourable Mr. C. H. Bhabha: Government is prepared to accept that, but it was at the instance of the members and according to their convenience that these committee meetings were called before the House actually meets or is in session.

Mr. Speaker: The Chair has its own views about these committees, but I do not think I need express them.

The question is:

"That this Assembly do proceed to elect in such manner as the Honourable the Speaker may direct, one member to serve until the end of the financial year 1948-49 on the Standing Committee to advise on subjects concerning the Ministry of Commerce, *vice* Mr. M. A. Sreenivasan, resigned."

The motion was adopted.

Mr. Speaker: I have to inform Honourable Members that for the purpose of election by means of the single transferable vote of a member to the Standing Committee for the Ministry of Commerce the programme of dates will be as follows:

Nomination to be filed in the Notice Office upto 12 Noon on Tuesday, the 6th April.

Election, if necessary, will be held on Thursday, the 8th April, in the Assistant Secretary's room (No. 21) in the Council House between the hours of 10.30 A.M. and 1 P.M.

WORKMEN'S STATE INSURANCE BILL.—*contd.*

Mr. Speaker: The House may now proceed with the further consideration of Workmen's State Insurance Bill.

The question is:

"That clause 26 stand part of the Bill."

The motion was adopted.

Clause 26 was added to the Bill.

Clause 27 was added to the Bill.

श्री गोकुलभाई दौलतरांम भट्ट : मेरा संशोधन इस माफिक है

Shri Gokulbhai Daulatram Bhatt (Eastern Rajputana States Group): Sir, I beg to move:

"That in part (i) of clause 28 of the Bill, for the words 'has been', the word 'is' be substituted."

The Honourable Shri Jagjivan Ram (Minister for Labour): Yes, it is acceptable.

Mr. Speaker: The question is:

"That in part (i) of clause 28 of the Bill, for the words 'has been', the word 'is' be substituted."

The motion was adopted.

Shri Gokulbhai Daulatram Bhatt: I beg to move:

"That in parts (iv) and (v) of clause 28 of the Bill, for the words 'has been', the word 'is' be substituted."

The Honourable Shri Jagjivan Ram: These are acceptable amendments.

Mr. Speaker: The question is:

"That in parts (iv) and (v) of clause 28 of the Bill, for the words 'has been', the word 'is' be substituted."

The motion was adopted.

Mr. Speaker: Is the Honourable Member moving any of his amendments?

Mr. Naziruddin Ahmad (West Bengal: Muslim): They are accepted on principle, and therefore I do not move them.

Mr. Speaker: I find some of these amendments are amendments involving a change in words. So, even if they are accepted, it will not be competent for the draftsman to change the wording. For example, for the word "including", the draftsman cannot substitute "and towards", as suggested in amendment No. 99. Of course colons and semi-colons stand differently, but for example amendment No. 100 says "for the words and brackets 'cost (including all expenses)', the words 'cost and all expenses' be substituted".

Mr. Naziruddin Ahmad: I am not moving the amendment.

Mr. Speaker: I just invite his attention so that he may not labour under the misapprehension that the draftsman will look into these changes of wording. The draftsman will not look into changes of wording.

Mr. Naziruddin Ahmad: I am not moving any amendment.

Mr. Speaker: The question is:

"That clause 28, as amended, stand part of the Bill."

The motion was adopted.

Clause 28, as amended, was added to the Bill.

Clauses 29 to 39 were added to the Bill.

श्री गोकुल भाई दौलतराम भट्ट : मेरा संशोधन नीचे साफिक है ।

Shri Gokulbhai Daulatram Bhatt: Sir, I move:

"That in sub-clause (3) of clause 40 of the Bill, for the words 'the principal employer shall not be entitled', the following be substituted:

'neither the principal employer nor the immediate employer shall be entitled'."

The Honourable Shri Jagjivan Ram: Sir, I accept it.

Mr. Speaker: The question is:

"That in sub-clause (3) of clause 40 of the Bill, for the words 'the principal employer shall not be entitled', the following be substituted:

'neither the principal employer nor the immediate employer shall be entitled'."

The motion was adopted.

Shri K. Santhanam (Madras: General): Sir, I move:

"That for sub-clause (5) of clause 40 of the Bill, the following be substituted:

'(5) The principal employer shall bear the expenses of remitting the contributions to the Corporation'."

As the clause now stands, the words "Subject to any regulations made in this behalf", which are at the beginning of the clause, are obviously superfluous and so the revised clause simply deletes this portion.

The Honourable Shri Jagjivan Ram: Sir, I accept it.

Mr. Speaker: The question is:

"That for sub-clause (5) of clause 40 of the Bill, the following be substituted:

(5) The principal employer shall bear the expenses of remitting the contributions to the Corporation."

The motion was adopted.

Mr. Speaker: The question is:

"That clause 40, as amended, stand part of the Bill."

The motion was adopted.

Clause 40, as amended, was added to the Bill.

श्री गोकुल भाई दौलतराम भट्ट : मेरा संशोधन नीचे माफिक है :

Shri Gokulbhai Daulatram Bhatt: Sir, I move:

"That in sub-clause (2) of clause 41 of the Bill, for the words, figures and brackets 'sub-sections (2) and (3) of section 40', the words, figures and brackets 'the proviso to sub-section (2) of section 40' be substituted."

The Honourable Shri Jagjivan Ram: Sir, I accept it.

Mr. Speaker: The question is:

"That in sub-clause (2) of clause 41 of the Bill, for the words, figures and brackets 'sub-sections (2) and (3) of section 40', the words, figures and brackets 'the proviso to sub-section (2) of section 40' be substituted."

The motion was adopted.

Shri K. Santhanam: Sir, I beg to move:

"That in the Explanation to clause 41 of the Bill, for the word 'should', the word 'shall' be substituted."

The Honourable Shri Jagjivan Ram: I accept it, Sir.

Mr. Speaker: The question is:

"That in the Explanation to clause 41 of the Bill, for the word 'should', the word 'shall' be substituted."

The motion was adopted.

Mr. Speaker: The question is:

"That clause 41, as amended, stand part of the Bill."

The motion was adopted.

Clause 41, as amended, was added to the Bill.

Clauses 42, 43 and 44 were added to the Bill.

Shri Gokulbhai Daulatram Bhatt: Sir, I move:

"That in part (c) of sub-clause (2) of clause 45 of the Bill after the word 'factory', the word 'establishment' be inserted."

The Honourable Shri Jagjivan Ram: Sir, I accept it.

Mr. Speaker: The question is:

"That in part (c) of sub-clause (2) of clause 45 of the Bill after the word 'factory', the word 'establishment' be inserted."

The motion was adopted.

Mr. Speaker: The question is:

"That clause 45, as amended, stand part of the Bill."

The motion was adopted.

Clause 45, as amended, was added to the Bill.

Clause 46 was added to the Bill.

Shri K. Santhanam: Sir, I beg to move:

"That in clause 47 of the Bill, for the words beginning with the words 'are payable' and ending with the word 'employment', the following be substituted:

'were payable for not less than two-thirds of the number of weeks during which he shall be deemed to have been available for employment'."

Sir, this amendment has to be taken with the amendment to Clause 48, because they both go together. The essential principle is that those weeks when the worker was not at work should not be counted for "availability" and other considerations. In Clause 48 as it stands, the definition is of "non-availability"; my amendment seeks to convert that definition into one of "availability". It is intended to make the Clauses read more elegant. There is no change in the meaning. Therefore, I move.

Mr. Speaker: I think I had better put Clause 48 first because both have to go together. If the amendment to Clause 48 is carried first, then we shall come to Clause 47.

Shri K. Santhanam: Sir, I beg to move:

"That for clause 48 of the Bill, the following be substituted:

48. When person deemed available for employment.—A person shall always be deemed to have been available for employment in any week, except when during the whole of such week,—

- (a) he was unable to work on account of sickness which had been duly certified, whether entitling him to receive sickness benefit or not, or
- (b) he was qualified to receive disablement benefit for temporary disablement, or
- (c) in the case of an insured woman, she was entitled to the maternity benefit provided in section 50 or she would have been entitled to such benefit if she had fulfilled all other conditions entitling her thereto."

The Honourable Shri Jagjivan Ram: Sir, I accept it.

Mr. Speaker: The question is:

"That for clause 48 of the Bill, the following be substituted:

48. When person deemed available for employment.—A person shall always be deemed to have been available for employment in any week, except when during the whole of such week,—

- (a) he was unable to work on account of sickness which had been duly certified, whether entitling him to receive sickness benefit or not, or
- (b) he was qualified to receive disablement benefit for temporary disablement, or
- (c) in the case of an insured woman, she was entitled to the maternity benefit provided in section 50 or she would have been entitled to such benefit if she had fulfilled all other conditions entitling her thereto."

*The motion was adopted.

Mr. Speaker: The question is:

"That clause 48, as amended, stand part of the Bill."

The motion was adopted.

Clause 48, as amended, was added to the Bill.

Mr. Speaker: I am now placing the amendment to clause 47.

The question is:

"That in clause 47 of the Bill, for the words beginning with the words 'are payable' and ending with the word 'employment', the following be substituted:

'were payable for not less than two-thirds of the number of weeks during which he shall be deemed to have been available for employment'."

The motion was adopted.

Mr. Speaker: The question is:

"That clause 47, as amended, stand part of the Bill."

The motion was adopted.

Clause 47, as amended, was added to the Bill.

Clause 49 was added to the Bill.

Shri Arun Chandra Guha (West Bengal: General): Sir, I beg to move:

"That in sub-clause (1) of clause 50 of the Bill, for the words beginning with the words 'weekly contributions' and ending with the words 'for employment', the following be substituted:

'weekly contributions in respect of her were payable for not less than two-thirds of the number of weeks during which she shall be deemed to have been available for employment.'

The Honourable Shri Jagjivan Ram: Sir, I accept the amendment.

Mr. Speaker: The question is:

"That in sub-clause (1) of clause 50 of the Bill, for the words beginning with the words 'weekly contributions' and ending with the words 'for employment', the following be substituted:

'weekly contributions in respect of her were payable for not less than two-thirds of the number of weeks during which she shall be deemed to have been available for employment.'

The motion was adopted.

Shri Arun Chandra Guha: Sir, I beg to move:

"That in the proviso to sub-clause (1) of clause 50 of the Bill, after the word 'or', the words 'in which' be inserted."

The Honourable Shri Jagjivan Ram: Sir, I accept it.

Mr. Speaker: The question is:

"That in the proviso to sub-clause (1) of clause 50 of the Bill, after the word 'or', the words 'in which' be inserted."

The motion was adopted.

Mr. Speaker: The question is:

"That clause 50, as amended, stand part of the Bill."

The motion was adopted.

Clause 50, as amended, was added to the Bill.

Clauses 51 and 52 were added to the Bill.

Mr. Naziruddin Ahmad: Sir, I beg to move:

(1) "That in part (ii) of clause 53 of the Bill, for the words 'legitimate or adopted sons', the words 'sons including adopted sons' be substituted," and
 (2) "That in part (ii) of clause 53 of the Bill, the word 'legitimate' where it occurs for the second time, be omitted."

Sir, the purpose of these amendments is to remove the condition of legitimacy to a child in order to get the benefit of a family of a disabled worker. It seems to me that the question of morality or ethics has been mixed with a project which is really not dependant upon that. The question is whether, when a worker is disabled, his family should receive some benefits and there, I submit that an illegitimate son may form part of his family and merely on account of illegitimacy we cannot deny to him the right of protection which the family of the worker is entitled to get.

It may be that man and a woman may live as husband and wife for a long time and there are off-springs of that union. The question is whether we are going to deny them the benefit of this clause. I think whatever irregularities are committed by the parents, the child for all purposes is a most innocent thing that deserves pity and protection. As the matter was raised yesterday in connection with

[Mr. Naziruddin Ahmad]

another clause and the matter was left over for further consideration, I wish to draw the attention of the House to this state of affairs, so that the question of legitimacy as a matter of fact may be entirely eliminated. The other consequence will be that if it is desired to exclude the particular child or particular set of children of any reason whatsoever, it may be suggested that they are illegitimate; it will be extremely difficult to prove that they are illegitimate. These are extremely technical questions of a delicate nature and many difficulties will arise in order to enable a person to prove whether a child is a legitimate or an illegitimate. In any case, I think it will lead to controversy and therefore it is absolutely unnecessary. In these circumstances I beg to submit the children irrespective of their legitimacy or otherwise should receive the benefit which they were having in the hands of their parents, when they are particularly unable to earn. I think the object of the Bill be served thereby by removing the condition of illegitimacy.

Mr. Speaker: Amendment moved:

"That in part (ii) of clause 53 of the Bill, for the words 'legitimate or adopted sons', the words 'sons including adopted sons' be substituted; and that the word 'legitimate', where it occurs for the second time, be omitted."

Pandit Thakur Das Bhargava (East Punjab: General): The amendment says "sons including adopted sons". I beg to suggest that the word "sons" should be substituted by the word "son" as there cannot be more than one adopted son.

Mr. Speaker: I will put it in singular form then when I put the amendment to vote.

The Honourable Shri Jagjivan Ram: The amendment if accepted will create legal complications and therefore I do not accept that amendment.

Shri K. Santhanam: About this amendment I feel that we should not force reforms by the back-door: We have to take things as they are whether good or bad. Where a family exists, the illegitimate child normally will not be living with this man at all. His wife and the other children may also be living somewhere else. In India we do not find people having legitimate wives and illegitimate children all living together and the amendment will break up the family. So I suggest that my Honourable friend's enthusiasm for illegitimate children may wait for some time till the country is ripe for the reform.

Shri T. A. Ramalingam Chettiar (Madras: General): I fear my Honourable friend has misunderstood the amendment. In areas where we have the labourers, it is very difficult to say whether a certain man and woman living together are married or not and to prove a marriage in such cases is a very difficult matter. It is only in view of that it is said 'sons' born to two persons living together will be presumed to be children of the father or of the person who is living with the mother. That is to be the sort of inference or understanding with which, Sir, this law will have to be administered. I know, Sir, a case in which a certain respected gentleman married a certain lady and lived, Sir, for about 20 years with her and even after that the question whether they were married or not was raised and it has taken 2 or 3 years and the matter is not yet settled in the Mysore High Court. Such cases do occur even in cases where respectable people live together and they find it difficult to prove the marriage, but in the case of those labourers who are gathered from different parts of the country, and probably who are not known very much to each other, it will be very difficult indeed to prove legitimacy and illegitimacy. It is in view of that I believe

This amendment is proposed and I think, Sir, in the circumstances of the conditions of the life of the labourers this will be a salutary principle. As regards the legitimate children and the illegitimate children living together that is not the question at all. It is not a case where you have got a family and the man has got a certain woman who may not be his wife that is brought in, but here is a case where a man and woman are living together.

Shri K. Santhanam: What do you do with the other case?

Shri T. A. Ramalingam Chettiar: Even if it is proved that the child is an illegitimate child, of course, it is entitled even under the ordinary Hindu law to a share. The same will be the case if there are both legitimate and illegitimate children. It is only to avoid this conflict and the difficulty of finding out legitimacy and proving the marriage, I think this will be a salutary principle which may be accepted.

Mr. Hussain Imam (Bihar: Muslim): There is no doubt that standards of morality demand that there should be some sort of punishment for illegitimacy. But we have to consider things as they exist. There is no doubt that under the Hindu law the widow re-marriage is not allowed, but no one is better aware than the Honourable Minister himself that there are certain cases in which a kind of widow remarriage does take place and especially in towns like Jamshedpur which is cosmopolitan, containing people from all parts of the country, it would be impossible to find out whether a marriage, was a valid marriage or an invalid marriage, a lawful marriage or an unlawful marriage. So it is better that when the benefits are given the only standard should be their dependency. If they were dependent on the labourer then they are entitled to benefits. We are not today deciding the question of succession or other questions in which this big matter arises. What we are really doing is that instead of giving the family the benefit of 'X' rupees, you are giving him Rs. 'X' minus 2 Rupees, and it is not in the interest of the labourer that this kind of discrimination should be made today when we are considering the benefits arising out of this measure. I therefore appeal to the Honourable Minister to reconsider his decision, and if possible, to revise it or let it stand as it is. Dependency should be the only criterion and legitimacy and illegitimacy should not arise.

Shri Ramnarayan Singh (Bihar: General): I support the amendment, Sir, and advise the Honourable Minister to accept it. Here is a question of relief to children in suffering. Supposing if an illegitimate child receives some benefit, there will be no harm. So I think this amendment ought to be accepted by the Honourable Minister.

Pandit Thakur Das Bhargava: Sir, according to Hindu law and according to custom in many places, illegitimate children are dependent on the parents and possess rights of maintenance. They have a right to be supported and they can claim the right of maintenance against the parents under Section 498 of the Criminal Procedure Code. There is no reason to differentiate between legitimate and illegitimate children in this respect. The question of morality or of succession are not germane to the subject; and I submit that the interests of the general welfare of society will be better served if we enlarge the scope of this clause and include illegitimate children also.

The Honourable Shri Jagjivan Ram: Sir, after hearing all these arguments I am convinced that the clause should stand as it is. My Honourable friend Mr. Hussain Imam has raised the question of widow remarriage among certain castes in Hindu society. My Honourable friend will know that the castes among whom widow remarriage is prevalent do not regard children after widow remarriage as illegitimate but regard them as legitimate. As regards labourers, I will point out to Honourable Members, who insist on this amendment that in this country labourers are mostly not permanent settlers in the industrial areas. They have their homes and families in the villages and come to the industrial areas for work. It is possible that they may develop some connection with other women there and have some illegitimate children.

An Honourable Member: There is no harm.

The Honourable Shri Jagjivan Ram: I am coming to that. There is harm. I do not want to disintegrate the family ties of labourers and therefore I am insisting on not accepting this. It will amount to this that the benefit that will accrue to the labourer will go to the illegitimate children to the neglect of the legitimate children who are in this family. Therefore, Sir, I think the clause should remain as it is.

Mr. Speaker: The question is:

"That in part (ii) of clause 53 of the Bill, for the words 'legitimate or adopted sons', the words 'sons' including adopted sons' be substituted; and that the word 'legitimate', where it occurs for the second time be omitted."

Those who are in favour of this amendment will rise in their places.

[The following members rose:

Mr. Hussain Inam,

Mr. Naziruddin Ahmad.

Shri Bannavar Singh.

Pandit Thakur Das Bhargava.

Pandit Balkrishna Sharma.

Shri T. A. Ramalingam Chettiar, and

Shri Upendra Nath Barman.]

Mr. Speaker: Those who are not in favour of the amendment will rise in their places.

As the number of members who are not in favour of the amendment is overwhelmingly large I do not think it is necessary to count them or to record their names. The Noes have it.

The motion was negatived.

Shri K. Santhanam: Sir, I move:

"That for part (iii) of clause 53 of the Bill, the following be substituted:

"In case the insured person does not leave him surviving any widow or children as mentioned in clause (ii) or in the case of an insured woman if she does not leave her surviving any children as mentioned in clause (ii), dependant's benefit shall be paid to the other dependants of the deceased at such rates as may be determined by the Commissioner appointed under the Workmen's Compensation Act, 1923 (VIII of 1923)."

This is only a verbal amendment and the original clause is only being re-drafted. Sir, I move.

The Honourable Shri Jagjivan Ram: Sir, I accept this.

Mr. Speaker: The question is:

"That for part (iii) of clause 53 of the Bill, the following be substituted:

"In case the insured person does not leave him surviving any widow or children as mentioned in clause (ii) or in the case of an insured woman if she does not leave her surviving any children as mentioned in clause (ii), dependant's benefit shall be paid to the other dependants of the deceased at such rates as may be determined by the Commissioner appointed under the Workmen's Compensation Act, 1923 (VIII of 1923)."

The motion was adopted.

Mr. Speaker: The question is:

"That clause 53, as amended, stand part of the Bill."

The motion was adopted.

Clause 53, as amended, was added to the Bill.

Clauses 54 to 56 were added to the Bill.

Shri K. Santhanam: Sir, I move:

"That in sub-clause (1) of clause 57 of the Bill, for the words 'of such scale', the words 'such scale' be substituted."

This is purely a verbal amendment.

The Honourable Shri Jagjivan Ram: I accept it.

Mr. Speaker: The question is:

"That in sub-clause (1) of clause 57 of the Bill, for the words 'of such scale', the words 'such scale' be substituted."

The motion was adopted.

Mr. Speaker: The question is:

"That clause 57, as amended, stand part of the Bill."

The motion was adopted.

Clause 57, as amended, was added to the Bill.

Shri Arun Chandra Guha: Sir, I move:

"That in sub-clause (1) of clause 58 of the Bill, the following be omitted:

(as out-patient or in-patient as the circumstances of the case may required) at dispensaries, hospitals or other institutions."

Mr. Speaker: The question is:

"That in sub-clause (1) of clause 58 of the Bill, the following be omitted:

(as out-patient or in-patient as the circumstances of the case may required) at dispensaries, hospitals or other institutions."

The motion was adopted.

Mr. Speaker: The question is:

"That clause 58, as amended, stand part of the Bill."

The motion was adopted.

Clause 58, as amended, was added to the Bill.

Clause 59 was added to the Bill.

Shri K. Santhanam: Sir, I move:

"That in sub-clause (1) of clause 60 of the Bill, the word 'future' be omitted."

The Honourable Shri Jagjivan Ram: I accept it.

Mr. Speaker: The question is:

"That in sub-clause (1) of clause 60 of the Bill, the word 'future' be omitted."

The motion was adopted.

Mr. Speaker: The question is:

"That clause 60, as amended, stand part of the Bill."

The motion was adopted.

Clause 60, as amended, was added to the Bill.

Clause 61 was added to the Bill.

Shri Gokulbhai Daulatram Bhatt: Sir, I move:

"That in the heading of clause 62 of the Bill, for the word 'Employees' the word 'Persons' be substituted."

Mr. Speaker: I would invite the Honourable Member's attention to the fact that what he is seeking to amend is a marginal note. I have always held the view that the marginal note is not a part of the Statute and the matter may be left to the draftsman, though in the Bombay Assembly recently a different view has been held.

Shri K. Santhanam: This may be taken note of.

Mr. Speaker: Of course it is going down in the proceedings now. So I do not put it to the House.

Shri K. Santhanam: Sir, I move:

"That in clause 62 of the Bill, for the words 'an employee shall not be entitled to', the words, 'no person shall be entitled to' be substituted."

There are persons besides the employees entitled to the benefits.

Mr. Speaker: The question is:

"That in clause 62 of the Bill, for the words 'an employee shall not be entitled to', the words, 'no person shall be entitled to' be substituted."

The motion was adopted.

Mr. Speaker: The question is:

"That clause 62, as amended, stand part of the Bill."

The motion was adopted.

Clause 62, as amended, was added to the Bill.

Clauses 63 and 64 were added to the Bill.

Shri K. Santhanam: Sir, I move:

"That in part (b) of sub-clause (1) of clause 65 of the Bill, for the word 'or' where it occurs for the first time, the word 'and' be substituted."

The clause will now read:

"(b) both sickness * benefit and disablement benefit * * for temporary disablement; and"

Mr. Speaker: The question is:

"That in part (b) of sub-clause (1) of clause 65 of the Bill, for the word 'or' where it occurs for the first time, the word 'and' be substituted."

The motion was adopted.

Mr. Speaker: The question is:

"That clause 65, as amended, stand part of the Bill."

The motion was adopted.

Clause 65, as amended, was added to the Bill.

Shri K. Santhanam: Sir, I move:

"That in sub-clause (1) of clause 66 of the Bill, after the words 'the Corporation shall', the following be inserted:

'notwithstanding the fact that the employer has paid the weekly contributions due under this Act in respect of such insured person'."

The Honourable Shri Jagjivan Ram: I accept it.

Mr. Speaker: The question is:

"That in sub-clause (1) of clause 66 of the Bill, after the words 'the Corporation shall', the following be inserted:

'notwithstanding the fact that the employer has paid the weekly contributions due under this Act in respect of such insured person'."

The motion was adopted.

Mr. Speaker: The question is:

"That clause 66, as amended, stand part of the Bill."

The motion was adopted.

Clause 66, as amended, was added to the Bill.

Shri K. Santhanam: Sir, I move:

"That in clause 67 of the Bill, for the word 'of' occurring in line five, the word 'in' be substituted."

Mr. Speaker: The question is:

"That in clause 67 of the Bill, for the word 'of' occurring in line five, the word 'in' be substituted."

The motion was adopted.

Mr. Speaker: The question is:

"That clause 67, as amended, stand part of the Bill."

The motion was adopted.

Clause 67, as amended, was added to the Bill.

Clause 68 was added to the Bill.

Shri K. Santhanam: Sir, I move:

"That in clause 69 of the Bill, for the words 'Provincial Government' wherever they occur, the words 'appropriate Government' be substituted."

Mr. Speaker: The question is:

"That in clause 69 of the Bill, for the words 'Provincial Government' wherever they occur, the words 'appropriate Government' be substituted."

The motion was adopted.

Shri K. Santhanam: Sir, I move:

"That in part (i) of sub-clause (1) of clause 69 of the Bill, after the word 'factory' occurring in line two, the words 'or establishment' be inserted."

Mr. Speaker: The question is:

"That in part (i) of sub-clause (1) of clause 69 of the Bill, after the word 'factory' occurring in line two, the words 'or establishment' be inserted."

The motion was adopted.

Shri K. Santhanam: Sir, I move:

"That in part (ii) of sub-clause (1) of clause 69 of the Bill, for the words 'condition is' the words 'conditions are' be substituted."

Mr. Speaker: The question is:

"That in part (ii) of sub-clause (1) of clause 69 of the Bill, for the words 'condition is' the words 'conditions are' be substituted."

The motion was adopted.

Shri K. Santhanam: Sir, I move:

"That in sub-clause (3) of clause 69 of the Bill, after the word 'factory', the words 'or establishment' be inserted."

Mr. Speaker: The question is:

"That in sub-clause (3) of clause 69 of the Bill, after the word 'factory', the words 'or establishment' be inserted."

The motion was adopted.

Mr. Speaker: The question is:

"That clause 69, as amended, stand part of the Bill."

The motion was adopted.

Clause 69, as amended, was added to the Bill.

Clauses 70, and 71 were added to the Bill.

Mr. Naziruddin Ahmad: Sir, I move:

"That in clause 72 of the Bill, for the word 'merely' the word 'only' be substituted."

The usual word is "only" in such circumstances. It is only a verbal change.

The Honourable Shri Jagjivan Ram: Sir, I accept it.

Mr. Speaker: The question is:

"That in clause 72 of the Bill, for the word 'merely' the word 'only' be substituted."

The motion was adopted.

Shri K. Santhanam: With your permission, Sir, I beg to move my two amendments together:

"That in clause 72 of the Bill before the word 'discontinued' the words 'except as provided by the regulations' be inserted; and the words 'except as provided by the regulations' occurring at the end be omitted."

Mr. Speaker: The question is:

"That in clause 72 of the Bill before the word 'discontinue' the words 'except as provided by the regulations' be inserted; and the words 'except as provided' by the regulations' occurring at the end be omitted."

The motion was adopted.

Mr. Speaker: The question is:

"That clause 72, as amended, stand part of the Bill."

The motion was adopted.

Clause 72, as amended, was added to the Bill.

Clauses 73 to 84 were added to the Bill.

Shri K. Santhanam: Sir, I beg to move:

(1) "That for part (c) of clause 85 of the Bill, the following be substituted:

'(c) in contravention of section 72 reduces the wages or any privileges or benefits admissible to an employee, or';" and

(2) "That for part (d) of clause 85 of the Bill, the following be substituted:

'(d) in contravention of section 73 or any regulation dismisses, discharges, reduces or otherwise punishes an employee, or'."

Mr. Speaker: The question is:

(1) "That for part (c) of clause 85 of the Bill, the following be substituted:

'(c) in contravention of section 72 reduces the wages or any privileges or benefits admissible to an employee, or';" and

(2) "That for part (d) of clause 85 of the Bill, the following be substituted:

'(d) in contravention of section 73 or any regulation dismisses, discharges, reduces or otherwise punishes an employee, or'."

The motion was adopted.

श्री गोकुलभाई दौलतराम भट्ट : माननीय सभापति जी, मेरा सुझाव नीचे

सुझाफिक है :—

Shri Gokulbhai Daulatram Bhatt: Sir, I move:

"That in part (g) of clause 85 of the Bill, for the word 'regulations', the words 'rules or the regulations' be substituted."

Mr. Speaker: The question is:

"That in part (g) of clause 85 of the Bill, for the word 'regulations', the words 'rules or the regulations' be substituted."

The motion was adopted.

Mr. Speaker: The question is:

"That clause 85, as amended, stand part of the Bill."

The motion was adopted.

Clause 85, as amended, was added to the Bill.

Clauses 86 to 94 were added to the Bill.

Shri Arun Chandra Guha: Sir, I beg to move:

"That for sub-clause (1) of clause 95 of the Bill, the following be substituted:

'(1) The Central Government may, subject to the condition of previous publication, make rules not inconsistent with this Act for the purpose of giving effect to the provisions thereof'."

Mr. Speaker: The question is:

"That for sub-clause (1) of clause 95 of the Bill, the following be substituted:

'(1) The Central Government may, subject to the condition of previous publication, make rules not inconsistent with this Act for the purpose of giving effect to the provisions thereof'."

The motion was adopted.

Mr. Naziruddin Ahmad: Sir, I beg to move:

(1) "That in sub-clause (2) of clause 95 of the Bill, before part (a), the following new part be inserted and the existing parts be re-lettered accordingly:

'(a) the manner of the incorporation, regulation and winding up of the Corporation;';"
and

(2) "That in sub-clause (2) of clause 95 of the Bill, after part (a) the following new parts be inserted:

'(aa) the restoration of the membership of the Corporation, the Standing Committee or the Medical Council of any person who has ceased to be a member by operation of section B;

(aaa) the fees and allowances of members of the Corporation, the Standing Committee or the Medical Council;

(aaaa) the limit of the funds which may be spent for the improvement of the health and welfare of insured persons and for the rehabilitation and re-employment of disabled and injured persons;

(aaaaa) salaries and allowances of the Principal officers;'. "

These are taken from some of the clauses which we have accepted in the Bill. They empower the Central Government to make rules for these subjects. They are not covered by the clause. That is why I have attempted to incorporate them. Though it is said in the appropriate context that the Central Government may make rules, still it is customary to incorporate them in one clause where all the powers are collected for the sake of convenience. It is for that reason that I have attempted to incorporate them. If it is argued that, as the original section provides for the rule-making power for the Government it is not necessary to incorporate them, that would be an argument for deleting this appropriate clause altogether. It is always the custom in all Acts to incorporate the powers specifically and enlist them in a particular clause so as to draw pointed attention to the powers. I may draw the attention of Honourable Members to the various clauses where these powers are specifically given—if that is wanted. But I can assure Honourable Members that they are taken specifically from different clauses. They are not mentioned here, and I have attempted to incorporate them in the place in the proper sequence where they should be. If the question of principle is accepted then of course the further verification of the powers may be proceeded with. For the time being I would request the Honourable Minister to tell us whether he is agreeable to accept the principle. In that case the actual verification of the wording and the actual powers may be proceeded with. For the sake of saving time I suggest this.

Mr. Speaker: Amendments moved:

(1) "That in sub-clause (2) of clause 95 of the Bill, before part (a), the following new part be inserted and the existing parts be re-lettered accordingly:

'(a) the manner of the incorporation, regulation and winding up of the Corporation;';"
and

(2) "That in sub-clause (2) of clause 95 of the Bill, after part (a) the following new parts be inserted:

'(aa) the restoration of the membership of the Corporation, the Standing Committee or the Medical Council of any person who has ceased to be a member by operation of section B;

(aaa) the fees and allowances of members of the Corporation, the Standing Committee or the Medical Council;

(aaaa) the limit of the funds which may be spent for the improvement of the health and welfare of insured persons and for the rehabilitation and re-employment of disabled and injured persons;

(aaaaa) salaries and allowances of the Principal officers;'. "

Shri K. Santhanam: The first part is covered by clause 95 (1). I do not see how it can come in again. This will be merely duplicating what is already provided.

Mr. Naziruddin Ahmad: It is already provided but it is not in the appropriate place.

Mr. Naziruddin Ahmad: It is already provided, but it is not in the appropriate power is provided. What the Honourable Member was stating as a general rule of collecting together all the sub-sections which give powers, does not apply to this particular case. That is the point which Mr. Santhanam is making and perhaps making with force.

The Honourable Shri Jagjivan Ram: I have already indicated it to my friend Mr. Naziruddin Ahmad that I am not accepting these amendments.

Mr. Speaker: Does the Honourable Member want to withdraw his amendment or does he want me to put it to the House?

Mr. Naziruddin Ahmad: It may be put to the House.

Mr. Speaker: The question is:

(1) "That in sub-clause (2) of clause 95 of the Bill, before part (a), the following new part be inserted and the existing parts be re-lettered accordingly:

'(a) the manner of the incorporation, regulation and winding up of the Corporation;'; and

(2) "That in sub-clause (2) of clause 95 of the Bill, after part (a) the following new parts be inserted:

'(aa) the restoration of the membership of the Corporation, the Standing Committee or the Medical Council of any person who has ceased to be a member by operation of section B;

'(aaa) the fees and allowances of members of the Corporation, the Standing Committee or the Medical Council;

'(aaaa) the limit of the funds which may be spent for the improvement of the health and welfare of insured persons and for the rehabilitation and re-employment of disabled and injured persons;

'(aaaaa) salaries and allowances of the Principal officers;';"

The motion was negatived.

Mr. Naziruddin Ahmad: I beg to move:

"That part (p) of sub-clause (2) of clause 95 of the Bill, be omitted."

The Central Government may make rules in regard to some of the subjects, and part (p) says:

"Any matter which is required or allowed by this Act to be prescribed by the Central Government."

I submit, Sir, this clause (p) is redundant. It assumes that power is already given. If power has been already given in different clauses to the Central Government to make rules on particular subjects, then the matter is already covered in the sections. I wanted to insert some of the omissions in the amendment which has just been lost. It has appeared in some of the recent Bills, but a provision like this never appeared before. I submit that if any power is there which is not incorporated in the list, it should be specifically stated in the list as a specific item. Perhaps this incorporation of item (p) is due to a nervous fear that perhaps something will be left out. I submit, Sir, in the way in which part (p) is worded, it is absolutely unnecessary. If any power is already given in any sections, then it should be particularly mentioned for convenience. It is for this purpose that I seek deletion of part (p).

Mr. Speaker: Amendment moved:

"That part (p) of sub-clause (2) of clause 95 of the Bill, be omitted."

The Honourable Shri Jagjivan Ram: I do not accept the amendment.

Mr. Speaker: The question is:

"That part (p) of sub-clause (2) of clause 95 of the Bill, be omitted."

The motion was negatived.

Mr. Speaker: The question is:

"That clause 95, as amended, stand part of the Bill."

The motion was adopted.

Clause 95, as amended, was added to the Bill.

Shri K. Santhanam: I beg to move:

"That in part (e) of sub-clause (1) of clause 96 of the Bill, the word 'such' be omitted."

The Honourable Shri Jagjivan Ram: I accept the amendment.

Mr. Speaker: The question is:

"That in part (e) of sub-clause (1) of clause 96 of the Bill, the word 'such' be omitted."

The motion was adopted.

Mr. Naziruddin Ahmad: I beg to move:

"That part (h) of sub-clause (1) of clause 96 of the Bill, be omitted."

The operating part (h) runs thus:

"(h) any other matter which is required or allowed by this Act to be prescribed by the Provincial Government."

The word "prescribed" has been defined, that is prescribed by rules made by the provincial government, and it is also clearly stated in appropriate places as to the subjects where a provincial government may prescribe or make rules. The addition of sub-clause (h) is due to the same nervousness, that something perhaps may be omitted, but the inclusion of part (h) does not improve matters. It is far more satisfactory to find out what matters have been provided for, for rule-making power and to incorporate them straightaway. Nothing is gained, but rather a kind of weakness is shown by providing a part like this. I therefore suggest that it should be omitted.

The Honourable Shri Jagjivan Ram: I do not agree with the amendment.

Mr. Speaker: I am putting the amendment to the vote of the House.

The question is:

"That part (h) of sub-clause (1) of clause 96 of the Bill, be omitted."

The motion was negatived.

Mr. Speaker: The question is:

"That clause 96, as amended, stand part of the Bill."

The motion was adopted.

Clause 96, as amended, was added to the Bill.

Mr. Naziruddin Ahmad: Sir, I beg to move:

"That in sub-clause (1) of clause 97 of the Bill, the following be added at the end:

'and may from time to time alter and amend the same as it thinks proper and expedient'."

In this case the passage occurs in clause 97 which provides for the Corporation making regulations. According to the General Clauses Act, if any power is given by any Act or rule, any power may be exercised from time to time, but as the House has taken some fancy for this expression that it should be incorporated anywhere and everywhere, on possible and impossible occasions, I have taken courage to incorporate it, but there is the risk that as it is being moved, it may be opposed. So I submit that the power to alter and amend should also be given, although according to the General Clauses Act, the power is not necessary. I submit that as the General Clauses Act is being respected by being thoroughly ignored at every place, so in order to make things complete, this should also be incorporated here. If we do not do it, there is a risk. If we do not say this here, and if we say this in other places, quite unnecessarily the effect of that may be that the General Clauses Act is no longer binding to the interpretation of any law in free India because this condition is attached here and there, and is not done in other cases. So, the meaning would be that where the condition is incorporated it may be understood that the power may

[Mr. Naziruddin Ahmad]

be exercised from time to time and the rules may be corrected from time to time and altered from time to time; and in other places where it is not mentioned, that there is no such power.

It is in order to avoid this risk that I ask the House to face the consequences of its adoption of a particular line of draftsmanship. It is simply to show the possible danger of misleading the public that I have drawn the attention of the House to this state of affairs.

Mr. Speaker: Amendment moved:

"That in sub-clause (1) of clause 97 of the Bill, the following be added at the end:

'and may from time to time alter and amend the same as it thinks proper and expedient.'

The Honourable Shri Jagjivan Ram: Sir, I am afraid, my Honourable friend Mr. Naziruddin Ahmad has argued more for the non-acceptance than for the acceptance of his amendment. I am afraid I cannot accept it.

Mr. Naziruddin Ahmad: Sir, I am not guilty of inconsistency. I have asked for the correct method of draftsmanship but I have been repeatedly turned down. I am consistent. I have taken the decision of the House with respect and I ask the House to stick to its decision—there is no inconsistency on my part.

Mr. Speaker: After all each Statute will be interpreted on its own language and sections, and not with reference to what has been provided for in other Acts.

The question is:

"That in sub-clause (1) of clause 97 of the Bill, the following be added at the end:

'and may from time to time alter and amend the same as it thinks proper and expedient.'

The motion was negatived.

श्री गोकुलभाई दौलतराम भट्ट : माननीय सभापति जी, मेरा सुझाव यह है ।

Shri Gokulbhai Daulatram Bhatt: Sir, I move:

"That in part (xi) of sub-clause (2) of clause 97 of the Bill, the words 'to an employee' be omitted."

The Honourable Shri Jagjivan Ram: Sir, I accept it.

Mr. Speaker: The question is:

"That in part (xi) of sub-clause (2) of clause 97 of the Bill, the words 'to an employee' be omitted."

The motion was adopted.

Shri Arun Ohandra Guha: Sir, I move:

"That in part (xxii) of sub-clause (2) of clause 97 of the Bill, the word 'and' be added at the end."

The Honourable Shri Jagjivan Ram: Sir, I accept it.

Mr. Speaker: The question is:

"That in part (xxii) of sub-clause (2) of clause 97 of the Bill, the word 'and' be added at the end."

The motion was adopted.

Shri Arun Ohandra Guha: Sir, I move:

"That part (xxiii) of sub-clause (2) of clause 97 of the Bill be omitted and the subsequent part be re-numbered accordingly."

Mr. Speaker: The question is:

"That part (xxiii) of sub-clause (2) of clause 97 of the Bill be omitted and the subsequent part be re-numbered accordingly."

The motion was adopted.

Mr. Speaker: The question is:

"That clause 97, as amended, stand part of the Bill."

The motion was adopted.

Clause 97, as amended, was added to the Bill.

Clauses 98 and 99 were added to the Bill.

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.*

Mr. Speaker: The question is:

"That Schedule I stand part of the Bill."

The motion was adopted.

Schedule I was added to the Bill.

Shri Arun Chandra Guha: Sir, I beg to move:

"That in paragraph 2 of Schedule II to the Bill, the word 'not' occurring in lines five and six be omitted."

Mr. Speaker: The question is:

"That in paragraph 2 of Schedule II to the Bill, the word 'not' occurring in lines five and six be omitted."

The motion was adopted.

Mr. Speaker: The question is:

"That Schedule II, as amended, stand part of the Bill."

The motion was adopted.

Schedule II, as amended, was added to the Bill.

Mr. Speaker: We may now resume clause 2, sub-clause (11) where we left it, before I go to Clause I, the Preamble and the Title. Has any decision been reached in regard to the definition of "family" in sub-clause (11)?

The Honourable Shri Jagjivan Ram: The question was only about the "parents". My friend Mr. Ayyangar has drafted an amendment.

Mr. Speaker: I hope it is a substantially agreed amendment.

Shri M. Anantbasayanam Ayyangar (Madras: General): Sir, I submitted my amendment to the Honourable Minister and he has agreed with me. My amendment runs as follows:

"That in part (11) of clause 2 of the Bill, the following be added at the end:

'and where the insured person is a male, his dependent parents.'

Sir, "family" means the spouse and minor legitimate and adopted children dependent upon the insured person. This morning illegitimate children were voted out. Therefore I continue the clause as it is and add the following at the end, namely, "and where the insured person is a male, his dependent parents." The difficulty is that the insured person may be a male or a female. If he is a male, he maintains his parents and if he has a family and he has married a woman, it is no good putting on his widow an obligation which is not now borne in joint Hindu families. We all know that when a man dies, if he has left some children the woman goes and lives with her father-in-law and mother-in-law. But I do not want to impose the obligation of maintaining the father-in-law and mother-in-law on a widow with a number of children. It is enough if her earnings go to maintain her own children. Therefore, I want to make a distinction between a case where the spouse is a male and the insured is a female, and a case where the spouse is a female and the insured is a male. For our purposes

[Shri M. Ananthasayanam Ayyangar]
 this is the only beginning. We do indicate by this amendment that we are not restricting this word 'family' situated as we are in India and most of us have got the ancient custom of maintaining our parents. By this means the parents are not ignored: it is for that purpose, Sir, I have put in a restricted amendment. I hope the House will kindly accept it.

Mr. Speaker: Amendment moved:

"That in part (11) of clause 2 of the Bill the following be added at the end:

'and where the insured person is a male his dependent parents'."

Shri K. Santhanam: Sir, I do not know whether my friend Mr. Ananthasayanam Ayyangar has realized exactly what he has been doing. This amendment of the definition does not give any right whatsoever to the dependant parents to any benefit, because the dependant's benefit is regulated by Schedule II and so long as Schedule II is not amended the position of the parents will be exactly as it is. As a matter of fact even without the definition, paragraph 5 of Schedule II says:

"In case the deceased person does not leave a widow or legitimate child, dependants' benefit at such rates as may be determined by the Commissioner appointed under the Workmen's Compensation Act, 1923 (VIII of 1923), shall be payable as follows:—

- (a) to a parent or grand parent, for life;
- (b) to any other male dependant, until he attains fifteen years of age;
- (c) to any other female dependant, until she attains fifteen years of age or until marriage, whichever is earlier, or if widowed until she attains fifteen years of age."

The only advantage of his amendment may be that in case the Corporation extends the medical benefits to the family, then the aged parents may get a medical benefit. If this was his intention, then it is all right, but his enthusiasm that the sons should support their parents has not been carried out by his amendment.

The Honourable Shri Jagjivan Ram: It is only medical facilities that they may get when these facilities are extended by the Corporation. Even if we include "parents", it does not confer on them any right for cash benefits.

Shri M. Ananthasayanam Ayyangar: Whatever little benefit, by some grace, it is possible to get, let me get. I thought my friend Mr. Santhanam would enable me to amend Schedule II also, but he is trying to detract what I have said. Let me now be satisfied with whatever I am able to get.

Mr. Speaker: The question is:

"That in part (11) of clause 2 of the Bill, the following be added at the end:
 'and where the insured person is a male, his dependent parents'."

The motion was adopted.

Mr. Speaker: The question is:

"That clause 2, as amended, stand part of the Bill."

The motion was adopted.

Clause 1 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Shri Jagjivan Ram: Sir, I move:

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

Mr. Speaker: Motion moved:

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

Shri M. Ananthasayanam Ayyangar: I have not spoken at any stage of the Bill. I thought that this measure of social insurance is absolutely necessary and similar measures ought to be brought. I would give one concrete instance. A person enters service in the Government of India and he has to work 30 years before he is entitled to get any pension. The bigger men, that is, those who are getting more than Rs. 400 may have saved during their lifetime, but if a

labourer dies at an early age, his dependants are absolutely left in the cold, and they are not entitled to get anything at all.

Now clerks and other non-gazetted officers suffer under this disability. If he lives after 30 years and gets a pension, he is able to commute and leave something substantially behind him, even though he will pass away soon after retirement. I would urge upon the Honourable Minister who is interested in all round social measure for the entire community—step by step only, I am not asking him to jump all of a sudden, there might be an institution by which every Government servant as soon as he enters service should compulsorily insure his life so that when he dies, his wife and children may be protected. That must be State Insurance. The Postal Insurance is sufficiently big but every employe of the Government must have his life insured for a minimum sum as soon as he enters service. The entire contribution may come from his salary or the Government may find ways and means of contributing a portion as they are contributing to the Provident Fund.

In other employments also the same principle may be adopted, wherever the salary is below Rs. 400 for the reason that they may not be able to save much during their life-time; this money alone will come to them and can be relied upon after a period of years of service. I hope the Honourable Minister will take early steps to expand the benefits that may come within the purview of this scheme and some legislation may be brought into existence that will relieve to a large extent the inconveniences, and hardships felt by the middle-class people who are in employment either in Government service or outside. (Otherwise, Sir, this is a bold scheme that has been introduced. I heartily support the Honourable Minister and I am sure that very soon these measures will be implemented by the Provinces to whom power has been given. I wish this scheme all success.

Shri Biswanath Das (Orissa: General): Sir, I heartily congratulate my Honourable friend for having piloted the Bill and also carried it through. In the Select Committee I have found all along that he was not only sympathetic, but was also helpful. That makes me feel that his enthusiasm and anxiety to help the people, especially the under-dog, in all social security measures is no less than ours. The fact still remains, however, that we have yet to begin social security measures. Let me state clearly that the measure we have just passed touches a fringe of our population; it is only about 3 million people who are engaged in labour to whom this legislation will apply. And you have more than 30 crores of people still left to be taken care of. And here I am specially thinking of agricultural labour which forms more than half that figure, i.e., more than 15 crores. My Honourable friend Mr. Ayyangar spoke of Government servants. By all means go ahead in the case of service-holders also; but I want you to compare them with the unfortunate people who live in your five lakhs of villages in India who do not get anything in the shape of medical aid. I have often stated that this is an unfortunate country where Ayurvedic drugs are rotting and people are suffering. These conditions were tolerated so long as we had a foreign administration ruling in India; but now the conditions have changed and people have a right to demand that this aspect of the question should be immediately attended to. Sir, social security is meaningless unless the health and welfare of the people is attended to; and you cannot attend to it if you forget the people who are engaged in the biggest industry in India, namely, agriculture. In this House I very often see sympathies flowing for industrial labour. My sympathies also are there, but at the same time I want to stress the need for our thinking population about the agricultural population and specially agriculturist labour. In the agricultural industry there is very

[Shri B:swanath Das]

little difference between agricultural labour and the agriculturist himself; if there is any, it is very thin and negligible. The agriculturist himself is very often the agricultural labourer. Sir, if you think of social security, if you think of keeping people away from disease and death you cannot do better than attend to their medical needs as also think of securing work for them. It is a known fact that there are dead seasons when very many agricultural labourers do not get work; these are the months from March to the middle of June. A mighty source of human power is thus being wasted; and how can you think of the health and the welfare of agriculturists and of agricultural labour if you cannot afford to provide work for them and therefore their meal? Sir, your professions of sympathy for agriculture as also in the direction of Grow More Food will be of no avail either to your country or to your agriculturists in the villages unless you devise some scheme for providing work for the rural population during this dead season so as to contribute not only to their welfare but also to their health. In these circumstances let me hope that my Honourable friend in collaboration with the Finance and other allied Ministries will devise a scheme by which he can provide work for the agriculturists and agricultural labour during the dead seasons, i.e., the period beginning with February and continuing till the end of June as also the months of October and November.

Sir, I again thank my Honourable friend for the very necessary steps that he took in this regard to safeguard the interests of labour and the health of labour which I am sure will add to the prosperity not only of labour but also of capital and ensure greater production.

Shri B. Shiva Rao (Madras: General) : Sir I should like to make one or two observations on the third reading of this Bill, apart from paying my tribute of admiration for the unceasing efforts of the Labour Minister in the cause of labour. While we have been discussing the provisions of this Bill on the floor of this House, there has been a conference on the numerous problems of plantation labour in another part of this building under the chairmanship of his able and experienced Secretary. Now that the Bill is out of our hands and will shortly be on the statute-book, I should like to take this occasion to support the views expressed yesterday by my Honourable friend Mrs. Ray about the implementing of this measure. I can recall the time when the Workmen's Compensation Act was first placed on the statute-book. In Madras we found that it remained almost a dead letter until some of us who were at that time working actively in the trade union movement put into simple Tamil the main provisions of that Act and broadcast it among the industrial workers in Southern India. And that, I suggest to the Labour Minister, is very necessary, particularly in regard to a complicated measure like this, because in social legislation one of the main factors in bringing it into operation is the spreading of the knowledge of the rights which workers obtain under any particular measure. I hope that aspect will not be ignored even after the measure has been placed on the statute-book.

I should like also to endorse the remarks made by Mrs. Ray about the necessity for the Central Government to formulate a set of model rules to be sent round to the different provinces. Again speaking from my experience of the manner in which the Workmen's Compensation Act was brought into force. I can say that sometimes Provincial Governments take months, if not more than a year, to frame the necessary rules, and thus delay a particular measure being brought into force. I hope that that too will not be ignored by the Labour Minister after this measure has been placed on the statute-book.

Lastly, Sir, I should like to say one thing, although it may seem surprising that such an observation should come from me. When I think of public health conditions, particularly in the industrial areas, and think of the incidence of diseases like malaria, tuberculosis and leprosy. I am a little apprehensive about

the likely burden on industry if this measure is brought into force in the right spirit in existing circumstances. I do not mind confessing that as a member of the Bhoré Committee I expressed the view—on the principle that first things must come first—that the Government of India's first attention should be devoted to industrial housing; because I am convinced that until this problem has been properly tackled and workers have been provided with decent housing in all the industrial areas, the conditions of public health cannot be expected to improve appreciably. I am therefore looking forward to the early publication of the details of the housing scheme which the Labour Minister has promised. But I have no doubt that he will press forward with that scheme in the same liberal spirit which he has shown in bringing forward this measure and placing it on the statute-book.

Prof. N. G. Ranga (Madras: General): There is one point which my Honourable friends Mrs. Ray and Mr. Shiva Rao have made and which rather struck me both yesterday and today. They seem to be under the impression that the Provincial Governments have not changed in their character towards labour within the last 20 or 25 years. I wish to assure them—rather I wonder why they have not taken into consideration the change that has come over our own Provincial Governments during the last two years: indeed even when the Congress Ministries were in existence for nearly 2½ years on the previous occasion.

Isn't it a fact that the Madras Government has taken the lead in organizing maternity benefit for their workers? And isn't it a fact that the Madras Government was the first to offer this facility—and that was the Congress Government? Isn't it a fact, and are not my friends aware of the fact, that when the Disputes Act was not really given effect to by the Central Government at that time, it was the Madras Government, and its Labour Minister, our common friend and an ex-Member of this House, Mr. Giri, who appointed the maximum number of Arbitration Courts and got the largest number of most favourable awards for labour during his regime of 2½ years as Labour Minister? Isn't it a fact that only recently in the Industries Conference our friend, Dr. Suresh Banerjee, himself a labour leader, when he became the Minister for Labour in the West Bengal cabinet had told us that in every case where and when there was a labour dispute, he took care to appoint the necessary conciliation machinery and saw to it that the awards that were given, which were all favourable to workers, were enforced by the Government? Similarly, only recently, the Central Government, under the leadership of my friend, Shri Jagjivan Ram, got an Act passed for the compulsory recognition of trade unions. Isn't it a fact that years ago the Bombay Government took care to make the necessary provision not for compulsory recognition of trade unions but for the recognition of trade unions by employers and by Government provided certain conditions were satisfied?

One could quote a number of instances like these. So it cannot be maintained today that most of the Provincial Governments are in any way less progressive than the Central Government. And what is more, there are in the provincial legislatures as many people interested in labour as we find in this House. Therefore, it is as well that this House should have this confidence in the provincial legislatures as well as in the Provincial Governments as they have come to be today, and trust their labour *bona fides* and expect them to give as early and as satisfactory effect to the various provisions that we have made in this particular Bill and where we have left the initiative to the Provincial Governments alone.

I wish to add another word, and that is in regard to agricultural labour. Sir, if we have in the Indian Union about 500 lakhs of villages, I am sure there are not less than 10 farm servants in each village, employed on a monthly or annual contract, who really will have to be legitimately brought under the aegis of this Bill. In that way then you will get about 5½ million workers. Can anybody say that any other industry can boast of half as many permanent

[Prof. N. G. Ranga]

workers as there are today in the agricultural industry and who will be brought under the aegis of this particular Act? My Honourable friend, Shri Jagjivan Ram has sought to bring these 5½ million—that is the minimum number: the maximum may run into 8 to 10 million—workers under the direction of this Act. That I consider to be a very progressive thing indeed.

I have been labouring for this for the last 15 years, and at last it has come to be a matter of fact today and it is accepted wholeheartedly by the House and therefore I am very glad about it. That is why I yesterday hastened to congratulate my Honourable friend and I began to think that this is indeed a revolutionary and progressive proposal—bringing 5½ million workers, spread over the whole of this country in all our villages under the direction of this particular Act, and then to provide them with the necessary medical benefits that are now envisaged.

Undoubtedly, it is going to be really a very huge administrative responsibility and it will certainly inaugurate a veritable revolution in the social conditions of our villages. If these 10 or 15 workers of a village have to be provided with all these benefits, certainly there must be a hospital or dispensary for every ten villages within a distance of 6 or 7 miles from any one of these villages.

Therefore it will be the responsibility of the Provincial Governments to prepare their plans for a chain of hospitals and dispensaries all over the country. Can it be done? Is it reasonable on our part to expect them to discharge this responsibility within a year or within two years unless the Central Government themselves are quite prepared to go more than half the way and then offer the necessary financial assistance to these Provincial Governments in order to provide all these facilities? I know the Central Government has not this plan at present, but I am glad that this particular provision is made in this Act, because once this is done, we have a fixed sort of outside limit, that is three years. Within this particular three-year period either the Central Government goes forward to help the Provincial Governments and all together give effect to this thing, or on both sides, both these parties will have to confess bankruptcy of statesmanship. But I feel sure they will not certainly declare themselves bankrupt. They will be willing to make the provision in regard to medical facilities and thus give effect to this Act within three years.

This may be a very good beginning indeed for the greater and more expansive medical facilities that our villages are so badly in need of and for which all our villagers themselves are crying.

Therefore, Sir, with this full confidence in the *bona fides* of the Provincial Governments, and with this confidence in the Central Government and the ability of my Honourable friend to persuade the other colleagues in the cabinet to place sufficient funds at the disposal of the Provincial Governments, and in the hope that somehow or other this House, the public outside and all the provincial legislatures and provincial ministries will co-operate with one another in order to make it possible for this Act to be fully implemented, I accord my wholehearted support for this Bill in the stage that it has now reached.

Shrimati Benuka Ray (West Bengal: General): Mr. Speaker, it was not my intention to take part in this debate at this stage but for some of the remarks that Prof. Ranga has made. He has suggested that, I as well as my Honourable friend, Mr. Shiva Rao, seem to be unaware of the fact that there are as great changes in the Provincial Governments as in the Centre.

I am not unaware of the fact that Congress Ministries are functioning and that we have quite different expectations of them in the provinces. I am not challenging their *bona fides* either. But, Sir, Congress Ministries have functioned before and would my friend, Prof. Ranga, agree or not that in all provinces they have not always functioned with an equal amount of vigilance and equal zealotness particularly in regard to labour legislation. I did not

mention it yesterday, but the question of uniformity in regard to labour legislation, or rather in regard to its implementation, was also in my mind when I suggested that the Labour Minister should see to it that these provisions of this Bill are implemented in the provinces. I do feel that there may be provinces which are very go-ahead with regard to labour legislation and there may be other provinces which may be go-ahead in regard to some other things. If we want alertness and vigilance in these matters it is the responsibility and the duty of the Honourable the Labour Minister to see to it that the implementation of legislation does take place in all provinces quickly and alike. There are many things about which the provinces themselves will agree that they have not been alert or watchful. Take the question of children working under disgraceful conditions in factories. What has been done about it? Is it not a scandal that the problem has not yet been tackled? It is no use being blind to what is happening. We have got to be alert. I think every one in this House is convinced that the Labour Minister is enthusiastic and keen about this legislation and if that is so, the duty devolves on him to take further interest and see that the provinces do not delay in putting through such legislation in whatever way they can.

I have no desire to say anything more about the provisions of this Bill as I talked about it yesterday. I do feel, as I said, that in this we have the nucleus of social insurance code, a comprehensive code that will come in later. We have had to go slower than we would desire, because of so many administrative difficulties but at the same time, whatever little we do, let us see that it is done in reality and let it not remain a mere piece of paper legislation on the statute books a minute longer than is absolutely necessary. Prof. Ranga has spoken about Madras: I might be equally provincial and speak about West Bengal but I do not desire to do so.

Prof. N. G. Ranga: I paid a compliment to West Bengal.

श्री गोकुलभाई दौलत राम भट्ट: माजनीय सभापति जी, आजकल का जमाना मजदूरों की प्रवृत्ति के प्रति ज्यादा जागृत रहने का है, क्योंकि जहां देखो वहां मजदूर वही साधन है जो कि प्रचार के लिये बहुत बड़ा है, मुकम्मिल साधन माना जाता है और अगर किसी हकूमत के विरुद्ध कुछ काम भी करवाना हो, तो मजदूरों को आगे रखा जाता है। ऐसी हालत में हमारे हिन्दुस्तान में मजदूरों के प्रति क्या नीति रहनी चाहिये, वह हमें ठन्डे दिल से और ठन्डे दिमाग से सोचना होगा।

हम जरूर यह चाहते हैं कि सब की सब चीज हम आज इस बजट सेशन में मंजूर कर दें। लेकिन मंजूर करने से तो क्या होता है? फिर यहां से हम अंकसूत्र का उच्चार करते हैं। सूत्र यह एक सिद्धान्त प्रति पादित करता है। उसको जब व्यवहार में लाना पड़ता है या उसका अमल करना पड़ता है तो प्रान्तों की ओर निगाह दौड़ानी पड़ती है और बात भी यह है कि यहां से वेद व्यास की तरह एक मन्त्र का उच्चारण हो जाय और प्रान्तों को उसका अमल करना है, उसको कार्यान्वित करना है। तो हमें यह देखना चाहिये कि हमारे प्रान्तों की क्या हालत है, क्या गुंज ईश है। हम एक प्रान्त में-अलग अलग परिस्थिति रहती है। भले ही यह कोई कह दे कि मदरास में ज्यादा काम हो रहा है। कोई बंगाल की हिमायत करे और कोई बम्बई की तारीफ करे लेकिन जो कुछ हो रहा है वह नेकनीयती से हो रहा है और सब का इरादा बैसा

[श्री गोकुल भाई दोलतराम भट्ट]

है कि हमारे जो मजदूर भाई हैं, उनकी हम पूरी तौर से मदद करें। मैं किसी एक प्रान्त को लेकर चर्चा नहीं कर रहा हूँ और ऐसी चर्चा करने को यह मौका भी नहीं है मैं यह ज़रूर कहना चाहता हूँ कि हमें इस चीज़ का बराबर ख्याल रखना होगा, जब कि कई प्रकार की पार्टियाँ देश में मजदूरों का काम लेकर बाहर आ रही हैं और मजदूरों की संस्था कायम करने में वह अपना गौरव समझती हैं। मजदूरों की संस्था के जरिये वह अपनी इज्जत भी बढ़ाना चाहती हैं और मजदूरों की समस्या से वह भी आगे आना चाहते हैं और शायद सत्ता भी काबिज करना चाहते हैं। तब हमें ऐसी नीति बर्तनी चाहिये जो नीति सच्ची हो और जिस नीति पर हम बराबर अमल कर सकें और हमारे सूबे भी इस पर अमल कर सकें। हमारी गति यहां मध्यस्थ सरकार की कैसी रही है उतका अगर हम एक दो सूत्रों में अवलोकन करें तो मैं यह कह सकता हूँ कि हमारे सामने जो Minimum Wages Bill, वगैरह आगये Dockyard Workers Bill आगया और सबसे ज्यादा और बड़ा अच्छा बिल अगर कोई कहा जा सकता है तो वह यह बिल है जो एक प्रकार से मजदूरों की रक्षा करने वाला है और वह रक्षा करने में मध्यस्थ सरकार ने सिर्फ एक मन्त्र का उच्चारण नहीं किया है लेकिन सेन्टर ने अपनी तरफ से भी उसको अमल करवाने के लिये, या उसको संचालन करने में दो तिहाई रकम भी देने की मंजूरी दे दी है। तो हम यहां बैठे हैं प्रान्तों के पास से जो अपेक्षा रखने हैं, प्रान्तों का जो हम ख्याल रखते हैं, कि आप भी इस चीज़ को जहां तक हो सके आगे बढ़ायें। जल्दी आगे बढ़िये, क्योंकि जमाना ऐसा है कि हम लोग अगर माफ़ करें कांग्रेस में काम करने वाले कुछ ऐसे ढीले बन गये हैं, आलसी बन गये हैं। मैं मानता हूँ कि हमारा सब कुछ काम होगा तो हमें प्रचार करने का तरीका बराबर मालूम नहीं है। हमारे कोई दूसरे मेम्बर हैं, नई पार्टियाँ बनाने वाले, वह प्रचार को बहुत समझते हैं और प्रचार इस तरीके से करते हैं कि उनकी छोटी सी चीज़ बड़ी मालूम होती है और यहां की बहुत बड़ी चीज़ बनाकर रखते हैं लेकिन वह प्रचार के अभाव में छोटी और नाचीज़ मालूम होती है और हम को समझ में नहीं आता कि कांग्रेस इतना कुछ काम करने जा रही है मकसद इतना अच्छा रख रही है तो भी कांग्रेस के लिये इतनी हमदर्दी नहीं है और कांग्रेस के बारे में क्यों लोगों में ग़लतफहमियाँ पैदा हो रही हैं। लोगों का जो प्रचार है, वह सच्चा प्रचार होना चाहिये हम कभी ग़लत प्रचार नहीं कराना चाहते। जो अच्छी चीज़ बनती है, जो तत्त्व वाली चीज़ बनती है, उसका भी प्रचार नहीं करते हैं। उसको लोगों तक मजदूरों तक पहुंचाते नहीं हैं और जिनके साथ वह हैं उनके कानों तक हम पहुंचाते नहीं हैं। इसलिये हम मानते हैं कि हम

बहुत पीछे रह रहे हैं और अगर इस तरीके से चलेंगे, तो हम बहुत पीछे चले जायेंगे और पीछे रहेंगे। हमारी गति जिस प्रकार की है, हमारा प्रचार भी वैसा होना चाहिये, मैं मानता हूँ कि हम सब इस भवन में बैठ ह, हम कैसे प्रचार करें। मैं जरूर यह जानता हूँ कि जो कुछ हम बना रहे हैं, जो तजवीज कर रहे हैं, उस चीज को गांव तक और लोगों तक पहुंचाने का तरीका वह सच्चा तरीका कौन सा हो सकता है, वह हमारे मिनिस्ट्रों को सोचना चाहिये और हमारी हकूमत इस चीज को सोचेगी, ऐसी मैं जरूर आशा करता हूँ।

यह चीज इतने सालों के बाद आई है। Maternity Benefit Act और Workmen's Compensation Act के बाद यह चीज आ रही है। इस में बीमारी की हालत में उनके आश्रितों को क्या देना चाहिये, उस सिलसिले में हमने एक बहुत बड़ा कदम उठाया है और इसकी मैं जरूर सराहना करता हूँ। यह दो बातें रखने से इस बिल की गुंजाईश बढ़ गई है और यह बिल और ज्यादा मुफीद और लाभकारी बन गया है।

दूसरी बात जो आगयी है वह जैसा पहले भी मैंने अर्ज किया था वह (Workmen) शब्द की जगह (Employee) शब्द को बदल कर रखना था। मुझे यह (Employee) शब्द बहुत पसन्द है और मैं जरूर कहता हूँ कि इसमें हमने गुंजाईश बढ़ा दी है और हमारा जो क्षेत्र है, वह विस्तृत होगया है। तीसरी बात जो है वह यह है कि सिर्फ कल और कारखानों में काम करने वालों के बारे में हमें ज्यादा हमदर्दी है। यह शिकायत है। जहां कल कारखानों में लोग बैठ कर काम करते हैं वहां की हवा भी ऐसी होती है कि आदमी वहां दस, पन्द्रह साल अपना जीवन घटा देते हैं। ऐसी जगह हमें देखना चाहिये कि वहां काम करने वालों को ज्यादा सहूलियत देनी चाहिये। यह बात ठीक है कि किसान लोग हैं, खेत में काम करने वाले लोग हैं, उनकी तरफ हमें हमदर्दी बहुत है और ज्यादा रखनी चाहिये।

यहां जो power factories हैं, वहां उनकी हालत ज्यादा खराब है, बमुक़ाबिले उन लोगों को जो खेतों में काम करते हैं, या बाहर काम करते हैं। उनको बहुत खुली हवा मिलती है, इन आदमियों का जीवन बढ़ता है, क्योंकि यह खुली हवा में काम करते हैं। तो यह जो एक नई चीज है, उसकी भी सराहना करना चाहिये और मैं मानता हूँ कि इस तरह से यह जो बिल बना है वह ठीक गति से चल रहा है और हमारी गति जैसी होनी चाहिये, उसी गति से हम चल रहे हैं। हम गति में कूदते नहीं हैं, हम दौड़ते भी नहीं हैं जिससे हमारे प्रांत हमारे साथ न रह सकें और हमारी जो मंशा है उसको पूरा न कर सकें। इस बिल में जो कुछ गुंजाईश जो कुछ सहूलियत ज्यादा दी गई है, उससे उनको अड़चन आने वाली है। ऐसा मुझे नहीं लगता है। ऐसी मैं जरूर आशा रखता हूँ।

[श्री गोकुल भाई दौलतराम भट्ट]

अब मैं इन चीजों के अलावा एक दो चीज की तरफ अपने मंत्री महाशय का ध्यान खींचना चाहता हूँ। अपने मजदूर भाइयों की housing facilities के बारे में हमें ज्यादा सोचना पड़ेगा और जल्द सोचना पड़ेगा। इस housing facilities के बारे में जब मैं विचार करता हूँ तब मुझे यहां के क्या और जगह के बड़े बड़े बंगलों में, बड़े बड़े मकानों में जो outhouses होते हैं या जो हमारे नौकरों के लिये खोली या कमरे रखे जाते हैं उसकी तरफ जब मैं निगाह करता हूँ तो मुझे ज़रूर आश्चर्य होता है और मुझे यह कहना पड़ता है और कहूंगा कि अब जो outhouses हम बनाएं या अपने नौकरों के लिये जो जगह रखें वह वैसी जगह न रखें जो टट्टियों के पास हों या ऐसी जगह न रखें जहां वह न रह सकें। हम गर्मी के दिनों में पंखे चला लें और उसमें सोते रहें, और वह गर्मी के मारे मरते रहें। लेकिन सेठ साहूकारों को बड़े-बड़े आदमियों को इसका कोई खयाल नहीं है। अब हमारा दृष्टिकोण बदलना चाहिये। हमारे जो नौकर हैं चाहे वह हमारे रसोइया हो चाहे दूसरे प्रकार के नौकर हों कोई भी हों उनको भी वही सहूलियत दी जानी चाहिये जैसी सहूलियत हम खुद अपने लिये चाहते हैं। जेलखाने में हम चाहते हैं कि हमारे लिये एक सौ क्यूबिक फीट जगह चाहिये। लेकिन जब हम अपने नौकरों के घर देखते हैं उनकी परिस्थिति देखते हैं तो हमें सोचना चाहिये कि हम लोग अपने मजदूरों के लिये और हमारे दूसरे मित्रों के लिये जो सारा भोजन पैदा करते हैं, जो मेहनत मजदूरी करते हैं, जो हमारे आदमी हैं उनके लिये किस तरह की सहूलियत दे रहे हैं? इसकी तरफ हमें ज्यादा खयाल करना चाहिये और हमारा सेन्टर इस तरफ सोचे और कदम उठाए ऐसा मैं मानता हूँ।

और ज्यादा बातें न कहते हुए मैं इस बिल की सरहाना करता हूँ और जो चीज हमारे सामने आई है उसकी मंशा के अनुसार उस पर अमल करने की जल्दी से जल्दी कोशिश करें। इतना कहते हुए मैं मंत्री महाशय को धन्यवाद देता हूँ।

(English translation of the above speech)

Shri Gokulbhai Daulatram Bhatt: Mr. Speaker, in the present times we should be very conscious about the tendency of labour because every where it is made to act as an important instrument of propaganda. Labour is placed in the forefront whenever any action is required against a Government. We will have to consider dispassionately and with a cool head what policy we have to adopt towards Indian labour under these circumstances. We do wish we could agree to everything during this Budget Session. But what can mere acceptance do? We then introduce legislation which embodies a principle. While enforcing it we have to look to Provinces. Like Ved Vyas' 'Mantras' which were chanted at one place and recorded at another the legislation enacted here is to be enforced by the Provinces. We have therefore study the position of our Provinces to see what we can expect from them. Conditions vary in each Province. One may say that more work is being done in Madras; another may support Bengal while still another may praise Bombay. But is all this

being done with good intentions? Do all intend giving real help to labour? I am not referring to any particular Province; and this is not the occasion for it either. But I must emphasise that we cannot afford to ignore it especially when various parties are coming forward to advocate the cause of labour and acquire importance by establishing labour institution. Through labour institutions they want to increase their prestige, and to come into limelight by sponsoring labour problems and perhaps aiming also at securing power. It is therefore imperative for us to adopt a correct policy which both the Centre and the Provinces can follow.

If we review the policy which the Centre has hitherto adopted in one or two Province, I can say that of all the Bills such as the Minimum Wages Bill, the Dockyard Workers Bill etc., which have come before us, this is perhaps the best which in a way aims at protecting labourers. For this protection the Centre has not merely chanted a *Mantra* but it has even decided to bear two thirds of the cost required in implementing this law. We, who are sitting here, should therefore not merely expect the Provinces to do it but must also try to push it forward as much and as quickly as possible.

Forgive me if I say that today we Congressmen have become slack and slow. I admit that we will do all this but we do not know the real art of propaganda. There are some of us whose aim is to create new parties. They know really how to make propaganda. They do the propaganda in an artful way and exaggerate their mole hills into mountains; but belittle our great and important things by their propaganda. When Congress is out to do so much, when its ideals are so noble, I fail to understand why it is losing the sympathy of the people; and why they misunderstand it. Our propaganda work is not conducted as it should be. Real Propaganda on right lines is lacking and we do not want a false propaganda either. We do not do propaganda even for good and substantial things. We do not even convey it to the masses and the labourers nor do we acquaint their party members of it. We must therefore admit that we are lagging behind others and if we follow this policy we are bound to remain backward. Our propaganda must keep pace with our movement. I admit that it is not possible for us who are occupying these benches to do propaganda. Nevertheless I know that it is for our Honourable Minister to find out the right way to acquaint the masses and the villagers with the work we are doing and the plans we are making. I hope it will receive the consideration of our Government.

This has taken years to come. It is coming after the Maternity Benefit Act and the Workmen's Compensation Act. Through this Bill we have taken a very big step towards helping the dependents of workman in case of sickness. I emphatically commend it. The provision of these two things has enlarged the scope of this Bill and it has become more beneficial.

The second point as I have already suggested is that the word 'workman' should have been replaced by the word 'employee'. I heartily approve of this word 'employee' and I must say that the inclusion of this word would widen and enlarge the scope of the Bill.

Thirdly it is complained that we have more sympathy with the factory labour and the mill workers. The atmosphere of the factories and mills is such that the life of the labourers employed there is cut short by ten to fifteen years. We must see that in such places labour gets greater facilities. It is true that there are *kisans* who work in the fields and they have our sympathies. We have consideration for them and we should have more of it. The condition of labourers employed in the factories run by power is worse than that of workers in the fields or in other open places. They have ample fresh air to breathe. Their life is prolonged because they work in the open. This new measure therefore, deserves praise and I admit it is a right step in the right direction. We

[Shri Gokulbhai Daulatram Bhatt]

are moving as we should. We are not leaping or galloping and the Provinces can not lag behind and will keep pace with us to achieve our object and. I hope the provisions of the Bill will not entail difficulties.

Now, apart from this I want to draw the attention of the Honourable Minister to one or two things. We must hasten to consider the provision of housing facilities for the labour class. When I think of this problem of housing facilities, I am reminded of the houses and servant quarters attached to big bungalows and palatial buildings not only here but also in other places. I am much concerned and must emphasise that in future the outhouses and servant quarters which we build should not be situated near latrines nor should they be built at places which are uninhabitable. We sleep under fans but these poor people suffer in the heat. The wealthy and the rich do not care for this. We must change our outlook now. No matter whether it is a cook, or any other servant, we must give them the same facilities as we wish to have ourselves. In prisons we want to have one hundred cubic feet space but when we see the quarters of our servants and their condition, we must also consider what amenities we should provide to our labourers and other fellowmen who toil and produce food for us. To this we should pay greater attention and hope the Centre will consider over it and take steps in this direction.

Without dilating further I commend this Bill and hope immediate action will be taken to enforce the real object of the Bill. With these words I express my gratitude to the Honourable Minister.

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

श्री राम नारायण सिंह : सभापति जी, अभी मेरे कुछ मित्रों की सलाह हुई कि मैं हिन्दी में बोलूँ। तो सबसे पहले मैं उस कानून का स्वागत करता हूँ। और अपने मित्र भाई जगजीवन राम को बधाई देता हूँ। लेकिन उनको इतना कहूंगा कि भाई सन्तोष की बात अभी नहीं है। सब से पहली बात तो इस वक्त यह होनी चाहिये कि जितने कानून मजदूरों के सम्बन्ध में बनाए गए हैं उस कानून का प्रचार सारे देश में गांव-गांव में हो जाना चाहिये। जिससे प्रत्येक गांव का प्रत्येक मजदूर और और लोग भी समझ जायें कि हमारे लिये अमुक अमुक कानून बनाया गया है।

जैसा इस कानून में है कि बहुत सी बातें करनी हैं प्रांतीय सरकारों को —————

श्री एम० अनन्था सायनम आयंगर : हमें करनी पड़ेगी।

श्री राम नारायण सिंह : प्रांतीय सरकारों को मालूम होना चाहिये कि उनके बारे में किसका क्या खयाल है, उनको भी इस विषय में कुछ करना जरूरत है कि उनको भी मालूम हो।

आनरेबल श्री जगजीवन राम : आयंगर कहते हैं एम-एल-ए (M.L.A.) लोगों को करना है।

श्री राम नारायण सिंह : अब इस वक्त यह जरूरी बात है कि केन्द्रीय सरकार को इसमें नेतृत्व लेना है। प्रांतीय सरकार से उनको ही काम लेना है। जब तक यह सचेत नहीं रहेंगी तब तक मुझे कम भरोसा है कि प्रांतीय सरकार के लोग जो काम, बहूरी काम जो मजदूरों के लिये करना है वह करेंगे। देखिये, हमारे देश में इसमें

शक नहीं कि बहुत प्रकार का अन्याय भरा हुआ है। देहातों में एक कहावत है:

“रट मरे बर्धा बैठा खाय तुरंग”। जिसका मतलब सब लोग जानते हैं। उसका अंगरेजी में अर्थ होता है Bullock toils and horse sits and enjoys.

हमारे देश में अगर हिसाब किया जाय तो कितने लोग धन पैदा करने वाले हैं और कितने लोग उसका उपभोग करने वाले हैं। तो मालूम होगा कि पैदा करने वालों की संख्या बहुत ही कम है। हमारे देश की स्त्रियों की संख्या जितनी है वह प्रायः कुल आबादी की आधी है तो जितनी स्त्रियां हैं उनमें से कुछ लोगों को छोड़ कर प्रायः सभी कंज्यूमर्ज (Consumers) भोगने वाली हैं। याने हम अपने समाज को दो हिस्सों में बांट सकते हैं। एक भोगने वाले और दूसरे काम करने वाले। याने कंज्यूमर्ज एंड प्रोड्यूसर्ज (Consumers and producers)। तो जितनी स्त्रियां हैं करीब करीब सब भोगने वाली हैं। अब लीजिये बच्चे और बूढ़े। वह करीब करीब भोगने वाले हैं, वह भी कमाने वाले नहीं हैं। अब समाज को लीजिये तो समाज में साधू लोग हैं, ब्राह्मण लोग हैं, भिखमंगे हैं, जो बड़े राजे महाराजे हैं, जमींदार लोग है सब भोगने वाले ही हैं कमाने वाले नहीं। और इतनी बड़ी सकार जो है वह भी कंज्यूमर (Consumer) ही हैं। याने खाने वाली ही हैं। सारी सकार के जितने करोड़ों की तादाद में मुलाजमान हैं खाने वाले हैं।

The Honourable Shri Jagjivan Ram: What about legislators

श्री राम नारायण सिंह : वह भी खाने वाले हैं। इस तरह सारे समाज का हिसाब किया जाय

पण्डित ठाकुर दास भागवत : कोई ऐसा भी है जो कंज्यूम (Consume) नहीं करता ?

श्री राम नारायण सिंह : अगर हिसाब किया जायेगा तो पता लगेगा कि हमारे देश में धन पैदा करने वालों की संख्या दस प्रतिशत से ज्यादा नहीं होगी, बाकी सब खाने वाले हैं।

सभापति जी, हमारे देश में एक बात बहुत अच्छी है कि हमारे देश के लोग गौओं की पूजा करते हैं—इसका कारण है कि गऊ पर मुल्क का जीवन अनेक तरह से निर्भर करता है। हमारा जीवन जो है इस गऊ के जीवन पर निर्भर करता है, तो यह बहुत वाजिब बात है कि हम उसकी पूजा करते हैं। यह जमाना अन्याय है कि इसी तरह सकार को मजदूरों की पूजा करनी चाहिये, और जब तक सारी सकार और सारा समाज मजदूरों की पूजा करने वाली प्रवृत्ति नहीं प्राप्त करेगा तब तक लोग घोर अन्याय करेंगे।

[श्री राम नारायण सिंह]

अब तो इसमें बात यह है कि हमारे मजदूरों को मालूम होनी चाहिये यह जो काम कर रहे हैं जैसा मैंने कल कहा था यहां तो आप देश के हित का कानून बनाते हैं लेकिन मौके पर जो वर यदि देखें कि देश में क्या हो रहा है तो मालूम होगा कि वहां कुछ नहीं हो रहा है। पहले तो हम मकान बनाते हैं और क्या क्या होता है उसके बनने में कुछ असा लगता है। पहला सवाल तो इस वक्त यह है कि जो आपके कल पुर्जे बने हुए हैं सरकार की जा मशीनरी है उसके बारे में मालूम होना चाहिये कि वह किस जमाने की मशीनरी बनी हुई है। जो सरकारी कल पुर्जे इस बंश में हैं, वे देश के लोगों को दबाने के लिये थे। उनके पक्ष में अधिक से अधिक कहा जा सकता है कि वे शासन के लिये थे। शासन करने वाले पुर्जे सेवा नहीं कर सकते। आपको नये कल पुर्जों का प्रबन्ध करना होगा। हां पुराने लोगों को अभी कुछ दिन रहने दिया जाय, धीरे-धीरे उनको हटाने के साथ साथ नये लोगों को उनके स्थान पर लाना चाहिये। आपको दूसरी संस्था कायम करनी होगी, और ऐसी ताकत पैदा करना होगा जिसमें कुछ धर्म हो। उनमें एक ऐसा भाव पैदा करना होगा कि सेवा करना धर्म है। अभी तो सरकार है जिसकी तरफ से हम लोग काम कर रहे हैं, मंत्रीजी काम कर रहे हैं यह गवर्नमेन्ट कहलाती है और जितने लोग हैं वह कहते हैं देश में शासन करने वाले हैं। उनको सेवा से क्या ताल्लुक। लेकिन यह सेवा करने का भाव हर एक में उत्पन्न करना होगा। लेकिन जो वर्तमान सरकार के कल पुर्जे हैं उसमें तो यह भाव उत्पन्न करना हमारे लिये बहुत कठिन कार्य मालूम होता है, और शायद यह हो न सकेगा। इसके लिये दूसरी मशीनरी बनाएं और ऐसे कार्य करें कि लोगों के दिल में सेवा भाव उत्पन्न हो। देश की सच्ची सेवा वही है जो मजदूरों की सेवा है।

इसमें बातें तो बहुत कहनी हैं लेकिन कहने के लिये अभी अवसर नहीं है और न कहने की ज़रूरत है। लेकिन मैं इतना ही कहूंगा कि हम मजदूरों की पूजा करें।

बहुत से दल के लोग बहुत तरह की बातें कह कर मजदूरों के बीच असन्तोष पैदा करते हैं, और हड़ताल कराते हैं, क्या क्या होता है लेकिन हमारी सरकार को ऐसा यत्न करना चाहिये जिसमें ऐसा कोई कारण न रह जाय जिसके कारण लोगों के दिलों में असन्तोष हो। कल एक बात श्री रंगा साहब ने जमशेदपुर के मजदूरों के बारे में कही है कि वह loyal हैं पर इस का यह मतलब नहीं है कि उनके दिल में सन्तोष भी है। मगर देखना यह है कि संतोष का कार्य सरकार की ओर से हो रहे या नहीं। मजदूर के लिये कुछ नियम पास तो हो गए कुछ ही सही, लेकिन देश की परिस्थिति जिस तरह से भयानक हो रही है उसमें जल्दी इन कानूनों के मुताबिक काम होना चाहिये ताकि मजदूरों का भला हो और उनके दिल में संतोष यह

कहते हुए फिर भी मैं लेबर मिनिस्टर साहिब (Labour Minister) को बधाई देता हूँ और इस कानून का स्वागत करता हूँ। और आशा करता हूँ कि मजदूरों का शीघ्र भला होगा।

(English translation of the above speech)

Shri Ramnarayan Singh: Sir, some of my friends have advised me to speak in Hindi. I welcome this measure and congratulate my Honourable friend Shri Jagjivan Ram. I may however point out to him that we should not rest content with this. First of all, all the labour legislation passed should be given a very wide publicity in the whole country so that every labourer in every village and others may know fully well the existence of such laws.

As has been provided in this Bill there are many things which the Provincial Governments have to do.

Shri M. Ananthasayanam Ayyangar: We will have to do them.

Shri Ramnarayan Singh: It is for the Provincial Governments to find out what opinion people have of them. They should also know that they have to do something in the matter.

The Honourable Shri Jagjivan Ram: Mr. Ayyangar says the M.L.As have to do this.

Shri Ramnarayan Singh: It is essential, therefore for the Central Government to give the lead; and get work from the Provincial Governments. So long as they are not quite alert, I have very little hope that their men will do any bit of important work required for the labourers. Doubtless there is injustice on many sides in this country. There is a well known saying in villages:—

“रट मरे बर्षा बैठा खाये तुरंग”

which means that: The bullock toils and the horse sits and enjoys.

If we calculate the number of consumers and producers in our country we shall find that the number of producers is very small. Women who form about half the population of this country with the exception of only a few are all consumers. We can therefore place our society in two groups (1) consumers and (2) producers; and nearly all the women are consumers. Similarly all the children and old men are also consumers. Of the rest of our society Sadhus, Brahmins, beggars and wealthy Rajas and Maharajas, and Zamindars are all consumers and not producers. The mighty Government itself is also a consumer, and the millions of its employees are also consumers.

The Honourable Shri Jagjivan Ram: What about legislators?

Shri Ramnarayan Singh: They are also all consumers. If we take into consideration the entire society.....

Pandit Thakurdas Bhargava: Is there any one who does not consume?

Shri Ramnarayan Singh: If actual figures are obtained on this matter it will be found that hardly 10 per cent. of the people are producers, all others are consumers.

Sir, it is very good indeed that the people of this country worship the cow. They do so because the life of this country depends mostly on the cow and they are quite justified if they do so. Time has now come, when the Government should worship the labour because, so long as the Government and the society do not have a regard for the workers people are bound to do grave injustice to it.

Our workers ought to know now—as I said yesterday, that while legislation is passed here for the good of the country nothing practical is done at the spot. We first build house and do so many things in that connection, but it takes some time to build them. The question that now arises is how old is this machinery of our Government and its parts? The officials comprising this machinery were meant for oppressing the people and it can be said in their favour that they were

[Shri Rainnarayan Singh]

mostly governing the country and as such they could not be expected to serve the people. You have now to arrange to replace these parts of this machinery. The existing incumbents may be allowed to continue for some time more, but they should be replaced gradually by fresh persons. You have to establish a new system and have to produce a force with a yearning for righteousness and service. We have a Government today whose representatives we are and in whose behalf the Ministers are working but the people think that they are ruling over them and have no idea of service. The spirit of service will have to be inculcated into the minds of every one. But it is difficult for us to do so in the case of the present machinery of Government; and we may not be able to do so. We should, therefore, set up a new machinery and take measures to foster the disposition for service. Service of the labourers is the best service to the country.

In this connection I want to say many more things, but there is no time for it neither any necessity for it and I will only add that we should worship labour.

It is indeed at the instigation of other classes of people that dissatisfaction is found in the ranks of labour resulting in strikes. Government must devise means to remove the causes of discontent. Speaking about the labour conditions in Jamshedpur the Honourable Shri Ranga said yesterday that labour was very loyal there, but it does not mean that the labour is contented. To satisfy the labour, therefore, we should find out if the Government are doing everything in this direction. No doubt, some measures have been passed for the benefit of labour, but they should be put into practice immediately, considering the present alarming conditions in the country, so that the workers may feel satisfied and contented. With these words I congratulate the Honourable Minister for Labour and welcome this Bill, hoping that the workers will soon be benefited by it.

Shri Kuladhar Chaliha (Assam: General): May I speak in Assamese as I am not well up in English?

Mr. Chairman: I cannot possibly object, but I suggest, since the other members have to understand something, the Honourable Member may speak in English.

Shri Kuladhar Chaliha: I find a refreshing change in the fact that Mr. Ranga who formerly used to charge provincial governments for never implementing anything, is a great defender now of provincial governments. On the other side Mr. Shiva Rao who was in those days a free lance and used to criticize and also appreciate the Congress is now trying to find fault with us because he suspects that provincial governments which are run by Congress, will not implement these rules and statutes. I trust there must have been some very good reasons for Mr. Shiva Rao changing like this and I hope he will be able to explain the reasons for the suspicion on some future occasions. Both Mrs. Ray and Mr. Rao who have made the charges will, I hope, be able to explain the reasons for their suspicion. But Provincial Governments are drawn from our ranks and there is no reason for the suspicion. Any way we are thankful to the Labour Minister for the excellent Bill which he has brought forward, and indeed so far as Assam is concerned, he will be benefitting about 8½ lakhs odd labourers, and on them depend another 8 lakhs who will also be benefited from this Bill, and Assam will be benefited greatly by this measure. I am speaking subject to correction, but I think 1,415 tea estates covering an area of 4 lakh acres under tea and about 14 lakhs of acres under the coffee, will reap the benefit. I hope the Labour conference which has been going on in the Council House on the other side of this Assembly Hall will be able to come to such agreement in the matter of wages as will benefit them. I think they

are going to fix the lowest minimum wage and they are very thankful that the Labour Minister is very accommodating and is in a conciliatory mood, and they trust that he will do his best. This measure will benefit mostly the tea plantations of Assam, Bengal and Mysore and he has done a great justice to them by bringing this measure. As regards industrial labour in the great cities they are more vocal, and there are so many labour leaders, real or supposed, who bolster up imaginary grievances and exaggerate them that sometimes I feel that the peasants have been forgotten and are out of the picture. While these measures have been taken for the amelioration of the labourers, I trust a time will come when Government will be able to take such measures for the benefit of the agriculturists and peasants who live in villages for whom no body cares and for whom there is not a drop of medicine.

In Assam the difference between the agricultural labourer and a worker in the tea plantations is very great. While the plantation workers have a chance to live, the agriculturists lie on the damp floor; they have very little medical help whereas a plantation labourer always gets the necessary medical aid and even his itches and sores are attended to quickly because it is in the interest of the tea-planters that the labour should be properly attended to, whereas from malaria and from malnutrition thousands of people in the villages of Assam and other places die—they have nobody to attend to, nor have they any hospitals. I think a time will come when we will have the necessary resources and shall be able to bring in a measure by which all the people of our country, including the peasants, will be helped.

I congratulate again the Labour Minister for the very sympathetic attitude in which he has carried this measure through, and the members of the Standing Committee—not forgetting Messrs. Ranga's and Shiva Rao's change as well.

Mr. E. K. Sidhva (C. P. and Berar: General): Sir, while making certain observations yesterday on this Bill, I made a suggestion to the Honourable Minister that in order to give proper medical relief the Provincial Government should be requested to establish separate hospitals and dispensaries for the employees. To that my friend Mr. Shastri yesterday objected and he considered that it would mean secluding a class of people, and he opposed the suggestion on that ground.

Sir, by making that suggestion it was never my intention to exclude, but when such an exclusion is necessary I would certainly advocate it. It was unfortunate that because I made that suggestion, these workers were compared with the Scheduled classes and the depressed classes and the Harijans; it was far from my mind. I made this suggestion from the practical experience that I have had as regards the treatment of these labourers in the hospitals. I would like to mention that at present when these labourers go to their hospitals or dispensaries, they hardly get that treatment which is due to them. Apart from the treatment meted out, they are placed furthest in a large hospital. If there are nearly 200 out door patients waiting, the labourer is put at the end and at times his turn hardly comes by the time the hospital hours are over. I know of instances where a labourer had to come on the following day for getting his medicine from the doctor. As regards the indoor patients, the situation is still worse. I know of instances where the labourer was admitted for a very acute disease, and for want of accommodation he was thrown on the verandah. Many a time they are asked to go because there was no accommodation, and at times when they had very acute disease they were thrown on the verandah without a cot being provided, on the floor.

Sir, I can say this with personal experience. From that point of view I made the suggestion that while this very beneficial measure is being enacted, its object may not be frustrated by the Provincial Government whose duty it is now to establish separate hospitals and give the workers proper relief. I would not have taken much notice of any other member who made such a remark.

[Mr. B. K. Sidhva]

but Mr. Shastri is the President of the I.N.T.U.C. and I therefore thought that it may not be understood that the labourers do not desire such a treatment or that it will be considered something like a scheduled class—separate—treatment. I am very glad that Prof. Ranga is with me on this matter. He advocated that separate hospitals are absolutely necessary. He said it openly, and I had a talk with him privately as well. So, you can see, Sir, that I had to rise simply to emphasise this point; I had no mind to speak on the Third Reading. But I do feel very strongly as far as the present treatment given to the labourers is concerned and I thought that by an objection from a responsible member representing the labourers, the Honourable Minister may not be carried away by the view that the necessity for a separate hospital is not desirable.

I therefore emphasise my point. From my experience—and the Honourable Minister must have experience himself—I can quote a number of instances where these labourers have been treated in the manner that I have described. After all they are general hospitals and you know in the hospitals what kind of favouritism goes to a patient; those who have got power, those who have got patronage, those who have got the purse, they get the preference. What would be the fate of the poorest of the poor men who goes for treatment?

While this nice measure is introduced, it is our duty to see that the relief, particularly the medical relief, which is really sought to be given to this class of people should be thoroughly fulfilled. Therefore, Sir, I again advocate my suggestion. The Honourable Minister must be alert about it and he may not be carried away by the objection that was raised by my friend. I hope that he will see—not only see, but if it could be done, he should make with rule-making power, a clause that the Provincial Government must establish separate hospitals for these labourers. After all, the number of workers will be increasing. It is very necessary that it may not be misunderstood by this class of people that after all, this very good measure has been made on the paper but as far as you go to implement it, the same treatment and the same difficulty and the same hardship which they were undergoing in the hospital still exist. Let that impression be removed; let that impression not exist among the labourers with the effective measure that is being passed today in this House.

With these words, Sir, I again welcome this measure. I again congratulate the Honourable Minister, I again congratulate the members of the Select Committee, for having expanded the scope of a measure for which we were aspiring for a number of years. I hope, Sir, when such a good measure is passed its object should be thoroughly fulfilled.

Shri S. V. Krishnamurthy Rao (Mysore State): Sir, I know the scope of the Bill even as it is expanded, is very limited. It applies only to certain classes of industrial labourers and it only applies so far as disablement, maternity and sickness benefits are concerned. Also, it only applies to Provinces. In fact, I thought my Honourable friend Mr. Gokulbhai Bhatt would speak, and suggest that Minister as he is in an important State.....

An Honourable Member: Not yet, but very soon.

Shri S. V. Krishnamurthy Rao: Yes, very soon he will be. I was saying that he would suggest that such legislation will be implemented in the States also. I know this House cannot legislate for the States, but a great responsibility rests upon our popular Minister and he can use his good offices and see that such legislation is implemented in the States also. I know some States have already passed such legislation. In Mysore, wherefrom I come, this year we have passed the Minimum Wages Bill, the Shop Assistants Bill and a Canteen and other amenities Bill, and I am sure this legislation also will be passed in Mysore. But there are states where there is no such legislation at all. I have come to know that in a Northern Indian States whose income is Rs. 8 lakhs a

year the Prince made about Rs. 9 crores during the period of the war. That is because some of our industrialists took shelter and started industries in these States just to escape labour legislation and also income-tax legislation. I hope the Honourable Minister will have an eye upon such people and use his good influence to see that this social legislation is implemented in the State as well, because unless there is uniform labour law both in the Provinces and in the States, the condition of labour in the States will certainly not improve and the industrialists will see their way to find shelter in the States and escape the effect of this legislation. I hope the Honourable Minister will use his influence to that effect.

Further, I only hope, just as Prof. Ranga and others did, that this may be extended to the agriculturists also. I hope this is a forerunner of that legislation and that this measure will expand in its scope for old age pensions, unemployment benefit, funeral expenses and also children's education. Just as in England where they have got an insurance scheme, for all people from the cradle to the grave. I do hope that from this beginning, it will expand and improve, and benefit the entire labour population of India.

With these remarks, I support the Bill.

The Honourable Shri Jagjivan Ram: Mr. Chairman, it gives me great pleasure that the Bill has been welcomed from all sides of this House and I must also thank the Honourable Members for the way in which they have expedited the passing of the various clauses of this Bill.

Several points have been raised about the implementation of the various provisions of this measure. I do not understand why there is so much mistrust of the Provincial Governments in this House.

An Honourable Member: You know it.

Mr. R. K. Sidhva: They have a history of the past.

The Honourable Shri Jagjivan Ram: As my friends in this House are aware, most of the matters concerning labour fall under the provincial sphere. Some of them are in the Concurrent List and only a very few in the list of the Central subjects. The constitutional position being such, we have mostly to depend upon the Provincial Governments for the implementation even of those measures on subjects which fall in the Concurrent List and for which we legislate in this House. So we will have to depend upon the Provincial Governments for the implementation or execution of such measures as they have got to administer. But we certainly do take utmost care to see that there is uniformity in the Provinces and Provincial Governments do make honest efforts to give effect to the various measures adopted by this House to the best of their ability, capacity and resources. In this matter as well, we have been always keeping the Provincial Governments in touch. We have always been consulting them on the various provisions of this measure from the very beginning, from the time the idea of having a social insurance scheme was mooted by the Central Government, and I am glad to inform the House that most of the Provincial Governments have welcomed it and have promised to give effect to it to the best of their resources. So there is no cause for any misapprehension or mistrust of the Provincial Governments. I will not enter into details as my friend Prof. Ranga has done and enumerate the activities of the various Provincial Governments in the matter of labour legislation and labour administration. But certainly I do admit that the times have changed and the Provincial Governments have begun to take more and more interest in labour welfare and labour legislation.

The other point has been raised about making necessary publicity of and acquainting the workers with the provisions of the various measures that are adopted here. We do something in that matter, I want to take this opportunity to say that labour leaders and labour workers owe a responsibility in

[Shri Jagjivan Ram]

this matter as well. It has been a rather unfortunate experience in this country that most of the labour leaders and labour workers only want to exploit the workers for their purposes. In any country—and especially in India, where most of the workers are ignorant, illiterate and unsophisticated,—it is very easy to exploit them for reasons other than economic, and this is the reason why even when very useful and beneficial measures are adopted by the Government—Central or Provincial—workers are kept deliberately unaware of those measures by the interested parties so that they may go on creating dissatisfaction among the workers and go on exploiting them for their own political and party purposes. It does not lie entirely on the Government to acquaint the workers with the various measures that Government adopt for them. It rests on the Honourable Members of this House as well as other public workers to take advantage of the beneficial and good measures that are adopted by the Government—legislative or otherwise—and acquaint the workers of those measures.

Prof. N. G. Ranga: They should be printed and published in the local languages.

The Honourable Shri Jagjivan Ram: I am coming to that, my friend.

If the whole thing is left to the Government, friends like Prof. Ranga are not unaware that those labour leaders and workers who today want to exploit the working classes for their own purposes, will take advantage of this fact as well. The propaganda on behalf of the Government is likely to be utilised against the Government and the labourers may be exploited on that score for purposes other than economic. It is not always safe to set up propaganda machinery on behalf of the Government. You cannot leave everything to Government. Those labour leaders, workers and public workers who today feel that in the interests of peace and order in the country, in the interests of an ordered Government in the country, and in the interests of an ordered economic development of the country, the workers should be kept under control and right leadership, it is up to them to come in the field and explain to the workers their rights and their responsibilities. You cannot throw the entire responsibility on the Government. You cannot say today that the workers may be loyal to the Government but they are not satisfied. I for one feel that the condition of the workers of this country desires much to be improved, but all the same one cannot say that the present Government has done nothing for the workers. And, the workers may not be fully satisfied but steps have been taken by the Government which will amply justify the claim that the Government is sincere in their professions, for improving the condition of the working classes. But if you want to leave workers entirely on the mercy of those groups and parties and individuals who want to exploit them for either their party purposes or political purposes or their selfish motives, you will be just throwing the labourers and the working classes to the wolves. And I am afraid you will be creating an impediment in the way of ordered economic progress of the country.

Shri M. Ananthasayanam Ayyangar: May I ask if the Honourable Minister thinks it desirable early or late to prevent non-workers from being in the executive of any of the organizations? Because we find that sufficient time has been given to that—about 20 years.

The Honourable Shri Jagjivan Ram: Prof. Ranga has raised the question that all these legislations should be published in the Provincial languages. As a matter of fact, Sir, we have been examining that as to how best we can publicise the various steps that we take for the improvement of the condition of the working classes, but it is also up to the provinces and leaders of the Unions to do some constructive activity for improving the condition of the workers. We will certainly get them publicised, but the real propaganda can be made by public workers better than through Government agencies.

As regards the point just raised by my Honourable friend, Mr. Ananthasayanam Ayyangar, I do admit, Sir, that the Trade Unions Act was passed so far back as 1926 and looking to the backwardness of the working classes in this

country, it was though desirable that non-workers or outsiders may be given a place in the Trade Union. That act is in vogue at present. I have not closely examined that question as yet, but I will certainly do look into that and see whether the stage has been reached when we can eliminate outsiders from Trade Unions, but I cannot say anything definite on that point at this stage.

Sir, the health of the workers depend upon so many factors; it depends upon nutrition; it depends upon housing conditions; it depends upon the sanitary conditions, their work-places and their surroundings. When we have to think of the health of the workers, we certainly will have to think about their housing condition; we will have certainly to think about the condition of sanitation and safety measures in their work places and in their surroundings. And all these questions are inter-mixed and intertwined. We can not think in isolation on each of these factors; and each of this item is a colossal problem from the point of view of the entire country. As Prof. Ranga has very ably explained, Sir, when we take up this five million agricultural labourers, I am afraid, their number is far greater, we will have to set up a chain of hospitals throughout the country and one can just imagine what a colossal task it is; but we have certainly to do that; it is a question of time; it is a question of resources; it is a question of trained personnel and as every member in this House is aware, today we are short of all of these things; the question of finance is there, but suppose we can anyhow manage to raise the necessary finance, we cannot overnight solve the question of shortage of building materials; we cannot solve overnight the problem of qualified personnel—all these things have to be taken into consideration. While considering the question of a comprehensive housing programme for the working classes or whether considering the question of making medical facilities available not only to the working classes, but to every man and woman in this country—all these factors have to be taken into consideration.

Then with this the question of nutrition is linked which depends upon the diet and consequently upon the wages that a worker gets. In this connection we will have to think about the Minimum Wages Act and the other Acts that we have adopted. All these Acts are inter-linked and each one will produce an effect which will ultimately contribute to the good health of the worker. These are the measures that we have been taking; these are the lines on which we are proceeding and the cumulative effect which all these measures will produce in the improvement of health not only of the workers but of the whole country should be kept in view.

Then, Sir, there is this question of implementation. My valued friend Babu Ramnarayan Singh has raised this question that here we pass some legislation which are not implemented. I do not agree with him, Sir that most of our labour legislations are dead letters. Even in the coal fields, Sir, the example of which he quoted yesterday, I may explain to my honoured friend that we are proud of the work that we have done there and today if he can go to the coal fields, he will find better workers, more contented than they were before. Sir, if I have been able to do any thing substantial for the working classes, I have been able to do most for the workers in the coal fields. We are soon going to have. (Interruption).

I am coming to this. I wish my friend could have analysed himself the causes of the strikes in the coal fields. If he would have analysed that, he would not have put that question to me. The Labour Minister is not responsible for that. The working condition is not responsible for those strikes, but the struggle for supremacy over the workers in the coal fields by the various political parties is responsible for that. And as I have said, Sir, it is very easy in this country where the workers are illiterate and ignorant to exploit them and that is what is happening in the coal fields. Various parties and groups knowing

[Shri Jagjivan Ram]

that coal is the basic thing on which the entire economy of the country rests, want to have full control over the workers in the coal fields in order that they may paralyse the Government of the country at any moment and it is up to the public workers to see to that. We have created very satisfactory conditions in the coal fields, but still there are troubles. I enter into this question, Sir, because my friend, Babu Ramnarayan Singh raised that issue yesterday. I want to tell him that in the Advisory Committee of the Coal Welfare Fund, there are representatives of the workers. It is just possible that some representative of the workers from any particular district or any particular coal field may not be there because we consult their organizations and they suggest the names of their representatives on that Committee and according to their recommendations we nominate their representatives on the Advisory Committee. There are representatives of the workers on the Welfare Fund. We have taken steps to construct houses for the workers in the coal fields. We are going to have a chain of Central and Regional Hospitals in the coal fields of Bengal, Bihar and C.P. We have just started a contributory Provident Fund in the coal fields. So I do not think the workers in the coal fields are in any way worse than workers in other categories. Today I can say, Sir, that workers in the coal fields are better in many respects than workers in many of the organised industries in this country.

My Honourable friend Mr. Ayyangar raised the question of insurance for Government servants getting a salary of less than Rs. 400. I think that is a matter for the Finance Ministry, but I will certainly take up this question with my Honourable colleague and see what we can do in this respect.

My Honourable friend Mr. Sidhva was very emphatic yesterday and even today as regards the establishment of separate hospitals for workers. Let me explain how we think the scheme should work. It is like this. We do not think that in each and every case a separate hospital for workers alone should be established; that I think will be an undesirable proposition. We think that where a hospital exists the Corporation may get a number of beds reserved in that hospital for the workers, and the Corporation will pay the provincial Government or the authorities of that hospital for those beds. But where we find that there is no hospital, it is certainly our intention to establish a hospital which will not be exclusively for the workers. We cannot deprive the population round about that hospital of the benefits of that hospital; but certainly insured persons will get better facilities and better attention at the hands of the hospital authorities than the others will get. We cannot create scheduled hospitals for the workers themselves. As a matter of fact we have not in our country such cities or towns which may be regarded as entirely industrial cities in the sense that only working classes live there. There are other people interspersed with the industrial population, and therefore we cannot have hospitals only meant for workers and not for others. That is our scheme; and I think if Mr. Sidhva will further think over this question he will agree with me that it is better to have hospitals for the entire population in a locality to ensure better facilities and attention for the workers in those areas rather than have hospitals for the workers alone, which will be undesirable and not to the advantage of the workers themselves.

Then the question is also raised about giving these facilities to people engaged in agricultural pursuits, and the point has also been made that efforts should be made to find full employment for the agricultural population. These are things which are constantly before Government. Government are anxious not only to find employment for those who are engaged in agricultural pursuits but also to find avenues of suitable employment for every able-bodied man and woman in this country. But that depends upon the development of the country

and that will certainly take some time. Honest efforts are, however, being made in that direction and we hope we will be in a position to solve that question in due course.

My Honourable friend Mr. Krishnamurthy Rao raised the question of similar legislation in Indian States. We hold periodic conferences of Labour Ministers of the provinces and States, and we do take up with the Labour Ministers of the States the question of taking similar actions in the States. I have some satisfaction in informing the House that in some of the advanced States there are similar legislations. But there are some States where they are very backward, and up till now we had no constitutional authority to force them to adopt similar measures; of course we used to persuade them. One or two Labour Ministers of the States have so far come to see me in connection with this Bill and they have promised that they are soon going to have similar measures in their States. I will try my best to see that at least in those States which are industrially advanced similar measures are adopted. Now the times have changed and in most of the States we are going to have popular Assemblies and popular Ministries; and I am sure these Assemblies and these Ministries will not lag behind the Indian provinces and will have suitable labour laws similar to those adopted here in the centre and in the provinces.

Sir, I do not propose to take up any more time. I think this Bill opens a new chapter in the history of labour legislation in this country; it is the beginning of social security measures. As many Honourable Members have remarked, it is limited. I admit that; but there is, as you are aware, Sir, a provision in the Bill itself by which the benefits of this measure may be expanded and extended to any extent in order to cover the various categories of working classes in this country. I am sure the Corporation, the provincial Governments and the Central Government will take the earliest opportunity to extend the scope of this Bill as soon as conditions permit.

Sir, I hope the Bill will be passed as amended.

Mr. Chairman: The question is:

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

The motion was adopted.

The Assembly then adjourned till a Quarter to Eleven of the Clock on Saturday, the 3rd April, 1948.