

Thursday, 21st March, 1935

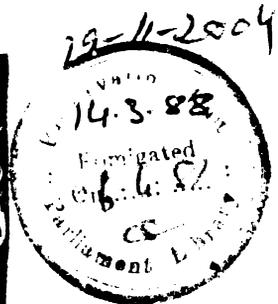
THE  
COUNCIL OF STATE DEBATES

VOLUME I, 1935

*(11th February to 17th April, 1935)*

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NINTH SESSION  
OF THE  
THIRD COUNCIL OF STATE, 1935



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	<b>PAGES.</b>
<b>Monday, 18th February 1935—<i>contd.</i></b>	
Indian Naturalization (Amendment) Bill—Considered and passed . . . . .	221—23
Cinematograph (Amendment) Bill—Considered and passed . . . . .	223—32
<b>Thursday, 21st February, 1935—</b>	
Questions and Answers . . . . .	233—35
Election of four non-official Members to the Standing Committee on Emi- gration . . . . .	235
Nominations for election to the Central Advisory Council for Railways .	235
General discussion of the Railway Budget for 1935-36 . . . . .	236—81
<b>Monday, 25th February, 1935—</b>	
Questions and Answers . . . . .	283—88
Resolution <i>re</i> reduction of British soldiers in India—Negatived . . . . .	288—311
Resolution <i>re</i> Government of India and State Railway Presses—With- drawn . . . . .	311—25
Resolution <i>re</i> advancement of loans on the security of postal insurance policies—Withdrawn . . . . .	325—28
Resolution <i>re</i> inquiry into conditions of horse-breeding colonists—With- drawn . . . . .	328—33
Resolution <i>re</i> import of foreign rice—Moved . . . . .	333
<b>Wednesday, 27th February, 1935—</b>	
Member Sworn . . . . .	335
Questions and Answers . . . . .	335—36
Short Notice Questions and Answers . . . . .	336—37
Statement laid on the table . . . . .	337—38
Election of six non-official Members to the Central Advisory Council for Railways . . . . .	338
Resolution <i>re</i> import of foreign rice—Adopted . . . . .	339—57
Resolution <i>re</i> education of the electorate and preparation of electoral rolls, etc.—Withdrawn . . . . .	357—67
Resolution <i>re</i> accommodation in the Western Court for Members of the Legislature—Withdrawn . . . . .	368—72
Resolution <i>re</i> legislation for the compulsory mixing of alcohol in motor spirit—Negatived . . . . .	372—80
Parsi Marriage and Divorce Bill—Motion for reference to Joint Select Committee, adopted . . . . .	381—82
<b>Thursday, 28th February, 1935—</b>	
Presentation of the General Budget for 1935-36 . . . . .	383—89
<b>Saturday, 2nd March, 1935—</b>	
Questions and Answers . . . . .	391—93
Short Notice Question and Answer . . . . .	393—94
General discussion of the General Budget for 1935-36 . . . . .	394—463
<b>Thursday, 7th March, 1935—</b>	
Questions and Answers . . . . .	465—68
Statement laid on the table . . . . .	468
Resolution <i>re</i> continued protection to wheat growers in India—Part (a) —Adopted; Part (b)—Negatived . . . . .	469—82
Resolution <i>re</i> building up of an Indian Mercantile Marine—Adopted .	482—501
Madras City Hindu Temples Bill—Motion to introduce, adopted . . . . .	501—02
Resolution <i>re</i> establishment of an Industrial Council—Negatived . . . . .	503—12
Statement of Business . . . . .	512

**Wednesday, 13th March, 1935—**

Member Sworn . . . . .	513
Questions and Answers . . . . .	513—18
Statement laid on the table . . . . .	518—21
Resolution re unemployment—Negatived . . . . .	521—41
Resolution re recruitment of all classes to the Indian Army—Negatived . . . . .	541—68
Resolution re establishment of a ministry of communications—Adopted . . . . .	568—71
Resolution re damage caused by the Salt Range and Khewra Salt Mines to culturable lands—Moved . . . . .	571—72

**Thursday, 14th March, 1935—**

Aligarh Muslim University (Amendment) Bill—Motion to introduce, adopted . . . . .	573
Resolution re enlistment of the Sayyid community in the Indian Army—Withdrawn . . . . .	574—85
Ballot for the election of three non-official Members to the Standing Committee for Roads . . . . .	585
Ballot for the election of two non-official Members to the Standing Advisory Committee for the Indian Posts and Telegraphs Department . . . . .	585
Election of two non-official Members to the Standing Committee for the Department of Commerce . . . . .	586

**Monday, 18th March, 1935—**

Questions and Answers . . . . .	587—88
Result of election to the Standing Committee for Roads . . . . .	588
Result of election to the Standing Advisory Committee for the Indian Posts and Telegraphs Department . . . . .	588
Resolution re damage caused by the Salt Range and Khewra Salt Mines to agricultural lands—Negatived . . . . .	589—600
Resolution re steps to check the increase in population—Negatived . . . . .	601—29
Resolution re recruitment of Indian Medical Service officers by open competitive examination in India—Negatived . . . . .	630—38
Indian Milch Cattle Protection Bill—Motion to introduce, adopted . . . . .	638—39
Resolution re financial condition of Assam—Withdrawn . . . . .	639—40
Madras City Hindu Temples Bill—Motion to circulate, adopted . . . . .	640—41

**Thursday, 21st March, 1935—**

Questions and Answers . . . . .	643—44
Short Notice Questions and Answers . . . . .	644—48
Aligarh Muslim University (Amendment) Bill—Considered and passed . . . . .	649—50
Resolution re non-ratification of the Draft Convention for the regulation of hours of work in automatic sheet-glass works—Adopte . . . . .	650—54
Resolution re non-ratification of the Draft Convention ensuring benefit or allowances to the involuntarily unemployed, etc.—Adopted . . . . .	654—65
Statement of Business . . . . .	663

**Friday, 29th March, 1935—**

Member Sworn . . . . .	667
Questions and Answers . . . . .	667—79
Valedictory speeches in connection with the retirement of the Honourable Khan Bahadur Mian Sir Fasl-i-Husain . . . . .	679—88

**Monday, 8th April, 1935—**

Members Sworn . . . . .	689
Questions and Answers . . . . .	689—92
Bills passed by the Legislative Assembly laid on the table . . . . .	692—98
Message from His Excellency the Governor General . . . . .	693
Indian Finance Bill laid on the table . . . . .	693
Message from the Legislative Assembly . . . . .	693
Motion <i>re</i> Nomination of Members to serve on the Joint Committee to consider and report on the Parai Marriage and Divorce Bill—Adopted . . . . .	694
Statement by the Honourable the President on the future course of business . . . . .	694—700

**Wednesday, 10th April, 1935—**

Questions and Answers . . . . .	701—0
Motion for Adjournment <i>re</i> refusal of the Government of India to hold a public enquiry into the Karachi disturbances—Leave to move, granted . . . . .	702—03
Statements laid on the table . . . . .	703—09
Bills passed by the Legislative Assembly laid on the table . . . . .	710
Indian Tariff (Amendment) Bill—Considered and passed . . . . .	710—38
Indian Tea Cess Amendment Bill—Considered and passed . . . . .	738—43
Motion for Adjournment <i>re</i> refusal of the Government of India to hold a public enquiry into the Karachi disturbances—Terminated under time limit . . . . .	743—66

**Thursday, 11th April, 1935—**

Members Sworn . . . . .	767
Indian Finance Bill, 1935—Motion to consider, <i>not concluded</i> . . . . .	767—826

**Tuesday, 16th April, 1935—**

Questions and Answers . . . . .	827—32
Motion for Adjournment <i>re</i> inquiry by tribunals into the conduct of Government officials—Leave to move, disallowed . . . . .	832—34
Indian Finance Bill, 1935—Considered and passed . . . . .	835—90

**Wednesday, 17th April, 1935—**

Short Notice Questions and Answers . . . . .	891—97
Motion for Adjournment <i>re</i> communal riots during Mohurrum—Disallowed . . . . .	897—98
Salt Additional Import Duty (Extending) Bill—Considered and passed . . . . .	899—903
Indian Mines (Amendment) Bill—Considered and passed . . . . .	903—06
Motion <i>re</i> expression of loyalty and devotion to His Majesty the King-Emperor on his Silver Jubilee—Adopted . . . . .	906—09

# COUNCIL OF STATE.

*Thursday, 21st March, 1935.*

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The Council met in the Council Chamber of the Council House at Eleven of the Clock, the Honourable the President in the Chair.

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## QUESTIONS AND ANSWERS.

### ALLEGED GRIEVANCES OF INDIANS IN ZANZIBAR.

82. THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA : (a) Is it a fact that the Zanzibar Government have refused to take action on the representation of the Government of India ?

(b) If so, what further action do Government propose to take in the matter ?

THE HONOURABLE KHAN BAHADUR MIAN SIR FAZL-I-HUSAIN : (a) and (b). Government have recently received the views of His Majesty's Secretary of State for the Colonies on their representation relating to the Clove legislation in Zanzibar and these are under consideration.

### ALLEGED OPPOSITION OF THE LONDON CHAMBER OF COMMERCE TO THE ZANZIBAR CLOVE GROWERS ASSOCIATION.

83. THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA : (a) Is it a fact that the London Chamber of Commerce have opposed the establishment of the Zanzibar Clove Growers Association and that they have recommended its abolition ?

(b) Have the British Government taken any action in the matter ?

(c) If the answer to part (b) is in the negative, will Government press the matter on the British Government ?

THE HONOURABLE KHAN BAHADUR MIAN SIR FAZL-I-HUSAIN : (a) Government have seen a Press report on the subject.

(b) Government have no information.

(c) The attention of the Honourable Member is invited to the reply just given by me to his previous question.

### AMENDMENTS TO THE GOVERNMENT OF INDIA BILL WHICH HAVE BEEN SENT BY THE GOVERNMENT OF INDIA.

84. THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA : (a) Will Government be pleased to state whether they

have sent any amendments to the Government of India Bill to be incorporated in the Committee stage of the Bill?

(b) If so, will Government be pleased to place them on the table?

THE HONOURABLE KHAN BAHADUR MIAN SIR FAZL-I-HUSAIN : (a) and (b). It is not clear what the Honourable Member really wants to know. It is well understood that it is not in the public interest to disclose the correspondence between the Secretary of State and the Government of India. The Honourable Member no doubt reads in the public press all the amendments to the Bill at the Committee stage.

#### FALL IN STERLING AND PRECAUTIONS TAKEN BY THE GOVERNMENT OF INDIA.

85. THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA : Have Government taken any precautions in the matter of the effect on India of the fall in sterling? If so, what precautions?

THE HONOURABLE MR. P. C. TALLENTS : Government have taken no precautions, nor in view of the reassuring statement made by the Chancellor of the Exchequer in the House of Commons on the 7th March, 1935, do they consider that any steps are necessary.

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#### SHORT NOTICE QUESTIONS AND ANSWERS.

THE HONOURABLE THE PRESIDENT : There are notices of two short notice questions by Raja Ghazanfar Ali Khan and the Honourable Mr. Suhrawardy. Has the Member in charge any objection?

THE HONOURABLE MR. M. G. HALLETT : No, Sir.

THE HONOURABLE THE PRESIDENT : You can put those questions.

#### POSTPONEMENT OF THE EXECUTION OF ABDUL QUAYUM AND DISTURBANCES IN KARACHI.

86. THE HONOURABLE RAJA GHAZANFAR ALI KHAN : (a) Is it a fact that the execution of Abdul Quayum was originally fixed for the 4th March? If so, why was it postponed?

(b) Will Government be pleased to make a full statement on the subject of the disturbances in Karachi following Abdul Quayum's execution?

THE HONOURABLE MR. M. G. HALLETT : Sir, I take the opportunity given by this question to give the Council all the information which I have available regarding the very regrettable occurrence at Karachi. It will be recognised, I think, that the information at present available consists only of somewhat brief telegraphic reports and that I have not the fuller details which we shall receive no doubt shortly from the district authorities and from the Government of Bombay.

Dealing with the first clause of the Honourable Raja Sahib's question as regards the postponement of the execution, the following is an extract from a report submitted by the Government of Bombay :

"The sentence imposed on Abdul Quayum and the rejection of his appeals created communal tension in Karachi and the local press had to be prohibited from commenting on the case. Abdul Quayum's execution was originally fixed for 4th March but was postponed two days previously on local authority reporting that serious disturbances were expected in connection with burial in prison cemetery which is at a considerable distance from the prison and suggesting transfer of prisoner for execution to jail elsewhere. On the morning of 4th March a large Muhammadan crowd assembled outside the jail demanding to see the prisoner and threw stones at police, but were dispersed without difficulty after a *lathi* charge. Bombay Government decided that there were grave objections to the transfer to jail elsewhere as demonstrations *en route* were likely, whether he was transferred by rail through Sind or by sea *via* Bombay "

The second part of the question asks for a general statement on the subject of the disturbances which followed his execution. As I have said, I rely on the somewhat brief telegraphic reports received from the District Magistrate. The first report received was to the following effect :

"Abdul Quayum executed this morning. Early burial in selected graveyard distant from the city was interrupted by a Muhammadan crowd which swelled to 20,000 or more. Half the crowd attempted to rush the body by surprise into the city with the certainty that there would be grave communal disturbances. The police were overpowered. British soldiers were then ordered to fire as a last resort. A detachment of about 25 men fired nearly two rounds each. The rush was checked with casualties of about 29 deaths and about 87 injured. Firing was strictly limited, but number of casualties was due to density of the crowd and the closeness of the range. The crowd retreated and buried the body of Abdul Quayum outside the city. Situation is quiet at present but under close observation "

That was received on Tuesday evening. A somewhat more detailed report received yesterday gives the following information. That gives the timetable according to the time at which the various events occurred.

" 4 A.M. Abdul Quayum executed.

5-50 A.M. Body was sent to the cemetery two miles outside the city.

8 A.M. The body was placed in the grave after proper rites.

8-30 A.M. Filling of grave was obstructed by Muslim crowd inflamed by communal feeling. Police were withdrawn from an indefensible position to the city.

9-45 A.M. Military aid was invoked to prevent the rumoured parade of the body through the city. The body was then removed from the grave against the wishes of the relatives and carried to the city for parade.

12-15 P.M. A frenzied crowd of about 10,000 strong using *lathis* and stones were intercepted at Chakiwarra cross roads on outskirts of city by 40 unarmed, 10 armed police, 50 soldiers of the Royal Sussex Regiment who were accompanied by the District Magistrate and the City Magistrate. Police were overwhelmed without firing. Soldiers fired to stop the crowd in self-defence. The large number of casualties was due to the fact that the soldiers were obliged to fire at the closest range at the dense mob which was rushing on them. Minimum force was used in a situation which endangered the whole city. If rioters had broken through the cordon reinforcements from unruly elements inside the city would have involved widespread looting and attacks on Hindu population and general chaos. Casualties,—this is the revised list of casualties,—Casualties 35 dead, 67 suffering from major injuries and 33 suffering from minor injuries. Immediate arrangements were made for the removal of all casualties to the civil hospital, but initial removal was hindered by crowds stoning lorry drivers. Everything possible was done for the wounded. The body of Abdul Quayum was reinterred by a section of the crowd in the original place at 3 o'clock. City life returning to normal "

That, Sir, is all the information that I have available to give to the House ; I regret that there is no more. They will recognise that on such occasions it is difficult to obtain immediate and detailed reports.

**THE HONOURABLE RAJA GHAZANFAR ALI KHAN :** Are the Government aware that the Hindus and Muhammadans jointly have issued an appeal to the public to raise subscriptions to help the wounded ? If so, how does the Government explain the presence of communal feeling ?

**THE HONOURABLE MR. M. G. HALLETT :** Sir, I have seen the fact stated in the papers. I am delighted to see that both Hindus and Muhammadans, after this very unfortunate incident, are joining together to help the wounded and those who have suffered as a result of their being wounded.

**THE HONOURABLE RAJA GHAZANFAR ALI KHAN :** Is it a fact that the dead body of Nathu Ram, who was murdered by this Abdul Quayum, was allowed to be carried in procession through the City of Karachi and that the funeral was attended by more than 10,000 men and there was no disturbance of the public peace ?

**THE HONOURABLE MR. M. G. HALLETT :** I have no information about that. The matter was never reported to the Government of India and I shall have to inquire from Bombay as to exactly what happened on that occasion and what precautions were taken to prevent any breach of the peace.

**THE HONOURABLE RAJA GHAZANFAR ALI KHAN :** Will the Honourable Member further inquire as to why the local authorities allowed a mob of 25,000 people to collect at the graveyard and did not take any steps to prevent the people from coming to the graveyard ?

**THE HONOURABLE MR. M. G. HALLETT :** I have no doubt the local authorities took all possible steps to prevent any serious breach of the peace and that will probably be made clear when we get a detailed report from the District Magistrate and others giving a full account.

**THE HONOURABLE RAJA GHAZANFAR ALI KHAN :** Will the Government please inquire whether there was any communal agitation before the execution of Abdul Quayum or the Government just thought that the carrying of his funeral through the city would cause communal disturbances ?

**THE HONOURABLE MR. M. G. HALLETT :** Sir, I understand from the report that we received from Bombay that there was considerable communal agitation as soon as the sentence had been passed on Abdul Quayum and after his petitions of appeal to the Privy Council and the local Government and the Governor General had been rejected. That is stated in the telegram that I have here. The agitation had been going on since that date. It was sometime about the middle of February or early in February.

**THE HONOURABLE RAJA GHAZANFAR ALI KHAN :** Are the Government aware that Elamuddin's body was given to his relations when he was executed in similar circumstances, and a crowd of more than two lakhs accompanied his funeral procession and passed through the city of Lahore and there was no communal disturbance and no breach of law and order. If so, why did the Government think that this was a particular occasion where by giving permission to the relations they would cause a communal disturbance ?

**THE HONOURABLE MR. M. G. HALLETT :** I am not aware of the case to which the Honourable Member refers—I have not seen any detailed report of it. But each case must be judged on its merits and in the light of local conditions.

**THE HONOURABLE MR. HOSSAIN IMAM :** Do the Government propose to appoint a Committee of Inquiry ?

**THE HONOURABLE MR. M. G. HALLETT :** The Honourable the Home Member will refer to that point, I think, in the course of his speech in another place this afternoon.

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**EXECUTION AND BURIAL OF ABDUL QUAYUM AND DISTURBANCES AT KARACHI.**

**87. THE HONOURABLE MR. MAHMOOD SUHRAWARDY :** Will the Government of India be pleased to state :

1. Is it a fact that about 70 Moslems were killed and 250 wounded by the military at Karachi while the dead body of Abdul Quayum was being taken in procession ?

2. Is it a fact that the authorities had tried to conceal the execution and the burial of Abdul Quayum from the Mussalmans which caused excitement among the latter ?

3. Is it a fact that the authorities declined to give the dead body to the Mussalmans ? If yes, why ?

4. Is it a fact that on previous occasions of the same kind the dead bodies of executed persons were handed over to the people of their community under certain conditions and the burial took place without any disturbance ?

5. Is it a fact that the dead bodies of Elamuddin (assassin of Rajpal of Lahore) and of Mohamed Sidik of Kasur were given to the Mussalmans ?

6. What were the reasons why the authorities did not do the same thing in this case also ?

7. Whether the Hindus of Karachi were allowed to take the body of Nathu Ram (victim of Abdul Quayum's outrage) in procession through the town ?

8. The reasons why the military took recourse to sharp shooting at once on the mob without giving them sufficient time to disperse ?

9. Under whose orders the firing took place ?

**THE HONOURABLE MR. M. G. HALLETT :** Sir, I trust that the information which I have given in reply to the last question covers many of the points raised in this more detailed question of the Honourable Mr. Suhrawardy.

In regard to point 1, as I have said in reply to the last question, the latest information we have regarding the casualties is that 35 were killed and that 67 suffered from major injuries and 33 from minor injuries, giving a total of 135.

As regards questions 2, 3 and 4, I understand from the District Magistrate's telegram that the relatives were at the graveyard because it states in this telegram that the body was removed from there contrary to the wishes of the relatives. I have no doubt that provision had been made for relations to be present at the burial.

As regards question 5, I have already answered that in reply to the supplementary of the Honourable Ghazanfar Ali Khan.

I have also replied to question 7 in reply to another supplementary.

As regards 8 and 9, I understand that the situation became so serious that the city magistrate, who was there, by a written order authorised the military to take charge of the situation. That is in accordance with the ordinary procedure.

As regards 9, I take it that the order was passed by the officer in charge of the platoon.

**THE HONOURABLE MR. BIJAY KUMAR BASU :** From the trend of the answer we do not understand if all the persons that were killed and injured were Muslims.

**THE HONOURABLE MR. M. G. HALLETT :** I am afraid I have no definite information about that.

**THE HONOURABLE RAJA GHAZANFAR ALI KHAN :** Do the Government know that there was not a single Hindu person there in the procession and that therefore the question of any non-Muslim being killed does not arise ?

**THE HONOURABLE MR. M. G. HALLETT :** I have no information but I think it is most improbable that there was.

**THE HONOURABLE RAJA GHAZANFAR ALI KHAN :** But, Sir, is it not surprising that the Government should not have any information on such a vital point ?

**THE HONOURABLE MR. HOSSAIN IMAM :** Were any women and children killed or wounded ?

**THE HONOURABLE MR. M. G. HALLETT :** I am only quoting from a report in the press—a small boy was unfortunately killed. I have not got any definite information from the local authorities.

**THE HONOURABLE MR. P. N. SAPRU :** Did the crowd kill any one ?

**THE HONOURABLE MR. M. G. HALLETT :** Sir, on that point again I have no information but certain people were burnt, including, I think, the honorary magistrate and some of the police.

**THE HONOURABLE MR. HOSSAIN IMAM :** Were there any serious injuries inflicted ?

**THE HONOURABLE MR. M. G. HALLETT :** I am not aware of the exact extent of the injuries.

**THE HONOURABLE NAWAB KHAWAJA HABIBULLAH OF DACCA :** How much time was given to the crowd to disperse before the order to fire was given ?

**THE HONOURABLE MR. M. G. HALLETT :** There again I cannot give the exact time in minutes. They were held up for a considerable time. Then the situation became so dangerous that, as I stated, the city magistrate asked the military to take action and, as stated in the telegram, action had to be taken partly, if not mainly, in self-defence by the troops who were surrounded by this large mob.

## ALIGARH MUSLIM UNIVERSITY (AMENDMENT) BILL.

**THE HONOURABLE KHAN BAHADUR MIAN SIR FAZL-I-HUSAIN** (Education, Health and Lands Member) : Sir, I beg to move :

“ That the Bill further to amend the Aligarh Muslim University Act, 1920, for a certain purpose, be taken into consideration ”.

As stated by me, Sir, at the time when I asked leave to introduce the Bill, this is a very simple and non-controversial measure which meets the wishes of the entire body of the Court of the University so that the two schools of thought prevailing in the Court at present are satisfied thereby. I do not think, in view of there having been no comment against this measure anywhere, that it is necessary for me to repeat the observations I made when I introduced the Bill. It is a very simple non-controversial measure of one clause and I, Sir, move that it be taken into consideration.

**THE HONOURABLE MR. MOHAMMAD YAMIN KHAN** (United Provinces : Nominated Non-Official) : Sir, I am one of the members of the Court of the Muslim University at Aligarh, and I was present at the meeting in November last, when I saw that there was a great deal of opinion in support of retaining the Pro-Vice-Chancellor. It was considered by many eminent Mussalmans who collected in Aligarh in November last that it was essential to have a Pro-Vice-Chancellor for the better management of the University affairs and for keeping up the control and discipline of the University. There was, however, objection from other quarters. Some members held that the post of Pro-Vice-Chancellor was not necessary under the present financial condition. As stated in the statement of objects and reasons of the Bill, this proposition was upheld by 42 against 38 votes. The present Bill does not abolish the Pro-Vice-Chancellor's post, but it is in consonance with the wishes of both sides and the opinions of all shades of the Mussalman public that Government have brought forward this measure. It gives full liberty to the Court to have a Pro-Vice-Chancellor or not as they like and as occasion demands. It was considered at one time, when Dr. Sir Saiyid Ross Masud was acting as Vice-Chancellor, that with his educational qualifications and his experience in the matter of education, it was quite sufficient to give him the power of both the Vice-Chancellor and the Pro-Vice-Chancellor. Those circumstances changed when Dr. Sir Saiyid Ross Masud left the University. Under the present circumstances, I think that there could be no better solution than what has been proposed by the Honourable Member in charge of the Bill, and I think great credit is due to the Honourable Mian Sir Fazl-i-Husain for bringing in this measure which will stop the controversy in the Court and will give them an opportunity to act as they like whenever any occasion arises. I therefore support this Motion that the Bill be taken into consideration.

**THE HONOURABLE THE PRESIDENT :** The Motion is :

“ That the Bill further to amend the Aligarh Muslim University Act, 1920, for a certain purpose, be taken into consideration ”.

The Motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE KHAN BARADUR MIAN SIR FAZL-I-HUSAIN:  
Sir, I beg to move:

"That the Bill be passed."

The Motion was adopted.

RESOLUTION *RE* NON-RATIFICATION OF THE DRAFT CONVENTION FOR THE REGULATION OF HOURS OF WORK IN AUTOMATIC SHEET-GLASS WORKS.

THE HONOURABLE MR. D. G. MITCHELL (Industries and Labour Secretary): Sir, I beg to move:

"That this Council, having considered the Draft Convention for the regulation of hours of work in automatic sheet-glass works, adopted at the Eighteenth Session of the International Labour Conference, recommends to the Governor General in Council that he do not ratify the Draft Convention".

A few days ago, a pamphlet was distributed to Members of this House containing the Report of the Delegates of the Government of India who attended the Eighteenth Session of the International Labour Conference. The Report contains the text of the Draft Conventions. The number of this particular Draft Convention is 3, and it will be found on page 26 of the pamphlet. The gist of the Convention is contained in the first part of Article 1 and in Article 2, which I propose to read for the information of the House. Article 1 runs:

"This Convention applies to persons who work in successive shifts in necessarily continuous operations in sheet-glass works which manufacture by automatic machine sheet-glass or other glass of the same characteristics which only differs from sheet-glass in thickness and other dimensions".

I draw attention in connection with this Article to the fact that it is automatic continuous processes only to which the Convention applies. Article 2 runs:

1. The persons to whom this Convention applies shall be employed under a system providing for at least four shifts.
2. The hours of work of such persons shall not exceed an average of forty-two per week.
3. This average shall be calculated over a period not exceeding four weeks.
4. The length of a spell of work shall not exceed eight hours".

Sir, under present conditions, workers engaged in continuous processes in factories may be required to work 56 hours a week. In practice, they work in 8-hour shifts, and as they have to put in 56 hours a week, it necessarily follows that they cannot have a regular weekly holiday. By some arrangement of the shifts and a compression here and there, in practice the workers are usually allowed a regular fortnightly holiday. The conditions are not ideal, but I would point to the fact that they have an 8-hour day. Under the conditions proposed in the Convention, the work will be 42 hours a week taken on an average for four weeks. Again, the shifts contemplated are 8-hour shifts. They are not 6-hour shifts as might appear at first sight possible, because one of the main objects of the Convention is to secure a regular weekly rest. With an 8-hour shift however, it is obvious that if a man works for six days in succession, he will have worked 48 hours, and will have exceeded the 42 hours permitted. So, in practice, the shifts are so arranged on a scheme whereby, for instance, in one week, he will work 48 hours, and in the next three weeks he will work 40 hours, which averages out for the four weeks, as required by the Convention, to 42 hours. This means he works eight hours

a day, and in one week he has one clear day's holiday and in the successive three weeks he has two clear days' holiday. Now, Sir, that is a very big jump, from an 8-hour day with a fortnightly holiday to an 8-hour day with seven holidays in four weeks. The present conditions were settled only in August last in this House in the present Factories Bill, which is a fair compromise arrived at after full consultation and discussion with all interests concerned. The only question is, is there any justification after the lapse of a period of seven months only to take this sudden jump from 56 hours to 42? I put it to the House that there is no justification at present for such a very big step in advance. The Convention concerns only one small factory in the United Provinces employing some two or three hundred men, and I am given to understand that the work on continuous processes of manufacture of sheet-glass is no more strenuous than in many other continuous processes in other factories in India. There is therefore no special reason for selecting this particular small and struggling industry for this very rapid advance in the regulation of labour.

Sir, I move.

**THE HONOURABLE MR. P. N. SAPRU** (United Provinces Southern : Non-Muhammadan) : Sir, I move the following amendment :

“That for the words ‘that he do not ratify the Draft Convention’ the following be substituted, namely :

‘That the matter be brought before the Council for consideration after the publication of the Report of the Tariff Board on glass industries in India.’

Sir, as the Honourable Mr. Mitchell has told us, there is only one glass factory which will be affected by this Convention in this country. That glass factory happens to be situated in the Moradabad district of my province. It is in a bad way. People have invested some Rs. 8 lakhs in this industry and it is dying for want of adequate Government support. The price of sheet-glass in 1927 was Rs. 8-8-0 per hundred square feet. Now, on account of the Japanese competition the price has come down to Rs. 5-4-0 per hundred square feet.

**THE HONOURABLE THE PRESIDENT** : May I point out to the Honourable Member that we are concerned with hours of work only and not with the price of glass.

**THE HONOURABLE MR. P. N. SAPRU** : Sir, my amendment is that the question should be considered after the report of the Tariff Board on this glass industry has been published, that we should neither ratify nor accept the Convention until the report of the Tariff Board has been published. The Tariff Board reported in 1932 and it is not clear why that report has not been published so far and I am seeking this opportunity to plead the cause of a struggling industry in my province. I am not going into the question of hours. On that I hold strong views. I recognise that the Factories Act is an improvement over the present position, but I should have liked the Factories Act to go further and accept the 48-hour week. But I am not raising any question as regards hours. I want to raise the question of the non-publication of the Tariff Board's report, and my amendment is that we neither ratify nor accept the Convention until the Tariff Board's report is published and we know what the attitude of the Government of India is towards this glass factory. It is for that reason that I wanted to give some facts in regard to the glass industry. If you think, Sir, that that will be irrelevant I will not say anything.

**THE HONOURABLE THE PRESIDENT** : Every amendment must be relevant to the Motion before the Council. You cannot take the opportunity

[Mr. President.]

of moving an amendment to discuss another subject which does not fall within the scope of the main subject or Resolution before the Council. I think you will do better by not referring to this aspect of your amendment at any length.

**THE HONOURABLE MR. P. N. SAPRU :** Very good, Sir. The position is that the Japanese have practically captured the Indian market and that this industry is in a very bad way. Japan has captured 63·8 per cent. of the Indian market, and therefore I will content myself by merely saying that we should neither ratify nor accept this Convention until we know what the attitude of the Government towards this industry is. I hope that the case of the glass industry will meet with favourable consideration at the hands of the Government. This is all I have to say.

**THE HONOURABLE THE PRESIDENT :** Amendment moved :

“That for the words ‘that he do not ratify the Draft Convention’ the following be substituted, namely :

‘that the matter be brought before the Council for consideration after the publication of the report of the Tariff Board on glass industries in India.’”

The debate will now proceed both on the original Resolution and on this amendment simultaneously.

\***THE HONOURABLE MR. V. V. KALIKAR (Central Provinces : General) :** Sir, I also have not been able to follow correctly the amendment moved by my Honourable friend Mr. Sapru. The question before us, as moved by my Honourable friend Mr. Mitchell, is either to ratify or not to ratify the Convention. From the information given to us by him just now it seems that there is only one factory in India which is concerned, to which reference has been made by my Honourable friend Mr. Sapru. I further understand, Sir, that the factory is in a tottering condition, that they applied to the Government of India for protection, that the Tariff Board examined their case in 1932 and that as yet the Government have not made up their minds whether to give protection to this factory or not. I agree fully with my friend Mr. Sapru that there is really a case for giving protection to this industry. But so far as the hours of work are concerned, we were told by my Honourable friend Mr. Mitchell just now that the work was not arduous. (*An Honourable Member* : “It is arduous”.) Well, if it is so very arduous I would be prepared to consider the question of reducing the hours of work. But under the present circumstances obtaining in the factory I do not think we shall be doing justice to that factory by amending the Resolution of my Honourable friend Mr. Mitchell by adopting the amendment proposed by Mr. Sapru. The amendment says the matter should not be considered until the report is out. Well, I do not really understand the point sought to be made by my friend Mr. Sapru in objecting to the passing of the present Resolution by Government in this House. If he wants protection for that industry, I would certainly like to help him and support his view, but he should put down an amendment or come out with a definite Resolution. There is nothing practical in this amendment and therefore I would ask my friend Mr. Sapru to support the Resolution brought by my friend Mr. Mitchell, because I frankly state here that if we reduce the hours of work for this tottering industry, we shall be hindering the manufacture of sheet-glass. I must admit that I am not an industrialist.

\* Speech not corrected by the Honourable Member.

I must also frankly state that I do not know the practical working of this industry, but I find from what I have read and from the pamphlet which they have circulated to us that they are really in a very bad way. If we impose some sort of condition over them for reducing the hours of work we shall thereby hinder and be a party to the reduction of the factory to a worse plight. I therefore submit, Sir, that we should support the Resolution moved by my friend Mr. Mitchell.

**THE HONOURABLE MR. P. N. SAPRU :** On a personal explanation. Sir. I have not raised any question of hours in my amendment.

**THE HONOURABLE MR. P. C. D. CHARI (Burma : General) :** After hearing the Honourable Mr. Mitchell, I feel we must support the Motion made by him. It is clear that there is only one factory to which the Convention would apply in India and that too in a very bad condition. The Honourable Mr. Mitchell pointed out that we fixed the hours of work in the other Act only a few months back and we ought to see that having regard to the large extent of imports from Japan conditions are made to exist in India for supporting new industries on the lines of the one already in existence, so that we may supply the real needs of India. Under these circumstances we are not in a position to enforce a Convention based upon a 42-hour week and having regard to the fact that even the single factory which is in existence is in a tottering condition, I think we shall be well advised in giving hearty support to the Motion made by the Honourable Mr. Mitchell.

**THE HONOURABLE MR. D. G. MITCHELL :** Sir, after the most welcome, though somewhat unexpected, support received from certain Honourable Members of the House, I have very little to add in resisting the amendment proposed by the Honourable Mr. Sapru. I would only urge upon the House that protection is one thing, which depends on a particular set of considerations, and the regulation of hours of labour is an entirely different thing, dependent upon entirely different considerations, and that if we mix the two together, one or other or both might be prejudiced. I would appeal to my Honourable friend Mr. Sapru, I would appeal to his instincts as a lawyer, not to be guilty of the fundamental error of misjoinder of causes of action. I would ask him to withdraw his amendment.

**THE HONOURABLE MR. P. N. SAPRU :** I have no desire to press my amendment; I beg leave of the House to withdraw it. I only wanted to bring the question of protection prominently before the House.

**THE HONOURABLE MR. HOSSAIN IMAM :** May I ask a question? Does the Honourable Member for Industries contemplate publishing the report of the Tariff Board?

**THE HONOURABLE MR. D. G. MITCHELL :** Sir, on that matter, I have no direct information. I understand that it is still under consideration and that it will be published as soon as possible, and when it is published I gather it will contain an explanation of the cause of the long delay.

The amendment was, by leave of the Council, withdrawn.

**THE HONOURABLE THE PRESIDENT:** Resolution moved:

"That this Council having considered the Draft Convention for the regulation of hours of work in automatic sheet-glass works adopted at the Eighteenth Session of the International Labour Conference, recommends to the Governor General in Council that he do not ratify the Draft Convention".

The Question is:

"That this Resolution be adopted".

The Motion was adopted.

**RESOLUTION RE NON-RATIFICATION OF THE DRAFT CONVENTION ENSURING BENEFIT OR ALLOWANCES TO THE INVOLUNTARILY UNEMPLOYED, ETC.**

**THE HONOURABLE MR. D. G. MITCHELL** (Industries and Labour Secretary): Honourable Sir, I move:

"That this Council, having considered the Draft Convention ensuring benefit or allowances to the involuntarily unemployed, and the Recommendation concerning unemployment insurance and various forms of relief for the unemployed, adopted by the International Labour Conference at its Eighteenth Session, recommends to the Governor General in Council that he do not ratify the Draft Convention nor accept the Recommendation".

Sir, this Draft Convention is No. 4 and will be found on page 27 of the pamphlet to which I referred in the course of the last discussion. The gist of it is contained in Article 1, which I will now read:

"Each Member of the International Labour Organisation which ratifies this Convention undertakes to maintain a scheme ensuring to persons who are involuntarily unemployed and to whom this Convention applies:

- (a) benefit, by which is meant a payment related to contributions paid in respect of the beneficiary's employment whether under a compulsory or a voluntary scheme; or
- (b) an allowance, by which is meant provision being neither benefit nor a grant under the ordinary arrangements for the relief of destitution, but which may be remuneration for employment on relief works organised in accordance with the conditions laid down in Article 9; or
- (c) a combination of benefit and an allowance".

Article 2, paragraph 4, mentions that this Convention does not apply to seamen or agricultural workers. In moving for the rejection of this Draft Convention I have once more to lay stress on the fact that Government is not unsympathetic. The chief reason, put in a few words, for rejecting this Convention is that as applied to conditions in India it is impracticable. It has been asked, and may again be asked today, if unemployment insurance and benefits can be successfully administered in other countries, then why should it not be done in India? That is the question to which I propose to set myself to give a reply. I shall take the example of Great Britain as being probably the best example of the successful administration of unemployment benefit and I shall mention merely a few of the more important features relating to labour and labour organisation there. I shall mention four features only and their results. In the first place, labour in Great Britain is almost entirely very highly specialised. A man who works in the cotton textile industry works at nothing else and is probably not able to work anything else. A man who works in steel again has no other alternative to fall back upon. They are specialised and tied down to their own trades. Secondly, labour is very largely localised. You will find in Lancashire people whose fathers and grandfathers have been in the cotton textile industry and in North England you will find

people engaged in the working of metals, who have been so engaged for generations on end. Similarly in South Wales you will find miners who are the sons and grandsons of miners. Again the workers usually have permanent homes and addresses. Even if they should change locality, they move away their furniture and engage a new house and settle down again, and resume a more or less permanent address. And lastly they are all literary and very well able to look after themselves and to see that their cards are properly filled in and that they get their fair due from all concerned. As a result of these four conditions it has been possible to devise very elaborate and fairly accurate labour statistics. In particular, figures of employment and unemployment are full and fairly accurate and on these figures it is possible to calculate with reasonable accuracy the amount of contribution which is required in order to sustain a well devised benefit or allowance scheme. Another result of these conditions is that the administration of the benefits as compared with other countries is a comparatively simple matter, though as a matter of fact it is carried out by a very elaborate machinery and an enormous army of officials. The payments can be made regularly and without fraud on one side or omissions on the other.

Now, let us examine India very shortly in regard to these same features. In the first place, labour is not specialised. To a very large extent, the labour even in the most highly organised industry of all, the cotton textile industry, is drawn from the agricultural population. They come for a few months at a time, work in the mills and go back. For instance, in my own province, sometimes people work in the cotton mills in Nagpur, sometimes in the manganese mines in Balaghat and sometimes in their village.

Secondly, the labour is not localised. They come from villages scattered over a very wide area, work for a few months in the mills and factories, and go back again.

Thirdly, they have no permanent address except in their villages. While they are working in the factories or elsewhere, very frequently no one knows in which particular *chawl* or *basti* they happen to be living.

And fourthly, I regret to say they are illiterate and not yet fully in a position to look after their own interests. The results of these conditions are serious. The first is that it is impossible to give a definition of the word "unemployed". If a man comes to a factory for six months in the year and goes back to his village, and if he gets casual employment there as an agricultural labourer, when and how far is he unemployed? Is he unemployed as a factory labourer or is he unemployed as an agricultural labourer? The Convention, I may say, applies to factory labour only. Again, he may be a small holder. If he loses his job in the factory, he may very well go back to his land and put in a little extra intensive work. Is he employed or unemployed? Secondly, owing to this general fluidity and lack of definition in the conditions of labour, no reliable statistics are at present possible. Something, I dare say, could be had but it would be at very great expense and very great trouble and labour. It follows, therefore, that it is not possible to calculate the contributions to be made by employers and employees in any scheme of unemployment benefit. The liability is entirely unknown, and for Government to launch into a scheme of this kind would mean signing a blank cheque whose ultimate amount may be very surprisingly large.

Lastly, the administration of the scheme would be very elaborate and costly and almost certainly ineffective. Fraud might occur, it almost certainly would occur. Omission would occur on a very large scale. A might get

[Mr. D. G. Mitchell.]

what he was entitled to but less than he hoped for ; B might get less than he was entitled to ; C might get nothing at all ; D might get more than he was entitled to. And out of these four men, D would be the only man who would be contented ; the others would be very discontented.

To sum up, Sir, India is unfortunately not quite ready for this very advanced scheme for the protection of labour. My suggestion is that we should wait a little until labour becomes more localised and more organised and then see if this scheme is feasible on an experimental scale. At present, we regret to say, it seems to be impossible and I move that the Draft Convention be not ratified.

**THE HONOURABLE MR. P. N. SAPRU** (United Provinces Southern ; Non-Muhammadian) : Sir, I move :

“ That for the words ‘ that he do not ratify the Draft Convention, nor accept the Recommendation ’ the following be substituted, namely :

‘ that such steps, legislative or otherwise, may be taken for the relief of unemployment as would lead to the ratification of the Draft Convention and the acceptance of the Recommendation as soon as practicable ’.”

Now, Sir, I hope my friend, the Honourable Mr. Mitchell, will not consider me lacking in appreciation of the good work that his department is doing if I decide, even after his speech, to move my amendment. Sir, the Treaty of Versailles lays down that relief of unemployment is one of the duties of civilised administrations. We are, as you know, Sir, an original member of the League of Nations and we are bound by the Treaty which brought the League into existence. It will be remembered, Sir, that in another place last year there was a Resolution on unemployment and the Government accepted the main principle underlying that Resolution. Now, Sir, there is no denying the fact that there is a considerable amount of unemployment in industry. According to a modest calculation, the number of unemployed is between two and three lakhs. That, I submit, Sir, is a very considerable number, having regard to the total industrial population of this country. The figures, Sir, which I have given cover mines, factories and railways. But they do not cover dockyards and they do not cover seamen, and in the case of dock workers and seamen there is also unemployment. Sir, the industrial depression and the low purchasing power of the people which is consequent on that depression have hit the workers very hard and we know also that there is also considerable middle class unemployment. Now, Sir, I submit that the whole problem of unemployment is one and indivisible. Middle class unemployment is not a merely educational problem. You cannot solve the middle class unemployment problem without also attacking this question of industrial unemployment.

Sir, unemployment, as we know, has a very serious effect upon a man's life and it is for that reason that in western countries the system of unemployment insurance for the involuntarily unemployed has been evolved. Now, Sir, here our real difficulty is that the risks of unemployment, it is said, are not calculable. There are no available statistics of what unemployment there is. Now, Sir, so far as the collection of statistics is concerned, I must say I have a complaint against Government. Last year, we know two eminent economists, Professor Bowley and Mr. Robertson, were brought out from England to report on this question. Even after their report, Sir, no attempt

has so far been made to collect statistics of unemployment. Of course, Mr. Mitchell has pointed out certain difficulties in regard to the collection of statistics. He has said that labour is not localised here, that it is not so highly specialised as it is in England, that the labourer migrates to his village and that it is very difficult, having regard to all these difficulties, to collect adequate statistics. But whether adequate or inadequate, the point that I want to raise is, "Have you tried to collect any statistics of unemployment at all?" That is one of my chief grievances against the Government. If they had collected statistics, we might have been in a better position to implement our obligations in regard to unemployment insurance. The difficulty, therefore, is not wholly of our creation. I think, Sir, there ought to be a serious effort made to collect statistics of unemployment.

Then, Sir, it is said that in England, labour is very well organised, and that unemployment insurance started with trade unions, and that you have not got the same conditions here. But I am not asking you to take a very big step forward. I shall be satisfied with a very small step. I want a beginning to be made in the direction of unemployment insurance. The Government own certain industries in this country. They control the railways. They are the biggest employers of labour on railways. Then there are Government printing presses, Government ordnance factories and so on. Then there are the municipal and district boards, and they have got their employees. Why cannot we begin in a small way with insurance in these Government concerns? It is possible to have statistics in regard to these Government concerns. Once we accept the principle, and once the State shows that it is a model employer, then other employers also will come in line with the Government and it will be possible for us thereafter to evolve a system of unemployment insurance.

Then, Sir, we know that we are giving some protection to industries. Why should we not make it a condition when we are giving protection to an industry that they will protect their workers also? I am not opposed to protection for our industrialists. But if the industrialists want protection then our workers also want protection. There will be no harm in our insisting that in our protected industries at least there shall be some scheme of unemployment insurance. I would suggest that Government should reconsider their position in the case of those organised industries including plantations in which the collection of statistics is possible. Given the will, there could be a way, and that is what I would say in regard to this aspect of the Convention.

Then I come to another point, and that is, there ought to be some permanent relief works for the unemployed. You can have permanent relief works, because, as we know, we have got slum areas in our towns. These slums are a great blot on our civilisation. If you were to undertake the work of slum clearance, if you were to undertake the work of improvement of the drainage systems in urban areas, then I am sure you would be able to employ a large number of people, not merely temporarily, but permanently, because this kind of work could be spread over a number of years. It will take probably generations for us to get rid of our slums. I want therefore a beginning also to be made in this direction.

Then, Sir, I would also refer to another grievance from which the workers suffer in this country. There is, as far as I have been able to gather, no proper system of discharge allowances. That is, if any factory discharges its employees on account of rationalisation, then my suggestion would be that the

[Mr. P. N. Saprú.]

workers in the factory should be entitled to get some allowance for the number of years they have put in. Sir, human life is sacred and we ought to approach this question not merely from the point of view of £ s. d. but from the wider point of view of humanity. There is, Sir, a mysterious connection between the individual and the society, and the Government as representing the community cannot escape its responsibility for the involuntarily unemployed. The modern individual, Sir, is the product very largely of social forces, and it is for that reason that it is necessary for us to take a very firm stand in regard to this question of unemployment insurance, and for this reason, Sir, I would press my amendment.

THE HONOURABLE THE PRESIDENT: Amendment moved:

"That for the words 'that he do not ratify the Draft Convention, nor accept the Recommendation' the following be substituted, namely:

'that such steps, legislative or otherwise, may be taken for the relief of unemployment as would lead to the ratification of the Draft Convention and the acceptance of the Recommendation as soon as practicable'."

The debate will now proceed simultaneously on both the Resolution and the amendment.

\*THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa: Muhammadan): Sir, I rise to support the amendment moved by my Honourable friend Mr. Saprú. Before I say anything about the subject-matter, I should like to ask a question of Mr. Mitchell. What is the constitutional effect of ratification by one House and non-ratification by the other House? We know, Sir, that in the other House, this Resolution asking that the Convention be rejected was not passed. Therefore, before I begin my speech, I should like the Honourable Member to enlighten the House on the constitutional aspect.

THE HONOURABLE THE PRESIDENT: You know very well that Resolutions are merely recommendations to the Governor General in Council.

THE HONOURABLE MR. HOSSAIN IMAM: My information was that in the case of these International Conventions, the position is that they should be ratified unless a Sovereign Legislature rejects the ratification. As we know that our Legislature is not a Sovereign Legislature, we cannot clearly direct. But as we were one of the original signatories to the Treaty of Versailles, we have therefore got a status without having a Sovereign Legislature. They have to proceed with that mockery of constitutional law. The Recommendations of International Conferences are not being satisfied because of the fact that the Legislature has not seen fit to ratify. I therefore, Sir, wish the Honourable Member to enlighten us on this point.

THE HONOURABLE MR. D. G. MITCHELL: I am afraid I can give no answer to these legal conundrums off-hand. But I understand that ratification or rejection has to be done by the Legislature, which I take will be the Legislature as a whole. What happened in the lower House is that it refused not to ratify, but has not ratified. The lower House has spoken with a very halting voice and it remains to be seen how this House will speak.

THE HONOURABLE MR. HOSSAIN IMAM: I thought that the Government had taken legal advice from international lawyers and would be able to tell us what would be the net result?

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\* Speech not corrected by the Honourable Member.

Now, Sir, coming to the merits of the amendment, we find in this book that in the recommendation concerning unemployment insurance and various forms of relief for the unemployed, specific mention is made on page 32 that in countries where compulsory insurance against unemployment is not in operation steps should be taken to create such a system as soon as possible. This means that the International Convention realised the position that there are countries which have not got unemployment insurance, whose financial situation does not allow them to introduce unemployment insurance on a full scale in a short space of time. Therefore they recommended as an original proposition that those countries should not be bound to accept the full scheme but they should take steps to introduce it as soon as possible. The amendment which my friend has moved is also on the same lines. It gives the Government perfect latitude not to ratify the Convention at the present moment but in the meantime to take steps which would make its ratification easy. The Government has given us all sympathy in this matter but they have not taken any concrete step to bring that day nearer. Sir, in this the greatest defect or rather inability from which the Department of Industries and Labour suffers arises out of the fact that there are no statistics and it is difficult to define "employment". In that connection I find that the Convention itself has given perfect latitude to individual countries in Article 2 where it is said this Convention applies to all persons habitually employed for wages or salaries, and then they have enumerated the kind of persons who may be exempted from its application. Part (e) which is of special importance in this connection exempts workers whose employment is of a seasonal character and the season is normally of less than six months' duration and they are not ordinarily employed during the remainder of the year in other employments covered by this Convention. As my Honourable friend Mr. Sapru said, where there is a will there is a way. But if the Government do not wish to do anything, of course they can find any number of excuses. Then, Sir, the Honourable Sir Frank Noyce stated that while it may be that there were 300,000 people less employed in the year 1933 than in 1928, it was important to remember that there was the ordinary wastage in the interval that would reduce the number. Therefore, Sir, if the number of those employed in industries is so small and other people are exempted according to Article 2, for instance, domestic servants, workers in posts of a permanent character, workers of small age and all those employed in agriculture and other things—if these are exempted, then if we had insurance for industrial workers we would have to provide relief for about 250,000 men a day. Now, the question arises whether it is a practical proposition for the Government of India to tackle or whether it is too big for them? Whenever it comes to counting the cost of nation-building departments or of spending money on those who have not, the Government is always frightened by the bogey of excessive expenditure. But when it comes to expenditure on account of employing big-salaried men, men drawing four or five or eight thousand rupees a month as, for instance, the creation of five or six berths on Rs. 6,000 to Rs. 8,000 as new Governorships for the new provinces, and the creation in these provinces of several new posts on Rs. 3,000 or more, they are not backward in finding the money. They go on creating high-salaried posts *ad infinitum*. But when it comes to providing, what I admit is a big sum, say Rs. 5 a month for 250,000 men, then they have no money. Then also it is not realised that part of this expenditure would come from those people themselves, I mean the workers will have to make a contribution and the employers will have to make a contribution. It is only when this is insufficient to cover the total cost that the balance has to be made up by the Government. Further, Sir, a fact which cannot be lost sight of is that at the present moment the unemployed can be either com.

[Mr. Hossain Imam.]

Pulsorily insured or we might have under Articles 1, 2 and 3 a voluntary insurance scheme which would ensure the starting of an experimental measure in which it will not be compulsory for the Government to insure all the workers employed in industry. The scheme might be on an entirely voluntary basis. Only the people who desire to join it would do so, and the burden on the taxpayers and the Government will be reduced to a minimum. If we are sure and if, as the circumstances seem to assure us, the period of depression is on the wane and we are embarking on an era of partial prosperity, the cost of such a scheme would be small. Therefore, Sir, it was quite feasible for the Government to start a voluntary insurance scheme restricted to industrial labourers employed for more than six months continuously in industry. There is nothing abnormal or difficult about it. It is a perfectly feasible scheme. All that it wants is the will to establish unemployment insurance. What we want is a Lloyd George in the Cabinet. If they had not had Lloyd George in the Cabinet they would not have had this unemployment insurance even in England. Therefore it only wants a man of imagination and nothing more. We know that imagination is at a discount in our Cabinet at the present moment, and so we cannot but allow these questions to take their natural course. The Honourable the Finance Member has himself said that he does not want imaginative finance.

Now, Sir, coming to the wording of the amendment, it ought to be taken into consideration that it is on a par with and in consonance with the Resolution passed in the other place. The other House has neither ratified nor approved of the Convention. I am therefore very much afraid that if we do not ratify the Convention a big constitutional issue will arise as to what is to happen when the two Houses are in disagreement, whether it is not necessary to hold a joint session of the two Houses. It would have been better for the Government to have waited for a legal opinion on this question rather than bring it forward in this form in this House.

Sir, with these words I support the amendment of my Honourable colleague.

**THE HONOURABLE MR. P. C. D. CHARI (Burma : General) :** Sir, I feel I cannot give a silent vote on a Motion of very vital importance to the industrial workers of the country. India is one of the eight chief industrial countries of the world and in spite of that, industrial workers in India form only an insignificant portion of the whole manual workers of India. We had the welcome information from the Honourable Mr. Mitchell the other day in dealing with the question of unemployment that we have only 300,000 unemployed among the industrial workers. That is the impression that I formed—

**THE HONOURABLE MR. D. G. MITCHELL :** Honourable Sir, there seems to be some misapprehension about these figures that I gave. I said in factories, mines and railways, there had been a reduction since 1931, a reduction in those people registered as being employed, from 2½ million to 2,200,000. It is quite another thing to say that there are now 300,000 people unemployed who otherwise would be working in these industries.

**THE HONOURABLE MR. P. C. D. CHARI :** That is enough for my purpose. That shows the extent of unemployment among industrial workers is very small when compared to the gigantic proportions to which unemployment has reached in other walks of life. India industrially has not suffered to the extent to which highly organised industrial countries have suffered. That being

the case, the present will be a very favourable opportunity to consider seriously whether the system of unemployment insurance can be introduced in India. If it can be introduced at all, this will be a very good opportunity of introducing it. In my opinion and in the opinion of all people who have thought about this subject the salvation of India lies in further industrialisation. That being so, the workers who are employed in industry is a small fraction of the entire working population, and if there is unemployment among industrial workers that means that the skill—whatever the extent of the skill may be, they may be semi-skilled or highly skilled—the skill that has been acquired in the course of employment by these people is likely to be wasted in view of what we have heard from the Honourable the Secretary for Labour. If unemployed industrial workers have no means to fall back upon and there is no prospect of employment for them in the near future, there is the danger of their going back to their villages. Thus the skill which has been acquired by these people is likely to be lost in the arid sands of village penury. In view of the future industrialisation of India and the interest we have at heart of further industrialising the country, it is our bounden duty to see that this industrial energy of the workers which has been acquired is not lost at all. From that point of view the value to India of the industrial skill of these unemployed is very high when compared to the value to be set upon them in other industrial areas like Great Britain where they may have plenty of specialised workers. Under these circumstances I would request you to consider very seriously this problem whether it is wise after all to allow this acquired skill to be wasted. I for one would not be in favour of wasting the energy and the skill acquired by any worker ; it is too valuable to be allowed to waste. My second point is that this Convention has been so drafted by the collective wisdom of the world consisting of representatives both of workers and of the employers and this Convention represents the minimum which the employers and the representatives of workers could agree upon having regard to the interests of both the workers and the employers. I find from a perusal of this report that this Convention was adopted by 80 votes to eight and the Recommendation by 72 votes to 19. Then there were as many as 16 sessions during which this Convention was considered. There seems to have been a full and a very exhaustive inquiry preceding the adopting of this Convention and the wording of the Resolution, a portion of which has been read out to you by the Honourable Mr. Hossain Imam, shows that they have taken into consideration every conceivable difficulty which may necessitate exemptions in various cases and which will be necessary if the Convention is adopted, whatever may be the stage of development of the country. You will find various exemptions made from (a) to (j) in the matter of making allowances for exceptional conditions prevailing in various countries and I would also invite your attention to this fact that this Convention, if adopted, would not apply to seamen, fishermen and agricultural workers, who form the bulk of the workers in this country. If this Convention is adopted, it will be workable in this country ; the fact that we have no accurate statistics need not deter us in this matter. If the Government is only inclined to collect it in the case of these industrial workers, it can be done. It may be very difficult to collect statistics of unemployed throughout the country. In the case of industrial areas, we know these industries are confined to particular places and it is not very difficult at all to collect the necessary statistics. The other reasons given for not adopting this Convention seem to my mind to be those very causes which would appeal to one to see that unemployment insurance for industrial workers is adopted. It is said that these labourers go to the villages when there is no work. If there is a system of unemployment benefit, then it is not likely that these industrial workers will go back to the villages. It is said that it is not

[Mr. P. C. D. Chari.]

an easy matter to get the addresses of these unemployed. It is not very difficult to get the addresses of these people from the registers. If they come to know that there is some benefit to be derived if they give their addresses, I can assure the Honourable Mr. Mitchell that not a single one of these industrial workers will leave the place without giving a proper address, which could be reached in 24 hours. They may be illiterate, but the skill even of an illiterate is valuable and the fact that they are illiterate need not stand in the way. That is an additional reason for giving this allowance because it is likely to remove illiteracy among these industrial workers. After all, looking at it from the point of view of finance, the position is not at all difficult. There will be contributions, if a voluntary scheme is adopted, by the worker and by the employer and the Government will have to find only a very small amount to finance a scheme like this. I therefore, Sir, cannot see any reason why we should say that we should not adopt this Convention. On the other hand, there are very cogent reasons for ratifying this Convention by this House. One other thing which impresses me is this. The other House refused to adopt this cowardly policy of wait and see or the policy of shelving the question. That means they want to tackle this problem which is urgent in view of the importance to India of these industrial workers. Therefore, Sir, I am very strongly opposed to the original Motion made by the Honourable Secretary for Labour.

Coming to the amendment, Sir, the amendment seeks to put off this question of unemployment insurance for a time. I would not mind the delay if the Government would take any steps for the relief of unemployment before this Resolution for ratification is brought before the House. The question of unemployment is a burning problem of the day and is becoming more and more serious and I would urge upon the Government that if they do not want to ratify the Convention, let them at least show that they are taking steps which are recommended by a Resolution like this, to create the conditions which will ensure its ratification as early as possible. If the Government would assure me that they are really taking steps with a view to creating these conditions which would admit of the ratification of this Convention, I will be satisfied. Otherwise, Sir, I must oppose the original Motion as it stands.

**THE HONOURABLE MR. D. G. MITCHELL :** Mr. President, a few days ago we had a long and very interesting debate on the general subject of unemployment during which all the Honourable Members who spoke today spoke at considerable length. In spite of the blandishments of the Honourable mover of this amendment, I decline to be drawn again from the straight path of my present Resolution into the very wide path of this general discussion. The point before us is whether we should refuse to ratify this Convention or not and beyond that I decline to stray.

The Honourable Mr. Sapru blamed the Government of India because there are no statistics of unemployment available. That was not quite my point. I admit there are no statistics available but my chief point was that, try how we may, we never will get statistics under present conditions on which any reliance whatever could be placed. The things of which we are asked to collect statistics are things which are not measurable. As I have already pointed out, we are asked to collect statistics of the unemployed, and we do not know when a man is employed or when he is unemployed. The Honourable Mr. Sapru too urges Government to start these schemes of insurance benefits in its own presses, railways and so forth. Now that, Sir, is urging

Government to start a scheme of this sort precisely where it is not needed. These are all Government services which are all adequately protected by leave allowances, provident funds and so forth. It would be an insult to the poorer people of India to start this special scheme for the benefit of Government services when the poorer factory labourers are still living unprotected. There would be no point in doing this. It would be an experiment of no value and would merely accentuate existing differences of service.

**THE HONOURABLE MR. P. N. SAPRU :** I said also organise protected industries.

**THE HONOURABLE MR. D. G. MITCHELL :** That, Sir, is a question we dealt with on the last Resolution. Again, the protection of labour and the protection of industry are two entirely different things. I do not see why sugar factories should be on any other footing than factories which are not protected. If there is anything differentiating them from any other factories, I should say that in sugar factories you would probably find that the very difficulties of which I am complaining exist in a more acute form. Labour would be quite indeterminate and quite an impossible subject for the collection of accurate statistics.

The Honourable Mr. Hossain Imam complained of a general lack of imagination. If he had only been able to listen to his own speech, I am sure his complaint would not have been quite so strong. He wants us to start a voluntary scheme and he says that under a voluntary scheme the contribution of Government would be very little. He seems to think that I have been advocating the non-ratification of this Convention on the ground of expense. That, I think, was a point which I mentioned but on which I laid no great stress. But in any case, I would mention to him that in any voluntary scheme the expense to Government would be considerable. At present, in England, I understand the total contribution for a man is 2s. 6d., of which the employee pays 9d., the employer pays 9d., and the State pays a shilling. That secures the man an allowance of 17s. a week while he is unemployed. I would just draw attention to these figures as the Honourable gentlemen have been inclined to flout this question of expense. The expense would be considerable not only to Government but also to those themselves engaged and under a voluntary scheme the expenses would be very considerable indeed. Even 9d. to secure 17s. is, roughly speaking, 5 per cent. of the allowance. If you took Rs. 10 as a reasonable allowance for a man in India, he would have to pay about 8 annas a month. Well, in regard to that, a scheme was tried in Kehwra in the Salt Mines,—I think it was in connection with a medical insurance. It involved the payment of half an anna in the rupee and amounted roughly to 10 annas per head amongst the men. Practically with one unanimous voice the workers refused to have anything to do with it.

The Honourable Mr. Chari spoke very hopefully about the collection of statistics, as being easy once the system of benefits is introduced. He argued that people would not go back to the villages but would stay on in towns and receive the dole. Does the Honourable Mr. Chari really think that this is sound economics? Would he rather that these men stayed on in the slums of towns and drew a petty dole than that they went back and did their best for their land?

**THE HONOURABLE MR. P. C. D. CHARI :** They would wait until they were absorbed in the towns.

**THE HONOURABLE MR. D. G. MITCHELL :** They could wait equally well in the villages. They would very quickly know in the villages if there is work going in the factories. Mr. Chari and Mr. Sapru asked Government to organise industries, to create conditions whereby this insurance scheme would be popular.

**THE HONOURABLE MR. P. C. D. CHARI :** My point was that if industries were created they would be able to use up all these unemployed.

**THE HONOURABLE MR. D. G. MITCHELL :** If industries are created on a localised and organised basis, I have no doubt Government would take up again the question of this unemployment insurance scheme. To ask Government, or any Government, to create those conditions by governmental action is to ask it to work miracles. The simple question before the House is not the measures which Government is to take to relieve unemployment but the question whether we should ratify this Convention or not. I say there is no doubt that conditions in India would not justify us in ratifying this Convention and do not justify us in putting off making a decision on this point. I ask the House to reject the amendment.

**THE HONOURABLE THE PRESIDENT :** Resolution moved :

"That this Council, having considered the Draft Convention ensuring benefit or allowances to the involuntarily unemployed, and the Recommendation concerning unemployment insurance and various forms of relief for the unemployed, adopted by the International Labour Conference at its Eighteenth Session, recommends to the Governor General in Council that he do not ratify the Draft Convention, nor accept the Recommendation".

To which an amendment has been moved :

"That for the words 'that he do not ratify the Draft Convention, nor accept the Recommendation' the following be substituted, namely :

'that such steps, legislative or otherwise, may be taken for the relief of unemployment as would lead to the ratification of the Draft Convention and the acceptance of the Recommendation as soon as practicable'."

The Question is :

"That this amendment be adopted."

The Council divided :

AYES—8.

Banerjee, The Honourable Mr. Jagadish Chandra.  
Chari, The Honourable Mr. P. C. D.  
Gounder, The Honourable Mr. V. C. Vellingiri.  
Hossain Imam, The Honourable Mr.

Kaliker, The Honourable Mr. V. V. Padshah Sahib Bahadur, The Honourable Saiyed Mohamed.  
Sapru, The Honourable Mr. P. N. Suhrawardy, The Honourable Mr. Mahmood.

## NOES—26,

Akbar Khan, The Honourable Lieutenant-Colonel Nawab Sir Mahomed. Basu, The Honourable Mr. Bijay Kumar. Buta Singh, The Honourable Sardar Chetty, The Honourable Diwan Bahadur G. Narayanaswami. Choksy, The Honourable Khan Bahadur Dr. Sir Nasarvanji. Ghosal, The Honourable Mr. Jyotsnath. Gladstone, The Honourable Mr. S. D. Glass, The Honourable Mr. J. B. Hafeez, The Honourable Khan Bahadur Syed Abdul. Johnson, The Honourable Mr. J. N. G. Menon, The Honourable Diwan Bahadur Sir Ramunni. Miller, The Honourable Mr. E. Mitchell, The Honourable Mr. D. G.

Mitha, The Honourable Sir Suleman Cassim Haji. Muhammad Din, The Honourable Khan Bahadur Chaudri. Muhammad Hussain, The Honourable Khan Bahadur Mian Ali Baksh. Noon, The Honourable Nawab Malik Sir Mohammad Hayat Khan. Pandit, The Honourable Sardar Shri Jagannath Maharaj. Philip, The Honourable Mr. C. L. Russell, The Honourable Sir Guthrie. Spence, The Honourable Mr. G. H. Stewart, The Honourable Mr. F. W. Stewart, The Honourable Mr. T. A. Tallents, The Honourable Mr. P. C. Ugra, The Honourable Rai Sahib Pandit Gokaran Nath. Yamin Khan, The Honourable Mr. Mohammad.

The Motion was negatived.

THE HONOURABLE THE PRESIDENT : Resolution moved :

“That this Council, having considered the Draft Convention ensuring benefit or allowances to the involuntarily unemployed, and the Recommendation concerning unemployment insurance and various forms of relief for the unemployed, adopted by the International Labour Conference at its Eighteenth Session, recommends to the Governor General in Council that he do not ratify the Draft Convention, nor accept the Recommendation ”.

The Question is :

“That this Resolution be adopted.”

The Motion was adopted.

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STATEMENT OF BUSINESS.

THE HONOURABLE MR. M. G. HALLETT : Sir, on behalf of the Honourable the Leader of the House, I ask your permission to make the following Statement of Business.

The Council, Sir, will have no further business pending the passing of Bills in another place. It is expected that the earliest Bill to be passed in the other House will be the Bill to amend the Indian Tariff Act and that that Bill will be passed by the other House on Monday next. I would suggest therefore that the Council should adjourn till Tuesday next for the laying of that Bill, on the understanding that if the Bill is not passed in the other place on Monday, a circular will be issued on the evening of Monday cancelling the meeting of this Council for the following day.

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The Council then adjourned till Eleven of the Clock on Tuesday, the 26th March, 1935.