

**JOINT/SELECT COMMITTEE  
REPORTS OF LEGISLATIVE  
ASSEMBLY -1947**

**The Indian Navy (Discipline)  
Amendment Bill**

I. List of Reports of Select Committees  
presented to the Legislative Assembly  
of the Indian Legislature in 1947.

S.No.	Short title of the Bill.	Date of presen- tation.	Date of publica- tion.
1.	The Indian Navy (Discipline) (Amendment) Bill.	3.2.1947.	15.2.1947
2.	The Motor Vehicles (Amendment) Bill.	3.2.1947.	15.2.1947
3.	The Motor Vehicles (Second Amendment) Bill.	3.2.1947.	15.2.1947
<del>4.</del>	The Foreign Exchange Regulation Bill.	3.2.1947.	15.2.1947
5.	The Industrial Disputes Bill.	3.2.1947.	15.2.1947
6.	The Railways (Transport of Goods) Bill.	17.2.1947.	1.3.1947
7.	The Banking Companies Bill.	17.2.1947.	1.3.1947
8.	The Indian Trade Unions (Amendment) Bill.	26.2.1947.	5.4.1947
9.	The Insurance (Second Amendment) Bill.	5.3.1947.	15.3.1947
10.	The Delhi and Ajmer-Merwara Rent Control Bill.	12.3.1947.	22.3.1947
11.	The Imports and Exports (Control) Bill.	12.3.1947.	22.3.1947
12.	The Income-tax and Excess Profits Tax (Amendment) Bill.	19.3.1947.	29.3.1947
13.	The Business Profits Tax Bill.	19.3.1947.	29.3.1947
14.	The Rubber (Production and Marketing) Bill.	1.4.1947.	12.4.1947
15.	The Control of Shipping Bill.	1.4.1947.	12.4.1947
16.	The Capital Issues (Continuance of Control) Bill.	7.4.1947.	12.4.1947

S.No.	Short title of the Bill.	Date of presenta- tion.	Date of publica- tion.
17.	The Taxation on Income (Investigation Commission) Bill.	7. 4.1947.	19. 4.19

II. List of Reports of Select Committees  
Presented to the ~~Legis~~ Constituent  
Assembly of India (Legislative) in  
1947.

1. The Delhi and Ajmer-Merwara  
Rent Control (Amendment) Bill. 1. 12.1947. 13.12.19
2. The Delhi Premises (Requisi-  
tion and Eviction) Bill. 1.12.1947. 13.12.19
3. The Extra-Provincial Juris-  
diction Bill. 6.12.1947. 13.12.19

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## LEGISLATIVE ASSEMBLY

### *Report of the Select Committee on the Indian Navy (Discipline) (Amendment Bill, 1946*

We, the undersigned, members of the Select Committee to which the Bill further to amend the Indian Navy (Discipline) (Amendment) Act, 1934 was referred, have considered the Bill and have now the honour to submit this our report.

Some of us felt that although the revised section 90 proposed in clause 2 of the Bill proceeded on the basis of a voluntary engagement, yet in the event of a large number of ships being requisitioned for naval purposes in time of emergency or war, the economic compulsion on the officers and crew of those ships to continue to serve in them under naval discipline would be great, since the alternative might in those circumstances be unemployment. They therefore considered that provision should be made for the grant of compensation to those men whose contracts of services under private owners had to be terminated by reason of the ships being requisitioned who did not wish to enter naval service. It was pointed out that the section did not refer to—much less empower—the requisitioning of ships and that the question of granting compensation to seamen in those circumstances was outside the scope of an Act regulating discipline in the Indian Navy. We agree, and think that the proper time for considering this question would be when Government proposed legislation empowering them to requisition ships.

It was then suggested by some of us that the operation of the proposed section should be limited to time of war or other emergency as in the old section. It was pointed out by the Member-in-Charge of the Bill, and we agree, that such a limitation was proper on the old section which left no option to the crew of ships taken over to naval service but to be subject to naval discipline. Since the new section postulates a voluntary agreement, there is no need to restrict its operation to any specified period, whether of emergency or war. Even in time of peace, and particularly at the present stage of development of the Indian Navy, it is necessary to provide in the Act for the engagement of skilled personnel on short term contracts. The proposed section which has been in force throughout the war and is at present in force by virtue of the Emergency Provisions (Continuance) Ordinance, 1946, has proved to be a convenient method of bringing such personnel under naval discipline for the temporary period of their engagement. We, therefore, consider that the section should be made permanent as proposed in the Bill.

The fear was again expressed by some of us that seamen engaging to serve in the Navy under the provisions of the proposed section would lose their right to continue as members of their trade unions. In view, however, of the assurance given in the Legislative Assembly by the Honourable the Leader of the House, which has been confirmed before us by the Member-in-charge of the Bill, and the further assurance given by the Member-in-charge that the necessary provision will be included in the Royal Indian Navy Instructions, we agree that there is no cause for apprehension on this score.

The Bill was published in the *Gazette of India*, dated the 16th November,

We, therefore, recommend that the Bill be passed without any amendments, apart from the formal substitution of "1947" for "1946" in clause 1.

JOGENDRA NATH MANDAL.

G. S. BHALJA.

N. M. JOSHI.

P. G. SOLANKI.

MUHAMMAD HAFIZ GHAZANFARULLA.

SHER SHAH JEELANI.

M. ANANTHASAYANAM AYYANGAR.

SUKHDEV.

MADANDHARI SINGH.

C. P. LAWSON.

BHAGIRATHI MAHAPATRA.

G. H. SPENCE.

KUMAR SHRI HIMMATSINHJI.

MANIBEN KARA.

NEW DELHI ; }  
The 3rd February 1947 }

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BILL

further to amend the Indian Navy (Discipline) Act, 1934

**XXXIV of 1934** WHEREAS it is expedient further to amend the Indian Navy (Discipline) Act, 1934, for the purpose hereinafter appearing ;

It is hereby enacted as follows :—

1. This Act may be called the Indian Navy (Discipline) (Amendment) Act, 1947. Short title.

2. For section 90 of the Naval Discipline Act as set forth in the First Schedule to the Indian Navy (Discipline) Act, 1934, the following section shall be substituted, namely :— Amendment of First Schedule, Act XXXIV of 1934.

29 and 30,  
Act., c. 109

“ 90. (1) If any person who would not otherwise be subject to this Act enters into an engagement with the Central Government to serve His Majesty— Provision respecting discipline of persons under engagement to serve His Majesty.

(a) in a particular ship, or

(b) in such particular ship or in such ships as the Officer Commanding the Indian Navy or any officer empowered in this behalf by the Officer Commanding the Indian Navy, may from time to time determine,

and agrees to become subject to this Act upon entering into the engagement, that person shall, so long as the engagement remains in force, and notwithstanding that for the time being he may not be serving in any ship, be subject to this Act, and the provisions of this Act shall apply in relation to that person, as if, while subject to this Act, he belonged to His Majesty's Navy and were borne on the books of one of His Majesty's ships in commission.

(2) The Central Government may by order direct that, subject to such exceptions as may in particular cases be made by or on behalf of the Officer Commanding the Indian Navy, persons of any such class as may be specified in the order shall, while subject to this Act by virtue of this section, be deemed to be officers or petty officers, as the case may be, for the purposes of this Act or of such provisions of this Act as may be so specified ; and any such order may be varied or revoked by a subsequent order.”

3. Clause (iii) of sub-section (1) of section 2 of the Emergency Provisions (Continuance) Ordinance 1946, shall be omitted. Amendment of section 2, Ord. XX of 1946.