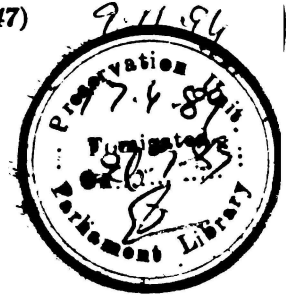


THE
LEGISLATIVE ASSEMBLY DEBATES
Official Report

Volume I, 1947

(3rd February, 1947 to 18th February, 1947)



THIRD SESSION
OF THE
SIXTH LEGISLATIVE ASSEMBLY
1947

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LEGISLATIVE ASSEMBLY

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The Honourable Mr. G. V. MAVALANKAR.

Deputy President

Khan MOHAMMAD YAMIN KHAN, M.L.A.

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Mr. P. J. GRIFFITHS, M.L.A.

Sardar MANGAL SINGH, M.L.A.

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Marshal

Captain Haj Sardar NUR AHMAD KHAN, M.C., I.O.M., I.A.

Committee on Petitions

Khan MOHAMMAD YAMIN KHAN, M.L.A. (*Chairman*).

Syed GHULAM BHIK NAIRANG, M.L.A.

Shri SRI PRAKASA, M.L.A.

Mr. C. P. LAWSON, M.L.A.

Sardar MANGAL SINGH, M.L.A.

CONTENTS

Volume I—3rd February, 1947 to 18th February, 1947

MONDAY, 3RD FEBRUARY, 1947

Members Sworn	1
Starred Questions and Answers	1—30
Unstarred Questions and Answers	31—39
Statements laid on the table	39—54
Motions for Adjournment <i>re</i> —	
Attack by tribesmen on citizens of Hazara District—Disallowed	54—57
Searches and arrests of members of Communist Party, Kisan Sabhas and Trade Unions all over India—Disallowed	57—59
Strike by School Teachers in Delhi—Not moved	59
Restrictions imposed by the Press (Special Powers) Ordinance—Disallowed	59—60
Discrimination against Muslim League News by All-India Radio—Ruled out of order	60—61
Lending of Troops to the Panjab Government—Disallowed	61—62
Interference by the Panjab Government with the Privileges of the Assembly by Detaining Members and preventing them from attending the session—Ruled out of order	62
Massacre of Muslim Apprentices in the Jamalpur Workshop of East Indian Railway—Ruled out of order	63—64
Statement of Business	64
Governor General's Assent to Bills	64
Papers Laid on the Table	64—65
Industrial Disputes Bill—Presentation of the Report of Select Committee	65
Foreign Exchange Regulation Bill—Presentation of the Report of Select Committee	65
Indian Navy (Discipline) (Amendment) Bill—Presentation of the Report of Select Committee	65
Motor Vehicles (Second Amendment) Bill—Presentation of Report of Select Committee	65
Motor Vehicles (Amendment) Bill—Presentation of the Report of Select Committee	65
Rubber (Production and Marketing) Bill—Discussion on the motions to consider and to refer to Select Committee—not concluded	66, 92—94
Railways (Transport of Goods) Bill—Introduced	66
Negotiable Instruments (Amendments) Bill—Introduced	66
Explosives (Temporary Provisions) Bill—Introduced	66
Delhi and Ajmer-Merwara Rent Control Bill—Introduced	66
Sugar (Temporary Excise Duty) Bill—Introduced	67
✓ Prevention of Corruption Bill—Passed as amended	67—91
Indian Extradition (Amendment) Bill—Passed as amended	91—92

WEDNESDAY, 5TH FEBRUARY, 1947 --

Starred Questions and Answers	95—122
Unstarred Questions and Answers	122—23
Motion for Adjournment <i>re</i> —	
Imposition of Punitive Fine and taking of Hostages from Nandihar Tribes—Negated	123—24
Nomination of the Panel of Chairmen	153—68
Committee on Petitions	124
Press Special Powers Bill—Introduced	124
Rubber (Production and Marketing) Bill—Referred to Select Committee	125—38
Coffee Market Expansion (Amendment) Bill—Passed as amended	138—44
Factories (Second Amendment) Bill—Passed as amended	144—51
Indian Railways (Amendment) Bill—Discussion on the Motion to consider—not concluded	151—52

THURSDAY, 6TH FEBRUARY, 1947,—

Starred Questions and Answers	169—98
Unstarred Questions and Answers	198—208
Special Marriage (Amendment) Bill—Referred to Select Committee	208—23
Delhi Sikh Gurdwaras and Religious Endowments Bill—Motion to refer to Joint Committee—Adopted	228
Hindu Inter-Caste Marriage Regulating and Validating Bill—Circulated	228—39

Indian Companies (Amendment) Bill—Amendment of Section 86-F—Referred to Select Committee	239—40
Delhi Muslim Wakfs (Amendment) Bill—Introduced	240
Criminal Tribes (Repeal) Bill—Introduced	240
Indian Evidence (Amendment) Bill—Introduced	240
Code of Criminal Procedure (Amendment) Bill—Amendment of Sections 161 and 162—Introduced	241
Indian Bar Councils and the Legal Practitioners (Amendment) Bill—Introduced	241
Criminal Tribes (Amendment) Bill—Introduced	241
Indian Companies (Amendment) Bill—Amendment of Sections 25, 31 32, etc.—Introduced	241
Code of Criminal Procedure (Amendment) Bill—Amendment of Sections 250, etc.—Introduced	242

FRIDAY, 7TH FEBRUARY, 1947,—

Starred Questions and Answers	243—84
Unstarred Questions and Answers	285—91
House Committee	291
Point of Order <i>re</i> Resolution <i>re</i> Release of Indian National Army Men and Political Prisoners	291—95,326
Resolution <i>re</i> Control of Industry by Aliens—Withdrawn	295—317
Resolution <i>re</i> Programme of Crop Insurance—Withdrawn	317—26
Statement of Business	326

MONDAY, 10TH FEBRUARY, 1947,—

Member Sworn	327
Starred Questions and Answers	327—51
Unstarred Questions and Answers	351—52
Election of a Member to the Court of Delhi University	352—54
Indian Legislature (Prevention of Disqualification) Bill—Introduced	354
Imports and Exports (Control) Bill—Introduced	354
Indian Railways (Amendment) Bill—Passed as amended	354—55
Railways (Transport of Goods) Bill—Referred to Select Committee	355—63
Foreign Exchange Regulation Bill—Passed as amended	363—73
Indian Navy (Discipline) (Amendment) Bill—Passed as amended	373—75
Sugar (Temporary Excise Duty) Bill—Passed as amended	375—78
Industrial Disputes Bill—Discussion on the motion to consider —not concluded	378—89

TUESDAY, 11TH FEBRUARY, 1947,—

Member Sworn	391
Starred Questions and Answers	391—417
Short Notice Questions and Answers	417—20
Papers Laid on the Table	420
Industrial Disputes Bill—Consideration of Clauses—not Concluded	421—55

WEDNESDAY, 12TH FEBRUARY, 1947,—

Starred Questions and Answers	457—90
Unstarred Questions and Answers	490—94
Short Notice Question and Answer	494—95
Appointment of the Honourable Dr. John Matthai to perform Functions of the Finance Member at Railway Budget—General Discussion	495
Declaration Directing Certain Budget Heads of Expenditure open to Discussion by the Legislative Assembly	495
Industrial Disputes Bill—Consideration of Clauses—not concluded	495—528

THURSDAY, 13TH FEBRUARY, 1947,—

Starred Questions and Answers	529—56
Unstarred Questions and Answers	557
Election of Member to the Court of Delhi University	557
Report on the Conditions of Labour in Coal Mining Industry in India—laid on the table	558
Armed Forces (Emergency Duties) Bill—Introduced	558
Industrial Disputes Bill—Consideration of Clauses—not concluded	558—91

FRIDAY, 14TH FEBRUARY, 1947,—

Starred Questions and Answers	593—619
Short Notice Question and Answer	619
Indian Arms (Amendment) Bill—Motion to circulate—Negatived	619—24
Criminal Tribes (Amendment) Bill—Passed	624—25
Code of Criminal Procedure (Amendment) Bill—Amendment of Sections 161 and 162—Motion to consider—not moved	625
Indian Bar Councils and the Legal Practitioner's (Amendment) Bill—Motion to consider—not moved	626
Delhi Muslim Wakfs (Amendment) Bill—Passed as amended	626—27
Expunging from the Proceedings of the Assembly certain remarks by Dr. G. V. Deshmukh and Sjt. N. V. Gadgil	628
Ruling <i>re</i> Entry into the Division Lobby during Division of the members of the Executive Council not being members of the Assembly	628—29
Indian Evidence (Amendment) Bill—Referred to Select Committee	631—32
Indian Companies (Amendment) Bill—Amendment of Sections 25, 31, 32, etc.—Circulated	632—35
Indian Railways (Amendment) Bill—Introduced	635
Child Marriage Restraint (Amendment) Bill—Introduced	635
Durgah Khawaja Saheb (Amendment) Bill—Introduced	635
Indian Penal Code and the Code of Criminal Procedure (Amendment) Bill —Introduced	635—36
Indian Mines (Amendment) Bill—Introduced	636
Statement of Business	636

MONDAY, 17TH FEBRUARY, 1947,—

Starred Questions and Answers	637—72
Unstarred Questions and Answers	672—77
Short Notice Question and Answer	678
Difficulty in regard to Printing of Bills due to Strike in the Press	679
Presentation of Railway Budget for 1947—48	679—94
Banking Companies Bill—Presentation of the Report of Select Committee	694
Railway (Transport of Goods) Bill—Presentation of the Report of Select Committee	695
Indian Coinage (Amendment) Bill—Introduced	695
Reserve Bank of India (Amendment) Bill—Introduced	695
Election to Committee on Public Accounts	695
Election to Standing Committee for Labour Department	695
Industrial Disputes Bill—Consideration of Clauses —not concluded	696—728

TUESDAY, 18TH FEBRUARY, 1947,—

Starred Questions and Answers	729—64
Unstarred Questions and Answers	764—65
Short Notice Questions and Answers	765—75
Ruling <i>re</i> Pandit Govind Malaviya's Resolution <i>re</i> the Release of Indian National Army Men and Political Prisoners	771—74
Resolution <i>re</i> Committee for Correlation of Government Development Plans and for the Reduction of Personnel on Financial Grounds—not moved	774
Resolution <i>re</i> Conversion of Reserve Bank of India into a State Bank—Withdrawn	774—88
Resolution <i>re</i> Release of Indian National Army Prisoners—Discussion not concluded	788—807

LEGISLATIVE ASSEMBLY

Monday, 17th February, 1947

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

STARRED QUESTIONS AND ANSWERS

(a) ORAL ANSWERS

DIFFICULTY IN REGARD TO PRINTING OF QUESTION LISTS DUE TO STRIKE IN THE PRESS

Mr. President: Before I call the questions, I have to invite the attention of Honourable Members to the fact of the strike in the Government Central Press. It has therefore become impossible to get the Questions printed in sufficient numbers and we have to resort to cyclostyling the copies. Naturally, we cannot get a sufficient number of copies in cyclostyling. We have therefore no other alternative but to ration the distribution. So, what is proposed to be done, and will be done, till the Press is available for printing Questions, will be that copies of the cyclostyled questions will be sent only to Honourable Members whose names appear in the List. As regards the other Honourable Members who wish to have copies, they can have them from the Secretary and the Notice Office. It will not be possible to despatch copies to Honourable Members at their places and to place them on the table here. That is one part.

Then, as regards Questions, we do not reach or take everyday more than about twenty-five questions on an average for answers. Instead, therefore, of cyclostyling copies consisting of all the questions for the day, it is proposed to cyclostyle about forty questions per day, so that, that much work also will be saved. We shall see how the system works. It is not anticipated that more than 40 questions would be taken up in one day. Even assuming that some Members are absent and their questions are passed over, forty will be the maximum number that will be reached. The answers to those Questions which are not included in the cyclostyled List will be laid on the table of the House and later on printed in the debates.

I shall now take up Questions.

PLANNING PANELS FOR THE DEVELOPMENT OF FOOD INDUSTRIES CONNECTED WITH SUGAR PRODUCTS, FLOUR MILLING AND BISCUIT INDUSTRY.

322. *Pandit Sri Krishna Dutt Paliwal: Will the Secretary of the Food Department please state:

(a) whether the Planning panels for the development of food industries connected with sugar products and confectionery, the flour milling and biscuit industry in India have submitted any plans;

(b) the steps which have been taken or are proposed to be taken to reduce the price of the products of the industries referred to above and to improve their quality; and

(c) the results achieved so far?

Mr. K. L. Panjabi: (a) No, the Panels have met once and have only considered the outlines of plans which they will finalise when further information is available.

(b) and (c). No steps have been taken, pending the receipt of the reports of the Panels.

Pandit Sri Krishna Dutt Paliwal: May I know how long it will take for the Panels to finalise their plans?

Mr. K. L. Panjabi: The next meeting of the Panels is fixed at the end of this month and we hope to receive the reports as soon as possible.

ASSISTANCE TO FOOD INDUSTRIES

323. *Pandit Sri Krishna Dutt Paliwal: Will the Secretary of the Food Department please state:

(a) the proposals for assistance by Government to food industries which have been materialised; and

(b) whether the research institutes, reformation Bureau and an institute for standards have been started?

Mr. K. L. Panjabi: (a) No proposals have been finalised so far. They are awaiting the recommendations of the technical Panels which have not yet reported. These panels, of which two have met, are considering the assistance which Government should give to food industries.

(b) (i) The proposal for the setting up of an Institute of Food Technology is still under consideration.

(ii) Necessary information is being collected to set up an Information Bureau.

(iii) The Industries and Supplies Department are setting up the Indian Standards Institute in which food items are included.

Mr. Sasanka Sekhar Sanyal: May I know whether there has been any materialisation in respect of the proposition of tinned milk food?

Mr. K. L. Panjabi: The technical panel has not yet reported on the question.

INCREASE IN THE SIZE OF POST CARD

324. *Pandit Sri Krishna Dutt Paliwal: Will the Secretary of the Communications Department please state:

(a) whether Government propose to increase the size of the post cards; and

(b) if not, the reasons for keeping the present size?

Sir Harold Shoobert: (a) No.

(b) The dimensions of the post card were standardised many years ago and the post card machines at the Security Press were built to produce cards of that size. No change could be made without extensive alterations to the machinery.

Shri Sri Prakasa: When Government permit private postcards to be of a larger size than the embossed one, may I know why they cannot now take steps to make the necessary improvements in those machines and print out a larger postcard than is actually printed.

Sir Harold Shoobert: I feel that the postcard which Government issues to the public for use has plenty of room for correspondence—I have got one here and there is space for a lot of correspondence in it. Actually, it would be possible under the Buenos-Aires Convention to make the postcard about half an inch bigger each way. But, as I have explained, it involves a very great deal of alteration and very expensive alteration to the machinery of the press. In view of the fact that Government supplies to the public a postcard for the price of the stamp without any additional charge for the stationery, I do not think that the Honourable Member need press this question.

Pandit Sri Krishna Dutt Paliwal: May I know how long it will take for the present machinery to wear out?

Sir Harold Shoobert: I must have notice of that question.

Seth Govind Das: May I know from the Honourable Member the expenditure which would be involved if the machinery is changed?

Sir Harold Shoobert: We have no estimate, but the expenditure would be very considerable; and indeed we are already losing a great deal of money on the Posts and Telegraphs Department by reducing the postage on the card.

Khan Abdul Ghani Khan: Can it not be duplicated?

Mr. President: Order, order.

Shri Sri Prakasa: May I know the difference between the larger size postcard permitted and the embossed postcards that are being sold to the public?

Sir Harold Shoobert: The embossed postcard which is sold to the public is $5\frac{1}{2}$ inches by $3\frac{1}{2}$ inches. The largest postcard which may be permitted by the Convention is 15 centimetres by 10 centimetres, that is, approximately 6" by 4".

Mr. Sasanka Sekhar Sanyal: Is it not possible to release some portion of the space in the postcard which is occupied by the printed portion and the stamps?

Sir Harold Shoobert: Sir, I think the Honourable Member has probably to deal generally with calligraphists, because I feel that most members of the general public already find small enough space for writing the address. We cannot reduce the space for the address.

RESTORATION OF RAILWAY MILEAGE AND ROLLING STOCK REMOVED FROM INDIA DURING THE WAR

325. *Seth Govind Das: (a) Will the Honourable Member for Railways please state the total Railway mileage and rolling stock removed from India during World War II for other War theatres;

(b) how much of these have been restored after the war; and

(c) how long will the completion of such restoration would take?

The Honourable Dr. John Matthai: The question has been split up into two parts. Part I relates to Rolling Stock and Part II to Railway Mileage.

Part. I—(a) I lay on the table a Statement showing Rolling Stock removed from India during World War II for other war theatres the stock returned from overseas and additional stock put into service.

(b) It will be seen from columns 4 and 5 of the statement that the additions made far exceed the numbers retained overseas.

(c) Does not arise.

Part II.—(a) As regards *Railway Mileage*, a track of 591 miles was despatched overseas.

(b) Out of the Branch lines dismantled the following lines extending to 434 miles are being considered for restoration.

Assam—

(1) Shaistaganj-Habiganj	10 Miles B.A.
(2) Moranhat-Khowang	8 Miles B.A.
(3) Amnura Chapai-Nawabgonj	8 Miles B.A.

Bombay—

(4) Vasad Kathana	27 Miles B.B & C. I.
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Madras—

(5) Bobbili-Salur	10 Miles B.N.
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Punjab—

(6) Nograa-Jogindernagar	35 Miles N.W.
(7) Rohtak-Panipat via Gehana	20 Miles N.W.

U. P.—

(8) Cawnpore-Khairada	81 Miles G.I.P.
(9) Unao-Madhoganj-Balameu	78 Miles E.I.
(10) Bijnor-Chandpur Siau	21 Miles E.I.
(11) Utraitia Sultanpur-Zafarabad	136 Miles E.I.

434 Miles.

The traffic survey reports of items (1), (2) and (4) have since been received and a scrutiny of these reports reveals that the lines, if restored, will be commercially unremunerative. On obtaining further information from the Railways concerned regarding capital cost of the various assets of these lines, a reference will be made to the Provincial Governments regarding subsidising these lines if they consider the restoration necessary. The restoration of No. (8), *viz.*, Cawnpore-Khairada has been sanctioned and the preliminary works in connection with its construction are now in progress.

(c) It is not possible at this stage to state which of the above lines will eventually be restored and how long such restoration will take until the survey reports are received and scrutinised.

Statement showing locomotives and rolling stock supplied by Indian Railways for Overseas returned therefrom, and Additional Stock put into service

Items	Total stock supplied for overseas		Stock returned from overseas to date			Stock not to be returned from overseas			Additional Stock arranged
	Iraq & Iran	Egypt & West Africa 2	Iraq & Iran	Egypt 3	Total	Iraq & Iran	Egypt 4	Total	
1									5
Standard-Gauge converted from Broad Gauge (4'-8, 1/2")—									
General Service wago is (4-wheeled)	1,241	...	230	...	230	1,011	...	1,011	27,590
Flat Wagons (4-wheeled)	54	...	...	...	...	54	...	54	800
Tank Carrier Flats (Bogies)	50	...	...	...	...	50	...	50	210
Tank Wagons (4-wheeled)	14	9	2	...	2	12	9	21	700
Drake Vans (4-wheeled)	52	...	24	...	24	28	...	28	290
Coaching Stock (Bogies)	78	...	20	...	20	58	...	58	1,460*
Coaching Stock (4-wheeled)	8	...	4	...	4	4	...	4	367†
Metre-Gauge (3'-3, 8/3") Locomotives	183	23	30	12	42	153	11	164	11,756
General Service Wagons*	5,893	375	1,035	386	1,371	4,863	89	4,902	...
Flat Wagons*	1,172	16	249	10	259	928	6	929	...
Tank Carrier Flats (Bogies)	99	...	...	...	...	99	...	99	100
Tank Wagons*	129	152	...	86	86	129	66	195	708
Brake Vans (4-wheeled)	77	23	...	9	9	77	14	91	186
Coaching Stock (Bogies)	84	...	12	...	12	72	...	72	757*
" (4-wheeled)	8	...	1	...	1	7	...	7	...
Cranes Steam	4	...	1	...	1	3	...	3	104
Cranes Hand	6	4	5	...	5	1	4	5	...
Rail Car	1	1	...	...	...	1	1	2	...
Brakedown Vans (4-wheeled)	...	2	...	...	...	...	2	2	...
Narrow-Gauge (2'-6") Locomotives	...	6	...	...	...	...	6	6	...
General Service Wagons (Bogies)	...	50	...	...	...	...	50	50	...
Coaching Stock (Bogies)	...	...	...	...	...	...	...	...	...

* Both bogies and 4-wheeled provided.
 Figures represent equivalent 4-wheeled units.
 † 363 M.A.V.D.'s from D. G. of Disposals and Garretts from U. K.

Mr. Manu Subedar: Will the Honourable Railway Minister tell this House in what form the loss incurred and the great sacrifice imposed on the people of this country by the removal of these wagons as well as railways and the cost of restoration and reconstruction which will be incurred by us will be made good? What is the financial compensation with regard to this item?

The Honourable Dr. John Matthai: I can answer this question only from the point of view of the Railway Department. As far as the Railway Department is concerned, we have been paid for these materials removed by the Defence Department and the formula on which these materials were sold to the Defence Department, briefly is replacement cost prevailing in 1915 less depreciation. As regards the general question of financial compensation, that concerns the Finance Department.

Mr. Manu Subedar: As regards the cost incurred by the Government on the reconstruction of these lines, from where is this expected. Is it also expected from the Defence Department or will it be a sacrifice on the part of the Railway finance?

The Honourable Dr. John Matthai: That is a matter that would require consideration.

Shri Sri Prakasa: Is it not a fact that the Bijnor-Chandpur Siau Line was put on the priority list and has the idea of its restoration been abandoned now?

The Honourable Dr. John Matthai: That is one of the lines which are being examined. The survey in respect of it has not been received yet.

Dr. Zia Uddin Ahmad: Is the Honourable Gentleman putting in the regular budget the expenditure to be incurred on the restoration of these lines? Will he show some income against that?

The Honourable Dr. John Matthai: That question has not arisen yet, because as you will have seen from my answer none of these schemes have been finally decided on. The survey reports in respect of them are expected. We have to come to a decision whether the restoration of these lines will be remunerative or not.

Dr. Zia Uddin Ahmad: The Honourable Member is going to present the Budget. Will he show there the sums needed for reconstruction?

The Honourable Dr. John Matthai: Wait and see.

Seth Govind Das: By what time is a decision expected to be reached on this?

The Honourable Dr. John Matthai: As soon as possible is the only answer I can give at present.

BOOKING CLERKS AT DELHI RAILWAY STATION.

326. *Seth Govind Das: Will the Honourable the Railway Member be pleased to state:

(a) whether it is a fact that the booking clerks on East Indian, Great Indian Peninsular, Bombay, Baroda and Central India Railways Booking Offices at Delhi Railway Station are heavily overworked;

(b) whether it is a fact that only three persons are required to deal with the whole booking in all the 24 hours for which the office is supposed to be open and that when the booking clerks change duty passengers have to wait for a long time at the risk of missing trains for getting tickets;

(c) whether Government are aware that these Booking clerks have to work for extra three hours every day in counting cash and adjusting accounts; and

(d) if so, whether Government propose to take immediate steps to set this right in order to give proper facility to passengers and relieve the booking clerks of their burdensome duty?

The Honourable Dr. John Matthai: (a) Information received from the Railway Administration does not support the allegation that the staff in question are heavily overworked.

(b) Each booking window is manned by three men working in shifts of eight hours each, excepting the E. I. Railway III class booking window, which on account of heavy work has two men in each shift of eight hours.

As regards the second portion, Government are informed that the change of duty of the booking clerks is effected without much delay and does not cause any inconvenience to the public. The Railway Administration have so far received no complaints from the public in regard to this matter.

(c) This is not the case. The counting of cash and adjustment of accounts, which constitute the normal duty of a booking clerk, ordinarily involve not more than 20 to 30 minutes' work.

(d) Does not arise in view of the reply to parts (a) to (c).

Seth Govind Das: Will the Honourable Member take it from me that even I had to wait at the window of the booking office of first class and second class several times and the information which the Honourable Member has received from his department is not true?

The Honourable Dr. John Matthai: The question of the hours of work and the rest to be given to booking clerks and the staff generally is now under examination by the adjudicator and before his report is received I should be reluctant to make any change in the present system.

Maulana Zafar Ali Khan: May I know whether these clerks get any remuneration for the extra work they do every day?

The Honourable Dr. John Matthai: The position is that under the statutory rules which have been made in regard to hours of employment on railways the maximum limit of hours of work is 60 per week on the average during a month for booking clerks, so that if you take a shift of eight hours and add 20 to 30 minutes to it, that would still be within the statutory limit. That is technically the position.

Shri Sri Prakasa: Is the Honourable Member aware that the trouble is due to the fact that printed tickets are not available in sufficient quantities these days and that clerks have to take extra time to make up these tickets on cards and that is why passengers are kept waiting in queues?

The Honourable Dr. John Matthai: I am aware of the position. It is being looked into and the position is improving.

FAILURE OF INDIAN FOOD SUPPLIES.

327. ***Mr. Ahmed E. H. Jaffer:** (a) Will the Secretary of the Agriculture Department please make a statement in the House on the failure of Indian food supplies for the past year and since the end of the war?

(b) Are Government aware that despite the fact that the war ended nearly two years ago, the food supplies, especially rice, are more short than ever before, resulting in great hardship on the people?

(c) Why the Deltaic plains of India have not been stimulated into producing the necessary quantity of rice for the starving population of India?

(d) Have Government worked out a policy for the stimulation of the Deltaic plains for the production of increased quantities of rice in future years, instead of relying on imports of this important item of food?

... **Sir Pheroze Kharegat:** (a) A comprehensive review of the food position was given to the House during the last session of the Assembly and a Memorandum bringing the position up-to-date has been circulated at the beginning of this session.

(b) Before the war India used to import rice to the extent of about 1½ million tons per year. Since then the population has probably increased by approximately 30 million. The situation was met in 1942—45 by increased production in India but in 1946 both the *Kharif* and the *rabi* crops were bad in the

greater part of the country and there was a shortfall estimated at about six million tons. It was also difficult to obtain supplies from abroad, as world production and distribution had not recovered from the devastation and dislocation caused by the war. The Government of India succeeded in obtaining imports of 2½ million tons during the year which included 325,520 tons of rice.

(c) The whole of India, including the deltaic plains have been stimulated to produce as much grain as possible.

(d) Targets for increased production, for the works to be constructed, and the supplies to be made available for the purpose have now been fixed in consultation with the provinces and special arrangements are being made for the purpose. But it has to be pointed out that there is an acute shortage of materials and that the bringing of uncultivated land into cultivation in deltaic areas, involves measures against the encroachment of salt water or for reducing the intensity of flood waters. The construction of embankments for the purpose often results in damage to larger areas in the upper regions of the rivers. In the circumstances, there are practical difficulties and the progress has been slow but wherever practicable works are undertaken to encourage the production of foodgrains in these areas.

Mr. Ahmed E. H. Jaffer: What is the period during which the population is supposed to have increased by 30 millions and what are the causes of such an increase?

Mr. President: The Honourable Member may answer about the period only.

Sir Pheroze Kharegat: 1941 was the year of the census and it is presumed that, roughly, there has been an increase of about five million people per year. That means 30 million in six years.

Mr. Ahmed E. H. Jaffer: I only wanted to know the causes by which the population has been increased. Has the population been increased by importing people from abroad?

Mr. President: That is outside the scope of the question.

Shri Sri Prakasa: With reference to the answer to part (c) of the question, may I ask if the use of rice is provocative to the increase of population?

Mr. President: Mr. Gounder.

Sri V. C. Vellingri Gounder: In view of the very poor return of the last year from the grow-more-food campaign, may I ask what suggestions Government are going to make for the improvement in the coming grow-more-food campaign, which Government is going to finance for another five years?

Sir Pheroze Kharegat: Government have already announced that they propose to continue the grow-more-food campaign for another five years; but the question of the finance to be made available for the purpose is still under consideration.

Sardar Mangal Singh: May I know whether the Government of India has considered the proposal of collective farming as a method of increased production along with the grow-more-food campaign?

Sir Pheroze Kharegat: The matter has certainly been considered and various practical difficulties are expected in implementing the proposal. But there is a definite concrete proposal to take up an experiment in this in a selected area and to try it out on a practical scale and see how the difficulties are going to be overcome.

Dr. Zia Uddin Ahmad: Is the Honourable Secretary in a position to give us an assurance that the additional amount of food which can be produced in this country by virtue of the improved method of cultivation and the increase in the cultivable land will be at least 1½ per cent. more every year than what we have been producing, because the increase in population has been 1.2 per cent.?

Sir Pheroze Kharegat: I can only give my personal opinion on the subject. As I have stated more than once before, if all the facilities that are required for increased production can be made available in the shape of money, materials and men and a guarantee in respect of prices, it is perfectly possible for India to become self-supporting within a period of five to ten years.

Sreejut Rohini Kumar Chaudhuri: May I ask if the Government has considered that a propaganda or a campaign of eating less food is more effective than the grow-more-food campaign?

Sir Pheroze Kharegat: I am afraid that when people are already starving or living on the border-line of starvation, it is not possible to ask them to eat less food.

Sri V. Gangaraju: May I know whether the Government knows that the reason for not producing more paddy is the low price offered to the producer?

Sir Pheroze Kharegat: That, Sir, is a matter of opinion.

ENQUIRY AGAINST CHIEF SIGNAL INSPECTOR, NEEMUCH, B. B. & C. I. RAILWAY

323. *Mr. Ahmed E. H. Jaffer: (a) Will the Honourable Member for Railways please state whether it is a fact that an enquiry was made by the Signal Engineer, Bombay, Baroda and Central India Railway, M. G. System, against Chief Signal Inspector, Neemuch, in the year 1943?

(b) If so, what was the enquiry about and what was the final result of the enquiry?

(c) Are Government aware that adverse remarks were passed by the President of the said enquiry committee stating that it was a made up case and there was no material substance available to substantiate the charges?

(d) Is it a fact that the findings of the enquiry committee were not given (as per rules it should have been given) to the said subordinate for his information though asked for by him?

(e) What action is being taken for redressing the wrong done to him?

The Honourable Dr. John Matthai: (a) An enquiry against the Chief Signal Inspector, Neemuch, was ordered by the Signal Engineer, Metre Gauge System, in 1942.

(b) The enquiry was for the purpose of investigating certain allegations against the Chief Signal Inspector, viz., mis-appropriation and misuse of railway material, falsification of movement certificates and nepotism. Government understand that this enquiry led to a further enquiry which was ordered by the Chief Engineer in respect of the three charges mentioned. The result of the latter enquiry was that the three main charges against the Chief Signal Inspector were not proved, though the enquiry committee reported dissatisfaction with the working of the Chief Signal Inspector, for which he was reprimanded.

(c) Government are informed that only in respect of one charge, the Committee of enquiry ordered by the Chief Engineer considered that the statement of one of the witnesses was malicious and not supported by facts.

(d) The rules do not provide for copies of the findings of enquiry committees being given to the subordinate concerned, but Government are informed that in the case in question the substance of the finding of the enquiry committee was communicated to the Chief Signal Inspector.

(e) Government do not consider that action is called for in view of the replies to parts (b), (c) and (d) above.

Dr. Zia Uddin Ahmad: Will the Honourable Member lay a copy of this report on the table of the House?

The Honourable Dr. John Matthai: I will consider the matter.

MALICIOUS SEARCH OF THE PERSON OF CHIEF SIGNAL INSPECTOR, NEEMUCH

329. *Mr. Ahmed E. H. Jaffer: (a) Will the Honourable Member for Railways please state if it is a fact that the Assistant Signal Engineer, Bombay, Baroda and Central India Railway, M. G. System took search of one of the Subordinates Bungalow (CSI) at Neemuch who was a Chief Signal Inspector?

(b) Will Government be pleased to state the law and order under which he took this action?

(c) Is it a fact that no order from any Magistrate was obtained for such action and he was taken unaware when he was on sick bed suffering with high fever?

(d) Is it a fact that charges levelled against the said subordinate proved false and malicious?

(e) Will Government be pleased to state the amount spent on this enquiry?

-The Honourable Dr. John Matthai: (a) Government are informed that the facts are not as stated by the Honourable Member, but that the Chief Signal Inspector himself invited three officials into his house and volunteered to show them whether he had any railway material.

(b) and (c). Do not arise in view of the reply to para. (a).

(d) I presume that the Honourable Member is referring to the proceedings against the Chief Signal Inspector mentioned in his preceding question. If so, I would refer him to the reply given to part (b) of that question.

(e) Government have no details, but the only expenditure, if any, incurred in holding such enquiries is that on account of travelling allowances where an employee has to come from another station in connection with the enquiry.

DISPARITY IN THE PRICE OF PADDY AND RICE IN BENGAL

330. *Mr. Sasanka Sekhar Sanyal: Will the Secretary of the Food Department be pleased to state:

(a) whether Government are aware that during the last three months remarkable disparity in the price of paddy and rice is prevailing in Bengal, that is, whereas they are selling at forbidden rates in several parts of East Bengal, in some parts of central and west Bengal they are not fetching even remunerative price; and

(b) the reasons for the abovementioned state of things and the steps that Government propose to take for preventing or remedying the same?

Mr. K. L. Panjabi: (a) and (b). Government are aware of the disparity in the prices of rice and paddy in various parts of Bengal. This is due to heavy purchases by traders in certain areas and shortage of Government stocks and the tendency to withhold stocks in some areas in expectation of getting higher prices later in the year. The Government of Bengal have a network of procurement godowns in Central and West Bengal districts and Government officers there are ready to purchase stocks direct from any seller at the ceiling prices fixed by Government, which are considered remunerative. In the districts where prices are high, the Government of Bengal are placing as much of their stocks on the market as they can with a view to bringing prices down. The Provincial Government have also decided to restrict the area of operations of licensed paddy and rice traders to one thana as was the case till August, when this restriction was relaxed. Steps have also been taken to restrict the number of licensed traders in procurement areas.

Mr. Sasanka Sekhar Sanyal: May I know what steps the Government of India take for bringing about parity of prices between one province and another, particularly when on the border-line between the two provinces there is so much disparity?

Mr. K. L. Panjabi: The existing prices of paddy and rice in various provinces have been fixed in consultation with the Government of India and no particular steps are necessary to bring them in parity.

Dr. Zia Uddin Ahmad: What steps have Government taken to see that there is parity of price between district and district in the same province?

Mr. President: The Honourable Member's reply is that parity is considered not necessary.

Sri V. C. Vellingiri Gounder: How does Madras price compare with Bengal price?

Mr. President: A comparison of inter-provincial prices will not be admissible under this question.

Sri V. C. Vellingiri Gounder: The Madras prices are poor.

Sreejut Rohini Kumar Chaudhri: Is it a fact that rice is exported from Assam to Bengal at a cheaper rate and sold at a higher rate by the Bengal Government? Will the Honourable Member give me the respective control prices of Bengal and Assam? Who is pocketing the profit?

Mr. K. L. Punjabi: I have not got complete information about the prices.

FIXATION OF REMUNERATIVE PRICE OF PADDY

331. *Mr. Sasanka Sekhar Sanyal: Will the Secretary of the Food Department be pleased to state:

(a) the ratio that the present price of rice bears to the price that it bore in an average year immediately preceding the outbreak of the last war, so far as selling in the market is concerned;

(b) the proportion that such ratio bears to the ratio of the present price of any other non-agricultural essential commodity for domestic consumption in relation to its price in an average year immediately preceding the last year, so far as purchasing in the market is concerned, not referring to any such non-agricultural essential commodity, whose price has been controlled; and

(c) whether Government have examined the price index of all common articles of domestic consumption of the average agriculturist family in considering whether price of paddy should be fixed at a level higher than what is prevailing at present, and also in considering whether such price is remunerative?

Mr. K. L. Panjabi: (a) There is considerable disparity in prices of rice in different parts of the country, but taking the average for a few important centres in the Eastern Region, the present prices may be taken to be about $3\frac{1}{2}$ times the pre-war level.

(b) The prices of most of the essential non-agricultural commodities, such as sugar, cotton textiles, iron and kerosene, which enter into the cost of living of the agriculturists are controlled. The only other factor of some importance to the agriculturists of which the price is not controlled is leather and its present price is 3-6 times of the pre-war price.

(c) While fixing prices of rice and paddy, Government takes into account the prices of consumer goods commonly used by the agriculturists. The present prices are considered fair and Government does not think that there is a case for an increase in the present level of prices.

Mr. Sasanka Sekhar Sanyal: May I know if in preparing the reply to this question, particularly with regard to parts (b) and (c) whether Government have taken into consideration the pre-war prices and the present prices in respect of indispensable and essential articles such as hurricane lanterns and so on?

Mr. K. L. Panjabi: The price of hurricane lanterns was not taken into account.

Dr. Zia Uddin Ahmad: People are praying that you cease to exist in order that they might get more food, better food, and cheaper food.

Sri V. Gangaraju: Will the Honourable Member give figures for price of paddy in Madras presidency both before the war and in the present day?

Mr. K. L. Panjabi: I want notice.

PROMOTION OF TEMPORARY EMPLOYEES IN THE FOOD SUPPLY DEPARTMENT ON THE BENGAL ASSAM RAILWAY

332. *Mr. Nagendranath Mukhopadhyay: (a) Will the Honourable Member for Railways please state if it is a fact that during the last war the employees and even the temporary employees of Food Supply Department on the Bengal Assam Railway were not ordinarily permitted to apply for better jobs anywhere else?

(b) Are Government aware that the Food Supply Department of that Railway, in their Circulars No. 150, dated 22/23-5-45 and 194, dated 23-7-45 held out prospect of future promotions to Assistant Store-keepers and Ward-keepers among whom there are many temporary employees?

(c) Are Government aware that the General Manager (Personnel) issued some Circulars after war, whereby all temporary employees have been debarred from being eligible for promotion to the temporary posts of Inspectors and Assistant Store-keepers of the Food Supply Department?

(d) If the answer to part (c) above be in the affirmative, do Government propose to get the said disability of those temporary employees removed?

The Honourable Dr. John Matthai: (a) The reply is in the affirmative.

(b) In 1945, the Bengal Assam Railway Administration having found that the verification of stocks in the Grain shop depots revealed heavy shortages issued a warning to Ward-keepers, clerks in charge, Stores Delivery clerks and Food Supply Inspectors indicating the procedure which it was proposed to follow to deal with cases where such shortages occurred. The staff addressed were also warned that a record of shortages against the persons concerned would be maintained and that future promotion would largely depend on the results as shown by the record. The second letter referred to by the Honourable Member gave a list of the names of the staff at whose grain shops losses of one per cent., two per cent. and over had occurred and specifically warned the persons concerned with losses of over two per cent. of the consequences. It will thus be seen that while the effect which had working would have on future promotion was generally referred to, the circulars could not be considered as holding out prospects of promotion in cases where the staff were not eligible for such promotion.

(c) In a Circular letter issued by the Railway Administration in September 1945, it was made a condition of eligibility for promotion to the posts of Food Supply Inspectors that the staff should have completed ten years' service. Temporary employees were ineligible for promotion as they did not fulfil this condition.

(d) As the Honourable Member will no doubt appreciate, it is essential that in such a large organization as the Railway Grainshops the satisfactory working and the prevention of leakage of stocks is vitally necessary. Government, therefore, consider that the action of the Railway Administration was eminently desirable and do not see any justification for reversing it.

FOOD SUPPLY INSPECTORS ON THE BENGAL ASSAM RAILWAY.

333. *Mr. Nagendranath Mukhopadhyay: (a) Will the Honourable Member for Railways please state if it is a fact that the General Manager (Personnel) Bengal Assam Railway issued Circular letter No. 80E/69(S), dated 6/7-9-45 for filling up temporary posts of Food Supply Inspectors? If so, did it impose any conditions to be satisfied by the candidates?

(b) Did the Selection Board select some efficient temporary employees in January 1946 for those posts besides other permanent employees and place the names of the selected candidates on the panel in order of merit?

(c) Were the names of only those selected candidates who were temporary employees subsequently removed from the panel? If so, why?

(d) Do Government propose to see that the names so removed are restored in the panel and appointments thrown open to them?

The Honourable Dr. John Matthai: (a) The reply to the first part is in the affirmative. As regards the second part, the circular stated that, as far as possible, the posts in question would be filled by permanent employees of that Railway having at least ten years service to their credit and drawing a salary of not less than Rs. 100 per month.

(b) The reply is in the affirmative.

(c) The reply to the first part is in the affirmative. With regard to the second part, the reason for removing the names of temporary employees from the panel was that they had no chance of appointment to the posts in question in view of the condition of ten years service laid down by the Administration and referred to in my reply to part (a) above.

(d) Does not arise in view of my reply to part (c) above.

SELECTION OF SECTION CONTROLLERS AND ASSISTANT STATION MASTERS ON N. W. RAILWAY

334. *Seth Sukhdev: (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that a selection was held in the North Western Railway Headquarters Office, Lahore in August or September last, to select employees from amongst qualified employees, for promotion as Section Controllers and Assistant Station Masters grade IV?

(b) Will Government please lay on the table of the House a statement showing the number of candidates who appeared at the selection and the number who were selected, from each division separately?

(c) Is it a fact that from a large number of candidates sent by Karachi division, only one Christian employee was selected? If so, why?

(d) Is it a fact that employees have expressed dissatisfaction with such selections?

(e) Do Government propose to issue instructions for abandonment of such selections and make promotions on the examination results?

The Honourable Dr. John Matthai: (a) The Honourable Member is presumably referring to a selection which was held in the North Western Railway Headquarters Office, Lahore, in July 1946 to select employees for promotion to posts of Assistant Station Masters, Grade IV.

(b) I lay a statement on the table of the House giving the required details in respect of the selection referred to in my reply to part (a).

(c) The reply to the first portion is in the affirmative. As regards the latter portion, of the persons recommended by the Karachi Division only one was considered suitable by the Selection Board on grounds of merit.

(d) and (e). Government are not aware that there has been any general dissatisfaction regarding the procedure for making promotions by selection. As regards the question of making promotions on the basis of examinations instead of by selection, I would refer the Honourable Member to the reply to Seth Govind Das's Starred question No. 43 on the 28th October, 1946.

Statement showing the number of candidates who appeared and the number selected at the selection held in July 1946 on the North Western Railway for posts of Assistant Station Masters, Grade IV.

	Divisions								Total
	Delhi	Ferozpur	Lahore	Multan	Karachi	Quetta	Rawalpindi	Walton Training School	
Number appeared	32	6	8	6	10	5	9	1	77
Number selected	6	1	2	1	1	1	5	...	17

Sreejut Rohini Kumar Chaudhuri: May I know if there is anything like provincial quota in the matter of appointments and also if the length of miles in any particular province is taken into consideration in making appointments in that province in the Railway Department?

The Honourable Dr. John Matthai: This question refers to promotion and not to initial recruitment.

PERMIT SYSTEM FOR PURCHASE OF MOTOR CARS

335. *Sardar Mangal Singh: Will the Honourable Member for Transport please state:

(a) whether Government are aware of the fact that motor cars are scarcely available at the controlled prices and that very often the purchasers have to pay an extra amount over and above the fixed price to complete the bargain; and

(b) whether Government propose to re-examine the question of introducing the permit system or do something else to remedy this evil?

The Honourable Dr. John Matthai: (a) and (b). The prices of motor cars are no longer controlled by the Central Government. Towards the end of last year, Government did receive complaints that exorbitant prices were being charged for motor-cars, and methods for preventing black marketing were considered in consultation with motor-vehicle importers. A Press report of this meeting was published about December 12th, 1946, in which it was stated that any member of the public who considers himself to be a victim of profiteering should not hesitate to report the dealer concerned to the distributor and to the Motor Dealers' Association.

The power to control the distribution and price of motor cars has vested in the Provincial Governments since the lapsing of the Defence of India Rules. At present, however, only four Provincial Governments exercise control by means of Provincial Legislation.

Sardar Mangal Singh: Is the Honourable Member aware that blackmarketing in motor cars is going on in Delhi under the very nose of the Government? What steps are Government taking to put a stop to this?

The Honourable Dr. John Matthai: As regards this question of black-marketing, motor cars are imported generally through the two maritime provinces of Bengal and Bombay. At present I understand the arrangement is that the Association of Motor Manufacturers and Importers publish retail prices from time to time in the newspapers; so that the only way in which black marketing can be prevented is that if a person finds that he is being charged a price above the retail price notified he should report the fact at once to the distributor concerned.

Seth Govind Das: In part (b) the question was asked whether Government in these circumstances would like to reimpose the permit system which existed before this control was lifted. Will Government consider the advisability of having the control and permit system again, as black marketing is going on?

The Honourable Dr. John Matthai: I presume the Honourable Member is asking whether the centre should resume control. The difficulty with regard to that is that the control of this particular article normally vests in the provincial legislature, so that it is only by special Parliamentary authority that the central legislature can act in this matter. This happens to be one of the articles which have not been included in the Parliamentary legislation recently enacted.

Mr. Manu Subedar: Will Government examine the possibility of making at least a certain number of taxis available in New Delhi, where they are not available, and whether they will not take some steps so that those who wish to run taxis in New Delhi may be enabled to acquire the vehicles?

The Honourable Dr. John Matthai: There was a recent conference between officers of my department and the principal distributors, and the arrangement arrived at was that regional distribution would be based on prewar sales; that I think would be the most equitable arrangement that we could think of at present.

Mr. Manu Subedar: May I not urge once again that it is desirable to make a few public vehicles available before private parties are enabled to acquire vehicles? And may I know whether Government will not take this aspect into consideration and have the question examined whether those who run public vehicles may not be given some chance to acquire these vehicles in order to run them as taxis in New Delhi?

The Honourable Dr. John Matthai: I will have that question examined.

Mr. Ahmad E. H. Jaffer: In view of the fact that some of the provinces have got the permit system in force at present, will the Government of India consider the advisability of having a uniform policy throughout the country of control and distribution of these vehicles?

The Honourable Dr. John Matthai: That refers again to the point raised by my Honourable friend Seth Govind Das.

Lala Deshbandhu Gupta: Has the Honourable Member's attention been drawn to an advertisement in the *Statesman* offering for sale a V-8 Ford car for Rs. 15,000, whereas the retail price fixed is Rs. 9,000?

The Honourable Dr. John Matthai: If the Honourable Member will give me the date of the advertisement I will look into it.

Mr. Ahmed E. H. Jaffer: May I take it then that there is still control over the sale prices? I am told it is not so.

The Honourable Dr. John Matthai: As I have said, there is Government control only in four provinces. The centre has no power of control in this matter, and therefore I am not in a position to give a reply to these questions.

Lala Deshbandhu Gupta: If control rests with the provinces what is the position of Delhi, which has to be looked after by the centre?

The Honourable Dr. John Matthai: Delhi stands on the same footing as other provinces. I would mention again two points in the present arrangement. The first is that regional distribution is on the basis of pre-war sales; and the second is that retail prices are published from time to time by the motor importers, and therefore the public are in a position to know what prices are to be paid for cars.

MANUFACTURE IN INDIA OF THE FLOATING DOCK FOR U. K. GOVERNMENT.

336. *Mr. Manu Subedar: (a) Will the Honourable Member for Industries and Supplies please state under what arrangements was the floating dock for the United Kingdom Government manufactured in India?

(b) What quantity of timber and steel have been used?

(c) On what basis and by whom and at what rate were these materials supplied for this purpose?

(d) What was the total cost?

(e) Have the Government of India incurred any liability in connection with this?

The Honourable Sri C. Rajagopalachari: (a) The Honourable Member presumably refers to Admiralty Floating Dock No. 35. The Contract for the construction of this Dock was placed on Messrs. B. B. J. Construction Co. Ltd., Calcutta, by the Director General of Munitions Production on behalf of the late Department of Supply as agent for the Admiralty Commissioners. The basis for the contract was actual cost plus a fixed profit of Rs. 7,50,000.

(b) The actual tonnage of steel and timber used is not known as the cost accounting has not been completed. The estimated requirements for steel were, however, 20,400 tons as detailed below:—

	Tons
Plates	13,000
Heavy structurals	5,300
Light structurals	200
Bars	40
Rods	60
Nut, Bolts and Rivets	1,000
Total	20,400

The value of timber is estimated at Rs. 5.76 lakhs.

(c) Except for 368 tons of Rivets, which were obtained from the U. K., the steel, as detailed in (b) above, was found either from Lease-Lend stocks, or from indigenous sources at controlled rates. In return for structural steel supplied from Indian production, U. K. supplied 6,000 tons of rails to India. The supply of timber was arranged by the Director of Timber Supplies at rates determined by him.

(d) The total cost is not yet known as the cost accounting has not been completed. It is, however, estimated that the cost will amount to about Rs. 93 lakhs.

(e) No.

Mr. Manu Subedar: May I know why steel and timber which were required for use in this country were permitted to be used for this purpose? And if they were so permitted during the war period, will Government now try to retain this dock for the Government of India as the bulk of the material was not only supplied from India but was probably paid for by India and is merely going into the accounts?

The Honourable Sri C. Rajagopalachari: This order and its execution were during the war period, but the war ended a little earlier than was expected, and so it happens that this construction was completed after the war was over. The dock was a very large one capable of accommodating a 50,000 ton battleship, and it is no use whatsoever for the Government of India to retain it. I may also mention that, as I have already said, all the steel did not come from India and I have given the details. We received back 6,000 tons of rails

from the U. K. As regards retaining it, I have already said that it will be a white elephant, or perhaps, worse than a white elephant,—a floating war dock may be more expensive and less useful than a white elephant. As regards the question of future policy referred to by the Honourable Member that will of course be kept in mind.

Shri Sri Prakasa: Where is the dock floating at present?

The Honourable Sri C. Rajagopalachari: It was completed at Bombay, where it now is, and will go to the Admiralty very soon.

Mr. Ahmed E. H. Jaffer: May I know who paid for it? Did the Government of India pay anything towards the cost?

The Honourable Sri C. Rajagopalachari: No, Sir, the Government of India does not pay for it. It was only an adjustment; the Admiralty will pay for it.

Mr. Manu Subedar: Did not the Government of India pay out 95 lakhs plus 7½ per cent. commission to the party which constructed it? And has not this merely gone into the general account against the U. K. and added to the sterling balances?

The Honourable Sri C. Rajagopalachari: That may be so.

REDUCTION OF FOOD RATIONS IN DELHI

337. *Sardar Mangal Singh: Will the Secretary of the Food Department please state:

(a) Whether it is a fact that the scale of wheat ration in Delhi has progressively been reduced during the last two months;

(b) Whether Government propose to consider the question of increasing the wheat quota in the case of Punjabees and of giving more rice to the people from the south; and

(c) the efforts that Government have made to restore the ration to its original minimum scale of 1 lb. a day?

Mr. K. L. Panjabi: (a) Yes, Sir.

(b) It is not administratively feasible to make any differentiation between consumers on the basis of Provinces from which they come. The present composition of the cereal ration permits limited choice to the consumers. Of the 12 oz. cereal ration per adult per day wheat and rice can together be drawn upto the limit of 10 oz; rice alone upto the limit of 10 oz. and wheat or wheat products upto the limit of 6 oz; Gram upto the limit of 2 oz; Maize and barley can be drawn to the fullest extent of 12 oz.

(c) Government have been making and are continuing to make all efforts to get the maximum quantities of cereals by imports and through tightening up of internal procurement in order to be able to increase the size of the overall cereal ration.

Seth Govind Das: Are Government aware that the wheat that is available in Delhi is of bad quality which it is often difficult to eat?

Mr. K. L. Panjabi: No, Sir, it is of fair average quality.

Lala Deshbandhu Gupta: In view of the fact that Delhi has no rural area to support it and will always remain a deficit area, have Government considered the desirability of linking Delhi with the Punjab for purposes of rationing?

Mr. K. L. Panjabi: No, Sir.

Lala Deshbandhu Gupta: If so, will Government now consider the desirability of requesting the Punjab Government to include Delhi in the Punjab for purposes of rationing?

Mr. K. L. Panjabi: Government will consider that suggestion.

Shri Sri Prakasa: Is the quantity prescribed for vegetarians and meat-eaters the same?

Mr. K. L. Panjabi: Yes, Sir.

Shri Sri Prakasa: Then how does the Honourable Member expect vegetarians to make up for the amount of meat that the other people get?

Mr. K. L. Panjabi: By eating more vegetables.

Lala Deshbandhu Gupta: May I know if the Honourable Member has made enquiries about the quality of gram which is being supplied in Delhi for the last 15 days is not fit for human consumption.

Mr. K. L. Panjabi: Some complaints have been received, but they are being examined.

Shri D. P. Karmarkar: Is the Honourable Member aware that some officer connected with the Rationing Department in Delhi actually went round himself and said that the gram available was unsuitable for human consumption?

Mr. K. L. Panjabi: I am not aware of the identity of the officer nor the incident.

TEXTILE CONTROL BOARD

338. *Shri D. P. Karmarkar: Will the Honourable Member for Industries and Supplies be pleased to state:

- (a) the number and names of members of the Textile Control Board;
- (b) the date of their appointment and duration;
- (c) the number of members representing the interests of (i) Mills, (ii) Labour, (iii) Cotton Growers, (iv) Consumers on the Textile Board; and
- (d) whether Government propose to reconstitute the Board giving adequate representation to the cotton growers and the consumers' interests?

The Honourable Sri C. Rajagopalachari: (a) A statement is tabled showing the names of the 25 members of the Textile Control Board.

(b) All these members were appointed on the 26th June, 1943, except Sir V. N. Chandravarkar and Messrs. Hamid-ul-Huq, Dange, Morarji and Price, who were appointed in January 1944, July 1943, July 1943, July 1944 and September 1946 respectively. No duration has been prescribed.

(c) Fifteen for mills, two for labour; and I believe it may be counted that the list includes two representing cotton growers' interests and two consumers' interests. Interests other than the millowners are more strongly represented on the appropriate Committees of the Board.

(d) The Government have under consideration a proposal to reconstitute the Board. I would, however, point out (i) that the Board does not take decisions for Government, and its advice can be and has on occasion been rejected by the Government of India, and (ii) that since its functions are largely technical it is necessary to have represented on it all textile producing areas and interests whose numbers alone do not have many significance since Governments decisions do not depend on the voting strength of any of the interests represented on the Board.

Statement

(1) Mr. Krishnaraj M. D. Thackersey. (2) Mr. T. V. Baddeley. (3) Mr. Kasturbhai Kalbhai. (4) Mr. Salarlal Balabhai. (5) Dewan Bahadur C. S. Ratnasabapathi Mudaliar. (6) Mr. B. W. Batchelor. (7) Sir Padampat Singhania. (8) Mr. K. J. D. Price. (9) Seth Chaturbhujdas Chimanlal. (10) Sir Shri Ram. (11) Mr. R. C. Jall. (12) Mr. B. N. Bagri. (13) Sir V. N. Chandravarkar. (14) Sir James Doak. (15) Mr. J. C. Lancashire. (16) Sir Purshotamdas Thakurdas. (17) Sir Chunilal B. Mehta. (18) The Honourable Mr. Hossain Imam. (19) Mr. H. A. Sather. (20) Mr. S. A. Dange. (21) Mr. S. C. Mitra. (22) Mr. G. G. Morarji. (23) Mr. Hamid-ul-Huq. (24) Mr. Mohanlal L. Shah. (25) Mr. Bhogilal Suteria.

Mr. Ahmed E. H. Jaffer: May I ask the Honourable Member, in regard to part (b) of his reply, why is there no duration prescribed, when the new Board will come into being, and how long is the Board going to continue?

The Honourable Sri C. Rajagopalachari: The duration was not prescribed when it was formed many years ago and we cannot now discuss the policy followed by Government at that time. But as regards the merits of the question now, the producers' interests are represented and the mills do not change, and we will have to repeat the names even if we have renominations. As I have said, the Government have under consideration the proposal to reconstitute the Board.

Shri D. P. Karmarkar: With reference to part (b) of the question, is the Honourable Member in a position to state by what time the Board will be reconstituted?

The Honourable Sri C. Rajagopalachari: As soon as possible.

Shri Sri Prakasa: Does this Board impose any financial liability on the Government?

The Honourable Sri C. Rajagopalachari: No, Sir.

Seth Govind Das: Will the Government also consider the advisability of fixing some duration of the present Board so that it may be changed?

The Honourable Sri C. Rajagopalachari: It will be taken into consideration.

Dr. Zia Uddin Ahmad: May I ask whether the handloom industry is represented on the Board? If not, why not?

The Honourable Sri C. Rajagopalachari: The handloom industry has nothing to do with the functions on which advice is taken from this Board, but there is a committee on which the interests of handloom industry are represented.

Shri Mohan Lal Saksena: Is it a fact that the decisions of this committee again come up before the Board for sanction?

The Honourable Sri C. Rajagopalachari: No, they do not come up before the Board, but there is no objection to the Board considering them, but they all come before the Government.

Shri Mohan Lal Saksena: Is the Government aware that several statements have appeared in the press in which the millowners themselves have criticised the policy followed by this Board?

The Honourable Sri C. Rajagopalachari: Very likely, because individual interests always differ from the combined decisions of the Board, and must differ.

Shri Mohan Lal Saksena: Is it a fact that in spite of the decisions of this Board there has been scarcity of cloth and people have not been able to get even the cloth for which permits were given to them?

The Honourable Sri C. Rajagopalachari: The decisions of the Board cannot make cloth it is obvious, but the Board has to recommend methods by which the production may be increased, and they are very actively considering the question at the present time.

Mr. Ahmed E. H. Jaffer: Are the interests of consumers represented on this Board?

The Honourable Sri C. Rajagopalachari: Government which is in close contact with the Legislature whose members are in close contact with the consumers must be presumed to represent the interests of consumers. There is no way of getting representation of the consumers, other than this method.

Mr. Manu Subedar: In view of the feeling in the country that this Board has misled Government on several material issues, and that the millowners have reaped extra advantages more than they should have at the expense of

the consumers, will Government re-examine the whole position about the constitution of this Board, and revise it?

The Honourable Sri C. Rajagopalachari: As I have already said, we are reconstituting the Board and considering the various aspects, but I do not wish it to be left unanswered, the allegation that the Board has misled the Government. The Government knows very well the constitution of the Board; the Government knows that the Board consists mostly of producers of cloth in their respective mills. We therefore with open eyes take the opinion of the principal producers concerned and act according to the best of our judgment.

Seth Govind Das: How can the Honourable Member know whether the previous Government was misled by this Board, or not?

The Honourable Sri C. Rajagopalachari: That is why I do not go into that question, but the allegation has been made that they were misled and I did not wish it to be left untouched. When we deal with the planters, we know they will deal with the matter according to their own interest; when I deal with the millowners, I know they will deal with the problems according to their own interest; but the Government's function is to keep a watchful eye and act according to the best of their judgment.

Dr. Zia Uddin Ahmad: Does the Government know that the prices were fixed by the millowners themselves without the interests of the consumers and the cottage industry being represented on that Board, and the Government accepted those prices?

The Honourable Sri C. Rajagopalachari: The Government when it accepts a particular price takes the responsibility for it. The decisions of the Board are not the final voice in the matter of the fixation of prices.

Dr. Zia Uddin Ahmad: But the Government have accepted them.

Mr. President: Next question.

CONTROL PRICES OF COPRA AND COCONUT OIL

339. Shri D. P. Karmarkar: Will the Honourable Member for Industries and Supplies be pleased to state:

(a) whether it is a fact that prices of copra and cocoanut oil have been controlled and if so, what are the current controlled prices; and

(b) whether it is a fact that while edible copra and cocoanuts have been excluded from price control, and if so, what are the reasons therefor?

The Honourable Sri C. Rajagopalachari: (a) Yes, Sir. The ceiling prices of copra and coconut oil have been fixed as follows with effect from 15th January 1946:—

	Copra	Coconut (without containers)
	(per ton)	
	Rs.	Rs.
Cochin	884	1,390
Madras	936	1,456
Bombay	934	1,462
Calcutta	978	1,482
Karachi	948	1,476

(b) Yes, Sir. White edible copra is of a superior quality and the above ceilings cannot apply to it. Coconuts vary both in size and quality and prices would be fixed best by Provincial Governments. The Provincial Governments have been addressed to fix suitable ceilings for coconut and edible copra if they consider it necessary.

SHORT SUPPLY OF CLOTH FOR POORER CLASSES

340. *Shri D. P. Karmarkar: Will the Honourable Member for Industries and Supplies be pleased to state:

(a) whether it is a fact that there is a cloth shortage in India at present, especially of cloth required by the poorer classes of the population;

(b) whether such shortage is partially due to the fact that Textile Mills have been manufacturing more cloth of finer count than before; and

(c) the steps Government propose to take for the adequate supply of cloth required by poorer sections of the population at fair prices?

The Honourable Sri C. Rajagopalachari: (a) Yes, Sir, there is a general shortage of all types of cotton cloth at present inclusive of that required by the poorer classes.

(b) It is probable that mills have changed the scope of their production with a view to producing types and varieties which are comparatively more remunerative to them than others which are less; but it is doubtful whether such shift of production could be responsible to any significant extent for the shortage.

(c) Fall in production is due to many causes: (i) to reduction of the working day from nine hours to eight hours since August last; (ii) to disturbances, strikes and absenteeism; and (iii) to some extent to shift of production from relatively coarser to relatively finer types and counts. The problem is complicated. Government will enquire into the problem and obtain recommendations after consultation about measures for rationalization of production, so that it may be concentrated on types and varieties required in greater quantity and for rationalization of prices so that mills will have no inducement to shift from one type of production to another to the detriment of yardage; Government will also encourage mills to work three shifts and extend such assistance as is required for the purpose besides endeavouring to induce mills where three shift working is impracticable to work nine hours in place of eight.

Mr. Ahmed E. H. Jaffer: May I ask the Honourable Member the reasons why a huge quantity of cloth was disposed of by the Textile Commissioner, to Bombay merchants who have not only exported it out of India but it has gone into the black market. This cloth would have been useful to the poorer people of this country.

The Honourable Sri C. Rajagopalachari: That is an allegation, Sir, and if he will give me details as to who broke the law, I shall take steps to get them prosecuted.

Mr. Ahmed E. H. Jaffer: Why was it not sold to the poorer people? Why was it sold to merchants?

Mr. President: Order, order. Question hour is over.

IMPORT OF RICE FROM BURMA

341. *Shri D. P. Karmarkar: Will the Secretary of the Food Department be pleased to state:

(a) the quantity of rice imported from Burma from 1st April, 1946 to 31st December, 1946 and at what rate;

(b) whether Government propose to import rice from Burma during the next year and if so, what is the quantity anticipated to be imported; and

(c) whether Government had consultations with the Interim Government in Burma in this matter and with what result?

Mr. K. L. Panjabi: (a) A statement is laid on the table of the House.

(b) Yes. The Burma rice surplus is allocated by the International Emergency Food Council. India's allocation for the first half of 1947 is 3,88,000 tons. The allocation for the remainder of the year has not yet been made.

(c) No, Sir.

Statement showing arrival of Burma Rice in India from 1-4-46 to 31-12-1946

	Tons
April	Nil
May	9,381
June	24,377
July	36,568
August	22,908
September	54,248
October	Nil
November	10,045
December	40,743
Grand Total	198,270

The price paid from old rice was Rs. 10-3-9 per maund and for new rice Rs. 14 per maund F. O. B. Burma Ports.

EXPORT AND SLAUGHTER OF MILCH CATTLE

342. *Shri D. P. Karmarkar: Will the Secretary of the Department of Agriculture be pleased to state:

(a) the number of milch and draught cattle exported from India or slaughtered in India every year from 1939 to 1946;

(b) whether Government propose to initiate measures for prevention of depletion of cattle now going on in India by slaughter or export and if so, what those measures are; and

(c) the steps that Government are taking for conservation of, and increase in the cattle-wealth in India?

Sir Pheroze Kharegat: (a) A statement showing the number of cattle exported is placed on the table. As was mentioned in reply to Question No. 147 of Mr. Manu Subedar on 11th February 1946, no figures are available about the number of cattle slaughtered for the civil population.

(b) There is no evidence to show that any depletion of cattle is going on. But the restrictions on the slaughter of useful cattle imposed during the war lapsed on the 30th September last. It was suggested to Provincial Governments that they should take suitable action. Madras and Bombay have passed the necessary legislation and the question is under consideration in the U. P. Bengal do not consider such legislation to be necessary as in their opinion, with the cessation of military demand, the incentive for the sale of useful cattle for slaughter has disappeared. Replies from other Provinces are awaited.

The restrictions imposed under the Defence of India Rules on the export of cattle have been re-imposed under the Emergency Provisions (Continuance) Ordinance of 1946.

(c) The Honourable Member may kindly see the reply given to part (e) of Question No. 147 asked by Mr. Manu Subedar on 11th February 1946.

Statement showing number of cattle and buffaloes exported from India from 1938-39 to April 1946.

1938-39	1939-40	1940-41	1941-42	1942-43	1943-44	1944-45	1945-46	April 1946.
1,436	2,244	1,371	1,824	2,509	3,446	1,512	8	Nil

CONFERENCE OF PROVINCIAL AND STATES MINISTERS *re* CLOTH

343. *Shri D. P. Karmarkar: (a) Will the Honourable Member for Industries and Supplies be pleased to state whether a Conference of Provincial and States Ministers was held under his Chairmanship on the 10th January 1947 regarding production and distribution of cloth?

(b) If so, what was the nature of discussions and the conclusions arrived at in the Conference?

The Honourable Sri C. Rajagopalachari: (a) A conference of Provincial and States Ministers was held under the Chairmanship of Dr. John Matthai, on 10th January, 1947.

(b) The Conference discussed the Textile Control generally in all its aspects and the following were the main matters which arose for discussion. Some of these are under examination of Government and in others decisions have been arrived at.

The view of the Conference was that the Textile Control should continue.

It was suggested by the conference that the Textile Control Board should be reconstituted so that consuming interests would have a larger representation on it. The decision will shortly be implemented.

It was agreed at the conference that the Government of India will take decisions on major matters and questions of policy after consulting Provincial Governments.

It was agreed that competent whole-time experts should assist the Textile Commissioner for the purpose of scrutinizing production, deliveries and stocks at mills. This is under consideration, the difficulty being one of securing competent men.

It was suggested by the Conference that an appeal should be made to labour as Labour's co-operation is one of the major elements required for improving production of cloth. This question is under consideration.

It was the general feeling of the conference that quota-holders should be eliminated. The quota-holders maintain it would be wrong to interfere with normal commercial channels which have played their part in the recent past and would be necessary when conditions of supply once more become normal. They further affirm that they are performing an essential function in the present system of distribution. The question has been fully examined and a decision will be taken very shortly.

The conference also discussed the question of *per capita* quotas of cloth for the Provinces. Reduced quotas have been fixed for this year on a consideration of the points made in discussion and our present estimates of production.

One major decision taken at the conference was that the whole matter of prices of cloth and yarn on which Government have been unable to accept the Textile Control Board's advice should be dealt with by a Government committee. The Government of India will shortly have at their disposal a report on (i) rationalisation of prices with a view to checking the tendency of mills to move from less remunerative to more remunerative types of production from

time to time; and (ii) the standardization of cloth with a view to reducing the number of varieties produced and increasing production. This material will be placed before the Commodity Prices Board on whose recommendation the prices of cloth and yarn will be fixed by Government, and will also be dealt with by Government in the Industries and Supplies Department for improving production.

AGREEMENT BETWEEN SIAM, U. S. A. AND U. K. OVER THE DELIVERY OF RICE

344. *Prof. N. G. Hanga: Will the Secretary of the Food Department be pleased to state:

(a) whether Government are aware of the report dated 25th December 1946 of an agreement between Siam, U.S.A. and U.K. over the delivery of rice;

(b) why it is that the Government of India were not represented at that conference;

(c) whether Government of India has its own representative in Siam; and

(d) whether any portion of 600,000 tons of undelivered rice is to be sent to India?

Mr. K. L. Panjabi: (a) Yes, Sir.

(b) As the Government of India was not a signatory to the original Tripartite Agreement between Siam, U. S. A. and U. K., relating to Siamese rice signed in May 1946, she was not made a party to the fresh agreement reached in December 1946, which, in fact, is a continuation of the old agreement with slight modifications.

(c) A Consul has been recently appointed at Bangkok.

(d) The entire rice made available under this agreement goes into the South East Asia Pool from which allocations are made by the International Emergency Food Council. India's share for the first half of 1947 has been allocated from Burma and French Indo-China and the arrangement is that if there is a short-fall in a particular source of supply in South East Asia, the allocations are revised with a view to give proportionate share to each country from the supplies available.

DETENTION OF TRAINS AT HOWRAH YARD OF E. I. RAILWAY

345. *Mr. Nagendranath Mukhopadhyay: Will the Honourable Member for Railways please state why are the local trains and passenger trains detained at Howrah yard of the East Indian Railway since October, 1946 which causes the passengers much inconvenience?

The Honourable Dr. John Matthai: Since 1st October, 1946, the suburban train services have been increased by a little over 38 per cent. These trains are run in quick succession and detention to one train, or the late running of a through train, reacts on the services generally and the late running in turn causes disorganisation of reception platform arrangements at Howrah Station resulting in a hold-up of trains outside signals.

There has also been an increase in recent months of trains being stopped on account of improper use of alarm chains which has contributed to the detentions complained of by the Honourable Member.

The Railway Administration are taking steps to improve the running of both through and suburban trains.

TRANSFER OF DELIVERY WORK FROM STEAMERS CARRYING FOOD AT WEST COAST PORTS FROM EUROPEAN FIRMS TO INDIAN FIRMS.

346. *Sri A. K. Menon: (a) Will the Secretary of the Food Department be pleased to state whether it is a fact that when steamers carrying food stuffs (rice, etc.), at the instance of the Government, arrive at the West Coast Ports,

European firms are always interposed for the purpose of taking delivery at the pier as middlemen between the Agents of the said steamers and the Agents of Government empowered to receive the food stuffs?

(b) What is the rate of commission paid to such European Companies and what function do they perform?

(c) Have the Government of India received any petition or memorials from any Indian Companies of the West Coast to transfer this work from European Companies to them in case intermediaries are considered necessary by Government?

(d) Do Government propose to transfer such work to those Indian Companies who have already applied?

Mr. K. L. Panjabi: (a) The Honourable Member is presumably referring to the clearing agents appointed by the Government of India for the landing and clearance of foodgrains from the ships, and delivering them to the recipient Governments. Out of the six ports on the Western Coast, namely, Okha, Bhavnagar, Bombay, Marmagao, Cochin and Karachi, the clearing agents at the first four posts are Indian firms. At the other two ports the work is handled by European firms.

(b) The functions of the clearing agents are the following: (i) Landing and clearing foodgrains from the ships, (ii) Bagging the foodgrains arriving in bulk, (iii) Giving delivery ex-Port Commissioners' Transit shed to recipient administrators, (official nominees) against a clear discharge and (iv) Removing the foodgrains to the Storage Depot in case they are not to be handed over ex-Transit shed directly on arrival.

It will not be in the public interest to make public the terms of the agency agreements, as the question of fresh contracts for the agency work is under consideration.

(c) Yes.

(d) Notices of termination of the Agencies on the Western Coast ports have already been given and tenders have been invited. New appointments will be made after due consideration of the tenders received.

INTERFERENCE BY JODHPUR RAILWAY IN THE MANAGEMENT OF HYDERABAD (SIND) STATION

347. *Seth Sukhdev: With reference to the Honourable the Railway Member's reply to parts (b), (c) and (d) of starred question No. 17, asked on 28th October, 1946 regarding the interference by the Jodhpur Railway Administration in the management of Hyderabad (Sind) Station, will the Honourable Member for Railways be pleased to state:

(a) whether under para. 5 (c) of the agreement between the North Western and Jodhpur Railways, the former has to book all Jodhpur Railway traffic in Hyderabad Sind area; if so, why Jodhpur Railway has allowed a separate Tourist Agency at Hyderabad Sind;

(b) whether it is a fact that there is no genuine tourist traffic at present;

(c) why tourist agency was terminated by the North Western Railway at Hyderabad Sind;

(d) whether it is a fact that the number of upper class tickets issued by the Jodhpur Railway Tourist agency at Hyderabad Sind is too small;

(e) whether it is a fact that the Tourist Agents recognised by the Indian Railway Conference Association are allowed to operate in the area in which a particular railway system can issue tickets; and

(f) whether it is proposed to terminate this Tourist Agency at Hyderabad Sind, if not, why not?

The Honourable Dr. John Matthai: (a) Yes. The agreement entered into between the North Western and Jodhpur Railways is in respect of the performance of all work in connection with Jodhpur Railway traffic at Hyderabad station as is expressly stated in the preamble to the agreement. The expression "Hyderabad area" in clause 5(c) therefore refers to the area of Hyderabad station and not to Hyderabad City. The tourist agency of the Jodhpur Railway is working in Hyderabad (Sind) City and not in Hyderabad (Sind).

(b) There is some, although not very much, tourist traffic at present.

(c) This question presumably relates to the agreement which formerly existed between the North Western Railway and a recognised firm of tourist agents. This agreement was terminated as the Railway were not entirely satisfied with the work of the agents.

(d) This question presumably relates to the number of upper class tickets which is permitted to be issued each day. The issue of upper class tickets from Hyderabad (Sind) is at present regulated by a quota allotted by the Jodhpur Railway since provision has to be made for through passengers from Karachi who have to be given preference. With the decline in Military passenger traffic from Karachi a larger quota is being allotted for traffic from Hyderabad (Sind).

(e) Yes. Such agents are permitted to issue tickets in towns in which they have their offices.

(f) The question is under consideration by the Jodhpur Railway.

NORTH WESTERN RAILWAY SUBORDINATE SERVICE COMMISSION.

348. *Seth Sukhdev: Will the Honourable Member for Railways be pleased to state:

(a) when the North Western Railway Subordinate Service Commission was appointed; ,

(b) how long the Superintendent and Secretary of the Commission have remained in their posts;

(c) whether it is a fact that these are tenure-posts; if so, the duration of the tenure posts;

(d) what steps Government propose to take to ensure that one officer does not monopolise a tenure post?

The Honourable Dr. John Matthai: (a) The North Western Railway Service Commission was set up as a temporary measure from 15th July 1942 and has been made permanent since 15th July 1946.

(b) From 15th July 1942 to 14th July 1944, the office of the Commission was in charge of a Superintendent. This post was abolished from the 15th July 1944 and a post of Secretary to the Commission was created from the same date. The incumbent of the post of Superintendent, who occupied the post for the two years of its existence, was appointed to the post of Secretary from the 15th July 1944 and is still holding it.

(c) The question of making the Superintendent's post a tenure post did not arise as the Commission was originally sanctioned on an experimental basis. The post of Secretary is a tenure post, the period of tenure being four years.

(d) In view of my reply to part (c) of the question, this does not arise.

DENIAL OF RELIEF OF RS. 4-8-0 P.M. TO RAILWAY EX-EMPLOYEES.

349. *Seth Sukhdev: (a) With reference to the Honourable the Railway Member's reply to part (c) of my starred question No. 18, asked on the 28th October 1946 regarding the denial of relief of Rs. 4-8-0 in pay to Railway employees who ceased to be in service after 1st July, 1945, will the Honourable

Member for Railways be pleased to state whether the interim relief of Rs. 4-8-0 per mensem granted to each railwayman with effect from 1st July 1945 is part of his wages?

(b) Were the orders of denial of this amount to such employees who ceased to be in service before 1st August 1946, represented to the Railway Board, as involving infringement of the provisions of the Payment of Wages Act? Was this aspect of the question considered by Government?

(c) If the reply to second portion of part (b) above be in the negative, is it proposed to do so now?

(d) Was the Labour Department of the Government of India consulted on the subject?

(e) What steps do Government propose to take to avoid mass infringement of the law contained in the Wages Act?

The Honourable Dr. John Matthai: (a) The additional pay granted by way of interim relief is part of the wages of persons to whom it is admissible. It is, of course, not included in the wages of persons to whom it is inadmissible and, as indicated in my predecessor's reply to the Honourable Member's previous question, it is inadmissible to former railway servants who left the service before the 1st August, 1946.

(b) and (c). No such representation was made and for the reason indicated in my reply to part (a) the Payment of Wages Act has, in the opinion of Government, no conceivable application to the question at issue.

(d) The Honourable Member is not entitled to be informed of the course of inter-Departmental discussion.

(e) No question of mass infringement of the law arises but I may point out that any person who considers that the additional pay in question is part of his wages is free to make an application under sub-section (2) of section 15 of the Payment of Wages Act on the footing that payment of his wages has been delayed.

PERCENTAGE OF INDIANS IN THE POSTS OF FOREMAN IN LOCO AND CARRIAGE
DEPARTMENT OF B. B. & C. I. RAILWAY

350. *Pandit Mukut Bihari Lal Bhargava: (a) Will the Honourable the Railway Member be pleased to state whether Government are aware that the percentage of Indians (excluding Anglo-Indians) in the posts of Foremen and Assistant Foremen in the Loco and Carriage Departments of the B. B. & C. I. Railway Metre Gauge is less than 10?

(b) If the reply to (a) be in the affirmative, what are the reasons therefor and do Government propose to take steps to accelerate Indianisation?

The Honourable Dr. John Matthai: (a) If only the posts designated as Foremen and Assistant Foremen are taken into consideration, the percentage of Indians (excluding Anglo-Indians) holding these posts is less than ten. To get a correct appreciation of the position, however, we would have to include other posts which though designated differently, such as Junior Foremen, Chief Progressmen and Progress Inspectors, are equivalent to those of Foremen and Assistant Foremen. On this basis the percentage of Indians is over 23.

(b) The policy of Indianisation is being implemented to the fullest extent possible having regard to the availability of trained Indian staff and to the claims of other senior men eligible and fit for promotion. The pace of Indianisation will increase as the present numbers of non-Indians become reduced by retirements and normal wastage.

PROMOTION OF INDIANS IN CARRIAGE AND WAGON DEPARTMENT OF B. B. & C. I. RAILWAY

351. *Pandit Mukut Bihari Lal Bhargava: (a) Will the Honourable the Railway Member be pleased to state whether Government are aware that no Indian (excluding Anglo-Indian) subordinate of the Carriage and Wagon Department of the B., B. & C. I. Railway Metre Gauge has ever been promoted to the ranks of (1) Assistant Loco and Carriage Superintendent, (2) Foreman and (3) Assistant Foreman?

(b) If the reply to (a) be in the affirmative, do Government propose to investigate the reasons therefor?

The Honourable Dr. John Matthai: With your permission, Sir, I propose to reply to questions Nos. 351 and 352 together.

I have called for the information and will lay a statement on the table of the House in due course.

ANGLO-INDIANS OF LOCO DEPARTMENT PROMOTED TO CARRIAGE AND WAGON DEPARTMENT OF B. B. & C. I. RAILWAY

†352. *Pandit Mukut Bihari Lal Bhargava: Will the Honourable the Railway Member be pleased to state the number of Anglo-Indians of the Loco Department of the B., B. & C. I. Railway Metre Gauge transferred on promotions to the Carriage and Wagon Department ever since the amalgamation of the two Departments, and the reasons why no employee of the Carriage and Wagon Department could be trained for those posts?

CULTIVATION OF VEGETABLES NEAR CENTRAL VISTA IN NEW DELHI

353. *Mr. Tamsuddin Khan: (a) Will the Secretary of the Department of Agriculture please state whether the cultivation of vegetable and Indian corn, etc. near Central Vista in New Delhi under the "Grow More Food Scheme" during the last summer season was carried out under the supervision of an officer of the Agricultural Department or under the supervision of the Superintendent, Horticultural Operations?

(b) What was the acreage under each vegetable and the out-turn per acre?

(c) What has been the total expenditure on the scheme?

(d) Is it a fact that the scheme has resulted in a loss?

(e) What are the reasons and circumstances which led Government to give this work of vegetable growing to a contractor for the winter season, 1946-47?

Sir Pheroze Kharegat: (a) The work was done under the supervision of a Grow More Food Committee consisting of representatives of both the Works, Mines and Power and Agriculture Departments. The actual cultivation of this land was carried out by the Superintendent, Horticultural Operations.

(b) A statement is laid on the table.

(c) Rs. 10,173 including Rs. 3,000 for fencing.

(d) The income so far realized is Rs. 6,405/13/9. The loss is due to the fact that the whole of the capital expenditure in a case like this cannot be recovered in the first year. Moreover 55 acres were ploughed up, trenched, manured and prepared for cultivation but due to acute shortage of labour and water only 25.3 acres could be sown in the summer.

(e) The normal strength of labourers and gals in the employment of the Horticultural Division was considered inadequate for continuing vegetable growing through them.

Statement

Vegetables grown in the Central Vista	Area sown (Acres)	Quantity produced and marked (Maunds)
Lauki	3	21
Khira	1½	1
Red Gourd	2	19
Bitter Gourd	2	31½
Lady's Finger	½	5½
Arvi	½	22
Tinda	1½	6½
White Gourd	1/8	12
Kulfa Sag	1/16	1½
Spinach	1/16	5
Maize	14.3	Not known as it was sold as a standing crop.

MISAPPROPRIATION IN THE PAY AND CASH OFFICE OF MADRAS AND SOUTHERN MAHRATTA RAILWAY

354. *Sri Ananthasayanam Ayyangar: Will the Honourable Member for Railways be pleased to state:

(a) whether Government are aware that three members of the staff of the Pay and Cash office of Madras and Southern Mahratta Railway were charged with misappropriation of a sum of Rs. 40,000 of the Railway and whether two of them were finally convicted by the High Court of Madras;

(b) whether Government are aware that one of the persons so convicted—Thangavelu Pillai—had a bad record even prior to his appointment and that in spite of it Mr. W. Jolly who was the Deputy Chief Accounts Officer was primarily responsible for putting him in charge of Pay and Cash office, and whether it is a fact that the Sessions Judge passed strong remarks in his judgment stating that the Accounts Officer failed to exercise proper check on the accounts of his Branch;

(c) whether Mr. Jolly has retired in November, 1946 and if his gratuity is yet payable;

(d) whether Government propose to withhold his gratuity until Mr. Jolly's responsibility is fixed; and

(e) the steps Government propose to take for realising this sum of Rs. 40,000?

The Honourable Dr. John Matthai: (a) The reply to both parts is in the affirmative?

(b) Government are informed that the facts as given by the Honourable Member are not correct. I would add that the conviction by the lower Court of Mr. Thangavelu Pillai was set aside by the High Court of Madras.

(c) The reply to both parts is in the affirmative.

(d) Does not arise, in view of the reply to part (b).

(e) The provident fund bonus, interest and special contribution of the two employees convicted in this case have been withheld. It may be mentioned, however, that they have appealed to the Privy Council.

WAITING ROOM AT MOKAMEH GHAT STATION ON E. I. RAILWAY

355. *Mr. B. B. Varma: Will the Honourable Member for Railways be pleased to state:

(a) whether Government are aware that the absence of a waiting room or even a proper shed at Mokamah Ghat is causing great inconvenience to passengers during cold nights, when the steamers coming from Semariaghat miss connection at Mokamah Ghat, with the trains on the main line of the East Indian Railway resulting in hundreds of passengers, including ladies and children being stranded in the open with nothing to protect them against the inclemency of the weather; and

(b) whether Government propose to take necessary steps to redress the grievances of the travelling public by providing a waiting room or a proper shed?

The Honourable Dr. John Matthai: (a) Upper Class Waiting Rooms, an Inter Class Waiting Hall, and a III Class Waiting Hall are provided at Mokameh Ghat which is the normal point of transshipment of passengers between the O. T. and E. I. Railways. Due to the river channel at Mokameh Ghat closing, the passenger jetty had on the 13th November last temporarily to be moved to Hathdah Ghat, a station which has to be brought into use for short periods on such occasions which are rare. At Hothdah Ghat waiting facilities are not provided as they are not normally required there. It is expected that the passenger jetty will be returned to Mokameh Ghat by the end of May 1947.

(b) Arrangements are being made to provide a temporary waiting shed at Hathdah Ghat.

RAIL ROAD BRIDGE OVER THE GANGES TO CONNECT NORTH BIHAR WITH PATNA

356. *Mr. B. B. Varma: Will the Honourable Member for Railways be pleased to state:

(a) whether Government have arrived at a definite conclusion regarding the construction of a Rail Road bridge over the Ganges to connect North Bihar with Patna;

(b) where the bridge will be constructed;

(c) when the construction is likely to take place;

(d) whether Bihar Government have made any representation in this connection; if so, what is its nature; and

(e) what is the Government of India's decision thereon?

The Honourable Dr. John Matthai: (a) No; the matter is still under examination.

(b) The Honourable Member is referred to the reply given in this House on the 6th November 1946, to part (b) of Mr. Madandhari Singh's starred question No. 215.

(c) It is not possible to reply to this part of the question at present in view of the reply under (a) above.

(d) and (e). Yes; the Bihar Government desire the bridge to be constructed at Patna, but as already stated under (a), the matter is still under examination.

RE-INTRODUCTION OF RETURN JOURNEY TICKETS AND GRANT OF CERTIFICATES BY GUARDS.

357. *Mr. B. B. Varma: Will the Honourable Member for Railways be pleased to state:

(a) whether Government are aware that the discontinuance of the system of issuing Return Journey Tickets and the grant of certificates by Guards is

causing great hardship to the travelling public particularly on the Oudh and Tirhut Railway and the East Indian Railway; and

(b) whether Government propose to re-introduce the system in the near future?

The Honourable Dr. John Matthai: (a) Government are aware that the system of issuing return journey tickets, and of granting of certificates to passengers without tickets by guards of trains has been discontinued, and that this may be causing inconvenience to the travelling public using the Oudh Tirhut, the East Indian and other railways.

(b) It is the Government's intention that these facilities shall be restored at the earliest possible moment, i.e., as soon as travel conditions have improved sufficiently to permit of this.

RETRENCHMENT IN ORDNANCE DEPARTMENT.

358. *Sgt. Seth Damodar Swroop: Will the Honourable Member for Industries and Supplies please state:

(a) if it is a fact that great discontent and resentment prevails amongst the employees of the Ordnance Department because of the retrenchment scheme of Government; if so, whether Government propose to set up a joint Government Labour Board to provide employment to the retrenched employees or employees due to be retrenched;

(b) if it is a fact that in the Ordnance factories only 3 years' service is recognised as war service; if so, how do Government propose to help those employees who have long period of service to their credit and being over aged after discharge, are not eligible for Government service elsewhere;

(c) if it is a fact that in carrying out the scheme of retrenchment in the Ordnance Department not only the period of service but educational qualifications and confidential reports are also taken into consideration; and

(d) whether Government propose to secure the co-operation of various other Departments of the Government of India to meet the question of re-employment of those who are retrenched or are about to be retrenched from the Ordnance Department?

The Honourable Sri C. Rajagopalachari: (a) Retrenchment has given rise to a certain amount of discontent. The Government of India have set up Employment Exchanges to assist retrenched personnel in finding other employment. These Exchanges are notified of all discharges from Ordnance Factories carried out under retrenchment.

(b) Yes. Service in Ordnance Factories between the 1st May 1942 and the 8th May 1945 has been recognised as War Service. Discharged personnel who have long service and are over-aged are normally qualified for Provident Fund benefits. Employment Exchanges render them assistance if they require further employment.

(c) Retrenchment in Ordnance Factories is made in the following order: (i) Men over 55, (ii) Men who wish to be released, (iii) Men to be transferred to parent Establishments, (iv) Others. Claims for retention are considered according to the following factors: (i) Conduct, particularly regularity of attendance, (ii) Ability and efficiency in work, (iii) 'Key' nature of man's employment, (iv) Length of service. Normally the latest recruits are the first to be discharged.

(d) As I have stated, all discharged personnel are notified to the Employment Exchanges and other Departments of the Government of India, so far as I am aware, make full use of these Exchanges in recruiting personnel.

INDIAN CATERING ARRANGEMENTS IN THE BENGAL NAGPUR RAILWAY

359. ***Mr. Sasanka Sekhar Sanyal:** Will the Honourable Member for Railways be pleased to state:

(a) whether Government are aware that in the Bengal Nagpur Railway European catering arrangements are subsidised by licence fees from Indian catering contractors to the tune of one lakh rupees; and

(b) the reasons for the above and the steps Government propose to take for remedying the same?

The Honourable Dr. John Matthai: (a) No. European catering arrangements on the B. N. Railway are departmental and they are not subsidised by license fees received from Indian Catering Contractors.

(b) Does not arise in view of reply to part (a) of the question.

PASSENGER FACILITIES AT PURI STATION ON B. N. RAILWAY

360. ***Mr. Sasanka Sekhar Sanyal:** (a) Will the Honourable Member for Railways be pleased to state whether Government are aware of the importance of the Puri Station on the Bengal Nagpur Railway where large number of pilgrims visit from all parts of the country throughout the year;

(b) if so, do Government propose to consider the advisability of providing that station with (1) covered platforms, (2) permanent catering arrangements for Indians, and (3) permanent tea stalls?

The Honourable Dr. John Matthai: (a) Yes.

(b) (i) The Post-war Reconstruction Programme for 1947-48 includes the provision of covered passenger platforms at Puri station.

(ii) During pilgrim festival periods, temporary structures are provided to meet pilgrim catering requirements; more permanent arrangements for Indian catering have not been found necessary.

(iii) A permanent tea stall is already provided.

LATE RUNNING OF TRAINS BETWEEN CALCUTTA AND DELHI

361. ***Mr. Hafiz M. Ghazanfarulla:** (a) Will the Honourable Member for Railways please state how many days in the month of January 1947 the 13-Up and 14-Down trains of the East Indian Railway have reached their destinations Delhi and Calcutta in time?

(b) Is it a fact that these trains are running late every day about 4 to 8 hours?

(c) What are the causes of their late running?

(d) Has any action been taken in regard to the late arrival of both these trains and with what result?

(e) Are Government aware that all other trains on the East Indian Railway main line also run late for nearly 15 days in a month?

The Honourable Dr. John Matthai: (a) and (b). Enquiries made show that 13 Up train did not arrive at Delhi to time on any day during the month of January 1947. Information in regard to the arrival of 14 Down train at Calcutta could not be obtained in time, but it is presumed that the running of 14 Down train was equally bad in view of the fact that the rake which arrived at Delhi as 13 Up was also utilised to work 14 Down from Delhi.

(c) The late running of these trains was due mainly to the fact that owing to disturbances in Calcutta in the early part of January, 13 Up and 14 Down trains had to be diverted from Sealdah, which is the normal despatching and receiving station for these trains, to Howrah, with the result that 13 Up often

started late owing to inadequate platform facilities at Howrah. There was also difficulty in providing a sufficient number of rakes for these trains due to a shortage of stock, with the result that the running of 14 Down has been adversely affected by the late running of 13 Up owing to the narrow margin between the arrival of 13 Up at and departure of 14 Down from Delhi.

(d) An additional rake is now being provided and engine power arrangements on the Sahibganj loop line have been strengthened in order to eliminate detentions. The Railway Administration is also considering further steps to improve the running of these trains.

(e) There has been a good deal of unpunctuality in the running of trains on the East Indian Railway, but in a number of cases, this is due to causes which are beyond the control of the Railway Administration, such as the frequent misuse of Alarm Chains and delays at stations due to very heavy passenger traffic.

CONSTITUTION OF RAILWAY BOARD

362. *Diwan Chaman Lall: Will the Honourable the Member for Railways please state:

(a) the present constitution of the Railway Board, its functions, its responsibilities and powers, as also the qualifications considered necessary for membership normal tenure of a member and the conditions for confirmation;

(b) whether the Railway Board functions collectively or whether all authority is centered in the Chief Commissioner of Railways;

(c) the extent to which the Chief Commissioner can over-rule other members singly or collectively;

(d) whether when asking for orders of Government on any important question of policy, it is incumbent on the Chief Commissioner to inform Government if he has consulted other members of the Board, and in the event of a difference of opinion within the Board, to place before Government the views of dissenting members besides his own, or whether the dissenting members can claim that their views shall be so placed; and

(e) the exact position of the Financial Commissioner in the Railway Board?

The Honourable Dr. John Matthai: (a) The Railway Board as at present constituted consists of the Chief Commissioner, Financial Commissioner and three Members, *vis.*, Members Staff, Transportation and Engineering. The Secretary, Transport Department is *ex-officio* Member of the Board and attends all Board meetings. The Railway Board is responsible for the management of Indian Government Railways, and for the application of relevant sections of the Indian Railway Act to Company owned and Indian States Railways. For this purpose they exercise with certain exceptions, the powers of the Central Government. The qualifications for Membership are wide experience of the particular subject of which a Member will be in charge together with proved technical and administration ability of a high order. The normal tenure of the posts mentioned above is five years. There are no special conditions prescribed for confirmation in a post of Member, except that of the Financial Commissioner, in which post an officer is eligible for confirmation after two years.

(b) Constitutionally all authority is centred in the Chief Commissioner acting in concurrence with the Financial Commissioner where financial considerations are involved. In practice, in important matters the Board functions collectively, and in others individual members dispose of cases on behalf of the Chief Commissioner.

(c) The Chief Commissioner has the authority to overrule the other Members singly and collectively, except the Financial Commissioner on matters in which finance is involved.

(d) The reply to all three parts of the question is in the negative, except that where financial policy is involved the Chief Commissioner has to mention the Financial Commissioner's views. In practice, however, the views of all the Members of the Board are available to Government in most matters.

(e) In respect of finance, the Financial Commissioner is the representative of the Finance Department in the Railway Board and has the powers and status of a Secretary to Government with the right of direct access to Honourable Member Finance in financial matters. In respect of matters which do not involve finance, he has the same standing as any other Member of the Board.

INDIANIZATION OF THE RAILWAY BOARD.

363. *Diwan Chaman Lall: Will the Honourable Member for Railways please state:

(a) the names of the present members of the Railway Board, the dates of appointments and confirmations of each, and the reasons for the non-confirmation of those who have not yet been confirmed; and

(b) the reasons for there being only one Indian member of the Railway Board in spite of Government having accepted as far back as 1924 the Assembly's resolution for rapid Indianisation of the Railway Board?

The Honourable Dr. John Matthai: (a)

Name	Date of appointment	Date of confirmation
(1) Col. R. B. Emerson, C.I.E., O.B.E. (Chief Commissioner.)	20th May, 1946	Confirmed in August, 1946 with effect from 20th May, 1946.
(2) Mr. A. C. Turner, C.S.I., C.I.E., M.B.E., I.C.S. (Financial Commissioner)	30th June, 1945	Not yet confirmed.
(3) Mr. G. A. Rowlerson (Member, Transportation)	28th September, 1946.	Not yet confirmed.
(4) Mr. Z. H. Khan (Member, Staff)	19th July, 1946	Confirmed in August, 1946 with effect from 19th July, 1946.
(5) Dr. H. J. Nichols (Member, Engineering).	18th October, 1945.	Confirmed in May, 1946 with effect from 18th October, 1946.

Two years have not yet elapsed since Mr. Turner took charge of the post, and therefore, as mentioned in answer to part (a) of Question No. 362, the question of his confirmation has not yet arisen.

Mr. Rowlerson's confirmation is under consideration.

(b) Government have implemented the policy referred to to the extent that suitable Indians with the necessary experience have been available.

SUPPLY OF FUEL TO THE PERSONNEL OF GOVERNMENT OF INDIA IN NEW DELHI AND DELHI

364. *Sri R. Venkatasubba Reddiar: Will the Honourable Member for Industries and Supplies please state:

(a) whether Government are aware that for some months past the supply of fuel—charcoal, soft coke and firewood—to the personnel of the Government of

India in New Delhi and Delhi has been very bad in quality and limited in quantity and that damp fuel is being sold at exorbitant rates;

(b) whether there is any difficulty in procuring charcoal and firewood from surrounding areas, from which the trade used to get them in pre-war days, and if so what are those difficulties; and

(c) whether Government are aware that there is a widely believed rumour that the officials in charge of fuel-control are putting every obstacle in the way of free movements of fuel, in order to prolong their own tenure of office, and whether Government propose to investigate to what extent this is true?

The Honourable Sri C. Rajagopalachari: (a) Yes, Sir. Neighbouring Provinces and States appear to be diverting better quality charcoal to Bombay where prices are higher than Delhi and inferior varieties to Delhi. Prices have since been increased in Delhi for good dry charcoal, and new rates sanctioned for wet and inferior coal.

(b) Yes, Sir. The difficulty arose in respect of charcoal exported from Gwalior territory along the Bina Kotah Line owing to a ban of C. P. Government having been by mistake interpreted to cover exports along that line. This misunderstanding was removed and booking reopened from the latter part of December 1946. But as stocks of reserve had been exhausted, the shortage was felt.

As regards firewood, the difficulty was due to the ban imposed by Government of Punjab on exports. This ban has since been withdrawn but wagons are not available within the priority sanctioned for the booking of firewood. The Railway Authorities had reported shortage of wagons but they have now agreed to make empties available. As a result the position has eased to some extent.

(c) No Sir. Such rumours have no basis, and the question of any investigation into the matter does not arise.

FERTILIZER FACTORY AT SINDHRI

365. *Babu Ram Narayan Singh: Will the Honourable Member for Industries and Supplies be pleased to state:

(a) the stage the proposed scheme of establishing a fertiliser factory at Sindhri near Dhanbad has reached; the estimated amount to be required; and

(b) the period within which it is expected to be completed?

The Honourable Sri C. Rajagopalachari: (a) and (b). According to the programme as it stands now, it is anticipated that pilot production of ammonium sulphate will start early in 1949, and that full production will be established by the middle of 1949. The estimated cost of the project is Rs. 10.76 crores exclusive of the cost of the additional plant required for the supply of electricity to the Bihar Grid.

An agreement has been concluded with an American firm of consultants for the design of the factory. An agreement is being negotiated with a British firm of chemical engineers (Messrs. Power Gas Corporation) for the supply of some plant and for construction of the factory. In the meantime the supply of some of the plant is proceeding, in anticipation of the finalisation of details of the contract. About three quarters of the plant required has been ordered, with fairly good delivery dates having regard to the world shortage of capital goods. The first instalment of plant from abroad will begin to arrive towards the end of 1947.

A considerable amount of plant and all the structural steelwork will be made in India.

All land required for the factory is in Government's possession. Difficulties are being experienced over the acquisition of land for the township, but it is

hoped this matter will be settled shortly. All necessary arrangements for water supply are in hand. Work is well advanced on the preparation of the factory site and the installation of foundation will commence in March. A considerable amount of temporary accommodation has been constructed for staff engaged on erecting the factory. The construction of permanent accommodation for staff to operate the factory will start shortly. A temporary railway siding has been installed for the receipt of plant. The permanent railway link, five miles long, will be completed as a single track connection by August this year; the construction of the marshalling yard and the factory sidings will follow. Arrangements for the supply of raw materials, such as, coal, coke and gypsum are in hand.

The draft of the constitution of the Statutory Corporation for the operation of the factory is in the final stage. Particulars of the staff required for operating the power-house have been sent to the Federal Public Service Commission for recruitment, particulars of the chemical and engineering staff will be sent shortly. Arrangements have been made for Indians to be sent abroad for training. They will return to the country before the factory starts operation.

Specifications have been drafted for the machinery for the cement factory to operate on the lime sludge thrown up as a by-product in the manufacture of fertilizers.

More detailed information is available in the Chief Technical Adviser's Monthly Situation Report for January, a copy of which is laid on the table.†

UNSTARRED QUESTIONS AND ANSWERS

SUPPLY OF MILK AND FODDER

46. Mr. Sasanka Sekhar Sanyal: Will the Secretary of the Department of Agriculture be pleased to state:

(a) whether Government are aware that fresh milk as an article of food has become very scarce and dear in the country;

(b) whether Government are further aware that our children and expectant and nursing mothers have been suffering from malnutrition for want of adequate milk;

(c) if so, the reasons for the above mentioned state of things and what is being done by Government in the matter;

(d) whether Government are aware that fodder for cattle is either not available or is available at prices which are beyond the reach of ordinary families; if so, whether Government have considered the question of supplying cattle fodder at control prices; and

(e) whether Government have in contemplation the starting of a network of dairy farms for increasing and improving fresh milk and for making that available at reasonable prices?

Sir Pheroze Kharegat: (a) Government are aware that the present milk supply is inadequate and consequently the price is comparatively high.

(b) Government are aware of the fact that there is a considerable amount of under nutrition in India due to lack of adequate protective foods including milk.

(c) The main reason for this is the lack of adequate production. The steps being taken to increase milk production are mentioned in the reply to part (g) of question No. 146 asked by Mr. Manu Subedar on the 11th February 1946.

(d) There is a shortage of cattle fodder and its production has to be increased. The question of the control of fodder prices was dealt with in reply to question No. 119 asked by Seth Govind Das on the 7th February, 1947.

† Not printed in these Debates. Copy placed in the Library of the House.—Ed. of D.

(e) The Government of India invited the attention of Provincial Governments in 1945 to the need for establishing dairy farms wherever necessary or subsidising their establishment as one of the means for ensuring a regular supply of fresh milk.

RULES re GRANT OF LEAVE PREPARATORY TO RETIREMENT ON RAILWAYS

47. Seth Sukhdev: Will the Honourable Member for Railways be pleased to state what principles have been laid down in granting leave preparatory to retirement in respect of Railway staff? If no such principles or rules exist, is it proposed to frame them now?

The Honourable Dr. John Matthai: The grant of leave preparatory to retirement is subject to the provisions of Rules 2106 and 2127 of the State Railway Establishment Code, Vol. II, a copy of which is in the Library of the House. Provision exists in the rules for the refusal of leave preparatory to retirement if the requirements of the public service so demand. But in March 1946, the Railway Board ordered that with a view mainly to facilitating the absorption of surplus non-gazetted staff on Railways, leave preparatory to retirement should not be refused. Where it is necessary for special reasons to refuse such leave, the sanction of the Railway Board is required. The latter portion of the question does not arise.

IMMUNITY FROM TRANSFER OF CERTAIN CATEGORIES OF RAILWAY STAFF TO QUETTA DIVISION

48. Seth Sukhdev: (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that certain categories of railway staff are immune from transfer to Quetta Division of the North Western Railway after attaining the age of 45 years owing to climatic and other conditions; if so, what are those categories?

(b) Are Special Ticket Examiners and their Group Inspectors so exempted from transfer to Quetta Division? If not, why not?

(c) Do Government propose to review the list of exempted categories? If not, why not?

The Honourable Dr. John Matthai: (a) to (c). The North Western Railway having found it necessary, in the interests of Administration, to require certain classes of staff such as Station Masters, Assistant Station Masters, Commercial clerks, Drivers, Guards, Permanent Way Inspectors and Train Examiners, to gain experience of working on the Frontier and Ghat sections of the Railway, introduced a scheme whereby staff of these classes are transferred to the Quetta Division for a period of three years. In view of the climatic conditions prevailing on the Quetta Division, however, an exemption from transfer in terms of the scheme has been allowed in the case of the categories of staff, subject to the scheme, who are over 45 years of age. This exemption does not apply where transfers to the Quetta Division are made in respect of any category, including those mentioned above, in the interests of the service or on promotion. Special Ticket Examiners and their Group Inspectors do not belong to classes covered by the scheme and they are, therefore, liable to be transferred to Quetta in the interest of the service or on promotion. The question of granting them the same exemption as is allowed to persons falling under the scheme referred to does not, therefore, arise.

RECOMMENDATIONS OF MITRA COMMITTEE IN CONNECTION WITH CONSTRUCTION OF RAILWAY QUARTERS

49. Seth Sukhdev: Will the Honourable Member for Railways be pleased to state:

(a) the summary of the recommendations of the Mitra Committee appointed by the Railway Board in connection with the type of quarters to be constructed for railway staff;

(b) the Committee's recommendations in connection with expansion of old quarters to conform to the new standards; and

(c) the decision, if any, arrived at by Government on the report of the Mitra Committee?

The Honourable Dr. John Matthai: (a) The Summary of the recommendations of the Mitra Committee appointed by the Railway Board in connection with the type of quarters to be constructed for Railway staff is in Annexure A.

(b) The Committee's recommendations in connection with expansion of old quarters to conform to the new standards have been shown in Part IV of the Summary at Annexure A.

(c) Government have these recommendations under active consideration.

ANNEXURE A

Summary of the Recommendations of the Mitra Committee

Mitra Committee's Report has been made out in four parts. Part I deals with accommodation and amenities to be provided, and the designs and construction of quarters. Part II deals with classes of staff to be housed. Part III deals with basis of assessment of rent and financial aspect of return. Part IV deals with improvements in the existing quarters.

PART I

Accommodations

(1) *Accommodation.*—The minimum living accommodation should not be less than two living rooms. The minimum size of rooms to be provided should be 12'×10' with a height of 12' at the centre and 9' at the eaves for a gable roof, and a minimum height of 11' for a flat roof.

(2) *Plinth.*—Plinth level should not be less than 18" above ground level.

(3) *Doors.*—Height of doors should not be less than 6'-9"; width should not be less than 3' for main doors but may be 1'-9" for bath rooms.

(4) *Windows.*—Window area should not be less than 1/6 of the floor area.

(5) *Ventilators.*—Roof ventilators should be provided but not the sky lights.

(6) *Kitchens.*—No kitchen should be less than 60 sq.-ft. in area.

(7) *Verandahs.*—Verandahs are considered necessary next to the living rooms and kitchen.

(8) *Fire place.*—These should be provided only at stations where winter temperatures are below 40° F.

Amenities

The following amenities should be provided for all staff quarters:—

(9) Good, adequate and pure water supply for which a special staff should be employed in every Railway.

(10) A compound wall of not less than 6'-6" in length and with a minimum clear width of 16' from the building should be provided for 'A', 'B', 'C' and 'D' type quarters.

(11) An independent bathing place with a small cistern for storing water.

(12) A small shed for keeping odds and ends.

(13) Sufficient numbers of shelves, almirahs and lofts.

(14) An independent sanitary latrine for every quarter.

(15) A smokeless chula in each kitchen along with boiler for hot water.

(16) A small dust bin with a platform.

(17) A washing place with an independent tap in all types of quarters excepting 'A'.

(18) Electric lights where current is available.

(19) Few pegs for hanging clothes, mosquito nets, etc.

(20) Community Centres for colonies with 200 units of houses or more where provisions should be made for:

- (a) Health and Welfare Centre.
- (b) Community Hall.
- (c) Primary and Adult School.
- (d) Recreation ground.
- (e) Playground for children.
- (f) Co-operative shops, and
- (g) Co-operative dairies.

(21) Welfare Organisation with an Assistant Welfare Officer, in charge of 200 units of quarters.

(22) Cattle sheds should not be allowed inside small houses. Independent lock-in-type sheds with proper drainage and out-fall may, however, be provided where necessary, rental at 5 per cent. on capital cost being charged from the stall holders.

Designs and Construction

On the basis of accommodation and amenities described above, six one line type drawings for quarters for various classes of subordinate staff have been prepared. Copies of drawings have been placed in the Library of the House.

Enclosed type :

- A 2 rooms for workmen—unskilled and skilled.
- B 2 better rooms for lowest grade of subordinates.
- C 3 rooms for intermediate grades of subordinates.
- D 4 rooms for higher grades of subordinates (over a salary of Rs. 200 p. m.)

Open type :

- E 3 better rooms for Assistant Inspectors or Assistant Foremen and others of equivalent status.

- F 4 better rooms for Inspectors, Foremen and others of equivalent status.

The Committee recommends the setting up of four Research Institutes, one each at Calcutta, Madras, Bombay and Delhi, each station to be under the control of an Engineer Director and that the work of railways should be required to dovetail in with the work done at these Institutes. The objective of these Institutes should be to find materials good for 20 years and others good for 70 or 80 years. They would include such things as cheap materials for paint or plaster, stabilising of soil for use in Walls, rot-proofing of grass, bamboo and timber, etc.

The Committee recommends as essential—

- (a) the appointment of a number of architects and Town Planning Engineers attached to the Railway Board's office or to the railways in the more important towns;
- (b) the immediate purchase of land which will ultimately be required to complete the housing programme which is estimated to spread over 10 years;
- (c) the standardisation for mass production of as many parts as practicable;
- (d) the despatch overseas of several Engineers of the rank of Deputy Chief Engineers to study mass production methods in other countries.

PART II

Classes of Staff to be housed

The Committee recommends :

- (a) the provision of houses for over 80 per cent. of the permanent staff. Essential staff will form about 62 per cent. of the total staff and they should be dealt with first;
- (b) that permanent staff under certain circumstances should be encouraged to build their own houses.

PART III

Rent

The Committee recommends that all staff should pay rent. Skilled and unskilled workmen on the lowest grades occupying the Committee's A and B type quarters should pay rent at the rate of 6½ per cent. of emoluments and other staff should pay rent at the rate of 10 per cent. of emoluments.

Return

The total cost of new building work envisaged in order to provide living accommodation for about 80 per cent. of the railway staff is estimated at about Rs. 174 crores as a rough guess, Rs. 114 crores Capital and Rs. 60 crores Revenue. The Committee estimates that the income in rental would yield about 2-13 per cent. on new capital to be spent on the whole scheme. The Committee points out that depreciation should form no part of the charges to be met by rent.

PART IV*Improvements in existing quarters.*

The objective in improving the existing quarters should be to bring them to as near the new standards as practicable. It should be possible to alter most of the single-roomed existing inferior type quarters into two-roomed units and provide other necessary amenities. In some large colonies some of the blocks of quarters could be converted into Bachelors' dormitories with centralised kitchen, privy and stores.

ABOLITION OF LOWER GAZETTED SERVICE ON RAILWAYS

50. Seth Sukhdev: Will the Honourable Member for Railways be pleased to state:

(a) how the proposal regarding abolition of the Lower Gazetted Service on the Indian Railways was decided; and

(b) how many officials of the Lower Gazetted Service on the North Western Railway are still officiating but have not been confirmed?

The Honourable Dr. John Matthai: (a) As announced in H. M. War Transport's Budget speech in February 1944 Government have decided to abolish the Lower Gazetted Service at the appropriate time. The proposal has not yet been implemented.

(b) The number of persons officiating in the Lower Gazetted Service on the North Western Railway is 109, but only twelve of these, who are officiating against permanent vacancies, are eligible for confirmation. The question of their confirmation is under consideration. It may be added that of the balance approximately half the vacancies are due to the creation of temporary posts on the North Western Railway in connection with post-war schemes of expansion, rehabilitation, etc.

INDIANS IN MECHANICAL AND TRAFFIC (POWER) BRANCH PROMOTED TO LOWER GAZETTED SERVICE ON RAILWAYS

51. Seth Sukhdev: Will the Honourable Member for Railways be pleased to state:

(a) how many subordinates of the Mechanical and Traffic (Power) Branch have been promoted to Lower Gazetted Service from 1st April 1943 up-to-date, by communities; and

(b) whether Government are aware that Indians have not been promoted in large numbers; if so, why?

The Honourable Dr. John Matthai: (a) The following are the details by communities regarding the number of subordinates permanently promoted to the Lower Gazetted Service in the Transportation, (Power) and Mechanical Engineering Departments of those Indian Government Railways on which this Service exists during the period 1st April, 1943 to 31st January, 1947:

(i) Europeans	9
(ii) Anglo Indians	10
(iii) Indian Christians	2
(iv) Muslim	1
(v) Hindus	2
(vi) African (British subject)	1

Total . 25

(b) Government do not accept the implication in the first part of the question. Of the 25 men promoted, 15 were Indians which number includes Anglo-Indians who are statutory Indians. The second part does not arise.

RULES re CHARGESHEETING OF AN EMPLOYEE BEFORE REVERSION FROM AN OFFICIATING APPOINTMENT ON RAILWAYS

52. Seth Sukhdev: Will the Honourable Member for Railways be pleased to state:

(a) whether rules exist to present a charge sheet to an employee before reverting him from an officiating appointment, if he had drawn one or more annual increments; if so, where such rules are published; and

(b) if not, whether it is proposed to frame such rules?

The Honourable Dr. John Matthai: (a) The Rules governing Discipline of non-gazetted railway servants are contained in Chapter XVII of the State Railway Establishment Code, Vol. I, a copy of which is in the library of the House. These require that before an employee is awarded one of the penalties specified in the rules he must be informed of the offences for which it is proposed to impose a penalty on him and be asked to submit his explanation. A list of offences for which penalties can be imposed is also given in the rules referred to. The reversion of an officiating incumbent of a post to his substantive post is in itself not a penalty unless it takes the form of reduction to a lower post for one of the specified offences.

Government have the right to revert an officiating incumbent of a post when either the vacancy in which he is officiating or the justification for his continuous employment in the higher post ceases to exist. The fact that increments have been drawn by the officiating incumbent does not affect that right.

(b) In the light of the explanation I have just given, Government do not consider any further action is called for.

ADVICE BY SUGAR CONTROL ADVISORY COMMITTEE re INCREASE OF EX-FACTORY PRICE OF SUGAR.

53. Sri D. P. Karmarkar: Will the Secretary, Food Department be pleased to state:

(a) the personnel of the Sugar Control Advisory Committee, the date on which it was constituted and the authority under which it was constituted;

(b) the representatives of the consumers on that committee; and

(c) the reasons for the advice that the Committee gave to Government for increasing the ex-factory price of sugar by Rs. 4-4-0 a maund?

Mr. K. L. Panjabi: (a) The Committee has no fixed personnel, but is comprised of representatives of the Provincial and State Governments concerned with sugar industry and of Indian Sugar Syndicate, Indian Sugar Mills Association, Deccan Sugar Factories Association, Bengal Sugar Mills Association, South Indian Sugar Mills Association and Sugar Merchants' Association of Cawnpore and Bombay. The Committee is not a statutory body and only advises the Sugar Controller for India. It was constituted in July, 1942.

(b) Consumers are not directly represented on the Committee.

(c) The main consideration which influenced the Committee to recommend an increase in the cane price was that there had been an appreciable fall in the area under cane in the two main sugar producing provinces of the U. P. and Bihar and a consequent fall in the production of factory sugar owing to the great disparity between its price and the price of foodgrains and other agricultural produce. The ex-factory price of sugar had to be increased to correspond to the increase in the price of sugarcane.

SHORT NOTICE QUESTION AND ANSWER

EXPORT OF *Gur* PRODUCED IN N. W. F. PROVINCE TO PUNJAB

Khan Abdul Ghani Khan: Will the Secretary of the Food Department please state:

(a) whether Government are aware that all the *gur* produced by the North-West Frontier Province has been allocated to the Punjab;

(b) whether Government are aware that the North West Frontier Province people are not allowed to export their *gur* anywhere else unless they complete the quota allotted to the Punjab;

(c) what is the quota allotted to the Punjab;

(d) whether Government are aware that the Punjab is asking the commodity at an uneconomical price; and

(e) whether the Government propose to consider the necessity of allowing free export of *gur* to any part of India?

Mr. K. L. Panjabi: (a) and (c). No Sir. Out of the total production of about 1,07,000 tons and an exportable surplus of 70,000 tons, a quota of 50,000 tons has been allotted to the Punjab.

(b) Yes Sir. This is in pursuance of an agreement reached between the Sugar Controller for India and the representatives of the Governments of the N. W. F. P. and the Punjab.

(d) No Sir. A ceiling price of Rs. 15 F. O. R. per imperial maund was agreed to between the representatives of the N. W. F. P. and the Punjab Governments as being fair compared with the price of U. P. *gur*, which is only Rs. 12 per maund.

(e) No Sir. Control over prices and movement of *gur* all over India has been adopted to maintain sugar production and also to make *gur* available at a reasonable price to the poorer consumers who take it in place of sugar. Free trade in *gur* is considered to be inadvisable.

Khan Abdul Ghani Khan: The Honourable Member said in reply to (a) that only 50,000 tons were allotted to the Punjab. Where has the rest been allotted?

Mr. K. L. Panjabi: 4,000 tons have been allotted to Baluchistan and 4,000 tons to Kashmir. That is the total allocation.

Khan Abdul Ghani Khan: Is it a fact that this *gur* was not allotted till the Punjab quota was completed and the Punjab Government was using the Sugar Controller of the Central Government to stop the export to various places?

Mr. K. L. Panjabi: It was agreed that the quota to the Punjab would be met first.

Khan Abdul Ghani Khan: May I know which representative of the North-West Frontier Province agreed that Rs. 15 was an economic price?

Mr. K. L. Panjabi: I have not got his name but I have the agreement with the North-West Frontier Province.

Khan Abdul Ghani Khan: Is it a fact that negotiations between the North-West Frontier Province and the Punjab Government were going on for over a month and now the Frontier Government is allowed to export the *gur* other than to the Punjab Government, because the former refused to give the goods at such an uneconomic price?

Mr. President: Is it a fact that the North-West Frontier Province have allowed the export of *gur* to provinces other than to the Punjab?

Mr. K. L. Panjabi: I have no official information on that point.

Khan Abdul Ghani Khan: Will Government give an assurance that in future they will not allow their Controller of Sugar to become a tool of one province?

Mr. President: Order, order. This question presumes that he was a tool.

DIFFICULTY IN REGARD TO PRINTING OF BILLS DUE TO STRIKE IN THE PRESS

Mr. President: The House now proceeds with the next item on the agenda.

I will invite the attention of the Honourable Members that in the agenda for the Legislative Business, there are two Bills for introduction. One is a Bill further to amend the Indian Coinage Act and the other is a Bill further to amend the Reserve Bank of India Act. There have been difficulties with regard to the printing of this Bill and it has not been possible to place it on the Members' tables. But copies are cyclostyled and Honourable Members wishing to have copies can get them from the Secretary or after the recess from the Notice Office.

I am stating this before the other business is taken up so that Honourable Members who wish to study the Bill before the motion comes before the House may have an opportunity of getting copies and reading it.

Dr. Zia Uddin Ahmad (United Provinces Divisions: Muhammadan Rural): It will not come up today for discussion?

Mr. President: It is for introduction. The motion is a formal one and Members would like to see copies.

RAILWAY BUDGET FOR 1947-48

The Honourable Dr. John Matthai (Member for Railways and Transport): Sir, I have the honour to present the Railway Budget for 1947-48.

This is, I venture to think, a unique occasion in the history of the Railways and of India as a whole, since today for the first time the Railway Budget is being sponsored by a Government at the Centre reflecting the political opinions of almost the entire House—I might say of almost the whole of British India. As the House is aware, it is only a month ago that I took over charge of the Railway Department from my distinguished predecessor Mr. Asaf Ali. I must, therefore, crave the indulgence of the House in performing the difficult task of presenting the finances of the Indian Railways with the necessarily brief acquaintance I have with these problems.

2. The Indian Government Railways are by far the largest industrial concern under one management in the country, employing over 9 lakhs of workers of all grades. Further they are almost completely nationalised and their financial stability has, therefore, a large bearing on the financial stability of the Central Revenues and consequently on the economic position of the country generally.

3. In view of the magnitude of this undertaking conditions in Railway service have not only an influence on other Government Services, but must of necessity have a profound effect on the industrial situation in the country. In the past, close contact has been maintained between the Railway Board and organised Railway labour and this contributed in no small measure to the industrial peace which, with very few exceptions, prevailed during the difficult years of war. It was, however, but natural that the large body of Railway servants who had worked so loyally and strenuously in furtherance of the war effort should, directly hostilities ended, have felt that their economic troubles would come to an end with the end of the war, and viewed with apprehension the possibility of retrenchment due to reduction in Railway activities and absorption of ex-servicemen. Thus in the cold weather of 1945-46 a number of communications were received by Government from the All-India Railwaymen's Federation over a constantly enlarging field.

Having carefully selected the demands in respect of which an impartial investigation might serve a useful purpose, Government appointed an Adjudicator in April, 1946, to consider the hours of work and periodic rest of Railway servants, the adequacy of the existing leave reserve and the leave rules applicable to daily-rated and inferior staff. So far as retrenchment was concerned Government, while appreciating the workers' anxiety could not agree that

[Dr. John Matthai].

the question whether there would or would not be work enough for all employees was a matter for adjudication as demanded by the Federation, since work must necessarily vary with the load which the Railways are called upon to carry. Government considered that it was the responsibility of Government as a whole to explore the possibilities of absorbing staff surplus to Railway requirements in alternative employment.

In May 1946 Government announced the appointment of the post-war Pay Commission with wide terms of reference which *inter alia* included consideration of machinery for the settlement of disputes relating to conditions of service arising between Government and Government's employees.

The All-India Railwaymen's Federation were, however, not satisfied with the steps taken by Government and on the 1st of June 1946 gave notice of a strike to commence on the 27th of that month. The acceptance of the Federation's demands would have involved additional expenditure far beyond the capacity of Railway finances, and the demands were, therefore, referred to the Standing Finance Committee for Railways for their consideration in the light of the expenditure which would be involved. Having heard in person the Secretary of the Federation and having considered their claims against the background of the economic life of the country and the condition of Railway finances, the Standing Finance Committee recommended the grant of interim relief to Railwaymen in receipt of a pay of Rs. 250 per month and below with retrospective effect from the 1st of July 1945; involving an additional expenditure in the current financial year of some 9 crores of rupees. Government accepted this recommendation and in consultation with the Federation it was decided to distribute this amount at the uniform rate of Rs. 4/8/- per month to all employees drawing Rs. 250 per month and below. The Standing Finance Committee were of opinion that the question of retrenchment was not a trade dispute and that the Federation could not in law ask for the matter to be referred to an Adjudicator. They recommended, however, that in order to allay the fears of Railwaymen a high power committee should be set up, charged *inter alia* with suggesting practical methods of absorbing surplus staff on the Railways. In pursuance of this suggestion Government have since set up the Indian Railways Enquiry Committee, 1947. When the recommendations of the Standing Finance Committee were discussed with the All-India Railwaymen's Federation the latter contended that Government should not prejudice the issue of retrenchment by continuing to discharge surplus staff pending the Adjudicator's award on the hours of work, etc. Government agreed to this proposal and instructions were issued to the effect that no Railway servant in service on 15th September 1945 should be discharged on becoming surplus unless he refused alternative employment until the Adjudicator's award had been considered by Government. In pursuance of this policy the number of discharges that have taken place since July 1946 is 430. It may interest the House to know that since the end of the war out of a total of about 9,25,000 Railway employees 37,100 were declared surplus of whom 29,000 have been provided with alternative employment and only 8,100 have been discharged of which over 4,000 were men who had been employed by the Railways, not on Railway work, but on behalf of other Government Departments.

The strike notice was finally rescinded by the Federation on the 21st of June 1946, nevertheless sudden strikes and stoppages of work have occurred in isolated Railway centres from time to time and one major strike—what on the South Indian Railway in August and September last—persisted fitfully for a number of weeks and although it never caused a total stoppage of traffic, it resulted in considerable inconvenience to the public and substantial loss to the Government and to the strikers themselves. In spite of every sympathy with the legitimate demands of labour I feel it my duty to warn

those who have the great responsibility in these difficult times of advising and directing organised labour that strikes, stoppages of work and "go slow" policies will react detrimentally on both the country's economy and the workers themselves. Among the repercussions of such activities are a fall in revenue, dislocation of trade and industry, diminution of production and therefore a general deterioration of national well-being. If the earnings of the Railways are reduced the improvement of service conditions which the workers and Government alike desire cannot possibly be effected. With a Government in power pledged to the amelioration of conditions of life not merely of their own employees but of the masses generally, there can be no justification for strikes or "go slow" policies merely because times has necessarily to elapse before a full examination of such a complex subject can be carried out and decisions arrived at. It may be that for some time while these complex problems are under active examination the conditions of service, particularly of those who are not highly paid, may not be all that could be desired. But all Railway servants must rest assured that decisions on pay and conditions of service will be taken by Government as rapidly as possible after the reports of the Adjudicator and the Pay Commission have been received by Government. In view of this assurance, Government trust that, pending the revision of conditions of service, Railwaymen will observe strict discipline and apply themselves honestly, diligently and with good-will to the duties which are assigned to them. Indian Railwaymen have a great tradition to live up to and I hope that both in their own interests and in the country's they will make a determined effort to maintain it.

4. While on this subject of pay and conditions of service I feel it incumbent on me to utter a word of caution. Inflationary tendencies prevail in India today as is evidenced by the upward trend of prices during the last few months and no one can regard this with equanimity. Should the upward trend be emphasised by any factor the position may well get out of hand and we have learnt from the bitter experiences of the 1930 slump the extent of the hardships and suffering likely to follow in the wake of a period of severe inflation. Substantial increases in the pay level have to be met in turn by increases in freight rates no matter what economies may be found possible towards offsetting the increase in the pay bill. This in turn may lead to increases in the prices of commodities including necessities, and so the wage earner finds himself no better off while inflation has received a fillip. And so the spiral goes on.

Prices of many of the necessities of life in India today are well above world prices and it is imperative that the upward trend should be arrested and the disparity reduced. I do not wish to prejudge the issue of the level at which wages should be fixed. But it is well to remember that if wages and salaries are pitched too high, they may not merely not result in any benefit to the workers themselves but may cause serious damage to the economy of India as a whole.

It seems to me quite possible that after a time retrocession from inflationary conditions may set in and the greater the height to which inflation reaches the greater will be the subsequent retrocession. Railways, as Government's largest spending industrial concern, will try so to arrange their development programmes as to be spending at the maximum rate when retrocession sets in, though meanwhile, in spite of the present inflationary tendency, Railways will be forced to undertake heavy expenditure in order to overtake the arrears of maintenance which war conditions occasioned and to render the Railways capable of carrying the load which the eventual industrialisation and development of the country will produce. It would be short-sighted in my opinion to postpone this very essential expenditure.

[Dr. John Matthai].

New Constructions and Restorations

5. The post-war Railway Programme of new line projects and restoration of dismantled lines was prepared in 1944 in consultation with the Provincial Governments concerned, and a fresh reference has recently been made to them with a view to finding out whether any modification to the programme is considered necessary. Detailed survey investigations of projects comprising about 5,000 miles of new constructions and of about 400 miles of restorations of lines dismantled during the war are at present in hand. Survey reports in respect of some of these projects have already been received and are under examination.

6. The present declared policy of the Central Government in respect of the financing of unremunerative lines has been to ask the Provincial Governments concerned to give an unlimited guarantee against loss for an indefinite period. This system has, however, not been found satisfactory, and two alternative proposals of financing branch lines have been offered to the Provinces, *vis.* :—

- (a) that the Railway Department and the Provincial Government concerned should share both the capital cost and the earnings on an agreed basis; or
- (b) that an initial lump sum subsidy should be paid by Provinces so as to render the capital cost to be incurred by Railways remunerative, the Province having no share in the profits.

Economy and Financial control.

7. This brings me to the steps we are taking to improve the position regarding expenditure by the Railways. The Railway Board have already impressed on all Administrations the urgent need for effecting economy in expenditure in all possible directions. In addition, among the matters referred to the Indian Railways Enquiry Committee, 1947, to which I have already alluded, is the following:—

“To suggest ways and means of securing improvement in net earnings by—

- (a) economies in all branches of Railway administration, and
- (b) by any other means.”

It will be seen that the Committee will be covering the whole field of Railway administration in a search for economies and in addition will be exploring the possibilities of improving net earnings through schemes which while involving additional outlay will yield net gains.

8. Another line of action which the Railway Board are pursuing to secure economy is the tightening of the machinery for financial control of railway expenditure, both at the headquarters of the Government of India and on the Railways. This matter has recently been receiving the attention of the Standing Finance Committee for Railways. As a first step the Railway Board have, with the approval of the Public Accounts Committee and the Standing Finance Committee for Railways, rearranged the structure of the Demands for Grants with effect from the Budget for 1947-48. A self-contained note explaining the changes and reasons underlying them has been separately printed as part of the Budget literature to which I would draw the attention of Honourable Members.

The Railway Board have also under examination the development of a technique of control over expenditure better suited to the needs of a commercial department like the Railways than that now in force, which was worked out primarily for ordinary non-commercial spending departments of Government. They are also taking effective and practical measures to place at the disposal of the General Managers of railways improved machinery for financial advice and control. The reorganisation in the Board's office, which was an essential preliminary to the reorganisation on the railways, has recently been carried out. The next step is to bring into existence a Finance Branch on each railway, which will not be concerned with routine accounts checks and

which will be amalgamated with the Budget Branch of the General Manager's office. The necessary detailed investigations to this end have now been taken in hand.

Regrouping of Railways

9. With the management of Government-owned railways passing into the hands of Government the problem of regrouping them into convenient units for more efficient management has assumed greater importance. Accordingly this matter has been considered afresh and while Government are alive to the necessity for taking up this question at the earliest possible moment, they feel that for two reasons no firm decision in this regard can be taken in the immediate future. Firstly, the railways have not yet recovered from the effects of war, and any attempt at regrouping at this stage would tend to throw the organisation out of gear to such an extent as to hamper rapid rehabilitation. Secondly, several new line constructions and restorations of dismantled lines are under investigation and any decision on regrouping would be premature until the investigations are completed and a decision is taken as to which of the projects are finally to be taken in hand.

Revision of the Rating Structure

10. In the course of last year's Budget speech mention was made of the need that exists for revising the railways' goods rating structure and to the progress made in that direction. The task is complex and difficult. In order to afford the House and the general public an insight into the nature of the problem, Government have had printed and circulated a pamphlet explaining the existing structure and the steps that are being taken to rationalise the rates. The revision calls for extreme caution both in the interests of the public and of the Railways. If a uniform rating system, simple to understand and apply, is to be evolved, there must be assimilation not only of varying rating practices and procedures but also of the different commodity rate levels at present obtaining on the different railways. Assimilation infers changes to the advantage of some and to the disadvantage of others; as also changes which in some cases will benefit the trade and in others the Railways. Such is the inevitable result of any attempt to introduce uniformity where considerable diversity exists and if progress appears to be slow it is because of the complex nature of the many problems involved and the necessity for solving them in a manner which will be equitable both to the Railways and their constituents. Honourable Members will no doubt have seen the Press Note issued by the Railway Board in connection with the proposed experiment with the new type of telescopic 'class' rate to be applied to Manures, Oilcake and Bonemeal (for manure) on a continuous mileage basis. The experiment commenced on the 1st of this month and will extend over a period of six months and much useful data, which will assist the work of revision of the rating structure as a whole, is expected to be obtained. Meanwhile, the revision of rules and regulations affecting the interchange of goods between the different railways; the routing of traffic; the division of earnings; procedure for the quotation and alteration of rates; the introduction of Station Rate Registers; and the revision of longstanding traffic agreements to bring them into line with the national character of the Railways, are all matters which are receiving close attention and satisfactory progress towards finality is being made.

There is still much work to be done and some considerable time must elapse before the changeover from the present rating system can be completed, but in order that the period shall be reduced to the minimum, a standing committee of Railway Rating experts has been set up with the dual object of hastening completion of the investigation and advising the Railway Board on all connected problems as they arise.

[Dr. John Matthai].

Restoration of passenger services.

11. The House will be interested to hear what has been accomplished so far towards the restoration of pre-war railway facilities. A total of 1,046 train services, covering a daily mileage of over 67,000 had been restored or extended since the war ended on the principal Railways up to 1st October 1946 and certain further additional trains the details of which have not yet been received from railways have been re-introduced since then. Although the restoration in full of all services curtailed during the war has not yet been possible, considerable progress in this direction has been achieved. The present passenger train mileage ranges from 80 to 90 per cent. of the pre-war services on most of the Railways. The Railways are most anxious to restore passenger train services to the pre-war level, but they are still handicapped by lack of coaching stock, a considerable amount of which is still on loan to the Defence Department.

During the war, in order to cope with heavy operational moves, the Indian Government Railways loaned 1,390 bogies and 68 four-wheeled carriages to the War (now Defence) Department, and these were used for the running of Military Special Trains and Military Mail Trains. By the end of January 1947 the Defence Department had released 679 bogies and 22 four wheelers, leaving a balance of 711 bogies and 46 four-wheeled carriages still in use by the Defence Department.

The Railways are fully aware of the urgent necessity for placing the maximum amount of stock into service in order to relieve the present congestion in trains and every effort will continue to be made to increase train services to the maximum extent possible consistent with the stock available.

12. During the war 927 stations were closed for goods traffic and 515 for passenger traffic on the various Railways. Up to December 1946, 860 stations had been reopened for goods traffic and 146 for passenger traffic.

The Railway Administrations propose to continue the policy of reopening stations and restoring train halts as and when it is possible to do so.

13. I now turn to the question of rolling stock.

Manufacture of Locomotives and Boilers in India

The Ajmer workshops of the B.B. & C.I. Railway have continued to manufacture locomotives so far as their capacity permitted. The first batch of ten XT/1 class locomotives was completed last February and handed over to the N. W. Railway. Work on another batch of ten is now in hand and an order for fifty-eight YB passenger locomotives was placed on these shops last August. The boilers for the latter will be manufactured in Tata's Singbhum shops. Reference was made in last year's Budget speech to the delay occasioned in converting the locomotive repair shops at Kanchrapara into a locomotive manufacturing plant owing to the fact that the whole capacity of the shops had to be used for essential repair work to Broad Gauge locomotives. A subsequent survey of the capacity available for repair work and the volume of work to be carried out in future revealed that none of the capacity of the Kanchrapara shops could be spared for manufacture. It has therefore been decided to erect an entirely new production plant at Kanchrapara North, a short distance away from the existing repair shops. Having in view our future requirements of locomotives the plant will be designed to produce 120 locomotives and 50 boilers a year with single shift working, to which a further 30 locomotives could be added by working a double shift. The Standing Finance Committee for Railways approved of the scheme at a cost of Rs. 11.4 crores at their meeting last December. The construction of the shops and

colony and installation of machinery are expected to be completed by September 1949. Thereafter manufacture can begin but the production of complete locomotives is not expected to begin in any appreciable numbers before the end of 1950.

As the House is aware the Singbhum workshops of the E. I. Railway were handed over to Tatas on the 1st of June 1945. They are now engaged on the manufacture of 100 SGS class boilers.

Imported Locomotives

14. Of the total of 934 goods type Broad Gauge locomotives ordered during the war, 930 have already been received and the balance will have been received and put into service by the end of the current financial year. The receipt of these locomotives has eased the situation considerably on the Broad Gauge as far as goods power is concerned. Our most pressing Broad Gauge requirements now are express passenger type locomotives. An order has already been placed in the United Kingdom for 84 such locomotives to an existing design. A further order has just been placed in the U. S. A. for 16 locomotives to a new design which will burn non-coking coal. These will be used as prototypes for subsequent orders. These 100 locomotives are expected during 1948-49. An order for a further 300 locomotives has recently been placed in the United Kingdom though the final specification will not be decided upon until full trials have been carried out with the 16 prototypes. This has been done because capacity for manufacture and suitable delivery dates cannot be secured unless orders are placed now. The 300 locomotives are for delivery by 1950. These orders were placed with the approval of the Standing Finance Committee for Railways.

359 of the American goods type Metre Gauge locomotives owned by the War Department but used by the Railways have been purchased by the Railways.

By the 1st of March 1948 we expect to have in service approximately 6,100 B.G. and 2,300 M.G. locomotives as against 5,215 and 2,064 respectively in 1939. Of these approximately 2,100 B.G. and 800 M.G. will be overage.

Coaching Stock

15. Our Carriage Workshops are having to cope with the extensive repairs to coaching stock necessitated by the intensive use to which it was subjected during the war, often without adequate maintenance. Nevertheless it is hoped they will be able in addition to turn out 200 new coaching vehicles during the current year. Work has been hindered to some extent by shortages of material and labour difficulties.

Of the 216 B.G. and 94 M.G. underframes on order in Australia very few have arrived as yet owing to a shortage of suitable shipping. It is expected that most of them will be received in the course of this year. Orders have been placed in India for 826 B.G. and 254 M.G. underframes. On 350 of the B.G. underframes it is intended to have metal bodies built by outside firms. The Railway Board have decided that future broad gauge passenger coaches shall be 11' 8" wide instead of 10' wide and it is hoped that the manufacture of these vehicles will be undertaken as from April 1948.

The various amenities discussed from time to time will be incorporated in these vehicles and for the purpose of demonstrating the standards of comfort planned by the Board for each of these new classes a train of prototype vehicles which will contain samples of the new III, II, I and Air-conditioned classes will be placed on exhibition in Delhi in March.

It will be appreciated that the designs for these new vehicles which are to be of special light weight construction and to have all metal shells, cannot be prepared rapidly, and the earliest time from which the introduction of the

[Dr. John Matthai].

change-over was considered possible was April 1948. It has therefore been necessary to construct the vehicles referred to above to the old width of 10'. At the same time every effort is being made to incorporate as many improvements in these carriages as can be managed. This in the present difficult design and production situation, is the best that could be done.

By the 31st of March 1948 we expect to have in service approximately 14,100 B.G. and 7,800 M.G. coaching vehicles as against 12,347 and 7,309 respectively in 1939. Of these approximately 3,500 B.G. and 3,200 M.G. will be overage.

Wagons

16. Of the 19,290 Broad Gauge general service wagons ordered abroad during the war 11,455 had been delivered by the end of 1945-46 leaving a balance of 7,835. Practically all these have since been received, and all but 2,000 of these wagons are expected to be in service by the end of next month.

The Railways have also purchased 6,505 Metre Gauge bogie general service wagons as well as some special type wagons which belonged to the Defence Department but were being used by the Railways.

During the war, orders for 19,135 Broad and Metre Gauge general service wagons together with some special type wagons were placed on the indigenous wagon building industry. Practically all these wagons are expected to be in service by the end of this financial year.

In all 11,533 new Broad Gauge general service wagons and 101 new Metre Gauge general service wagons were put into traffic from the 1st of April 1946 to the end of December last. It is expected that a further 3,240 Broad Gauge and 75 Metre Gauge wagons will be put into use by the end of the current financial year.

By the 31st of March 1948 we expect to have in service approximately 168,000 B.G. and 56,500 M.G. general service wagons as against 140,000 and 51,350 respectively in 1939. Of these about 6,200 B.G. and 10,100 M.G. will be overage.

Coal

17. Keeping the Railways adequately supplied with coal remains an ever present anxiety and, in some instances, train services have had to be curtailed and booking restrictions imposed for short intervals to tide over the more difficult periods. The North Western and Oudh Tirhut Railways and latterly the Great Indian Peninsula Railway have been particularly affected. Out of a total of some 26 million tons of coal despatched annually from the pitheads the Railways' requirements are of the order of 10 million tons so that fuel economy on the Railways is of very special importance. The Railway fuel economy campaign continues to be vigorously pursued. Every possible method of eliminating the wasteful use of coal is followed up and the special fuel economy staff, who were reintroduced in 1944, were responsible for a total saving in coal consumption of 174,413 tons in 1945-46, as well as seeing that the coal which is burnt is used more efficiently. Coal for locomotives is issued on an accurately rationed basis and a strict check is kept on consumption. The careful training of engine crews in the most economical methods of operation receives constant attention. In suitable areas, where locomotives can be effectively operated on oil fuel, increasing use is made of it, although this should only be regarded as a temporary substitute because it makes the Railways dependent on imported fuel. For ancillary services no coal is used where any suitable alternative fuel is available and increasing use continues to be made of cinders, scrap wood, scrap sleepers, etc. In workshops, measures for the conservation of heat, such as the lagging of boilers and steam lines progress, as efficient lagging materials become increasingly available. Fuel economy Bulletins are

issued periodically by the major railways reviewing progress to date and detailing results achieved and measures under trial.

The production of the better grades of steam coal continues to be inadequate to meet the ever increasing demands and Railways, much to the detriment of operation, are forced to accept higher proportions of less suitable varieties and lower grades of coal. This has added to the difficulties of securing economy.

18. As a long term policy the Railway Board are planning to reduce overall coal consumption by the introduction of rolling stock, both passenger and goods, materially lighter than that in use today.

19. In their construction projects the Board have given the highest priority to those in the coalfield area and those designed to facilitate the expeditious distribution of the increased raisings of coal that have been planned. The further additions to wagons and rolling stock which these developments will necessitate and other connected matters are now under active examination.

20. In their report the Indian Coalfields Committee have drawn attention to the need for conserving India's limited resources of good metallurgical coking coal. The Railway Board were already fully alive to the situation and are prepared to forego the use of those particular high grades of coal required for metallurgical purposes as soon as suitable alternative arrangements can be effected. These are being examined; but the situation is not simple and an immediate change from existing coal resources to others is not possible.

21. The Board are also exploring the possibilities of alternative forms of power. They have under examination the prospects of electrifying 1,500 route miles of India's railways including the Bombay-Ahmedabad section of the Bombay Baroda and Central India Railway, the Howrah-Mughalserai section *via* the Grand Chord on the East Indian Railway and the extension of electrification on the Great Indian Peninsula Railway from Igatpuri to Bhusawal and from Poona to Dhond.

In addition the development of diesel electric, gas turbine and other forms of traction is being investigated.

Co-ordination of Transport

22. In November last, my predecessor referred in his address to the Transport Advisory Council to the possibility of all forms of transport in the country being brought within the same focus and their co-ordination being entrusted to a Joint Transport Board. A beginning has been made in this direction by the formation recently of a Central Board of Transport for co-ordinating the planning and execution of transport development with a view to eliminating wasteful competition. Though to start with, the Board is composed entirely of officials and has only advisory functions, it is hoped that it will in due course develop an integrated machinery for the co-ordination of all forms of transport so as to provide the best possible service at the least real cost to the community. Coming now to one aspect of this, namely road-rail co-ordination, the House will recollect that in February last a sum of 3.48 crores included in the Budget for 1946-47 for investment in road services was refused on the recommendation of the *ad hoc* Committee of the House that further action should be postponed until the new Provincial Governments had had an opportunity to study individual schemes of rail-road co-ordination. Ministerial Governments in Provinces have since considered the subject and a number of them have intimated that they are in favour of co-ordinating both forms of land transport on the basis of financial association by railways with road undertakings. The Government of India have also reviewed the subject and are convinced that co-ordination is essential to avoid wasteful competition, protect Government finances and provide better transport services for the public. While of the

[Dr. John Matthai]

view that in most Provinces this could best be achieved in the case of passenger transport by the formation of tri-partite companies in which the Railways, the Provincial Government and road interests would participate, they would, however, permit Railways to associate financially in provincialised transport schemes while continuing to urge that an equitable adjustment of the existing operators rights should not be overlooked. The Governments of Bombay, United Provinces and Sind have formulated schemes which include the Railways and it is expected that about 76 lakhs will be required for investment by Railways in these schemes in the Budget year. It has not been possible to estimate precisely the amount that will be required for investments in other Provinces but, judging by available data, some 75 lakhs will be required. A provision of 151 lakhs has, therefore, been made on this account in the Budget, with the approval of the Standing Finance Committee, on the understanding that no actual investment will be made in any undertaking until a detailed scheme has been approved by the Committee.

23. I will now proceed to explain the general budgetary position.

Actuals for 1945-46

Our revised estimates of gross traffic receipts for 1945-46 were put at 225 crores. The actuals exceeded this by only $\frac{1}{2}$ crore. Net miscellaneous receipts were 41 lakhs above the revised. Expenditure proved 4.8 crores less than anticipated mainly due to the throwforward of part of the anticipated debit to revenue of the inflationary element in the cost of rolling stock, the deliveries of which did not come up to expectations by the end of the year, partly offset by an increase in the loss on grain shops. The net result was a surplus of 38.20 crores as against the revised estimate of 32.07 crores. Of the surplus 32 crores went to General Revenues and the balance of 6.20 crores into the Railway Reserve. The throwforward of rolling stock resulted in a reduction of about 3 crores in the withdrawals anticipated from the Fund. The balance in the Reserve at the end of the year stood at 38.13 crores as against the revised estimate of 29.05 crores.

Revised Estimates for 1946-47

24. Our budget estimate of gross traffic receipts for the current year was 177 crores. The revised estimate has been put at 206 crores, an improvement of 29 crores. Passenger earnings are up by 20 $\frac{1}{2}$ crores of which some 7 crores are due to the military load falling away more slowly than had been anticipated at this time last year. Civilian passenger traffic has shown a remarkable upsurge due largely to the part restoration of pre-war train services and facilities. Other coaching receipts are up by 5 crores, again largely because of the slower reduction in military specials. Goods receipts are expected to be 3 crores higher.

25. On the other hand ordinary working expenses are now estimated at 159 crores, an increase of some 33 crores over the budget estimate. Of this, 10 $\frac{1}{2}$ crores is occasioned by throwforward from the previous year in delivery of locomotives, boilers and wagons the inflationary element in the cost of which is debitable to revenue under the special war-time arrangement of which the House is aware, and the payment of hire for Defence Department locomotives and wagons used by the Railways. Ten crores is due to the grant of interim relief and increased rates of dearness allowance with retrospective effect. Our budget estimate of the loss on grain shops anticipated some reduction in food prices. Food prices have, however, risen and this accounts for a further expenditure of 6 $\frac{3}{4}$ crores. The fuel bill is up by 1 $\frac{1}{2}$ crores.

Total working expenses, including depreciation and payments to worked lines, are now estimated at 174 crores. There is a saving of 65 lakhs in interest charges and an improvement of 6 lakhs in net miscellaneous receipts which partly offset this increase.

Supplementary demands voted by the House in November last, cover the major portion of the increased expenditure and further supplementary demands will be placed before the House later in this session to cover the remaining 7½ crores.

26. The net result of all the variations is that we now expect a surplus of 8.64 crores after meeting all charges, as against a budgeted surplus of 12.22 crores. In accordance with the *ad hoc* agreement mentioned in the budget speech last year General Revenues will receive only 5.61 crores against the budget expectation of 7.36 crores, the Betterment Fund will receive 3 crores and the Railway Reserve 3¼ lakhs.

27. The Betterment Fund was inaugurated this year with an initial transfer of 12 crores from the Railway Reserve. It will be debited with 1.4 crores for works chargeable during the current year and after receiving the credit of 3 crores *plus* interest will stand at about 13.8 crores.

28. The balance in the Railway Reserve will be reduced by the 12 crores transferred to the Betterment Fund and by some 5 crores under the special rules for allocation of the cost of rolling stock ordered during the war. It is therefore expected to stand at some 21½ crores at the close of the year, out of which 5 crores, is earmarked for arrears of maintenance which accumulated owing to war conditions.

Budget 1947-48

29. With existing rates and fares the budget estimate of gross traffic receipts for 1947-48 is 183 crores. The decrease of 23 crores from the revised estimate includes a further reduction of 14 crores in military traffic and 3 crores from parcels. The estimate makes some allowance for the adverse effects of increasing competition from road and other forms of transport, which are inevitable.

30. Our estimate for ordinary working expenses has been put at 135½ crores. I may mention that this estimate does not take into account any increase in the total wage bill which may result from the decisions which Government take on the recommendations of the Adjudicator and the Pay Commission. To cover any such increase it will be necessary to approach the House at a later date with supplementary demands. Out of the reduction of 23½ crores from the revised estimate for 1946-47, the fact that the special debits to revenue of part cost of works and rolling stock ordered during the war will be virtually completed in the current year and the non-recurrence of hire charges on locomotives and wagons owned by the Defence Department and used by the Railways, account for nearly 21 crores. The non-recurrence of arrears of interim relief and dearness allowance accounts for a fall of over 3¼ crores. These reductions are partly offset by an increase of 1½ crores in the provision for repairs under works and rolling stock.

The appropriation to the Depreciation Fund has been placed at 15.34 crores, of which 1.84 crores is a special appropriation made in order to credit to the Fund the amounts that would have accumulated therein if the Bengal and North Western and the Rohilkund and Kumaon Railway Companies' lines had been Government-owned from 1924-25 and had maintained a Depreciation Fund like the rest of the Government Railways. Payments to worked lines on the basis of present charges would be 1.6 crores and net miscellaneous receipts 2.95 crores. Interest charges are expected to be 26.58 crores. The net balance would then be 7 crores which has to provide for the contributions to General Revenues, the Betterment Fund and the Railway Reserve.

[Dr. John Matthai].

31. The revised estimates indicate that the contribution to General Revenues in the current year is likely to fall $1\frac{1}{2}$ crores short of the Budget estimate of 7.36 crores and in view on the one hand of the heavy commitments of the Government of India in respect of large development schemes and on the other of shrinking revenues and public borrowings, Government have fixed the contribution to General Revenues for next year at $7\frac{1}{2}$ crores after the loss on strategic lines has been met.

32. The Betterment Fund is expected to open the Budget year with a balance of about 13.8 crores out of which it is expected to spend $4\frac{1}{2}$ crores. This Fund as the House is aware has to defray the cost of amenities for passengers, works connected with staff welfare including quarters for inferior staff, and certain non-remunerative operative improvements designed for the safety of passengers and improvement in the efficiency of the services rendered in future years and it is considered essential that the appropriation to the to the public Expenditure from this Fund will increase rather than diminish. Fund in the Budget year should at a minimum be 5 crores.

33. The Railway Reserve is expected to stand at $21\frac{1}{2}$ crores at the end of the current financial year out of which 5 crores are earmarked for the arrears of maintenance which have accumulated owing to war conditions leaving a 1 P.M. free balance of $16\frac{1}{2}$ crores. Expenditure from the Reserve in the Budget year is put at 2 lakhs so that the balance at the end of the year would remain practically unchanged. A Reserve of this order for a commercial concern with over 800 crores capital at charge can only be regarded as quite inadequate. This fact was recognised by the Wedgewood Committee who recommended in 1937 that the Reserve should be built up to at least 50 crores. Government therefore consider it essential to provide for a contribution of not less than 5 crores in the Budget year. Even at this rate it will take seven years to build up the Reserve to the minimum level.

34. The requirements for contributions thus total $17\frac{1}{2}$ crores to meet which the estimated balance is 7 crores. There is thus a gap of $10\frac{1}{2}$ crores to be covered.

35. When there is a gap between revenue and expenditure, an industrial concern would set about putting matters on a sound financial basis by endeavouring to reduce costs as far as practicable and if by this means the gap could not be covered then it would have no option but to raise the prices of its products. It is in this way I have addressed myself to the problem. I have indicated earlier in my speech the attempts that are already being made to reduce working expenses and we trust that some further economies may evolve from the recommendations of the Railways Enquiry Committee. The measure of possible economies must of necessity be limited and this will be seen from a rough breakdown of the estimates of working expenses. Out of the total of $135\frac{1}{2}$ crores, staff including pay, allowances, gratuities, provident fund contributions and loss on grain shops, account for $85\frac{1}{2}$ crores. Government have pledged themselves to no retrenchment of staff until after the Adjudicator's recommendations are published and there is the possibility of a further increase in the pay bill as the result of the recommendations of the Pay Commission.

Fuel accounts for nearly $22\frac{1}{2}$ crores, the cost of which is not within the control of Railway administrations though they are constantly pursuing measures to secure economy in consumption.

Consumption of stores for operation and maintenance including clothing, accounts for $23\frac{1}{2}$ crores. In view of the load to be carried and the arrears of maintenance which have to be overtaken in the next few years the possibility of reduction under this head seems remote.

The remaining 4 crores covers a variety of smaller items such as the provision of stationery, forms and tickets, compensation for goods lost or damaged and for accidents, police, and certain contributions and grants.

36. Hopeful as Government are that some economies may prove practicable it is expected that they will do no more than arrest the rise in operating costs and the gap which exists now is not likely to be lessened in the near future. Government have therefore come to the conclusion that it is essential while effecting all possible economies, to take steps concurrently to moderate the decline in earnings. This can only be achieved on a falling volume of traffic handled, by a lift in the level of charges for both passengers and merchandise.

Early in 1940 when it became apparent that additional revenue would be required to cover the rising cost of operation due to war conditions, a surcharge of 12½ per cent. was applied to freight on general merchandise except for foodgrains, manures and fodder, and 6½ per cent. to passenger fares above Re. 1. No other increase was made in the general level of railway charges throughout the war years, except that the surcharge on parcels traffic by passenger train was raised from 12½ per cent. to 25 per cent., and so long as high revenue levels were maintained no further enhancements were made in spite of a phenomenal rise in the working costs.

Today, however, we are faced with the inevitable result of the changed economic and social conditions that have emerged in the aftermath of war—higher wages and higher costs of materials, stores and fuel, all aggregating to the continuance of a high level of operating expenses, while on the other hand the level of revenues has commenced to decline and it is not at present possible to foresee the level to which they may eventually recede. Not only have the large revenues from military traffic and traffic actuated by the needs of war been cut off, but soon, road and other forms of competitive transport will be revived and intensified, as the vehicles of movement become increasingly available. In spite of the high degree of co-ordination with such forms of transport which the railways hope to achieve, a decline in railway revenues is inevitable.

37. Most reluctantly, therefore Government have decided that the time has come to raise the level of railway charges to ensure the solvency of this national undertaking, and this, it is proposed to do by a 6½ per cent. increase on the present level of fares above Re. 1 and the application of a 6½ per cent. increase to fares below Re. 1 which have hitherto not been called upon to make any contribution to the increased costs of operation. The minimum fare of one anna will, however, remain. The yield from this increase is estimated at Rs. 4½ crores.

As regards merchandise by goods trains, to which an increased charge of 12½ per cent. already applies, (except for foodgrains in wagon loads, manures and fodder) and to that by passenger train to which an increased charge of 25 per cent. applies, Government are anxious to avoid any action calculated to retard the development of nascent industry or to increase the retail prices of the necessities of life; but at the same time additional revenue to the extent of Rs. 5½ crores has to be found and a rise in the freight rates for the carriage of merchandise cannot wholly be avoided without throwing a heavier burden on passenger traffic than is proposed. It is necessary to explain that there are many commodities, the general level of rates for which are today lower—and in many cases much lower—than what the traffic can bear, and it is believed that the additional revenue required can be obtained by lifting, within the framework of the present scales of authorised charges, the level of many of the special and station-to-station rates now in existence. These rates owe their existence and the low level at which they are pitched,

[Dr. John Matthai].

to economic and transport conditions which no longer obtain, and many commodities can afford today to bear a higher general level of charges than in prewar days. Nevertheless, the increases contemplated, particularly in so far as these relate to the necessities of life, as for example foodgrains and piece-goods, will be individually far too small to offer any justification for an increase in retail prices. The incidence of the freight increases will never exceed one pie per seer of foodgrains or one pie per yard of cloth. The yield anticipated from these freight adjustments is about 5½ crores, and although this may appear to be a large sum in the aggregate, the incidence of the increase will be so spread as to fall equitably and in just proportion to the ability of the different commodities to bear it. Government are of the view that this is a more satisfactory method of securing the additional revenue required than a general percentage increase which would fall equally on all varieties of merchandise irrespective of the lesser or greater ability of different commodities to pay the higher freight charges.

38. In making these proposals, Government have kept in mind the importance of keeping in check the inflationary tendency which still prevails. It will be realised that an increase in passenger fares is deflationary in effect, resembling in this respect an increase in direct taxation. An increase in freight rates on the other hand tends to raise prices but as I have explained, our proposals are so framed that they will have no perceptible effect on the prices of essential commodities. Moreover they involve no alteration in the general structure of our goods rates but are confined to a readjustment of the special rates brought into existence by conditions which no longer apply. The position roughly is that as against an increase of 185 per cent. in our wholesale price index and of 159 per cent. in the cost of living index (based on Bombay prices), the increases in rates and fares since the war started, and including those now proposed have not reached 12½ per cent. and 13 per cent. respectively.

The increase in passenger fares will take effect from the 1st March next and in the freight rates concerned from the 1st April next.

39. The effect of these changes will be to cover the gap of 10½ crores at present visible. The gross traffic earnings will then become 193½ crores. The printed budget estimates I am presenting today include the anticipated receipts from these enhanced charges.

Capital, Betterment Fund and Depreciation Fund Expenditure 1946-47

40. The budget estimate of the works programme for the current year was 34.54 crores, against which the revised estimate is 32.90 crores, 13.49 crores under Capital, 1.42 crores under Betterment Fund and 17.99 crores under Depreciation Fund. This includes a small provision of 7 lakhs for capital expenditure on the Vizagapatam Port, the administrative control of which was transferred to the Railway Department from the War Department on 1st April 1946. The settlement of the terms under which the Railway Department will assume full financial responsibility for the Port is nearing completion.

The expenditure on New Constructions in the current year is expected to be only about 42 lakhs, against 2 crores included in the budget, as final decisions have not yet been taken in regard to the constructions it was then thought might be commenced this year. Open line works expenditure is, however, likely to exceed the budget provision by 2.61 crores, mainly on the housing of colliery labour and the creation of a reserve of coal at Bokaro Colliery. Suspense balances are now expected to be reduced by 1.57 crores in pursuance of the policy of cutting down surplus stocks now that the war emergency is over. Expenditure on rolling stock is now expected to be about a quarter of a crore less than the budget since 144 suburban electric coaches

for the Bombay Baroda and Central India and Great Indian Peninsula Railways, a ferry steamer for the South Indian Railway and 6 Broad Gauge locomotives for the Madras and Southern Mahratta Railway and some boilers provided for are not expected to be received till 1947-48. As against these throwforwards provision has now been made for the difference between the price of 850 MacArthur locomotives and 2,100 Metre Gauge wagons purchased from Defence Department and provisionally adjusted last year and the price as now finally settled this year, as well as for the cost of 8 more MacArthur locomotives and 4,588 more Metre Gauge wagons which it has now been decided to purchase. Of the expenditure of about 2.8 crores involved in this, one crore will be charged to Revenue Working Expenses under the special rules of allocation for stock ordered during the war and the balance of 1.8 crores to Capital, the Depreciation Fund and Railway Reserve. Besides this, provision has also been included for certain Broad Gauge locomotives and wagons expected last year but received only in the current year.

1947-48

41. The works programme for the budget year is for a gross total of 58.42 crores, 33.45 crores under Capital, 5.50 crores under Betterment Fund and 19.47 crores under Depreciation Fund. 2.47 crores is for New Constructions and for the restoration of dismantled lines, which include the Bhimsen-Khairada Section on the Great Indian Peninsula Railway and the Rûpar-Talaura line on the North Western Railway, which is expected to be opened to traffic during the year. 35 lakhs has been provided for the purchase of the Mandra-Bhaun Railway, of which 6 lakhs, representing premium, has been provided under Revenue Working Expenses. A provision of 1.51 crores has been made for probable investments in road services. No investment will be made without prior reference to the Standing Finance Committee for Railways. Capital expenditure on Vizagapatam Port accounts for 15 lakhs. For Open Line Works we have provided 54 crores, which includes 5½ crores for staff quarters, the major portion being for inferior staff. Over 97 lakhs has been included for expenditure on amenities to staff such as the provision of institutes, hospitals, dispensaries, maternity and child welfare centres and improvements in sanitation and water supply in railway colonies. A lump sum cut of 15 per cent. has been made on the programme for Works, Rolling Stock and Machinery, as it is probable that the railways will not be able to spend the full amount. The net provision thus comes to 50 crores of which 4.7 crores will be charged to the Betterment Fund and 16.09 crores to the Depreciation Fund.

Taking into account the increased receipts expected from the increases in fares and certain freight rates the balances in the Betterment Fund, Depreciation Fund and Railway Reserve at the end of 1947-48 are estimated at 14.56 crores, 101.92 crores and 26.45 crores respectively.

The Convention

42. An exhaustive investigation has been carried out by officers of the Railway Board of the data available with Railway Administrations pertaining to replacements of the various classes of railway assets in past years. From these data provisional conclusions have been reached as to the appropriate figures for the lives of the various classes. The capital at charge of each railway is now, with the use of such records as exist, being apportioned between the various classes. When this has been completed it will be possible to calculate the appropriate annual contribution to the Depreciation Fund. It is hoped that this work will be finished in time to put the proposals before the Standing Finance Committee for Railways next July.

[Dr. John Matthai].

Government expect to arrive at early decisions on the recommendations of the Adjudicator and the Pay Commission so that the resulting effects on the Railway pay bill should be known within a reasonably short time. Although the future trend of traffic receipts may still be a matter for some speculation it would in Government's opinion be advantageous to appoint a Committee now to review the whole question of the Railway Separation Convention. Even though the Committee may not be able to start their work in earnest before the late summer, if they are constituted now they will certainly be able to take up the work before the next session of the Legislature.

I shall therefore during the course of this session bring forward a motion regarding the election of Members of the House to the Committee which Government propose to set up.

43. The first full year of peace is drawing to a close and looking back evidence is not wanting that some progress has been made along the difficult return path from war to peace conditions. The changeover is, however, so great and its effects on such a vast organisation as the Indian railway system are so profound, that it is not surprising if strains and stresses develop in many directions and a variety of difficult problems are thrown up. Added to the general unrest, which always follows in the wake of wide-spread war, there have been the unsettling effects of political changes. But given goodwill and the exercise of a little patience by the staff and the public alike, which I think the House will agree this Government is entitled to expect, the major difficulties will be smoothed out in the near future and we can apply ourselves to the rehabilitation and development which we all so earnestly desire.

44. I should like in conclusion to express on behalf of Government our warm appreciation of the work done by the staff and by all railway employees during the year. It has been an exceptionally trying and difficult year which has imposed a heavy strain on the whole of my organisation from the Chief Commissioner downwards. I wish to take this opportunity to pay a tribute to the loyalty and zeal with which they have discharged their duties under adverse conditions.

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. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

BANKING COMPANIES BILL

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE

The Honourable Mr. Liaquat Ali Khan (Finance Member): Sir, I present the Report of the Select Committee on the Bill to consolidate and amend the law relating to Banking Companies.

RAILWAYS (TRANSPORT OF GOODS) BILL

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE

The Honourable Dr. John Matthai (Member for Railways and Transport): Sir, I present the Report of the Select Committee on the Bill to confer for a limited period special powers for regulating the transport of goods on railways.

INDIAN COINAGE (AMENDMENT) BILL

The Honourable Mr. Liaquat Ali Khan (Finance Member): Sir, I beg for leave to introduce a Bill further to amend the Indian Coinage Act, 1906.

Mr. President: The question is:

"That leave be granted to introduce a Bill further to amend the Indian Coinage Act, 1906."

The motion was adopted.

The Honourable Mr. Liaquat Ali Khan: Sir, I introduce the Bill.

RESERVE BANK OF INDIA (AMENDMENT) BILL

The Honourable Mr. Liaquat Ali Khan (Finance Member): Sir, I beg for leave to introduce a Bill further to amend the Reserve Bank of India Act, 1934.

Mr. President: The question is:

"That leave be granted to introduce a Bill further to amend the Reserve Bank of India Act, 1934."

The motion was adopted.

The Honourable Mr. Liaquat Ali Khan: Sir, I introduce the Bill.

ELECTION TO COMMITTEE ON PUBLIC ACCOUNTS

The Honourable Mr. Liaquat Ali Khan (Finance Member): Sir, I move.

"That the non-official members of the Assembly do proceed to elect, in the manner required by rule 51 of the Indian Legislative Rules, four members to be members of the Committee on Public Accounts in place of Syed Ghulam Bhik Nairang, Shri Mohan Lal Saksena, Sjt. B. S. Hiray and Pandit Sri Krishna Dutt Paliwal, who retired on the 31st January, 1947 in accordance with sub-rule (4) of the same rule."

Mr. President: The question is:

"That the non-official members of the Assembly do proceed to elect, in the manner required by rule 51 of the Indian Legislative Rules, four members to be members of the Committee on Public Accounts in place of Syed Ghulam Bhik Nairang, Shri Mohan Lal Saksena, Sjt. B. S. Hiray and Pandit Sri Krishna Dutt Paliwal, who retired on the 31st January, 1947 in accordance with sub-rule (4) of the same rule."

The motion was adopted.

ELECTION TO STANDING COMMITTEE FOR LABOUR DEPARTMENT

The Honourable Shri Jagjivan Ram (Labour Member): Sir, I move:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, one non-official member to serve on the Standing Committee to advise on subjects with which the Department of Labour is concerned for the financial year 1946-47, vice Sir Hasan Suhrawardy deceased."

Mr. President: The question is:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, one non-official member to serve on the Standing Committee to advise on subjects with which the Department of Labour is concerned for the financial year 1946-47, vice Sir Hasan Suhrawardy deceased."

The motion was adopted.

Mr. President: I have to inform Honourable Members that the following dates have been fixed for receiving nominations and holding elections, if necessary, in connection with the following two Committees:—

	Date for nomination	Date of election
Committee on Public Accounts . . .	20th February, 1947	22nd February, 1947.
Standing Committee for the Department of Labour.	Do. . . .	Do.

The nominations will be received in the Notice Office up to 12 Noon on the date mentioned for the purpose. The elections, which will be conducted in accordance with the Regulations for the holding of elections by means of the single transferable vote, will be held in the Assistant Secretary's room in the Council House, between the hours of 10-30 A.M. and 1 P.M.

INDUSTRIAL DISPUTES BILL

Mr. President: The House may now proceed with the further consideration of the Bill to make provision for the investigation and settlement of industrial disputes and for certain other purposes as reported by the Select Committee.

Mr. Vadilal Lallubhai (Ahmedabad Millowners' Association: Indian Commerce): As I said, this amendment is a consequential amendment to Clause 1. which has been amended in the Select Committee. In the old Bill an award was not binding and the wording of the Bill as introduced in the last session were.

"That in the event of such an award the appropriate Government may by order in writing declare the award binding wholly or in part. But if the appropriate Government rejects the award it shall record its reason therefor."

In the Select Committee we changed it and made the award compulsorily binding on all concerned except where it affected Government. As we have changed this into a compulsorily binding award, I do not see why this change in this sub-section of clause 3 should not be made. If we allow both parties to carry on the struggle in spite of there having been appointed a Board of Arbitrators which would go into the merits of the case and give a binding award whereby the necessity of a further strike is definitely avoided, there is no meaning in keeping these wide powers with the Government: so that although they refer the matter to the tribunal, they would be empowered to allow both the parties to carry on the struggle which would only be harmful both to industry and labour and also to consumers in the country at large. Further if such a strike is allowed to be carried on, the proceedings of the tribunal would be vitiated to the extent that the atmosphere will be hot and the strike may be going on in that city or industry while the arbitrators are actually discussing the matter with the parties concerned.

Sir, the only objective to my mind would be, and that objective cannot be of the Government but a charge may be laid at the doors of the Government that they want to keep these powers with them so that in case a labour union is not seeing eye to eye with the Government of the day that labour union may be allowed to suffer if the lock-out is allowed to be continued so that that labour union may come to grief or *vice versa*. If the industrialist concerned do not see eye to eye with the Government of the day that power may be used in such a fashion that the industrialists by the carrying on of the strike would be made to suffer so heavily that in the future they would think ten times before opposing any established Government, although they may believe that in certain respects that the Government was not doing the right thing. That would be the charge laid at the door of the Government if the Government would interfere and that

is why I would say that such a wide power ought not to be given. I would therefore request the Labour members here that they must consider that aspect of the case before they oppose this amendment of mine and if they would not agree to this amendment of mine, I would not press for it, because I would not like that any unnecessary difference should be created. I thought it my duty to show to the House that this amendment is just a consequential one and a very necessary one, so that all strikes and lock-outs are avoided, because actually there is not going to be any fruitful results as a result of these strikes being continued once the matter is before a tribunal or a Board. Sir, I move.

Mr. President: Amendment moved:

"That in sub-clause (3) of clause 10 of the Bill, for the word 'may' where it occurs for the first time, the word 'shall' be substituted."

The Honourable Shri Jagjivan Ram (Labour Member): Sir, my friend Mr. Vadilal Lallubhai has made two points. The first, that his amendment is a consequential amendment to Section 15. I do not understand how it could be consequential to a section which we have not yet considered. I do not want to dilate on that point. The amendment is not consequential.

The second point that he has made is that when the Government refers a matter to arbitration or a Board, the award of that body is binding. I want to make it clear that the award of the Conciliation Board is not binding. It is only the award of adjudication that is binding. I would refer my Honourable friend to Section

Mr. Vadilal Lallubhai: If the Honourable Member would agree to a compromise only in the case of a tribunal, I would agree.

The Honourable Shri Jagjivan Ram: I will come to that. I would draw the attention of my Honourable friend to clause 1 of the section under consideration, according to which it is not compulsory for the Government to refer any disputes to conciliation or adjudication. If my Honourable friend has agreed to give such wide powers to the Government, whether to refer or not a dispute to conciliation or adjudication, I do not understand why these powers should not be left with the appropriate Government to decide in which case to direct that the strike shall not continue and in which case to let the matter as it was. In that view of the matter I do not accept the amendment and I hope my Honourable friend will not press for it.

Miss Maniben Kara (Nominated Non-Official): Sir, I am sorry that we cannot accept the amendment which has been moved by my Honourable friend, Mr. Vadilal Lallubhai, because we are not convinced by the arguments which he has advanced. However, I am glad to know that he has agreed to respect our desire to the extent of withdrawing the amendment, if we did not accept it. The point is that Mr. Vadilal Lallubhai by moving the present amendment is asking the Government in all cases to compel the unions to withdraw their strikes. Our anxiety is that Government has too much power already. They can intervene at any stage and ask the workers to withdraw their strike. That being the position, under no circumstances will we be prepared to accept Mr. Vadilal Lallubhai's amendment, which compels the Government in all circumstances to ask us to withdraw the strike. With these words I oppose the amendment.

Mr. Vadilal Lallubhai: Sir, I would like to withdraw my amendment. The amendment was by leave of the Assembly withdrawn.

Mr. President: The question is:

"That clause 10 stand part of the Bill."

The motion was adopted.

Clause 10 was added to the Bill

Clause 11 was added to the Bill.

Miss Maniben Kara: Sir, I move:

"That in sub-clause (6) of clause 12 of the Bill, for the word 'fourteen', the word 'seven' be substituted."

I do not intend to speak long on this amendment as I have made it clear from the very start that I am against any compulsory arbitration. Since that is my position I am anxious to have as short a time as possible for the report of the proceedings. Clause 6 reads "A report under this section shall be submitted within fourteen days of the commencement of the conciliation proceedings". The dispute will not only be referred to the Board of Conciliation, but after it is referred to the Board of Conciliation it may be referred further on to the Court of Enquiry and also to adjudication. In that case the period is very much prolonged and the workers will not be in a position to go on strike. We would accept the clause as it stands provided the Government would not insist on the withdrawal of the strike during the pendency of the conciliation proceedings. We feel that if that right is taken away, the workers lose their bargaining power. For these reasons we are very anxious that the report be ready as early as possible. For conciliation machinery I do not understand why seven days should not be sufficient. The Conciliation Officers will have only to bring the two parties together and get facts. If the Conciliation Board is going to take a fortnight, then it naturally follows that the other proceedings also will take a lot more time. For this reason, I would appeal to the Honourable the Labour Member to accept our amendment for seven days in the case of the Conciliation Board.

Mr. President: Amendment moved:

"That in sub-clause (6) of clause 12 of the Bill, for the word 'fourteen', the word 'seven' be substituted."

The Honourable Shri Jagjivan Ram: Sir, the period provided in this clause is already a small period. In matters of conciliation, if the dispute is spread over a wide range, it may take rather a longer period than fourteen days even. But here the option has been left to the appropriate Government to fix a period shorter than this if the Government feels that the dispute will not take a longer time. I do not therefore see how a period of seven days will be sufficient for them. I do not accept the amendment. Sir, I oppose it.

Mr. S. Guruswami (Nominated Non-Official): Sir, in supporting the amendment moved by my Honourable friend, Miss Maniben Kara, I must point out that the intention of the amendment moved by her is this, namely, that fourteen days time cannot be allowed for conciliation for public utility services. It is this important period which should be utilised by all the parties concerned and the Government to bring about conciliation. All that we ask is that the Conciliation Officer should not take 14 days. As a matter of fact even one day is sufficient if he is available for the purpose and if he knows his job. Extending the period of conciliation by a Conciliation Officer to fourteen days would be an attempt not only to prolong the dispute but to see that the strike does not take place on the specified date. Therefore, as Miss Maniben Kara rightly pointed out, when the Government have armed themselves with the powers that no strike should continue if they so decide during the pendency of conciliation proceedings, there should be no further difficulty for the Government to accept this amendment. Fourteen days is too long a time. And what is it that a Conciliation Officer will do if he cannot bring both the parties together and if he cannot suggest some *via media* for a compromise. In actual practice two days would be sufficient. You should appreciate the fact that we agree to seven days instead of saying that it should be two days so far as the Conciliation Officer is concerned. With these words I would ask the Honourable Member not to stick to his original drafting but to see also our point of view instead of relying on the majority.

Mr. P. J. Griffiths (Assam: European): Sir, my Honourable friend, Miss Maniben Kara, appears to be under a misconception that this section has some bearing on the period of report of a Conciliation Board. This clause is concerned purely, as I read it, with the report of the Conciliation Officer. The power of Government to prohibit strikes or lock-outs during conciliation proceedings, to which she referred, applies not to the proceedings of the Conciliation Officer but the proceedings of a Conciliation Board. It has no relevance to this section. Miss Maniben Kara says in effect that Government has the power to prohibit strikes during the period of conciliation and therefore the period of conciliation should be short. Government has no power under this Bill to prohibit strikes during the proceedings before a Conciliation Officer. There is therefore no argument to the effect that the period should be kept short under this section. Miss Maniben Kara's remarks would apply to proceedings before a Conciliation Board but it would not apply to the proceedings contemplated under this section by a Conciliation Officer. I oppose the amendment.

Sir Cowasjee Jehangir: (Nominated Non-Official): Mr. President, there is some misunderstanding. Under the Bill, as it is drafted, a notice of fifteen days for a strike is only required for public utility services and not for any other strike. We are of the opinion that there should be a fifteen days notice for every strike, whether it be a public utility concern or not. If my friends would concede the point that a fifteen days notice should be given for every strike, then I would not have any objection to making it seven days instead of fourteen. They cannot have it both ways. If Government do not declare under their powers under this Bill a certain strike to be in respect of a public utility concern . . .

Mr. President: I am afraid there is some misapprehension on the part of the Honourable Member. The section deals with the report by a Conciliation Officer. The sub-clause says that it should be submitted within fourteen days. Miss Maniben Kara's contention is that it is a long time and that the report should be submitted within seven days. That is the only point. It does not deal with notice at all.

Sir Cowasjee Jehangir: Their argument is, as Mr. Griffiths said very clearly, that a notice of fifteen days has to be given for a strike and that period of fifteen days should be utilised by both parties for conciliation. I pointed out that fifteen days notice is not necessary for a strike in all cases under this Bill. If it was I would be quite prepared to accept seven days. There are certain strikes which can be lightning strikes—which I consider to be the weakest point in this Bill. We shall come to it when we deal with the clause. But to use this argument that a strike cannot take place without fifteen days' notice is not correct. It is not so for all strikes. It is so only for a certain class of strikes. Therefore this fourteen days' time is an absolute necessity in the case of a strikes which is a lightning strike. That is the point.

Dr. Zia Uddin Ahmad (United Provinces Southern Division: Muhammadan Rural): I do not fight on the number of days, whether it should be fourteen or seven. I want to stress that in a matter of this kind there should be no delay. Delay is not a good thing in the interests of the general discipline and the general welfare of the people. The quicker the Government decide the better. From my personal experience, I can say that even a day's delay makes an enormous difference. This matter ought to be decided very quickly and I think the shorter the time the better it will be.

3 P. M.

Mr. President: The question is:

"That in sub-clause (6) of clause 12 of the Bill, for the word 'fourteen', the word 'seven' be substituted."

The motion was negatived.

Mr. President: The question is:—

“That clause 12 stand part of the Bill.”

The motion was adopted.

Clause 12 was added to the Bill.

Miss Maniben Kara: Sir, I move:

“That in sub-clause (5) of clause 13 of the Bill, for the words ‘two months’ where it occurs for the first time, the word ‘fortnight’ be substituted.”

I am glad to hear my friend Mr. Griffiths advance the argument on the previous occasion that when the dispute is before a conciliation officer it does not debar workers from going on a strike and his support was based on that argument.

Mr. P. J. Griffiths: On a point of personal explanation. I did not support the argument. I said it was not relevant to this clause.

Miss Maniben Kara: In this particular case, where the dispute is referred to a Board, the workers may or may not have given 14 days’ notice. The workers whose dispute has been referred to this Board will not be in a position to go on strike even after having given notice and if the Board is going to take two months to decide about this dispute and give their report, it means that the workers will not be in a position to go on strike for 2½ months.

Once again I would repeat that this reference to the Board is not with the consent of the parties. The Government accepts the responsibility to decide at which particular stage they would intervene and at which particular stage they will refer the dispute to the board of conciliation. Under those conditions, where the parties are not agreeable to referring the matter to the Board, where they think that as a result of their strike they may get their demands granted and if at this stage the Government intervene, and do not publish the report for two months, it would be most unjust to the workers. It will be most unjust because the workers will be compelled to put up with those intolerable conditions. The workers do not necessarily go on strike until the conditions of work are intolerable. Strikes very often take place as a result of a sudden decision on the part of the employers to make changes in the conditions of their work. Moreover it is not said at what stage the Government will intervene. Government may not intervene immediately. They may do so after assessing the strength of both the parties and after intervening they are not compelled to publish the report for two months. This is most unjust and unfair to the workers, that they should be kept waiting for 2½ months. We are not being irresponsible and asking you to publish the report in a week. We are prepared to give two full weeks. I hope Government will accept this amendment.

Mr. President: I would suggest to the Honourable Member that she may move the next amendment also. It is a corollary to what she has just moved. The arguments will be identical and I shall put both together to the House.

Miss Maniben Kara: Sir, I move:

“That in the first proviso to sub-clause (5) of clause 13 of the Bill for the words ‘two months’, the word ‘fortnight’ be substituted.”

Mr. President: Amendments moved:

“That in sub-clause (5) of clause 13 of the Bill, for the words ‘two months’ where it occurs for the first time, the word ‘fortnight’ be substituted”; and

“That in the first proviso to sub-clause (5) of clause 13 of the Bill, for the words ‘two months’, the word ‘fortnight’ be substituted.”

The Honourable Shri Jagjivan Ram: We have the same anxiety that all these proceedings should be finished as early as possible but the practical point

of view has to be taken as well. There may be cases in which it will be physically impossible for the Conciliation Board to finish the proceedings within a period of two months. To cite a concrete case, take the case of coal fields. If the disputes in the coal fields of Bengal and Bihar were referred to a board of conciliation and if the disputes were between a number of unions and a number of colliery owners and there were half a dozen points at issue, the time taken will naturally be longer and this period of two months in such cases will not be considered very long. Of course the power is there for the provincial governments or the appropriate governments to fix a shorter period as well and if they feel that the dispute is a very small one and may be finished in one or two weeks, they will fix that period but in some cases even this period of two months may not be considered to be adequate and in that case power has been given to the appropriate governments in proviso (1) to this clause to extend that period but that period will not extend to more than two months, taking all the extensions together. Therefore, I do not think the period that has been provided is unreasonably long and therefore I do not accept the amendment.

Mr. S. Guruswami: Sir, I am sorry the Labour Member has not been able to appreciate the point of this amendment that has been moved. In the first place, there is proviso No. 2 which says:

"Provided further that the time for the submission of the report may be extended by such period as may be agreed on in writing by all the parties to the dispute."

After all, a considerable number of the Members of the Board consist of labour representatives and will it be necessary to continue the proceedings if they feel to the contrary? There are ample powers in this clause to extend the time of conciliation proceedings by the Board. But if the labour representatives do not consider that there is any case for extension of the conciliation proceedings, then all that we ask is that you should not have more than a month to extend the proceedings of the conciliation. Instead of two months, we say that the Board of Conciliation should not sit for more than a fortnight in the first place, and, if necessary, this period may be extended by another fortnight. This means to say that the Government will have power, if they accept the amendment moved by Miss Maniben Kara, to conduct the proceedings for at least one month and more with the co-operation of the labour representatives. The very nature of the constitution of the Board of Conciliation is such that, unless labour members co-operate, there can be no effective proceedings of the Board of Conciliation. Therefore, trying to secure powers which will be useless in actual practice without the co-operation of the members representing labour is only an attempt to sabotage a strike, that might otherwise be successful. That is why I say it is not fair that the Government should arm itself with powers to stop a strike during the pendency of the conciliation proceedings. It is also unfair to have the power to prolong the proceedings of the Board of Conciliation by nearly four months as the proviso contemplates. Therefore, I would ask the Government to consider that the labour is prepared to accept on merits the extension of the proceedings to an indefinite period which may be agreed to by the labour representatives. In the circumstances, Government should not compel them to keep quiet by dragging the proceedings of the Board of Conciliation, especially at a time when a successful strike in defence of a good cause is possible and there is no faith in the outcome of a Conciliation Board's proceedings.

Mr. S. C. Joshi (Government of India: Nominated Official): Sir, May I point out to my Honourable friend the inconsistency that will arise and the difficulties that will be felt if this amendment is carried? Just now we have passed clause 12, which provides 14 days period for the conciliation proceedings before a Conciliation Officer, and the period of one month that is prescribed in sub-clause (5) of clause 13 is of two months from the date of the notice under section 22. Therefore, if the 14 days period, as is contemplated by the amendment, is carried, the result will be that the Conciliation Officer will take the

[Mr. S. C. Joshi.]

same period during which the Conciliation Board has to complete the proceeding. Therefore, it will be inconsistent with what we have already decided. Conciliation proceedings by conciliation officers are compulsory in public utility services and such conciliation proceedings have to be finished before the expiry of the 14 days notice, which has got to be compulsorily given under clause 22. It is only after such conciliation proceedings have failed that a Board will be appointed, and yet the Board will take only two months from the date of the notice under clause 22. Therefore, the whole period is not of two months and 15 days; it is really of one month and 15 days.

Mr. S. Guruswami: On the understanding that the Board of Conciliation is appointed after the completion of the proceedings, which is not necessarily the case.

Mr. S. C. Joshi: Yes, it is not necessarily the case but it will generally be the case. Therefore, we have to provide for cases which are likely to occur and what I have said is likely to occur. Therefore, it will be inconsistent with what we have already decided.

The second thing is that in conciliation proceedings in disputes like the railway disputes, is it possible to finish the proceedings within 14 days from the date of notice? My Honourable friend represents railway labour and he knows it perfectly well that he himself will take 14 days to prepare his case and to appear before the Conciliation Board. He will have to collect all his friends and colleagues and discuss the matter with them before he puts up his case. It has been found that even in the case of proceedings before the Railway adjudicator it was difficult for him to put up his case for a period of two months, although he was crying hoarse that the proceedings should have been finished in a shorter time by the adjudicator. But he himself was not able to put up the case of the railwaymen before the adjudicator within a period of two months. Let him say by what time from the date of adjudication he was able to put up the statement of his case? In such cases, therefore, it is useless to say for my Honourable friends that the Board of Conciliation can finish the proceedings within a fortnight. It is not possible at all. The same thing happened in the case of Posts and Telegraphs adjudication proceedings.

Mr. P. J. Griffiths: The wording of the clause is:

"Provided that the appropriate Government may from time to time extend the time for the submission of the report by such further periods not exceeding two months in the aggregate."

It is not clear which are the periods which in the aggregate must not exceed two months. Is it the total of the extensions that must not exceed two months or is it the aggregate of the original period plus the extension? I take it to mean that the period will be two months in the first place and there may be another two months extension altogether. That is not exactly as it was put just now by the Labour Commissioner.

Mr. President: Does the Government accept that view? But even if the Government accepts it, it does not matter because it will be for the court of law to interpret the meaning. Is the question clear?

The Honourable Shri Jagjivan Ram: No, Sir.

Mr. P. J. Griffiths: The wording says that the aggregate period must not extend two months. Now, what are the periods which in the aggregate must not exceed two months? Are they merely the periods of extensions or are they the total period from the time of first giving notice? Suppose the Government first fixes a period of 7 weeks for report? Could they afterwards extend the period for a further 2 months? One reading of it is that the whole thing must be finished within two months from the date of giving notice, and the other reading is that you may fix the first period to be say seven weeks and

after that you may give an extension, but the total extensions must not be for more than 2 months, so that your total period may be two months and seven weeks..

The Honourable Shri Jagjivan Ram: The intention of the Government is the latter one.

Mr. President: I propose to put both the amendments together; but if the Honourable Member wishes me to put them separately, I will do so.

Miss Maniben Kara: That is not necessary; they can be put together.

Mr. President: The question is:

"That in sub-clause (5) of clause 13 of the Bill. for the words 'two months' where it occurs for the first time, the word 'fortnight' be substituted"; and

"That in the first proviso to sub-clause (5) of clause 13 of the Bill. for the words 'two months', the word 'fortnight' be substituted."

The motion was negatived.

Mr. President: The question is:

"That clause 13 stand part of the Bill."

The motion was adopted.

Clause 13 was added to the Bill.

Miss Maniben Kara: Sir, I beg to move:

"That in clause 14 of the Bill. for the words 'six months' the words 'one month' be substituted."

Mr. President: The argument seems to be the same as in the case of previous amendments.

Miss Maniben Kara: No, Sir. Slightly different.

Mr. President: Let there be no repetition of arguments. Only the difference may be pointed out.

Miss Maniben Kara: The clause as it now stands says 'six months from the commencement of its enquiry'. Sir, the difference in this clause is that Government will institute an enquiry at any stage, not necessarily at the stage when the strike notice is given. The Government will institute an enquiry at any stage, and from the date of enquiry will take six months to publish the report.

The Honourable Shri Jagjivan Ram: What is the harm?

Miss Maniben Kara: Six months is certainly too long a period. Assuming in certain cases where the strike is already going on for a month or so, it may be going on for two months. Government do not intervene for two months and then the Government may decide to refer the matter to the Board. Then the dispute might come before the Court of Enquiry. Report will take six months not from the commencement of the strike, but from the time when the dispute is referred to the Court of Enquiry. This will mean strike period plus six months before the report is published. I would certainly try to understand the reason why the Government should take such a long time to publish their report.

The Honourable Shri Jagjivan Ram: There is nothing about publication.

Miss Maniben Kara: I am sorry, I mean the conclusion of their enquiry. As was pointed out by my Honourable friend Mr. Guruswami, if this enquiry is going on with the consent of both parties, then certainly the workers will not grudge the prolonged time, that is being taken.

The Honourable Shri Jagjivan Ram: That is another clause.

Miss Maniben Kara: But here taking six months and making strikes illegal, compelling workers not to go on strike . . .

The Honourable Shri Jagjivan Ram: They can go on strike.

Miss Maniben Kara: Compelling the workers to keep their conditions pending for six months. All that we are asking for is that they should finish their conclusions within one month so that the workers may exactly know their fate. I am hoping that this amendment of one month will be accepted by the Honourable the Labour Member.

Mr. President: Amendment moved:

"That in clause 14 of the Bill, for the words 'six months' the words 'one month', be substituted."

Mr. S. Guruswami: I rise to say a few words in support of the amendment on the ground that a strike is not illegal during the pendency of a court of enquiry. It was on this basis alone that I appealed to Government not to insist upon illegalising the strikes during the pendency of enquiry by Board of Conciliation or Tribunal. While that is so, we would also like to make it clear that labour is not anxious to go on strike simply for strike's sake. There are organised Unions which would like to know the result of a Court of Enquiry before deciding whether they should go on strike or not and to prolong the proceedings for six months and with no safeguarding clause that the report is binding or will be accepted by the employers is only to put them at a disadvantage so far as public opinion is concerned. This is not a very vital clause so far as Government is concerned especially when they do not think that the appointment of a Court of Enquiry is of such a serious nature as to require their being armed with powers to illegalise the strikes during the pendency of proceedings of a Court of Enquiry. That is why I am appealing to Government whether they should not at least show their token sympathy with our demand by saying that they will accept this amendment.

The Honourable Shri Jagjivan Ram: I have only one point to place before the House. This period is for a Court of Enquiry, it is not for a Conciliation Board or a Tribunal. I would ask my Honourable friends who represent labour interests in the House whether they honestly think that it will be possible for any Court of enquiry where a big dispute is involved to finish their labours within a period of one month. I put this question direct to them. I am sure they will agree with me that in many cases it will take a much longer period than six months. Therefore, I hope they will not press this amendment.

Mr. President: The question is:

"That in clause 14 of the Bill for the words 'six months' the words 'one month' be substituted."

The motion was negatived.

Mr. President: The question is:

"That clause 14 stand part of the Bill."

The motion was adopted.

Clause 14 was added to the Bill.

Mr. President: Clause 15. There are three amendments to this clause. The Honourable Member Miss Maniben Kara may move all the three amendments at the same time, let us have common arguments for all the three amendments. I will put them to the House separately.

Sir Cowasjee Jehangir: They are all alternative amendments.

Mr. President: They are not alternative in the sense of one against every other.

Miss Maniben Kara: I do not move the first amendment.

Sir, I move:

"That in sub-clause (2) of clause 15 of the Bill, after the word 'binding' the following be added at the end, namely:

'where reference to the Tribunal was made with the consent of the parties to the dispute'; and

"That the proviso to sub-clause (2) of clause 15 of the Bill be omitted."

Sir, the reason for my not moving the first amendment is that where the parties themselves have asked for Government intervention, then naturally they are expected to bind themselves by any decision. I do not move my first amendment as it is covered by my second amendment which says "where reference to the Tribunal was made with the consent of the parties to the dispute". If the workers themselves feel that they are not in a position to get their demands granted as a result of the negotiations, or as a result of any other machinery, or even as a result of a strike, then if these workers themselves approach the Government and refer their dispute to the Government and ask their intervention, in such cases, the award may be binding on both sides. But what happens in the present case is that Government reserve the right to decide whether they should intervene or not. They deprive the workers of their right of choice, they do not give freedom to workers. What they say is, we shall intervene, we shall decide for you and then make it compulsory and binding on the workers the award which is given by us. The proviso says that the Government reserve the right of accepting or rejecting the award. Now, on this point, curiously enough, Sir Cowasjee Jehangir and myself find each other in agreement. Government appoint on this Board their own men—High Court Judges and various other people—in whom they have confidence. They feel that they are competent and responsible persons. If Government themselves have no confidence in the people they appoint how can they expect the workers to have confidence in them? This clause practically reduces the award to a farce. If the award is not going to be binding on Government and they refer the matter to the legislature, why unnecessarily go through all these proceedings and have an award? I think it will be very unfair and one-sided. If Government expect workers to have confidence in their machinery then they themselves must have confidence in the machinery which they create. They create a machinery and if the award is not acceptable to them they want to reserve to themselves the right to go to the legislature and get their vote on it. I cannot understand or appreciate this kind of one-sided stand. Government must be compelled to abide by the award. If you are not prepared to accept the award you will not be justified under any circumstances to expect labour to abide by it; and for this reason I would ask for the deletion of the proviso.

Mr. President: Amendments moved:

"That in sub-clause (2) of clause 15 of the Bill, after the word 'binding' the following be added at the end, namely:

'where reference to the Tribunal was made with the consent of the parties to the dispute'; and

"That the proviso to sub-clause (2) of clause 15 of the Bill be omitted."

The Honourable Shri Jagjivan Ram: Sir, I oppose these amendments. As I explained on previous occasions, the fundamental principle of this Bill is whether, where a dispute exists or is threatened, Government should intervene and, if necessary, refer the matter compulsorily to adjudication. Adjudication will have no meaning if the award is not to be binding; it will simply take away time without any result. And as regards the proviso I feel that this power should be in the hands of the appropriate Government. There is no question of having no confidence in High Court or other Judges, but the question is to examine the award from a wider point of view, to examine the award from the point of view of the repercussions which it might produce on the economy of the country. And Government is the competent authority to examine the award from that point of view. Therefore the power provided under the proviso should be there in the hands of Government, to alter the award if necessary with the sanction of the legislature. I think the clause as it stands is necessary and I do not accept the amendment.

Mr. S. Guruswami: Sir, this clause 15 is a very important clause and affects the policy of Government relating to settlement of trade disputes. This goes further than what they stated at the beginning. For example, the

[Mr. S. Guruswami.]

Ahmedabad mill industry was cited as a very model case where the employers and the employed agreed to fix their conditions of service on the basis of voluntary arbitration. This clause proposes even to vitiate that principle. Government want to arm themselves with powers to modify an award that may be given by a tribunal which may be appointed with the consent of both the parties. Even though both parties may be willing Government seem to feel that they should have the power not to make them agree. It is not a power for settlement of a dispute but for its prolongation which Government seek under this clause.

Then the principle of compulsory arbitration is not supported by a majority of workers throughout the world. Except in Australia and New Zealand the principle of compulsory arbitration does not obtain anywhere else. Therefore those who want to model the growth of trade union movement in this country not on the basis of what happens in Australia and New Zealand would strongly oppose it. And I as a representative of the Trade Union Congress would strongly oppose this clause which is sought to be introduced by the Government of India. But, as I have already said on another occasion, I am myself a believer in compulsion. I have a dual attitude; but I have made my position quite clear, that I will not support compulsory arbitration unless the necessary social security legislation is first introduced; and then the fixing of conditions of service by the rule of strike or rule of lock-out should be out of order. Till then I would submit the right of strike to be given prominence, and not only given prominence but Government should also encourage strikes. In 1938, I visited Mexico, and I had an experience of Government instigating strikes, so that the capitalists might say that they could no longer run the industry and Government might nationalise that industry. On that basis I would ask Government either to accept the basis that they will implement the awards only when they are in favour of the workers,—if they declare that policy I will support it,—but if they are against the workers they should not implement the award. I know this the Government will not do. I will cite a recent example. In Madras the adjudicator's award has been flouted by a Congress party by a declaration of strike against the binding award of an adjudicator in Coimbatore textile mills. I do not think the Tamil Nad Congress Committee will accept the policy that is adumbrated in this clause 15. I would ask the Honourable Member how he would explain the attitude of the Tamil Nad Congress Committee in Coimbatore in support of their action for improvement of their conditions of service; but according to the rule laid down in this clause 15 it would be an unreasonable strike. I want him to explain his attitude in this matter by application of this specific case to this clause. Apart from this I do submit that there should be no reference to an Assembly in regard to awards that are not accepted by Government. This would make an award a political issue and not a trade union issue. Therefore I oppose the clause which provides for reference to the Central Assembly or to the appropriate provincial legislature where the Governments do not accept the award. I also oppose the binding nature of the awards where they go against the workers.

Mr. President: The question is:

"That in sub-clause (2) of clause 15 of the Bill, after the word 'binding' the following be added at the end, namely:

'where reference to the Tribunal was made with the consent of the parties to the dispute'."

The motion was negatived.

Mr. President: The question is:

"That the proviso to sub-clause (2) of clause 15 of the Bill be omitted."

The motion was negatived.

Mr. S. C. Joshi: Sir, I beg to move:

"That in the proviso to sub-clause (2) of clause 15 of the Bill, for the words 'the appropriate Government is a party to the dispute and in its opinion', the words 'in the opinion of the appropriate Government' be substituted."

The clause says that the award shall be made binding by an order issued by the appropriate Government in writing, and in case where the appropriate Government feels that it would be inexpedient on public grounds to give effect to the whole or any part of the award, the matter will be referred to the proper Legislative Assembly. The proviso as it stands seeks to restrict the power to make reference to the Assembly only in those cases where the appropriate Government is a party to the dispute, but not in other cases. I personally feel that in cases where the Government is not a party to the dispute the matter before the adjudicator will be such as may be of general interest and in which Government may be concerned. And yet Government may not be represented before the adjudicator. It is possible that the adjudicator's award may be such as will affect not only the employer but the entire economy of the country. And it is on that ground that I personally feel that the Government should have the power in all cases. I am conscious of the feelings of a section of this House that they do not like such a wide power to be given to the appropriate Government, and they want that the power should be restricted only to those cases where the appropriate Government is a party to the dispute. It might also be said that if the Government is reserving the power only in those cases where Government is a party—that will be an accusation of selfishness on the part of the Government

Sir Cowasjee Jehangir: We do not accuse you of that.

Mr. S. C. Joshi: I personally feel that it would be necessary to have that wide power. Therefore I have moved this motion. Sir, I move.

Mr. President: Amendment moved:

"That in the proviso to sub-clause (2) of clause 15 of the Bill, for the words 'the appropriate Government is a party to the dispute and in its opinion', the words 'in the opinion of the appropriate Government' be substituted."

Sir Cowasjee Jehangir: Sir, this amendment requires a little further explanation than has been given by the Honourable the mover. In the first instance there were some in the Select Committee who opposed power to be given to Government to make an award binding. But we saw that in certain cases in which a matter was sent to a tribunal the award could not be made binding, and I will explain in which cases: In the cases in which Government themselves are concerned, the award may mean a very big financial liability and Government may not be prepared to incur that very big financial responsibility without the backing of the Legislature, and therefore being reasonable persons we conceded the argument that in such cases the award should not be binding, but that Government should be given the right and the privilege of bringing before this House the rejection of the award or the modification of the award and this House should then judge the award on its merits especially from the financial point of view. That was the real foundation for the amendment as it was moved in the Select Committee I would have preferred that in clause 10 of the Bill which gives power to Government to refer a dispute to a tribunal that that power should be allowed to be exercised by Government only in the case of public utility concerns and in the case of a grave national disturbance, but the Select Committee did not accept that. They said that Government should be given the power to send the dispute to a tribunal in all cases. Then, Sir, when we came to this clause where it was to be decided whether the award of a tribunal shall be binding or not, Government said 'Oh! no, it should not be binding; it should be left to us to decide'. We contended in the Select Committee that if the Government had the power to refer any dispute to a tribunal

[Sir Cowasjee Jehangir.]

the Government should not have the power of reviewing the award in the case of those disputes in which Government was not concerned and in which there was no question of a public utility concern. The Select Committee saw the force of that argument and ultimately we came to the conclusion that only in certain cases, such as the ones I have explained, should Government through the instrumentality of this House have the power to upset or modify an award.

Now, Mr. President, Government have moved an amendment upsetting the compromise we came to. I do not mean to contend that we are taken by surprise; we are not. We were told that Government having been defeated in this matter, they would move an amendment, but it was said in a half hearted way. Mr. Joshi has let the cat out of the bag by saying that some people may accuse the Government for using the power in their hand in those cases where Government is a party. We do not accuse Government of that. We say that if you refer the dispute to a tribunal, the decision of that tribunal should be binding on both sides, and Government shall have no voice in the matter. Therefore there is no question of Government being accused of anything. It is we who ask for it, and, therefore, Mr. President, I trust Government will see there way to withdraw this amendment. In short we consider that in all cases in which public utility concerns are not a party to the dispute or where there is no national crisis and if Government send a dispute to a tribunal, the decision of that tribunal shall be binding on both sides, and no one shall have the power to interfere with that decision, and therefore I hope that the Honourable the Labour Member will now ask the Honourable Member who sits behind him to withdraw this amendment.

Sjt. N. V. Gadgil (Bombay Central Division: Non-Muhammadian Rural): Mr. President, I want to offer a few remarks, and I also join, probably for the first time, with my Honourable friend, Sir Cowasjee Jehangir, in requesting the Government to withdraw this particular amendment.

The Honourable Shri Jagjivan Ram: He is fortunate today.

Sjt. N. V. Gadgil: The whole idea of this Bill is based on one central fact, namely compulsory arbitration and that is justified on the ground that the Government represents the community and as a guardian of every interest concerned it must have the power in certain emergent cases to refer any dispute in the interest of the community to arbitration. When the matter is referred to arbitration it is only logical and reasonable that the award should be binding in normal circumstances. If the justification for compulsory arbitration is the highest interest of the community, then it is also in the same interest that the award given by the arbitrator in normal circumstances should be binding. Now, there may be an exception and that exception is provided for by the proviso to sub-clause 2. In matters in dispute where the parties are private employers and employees, both parties are effectively represented before the arbitrator and in normal circumstances it is not possible to say that any point of view was not pressed before the arbitrator.

A point was made by my Honourable friend, Mr. Joshi, that in certain proceedings, questions of a general character may arise and that may ultimately affect the economy of the country. I do not share that view though I can well visualise what normally are the trade disputes that are referred to the adjudicator. Most of them are with respect to conditions of work and wages. There are certain recognised principles on which the adjudicator has to act. It may be that he may be called upon to consider whether the wages represent a living wage. It may be that he is asked upon to adjudicate whether a particular wage rate that has been received by the employees in the particular dispute represents a fair wage. Or it may be whether the demanded rate the particular industry can bear. These are the main recognised principles on which wages are usually fixed. Where the employer is a private person, I do

not think that he will ever neglect to put before the adjudicator all points relevant to the capacity of the industry to bear the burden. Therefore, there is no possibility of any question of such a general nature being decided by the adjudicator so as to affect the entire economy of the country. If the object of the whole Bill is to have finality of the dispute as early as possible, if the object of the Bill is to secure industrial peace, it is hardly fair that the matter should be delayed from time to time.

Some point has been made by my Honourable friend representing labour that in this process of conciliation and enquiry and tribunal a good deal of time is usually wasted. If after the last process has come to an end, if Government reserves for itself a power to accept or not to accept, or partly accept the award made by the adjudicator, I do not think that there will be an end to the dispute at all. Further, it may be said that there will be a good deal of opportunity for lobbying, for bringing pressure and influence by the capitalist, and by the employer class on the Government.

Mr. P. J. Griffiths: Or by labour!

Sjt. N. V. Gadgil: It is not fair that Government should sit on the judgment of the adjudicators' award. Just imagine what a man who has been appointed to make an enquiry and give his decision would feel. Who in the normal circumstances would accept such a position when what he has carefully enquired into, when he has come to a conclusion after weighing all the evidence and the *pros and cons* should have this possibility that his award may be held in suspense and may not be ultimately accepted. It is only fair that judicial decision should not be ordinarily disturbed by executive act. But that apart, the consideration that weighs with me most is that the dispute must be finally settled and as quickly as possible, otherwise the very object of this Bill is frustrated. I humbly submit, Mr. President, that this amendment runs counter to the very spirit of this Bill and hence the Government should see its way to withdraw it. When I said that in normal circumstances an award of this character must be held binding, it followed that in abnormal circumstances the Government must have power either to reject it or vary it and those abnormal circumstances are provided for in the proviso. For instance if a big concern like the railways in which the Government is the employer and a dispute is referred to a tribunal the award may raise serious questions. Now the financial implications as was suggested by my Honourable friend, Sir Cowasjee Jehangir, may be huge and serious. I do not suggest that the Government of the day is not representative at any rate of the majority of the country. At the same time no one will deny that no Government can be 100 per cent. representative of the country. The financial implications mean additional taxation for the citizens of the country. Now, it is just possible that their point of view may not have been adequately presented even by the best legal talents of the Government before the adjudicator. Further, if it is a question of wages in a private enterprise, the courts can certainly find out from the balance sheets what the particular industry can bear. (But is there any measure to ascertain the capacity of the country so far as its capacity to pay taxes is concerned? That is a matter more or less to be discussed not before a court of the character contemplated in this Bill, but is a matter which must be thoroughly discussed in a House which is representative and a House in which the taxpayers' point of view is urged in a fair manner. Therefore, Sir, when the Government is the employer and when the Government thinks that accepting the award fully entails a large financial liability, it must have an opportunity to get the sanction of the Legislature. Or if it wants to reject partly or wholly, it must have the backing of the representatives of the country. Therefore in those abnormal circumstances only a departure from the binding character of the

[Sjt. N. V. Gadgil.]

award is justified. Otherwise the binding character of the award must remain intact. I respectfully, submit, as I have stated, that this amendment runs counter to the very spirit of the Bill and I would urge on the Honourable Member kindly to withdraw it.

Mr. S. C. Joshi: In view of what has been stated, I would not press the matter but would ask for leave to withdraw the amendment.

Mr. President: The Honourable Member wishes to have leave to withdraw this amendment.

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

Mr. President: The question is:

"That clause 15 stand part of the Bill."

The motion was adopted.

Clause 15 was added to the Bill.

Clause 16 was added to the Bill.

Miss Maniben Kara: Sir, I move:

"That in clause 17 of the Bill, for the words 'one month' the word 'fortnight' be substituted."

The clause itself reads:

"The report of a Board or Court and the award of a Tribunal, together with any minute of dissent recorded therewith, shall, within a period of one month from the date of its receipt by the approximate Government, be published in such manner as it thinks fit."

It is no more a question of getting evidence, or witnesses, or making an enquiry. After all this procedure has been gone through, all that we have asked for is the publishing of the award and I do not understand why a fortnight should not be enough for the publication. From the very beginning we have been consistent in our opposition to any compulsory arbitration and its delay in report. The Government have asked for one whole month. Certainly the Government of the country must be in a position to print things as quickly as they like. We are not asking for any great thing but we are asking for publishing the report in two weeks. It is a small amendment and I hope the Honourable the Labour Member will accept it.

Mr. President: Amendment moved:

"That in clause 17 of the Bill, for the words 'one month' the word 'fortnight' be substituted."

The Honourable Shri Jagjivan Ram: There is one difficulty the Government may have to face—the difficulty which you yourself pointed out this morning. Sir, as a result of which a Bill could not be printed and had to be cyclostyled.

Miss Maniben Kara: There will be no strike.

The Honourable Shri Jagjivan Ram: There may be a report of a Court of Enquiry which may sit for six months and it may produce a voluminous report and it may be, Sir, that at that particular time there may be strikes in the presses. So, if you make a specific provision that Government shall have to print within such and such a time or even within a fortnight, Government may be charged with breaking the Act itself. Therefore this provision is necessary.

Mr. President: Shall I put the amendment to the House?

Miss Maniben Kara: Yes, Sir.

Mr. President: The question is:

"That in clause 17 of the Bill, for the words 'one month' the word 'fortnight' be substituted."

The motion was negatived.

Mr. President: The question is:

"That clause 17 stand part of the Bill."

The motion was adopted.

Clause 17 was added to the Bill.

Clause 18 was added to the Bill.

Miss Maniben Kara: Sir I, move:

"That in sub-clause (2) of Clause 19 of the Bill—

(i) the words 'and if no such period is agreed upon, for a period of one year.' be omitted;

(ii) for the words 'three months' the words 'one month' be substituted."

Sir, the clause says "such settlement shall be binding for such period as is agreed upon by the parties". If the two parties, the employer and the employees, as a result of their negotiation agreed to a particular period, naturally they will be bound by it and in most cases they will agree that the award should be binding for a specific period. But the clause further says: that if no such period is agreed upon, for a period of one year. I think this period of one year and the compulsion on the parties that this award should be binding on them for one year is a great setback to the liberties of the workers. Not only that the clause goes further and says "until the expiry of three months from the date on which a notice in writing of an intention to terminate the settlement is given by one of the parties to the other party or parties to the settlement." I think that this clause as it stands is most detrimental to the working classes. I certainly cannot accept that there should be such compulsion when both the parties are not agreeable. This one year is too long a period and it should not be there.

The Honourable Shri Jagjivan Ram: It is going to be reduced.

Miss Maniben Kara: I am glad to hear from the Honourable Member that he is going to reduce it. I hope he would reduce it to the extent of my amendment.

The Honourable Shri Jagjivan Ram: Then I hope you will withdraw your amendment.

[At this stage Mr. President vacated the Chair which was then occupied by Mr. Deputy President (Khan Mohammad Yamin Khan.)]

Mr. Deputy President: Amendment moved:

"That in sub-clause (2) of Clause 19 of the Bill—

(i) the words 'and if no such period is agreed upon, for a period of one year.' be omitted;

(ii) for the words 'three months' the words 'one month' be substituted."

The Honourable Shri Jagjivan Ram: Sir, another amendment is going to be moved by Mr. S. C. Joshi, which will reduce both the periods and I hope that in view of that this amendment will not be pressed.

Mr. Deputy President: Does the Honourable Member want to press for her amendment, in view of the subsequent amendment that is going to be moved?

Mr. S. Guruswami: Sir I should like to support the amendment moved by my Honourable friend Miss Kara, because the very fact that a settlement has to be a mutual one and during the period of the settlement no strike or lockout can be declared would militate against any compulsory period being prescribed without the agreement of the parties concerned. If both the parties do not

[Mr. S. Guruswami.]

agree to a settlement later and if they were good enough to come to a settlement at any time, to prolong the effective period of that settlement to one year under this clause is not a proper thing. To reduce it to six months or even to one month makes no difference. A settlement must be binding during the period when there is mutual agreement. The effect of having such a clause is the one that is complained of is to discourage mutual settlement between the employer and the employees and I would therefore request the Honourable Labour Member to accept the amendment of Miss Maniben Kara.

Mr. Deputy President: The question is:

"That in sub-clause (2) of Clause 19 of the Bill—

- (i) the words 'and if no such period is agreed upon, for a period of one year.' be omitted;
- (ii) for the words 'three months' the words 'one month' be substituted."

The motion was negatived.

Mr. S. C. Joshi: Sir, I beg to move:

"That in sub-clause (2) of Clause 19 of the Bill—

- (i) for the words 'one year', the words 'six months' be substituted; and
- (ii) for the words 'three months', the words 'two months' be substituted."

Sir, I do not want to make any speech. The matter is very clear and I hope Honourable Members representing labour will support the amendment.

Mr. Deputy President: The question is:

"That in sub-clause (2) of Clause 19 of the Bill—

- (i) for the words 'one year', the words 'six months' be substituted; and
- (ii) for the words 'three months', the words 'two months' be substituted."

The motion was adopted.

Mr. S. C. Joshi: Sir, I beg to move:

"That for the proviso to sub-clause (3) of clause 19 of the Bill, the following be substituted, namely:—

'Provided that if, of its own motion or on the application of any party bound by the award, the appropriate Government considers that there has been a material change in the circumstances on which the award was based, it may refer the award to a Tribunal for a decision whether or not the award should, by reason of such change cease to be in operation before the expiry of the period so fixed, and the period of operation of the award should be determined by the decision of the Tribunal on such reference'."

Sub-clause 3 of clause 19 refers to the operation of the award which is made binding. It reads as follows:

"An award declared by the appropriate Government under section 15 to be binding shall come into operation on such date as may be specified by the appropriate Government and shall remain in operation for such period, not exceeding one year, as may be fixed by that Government."

It might so happen that during the period, the award is made, binding circumstances might change and in that case it may become necessary to reduce the period of one year during which the award is to be binding. The question is as to whether or not there has been any material change in the circumstances on which an award is based. An application for reducing the period may be made by other party. If the proviso as it stands is to operate, it would only mean that as soon as an application is received by the appropriate Government, that application will have to be forwarded to the Tribunal and it is the Tribunal that will decide the same. I am afraid there will be many such applications from time to time. It is not unlikely that every day there will be applications, to the effect that there has been a material change in the circumstances. On every

such application the tribunal will have to be moved which will be difficult. Therefore, I think, Sir that it is necessary that the appropriate government should have the power to decide whether there has been *prima facie* use regarding material change in the circumstances so as to justify a reference to the tribunal. Of course a *prima facie* case has got to be made out and if it is made out, it is not the Government that will finally decide whether a material change in the circumstances has or has not occurred. It is for the tribunal to decide that question finally. But a *prima facie* case has got to be made out. That is the whole object of my amendment. It might happen that the tribunals may be *ad hoc* and not permanent tribunals. The tribunal, after the award is made, may cease to exist. In that case on the application made by any party at any time the tribunal will have to be reconstituted. It is much better to refer the application to the same tribunal to decide whether or not there has been a material change in the circumstances on which the award was based. It is only on the ground of expediency that the powers should be given to the appropriate government to decide whether a *prima facie* case has or has not been made out. Suppose one application is made and it is referred to the tribunal and the tribunal has decided that there is no material change in the circumstances. Later on another application may be made within a week. When the application is made, even though on the face of it the application is frivolous or vexatious, still Government cannot do any thing but to reconstitute the whole tribunal. It is only on that ground that the power should be given to the appropriate government to decide whether a *prima facie* case is made out or not. With these words I move the amendment.

Mr. Deputy President: Amendment moved:

"That for the proviso to sub-clause (3) of clause 19 of the Bill, the following be substituted, namely:—

'Provided that if, of its own motion or on the application of any party bound by the award, the appropriate Government considers that there has been a material change in the circumstances on which the award was based, it may refer the award to a Tribunal for a decision whether or not the award should, by reason of such change cease to be in operation before the expiry of the period so fixed, and the period of operation of the award should be determined by the decision of the Tribunal on such reference.'

Mr. Vadilal Lallubhai: Sir, I cannot understand why when any one of the parties to a dispute does not want this to be referred again to the Tribunal the Government wants to step in and say that new circumstances have arisen and although both parties to the dispute do not realize that there are special circumstances Government realize that there are special circumstances and so Government will interfere. I think it is too wide a power and it is not necessary. If even one of the parties does not want to come to a tribunal again for deciding whether there are new circumstances on which the award may be considered once again, why does Government want to interfere? If both the parties do not want any interference why should Government want this new amendment? Sir, I oppose the amendment.

Mr. Deputy President: The question is:

"That for the proviso to sub-clause (3) of clause 19 of the Bill, the following be substituted, namely:—

Provided that if, of its own motion or on the application of any party bound by the award, the appropriate Government considers that there has been a material change in the circumstances on which the award was based, it may refer the award to a Tribunal for a decision whether or not the award should, by reason of such change cease to be in operation before the expiry of the period so fixed, and the period of operation of the award should be determined by the decision of the Tribunal on such reference."

The motion was adopted.

Mr. Deputy President: The question is: .

"That clause 19, as amended, stand part of the Bill."

The motion was adopted.

Clause 19, as amended, was added to the Bill.

Clauses 20 and 21 were added to the Bill.

Miss Maniben Kara: Sir, I move:

"That after sub-clause (1) of clause 22 of the Bill, the following new sub-clause be inserted, namely :—

(1A) No employer in a public utility service shall make, in breach of contract, any change in the conditions of work of his workmen to their disadvantage without giving to them a fortnight's notice in a prescribed manner."

Sir, this particular clause places a number of restrictions on the workers. Firstly it says that the workers will not go on strike without giving notice. It also says that during the pendency of any conciliation proceeding before a Conciliation Officer, and even seven days after the conclusion of such proceedings the workers will not be able to go on strike. When the Bill attempts to place so many restrictions on the workers, all that my amendment seeks is that when the employer in a public utility service wants to make any changes in the conditions of the work of the workmen he also should be asked to give notice of the contemplated changes. I hope that the Labour Member who claims to represent capital and labour, who also wishes to do justice to capital and labour at the same time, will certainly not find it difficult to accept the amendment which only says that, while placing so many restrictions on the shoulders of the workers, kindly ask the employers that before they make any changes in the conditions of work of the workmen they will give notice to the workers. From my experience in the trade union movement I can say that the employers have a knack of quietly making changes in the conditions of the work of the people thus compelling workers to go on strike. If the workers go on strike as a result of their not having received any notice of the change in conditions of work, even then, according to the clause as it stands there are penalties for the workers.

This clause is a very important clause because it deals with the public utility services. Workers in public utility services are subjected to lot of restrictions, but the employers are going scot free. All that is being asked is that, when they make any change which the workers do not like they should give notice. Employers have no right to make changes without giving notice to the workers. The workers are not in a position to oppose this except through a strike for which they will be treated as criminals. They may be imprisoned, and fined. If the employers desire to effect certain changes in the conditions of their work, certainly the workers must have notice. The argument put forth by the employers generally is "Are we bound to consult the workers before we can make any changes in our own establishment?" Why should the employers who are the bosses and who govern the lives of thousands of workers come down to the level of being compelled to give notice of any changes which they may want to effect in their own establishment? I ask in the name of justice—is this right. I have known employers shrewdly making certain changes and trying to explain away that these changes are not of a fundamental nature. This will create terrible lot of dissatisfaction among the workers. I would appeal to the employers and the Labour Member to see the justice of my amendment which only wants employers to give notice of their intention to make changes. This is a harmless amendment. If you desire industrial peace, then let the workers first have some right, so that they can undertake corresponding responsibility. We cannot expect the workers to undertake responsibility without giving them certain rights. Let the workers get the notice from the employers of the contemplated changes and then they will be free to give counter notice saying that they will not be prepared to work under those conditions. This is only fair to the workers and I hope the Honourable Labour Member will accept my amendment and will not object to the principle underlying it.

Mr. Deputy President: Amendment moved:

"That after sub-clause (1) of clause 22 of the Bill, the following new sub-clause be inserted, namely:—

'(1A) No employer in a public utility service shall make, in breach of contract, any change in the conditions of work of his workmen to their disadvantage without giving to them a fortnight's notice in a prescribed manner'."

The Honourable Shri Jagjivan Ram: Sir, I rise to just point out that there is already a provision which is wider than the one suggested by this amendment. I shall refer my Honourable friends the Labour representatives to the Standing Orders Act, sections 10 and 13 whereby no employer can modify the standing orders without previous notice to the certifying authority and if he does that he is penalised and punished. That provision is already there and that provision, I claim, is a wider one than what is proposed by this amendment. This amendment only claims that notice should be given and nothing more but here there is a penalty in addition. Therefore this amendment is unnecessary. This amendment will be rather detrimental to the workers and I hope my friend will withdraw the amendment.

Mr. Deputy President: The question is:

"That after sub-clause (1) of clause 22 of the Bill, the following new sub-clause be inserted, namely:—

'(1A) No employer in a public utility service shall make, in breach of contract, any change in the conditions of work of his workmen to their disadvantage without giving to them a fortnight's notice in a prescribed manner'."

The motion was negatived.

Mr. Deputy President: The question is:

"That clause 22 stand part of the Bill."

The motion was adopted.

Clause 22 was added to the Bill.

Mr. Vadilal Lallubhai: Sir, I beg to move:

"That in clause 23 of the Bill, after the words 'shall declare a lock-out', the following new parts be inserted, namely:—

'(a) without giving to the employer and employees respectively notice of strike or lock-out as hereinafter provided, within six weeks before striking or declaring lock-out as the case may be, or',

'(b) within 14 days of giving such notice; and parts (a), (b) and (c) be re-numbered as parts (c), (d) and (e) respectively."

The clause as it is in the Bill is a weak link in this Bill, the object of which is to reduce industrial disputes but if this clause is kept as it is, disputes will start and then Government will step in to see whether there should be arbitration or conciliation and so on. In all progressive legislation, it is customary that some days notice at least is given by both sides to each other, so that in the meantime both parties may come to a settlement if they can. If they cannot and if the situation is serious, Government also gets a certain amount of time to decide whether it is worth interfering and in that case Government would establish a board or a tribunal.

When I first read this Bill, I was surprised that there was no notice clause in this Bill. If you read the Bill passed in Bombay, we see there a provision about the notice period. The object of this is to avoid strikes and lockouts and if the notice period is not given, there is bound to be lightning strikes, on account of which the country may suffer in all respects. That is why I am suggesting that 14 days notice should be given by both parties within which period both may come together and also strikes and lock-outs may be avoided.

Mr. Deputy President: Amendment moved:

"That in clause 23 of the Bill, after the words 'shall declare a lock-out', the following new parts be inserted, namely :—

(a) without giving to the employer and employees respectively notice of strike or lock-out as hereinafter provided, within six weeks before striking or declaring lock-out as the case may be, or,

(b) within 14 days of giving such notice;" and parts (a), (b) and (c) be re-numbered as parts (c), (d) and (e) respectively."

Mr. P. J. Griffiths: Mr. Deputy President, I rise to support the amendment because it seems to me to be in keeping with the whole spirit underlying the present Bill. The intention of this Bill is to diminish the number and severity of industrial disputes and to do that by making the machinery of conciliation such that it will be used on all occasions of such disputes. If conciliation machinery is to function, somebody has to press the lever, somebody has to press the button and set that machinery in motion. Under normal circumstances as prescribed in this Bill, that somebody will be the Government. How is the Government to set in motion the machinery of conciliation without notice of disputes? It may not even know that a dispute has taken place. Surely, if the Government is to operate the conciliation machinery, it is necessary that the notice of strike must be given in all cases, so that the Government can apply its mind to the question whether it is or is not suitable occasion for using their powers. It does not seem to make sense to say that conciliation is to be the normal process and yet not to insist that the employer or the employed as the case may be shall give notice before a strike takes place. I cannot see any rhyme or reason saying on the one hand that conciliation is to be made compulsory and, on the other hand, hesitating to say that no one shall go on strike, no employer shall lock-out his men, until notice has been given. There is no question here of imposing any restriction on the ultimate right to strike or the right to lock-out. All this amendment seeks to say is that before you go on strike, before you lock-out, you must tell Government so that action may be taken to try to bring two parties together. I cannot conceive any grounds on which this amendment can be opposed, and it seems to me that the amendment itself breathes the whole spirit of the Bill and must logically be accepted by the Government if they really believe, and I think they do believe, that conciliation is the right way of settling industrial disputes. Sir, I support the amendment.

Sir Cowasjee Jehangir: Mr. Deputy President, Sir, this amendment, in my humble opinion, remedies one of the weakest spots in the Bill. I do not know whether Honourable Members realise that in this Bill a distinction is made between strikes in two different kinds of companies, in a public utility company and in a company which is not treated as a public utility company by Government. In a public utility company or a company held to be a public utility company by Government 15 days notice is necessary under clause 22 which we have just discussed. Under clause 23, which deals with other companies, no notice is required of a strike. In other words, it means that in all these companies a lightning strike is possible. Now, that is what I should think this Bill is out to remedy. We do not want lightning strikes. It has just been stated that after 15 days notice a strike can take place; there is nothing to stop that strike, unless Government steps in under this Bill. Why has this been done by Government? Why has this distinction been made? That is what I want to know. If Government desire to obviate lightning strikes, if Government desire to make the chances of a strike less, then I should have thought that the first clause that should have been included in a Bill of this character was to make a notice compulsory before a strike takes place.

Now, another distinction has been made. As you know, the rules under the Defence of India Act are still in force, and under these rules no strike can take place without 15 days notice. If on this very day a strike takes place without

15 days notice, it will be deemed to be illegal. But when this Bill comes into force, a strike may take place under certain conditions without 15 days notice. Therefore, it is a retrograde measure. It is going back on a very good provision which is in existence today by an ordinance and which has been found to be very useful during the war years. Why go back on it? What is the object? Why make this distinction? You give power for a lock-out to certain companies without notice. Why should there be a lock-out without notice? Let the workmen have a notice of the lock-out just as the employer desires a notice of a strike. I see no reason to make a distinction between public utility companies and others that are not public utility companies as has been made by clause 22 and clause 23 of this Bill.

Sir, I think an explanation is due to this House and to the country. I believe that this Bill has been founded to a great extent on a measure that has been passed by the Bombay Legislature lately, which took the place of all these ordinances. In this Bill there is a provision for giving 15 days notice. Why have you not embodied it here? Why do you make lightning strikes possible? What is your object? It goes against the fundamental basis of this Bill. I trust that we shall receive a satisfactory reply from Government and that they will see their way to accept Mr. Vadilal's amendment. Personally, I am very much surprised to see the omission of this very salutary provision.

Then, there is another point. If in the Bombay Act there is such a provision as has been provided for by Mr. Vadilal's amendment to this Bill, which takes the precedence? This or the Bombay Act. There is no conflict. If the Bombay Act takes precedence, then in the province of Bombay 15 days notice will be necessary; whereas in all other provinces where this Bill is accepted, no notice is required for a strike. Is this the position you want to create in this country? I am unable to understand the position. Therefore, I would urge that Mr. Vadilal's amendment be accepted or some sort of explanation given to us which we can understand as to the omission of this provision in this Bill. I would also like an explanation as to how this difference is going to be worked between a province like Bombay and the other provinces all over India who are going to accept your Bill. I think that there should be as far as possible similar legislation throughout the country, at least for labour. The Government of India should at least try and see that sound provisions in legislation passed on concurrent subjects by Provincial Governments should be included in their legislation. If they do not do that, then I am afraid this question of concurrent legislation will become a farce. Let not Government make this question of concurrent legislation a farce. Let them do something that appeals to commonsense and reason. I trust that our appeal will at least on this occasion have some effect and Government will see their way to remedy this defect, if not now for some reason or other which I do not know, at some later date.

Miss Maniben Kara: Sir, I rise to oppose the amendment which has been moved by my Honourable friend Mr. Vadilal Lalubhai. Sir, I listened with great interest to the arguments advanced in support of the amendment by my Honourable friends Mr. Griffiths and by Sir Cowasjee Jehangir. While listening to them, I felt that they were under the impression that workers go on strike without notice. Sir, for lightning strikes, the employers alone are responsible. The workers generally do give notice of prolonged strikes. I believe that workers should give notice of strikes. There is nobody who will be against such notice being given. But we are against making a law compelling the workers to give notice of strike. Sir, the implication of this Bill is known to the Members here that the failure to give notice will be a criminal offence. I agree that the workers must give notice if they want to go on strike. But failure to do that can only mean the breaking of a civil contract. It cannot be a criminal offence. What my Honourable friend Sir Cowasjee Jehangir

[Miss Maniben Kara.]

is trying to do is that in every case the workers must be compelled to give notice. Sir, what happens in other countries. What happens in highly industrialised countries? The workers generally do give notice of their intention to go on strike. But there is a machinery provided for voluntary agreement. There is a machinery provided where the two parties can refer their disputes to Tribunals but here no such machinery exists. In the absence of such a machinery, any compulsion will certainly be stoutly opposed by labour. I can assure my Honourable friends that if healthy relationship is established between employers and employees, take it from me, Sir, Cowasjee, that workers will give you strike notice. The workers do not give you strike notice because you treat the workers as mere dust under your feet. If the workers are not treated as human beings, if they are not considered as essential to the industry as capital, the workers do not generally respect their employers; they regard their employers as their exploiters, as their blood suckers. By passing such laws, you are not going to make the workers to give you notice, you are not going to succeed in your attempt to treat workers as criminals. Under the Defence of India Rules, workers are compelled to give strike notice, but how many workers gave notice even under the Defence of India Act? Simply by passing laws the workers are not going to be cowed down. Let us pass such laws which the workers under the present conditions can respect. Let us not create lawlessness by bringing in such laws which the citizen will not simply abide by. My Honourable friend, Sir Cowasjee Jehangir, wants that notice rules should be made whereby workers failing to give notice, will have to be treated as criminals. Do not distrust workers. Let workers come to their own. Let the workers get some confidence, restore to them the prestige that they are as essential to industry as capital, let their importance be recognised, let them feel that they have the right to sit across the table with the employers to settle disputes, let the employer adopt such methods, then the workers will give you notice before going on strike. So long as the present relationship exists between employers and the employees, we will oppose any sort of imposition from above. We will not accept any compulsion. We shall resist all compulsions. My Honourable friends Mr. Joshi, Mr. Guruswami and myself all belonging to the trade union movement, are of the opinion that workers must give notice of their strike. But we are against compulsion. You tell me there are lightning strikes. I can tell you that lightning strikes are forced by you on the workers. Most of the lightning strikes take place because of some change in the condition of work. I will give you an example of Bombay Corporation. Sir as a result of the last strike, some of the employees in the Bombay Municipality who were serving for a number of years were made permanent. Workers working for over three years were made permanent. Now, Sir, after the Municipality made them permanent as a result of the strike, the municipal authorities did not put up notices to show that certain holidays will be given as holidays with pay to the workers to which they were entitled. For days and days, for months and months together, correspondence passed between the workers and the municipal authorities on this subject. The municipal authority wrote to us saying that till this concession was passed by the Standing Committee, leave to workers on holidays will be deducted from their casual leave. For six months and more the workers had to sacrifice their leave out of their casual leave simply because of this red tape of the municipality. This state continued till such time as there was a lightning strike on a particular holiday. The workers would not work unless and until they were given this holiday with pay to which they were entitled. Until the matter reached that climax the Corporation would not move in the matter. Sir, lightning strikes take place only on such issues. They do not take place on major issues. Where workers can give strike notice, they do and they should give such notice. In the case which has been mentioned by my Honourable friend Sir Cowasjee

Jehangir about a strike in the Delhi Government Press, well, Sir, I am not connected with that strike, nor do I know the conditions of workers in that Press.

Sir Cowasjee Jehangir: I never mentioned anything about the Press strike in Delhi Government press. I know nothing about it.

Miss Maniben Kara: As far as I know Delhi strike was declared after giving strike notice. In a major issue, all workers are involved so the workers carry on strike propaganda, they canvass and explain to their colleagues the reason why they are going to strike. The preparation for a strike is done openly in the meetings and the employers knew about such strikes in advance. We are only opposed to any compulsion from outside. I therefore hope that the Government will not accept this amendment which has been moved by my Honourable friend Mr. Vadilal Lallubhai.

Sjt. N. V. Gadgil: Mr. Deputy President, I join my humble voice to that of Honourable friend Miss Maniben Kara in requesting my Honourable friend Mr. Vadilal Lallubhai to withdraw his amendment. Now, Sir, my reasons are these. My reasons are that the private employer must have an obligation to keep his employees satisfied. After all people do not like to go on a strike for the fun of it, because it means great loss to them. In the Bombay Act, as was stated by my Honourable friend Sir Cowasjee Jehangir, there is already a provision for notice because there are certain standing orders. If there are no such provisions or if there is no such legislation in other provinces it is for the other provinces to come in line with the Bombay legislation. Meanwhile the best course would be to remove as far as possible the suspicion and distrust of the working classes. Throughout the discussion of this Bill you must have seen, Sir, that the same thing is being harped upon again and again that the workers right to strike is being taken away; when there is a conciliation proceeding it is being taken away, and before and after conciliation; and somehow or other they come to feel—wrongly—that this Bill is an attempt to circumvent what little freedom they have. That is not really the case; but if suspicions can be removed by not accepting the amendment of my Honourable friend Mr. Vadilal Lallubhai it should be done.

Now the difficulties of employers are sometimes real if they are to face a sudden lightning strike. But at the same time, as I said, the workers are not all mad men; they know their own interest as much as any other citizen in the community. Let us see how many lightning strikes have taken place in the course of last year; you will find that the percentage of such strikes to strikes undertaken after due notice will not work even to 3 per cent. That does not entail very much harm; and for these reasons I submit that instead of making the suspicions still worse my Honourable friend Mr. Vadilal should withdraw his amendment.

Mr. S. C. Joshi: Sir, I should like to invite the attention of the House to the consequence of the acceptance of this amendment. From the beginning of this Bill a distinction has been made between industrial establishments which constitute public utilities and those which do not constitute public utilities; and if this amendment is accepted that distinction will be completely wiped out and also an anomalous position will arise.

Mr. Vadilal Lallubhai: That is not correct; sub-clauses 3, 4, 5 and 6 of clause 22 are quite different.

Mr. S. C. Joshi: I was going to refer to those very sub-clauses. On clause 22 of the Bill which has just been passed my Honourable friend had given notice of an amendment to remove the words "public utility service", but he did not move it. What will be the consequence of this? He knows very well that if that amendment had been moved, the various sub-clauses of that clause, viz., 3, 4, 5 which have got a bearing on the question at issue would be applicable to a notice that would be required to be given either by an employer or by a workman when a lock-out or a strike is to be declared in a public utility service.

Now if this amendment to clause 23 is carried the consequence will be that

[Mr. S. C. Joshi.]

while the clause will provide for the giving of notice by the employer or by the workmen as the case may be there will be nothing at all in the clause dealing with the question of the person by whom the notice is to be given, the person or persons to whom notice is to be given and how the notice is to be served. All these provisions are absent in clause 23 which is based on an entirely different footing. But if my Honourable friend, Mr. Vadilal, really wanted that there should be no discrimination in regard to the giving of notice then the proper place for amendment would have been clause 22. He had given notice of that amendment but did not move it. That was possibly because he wanted that the distinction between public and non-public utility services, which is made in that clause of the Bill and this clause should remain. What will happen now?

There will be another anomaly if this amendment were carried, and that is this. In the case of public utility services under clause 10 Government is under an obligation to refer the dispute to a tribunal if conciliation had failed. There is no such obligation placed in regard to other undertakings. Now my Honourable friends want that there should be notice given by the workmen in a non-public utility service before going on a strike; and at the same time these workers are not given any facility of compulsory reference to a tribunal. Compulsory reference to a tribunal in the case of a public utility service is, according to me, an advantage to the workers. That advantage is to be denied to the workmen who are in a non-public utility service. The fundamental principles of the Bill will be completely frustrated if this amendment is carried.

Then my Honourable friend Sir Cowasjee Jehangir asked why a distinction has been made in this Bill and why the provisions of the Bombay Bill are not followed. The Bombay Bill and this Bill do not stand on the same footing at all. In the Bombay Bill the fundamental principle is the Standing Orders and that is the basis of the subsequent provisions of that Bill. The Standing Orders must be registered and no change in them can be made or can be demanded without the giving of notice either by the employers or by the workmen concerned; and it is only that kind of notice, namely, a notice to make a change in the provisions of the Standing Orders that makes a strike either legal or illegal. Want of notice to make the change makes a strike illegal. Whereas, in this case we are not concerned with the Standing Orders which are provided for by another enactment which has been passed, and that gives us ample scope for the registration of Standing Orders. The Standing Orders Act also provides that once the Standing Orders are certified by the employer no change can be effected by him within a period of six months from the date of the certification of the Standing Orders. Once he makes a change in the Standing Orders and gets them certified, for a further period of six months he cannot make another change without an agreement between him and his workmen. That is far more advantageous than the provisions which are contemplated by my Honourable friend. The fundamental provisions of the Bombay Bill and this Bill are different. Therefore it will not be correct to say that there is a provision in the Bombay Bill for the purpose of giving notice of a strike in every industrial undertaking, whereas there is no such provision in this Bill. The only provision in the Bombay Bill is for a change in the Standing Orders but there is no provision for giving notice of a strike. I do not think this amendment will serve any useful purpose.

S. P. M.

Mr. Deputy President: The question is:

"That in clause 23 of the Bill, after the words 'shall declare a lock-out', the following new parts be inserted, namely:—

(a) without giving to the employer and employees respectively notice of strike or lock-out as hereinafter provided, within six weeks before striking or declaring lock-out as the case may be, or,

(b) within 14 days of giving such notice; and parts (a), (b) and (c) be re-numbered as parts (c), (d) and (e) respectively."

The Assembly divided.

AYES—8

Griffiths, Mr. P. J.
 Gwilt, Mr. Leslie.
 Hirtzel, Mr. M. A. F.
 Jehangir, Sir Cowasjee.

Lawson, Mr. C. P.
 Martin, Mr. W. M.
 Ormiston, Mr. J. F.
 Lyson, Mr. Geoffrey W.

NOES—46.

Adityan, Sri S. T.
 Banerjee, Sree Satyapriya.
 Bhalja, Mr. G. S.
 Chundrigar, The Honourable Mr. I. I.
 Gadgil, Sjt. N. V.
 Gangaraju, Sri V.
 Gokhale, Mr. B. K.
 Gole, Mr. P. B.
 Gounder, Sri V. C. Vellingiri.
 Guruswami, Mr. S.
 Ishaq Seth, Haji Abdus Sattar Haji.
 Jagannathdas, Sri.
 Jagjivan Ram, The Honourable Shri.
 Joshi, Mr. S. C.
 Kara, Miss Maniben.
 Karmarkar, Shri D. P.
 Kharegat, Sir Pheroze.
 Lahiri Choudhury, Srijut Dharendra Kanta.
 Lal, Mr. Shavax A.
 Liaquat Ali Khan, The Honourable Mr.
 Mahapatra, Sri Bhagirathi.
 Mandal, The Honourable Mr. Jogendra Nath.
 Mangal Singh, Sardar.

Matthai, The Honourable Dr. John.
 Menon, Sri A. K.
 Mukut Bihari Lal Bhargava, Pandit.
 Narayanamurthi, Sri N.
 Nazar Hasan, Mr. Shah.
 Nehru, The Honourable Pandit Jawaharlal.
 Neogy, Mr. K. C.
 Oulsnam, Mr. S. H. Y.
 Patel, The Honourable Sardar Vallabhbhai.
 Panjabi, Mr. K. L.
 Rajagopalachari, The Honourable Sri C.
 Ram Narayan Singh, Babu.
 Reddiar, Sri R. Venkatasubba.
 Saksena, Shri Mohan Lal.
 Sanyal, Mr. Sasanka Sekhar.
 Satakopachari, Sri T. V.
 Siddiq Ali Khan, Mr.
 Sinha, Shri Satya Narayan.
 Thakur Das Bhargava, Pundit.
 Turner, Mr. A. C.
 Varma, Mr. B. B.
 Zafar Ali Khan, Maulana.
 Zia Uddin Ahmad, Dr.

The motion was negatived.

Mr. Deputy President: The Honourable Member cannot move this because sub-section (1A) of Section 22 has not been allowed by the House. Therefore this is out of order.

Miss Maniben Kara: Which amendment?

Mr. Deputy President: Item No. 13. The amendment which the Honourable Member intended to move was insertion of new clause 23A:

"A change in the conditions of work made by an employer, to the disadvantage of his workmen in contravention of sub-section (1A) of section 22, shall be illegal."

That becomes out of order because (1A) 22 has not been accepted by the House. Therefore, there is no such section. Accordingly it is out of order.

Sir Cowasjee Jehangir: Have you put 23 to the vote?

Mr. Deputy President: I have not. I will put it now. The question is:

"That clause 23 stand part of the Bill."

The motion was adopted.

Clause 23 was added to the Bill.

Mr. Deputy President: What does the Honourable want to say?

Miss Maniben Kara: I want to know whether you have disallowed clause 23 altogether.

Mr. Deputy President: There is no such thing. Has the Honourable Member got the number that she intended to move?

Miss Maniben Kara: That is gone.

Mr. Deputy President: "That after clause 23 of the Bill, the following new clause be inserted,.....". That is what the Honourable Member wanted. That sub-section referred to section (1A) of 22. There is no such thing as (1A) of 22 and therefore that becomes out of order.

Miss Maniben Kara: There is another amendment.

Mr. Deputy President: Where is that?

Miss Maniben Kara: It is in the printed form.

Mr. Deputy President: When I put the question, "That clause 23 stand part of the Bill", the Honourable Member would have been quite in order to oppose that, but saying that the whole clause be omitted, is a negative statement and that is not in order. That amendment cannot be allowed; Clause 24.

Miss Maniben Kara: I have an amendment. Sir, I beg to move:

"That in part (i) of sub-clause (1) of clause 24 of the Bill, the words 'or declared' be omitted."

The clause as it stands reads thus:

"A strike or lock-out shall be illegal if it is commenced or declared in contravention of section 22 or section 23."

Now, Sir, I can understand that if a strike has already started then you may declare it illegal. But a mere declaration of a strike to be illegal is something which we cannot accept. Sir, I can understand if there is a strike in progress but if the workers among themselves declare a strike, any declaration should not be considered illegal. I therefore beg to move that the words "or declared" be deleted from this clause.

Mr. Deputy President: Amendment moved:

"That in part (i) of sub-clause (1) of clause 24 of the Bill, the words 'or declared' be omitted."

The Honourable Shri Jagjivan Ram: Sir, it is necessary. A strike is commenced or a lock-out is declared. The word "commenced" goes for a strike, and the word "declared" goes for a lock-out. There has never been the intention to make the declaration of a strike to be illegal. Unless the strike is there it cannot be illegal. Unless a strike commences there is no strike, and unless a strike is in existence it cannot be illegal. That is the point. I think the amendment is not necessary.

Mr. Deputy President: The question is:

"That in part (i) of sub-clause (1) of clause 24 of the Bill, the words 'or declared' be omitted."

The motion was negatived.

Miss Maniben Kara: Sir, I beg to move:

"That part (iii) of sub-clause (1) of clause 24 of the Bill, be omitted."

Sjt. N. V. Gadgil: We will accept your amendment if you do not make a speech!

Miss Maniben Kara: I hope your acceptance or rejection will not be on such flimsy grounds.

This clause says:

"It has any object other than, or in addition to, the furtherance of an industrial dispute within the industry in which the workmen going on strike or the employers locking-out are engaged and the strike or lock-out is designed or calculated to inflict severe, general and prolonged hardship upon the community and thereby to compel any Government in British India to take or abstain from taking any particular course of action."

This means that strikes which are called in sympathy with strikers in other industries will also be illegal. I am very glad that I have the assurance of the Honourable Member that he would be good enough to accept our amendment, *viz.*, the deletion of this clause and thereby ensuring the solidarity of the working classes not only in this country but in every other country. Sympathetic strike is a right of the workers by which they express their sympathy and support to the strikers in distress in other industries. Since this amendment has been accepted, I would not like to waste the time of the House by saying more on this amendment.

Mr. Deputy President: Amendment moved :

"That part (iii) of sub-clause (1) of clause 24 of the Bill, be omitted."

The Honourable Shri Jagjivan Ram: Sir, I want to make it clear that I felt that this clause was a necessary clause as it qualified such sympathetic strikes and made them illegal only, in case they were prolonged and caused severe and prolonged hardship to the community and thereby tried to compel Government to take or not to take a certain course of action. But as I find a strong feeling in the House and functioning as a responsible government we have to respect the wishes of the Honourable Members of this House, I accept the amendment.

Sir Cowasjee Jehangir: Sir, I would like to know the exact significance of the omission of this clause. It is not a question of sympathetic strikes alone but I presume that the omission of this Clause makes political strikes possible. A fundamental principle which was in the Bill is now being omitted and I would like Government to explain the omission. If the Honourable the Labour Member will give me his ear for a minute, I will try to explain my point.

I want to understand the exact significance of the omission of this clause. I think it was discussed in the Select Committee and Government were of the opinion so far as I remember that political strikes are also to be made illegal. A strike may be for any cause and if it is for a political reason, with which the employer is not really concerned, even then the strike can be made illegal. Am I to understand that the omission of this provision will so enable my Honourable friends who sit behind me to have a political strike and that such a strike would not come within the mischief of this Bill. If that is the position the House should understand clearly as to what the Government is accepting. The point raised and Government definitely stated that they intended that this Bill should affect strikes which may be caused for any reasons: it may be wages, it may be some point on which the employers were discontented, it may even be for a political reason, in which the employer is not at all concerned. Now, am I to understand that the omission now suggested affects this vital point. If so the House must understand it clearly and I would like the Honourable Member in charge of the Bill to give an unequivocal explanation to this House as to why he agrees to the omission of this clause. What will he do when there is a political strike. It will mean that a political strike can take place and Government will have no remedy. Is that the significance of the omission?

The Honourable Shri Jagjivan Ram: Sir, I do not agree with the view that if a political strike takes place and if Government wants to take any action, they will have no weapon in their hands to deal with such strikes. The ordinary law can deal with that situation. . . .

Sir Cowasjee Jehangir: What is the ordinary law?

The Honourable Shri Jagjivan Ram: There is Section 144 and other sections which can deal with those strikes and their leaders as Government in provinces have been dealing with them.

Sir Cowasjee Jehangir: What Act? Under the Criminal Procedure Code?

The Honourable Shri Jagjivan Ram: I shall explain the clause as it stands and show how far it helps Sir Cowasjee Jehangir and his friends. It does not prevent a sympathetic or a political strike, unless it is severe or is bound to cause a severe general and prolonged hardship to the public or to society. Sympathetic or political strikes are not illegal even under this clause and therefore, as I have explained previously, I thought the retention of this clause was necessary in cases of strikes which will cause inconvenience to society or force Government to take or not to take certain course of action. But I have yielded to the wishes of a great number of the Honourable Members of this House. It does not make much difference to industrialists: even if the clause is there, sympathetic strikes may take place or even political strikes may take place. They will be illegal only if they cause a general or severe and prolonged hardship to the community. I would invite the attention of Sir Cowasjee Jehangir to those three words in the clause—severe, general and prolonged hardship and I think he will agree with me that even if the clause stands as it is in the Bill, it is not going to help him at all.

Mr. P. J. Griffiths: Mr. Deputy President, I shall be very brief. I will begin by referring to the Honourable the Labour Member's remark that this does not very much matter to industrialists. It is not as industrialists that we are opposed to the deletion of this provision, it is as persons concerned with the good Government of this country, persons concerned to see that certain bodies, certain organisations are not allowed to exercise a tyrannous power for the purpose of forcing Government or the public to do things which Government otherwise would not want to do. The limitation which this amendment seeks to remove is a very narrow one indeed. I shall summarise the section as it stands at present. The only kind of strike made illegal under this clause is a strike that fulfils three conditions. The first of those conditions is that it is not in furtherance of any industrial dispute. The second condition is that it is calculated to inflict severe, general and prolonged hardship upon the community. And the third condition is that it is intended thereby to compel any Government in British India to take or to abstain from taking any particular course of action. Unless a strike satisfies these three conditions it is not hit by the mischief of this section. A strike may be political, in the sense that it is not concerned with an industrial dispute. Even then, unless it inflicts severe, general and prolonged hardship upon the community, and unless it also designs to compel the Government to do something which Government believes to be wrong—unless these are satisfied, the strike will not be illegal under the provisions of this sub-clause. I cannot believe that any Government—least of all a Government like the present one endowed with a heavy sense of responsibility for the welfare of this country and for the preservation of law and order in it—I cannot believe that any Government would come forward and say "We are quite willing to allow people to go on strike with the object of inflicting prolonged and severe hardship upon the community, with the object of forcing us, the government of the day, to do things which we believe to be wrong. Surely, such a principle is a negation of the parliamentary system. If we are to allow men with impunity to set themselves out by threats to coerce Government into doing things which Government believes to be wrong—if that is the principle to be followed—let us close down the legislature and let us give up the pretence of rule by parliamentary methods of government. Let us surrender ourselves frankly to those fascist methods which constitute the mischief contemplated in that section. I can understand my Honourable friends objecting to a wide, sweeping clause prohibiting political strikes. But I cannot understand them objecting to a clause which only prohibits strikes when those strikes are specifically intended to inflict prolonged and severe hardship upon the community and to compel Government to do that which Government believes to be wrong. I suggest that if Government urge to agree to anything of this kind, they would be throwing away one of their sacred responsibilities.

They would be undermining the very foundations on which the State, and they themselves are built. They would be laying up for themselves a store of trouble which it is difficult to think about or even to imagine. I do therefore ask my Honourable friend, the Labour Member, to consider this again. I know he is anxious to please this House and he very often does. That anxiety has perhaps led him to misunderstand the wishes of the House. This House does not want him to throw away parliamentary government. Let me tell my Honourable friend, the Labour Member, that he will be acting according to the real wishes of the House if he refused to accept this amendment. If he does not do so, he will enable any body of men to inflict prolonged and severe hardship upon the public and compel Government to do what it believes to be wrong. He will indeed be misunderstanding the wishes of the House. If he realizes now that he should reject the present amendment, if he will do that, he will raise himself very high in our esteem, for it takes a very brave man to go back on what he has just said. Let him prove that the welfare of the community matters so much to him that he will not accept this amendment, inspite of its previous acceptance to it.

Sjt. N. V. Gadgil: Mr. Deputy President, this clause is exactly a reproduction of the relevant clause in the Indian Trade Disputes Act, 1929; and that clause is exactly the copy of the relevant clause in the British Act. My Honourable friend Mr. Griffiths knows very well that practically the first act of the Labour Government in England was to repeal the whole Act. If the British Government can do without it, there is nothing to prevent the Government of India to do without such a clause. Assuming that it is there, the clause must be effective. Otherwise it is no good putting it on the Statute Book and to see helplessly that it does not give the requisite results. My Honourable friend Sir Cowasjee Jehangir must be aware of the fact that in 1928 and 1929 there was a general textile workers' strike in Bombay. Some of the leaders of that strike were prosecuted under this particular section. The Bombay High Court held in that case that, although the strike went on for six months, it was not so severe, nor so general, nor so prolonged as to cause such hardship on the community and thereby compel Government to do a particular thing or not do a particular thing. Therefore instead of having such a thing on the statute book when we know how very difficult it is to make it effective, it is much better not to have it and create unnecessary suspicion.

Naturally then the question arises as to what would the Government do in circumstances which are really contemplated in this particular clause. If the strike is of such a nature that it is a challenge to the state as such, I have no doubt that the state will issue ordinance after ordinance and accept the challenge and put down a strike of this nature. But, short of that, it is perfectly clear that a Government which has pronouncedly deep sympathies for the working classes should not have such a thing on the statute book. I should like to congratulate the Government for having accepted the amendment of the Labour representative and having responded to the general feeling and wishes of the House.

Dr. Zia Uddin Ahmad: Sir, I share the apprehensions expressed by Sir Cowasjee Jehangir though I do not use the word 'political strike'. I express it in a different manner. My Honourable friend the Labour Member and his friends must be familiar with the activities of communists. In every society, in every institution, in every industries they have got their nucleus and they carry on their work. Their intention is not to benefit the workers; their intention is not to help the industries. But they want to create disturbance of any kind, whatever it may be. They are not interested in any party, or in the Government, or the employer or the workmen. They are interested in creating troubles in order to paralyse the administration whether large or small. If the disturbances are started by these communists, what would happen under this clause? They take a long time to think and these people then carry out their intentions. Certainly section 10 will be applied, but in what manner? I suppose neither the Government nor we on this side have any

[Dr. Zia Uddin Ahmad.]

sympathy with the disturbances created by communists with the intention of creating chaos in the country. Who will, and in what manner will the Government stop such disturbances? The action of the Communists is so quick that they leave no time for you to think. You please let me know under what clause such disturbances will be stopped. I share the view of Sir Cowasjee Jehangir that this is the kind of disturbance which we are looking forward to, and they are becoming a danger and will paralise the society, the industries and every organised form of administration.

Mr. S. Guruswami: I should like to congratulate the Government on the manner in which they have accepted the amendment. This is one of the material objections which were raised at the beginning. It was raised in the 1929 legislation, and it has been very kindly accepted by the Government. I understand Pandit Jawaharlal Nehru was responsible for inducing the Government to accept this amendment. Whoever it be, it does remove a material objection to the Bill as it has been brought before this House. |

But I would also like to point out that this does not mean that strikes will become very easy. Mr. Griffiths' apprehensions are ill-founded. In regard to strikes which are in furtherance of an industrial dispute there are so many restrictions under this Bill that the workers' rights have been taken away by being cribbed, cabined and confined in every possible way under this Bill. For employers, whom he supports, there is matter for jubilation over this Bill and nothing to be afraid of. What has been removed by accepting this amendment is that the Government is prepared to accept the challenge to deal with political or sympathetic strikes on their merits. I must give the government their due and congratulate them for the bold step in accepting this amendment.

Mr. Deputy President: The question is:

"That part (iii) of sub-clause (1) of clause 24 of the Bill, be omitted."

The motion was adopted.

Mr. S. O. Joshi: Sir, I move as a consequential amendment:

"That in sub-clause (1), part (ii) of clause 24 of the Bill, for the semi-colon a full stop be substituted, and the word 'or' be omitted."

Mr. Deputy President: The question is:

"That in sub-clause (1), part (ii) of clause 24 of the Bill, for the semi-colon a full stop be substituted, and the word 'or' be omitted."

The motion was adopted.

Sjt. N. V. Gadgil: May I move that sub-clauses (2) and (3) be also omitted, and the other clauses be renumbered accordingly. This is also consequential.

Sir Cowasjee Jehangir: If it is really consequential, this can be moved in the third reading stage. It should not be allowed to be moved without notice. We must understand the significance of these omissions.

Mr. Deputy President: The implications of the omission of these sub-clauses must be studied. I cannot allow it to be moved now.

The question is:

"That clause 24, as amended, stand part of the Bill."

The motion was adopted.

Clause 24 as amended was added to the Bill.

Miss Maniben Kara: Sir, I move:

"That clause 25 of the Bill be omitted."

Mr. Deputy President: It has been explained by the Honourable the President several times that a purely negative amendment cannot be moved. The Honourable Member can oppose the whole clause or move the alternative amendment down below.

Miss Maniben Kara: Very well. I move:

"That in clause 25 of the Bill, between the words 'shall' and 'expend', the word 'knowingly', be inserted."

The clause as it stands says:

"No person shall expend or apply any money in direct furtherance or support of any illegal strike or lock-out."

Now, Sir, my amendment says that a person must first have knowledge before he can be punished for helping a strike. Very often, when there is a strike, the workers are in distress, with nothing to fall back upon. Then, friends and sympathisers are approached and they give help in the form of rice or wheat. Not only the strikers but also their families are in distress. When thousands of workers are on strike, public sympathy is with the strikers whom they want to help. Those who help only know that they are helping a humanitarian cause. It will be most unjust to punish those people who may not even know that to give any help in the form of money or kind will be punishable. I would go further and say that I am opposed to this clause altogether. I can understand, though I may not appreciate, that you want to penalise those workers who may go on strike. But there can be absolutely no justification whatsoever to penalise their families, children and old people in the house for the action of those people who have gone on strike, and thus starve them all economically and in every other way. This may apply even to newspaper publicity; even the people who give the news may be considered to be helping the strike simply because they sympathise with the strikers in editorial notes. I would appeal that this clause may not be retained as it is because it will be an encroachment on the families and the relatives of the strikers. If you want to take against those people who have gone on strike in an illegal manner, the clause provides so many penalties with which unfortunately we will have to deal clause by clause. But the fact is that the workers are not the only people involved in a strike. Suppose a thousand workers have gone on strike, then not only these thousand workers suffer but there are other 10,000 people who suffer. Each worker has behind him dependants to the extent of 8 or 10 persons. Now, Sir, shall we be justified to say that to help those persons who are starving for no fault of their own may be thrown on the streets and may undergo all sorts of difficulties because a few strikers have gone on strike? Those families may approach people to give them help; they may have some relief works started. This is a humanitarian piece of work and I cannot understand why such a clause should be retained whereby even humanitarian and relief work should be penalised. I would, therefore, appeal in the name of humanity and in the name of relief work for the distressed families that such help as may be given for the relief of those families be not penalised. I hope the Labour Member will give his serious and sympathetic consideration to my amendment. The clause, as it stands, has even no relation with the spirit of the Bill. If the Bill is to have industrial peace, if the idea of the Bill is to prevent strikes, if the idea of the Bill is that by making severe restrictions on the workers they will be able to minimise the strikes, can you tell me by what stretch of imagination are we going to help that process by even prosecuting those persons and by harassing those persons who in the name of humanity and in the name of relief work may want to give some assistance to the strikers and their families. There are already penalty clauses for the strikers, but we have no right whatsoever to deprive the helpless families of the help which they can get from their friends and sympathisers. I would here make a special appeal to my Honourable friends in the Congress Party, to my friends who are sitting on other Benches here and to the Members of the European Group to see that

[Miss Maniben Kara.]

they do not support a clause like this which makes it absolutely impossible for any relief work to be started. Take, for example, the M. and S. M. Railway strike. That strike should not have taken place, but there was a strike. Do you mean to say that in an eventuality like this where thousands of workers were involved, and there were many sympathisers and friends who helped the families of these railway workers, they should not be allowed to come forward and help them? They are not in any way directly helping the strikers as such. They are not interested in the least whether the strike should continue or be withdrawn. Those people who are helping these families who are in distress are doing so out of feelings of humanitarianism. Sir, it will be absolutely wrong that we should have this clause and I, therefore, move that my amendment be accepted.

The Honourable Shri Jagjivan Ram: Sir, I accept the amendment, though it does not make any difference.

Mr. Deputy President: The question is:

"That in clause 25 of the Bill, between the words 'shall' and 'expend', the word 'knowingly', be inserted."

The motion was adopted.

Mr. Deputy President: The question is:

"That clause 25, as amended, stand part of the Bill."

The motion was adopted.

Clause 25, as amended, was added to the Bill.

Miss Maniben Kara: Sir, I move:

"That in sub-clause (1) of clause 26 of the Bill, for the word 'fifty', the word 'ten' be substituted."

Sir, may I have the permission to move my first amendment that clause 26 be omitted.

Mr. Deputy President: No.

Miss Maniben Kara: Then, I will oppose the Bill as it stands, retaining my right to move the second amendment.

Mr. Deputy President: The Honourable Member knows that if she does not move her second amendment now, the result will be that, when the question is put that this clause stand part of the Bill and the House accepts it, she will be debarred from moving her amendment.

Miss Maniben Kara: I am sorry to cause you all this trouble, but I am not familiar with the rules of the House.

Dr. Zia Uddin Ahmad: I rise on a point of order. When the Chair states that this clause should stand part of the Bill, I am at liberty to oppose.

Mr. Deputy President: That is no point of order. It has been explained so many times before.

Miss Maniben Kara: Sir, this clause 26 is the most objectionable clause in the whole Bill.....

Mr. Deputy President: The Honourable Member has already moved her second amendment. She can continue her speech on the next day. I will put her amendment to the House. Amendment moved:

"That in sub-clause (1) of clause 26 of the Bill, for the word 'fifty', the word 'ten' be substituted."

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 18th February 1947.