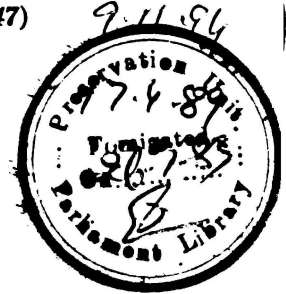


12th February, 1947

THE
LEGISLATIVE ASSEMBLY DEBATES
Official Report

Volume 1, 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 :

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Panel of Chairmen :

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

Sardar MANGAL SINGH, M.L.A.

Shrimati AMMU SWAMINADHAN, M.L.A.

Secretary :

Mr. M. N. KAUL, Barrister-at-Law.

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Mr. N. C. NANDI.

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Committee on Petitions :

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

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Shri SRI PRAKASA, M.L.A.

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

Sardar MANGAL SINGH, M.L.A.

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LEGISLATIVE ASSEMBLY

Wednesday, the 12th 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

DEVELOPMENT OF RURAL ROADS

212. *Pandit Sri Krishna Dutt Paliwal: Will the Honourable Member for Transport please state:

(a) the steps Government have taken or propose to take to develop and improve the rural roads; and

(b) if Government have any plan for the purpose; if so, do Government propose to lay a copy of the plan on the table of the House?

The Honourable Dr. John Matthai: (a) and (b). It is for each Provincial Government to take necessary steps for the development and improvement of rural roads. The Central Government are, however, taking the following general action to assist in this—

(1) They have offered large central subventions for post-war development under Provincial subjects which will *inter alia* cover the execution of the Provincial plans for the development of rural roads.

(2) They have advised the Provincial Governments that it is desirable for them to allocate to rural roads a large percentage of the total funds available for the post-war development of roads other than National Highways. The Provincial road plans so far received show that the Provincial Governments are generally acting on this advice.

Mr. Sasanka Sekhar Sanyal: Will the Honourable Member be pleased to state whether it is the practice of the Government of India to get posted with information from Provincial Governments as to the latest improvements made in rural areas for connecting with the National Highways?

The Honourable Dr. John Matthai: Yes. The Government of India is in constant touch with Provincial Governments on the subject.

Shri Sri Prakasa: Are Government taking any special steps for the improvement of roads in the centrally administered areas?

The Honourable Dr. John Matthai: Yes. Substantial grants have been allotted to the centrally administered areas.

Pandit Sri Krishna Dutt Paliwal: Has Government fixed a percentage for the rural roads?

The Honourable Dr. John Matthai: That is a matter for the Provincial administrations to decide.

BASIC MINIMUM PAY OF POSTAL AND TELEGRAPH EMPLOYEES

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

(a) whether Government propose to adopt the principle that Postal and Telegraph employees should also be treated on the same footing as other Government servants; and

(b) whether Government propose to fix their basic minimum pay on a two unit family basis and grant additional family allowance on the basis of the number of children being added to the salary?

Sir Harold Shoobert: (a) and (b). The points referred to by the Honourable Member are under enquiry by the Pay Commission. Government will take their decision after examination of the Pay Commission's Report.

ABNORMAL RISE OF PRICES OF FOOD ARTICLES

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

(a) whether Government are aware of the fact that the Economic Adviser's All India index of wholesale prices of food articles for the week ending November 23rd, 1946, worked out to 263.4 as compared with 262.8 for the previous week and 234.5 for the corresponding week of the previous year;

(b) whether Government are also aware of the fact that during the same week the graph index for "pulses" further advanced by seven points to 36; and

(c) the steps Government have taken or propose to take to check this abnormal rise of prices of food articles?

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

(c) As regards the steps taken by Government to stabilise the prices of foodgrains and other foodstuffs, the Honourable Member is referred to the Memorandum on food position and development of policy, circulated at the commencement of this Session.

Pandit Sri Krishna Dutt Paliwal: Will Government consider the advisability of supplying the necessities of agriculturists at cheap rates in order to stabilise prices?

Mr. K. L. Panjabi: Is the Honourable Member referring only to foodgrains?

Pandit Sri Krishna Dutt Paliwal: I want to know if growers are supplied the articles needed by them, such as agricultural implements, clothes, etc.

Sir Pheroze Kharegat: May I reply?

The question of making available necessities such as iron and steel, or bricks, or coal and cement, and things like that for agriculturists is under the consideration of Government in the Department of Agriculture.

Shri D. P. Karmarkar: May I ask the Food Secretary whether Government propose to consider the advisability of selling back cereals at the same price at which they purchased them and bear all the expenses of management and distribution themselves?

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

Dr. Zia Uddin Ahmad: Is it not a fact that the Government gave an assurance on the floor of the House that neither the Government of India nor the Provincial Government will make money on foodstuffs?

Mr. K. L. Panjabi: I do not know to which assurance he is referring.

Dr. Zia Uddin Ahmad: On the occasion of the food debate several times your predecessor gave the assurance that the Government of India and Provincial Governments were not going to make any profit on the foodstuffs.

Mr. President: Perhaps the Honourable Member is not aware of it and he would like to have notice of it.

Dr. Zia Uddin Ahmad: With regard to part (c), I would like to know what steps he has taken and if there are any chances of success for checking the high price level of the foodstuffs.

Mr. K. L. Panjabi: The Government are endeavouring to stabilise the prices of foodstuffs by subsidising the sale of imported grains. The Provincial Governments also subsidise the sale of grain imported from other provinces. By this means the price is kept as low as possible.

STARRED QUESTIONS AND ANSWERS

Sri R. Venkatasubba Reddiar: Is there not a great demand for an increase of price by producers?

Mr. K. L. Panjabi: Some representations have been received.

Shri D. P. Karmarkar: Is the Honourable Member aware that in the rural parts of the country there is bitterness for the simple reason that corn purchased by the authorities from agriculturists is resold to them at a much higher price—even higher than 12 per cent.?

Mr. President: The Honourable Member is perhaps referring to Provincial administration. Is it a centrally administered area?

Sjt. N. V. Gadgil: May I know whether it is not the policy of the Government not to make profit out of the sale and purchase of foodstuffs?

Mr. K. L. Panjabi: It is the policy of Government.

Sri R. Venkatasubba Reddiar: In Delhi itself they have made Rs. 10 lakhs in the past two years by the sale of these foodgrains.

Mr. K. L. Panjabi: There is a separate question on the subject and it will come before the House.

Dr. Zia Uddin Ahmad: May I ask whether the reduction of price by subsidies is not a reduction? It is just a transfer from consumers to taxpayers.

(No answer)

CROP INSURANCE

215. *Pandit Sri Krishna Dutt Paliwal: Will the Secretary of the Department of Agriculture please state:

(a) the steps Government have taken or propose to take to protect the peasants from ruinous losses due to natural calamities; and

(b) whether Government propose to institute a national policy of crop insurance?

Sir Pheroze Kharegat: (a) Provincial Governments grant remissions of rent and revenues whenever natural calamities occur.

(b) Crop insurance has not been tried in India and the feasibility of introducing it will have to be carefully examined before any national policy of crop insurance can be instituted.

Mr. Sasanka Sekhar Sanyal: What about the rent payable to private landlords and not to Provincial Governments?

Sir Pheroze Kharegat: I do not know the state of affairs prevailing in Bengal, but in certain other provinces I know that when land revenue remissions are given to the landlords similar remissions are given to the tenants in respect of their rent.

Pandit Sri Krishna Dutt Paliwal: May I know if the question of the national policy of crop insurance is under the active consideration of Government.

Sir Pheroze Kharegat: Yes, Sir; as the Honourable Member announced when the resolution was under discussion a few days ago, the Government are giving considerable attention to the matter and hope to arrive at their conclusions before very long.

Sri R. Venkatasubba Reddiar: May I know the proportion the land revenue bears to the cost of raising the crops?

Sir Pheroze Kharegat: I am afraid I cannot give a reply to that question.

MANUFACTURE OF NEWSPRINT IN INDIA

†216. *Seth Govind Das: Will the Honourable Member for Industries and Supplies be pleased to state:

(a) whether Government are aware of the acute shortage of newsprint in this country;

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

(b) whether Government are aware that in the forests of Tehri Garhwal State and some other parts of the country raw material for newsprint is available; and

(c) the steps Government are taking or propose to take to start the manufacture of newsprint in this country? —

The Honourable Sri C. Rajagopalachari: (a) Yes, Sir, there is shortage of newsprint in this country.

(b) Raw material in the form of certain kinds of wood which can yield mechanical wood pulp suitable for the manufacture of newsprint is understood to be available in the forests of Tehri Garhwal, Kashmir and certain other parts of the country.

(c) A certain amount of research work has been carried out in the Forest Research Institute Dehra Dun. The high cost of transportation and power are the two chief obstacles in the way of utilizing the raw materials from the forests mentioned above for the production of newsprint on a commercial scale. Government are making investigations with regard to a suitable site where a mill can be worked on economic basis. A firm in Hyderabad has made arrangements for the production of Newsprint from *Boswellia Serrata* (Salai). This is expected to come into operation by the end of 1948. The possibility of using certain species of wood available from the Andamans is also being investigated.

FUEL SHORTAGE IN INDIA

†217. ***Seth Govind Das:** Will the Honourable Member for Industries and Supplies please state:

(a) why there is so much of fuel shortage in the country; and

(b) the measures that Government propose to take to ensure sufficient supply of fuel to meet the needs of the country?

The Honourable Sri C. Rajagopalachari: (a) Confining myself to coal, with which the Central Government are concerned, there is a gap between supply and demand estimated at about 4 million tons per annum. Although the present raisings are much above the average for the decade before the war the existing demand is at a level about 5 million tons above the highest prewar figure.

(b) The demand for coal in the country is expected to grow steadily in the coming years and the Indian Coalfields' Committee, which recently submitted a comprehensive report to Government, have recommended that coal production should be increased at the rate of 1½ million tons per year over the next decade, transport facilities being developed to keep pace with the increased production. Government have accepted these recommendations and are now considering the detailed steps that should be taken both to increase production and to expand transport capacity.

Sjt. N. V. Gadgil: Many are interested about the supply of newsprint (Qn. No. 216).

Mr. President: I am afraid that question has now been passed over.

APPOINTMENT OF BOOKING AGENTS FOR PASSENGER TRAFFIC ON RAILWAYS

218. ***Mr. Manu Subedar:** (a) Will the Honourable Member for Transport please state on what basis are booking agents for passenger traffic appointed by different Railways?

(b) Have Government fixed any policy in making such appointments, or is it left to the Railways?

(c) Are Government aware that there is a large number of old booking agents, who are not Indians?

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

(d) Are Government aware that Indian applicants, who may be otherwise reputable firms, are not permitted to be registered now on the plea that no new booking agents could be registered?

(e) What steps Government propose to take to see that reputable Indian parties get a legitimate share in this trade?

The Honourable Dr. John Matthai: (a) Tourist agents for passenger traffic are appointed by railways from amongst reputable firms engaged in the business of handling tourist traffic both within India and to and from other countries.

(b) Yes. The Indian Railway Conference Association approves firms for appointment as tourist agents, with whom Railways subsequently enter into agreements for the issue of tickets to the public.

(c) Government are aware that the present list of authorised tourist agents includes a number of companies which are not Indian firms.

(d) During the war, no additions were made to the list of authorised tourist agents since railways were not in a position to encourage passenger traffic. The question of extending the list of approved tourist agents is however now under active consideration by the Indian Railway Conference Association.

(e) Government will see that the claims of reputable Indian firms for appointment as tourist agents receive due consideration.

Mr. Manu Subedar: In view of the fact that these booking agents on the railways were useful when the traffic was small and that at present they are not necessarily so useful, would not the Honourable Member examine the whole question and reorganise the system of giving out licenses to booking agents?

The Honourable Dr. John Matthai: Although at present the conditions with regard to passenger accommodation are difficult, we anticipate that in the near future these conditions will improve. In that case it would be desirable I think to have a system of booking agents. I do not think it is in the public interest that the present system should be dropped altogether.

With regard to the particular question raised by my Honourable friend I may say that the whole matter is under the examination of the Indian Railway Conference Association. Their Commercial Committee is now sitting at Lucknow and they are going into this question.

Mr. N. M. Joshi: Will the Honourable Member please state whether Government is not put to a loss by adopting this system of authorising private agents to sell tickets, in view of the commission which Government have to pay to these agents?

The Honourable Dr. John Matthai: That is one of the reasons why during the war period the Railway Board did not add to the list of authorised agents, because at a time when you do not want to increase the passenger traffic, it is certainly not worthwhile for Railways to pay the commission due to these booking agents.

Mr. N. M. Joshi: May I know whether even in peace time Government can afford to lose the revenue which they can get by directly selling their tickets instead of through these booking agents?

The Honourable Dr. John Matthai: If by offering these inducements it is possible to increase the aggregate traffic the question assumes a different phase.

Mr. N. M. Joshi: What is the proportion of revenue which Government receives through these booking agents selling their tickets?

The Honourable Dr. John Matthai: I want notice.

Sri V. C. Vellingiri Gounder: If the object of the Railways is to increase the railway earnings, are Government aware that as the trains are already overcrowded how agents are increasing the earnings?

The Honourable Dr. John Matthai: That is precisely one of the questions under consideration.

Mr. Ahmed E. H. Jaffer: Is the Honourable Member aware that some agencies charge certain extra charges by way of service to the passengers and certain other companies do not? May I know what is the exact position in regard to this matter?

The Honourable Dr. John Matthai: I am afraid I do not follow the question. Would the Honourable Member kindly explain his question?

Mr. Ahmed E. H. Jaffer: Is the Honourable Member aware of the fact that certain travelling agencies charge certain charges extra over and above the railway fare by way of service charges, whereas certain other travelling agents do not charge anything extra? I would like to know what is the exact position, whether passengers are expected to pay any service charges extra to these travel agencies.

The Honourable Dr. John Matthai: The solution lies in the hands of the customers who go to these agents. They ought to avoid them.

Mr. Manu Subedar: In view of the heavy corruption in the issue of tickets from which the public have been suffering, will the Honourable Member for Transport take an early opportunity to have the whole system carefully examined, amongst other things, with a view to see that Indian firms who wish to do this type of business are given reasonable opportunities?

The Honourable Dr. John Matthai: I shall have the question examined.

Mr. Ahmed E. H. Jaffer: The Honourable Member has not understood my question. I want to know whether the travelling public are expected to pay any extra charges to the travel agents by way of service charges over and above the railway fare.

The Honourable Dr. John Matthai: With regard to these tourist agents the practice has been that the Railways give them a commission which, in most cases, average 5 per cent. of the value of the tickets. I am not aware of the circumstances which my Honourable friend has mentioned.

Shri Sri Prakasa: Is the Honourable Member aware that Messrs Thomas Cook & Sons do not charge anything extra while Messrs Govan Bros. do and may I know whether Messrs Govan Bros. do not receive any commission from the Railways, while Messrs Thomas Cook people do?

The Honourable Dr. John Matthai: Since this question has been raised, I would suggest that particulars of these cases might be communicated to me.

INEFFICIENCY IN THE POSTAL SERVICE

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

(a) whether attention of Government has been drawn to the serious irregularities and inefficiency in the Postal service in so far as it relates to catering to the public;

(b) the reasons for such irregularities and inefficiency; and

(c) whether Government are aware that one of the reasons is that efficient employees who have controlled and regulated postal work in particular stations over a considerable number of years are being, after the termination of the last general postal strike, subjected to quick transfer from place to place leaving things to be done by comparatively new staff having little knowledge of the locality and of the public to be served?

Sir Harold Shoobert: (a) Yes.

(b) The disturbed conditions prevailing in many parts of India during the past year have caused great dislocation in postal arrangements from time to time, but the main reason for the deterioration in the service is a rapid expansion of the activities of the Department as a result of the war and post-war development with consequent employment of large and inexperienced temporary staff. The quality of the men who have been recruited in recent years is generally lower than that

available before the war—which is, to no small extent due to the claims of other considerably more attractive employment. Many of these men are unqualified and partly because a number of them are liable to be displaced by war service personnel, they take little pride or interest in the work of the Department. The same difficulty is felt in varying degrees in all Departments, but in the Post Office unfortunately it comes to notice more prominently, because any failure of service there affects the daily life of the general public. Government are anxiously striving to effect improvement.

(e) Certainly not.

Mr. Sasanka Sekhar Sanyal: What are the steps that are being taken by the Government to remedy this inefficiency in the postal service?

Sir Harold Shoobert: The steps that are being taken are: stricter supervision, opening of training classes and recruitment of men of better quality, as far as we can get them. We are also waiting for the report of the Pay Commission and for all we know the terms of service may be made a little more attractive.

Sjt. N. V. Gadgil: Will the Honourable Member please state whether it is not a fact that these inefficient people who were recruited on a temporary basis are paid more than their corresponding numbers in the permanent cadre?

Sir Harold Shoobert: I think my Honourable friend has in mind certain appointments which were made during the period of the war, when we were very short of men in certain big centres and where owing to competition from other departments and from private employers, it was impossible to get men on a short term basis without paying them more than the men who enter in a permanent capacity and in pensionable posts.

Mr. Sasanka Sekhar Sanyal: Are Government taking any steps for giving training to their existing employees in the matter of efficiency?

Sir Harold Shoobert: As far as existing employees are concerned those who are likely to become permanent will, when training schools are opened, be given further training in them as necessity and opportunity arise.

Sreejut Rohini Kumar Chaudhuri: Will the Honourable Member please state why letters sent by air mail reach their destination later than letters by ordinary mail?

Sir Harold Shoobert: As I replied to an identical question in this House about four days ago I would refer the Honourable Member to my reply to that question.

Shri D. P. Karmarkar: May I know whether after the Honourable Member's attention was drawn to particular instances in Bombay, any action has been taken by him to warn the Bombay office?

Sir Harold Shoobert: It is not a matter of warning to the Bombay office. It is a matter of tracing where the fault lies and I explained to the House the other day what steps were being taken and what the difficulties were. I do not think the Honourable Member wants me to waste the time of the House by continually explaining it day after day.

Sreejut Rohini Kumar Chaudhuri: May I take it that the Honourable Member does not dispute my assertion that generally air mail letters reach their destination later than ordinary post?

Sir Harold Shoobert: Sir, I do dispute the assertion because I referred the Honourable Member to the reply which I gave the other day in which I said, if I have to repeat, that in a few isolated cases the fact is as stated by the Honourable Member; but it has to be remembered that the post office carries very many thousands of millions of letters during the year, and to me personally it has always been a wonder not that a few letters go astray or are delivered late but that the numbers that are delivered up in due time are delivered.

Mr. Manu Subedar: May I draw the attention of the Honourable Member not merely to the delay but to the complete disappearance of air mail letters which

are posted from New Delhi in post boxes, and may I enquire whether he will set some traps or some such thing for the postmen who are tempted by the twelve anna stamps affixed to the letters?

Sir Harold Shoobert: If my Honourable friend Mr. Subedar could give me specific instances or a few details I shall be most happy to ask the Director General Posts and Telegraphs to have traps set and for special investigation to be made. But it is possible if this is a matter of foreign correspondence, upon which valuable stamps are affixed, that the fault may not lie with the postal service but somewhere else.

POLICY IN THE MATTER OF TRANSFER OF POSTAL PEONS AND OTHER MENIAL STAFF

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

(a) the policy and practice of Government in the matter of transfer of postal employees of the peon and menial grade;

(b) whether it is a fact that after the last general postal strike postal authorities have transferred quite a large number of such employees and other employees of the clerical cadre from place to place; and

(c) whether Government are aware that there is a feeling that such transfer are being made as a sort of penal measure in respect of those who are supposed to have taken a prominent part in the strike?

Sir Harold Shoobert: (a) Postal peons and menials are liable to transfer within the Sub-Divisions in which they are employed and this is the practice followed.

(b) The reply is in the negative. The number of transfers of officials in the clerical and other grades have been quite few and generally made in the normal routine of administration.

(c) Strict orders have already been issued that there should be no victimisation of men who went on strike.

PENALISING OF SALE OF VANASPATI GHEE

221. *Pundit Thakur Das Bhargava: Will the Secretary of the Food Department please state:

(a) if Government have ever launched any test case against the sellers of vegetable oil for selling the same as Ghee, under Section 420 of the Indian Penal Code;

(b) whether Government have ever considered the feasibility of stopping the sale of vegetable oil known by name of Vanaspati Ghee by penalising such sale by proper legislation; and

(c) if the answer is in the negative whether Government propose to consider the advisability of enacting such a penal measure?

Mr. K. L. Panjabi: (a) No, Sir.

(b) Yes, Sir. The Vegetable Oil Products Control Order enjoins that on all containers Vanaspati is described either as "Vanaspati", or "Vegetable Oil Product", or "Vegetable Product" and by no other name.

(c) Does not arise.

Mr. Manu Subedar: Sir, in the last Assembly the Honourable Member's predecessor gave me a definite assurance here that he would examine the possibility of making the use of the word 'ghee', which is misleading the public and is the cause of their being cheated, an offence. Has the Department taken this matter up, and will the Honourable Member tell us when they propose to eliminate the use of the word 'ghee' which is misleading?

Mr. K. L. Panjabi: As I have explained, Sir, a penalty is provided if any container containing vanaspati describes vanaspati as ghee.

Mr. Manu Subedar: The position is not merely of the nomenclature on the tin. The position is of what the shopkeeper uses both in making bills, in selling the article and generally in pretending that this is ghee: to the unwary purchaser and the ignorant consumer.

Mr. President: Is the point clear to the Honourable Member?

Mr. K. L. Panjabi: The Honourable Member wants action to be taken against dealers who sell vanaspati as ghee, while the container describes the contents correctly. I think if any specific instances are brought, the action can be taken by the Provincial Governments.

Mr. Manu Subedar: I am sorry to persist in this point. May I make it clear that it is not merely a question of what is on the tin. It is of what the dealer sells.

Mr. President: The latter part of the Honourable Member's answer perhaps clarifies the position: he refers to the Provincial Government so far as that aspect of the matter is concerned.

Mr. Manu Subedar: I do not think there is any controversy in this House on this point. We are all unanimous that the use of the word 'ghee' in connection with a vegetable product at any stage of the transactions should be prohibited and should be penalised. May I therefore enquire whether the Honourable Member will look further into this matter?

Mr. K. L. Panjabi: I will, Sir.

Dr. G. V. Deshmukh: Could the Honourable Member tell us what is the meaning of the word 'vanaspati'?

Mr. Ahmed E. H. Jaffer: Is it the brother of Ganapati?

Sjt. N. V. Gadgil: May I know from the Honourable Member whether he is not aware of the fact that there is extreme shortage of oil supply in the country, and whether in view of this fact he will not consider the advisability of putting a stop to the manufacture of vegetable ghee altogether?

Mr. K. L. Panjabi: Sir, the manufacture of vegetable ghee does not reduce the available oil supplies; it only converts oil into another cooking medium. So, if the use of oil by the vanaspati factories were stopped, the demand will still remain the same.

Mr. Vadilal Lallubhai: Is the Honourable Member aware that there is such an acute shortage of oil that people do not get even half a pound of oil after standing in queues and hundreds have to stand in queues all over the country?

Mr. K. L. Panjabi: I have seen reports in the press that in certain areas there is temporary scarcity of oil. But the matter is under active consideration of the Government.

Mr. Vadilal Lallubhai: Has the Honourable Member seen the report from Bombay that the Premier of Bombay and the Bombay Ministry are for stopping the production of vegetable ghee entirely?

Mr. K. L. Panjabi: Government have received no such representation from the Government of Bombay.

Mr. Vadilal Lallubhai: Have the Government of Bombay made that recommendation to the Department?

Mr. K. L. Panjabi: I have said already, Sir, that the Government of India have received no such recommendation from the Government of Bombay.

Mr. Manu Subedar: Has not the Honourable Member seen the report in the papers today in which it is said that the Prime Minister of Bombay is awaiting intimation from the Government of India in order to carry out the threat of complete stoppage of the manufacture of vegetable ghee in order to put right the oil scarcity in the province?

Mr. K. L. Panjabi: I regret I have not seen the report in the papers.

Shri D. P. Karmarkar: Is the Honourable Member aware of the fact that some of the factories manufacturing hydrogenated oil so manufacture it as to give it the colour of ghee—in different forms—Crystalline, non-crystalline, white, yellow—and sell it in different parts of the country; and if he is so aware, whether Government will take immediate steps to see to it that hydrogenated oil can be easily differentiated from any other edible oil?

Mr. K. L. Panjabi: Sir, Government have had this matter under consideration and it has already been decided that sesamum oil shall be mixed with groundnut oil in the manufacture of vanaspati; and when this is put into effect next month it will be very easy to detect the percentage of vanaspati with adulterated ghee.

Mr. P. K. Salve: Has Government analysed this stuff? Has it found it to be digestible?

(No answer was given.)

Pandit Lakshmi Kanta Maitra: May I know whether the Honourable Member is aware that the Central Food Advisory Board appointed a committee, the Food Adulteration Committee, which unanimously recommended that the word 'vanaspati' should never be used in this context and that all that they could use is 'hydrogenated edible oil' because vanaspati is a particular kind of manufacture?

Mr. President: The Honourable Member should merely put the question.

Dr. Zia Uddin Ahmad: Will the Honourable Member take steps to see that this vegetable oil is coloured so that the public may not be cheated and vegetable oil may not pass as ghee?

Mr. K. L. Panjabi: As I have already said there will be latent colouring as it has been prescribed that sesamum oil shall be mixed with groundnut oil in the manufacture of vanaspati.

MR. PEPPARALL'S RECOMMENDATION *re* STOPPAGE OF EXPORT OF MILCH CATTLE TO CALCUTTA AND BOMBAY FROM PUNJAB

222. *Pundit Thakur Das Bhargava: Will the Secretary of the Agriculture Department please state:

(a) the action that Government have taken or propose to take to implement the recommendations contained in the report of Mr. Pepparall, Milk Marketing Adviser to the Government of India;

(b) if it is a fact that the best cows and buffaloes are exported to Calcutta and Bombay from Rohtak and Hissar and other parts of Punjab and that owing to absence of facilities for tending them in the dry period they are slaughtered after the milching period resulting in great national loss;

(c) if it is a fact that the Pepparall Report contained a recommendation that such export of cattle should be stopped and provision be made for exporting the milk; and

(d) whether Government propose to stop such export or to make proper provision for tending such exported cattle in Bombay and Calcutta?

Sir Pheroze Kharegat: (a) The Honourable Member may kindly see the reply to part (c) of Question No. 880 asked by Mr. Jhunjhunwala on the 12th March 1946.

(b) Good milch cattle are exported from the Punjab to Calcutta and Bombay for milk supply in those cities. Most of them are slaughtered when they go dry. A scheme for the salvage of dry cattle has been taken up in Bombay, and similar schemes have also been sanctioned for Calcutta and Madras.

(c) Yes, Sir.

(d) The Government of India have agreed to share half the expenditure in respect of the salvage of dry cattle from cities with the Provincial Governments concerned.

Mr. Manu Subedar: In view of the fact that Government have given an assurance that they are taking active steps for preventing slaughter of prime cows and buffaloes, may I know how these cattle can be slaughtered, as the Honourable Member said? Is not Government's action in preventing the slaughter of prime cows and buffaloes, even when they go dry, effective?

Mr. Pheroze Kharegat: The orders have been issued by the Provincial Governments concerned and in two provinces no orders have been issued at all. In certain other provinces, exceptions have been made in favour of buffaloes and buffaloes, when they go dry, are allowed to be slaughtered.

Mr. Vadilal Lalubhai: With reference to the reply to part (a), what further steps has the Honourable Member taken to implement the Pepparall report within these twelve months?

Sir Pheroze Kharegat: The implementation of the report lies primarily with the Provincial Governments. What the Centre did was . . .

Mr. N. V. Gadgil: To print them!

Sir Pheroze Kharegat: to send a copy of the report to the Provincial Governments inviting their attention to the various recommendations and a press note was issued on the subject in February last year. We have had no information as to what action the Provincial Governments have taken in that connection so far.

Sri V. C. Vellingiri Gounder: May I know with regard to the Government of India grant to the Provincial Governments, how many provinces have received such grants for the salvage of dry cows and buffaloes?

Sir Pheroze Kharegat: The grants have been sanctioned so far to three provinces, Madras, Bombay and Bengal.

Sri V. C. Vellingiri Gounder: May I know the amount of money given?

Sir Pheroze Kharegat: I am afraid I have not got the figures handy with me and I will be glad to supply the figures later if desired.

Khan Abdul Ghani Khan: May I know why the subsidy was given to the three richest provinces of India?

Sir Pheroze Kharegat: The subsidy was given to the three provinces which have the largest towns or cities in India and because applications were received from those three provinces.

Mr. Manu Subedar: Can the Honourable Member explain why, in spite of the measures recommended and taken by the Centre and the Provincial Governments all over the country, the price of milk keeps on increasing and the quality of it keeps on deteriorating?

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

Shri Mohan Lal Saksena: What are the names of the provinces in which orders have not been issued?

Sir Pheroze Kharegat: Punjab and the N.-W. F. P.

Shri Mohan Lal Saksena: May I know whether the Pepparall report has been implemented in the Centrally administered areas?

Sir Pheroze Kharegat: I am afraid I cannot reply to that. I must ask for notice.

CATTLE AND CROP INSURANCE.

†223. *Prof. N. G. Ranga: Will the Secretary of the Agriculture Department be pleased to state:

(a) whether Government are aware of the recommendations made by the committee on Agricultural Co-operation in favour of State experiments in organising cattle insurance and crop insurance and also of the recommendation

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

made by the Livestock Committee of the Imperial Council of Agricultural Research at its recent meeting in Cawnpore in favour of the State organising cattle insurance;

(b) whether Government are aware that the co-operative cattle insurance with State assistance has been organised in Denmark and Sweden; and

(c) whether Government propose to provide for the cattle insurance for our peasants?

Sir Pheroze Kharegat: (a) Yes, Sir.

(b) Government are aware that co-operative cattle insurance has been organised with Government assistance in some countries including Denmark.

(c) The question is being examined.

COMPULSORY EXPORT OF MADRAS YARN.

†224. ***Prof. N. G. Ranga:** Will the Honourable Member for Industries and Supplies be pleased to state:

(a) whether it is a fact that the Madras Government have made any recent recommendation that the compulsory export of Madras Yarn should be stopped in order to help Madras and thus minimise unemployment prevailing among weavers;

(b) whether Government propose to take urgent steps to see that this distribution of yarn among provinces is stopped; and

(c) whether Government are aware of the extreme scarcity of yarn for handloom weavers prevailing in Madras during the last three years and that the stipulation made in 1945 for the export of 17,000 bales of yarn from Madras presidency to other provinces has worsened the plight of the handloom weavers?

The Honourable Sri C. Rajagopalachari: (a) Yes, Sir, the Madras Government has recently suggested to the Government of India that export of yarn from Madras to other Provinces should be stopped so as to help Madras handloom weavers.

(b) and (c). The Government of India are aware that the supplies of yarn are not adequate to keep handloom weavers in Madras in full employment, but that unfortunately is the case with handloom weavers in other Provinces also. The Government of India are unable to agree to the suggestion that exports of yarn from Madras to other Provinces should be stopped. Available supplies of yarn have to be distributed equitably on an all-India basis as is done with all commodities in short supply.

EXISTENCE OF THE PRACTICE OF STOPPAGE OF AN EMPLOYEE'S LEAVE AS PENALTY ON N. W. RAILWAY.

225. ***Seth Sukhdev:** (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that the practice of stoppage of an employee's leave privileges, exists on the North Western Railway as a form of penalty?

(b) Are Government aware that the spokesman of the Railway Unions in opening the workers case at Lahore on 8th October last, before the Adjudicator in the Railway dispute stated that at certain loco sheds and other establishments, leave privileges of about 33 per cent. of the total staff had been stopped? If so, what steps are proposed to be taken to remedy this state of affairs?

(c) Are Government aware that the Unions spokesman cited cases in which employees' leave privileges had been stopped for years in succession even till 1949?

(d) Do Government propose to abolish the infliction of the punishment by stoppage of leave on railway staff? If not, why not?

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

The Honourable Dr. John Matthai: (a) Till recently the practice on the North Western Railway was as stated by the Honourable Member.

(b), (c) and (d). In opening the workers' case at Lahore before the Adjudicator in the Railway dispute, the spokesman of the North Western Railway Employees Union referred to the practice on the North Western Railway of stopping leave privileges. He mentioned one case in which these privileges have been stopped till 1949. When the practice in force on the North Western Railway was brought to the notice of the Railway Board, the question as to the correctness of this practice was examined and it was decided that leave was not one of the privileges which can be stopped in terms of the rules regulating discipline. Instructions have been issued to Railways accordingly, and they have also been instructed to cancel any orders which may have been issued, in individual cases, withholding privileges otherwise than in accordance with the recent decision.

Mr. S. Guruswami: Is the Honourable Member aware that the monetary loss suffered by the employees exceeds what is permissible under the Payment of Wages Act?

The Honourable Dr. John Matthai: I must have notice of that question?

Mr. S. Guruswami: Will the Honourable Member make inquiries as regards the loss actually suffered by the employees concerned and make a refund?

The Honourable Dr. John Matthai: If the Honourable Member would refer the matter to me giving some particulars, I would have the question looked into.

QUOTA OF MILL CLOTH AND ISSUE OF CLOTH COUPONS IN DELHI

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

(a) whether Government are aware that no cloth coupons were issued in Delhi for the quarter commencing from 1st December 1946, after the coupons for the previous quarter had lapsed;

(b) whether Government are aware of the serious difficulty to which people are being put on account of such non-issue of coupons;

(c) the reasons why such coupons were not issued;

(d) whether it is proposed to abolish cloth control altogether in view of the very high prices charged in the black market for mill cloth of all kinds, and

(e) the quota of mill cloth of various kinds obtained for Delhi area for the quarter beginning 1st December 1946 and the quota obtained for the previous quarter?

The Honourable Sri C. Rajagopalachari: (a) The distribution of cloth ration permits in Delhi began on the 23rd December 1946, *i.e.*, 22 days after the due date.

(b) I can well believe that this delay must have been a source of inconvenience to consumers.

(c) The delay was due to a change in the form of permits and the system of distribution. I understand that the public have found the new system an improvement.

(d) It is regrettable that there is a black market: but Government fear that things may get worse if control were abolished.

(e) By the end of January Delhi had received, for the quarter beginning 1st December 1946, 259 bales of fine cloth and 1,902 bales of coarse cloth. During the previous quarter, Delhi received 584 bales of fine cloth and 3,025 bales of coarse cloth.

Dr. Zia Uddin Ahmad: May I ask in what way things will grow worse if the controls are abolished?

The Honourable Sri C. Rajagopalachari: The fear is that there will be more hoarding, more cornering and things like that. It is a fear. The matter is well worth further consideration.

Babu Ram Narayan Singh: What are the sources of the fear that if control is removed things will get worse?

The Honourable Sri C. Rajagopalachari: The sources of fear are the fear itself.

Lala Deshbandhu Gupta: Is it not a fact that the cloth quotas are fixed on population basis, taking into consideration the entire population of every province. Delhi, being an urban province, is at a great disadvantage on that account as it gets less than its due?

The Honourable Sri C. Rajagopalachari: The matter has been settled more or less on a population basis but with a certain ratio fixed for each individual in the various provinces, which differs from province to province. We have dealt with it as justly as we can but still there is room for complaint. There are people who say that if 18 yards are given to people in Sind and Baluchistan why only 12 yards in other provinces. It is true there is complaint but there is no other way of deciding the matter.

Lala Deshbandhu Gupta: So far as Delhi is concerned, is the Honourable Member aware that the conditions in Delhi are more or less similar to those in Calcutta and Bombay and there is no reason why the people in Bombay and Calcutta should get *per capita* more cloth ration than that allowed in Delhi? Will the Honourable Member look into the matter and make the allocation of quotas equitable?

The Honourable Sri C. Rajagopalachari: I shall look into the matter, but I am afraid the Honourable Member's facts are not correct.

Lala Deshbandhu Gupta: Is the Honourable Member aware that *per capita* cloth ration in Calcutta is more than that in Delhi and that an individual in Calcutta gets more than what is allowed in Delhi?

The Honourable Sri C. Rajagopalachari: I do not think so, but I shall look into it.

Sardar Mangal Singh: At present the coupons are issued and they are not addressed to any particular shop with the result that people feel great difficulty in getting the cloth. Will the Honourable Member consider that the coupons should be addressed to a particular shop and that the quota of cloth should be available at that shop as is the practice in other cities?

The Honourable Sri C. Rajagopalachari: If people have to carry coupons and also have coupons which could be used only at particular shops, I fear the difficulty will be greater and the complaints will be larger in number. But the whole matter will be looked into, as I said.

Shri Sri Prakasa: In view of the statement made by the Honourable Member when he was last our Supplies Member, can we ask him if he himself personally does not share the fear of his Government as regards the result of the abolition of control?

The Honourable Sri C. Rajagopalachari: I have to speak on behalf of the Government.

Sri R. Venkatasubba Reddiar: May I ask the Government whether they propose to issue ration cards to Members of this House when they stay here for the Budget session at least?

The Honourable Sri C. Rajagopalachari: It is perhaps not wise to make the business of the Central Government so particularised and focussed on the Members of the House here.

SHORTAGE OF MATCHES IN NEW DELHI

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

(a) whether Government are aware that there has been a very serious shortage of matches in New Delhi and elsewhere since the middle of November 1946, if so what is the cause of such shortage;

(b) whether Government are aware that very serious inconvenience is being caused by such shortage and what steps Government are taking to remedy the situation;

(c) whether Government propose to open their own match depots or allow the present grain ration shops to sell matches in limited quantities to their ration card holders; and

(d) whether there is any control on the movement of matches and if so to what extent?

The Honourable Sri C. Rajagopalachari: (a) Yes, Sir. It is partly due to fall in production on account of labour unrest, riots in centres of production and introduction of eight hours work a day in factories and partly to the tendency of retailers to hold up stocks. The position has eased considerably.

(b) Production capacity of established factories in India is quite adequate to meet normal internal requirements of the country. The Government of India are taking action to reserve certain species of wood in India and the Andaman Islands exclusively for the Match Industry.

(c) The Honourable Member's suggestion will be passed on to the Provincial Governments.

(d) Export of matches from Delhi is prohibited. Otherwise there is no control on internal movement. Export of matches outside India is strictly controlled.

Shri Sri Prakasa: In view of the fact that smokers recklessly waste matches, will the Government take steps to ration their supply?

The Honourable Sri C. Rajagopalachari: We cannot ration on individual basis unless we hold on to each one who is smoking.

Mr. Manu Subedar: Has my Honourable friend here made a suggestion to Government with regard to the establishment of prohibition on tobacco?

Dr. Zia Uddin Ahmad: Am I to understand that the production of matches is sufficient to meet our demands? If so, why there is shortage?

The Honourable Sri C. Rajagopalachari: The factories produce enough, but, as I have already said, there is a tendency on the part of retailers to hold up stock. That is the reason why there is shortage of matches.

Lala Deshbandhu Gupta: With reference to the reply to part (c) of the question, may I know whether the Government have considered the advisability of carrying out the suggestion that the rationing shops may sell matches so far as Delhi is concerned?

The Honourable Sri C. Rajagopalachari: We shall consider it, but I cannot say it is very hopeful.

Mr. Manu Subedar: Have Government considered the deterioration of the quality of matches and have they examined the question as to whether smokers as well as others are not using up more matches because the matches break in the process of lighting?

The Honourable Sri C. Rajagopalachari: It is likely. The remedy lies in the improvement of wood and I have already referred to that matter.

Pandit Lakshmi Kanta Maitra: What is the annual production of matches in India?

The Honourable Sri C. Rajagopalachari: I do not like to waste the time of the House although I can look into the file with me and find out the figures. I would like to have notice of the question.

Khan Abdul Ghani Khan: In view of the importance of this question (No. 228) may I have your permission, Sir, to put it?

Mr. President: Has the Honourable Member got the authority?

Khan Abdul Ghani Khan: No, Sir.

Mr. President: Then I cannot allow him to put the question.

FIXATION OF PRICE OF FOODGRAINS BY THE PROVINCIAL GOVERNMENTS

†228. ***Prof. N. G. Ranga:** Will the Secretary of the Food Department be pleased to state:

(a) whether it is a fact that Provincial Governments are entitled to fix the prices of food grains;

(b) whether it is a fact that the Government of India have insisted that the Madras Government should not increase the prices of paddy and rice;

(c) whether it is a fact that the Madras Government have asked the advice of the Government of India in regard to the increase of these prices;

(d) whether Government are aware that the price fixation Committee of the Government of Madras and on which two ministers for Agriculture and Food were represented, had unanimously recommended that for new crop of paddy, the price of Rs. 13 for a bag of 166 pounds should be fixed; and

(e) whether Government are aware that the Madras Government has today fixed the price of Rs. 11 for ordinary qualities of paddy mainly because of the insistence of the Government of India that the price for ordinary quality should not be raised to Rs. 13?

Mr. K. L. Panjabi: (a) No Sir. In accordance with the decisions of the Fourth All-India Food Conference the levels are to be determined by the Government of India in consultation with the Prices Advisory Committee and the Provinces.

(b) to (e). The answer is in the affirmative.

DIRECT SUPPLY OF COAL TO TOBACCO GROWERS AND CURERS

†229. ***Prof. N. G. Ranga:** Will the Honourable Member for Industries and Supplies be pleased to state:

(a) whether it is a fact that during the last Budget Session Government agreed in answer to my question to allow tobacco growers and curers to obtain direct supply of Coal from the Collieries without the medium of the wholesale and retail dealers;

(b) whether Government are aware of the fact that the Controller of Coal at Madras has refused to implement the concessions made by the Government of India even after it was brought to his notice;

(c) whether Government are aware of the protests made by tobacco growers to the Coal Controller against his palliative of advisory Committees to check the vagaries and corruption of the wholesale and retail dealers; and

(d) whether Government propose to direct the Controller of Coal at Madras to let peasants obtain coal directly through their associations from Singareni and other Collieries?

The Honourable Sri C. Rajagopalachari: (a) Yes, Sir, it was so stated during the Budget session of 1946 but subject to the conditions that direct supplies were recommended by the Tobacco Adviser, that the tonnage involved was

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

substantial, and that responsibility was accepted for prompt payment to the collieries.

(b) and (c). Yes. Allegations that the Provincial Coal Controller has refused to allow direct coal supplies have been made by the Andhra Provincial, the Bapatla Taluk and the Ongole Tobacco Growers' Associations.

(d) In pursuance of the Central Government's policy to decentralise, as far as possible, the control of coal distribution, the quota for tobacco curing concerns in Madras for the season 1946-47 has been transferred to the Madras Government, who are now responsible for the allocation of coal out of this quota to individual tobacco growers in the Province, and for determining the best method of arranging supplies. An enquiry has been made from the Madras Government whether they will agree to direct supplies being arranged and whether they can make satisfactory arrangements for prompt payment to collieries.

EXCESS REMUNERATION TO OIL CRUSHERS BY MADRAS GOVERNMENT

†230. *Prof. N. G. Ranga: Will the Secretary of the Food Department be pleased to state:

(a) whether it is a fact that the margins of remuneration allowed for Oil crushers, who extract oil from groundnuts have been raised abnormally by the Madras Government;

(b) whether Government are aware of the fact that the Madras Government claims that they have done this under authority of the Government of India;

(c) whether it is a fact that various organizations of peasants have protested against the excess profits allowed to the Oil expellers and whether the Government of India propose to modify their advice to the Madras Government, so as to permit the reduction of these margins and thus increase the prices payable to the groundnut growers; and

(d) whether Government propose to see that peasants and their Co-operative sales societies and marketing federations are allowed to requisition the oil mills and thus supply to the market, groundnut oil and cake thereby eliminating the present profiteering allowed to oil crushers?

Mr. K. L. Panjabi: (a) No, Sir.

(b) Does not arise.

(c) One representation was received on the 8th February and is being examined.

(d) This is for the Provincial Government to consider.

INCREASED REMUNERATION TO RICE MILLERS BY THE MADRAS GOVERNMENT

†231. *Prof. N. G. Ranga: Will the Secretary of the Food Department be pleased to state:

(a) whether Government are aware of the fact that the Government of Madras have increased margins of remuneration and profit allowed to rice millers over and above the margins previously allowed by the Government of India;

(b) whether Government propose to see that the paddy growers and their Co-operative sales societies and marketing federations are given the right to requisition rice mills and get their paddy converted into rice and thus help the peasants to eliminate the profits of middlemen; and

(c) whether Government propose to see that the option is given to peasants to supply not only paddy but also milled rice and handhusked rice according to their choice?

Mr. K. L. Panjabi: (a) No increase in the margin of profit has been allowed but the margin of allowances for transport and labour charges has been slightly increased owing to the increased cost.

(b) The matter is under consideration.

(c) Producers are not allowed to supply milled rice in order to avoid delay in procurement, and also because it is not possible to get rice conforming to the prescribed specification through them. The supply of hand-pounded rice is permitted in order to encourage the hand-pounding industry.

RADIO AND CABLE COMMUNICATION SERVICE.

232. *Maharajkumar Dr. Sir Vijaya Ananda: Will the Secretary of the Communications Department please state whether Government have decided to run the Radio and Cable Communications services departmentally as a public corporation under their control?

Sir Harold Shoobert: The final form in which the Service will be run is yet to be decided and the whole question is under examination.

Mr. Manu Subedar: Can the Honourable Member give information to this House as to what subsidy, if any, Government are giving with regard to overseas telegraphs either to this Company before it is taken over or to the Telegraph Company?

Sir Harold Shoobert: We are giving no subsidy. Government have taken over the service and Government are now running the service as a separate Government Department.

Shri Sri Prakasa: Is there any idea of handing over the Radio to any private company?

Sir Harold Shoobert: We have just taken it over from a private company and we do not intend to hand it over to another private company.

EXTERNAL AIR SERVICES TO THE EAST AND TO THE WEST.

233. *Maharajkumar Dr. Sir Vijaya Ananda: Will the Secretary of the Communications Department please state whether, in view of the fact that monopoly is essential in the formation of external air services, Government propose to adhere to their original decision to float two corporations one for the operation of routes to the East and the other to the West?

Sir Harold Shoobert: The policy of the Government of India regarding the operation of external air services is at present under review and an announcement is likely to be made shortly.

CO-ORDINATION OF ALL FORMS OF TRANSPORT.

234. *Maharajkumar Dr. Sir Vijaya Ananda: Will the Honourable Member for Transport please state whether, in regard to the question of transport, co-ordination, Government propose to consider the necessity of creating a central all-India organisation for the co-ordination of all forms of transport, namely roads, rail, air, coastal shipping and inland waterways, instead of confining the conception of transport co-ordination to the present idea of rail-road co-ordination?

The Honourable Dr. John Matthai: Government have already set up a Central Board of Transport with the object of coordinating the planning and execution of transport development and ensuring the maximum coordination of all forms of transport.

Dr. Zia Uddin Ahmad: May I ask how the Honourable Member is going to effect co-ordination when rail, road, air and water services are under different Members of the Government of India?

The Honourable Dr. John Matthai: That is exactly the purpose of this Board. This Board is to consist of representatives of all the Departments of the Government of India concerned with transport of one kind or another.

Shri Sri Prakasa: How long does the Government expect this Board to take to present its report?

The Honourable Dr. John Matthai: It is a standing Board to examine questions relating to transport from time to time.

Shri D. P. Karmarkar: May I ask whether it is a fact that a post-war railway development scheme was once formed and whether Government propose to take the opinion of the popular Governments in the provinces regarding this scheme?

The Honourable Dr. John Matthai: That does not arise out of this question.

IMPORTS OF CEREALS INTO INDIA.

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

(a) the total quantity of cereals imported into India from 1st April 1946 to the end of December 1946, and from what countries; and

(b) the estimated deficit of cereals for the current year and how Government propose to meet it?

Mr. K. L. Panjabi: (a) I place on the Table of the House a Statement showing the quantity of cereals imported from various countries during the period 1st April to the 31st December, 1946.

(b) An assessment of our import requirements for the first half of 1947 has been made on the basis of existing stocks, prospects of procurement of the crops already harvested and rate of consumption at existing scales of ration. In order to leave stocks sufficient for six weeks we should import 2.4 million tons of cereals. As for the requirements of imports for the whole year the Honourable Member will appreciate that a great deal depends on the coming Rabi and it is impossible to forecast at this stage what the outturn of this will be. The Government of India will continue to make the utmost efforts to obtain imports from surplus countries. As the Honourable Member is aware, the world's surpluses of rice are nearly all included in a pool, allocations from which are made by the Inter-national Emergency Food Council. We are represented on this Council and India's requirements are continually pressed before this body. For grain other than rice, we keep a continual watch of availabilities in the various surplus countries and the necessary steps suited to each case are taken. In many countries we have buying agents; in others we buy through our Trade Commissioners and where stocks are under Government control, continual contact is maintained with the Governments concerned.

Imported food-grains—Arrivals during the period from 1st April to 31st December, 1946.

I. Foodgrains other than rice—

	From	Tons	
April	U. S. A.	29,706	Wheat
	Canada.	7,500	"
	Australia.	62,182	"
	Australia.	12,808	Wheat equivalent of 9,350 tons of flour at 73% extraction.
	Total	112,196	
May	Australia.	62,379	Wheat
	Australia.	42,470	Wheat equivalent of 31,000 tons of flour.
	U. S. A.	26,164	Wheat
	Canada.	3,500	"
	U. K.	5,500	Wheat equivalent of 4,000 tons of flour.
	Total	140,013	

	From	Tons	
June . . .	Australia.	52,398	Wheat
	Australia.	15,895	Wheat equivalent of 11,603 tons of flour.
	Canada.	39,314	Wheat
	Total .	<u>107,607</u>	
July . . .	Australia.	48,471	Wheat
	Australia.	45,478	Wheat equivalent of 33,199 tons of flour.
	Canada.	53,212	Wheat
	U.S.A.	33,879	"
	U.S.A.	76,979	Maize
	Total .	<u>258,019</u>	
August . . .	Australia.	52,931	Wheat
	Australia.	19,227	Wheat equivalent of 14,036 tons of flour.
	Australia.	1,050	Barley
	Canada.	9,308	Wheat
	U.S.A.	43,105	"
	U.S.A.	8,913	Maize
	Argentine.	25,301	"
	Burma.	2,730	"
	Iraq.	170	Milletts
	Egypt.	19,625	"
Total .	<u>182,360</u>		
September . . .	Australia.	43,836	Wheat
	Australia.	35,764	Wheat equivalent of 26,108 tons of flour.
	Australia.	200	Milletts
	U.S.A.	67,581	Wheat
	U.S.A.	5,100	Maize
	U.S.A.	7,625	Milo
	Burma.	2,300	Maize
	Argentine	26,182	"
	Egypt	4,709	Barley
	Egypt	14,644	Milletts
	Abbyssenia	1,421	"
	Total .	<u>209,362</u>	
October . . .	Australia	17,079	Wheat
	Australia	900	Milletts
	U.S.A.	32,499	Wheat
	U.S.A.	6,253	Wheat equivalent of 5,002 tons of flour at 80% extraction Basis.
	U.S.A.	7,475	Milo
	Argentine	97,200	Maize
	Argentine	1,672	Milletts
	Egypt	2,187	Barley
	Egypt	3,200	Milletts
	Turkey	6,900	Barley
	Iraq	17,200	"
	Iraq	1,000	Milletts
	Canada	17,376	Oats
Total .	<u>210,911</u>		

November	From	Tons		
	Canada	51,229	Wheat	
	Canada	7,077	Oats	
	U.S.A.	100,807	Wheat	
	U.S.A.	6,986	Wheat equivalent of 5,589 tons of flour at 80% extraction Basis.	
	U.S.A.	11,000	Milo	
	Australia	9,544	Wheat	
	Australia	12,322	Wheat equivalent of 8,995 tons of flour at 73% extraction Basis.	
	Turkey	8,412	Wheat	
	Turkey	36,490	Barley	
	Argentina	27,478	Maize	
	Argentina	8,250	Millets	
	Burma	200	Maize	
	Iraq	37,048	Barley	
	Egypt	2,283	Millets	
Abbyssenia	395	"		
	Total	319,521		
December	U.S.A.	61,599	Wheat	
	U.S.A.	15,490	Wheat equivalent of 12,392 tons of flour at 80% extraction Basis.	
	U.S.A.	4,430	Maize	
	U.S.A.	29,458	Milo	
	Canada	2,000	Wheat	
	Turkey	6,100	"	
	Turkey	18,148	Barley	
	Argentina	29,034	Maize	
	Argentina	7,033	Millets	
	Iraq	8,044	Barley	
	Iraq	1,000	Millets	
		Total	182,336	
	II. Rice—			
May	Burma	9,381		
June	"	24,377		
July	"	36,568		
	Siam	8,700		
	Saigon	3,890		
	Total	49,158		
August	Burma	22,903		
	Brazil	9,500		
	Total	32,408		
September	Burma	54,248		
	Java	4,000	Rice equivalent of 6,019 tons of Paddy.	
	Total	58,248		

	From	Tons	
October . . .	Brazil	19,376	
	Java	12,000	Rice equivalent of 18,330 tons of Paddy.
	Total	31,376	
November . . .	Burma	10,045	
	Siam	9,000	
	Brazil	8,498	
	Java	9,800	Rice equivalent of 14,714 tons of Paddy
Total	37,343		
December . . .	Burma	40,743	
	Brazil	1,818	
	Siam	8,000	
	Java	3,308	Rice equivalent of 4,962 tons of Paddy.
Total	53,869		

Mr. Vadilal Lallubhai: What was the total cost of food imports last year?

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

EXPORT OF FOODGRAINS TO GOA.

236. *Mr. Ahmed E. H. Jaffer: Will the Secretary of the Food Department be pleased to state:

(a) the quantity of food grains exported every month from India to Goa for the quarter ending December 1946;

(b) the expected export to Goa for the quarter ending March 1947; and

(c) whether it is a fact that Government of India are going to stop the export of food grains to Goa in the near future, if so, the reasons thereof?

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

(b) About 1,500 tons of foodgrains.

(c) No, Sir.

Statement showing despatches of foodgrains to the Goa during October, November and December 1946.

(Tons)

Period	Wheat	Rice	Total
October, 1946 . . .	180	..	180
November, 1946 . . .	180	7	187
December, 1946 . . .	180	387	567
Total	540	394	934

Dr. Zia Uddin Ahmad: Is it not a fact that Government gave an assurance that no food would be exported to foreign countries? Is not Goa a foreign country?

Mr. K. L. Panjabi: For the purpose of supply of foodstuffs, Goa is considered as part of India.

NATIONALISATION OF KEY INDUSTRIES.

237. *Mr. Ahmed E. H. Jaffer: (a) Will the Honourable Member for Industries and Supplies please state when Government propose to implement the Honourable the Home Member's statement made in a speech in Bombay to representatives of the Commercial community of that city as regards Nationalisation of all the key industries in the country?

(b) Will the Honourable Member please state what the Honourable the Home Member precisely meant when he said that "Nationalisation of all key industries would not be necessary if the interests of labour were better looked after"?

(c) Do Government propose to appoint a Committee to advise them on the question of "Safeguarding the interests of Labour" thus rendering the wholesale nationalisation of key industries unnecessary?

The Honourable Sri C. Rajagopalachari: (a) and (b). At the reception given to him by the Indian Merchants' Chamber at Bombay, on the 4th December last, the Honourable the Home Member expressed the opinion that key industries should be nationalized, and that as regards other industries it would not be necessary to nationalise them if employers paid more attention to labour interests.

(c) The suggestion will be considered.

Mr. Ahmed E. H. Jaffer: Does the Honourable Member himself share the opinion which was expressed by the Honourable the Home Member?

The Honourable Sri C. Rajagopalachari: I do not know whether we are here to discuss Cabinet matters.

Dr. Zia Uddin Ahmad: Will the Honourable Member say which are the key industries?

The Honourable Sri C. Rajagopalachari: I think it is to be understood in the normal idiomatic sense. We know what industries are important.

Mr. Ahmed E. H. Jaffer: Has the present Government laid down any policy for nationalisation of key industries?

The Honourable Sri C. Rajagopalachari: It has already been stated that this and connected matter are being considered and the policy will be decided upon and an announcement will be made thereafter.

Dr. Zia Uddin Ahmad: With reference to the number of key industries the Labour Government in England definitely decided that five industries were to be regarded as key industries. I said on the floor of this House that two more should be added to that list so far as India is concerned. Have Government definitely decided which industries are to be considered key industries?

The Honourable Sri C. Rajagopalachari: Key industries differ from country to country just as keys differ from lock to lock.

Dr. Zia Uddin Ahmad: They may be different in all countries, but so far as India is concerned, will Government decide which industries are in their opinion key industries?

The Honourable Sri C. Rajagopalachari: It can be easily decided.

PROMOTIONS TO THE POSTS OF PRINCIPAL OFFICERS ON N. W. RAILWAY.

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

(a) whether it is a fact that in making promotion to the posts of Principal Officers, on the North Western Railway a condition is enforced that an officer so promoted has at least three years to attain the age of superannuation; if so, under what rule and what is the text thereof; and

(b) whether any racial discrimination is observed in enforcing the rule referred to in part (a) above? If so, why? If not, why this condition was not applied in the case of Mr. Morse, Chief Mechanical Engineer, and Mr. Adams, Chief Electrical Engineer of the North Western Railway?

The Honourable Dr. John Matthai: (a) The reply to the first part is in the negative. The second part, therefore, does not arise. I would, however, add for the Honourable Member's information that in making appointments to Principal Officers' posts, which are selection posts, it is considered desirable that, ordinarily, an officer should be able to hold the post for two years at least but each case is dealt with on its merits.

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

Mr. S. Guruswami: Is the Honourable Member aware that on promotion the members of a particular community get three years additional seniority?

The Honourable Dr. John Matthai: I am not aware.

RECRUITMENT OF TICKET COLLECTORS OR SPECIAL TICKET EXAMINERS ON N. W. RAILWAY.

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

(a) whether any Ticket Collector or Special Ticket Examiners were directly recruited on the North Western Railway during the year 1946-47; if so, their numbers in each category;

(b) whether direct recruitment referred to in part (a) above, fits in with the policy of 20 per cent. posts in intermediate grades to be filled directly; and

(c) whether the balance of direct recruitment posts not filled during 1944-45, and 1945-46 has been carried over for being filled in 1946-47; if so, how many and under what rule?

The Honourable Dr. John Matthai: (a) Yes. 120 Ticket Collectors, Class I Grade I, two Ticket Collectors, Class I Grade II, and 21 Special Ticket Examiners, Class I Grade II were recruited direct during the year 1946-47.

(b) Yes.

(c) At the beginning of the year 1946, in addition to the vacancies anticipated for that year in Class I Grade II of the Special Ticket Examiners' and Ticket Collectors' categories, 27 vacancies of Special Ticket Examiners were allotted to make up the deficiency in direct recruitment in the intermediate grade which occurred since the 1st January, 1944. These vacancies, however were not filled all at once as this would have meant reversions and transfers of staff already officiating in them. There is no rule debarring the adjustment in subsequent years of under-recruitment against vacancies in the intermediate grades reserved for direct appointment.

Dr. Zia Uddin Ahmad: Is the practice of direct recruitment adopted by other railways besides N. W. Railway?

The Honourable Dr. John Matthai: I believe it is in force also on other railways, but I am not in a position to give exact information at present.

MEMORIAL BY THE SUB-DIVISIONAL OFFICE CLERKS ON THE N. W. RAILWAY.

240. *Seth Sukhdev: (a) Will the Honourable Member for Railways be pleased to state whether his attention has been drawn to a memorial submitted by the Sub-Divisional Office Clerks on the North Western Railway regarding their pay and prospects? If so, what action has been taken in the matter?

(b) What is the further channel of promotion of these clerks beyond grade II?

(c) What is the reason for such disparity in higher grade appointments for Sub-Divisional and Divisional Office Clerks?

The Honourable Dr. John Matthai: (a) Government have seen the representation referred to. This representation, which has been received from the Sub-Divisional Office clerks employed on only one Division of the North Western Railway, is under consideration by the Railway Administration.

(b) No channel of promotion for these Clerks beyond Grade II has so far been fixed.

(c) The value of the posts in the various branches is fixed according to the nature and responsibilities attached thereto and Government understand that the opportunities for promotion to higher grade appointments for the Sub-Divisional and Divisional Office clerks respectively have been determined accordingly.

AERODROMES IN BRITISH INDIA AND INDIAN STATES.

241. *Pandit Mukut Bihari Lal Bhargava: Will the Secretary of the Communications Department be pleased to state:

(a) the number of Aerodromes that existed in British India and in the Indian States territories at the end of the last war and the number that now exists;

(b) the Civil Airlines which were being used for commercial operations during the war period and that are being used for commercial operation at present; and

(c) the total route mileage covered then and now and the total number of civilian passengers carried during the year 1945 and 1946?

Sir Harold Shoobert: (a), (b) and (c). I lay on the table of the House three statements giving the information required.

Statement I

Number of aerodromes and landing grounds in existence.	at the end of War	Now
(1) In British India	332	178
(2) In Indian States	70	69

Statement II

Names of operating companies carrying out commercial scheduled operations.
during the War period at present

1. Tata Air Lines (upto April 1945).	1. Air India (formerly known as Tata Air Lines)
2. Indian National Airways (upto June 1942)	2. Indian National Airways.
3. Air Services of India (upto Middle of 1940)	3. Air Services of India.
	4. Deccan Airways.
	5. Mistri Airways.
	6. Ambica Air Lines.

Statement III

Total route mileage operated	during war years	now
	6,100 miles per (average) annum	12,404 miles
	1945	1946
Number of passengers carried	22,000	1,04,000

SHORTAGE OF PILOTS AND GROUND ENGINEERS.

242. *Pandit Mukut Bihari Lal Bhargava: (a) Will the Secretary of the Communications Department be pleased to state whether Government are aware of the shortage of Pilots, Ground Engineers and other crew in India? If so, what steps have Government taken or propose to take to make up this shortage?

(b) Are there any training centres for imparting full training in Civil Aviation in India? If so, what is the number of such centres and where are they located?

(c) Are Government aware of the necessity of increasing the number of such centres appreciably in the near future in different parts of the country? If so, what amount do Government propose to provide for the same in the next budget?

Sir Harold Shoobert: (a) The answer to the first part of the question is in the affirmative. In order to rectify the shortage of flying personnel, Government have granted substantial subsidies to flying clubs to enable young men who want to take up flying as a career to obtain initial training at a moderate cost. A number of Pilots with suitable qualifications have been released from the Indian Air Force for employment and further training by the operating companies. Government also intend to open during the next financial year, as part of the Civil Aviation Training Centre (India), a Flying School for the professional training of pilots and a Mechanics School for training ground engineers and other Aeronautical Engineering personnel.

(b) A Civil Aviation Training Centre with four branches (an Aerodrome School, a Communications School, a Flying Training School and an Engineering and Mechanics School) is in the course of being established at Saharanpur. The site of its permanent location is under consideration. The Aerodrome and Communications School have started functioning and the other two are expected to be opened during 1947-48.

(c) The desirability or otherwise of opening more centres will be examined. At present Government propose to concentrate on the Civil Aviation Training Centre which will impart instruction in all the important branches of Civil Aviation. The last portion of part (c) does not arise.

Dr. Zia Uddin Ahmad: Is there any institution in India which provides full course for ground engineering?

Sir Harold Shoobert: Not yet. But we hope to be able to do that in this air training centre.

Mr. Sasanka Sekhar Sanyal: May I know the number of flying hours that has been made the standard for eligibility as a pilot?

Sir Harold Shoobert: That depends upon the kind of pilot. I must have notice.

Mr. Sasanka Sekhar Sanyal: With regard to commercial pilots?

Sir Harold Shoobert: I want notice, Sir.

Lala Deshbandhu Gupta: May I know the amount of subsidy given to the Delhi Flying Club?

Sir Harold Shoobert: The usual subsidy given to the Flying clubs is Rs. 40,000 a year. In addition to that, we charge for training pilots under 23 years of age only Rs. 15 an hour and for every trained pilot, the Flying club gets a subsidy of Rs. 250.

Mr. Sasanka Sekhar Sanyal: There was a complaint made on the floor of the House that the number of hours which made eligible a commercial pilot in India was fixed at a higher standard than what exists in Great Britain now. May I know whether the matter has been remedied ever since?

Sir Harold Shoobert: I am afraid I must have notice, but I am sure Honourable Members of the House would not like to lower the standards in India.

Sardar Surjit Singh Majithia: What is the number of flying clubs that are training pilots in India?

Sir Harold Shoobert: The number at present is seven, and three more are expected to start shortly.

Sardar Surjit Singh Majithia: How many pilots do they produce in a year?

Sir Harold Shoobert: We are in the first year after the war now, and I am afraid I have not got the figures before me. I will try to collect what information I can for the Honourable Member and let him have it.

(b) WRITTEN ANSWERS

TRAINING FACILITIES TO INDIAN STUDENTS AT CIVIL AVIATION TRAINING CENTRE

243. *Pandit Mukut Bihari Lal Bhargava: (a) Will the Secretary of the Communications Department be pleased to state what facilities Government propose to afford to the Indian students to have training in all spheres of Air Line operations at Civil Aviation Training Centres?

(b) Do Government propose to give a sufficient number of State scholarships for the training of Indian students outside India till such training facilities are available in India?

(c) What is the number of such State scholarships provided in the years 1946-47, and how do Government intend to allocate it between the different provinces including the Chief Commissioners' provinces in India?

Sir Harold Shoobert: (a) The Civil Aviation Training Centre, which is in the course of being established, will provide training in all important branches of Civil Aviation, namely, aerodrome control and operation, radio operation, flying, and aeronautical engineering. Schools for the first two subjects have been opened and those for the other two are expected to be opened during 1947-48. The flying clubs which have been established at important centres in the country afford facilities for *ab initio* training at moderate rates in flying and related subjects.

(b) Under the Overseas Scholarships Scheme of the Government of India, a number of Indians have been sent abroad for training in subjects connected with aeronautics.

(c) I place on the table a statement showing the number of scholars who have been selected in 1946 under the Overseas Scholarships Scheme, for training abroad in subjects relating to Civil Aviation. No provincewise allocation has been made so far.

Statement showing the number Scholarships awarded during 1947 under the Overseas Scholarships Scheme in subjects relating to Civil Aviation.

Subject	Number of Scholarships
Aeronautical Engineering	6
Aeronautical Radio Engineering	3

AJMER AS DEVELOPMENT CENTRE OF CIVIL AVIATION IN RAJPUTANA.

244. *Pandit Mukut Bihari Lal Bhargava: (a) Will the Secretary of the Communications Department be pleased to state whether Government are aware that Ajmer city occupies the central position in Rajputana and as such is eminently suited to form the basis for the development of Civil Aviation in Rajputana? If so, do Government propose to consider the question of granting licence to such persons as may take initiative in the matter?

(b) Have any applications been received by the Licencing Board? If so, what are they and what progress has been made towards the grant of licence to such applicants?

Sir Harold Shoobert: (a) There is no aerodrome at Ajmer and although a minor aerodrome for Ajmer is included in the Civil Aviation development plans, the provision of this will take considerable time. The grant of licences for the operation of air services is a matter for the Air Transport Licensing Board which is a statutory body.

(b) Applications had been received from Northern Airways Limited, Lahore, for the operation of air services over the following two routes passing through Ajmer:—

- (i) Lahore-Ajmer-Indore-Akola-Hyderabad.
- (ii) Lahore-Bhatinda-Ajmer-Udaipur-Baroda-Surat-Bombay.

But the applications of this company have been rejected by the Air Transport Licensing Board, as they were not considered competent to undertake air transport operations.

NUMBER OF MUSLIM APPRENTICE DRIVERS OF JAMALPUR WORKSHOP, E. I. R. KILLED IN THE MESS.

245. ***Dr. Zia Uddin Ahmad:** Will the Honourable Member for Railways be pleased to state the number of the Muslim Apprentice Drivers in the Jamalpur Workshop, East Indian Railway, who were recently killed while taking their meals in their mess?

The Honourable Dr. John Matthai: With your permission, Sir, I propose to answer questions Nos. 245 and 246 together.

Government are informed that 17 Muslim Firemen and Shunters under training at Jamalpur are believed to have been killed during an attack on the Indian Apprentice Mechanics Hostel, Jamalpur, on the 4th November 1946.

Apart from any measures which the Provincial Government may take in exercise of their own responsibility, the Government of India in the Railway Department have arranged with the Bihar Government to enrol a large number of additional police, at the cost of the Central Government, in their armed Police Force for the protection of Railway staff, travelling public and railway buildings and lines. Government hopes that these arrangements will tend to give the Muslim Apprentices the sense of security needed by them.

PROTECTION OF LIVES OF WORKERS IN JAMALPUR RAILWAY WORKSHOPS.

†246. ***Dr. Zia Uddin Ahmad:** Will the Honourable Member for Railways be pleased to state whether Government have taken any action to safeguard the lives of those who are working in the Railway workshop at Jamalpur?

NUMBER OF COWS AND BUFFALOES IN INDIA

247. ***Dr. Zia Uddin Ahmad:** (a) Will the Secretary of the Department of Agriculture please state the number of cattle, cows and buffaloes now in India including Indian States? What is their death rate per year?

(b) What is the number of cow and buff-hides exported from India per year either as raw-hides or half tanned hides? How many of these are consumed by the tanners in this country?

(c) How many hides are left untanned and are allowed to be wasted?

Sir Pheroze Kharegat: (a) A statement based on the 1945 census is laid on the table (Statement I). No figures are available as regards the annual death rate but the number of cattle hides available each year is roughly estimated to be 20 million and of buffalo hides 5.7 million showing a death rate of about 12½ per cent each year on an average.

(b) A statement showing the export of raw hides and calf skins and half tanned skins from 1937-38 to 1945-46 is placed on the table (Statement II). Approximately 40 per cent. of the half tanned hides (East Indian Kips) produced are consumed by the tanners in this country.

(c) It is not known how many are left untanned and allowed to be wasted, but the present price for raw hides gives every incentive to the collection and despatch of such hides to the market.

Statement I

Number of cattle and buffaloes.

(Figures in millions)

	British India	Indian States	All India
Cattle	112	46	158
Buffaloes	32	13	45
Total	144	59	203

Statement II

Export of Raw Hides & Calf Skins from India (in Tons)

	1937-38	1938-39	1939-40	1940-41	1941-42	1942-43	1943-44	1944-45	1945-46
Buff	4,385	1,803	1,510	1,271	1,053	1,081	687
Cow	16,771	13,283	10,148	5,793	7,570	2,920	1,815	365	505
Calf	453	318	220	167	292	441	900	681	69

Export of E. I. Kips (Half Tanned) (in Tons)

Buff	1,309	1,114	2,952	1,810	1,756	700	380	1	5
Cow	13,736	12,237	20,603	15,538	13,630	9,097	5,559	3,648	4,992
Calf	1,863	1,362	2,260	1,800	1,607	1,811	1,035	631	391

LICENCE FEE FOR THE FRUIT STALL AT TRICHY STATION ON SOUTH INDIAN RAILWAY.

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

(a) whether it is a fact that the fruit stall at Trichy Station on the South Indian Railway has been auctioned for a licence fee of Rs. 2,005-5-4 per month for the year 1946-47;

(b) whether it is a fact that at the end of 1944 the licence fee was only Rs. 40 per month and that the area of the stall is barely 240 sq. feet;

(c) whether Government are aware that Messrs. Spencer and Company have been allowed to open European Refreshment Rooms on various station platforms on the South Indian Railway and the Madras and Southern Mahratta Railway covering larger areas on a nominal rent of one rupee per annum;

(d) whether Government had received representations from the Madras Railway Users Federation protesting against the increase in the licence fees for fruit stalls and light refreshments and whether Government are aware that the increase in the licence fee falls heavily on the 3rd class passengers; and

(e) whether Government propose to revise their policy of licensing to the highest bidder and run the stalls departmentally or let out to caterers on easy rentals with a view to providing amenities to the 3rd class passengers at a cheaper cost?

The Honourable Dr. John Matthai: (a) Yes, but the license fee of Rs. 2,005-5-4 per month includes the right to vend through eight vendors.

(b) The license fee for the fruit stall alone, and not the vendors, was Rs. 45 per mensem at the end of the year 1944. The area of this stall is about 140 square feet. There were 14 vendors of fruits in addition who paid a total sum of Rs. 105 per month.

(c) Messrs. Spencer & Co. pay a nominal rent of one rupee per mensem per station on the South Indian Railway and of one rupee per annum per station on the M. & S. M. Railway for the rent of the rooms used by them for refreshment rooms, many of which are run at a loss.

(d) Government have received a representation from the Madras Railway Users Federation, but there is no reason to infer that the increase in tender fees has resulted in any burden being imposed on passengers, specially third class passengers. The Railway Administration state that the price of fruit is regulated strictly, and that the price and the quality of fruit sold at the station compares favourably with those in the local market.

(e) Government have the matter under consideration, and the principle to be adhered to in future will be discussed at the next meeting of the Central Advisory Council for Railways to be held on 15th March, 1947.

INDIANISATION OF THE POSTS OF GENERAL MANAGERS AND OF OTHER SUPERIOR POSTS ON RAILWAYS.

249. *Sri M. Ananthasayanam Ayyangar: (a) Will the Honourable Member for Railways be pleased to state how many posts of General Managers have fallen vacant during 1946-47 or will be vacant in the coming year?

(b) How many of them have been filled up during the year by Europeans and how many by Indians?

(c) How many years more will those Europeans have to serve to reach the superannuation age?

(d) When will the total Indianisation of the Railway Administration be effected at least in the superior services?

(e) Is it a fact that General Managers and Members of the Railway Board are appointed by selection and not by seniority?

(f) Do Government propose to consider the desirability of Indianising both the Railway Board and the posts of General Managers during the course of the next year?

The Honourable Dr. John Matthai: (a) Five posts of General Managers have fallen vacant during the financial year 1946-47 and two more will fall vacant, one of them temporarily, before the close of the same year. Two posts will, and a third may, fall vacant during the year 1947-48.

(b) Of the five vacancies in 1946-47 so far filled two were filled by Europeans and three by Indians.

(c) As at 1st April, 1947, one European officer will have one year and five months, and the other seven years and eight months to serve before reaching the age of superannuation.

(d) Since the recruitment of Europeans to the Superior Services was in operation till 1941, complete Indianization will, in the normal course of events, take from 25 to 30 years from that year.

(e) Yes.

(f) Government are alive to the desirability of Indianizing its services but as the claims of non-Indian officers already in service and eligible for promotion to higher posts cannot be overlooked, complete Indianization of the posts mentioned by the Honourable Member cannot be achieved in the course of next year.

RUNNING OF CATERING SERVICES ON RAILWAYS DEPARTMENTALLY

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

(a) whether Government have considered the desirability of running all Catering Services on the Railways departmentally;

(b) whether it is proposed to have only two kinds of refreshment rooms, vegetarian and non-vegetarian and whether all refreshment rooms will be converted into non-vegetarian rooms; and

(c) whether Government propose to consider the question of the abolition of the dining cars in trains to make provision for additional 3rd class coaches?

The Honourable Dr. John Matthai: (a) Government have considered this matter in consultation with the Central Advisory Council for Railways who, at a meeting in April last, declared by a small majority in favour of the principle of departmental working of all forms of catering excluding vendors, but at the same time appointed a sub-committee to examine the question of classification of refreshment rooms and retention or otherwise of dining car services. The sub-committee in their report have *inter alia* recommended the continuance of contract catering on the grounds that, in existing circumstances, a change over to departmental catering would not prove beneficial. This and other recommendations of the sub-committee are to receive the consideration of the Central Advisory Council for Railways at meeting scheduled for the 15th March 1947.

(b) The sub-committee mentioned in (a) has recommended the retention of refreshment rooms in their present form. Government will take a decision after the matter has been further considered by the Central Advisory Council for Railways at its next meeting.

(c) The opinion of the sub-committee referred to in (a) and (b) is that dining cars should not be abolished. Government will take a decision on this point also after the Central Advisory Council have considered the sub-committee's report.

FIXATION OF PRICES OF PADDY AND GROUNDNUTS FOR THE MADRAS PROVINCE

251. *Sri M. Ananthasayanam Ayyangar: Will the Secretary of the Food Department please state:

(a) whether the Central Government have fixed the prices of paddy and ground-nut for the province of Madras or they have directed that Government to fix the prices themselves;

(b) whether Government have received representations from Madras that the prices are low, that the paddy prices should be increased by a rupee and that no prices should be fixed for groundnut apart from the price for groundnut oil;

(c) whether Government are aware that by fixing separate prices for groundnut and oil, oil expellers and middlemen get longer profits, at the cost of the cultivator; and

(d) whether Government propose to revise the prices or leave it to the Provincial Governments to do so; if so, what are the revised prices; if not, why not?

Mr. K. L. Panjabi: (a) The prices of paddy and groundnut are determined by the Government of India in consultation with the Provincial Governments.

(b) The answer is in the affirmative.

(c) The price of groundnut oil is fixed in parity with the price of groundnut kernel. No undue margins are allowed to millers and middlemen.

(d) The whole question of control and prices of groundnut is under examination. The prices of foodgrains will be reviewed by the Commodity Prices Board set up by Government.

PRODUCTION AND SUPPLY OF CLOTH

252. * Sri M. Ananthasayanam Ayyangar: Will the Honourable Member for Industries and Supplies please state:

(a) the latest position regarding production and availability of cloth; (i) from mills, (ii) from handlooms; in this country;

(b) whether the reduction of hours of work has affected the production adversely;

(c) what arrangements have been made to use the spindles, which have been surrendered by the Government of Madras, by other provinces or by other areas;

(d) whether Government of India have taken any steps to increase the output of yarn and cloth so as to make India self-sufficient in cloth; and

(e) the quantity of yarn and cloth that is exported from this country to countries abroad?

The Honourable Sri C. Rajagopalachari: (a) The position is unsatisfactory. Mill production of cloth in 1946 was 4,009 million yards as against 4,687 million yards in 1945. Handloom production was about 1,300 million yards in 1946 as against about 1,500 in 1945. Availability did not deteriorate to quite the same extent because exports and Defence requirements were less in 1946 than in 1945. The *per capita* availability for Civil consumption in India in 1946 was about 11½ yards as against about 12 yards in 1945.

(b) Yes, Sir. All available appraisements suggest that it means a loss in production at the rate of about 700 million yards a year. Strikes, absenteeism and riots have also a large share in the reduction of output.

(c) It is not correct to say that the Government of Madras have surrendered their spindles. They did inform the Government of India that they desired to surrender them; but the Government of India replied that they could not see their way to cancelling the licences already issued to parties, in view of the commitments involved. The question of allocating to other provinces spindles allotted to Madras cannot arise so long as the parties who obtained licences have not surrendered them.

(d) The Government of India have urged manufacturers in England to make the earliest possible deliveries against the orders for textile machinery placed on them by Indian industrialists. But the prospects of early deliveries from the U. K., and for that matter from the U. S. A. and other countries, are poor. Government have urged textile mills in India to work three shifts wherever possible, and are prepared to make coal supplies to keep such third shifts going. It is stated that labour difficulties in working a third shift, or working two shifts of nine hours, are considerable. Government are also endeavouring to affect an increase in production by means of a further rationalisation of mill output.

(e) The cotton piecegoods export quota, which in 1945 was 646 million yards was reduced in 1946 to 446 million yards. The figure for 1947 is under discussion at present. These figures include yarn as well as varieties of clothing and hosiery goods.

CONSTRUCTION OF THE HAZARIBAGH-DUMKA RAILWAY LINE

253. * Babu Ram Narayan Singh: (a) Will the Honourable Member for Railways be pleased to state whether the proposed construction of the Hazaribagh-Dumka Railway line has been finally surveyed and its alignment settled? And if so, when will the construction begin?

(b) Whether any estimate of the cultivated lands to be acquired for this line has been made; and whether the rate of price to be paid to the owners has been decided upon? If so what is that rate?

(c) Whether there is any proposal to connect the town of Hazaribagh with the proposed Patna-Ranchi line?

The Honourable Dr. John Matthai: (a) The Honourable Member refers presumably to the Hazaribagh-Sahebganj railway survey sanctioned by Government in October 1945, which is expected to connect Hazaribagh with Dumka. No final survey has yet been conducted in this case nor has the final alignment been settled. It is therefore premature to say at this stage whether the line will be constructed or when the construction will begin. The present position is that only a reconnaissance survey has been completed so far, as a result of which certain alternative alignments of the line to the east of Dumka are now under Traffic survey. Based on the results of the traffic survey, one of the lines will be eventually selected for final engineering survey. The Government will be able to take a decision in regard to the construction of the line only after the final engineering survey of the selected alignment is completed and the reports received and examined.

(b) No estimates for the acquisition of cultivated land have so far been made. Such estimates can only be prepared after the Engineering survey is completed. The price to be paid to owners of such lands is fixed by the Civil authorities.

(c) No Sir. There is no proposal to connect the town of Hazaribagh with the proposed Gaya-Ranchi line, nor has such a proposal been recommended by the Bihar Government.

OVERCROWDING ON RAILWAY TRAINS

254. *Babu Ram Narayan Singh: Will the Honourable Member for Railways be pleased to state whether Government are aware that overcrowding in the Railway trains almost all over the country is increasing day by day? If so, do Government propose to take steps to check it and, if so, what?

The Honourable Dr. John Matthai: Government are aware that unhappily overcrowding in railway trains still exists, but they are not aware that it is on the increase. Statistics of passengers carried and passenger miles of Class I Railways for the first half of the current financial year indicate an increase of nine per cent. in the former and 2.6 per cent. in the latter, as compared with the corresponding period of previous year. During the same period the comparative increase in passenger train miles was 15 per cent. To some extent therefore, overcrowding must have decreased.

Government are doing everything possible to make more passenger accommodation available. Heavy demobilisation and repatriation movements have compelled the Defence Department to retain a substantial number of passenger vehicles loaned to them during the war, but in spite of this the principal railways, since the cessation of hostilities, have re-introduced or extended, over 1070 trains, covering a daily mileage of about 67,740. As more stock becomes available by release from the Defence Department, by building in Railway Workshops and by outside agency, passenger services will be progressively increased. By March 1948, it is anticipated, approximately 1350 additional Broad Gauge coaches will have been put into service.

OVERCROWDING IN RAILWAY COMPARTMENTS WITH RESERVED SEATS

255. *Babu Ram Narayan Singh: Will the Honourable Member for Railways please state whether Government are aware that even at night overcrowding is generally found in Railway compartments where all the seats are reserved and, if so, do Government propose to take steps to protect the claims of passengers who reserve their accommodation in advance?

The Honourable Dr. John Matthai: Government do not doubt that on occasions the number of passengers occupying a 1st and 2nd class compartment at night time may be in excess of the number of berths in the compartment, but

berths reserved for particular passengers cannot be occupied by others during the hours of reservation. To occupy a berth reserved for another passenger without the permission of authorised railway staff is already an offence punishable at law.

RUDE AND IMPOLITE BEHAVIOUR OF RAILWAY POLICE

256. *Mr. Ahmed E. H. Jaffer: Will the Honourable Member for Railways be pleased to state:

(a) whether Government are aware that the Railway Police at most of the Railway stations in India are rude and impolite to the travelling public;

(b) whether Government are aware that two Railway Police Constables Nos. 727 and 214 manhandled a passenger travelling by Delhi Express at Baroda Railway Station and assaulted him and robbed him of Rs. 150 on the evening of 26th December, 1946;

(c) whether Government are aware that this passenger lodged a complaint with the Railway authorities before the departure of the train and, if so, what steps have been taken by the authorities against the two Police constables concerned;

(d) whether Government are aware that as a result of the incident the train was delayed by one hour resulting in great inconvenience to the passengers; and

(e) whether Government propose to issue instructions to the Railway Police all over India to be more polite and helpful to the public instead of taking the law into their own hands and misbehaving as was done on the 26th December?

The Honourable Dr. John Matthai: (a) Whilst Government would not be prepared to state that the Railway Police are always as courteous to the public as might be desired, they are not aware that the Railway Police at most of the Railway stations in India are rude and impolite to the public.

(b) No. Government are however aware that the passenger referred to travelled from Dohad in a first class compartment although he had purchased only a second class ticket and had not reported and obtained prior permission from the staff to travel in a higher class of carriage. The berth this passenger occupied had been reserved in advance at Ratlam for a first class passenger from Baroda to Bombay Central. The second class passenger refused to vacate the berth when requested to do so at Baroda, and wilfully obstructed the staff in the discharge of their duties. Persuasion having failed, the railway staff were obliged to seek police aid to have the berth made available for its legitimate occupant. The report of the Deputy Superintendent of Police, Gujerat States Agency, Baroda, who enquired into the matter, shows that there is no truth in the allegation that the passenger was assaulted or robbed of Rs. 150.

(c) Government are aware that this passenger lodged a complaint to the effect that he lost his purse containing Rs. 150 while he was being removed from the first class compartment and taken to the Police Office. The complaint is under further investigation and disposal by the Police authorities.

(d) The train sustained a detention of 45 minutes on account of the incident.

(e) The administration of Railway Police is a responsibility of the respective Provincial or State Governments.

UNSTARRED QUESTIONS AND ANSWERS

DETERIORATION OF TELEPHONE SERVICE IN CALCUTTA

36. Mr. Sasanka Sekhar Sanyal: Will the Secretary of the Communications Department be pleased to state:

(a) whether attention of Government has been drawn to the persistent and wide complaint from all sections of the public that the telephone service in Calcutta has deteriorated and that almost every call is a source of fresh irritation since it is attended to at the station many minutes after the call is indicated and

that one has to wait further before the operator proceeds to connect at the other end; and that in many cases, a caller has to repeat his mission several times; and

(b) what are the reasons therefor and what steps have been or are being taken by Government with a view to remedying the abovementioned state of things?

Sir Harold Shoobert: (a) Yes. Government are aware that at present the telephone service in Calcutta is not adequate to meet the increased demands and that the standard of service needs considerable improvement.

(b) The reasons are (i) the excessive load on the system which could not be expanded during the war, (ii) the worn out equipment which could not be replaced during the war, and (iii) the number of inexperienced operators recruited during the war when facilities were not available for their proper training.

It has been decided to expand immediately the manual exchanges in Calcutta by adding an additional 5,200 lines and action to implement this decision has been taken. A large scheme for converting the Calcutta Telephone system to automatic working is also under the active consideration of Government. It is expected that this scheme will be completed by 1951 and it will not only meet all the pending demands for telephones but is also being designed to meet the requirements for future growth.

As regards improving the work of the operators, two training classes have already been opened in Calcutta to impart the necessary training to them.

SENIORITY OF GAZETTED OFFICERS ON RAILWAYS AFTER PROMOTION FROM LOWER SUBORDINATE SERVICE

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

(a) the basis for determining seniority between Gazetted Officers of the same branch of Service, who are promoted from Lower Subordinate Service; and

(b) whether the seniority is based on the position of the person on the approved list, and whether the fact of maintaining such a list for promotion to the Lower Gazetted Service is intimated to the Subordinates, if not, why not?

The Honourable Dr. John Matthai: (a) I presume the Honourable Member desires to have information regarding the basis on which seniority of non-gazetted staff for the purpose of promotion to gazetted rank is determined: if so, the names of persons approved for promotion to the Gazetted Service are placed in order of merit as decided by the Selection Board constituted for the purpose. In determining this order, the Selection Board are required to take into account, in addition to such matters as technical ability, academic qualifications, experience, reports regarding character etc., the individual's seniority and length of officiating service in any post higher than his substantive post. Departures from the order of merit in making officiating promotions are permitted on grounds of administrative convenience or on account of the special suitability of an individual for a particular post. For the purpose of confirmation in the Lower Gazetted Service the order of merit determined by the Selection Board is followed, unless an officer is not considered fit for confirmation on the basis of his performance as an officiating officer.

(b) The information whether the subordinates concerned are informed of their position on the approved list has been called for from Railways and will be placed on the table of the House in due course.

RECRUITMENT OF GRADE II GUARDS ON N. W. RAILWAYS

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

(a) the number of Grade II Guards recruited on the North Western Railway, separately during the years 1943-44, 1944-45, 1945-46 and 1946-47 (upto 31st

December, 1946) (i) by direct recruitment, (ii) by promotion from other branches of service in permanent and temporary posts respectively, and

(b) whether the shortage of direct recruitment in one year is made good in the succeeding years; if so, why and under what specific provision of the Rules?

The Honourable Dr. John Matthai: I have called for the information and will lay a statement on the table of the House in due course.

GRIEVANCES OF CARRIAGE CLEANERS IN THE KARACHI DIVISION, N. W. RAILWAY

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

(a) whether his attention has been drawn to a Memorial, dated Karachi the 28th August, 1944, to the address of the Divisional Superintendent, Karachi by Carriage Cleaners relating to their grievances in regard to their promotion and allotment of quarters;

(b) whether it is a fact that the former Labour Member of the Government of India, the Hon'ble Dr. B. R. Ambedkar, had taken up the subject matter of the Memorial with the Railway Board; if so, with what result; and

(c) whether Government propose to take any steps to remove the hardship of the Memorialists, specially in the matter of provision of quarters near their places of work; if not, why not?

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

(b) In September, 1944 Dr. Ambedkar forwarded to the Railway Department a memorial from carriage cleaners sent to him by the Editor, *The Railway Herald*, Karachi. As a result, enquiries were made of the North Western Railway Administration, and Government were informed that the grievances mentioned in the memorial had already been considered by the Administration and that it had been decided, early in January 1945, to consider C. & W. Cleaners for promotion to the categories of Cleaning Jamadars and S. S. Fitters and Stencillers on the basis of seniority subject to fitness to hold the higher posts, irrespective of cast considerations. As regards the allotment of quarters, Government were advised that the Carriage Cleaners were classified as 'non-essential' staff from the point of view of their duties and could not, therefore, get preference over 'essential' staff. The necessity for allotment of quarters in the strict order of the receipt of applications was, however, brought to the notice of the authorities concerned and a system of test check of allotment of quarters to inferior staff was also introduced.

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

DELAY IN THE CONFIRMATION OF STAFF ON N. W. RAILWAY

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

(a) whether it is a fact that there is considerable delay in the office of the General Manager, North Western Railway, Lahore in ordering confirmation of staff;

(b) whether it is a fact that such complaints in confirmation of Grade III Guards, Station Masters, Grades V and VI and other staff have been addressed to the authorities and agitated through press;

(c) whether confirmations of the staff of the North Western Railway are ordered as permanent vacancies occur, or are the cases for confirmation considered at some fixed intervals; if so, at what intervals;

(d) whether it is a fact that allegations have been made against the General Manager's office, that recommendations sent by Divisions are torn and confirmations delayed on the plea of non-receipt of recommendations; and

(e) whether Government propose to take steps to see that confirmation are ordered immediately as permanent vacancies occur; if not, why not?

The Honourable Dr. John Matthai: (a) Government have no reason to believe that avoidable delay occurs in the office of the General Manager, North Western Railway, in ordering the confirmation of staff.

(b) Complaints have been received by the Railway Administration from certain guards in connection with their confirmation, though no complaints from station masters, grade V and VI, appear to have been received. It is understood that such complaints are usually made under a misapprehension owing to the staff being generally unaware of the actual position of the cadre.

(c) Confirmations are ordered on the occurrence of permanent vacancies provided the men due confirmation have completed the prescribed probationary period and are recommended as fit for confirmation.

(d) The North Western Railway Administration has no knowledge of such allegations.

(e) In view of the reply to parts (a) and (c), this part does not arise.

OPENING OF CITY BOOKING OFFICES AND OUT-AGENCIES IN KARACHI DIVISION OF N. W. RAILWAY

41. Seth Sukhdev: (a) Will the Honourable Member for Railways be pleased to state whether the North Western Railway Administration is considering the question of opening more (i) city booking offices, (ii) out-agencies, on the Karachi Division of the North Western Railway? If so, at what places?

(b) Do Government propose to lay on the table of the House a sample copy of agreement for the two kinds of Agencies generally executed with the Agents?

The Honourable Dr. John Matthai: (a) Yes. The question of opening new City Booking Offices at Larkana and Jacobabad on the Karachi Division is being considered. The justification for opening a City Booking Office at Rohri and an Out-Agency at Rato Dero (*via* Naundero) on the same Division is also under examination.

(b) Copies of the standard agreements for the two kinds of Agencies are available in the Library of the House.

WELFARE OFFICERS AND THEIR STAFF ON N. W. RAILWAY

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

(a) the number of Welfare Officers, Inspectors, Assistant Inspectors, and their Clerks on each division of the North Western Railway on 1st January 1946 and 1st January 1947;

(b) the annual expenditure on the staff referred to in part (a) above during the years 1945-46 and 1946-47; and

(c) whether the Unions are allowed any say in the matter of selection of Welfare Staff; if not, is it proposed to take the Unions into confidence in making such appointments?

The Honourable Dr. John Matthai: (a) and (b). The information is being collected and I will lay a statement on the table of the House in due course.

(c) The reply to the first portion is in the negative. Appointments to the lowest grade of Welfare Staff (*i.e.*, Assistant Welfare Inspector) are made by properly constituted selection boards, and promotion from this grade to higher grades in the Welfare Service is made in accordance with the rules in force for promotions. It is not considered advisable to make any change in this system.

SHIP BUILDING

43. Mr. Sasanka Sekhar Sanyal: Will the Honourable Member for Industries and Supplies be pleased to state:

(a) whether and how far Government have taken up the matter of ship-building either through their direct efforts or through agencies; and

(b) whether the matter has been referred to the Shipping Policy Committee; if so, what opinion or recommendation, if any, has been made by the said committee?

The Honourable Sri C. Rajagopalachari: (a) and (b). The question is being considered by the Shipbuilding and Marine Engineering Panel set up by the Planning and Development Department. The report of the Panel is awaited. The matter was not referred to the Shipping Policy Committee.

SHORT NOTICE QUESTION AND ANSWER

DESTRUCTION OF POTATOES IN U. S. A.

Haji Abdus Sattar Haji Ishaq Seth: Will the Secretary of the Food Department be pleased to state:

(a) whether he has seen the news item appearing in *Statesman*, dated 10th February 1947 under the heading "U. S. A. destroys million tons of potatoes"; and

(b) if so, whether Government propose to move in the matter and secure these potatoes for India to supplement the meagre food rations that obtain in many parts of the country; if not, why?

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

(b) We have no accurate information of the quality of potatoes described as "low grade" in the news item. Even if this quality is acceptable, the import of fresh potatoes from U. S. A. in ordinary vessels as mentioned in the news item, will result in considerable wastage and this will add to the cost. Their transport could only be considered in refrigerated ships; but these are in short supply and the freight rates will be prohibitive. Attempts have been made in the past to import and put into consumption dehydrated and canned potatoes to make up the cereal shortage. But these attempts have not been successful. The Provincial Governments have experienced difficulty in disposing of the stocks which were imported and supplied to them.

Mr. Mann Subedar: In view of the general position that the U.S.A. has got food surpluses some of which it is destroying in this manner, will Government consider the advisability of putting themselves in touch with the U.S.A. Government and getting timely warning if there are other items than potatoes which are on their list of surpluses and which could be usefully imported into this country?

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

Haji Abdus Sattar Haji Ishaq Seth: With regard to the quality of the potatoes may I refer to an item in the *Hindustan Times* of the same day under the heading "America Destroys Food", where the quality of these potatoes is described as being of full basic diet value? Therefore will the Honourable Member reconsider the position if he is convinced that these potatoes could really be made use of to supplement our meagre food rations?

Mr. K. L. Panjabi: As I have already said, even if the quality is acceptable, their transport will be the main difficulty.

Dr. Zia Uddin Ahmad: Will the Honourable Member immediately approach India's Agent in the U.S.A. and find out the facts, because it is a crime for any country now-a-days to destroy food?

Mr. K. L. Panjabi: As stated already, we are keeping in touch with him.

†**Mr. G. S. Bhalja:** Sir, yesterday in reply to a supplementary question put by my Honourable friend Diwan Chaman Lall whether it is a fact that proceedings of courts-martial are reviewed by the Commander-in-Chief I replied in the affirmative. The correct position is that proceedings of courts-martial under the Indian Navy Discipline Act are transmitted to the Central Government which can suspend, commute or remit a sentence but cannot enhance it.

Mr. Manu Subedar: In view of that statement may I ask my Honourable friend

Mr. President: He is only making a correction.

APPOINTMENT OF THE HONOURABLE DR. JOHN MATTHAI TO PERFORM FUNCTIONS OF THE FINANCE MEMBER AT RAILWAY BUDGET—GENERAL DISCUSSION.

Mr. President: I have to inform Honourable Members that His Excellency the Governor-General has, under rule 2 of the Indian Legislative Rules, been pleased to appoint the Honourable Dr. John Matthai to perform the functions assigned to the Finance Member under rule 46 of the said Rules on the occasion of the general discussion appointed for Thursday, the 20th February, 1947, of the statement of the estimated annual expenditure and revenue of the Governor-General-in-Council, in respect of Railways.

DECLARATION DIRECTING CERTAIN BUDGET HEADS OF EXPENDITURE OPEN TO DISCUSSION BY THE LEGISLATIVE ASSEMBLY

Mr. President: I have to inform Honourable Members that His Excellency the Governor-General has passed an Order under sub-section (3) of section 67A of the Government of India Act, as set out in the Ninth Schedule to the Government of India Act, 1935, directing that the heads of expenditure specified in that sub-section, other than those specified in clause (v) thereof, will be open to discussion by the Legislative Assembly when the Budget for the year 1947-48 is under consideration.

INDUSTRIAL DISPUTES BILL

Mr. President: The amendment that was moved by Mr. N. M. Joshi is now before the House. The question is

Mr. N. M. Joshi (Nominated Non-Official): Sir, before you put it to the vote we should like to know the views of Government.

The Honourable Shri Jagjivan Ram (Labour Member): Sir, I am not going to accept the amendment and I gave my reasons already while discussing the previous amendment.

Mr. S. Guruswami (Nominated Non-Official): Sir, I should like to say something on this very important amendment moved by Mr. Joshi.

Mr. President: I should not like to prevent the Honourable Member from speaking but he should be more alert. No one caught my eye and when I was going to put the question, when Mr. Joshi wanted to know the views of Government.

Mr. N. M. Joshi: Sir, we are quite alert but not the Government. When we move an amendment it is their duty to tell the House their reactions to it. But they do not do it.

The Honourable Shri Jagjivan Ram: Sir, may I make my position clear? Is it necessary to give a reply on all occasions? When the question is put we shall indicate our attitude and oppose the amendment.

†Vide page 407 of L. A. Debate, dated 11th February, 1947.

Mr. President: This time Mr. Guruswami may speak and then I will put the question to the House.

Mr. S. Guruswami: The amendment seeks to remove railway services from the classification of public utility services. The intention is that under the provisions of this Bill Government propose to make all services in the railways classified as public utilities; whereas under the old Trade Disputes Act only such services as were declared by the Governor General as public utility services were to be classified as public utilities. The effect of this would be that if there are strikes without notice in any branch of the railway service, although they may not affect the convenience of the public, such strikes would be declared illegal. Not only that, I take this House into confidence when I say that nearly 47 crores of rupees of provident fund assets of railwaymen are with the Government and they are liable to be partly or fully forfeited if the men declare strike which is illegal under the law, and therefore in respect of railwaymen the penalty proposed under this Bill is treble:

(i) the civil liability that may accrue;

(ii) the criminal liability that is proposed; and

(iii) the possible forfeiture of the provident fund because if workshopmen on the Railways go on strike and if that strike becomes illegal under the provisions of this law, all the money which they have saved in the shape of provident fund assets according to the present rules of the Provident Fund is liable to be forfeited. This is a very serious matter. This has the effect of enabling the Government to punish railwaymen in three ways. Even if the Government do not care to penalize the railway workers, the railway workers who happen to have been involved in the strike and who happen to be classified as having declared illegal strike under the provisions of this Bill will forfeit a large amount of the savings by the present Rules of the Provident Fund. Therefore I would request the Honourable Member to give greater attention to this amendment. My Honourable friend, Mr. Joshi, has already pointed out that in England and in America railway service is not treated as public utility service. We are not whole-hoggers in saying that all railway service must not be treated as public utility; we are even prepared to accept an amendment which would say that certain branches of railway services the stoppage in which would inconvenience the public should be declared as public utility, but for this purpose to classify any service on the Railways as public utility and thereby bring them under the mischief of the penalties proposed in this Bill is a very reactionary provision. Railway-service includes cooks, Accountants, Engineers, Butlers, Gardeners, and Chaprasis, workshopmen in addition to drivers and guards. What would happen if a few chaprasis go on strike? Why should they be classified as men who have declared strike in a public utility service and be made to suffer the penalties proposed under this legislation? Therefore I appeal to the Honourable Member to withdraw the classification which he proposes to make in respect of all railway service. I would request him not to be more reactionary than his predecessors, and to accept the amendment that has been so ably moved by my Honourable friend, Mr. Joshi.

Mr. President: The question is:

“That in clause 2 of the Bill, part (i) of sub-clause (n) be omitted and the subsequent parts be re-numbered accordingly.”

The motion was negatived.

Mr. N. M. Joshi: The next amendment which I propose to move is “That part (vi) of sub-clause (n) of clause 2 of the Bill be omitted.” But I would like to consult you, Sir, as regards the effect of my doing so. I have got another amendment standing in my name, namely part (b) of (i), which I am not moving yet, because the amendment which I propose to move first removes the schedule altogether. If the schedule is not removed, however, then I will move part (b)—that is what I propose to do, and I am asking for your consent to do that.

Mr. President: I am afraid I am not yet quite clear about it, but it appears to me that part (b) of the amendment, which the Honourable Member proposes to move, is consequential to part (a).

Mr. N. M. Joshi: It was consequential in this sense that if my first amendment had been adopted, the second was not necessary.

Sjt. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): If the Schedule is retained, then he wants to add a proviso.

Mr. N. M. Joshi: As my first amendment has failed, I have to move part (b), which asks for an addition of another item to the Schedule but my next amendment wants to get rid of the schedule altogether and that is why I wish to move this first.

Mr. President: And he will move part (b) of (i) afterwards?

Mr. N. M. Joshi: Yes, Sir, if that is necessary.

Mr. President: At first I thought that in the first amendment tabled by the Honourable Member—part (b)—was consequential in the sense that he wanted to remove the railway service from the clause itself and transpose it to the Schedule.

Mr. N. M. Joshi: But I have got an amendment that the Schedule should be moved.

Mr. President: What I was considering was that by splitting his amendment into two parts, he now wishes to move this as an independent amendment. That is a change in his original intention.

Mr. N. M. Joshi: That is what it comes to, because I find that it would be very difficult to move that amendment. Sir, I move:

“That part (vi) of sub-clause (n) of clause 2 of the Bill be omitted.”

The part which is proposed to be omitted reads thus:

“Any industry specified in the Schedule which the appropriate Government may, if satisfied that public emergency or public interest so requires, by notification in the official Gazette declares to be a public utility service for the purposes of this Act, for such period, if any, as may be specified in the notification.”

The object of the Government in introducing this new clause in this Bill is to extend the scope of what is called a public utility service. In my judgment this extension is unnecessary. Certain services are already mentioned as public utility services, but the Government are not satisfied with that. They say they should have power to extend the definition of ‘public utility service’ to certain other industries which ordinarily need not be classified in their judgment as public utility. One of those industries is transport other than railways. If they find that there is an emergency and it is in public interest to declare it as public emergency, it will be notified as public utility service. Sir, I do not think that there is anything in these industries on account of which the Government will be justified in declaring those industries as public utility services. I have already said in my speech yesterday that I consider a service to be public utility only in those cases where there is danger to human life and where the safety of human life is endangered and in other cases there is really no case for extending the scope of what is called public utility services. I have already pointed out once that many of these industries which Government want to declare as public utility services are not treated as public utility services in the sense in which the Government of India want to. You take, for example, iron and steel industry. In Great Britain there is a large iron and steel industry.

In the United States of America there is a large iron and steel industry. There, there is no such law as Government wants to enact in this country as regards that industry. In Great Britain there is a very big coal industry, much bigger than ours, and even there where people are more dependent on coal for their very existence than in this country that industry is not treated as a public utility in the sense that the Government of India wants to do. Therefore I

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think that this extension is unjustified and the Legislature should not approve of the intention of the Government in widening the scope of what is called public utility service.

Mr. President: There is one point to which I might invite the Honourable Member's attention. He says he wishes to move:

“(b) To the Schedule the following new item be added, namely:—

‘6. Any railway service.’ ”

That is his idea.

Mr. N. M. Joshi: I will then move that amendment first.

Mr. President: Even then I have a difficulty to which he may give me a satisfactory reply.

What has happened is that by his splitting up the amendment, the first part of it is negatived. That means the House has refused to delete “Any Railway service” from clause (n). If he now wants to have this amendment in order to take it into the Schedule, it runs contrary to the decision of the House.

Mr. N. M. Joshi: What has happened is that the House has refused to delete “railway service” altogether from the clause. The House has not expressed an opinion as to whether railway service should be transferred to the Schedule or not. The House has agreed that the railways should stand. The House has not approved of the motion altogether.

Mr. President: What would be the position? The position would be that the Schedule should stand as “Any railway service”.

Mr. N. M. Joshi: As a separate item.

Mr. President: It will stand both in the clause as proposed and the Schedule. I have not quite followed what the Honourable Member means. Public utility service means “any railway service”. That will stand.

Mr. N. M. Joshi: That is not omitted.

Mr. President: That means if the House adopts this clause it will stand.

Mr. N. M. Joshi: It will stand if not modified further.

Mr. President: So far as the other parts of the clause go they may be changed, but so far as this clause is concerned now, if the clause is rejected then only the whole thing will go. But the difficulty that I am feeling is this. Clause 6 says “Any industry specified in the Schedule” and if the Honourable Member now brings this amendment to include “Any railway service” in the schedule, “any railway service” will come in at both places, and the inclusion in the Schedule will be contrary to what the House has expressed here by refusing to omit it from sub-clause (n).

Mr. N. M. Joshi: The House has expressed its opinion on the motion. It has not expressed its opinion under transference. That can come when the omission is not approved.

Mr. President: My own view at present is, unless other arguments are advanced, that this amendment will be barred by the first decision of the House.

Sjt. N. V. Gadgil: I want to point out to you that by the first amendment he wanted to substitute something. He failed there.

Mr. President: His first amendment was a composite whole in which he wanted to transpose ‘railway service’ from the main clause to the Schedule. He changed his intention and wanted to have the amendment split up and when he was first addressing me, I thought he wanted my permission to the splitting up of the amendment for moving it in separate parts. I would not have objected to that. But the point to which I am inviting the Honourable Member's attention now is that the second part of the amendment which he wishes to move as the result of splitting will be barred by the decision of the House.

Sjt. N. V. Gadgil: I may refer you to the amendment which was rejected by the House yesterday. He moved his first amendment which sought to substitute his own definition for the definition of public utility service given in the Bill. I want to know what is the exact position after this amendment has been rejected. Will it be right to say that the House has accepted the clause as it stands? In that case the question will be whether there is to be any addition.

Mr. President: No. That is very clear. The substitution is rejected. That does not mean that changes in the clause as it stands are not permissible.

Mr. N. M. Joshi: May I take you into my confidence. The original amendment as drafted was a simple one: that the railway service should be transferred to the Schedule.

But then your office felt that that was a wrong method of putting an amendment and you may not approve of such a procedure. Perhaps they may be right. I am not a lawyer. I said, all right. If that is so I am prepared to move the amendment as proposed by your office. I am not blaming the office. As a matter of fact, I told the Deputy President yesterday of what I am doing. I did it with his consent. The office suggested that it would be better if it met with your approval. I do not blame them because if I had not done that I would have moved my original amendment. I thought that they knew a little better than I did in this matter and they may have consulted you.

Mr. President: I was not consulted.

Mr. N. M. Joshi: You came a little late. All that is due to this. Therefore I suggest that you should find a way out of this. There is no difficulty in this.

Diwan Chaman Lall (West Punjab: Non-Muhammadan): May I say a word. I think Mr. Joshi says that there is no difficulty. But a very serious legal difficulty arises. The House has now given its opinion regarding the amendment "any railway service" which according to Mr. Joshi's amendment (i) he wanted to delete from this particular part of a definition of a utility service and put it in the Schedule. This has now been rejected. If railway services are now part and parcel of utility services, I would invite you to look at the particular paragraph in Chapter 5, Section 22, which deals with this. It says that "No person employed in a public utility service shall go on strike in breach of contract." That means that no person employed on a railway shall go out and not have to wait for the Government to issue a notification as contemplated by sub-clause 6 of clause (n) of clause 2. Therefore this is a matter which cannot now be decided. It cannot now be taken out of the definition of a public utility service and put in the schedule because certain other consequential things follow from consideration of Chapter 5, Section 22 of this measure. I submit the intention was there. Mr. Joshi did want.....

Mr. N. M. Joshi: Then your law is bad!

Mr. President: Order, order.

Diwan Chaman Lall: If in the definition of utility services a railway service should be included, the right should be given to Government to make the inclusion when the time comes whether railways should be part and parcel of the Schedule: but railways now having been made part of the utility services, certain consequential things follow and it is not possible to put railway service in now into the definition of utility service and also add it to the Schedule.

Mr. President: I do not think any further argument is necessary. The simplest and shortest reply to the argument of Diwan Chaman Lall is that clause 22 has not yet been passed by the House. So, also is it with clause 2. Therefore, any changes in these two clauses are still possible. So, to my mind that difficulty does not arise. The real difficulty is, as I pointed out, and I am repeating what I said, that when once the House has rejected the deletion of "Railway Service" from the clause then by implication, the House has also

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rejected its insertion in the Schedule. That is what follows as a consequence and not expressly but it is a necessary consequence. Though mere omission from the clause does not mean a necessary inclusion in the schedule, as after the rejection of omission from the clause, it becomes difficult, to allow a motion to include it in the schedule.

Mr. N. M. Joshi: My point is this. What the House has done is that it has merely stated that it should not be removed from what is called "public utility." My amendment does not say that it should be removed from "public utility" at all. By transferring to the schedule it remains to be a "public utility". Transference to the schedule does not mean that it is not a public utility. It becomes a public utility also by transferring it to the schedule.

Mr. President: Public utility under the schedule is what is specified by the appropriate Government as a public utility. If by statute it is already a public utility, how can it be again in the schedule giving scope to the provincial government to say whether it is or is not a public utility. That will be a contradiction.

Mr. N. M. Joshi: If it is by statute, the statute has not yet been passed. What the House has decided is that it should not be omitted from public utility.

Mr. President: It is no use arguing further about it. I am going to hold that the amendment (b) is barred.

Mr. N. M. Joshi: I have already moved the other amendment and I have also supported my amendment by arguments. There is one word that I want to say. The Honourable the Labour Member asked whether he is bound to make any speech opposing our amendments. It all depends upon the attitude he shows towards the discussions in this House. If he is not a believer in parliamentary methods, if he is not a believer in argument and discussion, then he need not reply at all. All the amendments will be defeated by the votes which he commands. I therefore feel that ordinarily as a matter of courtesy to the House he should reply. But if he feels no courtesy to the House, if he has no faith in parliamentary discussion, then let him not reply.

Mr. President: I am afraid that is a misunderstanding. What the Honourable the Labour Member meant was that he need not repeat what he has already said.

The Honourable Shri Jagjivan Ram: Sir, I should like to explain my position. The points that were made yesterday on this motion were exactly the same points that were covered by his first amendment and if I had made a reply to that, I would have simply repeated those very arguments. Therefore without meaning any discourtesy to him or to the House I did not want to take more time of the House by repeating those arguments.

Mr. President: Amendment moved:

"That part (vi) of sub-clause (n) of clause 2 of the Bill be omitted."

The Honourable Shri Jagjivan Ram: Sir, I do not see my way to accept this amendment. In the original Bill the scope of this clause was rather very wide. Any industry would have been declared a public utility service by the appropriate government as it originally stood but the scope was very much limited in the Select Committee by the introduction of this schedule and I need not repeat the same argument to prove that when there is scarcity of consumer goods in this country, the industries that are included in this schedule are public utility services. In that view of the matter I do not see my way to accept this amendment.

Miss Maniben Kara (Nominated Non-Official): Sir, with very great difficulty I have been able to follow the amendment moved in this House. I

would like to support the amendment which has been moved by my Honourable friend Mr. Joshi.

The Bill as it stands gives very wide powers to the Government to declare a particular industry as within the scope of 'Public Utility' or otherwise. We are not prepared to give such wide powers to the Government, because the Government themselves have made it quite clear, declaring not once but on several occasions, that they want to treat capital and labour on equal footing. They have made it very clear themselves that they are not necessarily a labour government and since that is the case, the Honourable Member will very well appreciate the point of view taken up by the representatives of labour in this House, viz., that we are not prepared to hand over such wide powers to a Government which has declared here that they want to take up an attitude of equality as between the oppressor and the oppressed. These are genuine fears and this Bill seeks to include industries other than those essential services which have been existing today under the present Act.

It is a fact that when there is a strike, there is hardship to the public. After all when workers in any industry go on strike, particularly those industries that have been mentioned in the schedule, certainly at some distant date the public is bound to be put to hardship. After all is said and done, if the public is not to be put to any inconvenience whatsoever, where will be the sense in going on strike. Why will people go on strike unless and until public opinion is also educated in that. If that was not the intention, if the workers' demands are granted by representation or by negotiation or by any other machinery which is provided for the workers, then naturally they will not want to go on strike. Today the press is controlled by the upper classes and the workers have no opportunity for expression whatsoever and the public do not know that they are on strike. I can give you hundreds and thousands of such instances. There are hundreds of thousands of workers who are starving due to strikes and not a line has appeared in any press and will not appear either so long as the control of the press remains in the hands of the few. Under these conditions, when there is a strike, certainly the public will be inconvenienced and we have to see, as it was pointed out by us yesterday, when we moved the first amendment, that the public is not inconvenienced to the extent of endangering their lives. I would repeat that today (I am not talking irresponsibly) on the floor of this House. But if the intention of the present Government is that if there is any industrial trouble then the consumers or the public need not know anything about it, that will be a great blow to the working classes as a whole. As you will see there are a number of industries like transport which were not considered to be essential services but which are included. Not being satisfied with those things the Honourable Member thinks it necessary to have a schedule and keep wide powers with the Government to declare these other industries also as essential services. I would appeal to the Honourable Member and the other members sitting on the opposite benches who claim to be the friends of the workers who also say that they have for a quarter of a century associated themselves with the working classes, that this schedule should be dropped and such wide powers should not be given to the Government. With these words, Sir, I support the amendment moved by my friend, and I hope the Honourable Member and his friends will accept this amendment.

Mr. Vadilal Lalubhai (Ahmedabad Millowners' Association: Indian Commerce): Sir, I rise to oppose this amendment. I am surprised that such amendments have been sponsored. If you look at the schedule you will find only five items, and one of them is coal. We read in today's papers what a calamity it has created in the life of the people in England when there is such a heavy coal shortage.

Mr. N. M. Joshi: How could it have been avoided even if this provision had been there?

Sjt. N. V. Gadgil: Some attempts would have been made.

Mr. Vadilal Lallubhai: What difficult position they are in can be realized from the coal shortage that is existing today in England. If there is coal shortage all industry will come to a standstill. We have already heavy shortage of cloth. Cloth production has gone down by 25 per cent., and if it is not further to go down, coal production, the most important part of the working of an industry, should not be left.

The other things are cotton textiles, foodstuffs, iron and steel. Regarding foodstuffs we know that we cannot afford to lose even a grain of foodstuff. We cannot afford that industry can suffer in these days of dire necessity. If we want to have enough buildings, enough roads, and if the building programme has to get on, we cannot get on without iron and steel. I am surprised therefore that these important industries which are only five as stated in the schedule are wanted by my Honourable friend Mr. Joshi to be taken out of the schedule so that, if there are strikes, he would not care whether the public suffers or not. I think the schedule ought to have been rather bigger than what it is. If any item is to be reduced it is going to make the whole nation suffer. I therefore oppose the amendment.

Mr. S. C. Joshi (Government of India: Nominated Official): I think there is some misconception in the mind of the Honourable Lady Member. She said that such wide powers should not be given to the Government to declare any of the services mentioned in the schedule as public utility services. I do not think that this clause in any way gives such wide power as the lady Member stated. The power that is given is qualified in three ways. In the first place, there must be either a public emergency or there must be a public interest involved. It is only when public emergency or public interest so requires that the Government can have that power. It cannot therefore be said to be a wide power given to the Government. Secondly, the power is to be exercised only so long as the emergency exists or the public interest requires. It will be always limited. I have also given notice of an amendment, which will limit the exercise of that power in the first instance for a period of six months. If the public emergency or the public interest requires its extension, then it may be extended for a like period but not longer. Therefore, it is not quite correct to say, as the Lady Member, said that the power given by this is very wide. There is also a third point, namely, that the powers of Government in declaring certain services as public utility services will be limited by the cases that are specified in the schedule. Government have no power to declare any other services which are not included in the schedule as public utility services.

Then, the second point which the Lady Member urged was that every strike involves some inconvenience or hardship to the public. True; there will be inconvenience and there will be hardships as a result of the strike. What is contemplated here is that in cases of public emergency or in cases where public interest so requires, the right to strike is actually not taken away. What is required is that notice is to be given so that the conciliation machinery shall be set in motion immediately and compulsorily and attempts may be made to see if any settlement is possible. Of course, everybody agrees that labour is not anxious to go on strike; that labour is anxious to continue the work; that if anybody is hit hard and most as a result of the strike it is labour. Therefore, it is labour that should be anxious to see an amicable settlement of the dispute which labour may have with the employer. Therefore, if labour is anxious to avoid strike, why should they be so nervous of giving a notice of strike, so that every effort can be made to bring about an amicable settlement and to avoid the necessity of going on strike which will cause the utmost hardship to labour? There should therefore be no fear in the mind of any member, who

has got any interest of labour at heart that this power will be abused or misused. I think, Sir, that the clause, as it stands, is quite fair and reasonable and is in the best interests of labour.

Mr. President: The question is:

"That part (vi) of sub-clause (n) of clause 2 of the Bill be omitted."

The motion was negatived.

Mr. N. M. JOSHI: I move:

"That in part (vi) of sub-clause (n) of clause 2 of the Bill, the words 'or public interest' be omitted."

Sir, the object of this amendment is to restrict the discretion given to Government. Government says that if there is public emergency, if there is shortage of cloth, shortage of coal, shortage of iron and steel, and shortage of bullock carts and carriages, then they should declare these industries to be public utilities. The House has already accepted that. But Government now goes further and say that they are not satisfied with declaring that it is emergency. They want the words "public interest" also to be added. An emergency will always be of short duration. That does not therefore satisfy Government. They therefore say that if they are satisfied that a certain industry is necessary in the public interest then they will issue a notification. Such a notification is bound to be a permanent notification. Government will say—No, that is not their object. That is what my Honourable friend Mr. S. C. Joshi stated but that is not the original clause of the Bill. The original clause of the Bill says this very clearly that the Government will issue notifications for such period as may be specified in the notification. The object of the Government is not to specify any period, so that they may notify an industry to be a public utility for all time to come. They do not make the original object of the Government quite clear. Government has two objects. one to issue a notification for an emergency, perhaps for a short period. Another object is to issue a notification of a permanent nature. I am therefore trying to restrict that power by using the words 'public interest'. Emergency means also public interest but it is a shorter period. When you also include public interest and also take the power to issue a notification without mentioning any period then certainly you are not acting upon what really you are stating in this House, that you want this power only to meet emergencies for a short period. I move that the words 'public interest' should be taken out. It will not do any harm to the Government's intentions at all, because if their object is a temporary notification, the exclusion of the words 'public interest' will not curtail their power at all, because even in an emergency, the Government will act in public interest. Emergency must also mean emergency and public interest. I hope that Government will accept my amendment.

Mr. President: Amendment moved:

"That in part (vi) of sub-clause (n) of clause 2 of the Bill, the words 'or public interest' be omitted."

The Honourable Shri Jagivan Ram: As is clear from what Mr. Joshi has stated, he gave notice of this amendment due to a misapprehension that the Government may declare any industry given in the schedule to be a public-utility service permanently. That was never the intention and in order to make it clear the Government has already given notice of an amendment, to give a proviso to this clause limiting the period of such declaration by the Government so long as the emergency exists or so long as it is necessary in public interest. Only for such period that particular industry may be declared to be a public utility service. I think in view of this assurance my friend will withdraw his amendment.

Miss Maniben Kera: I very attentively followed the argument put forward by the Labour Member and Mr. Joshi and I fail to see why the Honourable Labour Member is not prepared to accept the present amendment which only

[Miss Maniben Kara.]

asks for the deletion of the words 'public interest'. We can understand the anxiety of the Government that in times of emergency they desire to safeguard the interests of the consumers but public interest is a vague expression. I do not understand what is actually meant by "public interest". I for one would take it that emergency could only be declared when there is public interest involved in it. I take it that the Government are not going to declare a state of emergency because some steel magnate wants more production. I take it for granted that the emergency will only be declared when the public interest demands it. Since you insist on keeping the word 'public interest' it makes me more suspicious. I listened to the argument put forward by Mr. S. C. Joshi. He corrected me by saying that the industries mentioned in the schedule will be declared as essential service only at times of emergency. He should give me the credit of studying the Bill. I am not prepared to give such wide powers to the Government, who claim to represent capital and labour both at the same time. I am absolutely justified in entertaining my fears. He further pointed out that all that is required is a notice of strike from the workers involved in those industries mentioned in the schedule. He forgot to mention that after the notice, the workers will be compelled to accept a conciliation officer, conciliation board, court of inquiry and then an adjudication award which will be presided over by a High Court Judge who may know nothing about the trade union movement. Our experience shows that the adjudication awards are never in the interest of the workers.

Mr. President: I am afraid all this is repetition of the previous discussion which is beyond the scope of the present amendment. All the general points have been fully discussed when the consideration motion was being discussed. The only limited question is whether the Provincial Government should be given the powers, even if there is no emergency, and in cases of public interest. The Honourable Member will limit her speech to that. Otherwise we should be repeating the old arguments over and over again.

Miss Maniben Kara: I had no intention of repeating and I am sorry if I have repeated in reply to the question which was raised by Mr. S. C. Joshi. These industries which are in the schedule are not only to be declared essential industries when the emergency arises, but the Government seeks to have powers to declare them as such even when they feel it is in public interest. Most, certainly all these four industries are of public interest. They always will be of public interest, whether there is emergency or not. "Public interest" may be assumed by Government when there is no emergency. It is not defined here which is public emergency, and what will be regarded as public interest. It may be either public emergency or public interest. These are two different things. A public emergency may include public interest, but public interest need not necessarily include public emergency. These are two distinct things. As far as the emergency is concerned, the argument may have some sound basis behind it. But as far as public interest is concerned, I certainly cannot help feeling that it may give a very wide and indiscriminate power to the appropriate Government. These four industries can be considered to be of public interest even without an emergency in normal times. For these reasons I would once again request the Honourable Member to accept at least this amendment that the words 'public interest' be deleted from the Schedule.

1 P. M.

Sjt. N. V. Gadgil: Sir, I would like to offer a few remarks on this amendment. I quite appreciate my friend Mr. Joshi's argument that if the words 'public emergency' are there, where is the necessity for the words 'public interest'. The two things, according to him, are either the same or they are not. My own view of the whole position is this, that a public emergency contemplates

a situation which leaves no option for the Government, whereas the 'public interest' is an earlier stage. I will illustrate what I want to state. Take, for example, the production of cloth. The production may not suddenly go down; it may go down gradually bit by bit. The process may not stop production at once, but it may be slow and gradual. But if a Government has some imagination or vision it will know that if things are allowed to drift in this particular matter, the public emergency may come two or three months hence and in that situation it will be difficult to tackle the problem. In those circumstances, if the Government has the power, apart from public emergency, in the interests of the public to declare a particular industry as a public utility industry, I think the Government would have fully been justified to make a declaration under this. Take, for example, what is happening in England. Today they have suddenly discovered that there is extreme shortage of coal. They knew that the production was going down gradually. Had they realised, say, three months before that the position of production would be such, there would have been no occasion for an emergency. I, therefore, submit that there is a justification for the use of the words 'public interest' and if my Honourable friend Mr. Joshi appreciates this, then there should be no harm in retaining these words.

Besides, it is not intended that whatever is declared to be a public utility in the interests of the public should remain there permanently. There is a limitation. There is a condition attached to this, namely, that it will be for 'such a period only as may be specified'. I understand that there is an amendment by the Government to make the whole position clear. By this amendment the period, in the first place, will be limited to six months. But if the emergency continues or if the public interest further requires, then and then only there will be further extension and for the same period. In those circumstances, I would ask Mr. Joshi not to press his amendment but accept the amendment which Mr. S. C. Joshi, the Chief Labour Commissioner, intends to move.

Dr. Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, I do not really understand the true significance of the expression 'public interest' and on account of its vagueness it is difficult to accept the award. The decision will rest naturally with those persons who will be interested in it. Besides, it is not very well defined. I know here will be the same difficulty as there was once about the expression 'public opinion'. On one occasion my late friend Mr. Sherwani publicly said that 'public opinion' means his opinion and the opinion of a few friends. What is public opinion? Is it that of newspapers? If you take three different dailies of Delhi, you will find their opinions enormously vary and it will be very difficult for you to find out which is really the correct public opinion. So, the expression 'public interest' is very vague and I would very much like that it is not used in this particular clause. The point raised by my friend Mr. Gadgil really supports the view that the words 'public interest' should be removed.

Mr. Krishna Chandra Sharma (Meerut Division: Non-Muhammadan Rural): Sir, there is a misunderstanding about the scope of the provision. There are three things: the public emergency, the interest of the industry and in contradistinction to the interest of the industry the interest of the public. Now, Sir, a public emergency arises when the things have risen to a pitch that the stability of the State has been endangered. It is not open to the State to ignore the situation. So, in such circumstances, there is a state of public emergency and the State must take action and shall have to take action. There is another state of things in which the industries as such may not suffer, but the interests of the public are at stake. For the sake of argument, take the instance of coal. The industry may not be in a mood to have more coal because it may not be profitable to them to have more coal. But the public

[Mr. Krishna Chandra Sharma.]

may suffer with the shortage of coal and life may become very difficult. Under such circumstances, it will be a case of public interest and I do not think Honourable Members who have been advocating the cause of labour would be so indifferent to the cause of the public as not to allow the Government to have some power to intervene. At every stage, as the Honourable the Lady Member suggested, it would not be a public interest. A public interest means a public interest, apart from the interests of the industry as such. In such circumstances, the power must be vested with the Government to take the necessary action.

Mr. S. C. Joshi: Sir, I would like to explain why the expression 'public interest' has been added in this clause. 'Public emergency' has got a special meaning and it can be used on occasions like the acute shortage of cloth during war, but it cannot be said to be a public emergency during a period after the war. Thus after the cessation of war when there was acute shortage of cloth and it was intended to grant exemptions under the Factories Act to cotton mills with regard to working hours, it was found that no such exemption could be granted under section 8 of the Factories Act which uses the expression 'public emergency'. May I refer to section 8 of the Factories Act. It says: 'that in any case of public emergency, the provincial government may by notification in the official gazette exempt any factory from any or all of the provisions of this Act for such period as it may think fit'. During the war, there was a public emergency and exemptions could be granted, but after the war, it was not possible to grant any exemptions under that section in the matter of working hours to the factories, namely, the cotton textile mills or sugar mills. Therefore, it was found necessary to amend even the Factories Act, and last year the Factories Act was amended. The amendment was to section 44 of that Act. That amendment was to this effect, namely:

"(4) An order under sub-section (2) shall remain in force for such period not exceeding two months from the date on which notice thereof is given to the manager of the factory as may be specified in the order:

Provided that if in the opinion of the provincial government the public interest so requires the provincial government may from time to time by notification in the official gazette extend the operation of any such order for such periods, not exceeding six months at any one time as may be specified in the notification."

To grant exemption it was found necessary even to amend the Factories Act and that amendment was approved by this House.

Now, Sir, if the items that are specified in the schedule are to be treated as public utilities in times such as we are passing through when there is acute shortage of cloth, and certain textile mills are to be notified as public utility services, then in such cases, if we use the expression 'public emergency', no exemptions could be granted at all. No notification could be issued declaring any of these concerns or establishments as public utilities. It is therefore quite necessary, if the object in view and the principle underlying this sub-clause is to be achieved, that the expression 'public interest' must be there. It is for that reason that the addition of the expression 'public interest' was made in this Bill. I think it is very necessary to have these words. Sir, I oppose the amendment.

Mr. President: The question is:

"That in part (vi) of sub-clause (n) of clause 2 of the Bill, the words 'or public interest' be omitted."

The motion was negatived.

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.

Mr. N. M. Joshi: Sir, I move:

"That to part (vi) of sub-clause (n) of clause 2 of the Bill, the following proviso be added, namely:—

'Provided that the notification will not be valid for more than six months unless the notification is again issued in the Official Gazette if the Government is satisfied that the emergency continues to exist.'

Sir, I am afraid Honourable Members, specially on the Government side, do not seem to understand or appreciate my motive in moving these amendments. They feel that I do not sufficiently realise the importance of maintaining and increasing production. That is not true. I fully appreciate the importance of maintaining production but I feel that the method that Government are adopting for the maintenance of production is not the right method. My Honourable friend Mr. Vadilal expressed surprise that I am taking up this attitude knowing what is happening in Great Britain today. He mentioned the present coal crisis in Great Britain; but he should have told us whether the present coal crisis there is due to any strike. There is no coal strike there.

Mr. Vadilal Lalubhai: What I said was that the effect of strikes would be to lead to fuel shortage.

Mr. N. M. Joshi: But the present shortage there is not due at all to any strike but to shortage of man power. There are not enough workers there who are willing to work in mines, because conditions of coal mining there are bad. When they had a shortage of coal during the war they went to the length of employing what is called the method of conscription; that is, Government took power to ask any man to work as a miner in a coal mine. That is one method; if you want more production have what is called industrial conscription and compel any man to go and work in a factory. But even in England in spite of conscription they found that coal production could not be increased because you can take a horse to the water but you cannot make him drink. You can compel a man to go into a mine but it is not easy to get work from him there. Conscription means sending people down a mine who are not willing to work. What is the use of sending my son down a mine if he will not work or will not succeed as a miner? Therefore even conscription will not help. What will help is to make your manual work an honoured occupation or, as Mahatma Gandhi says, a privilege. Give the manual worker a status and a privilege; then my children and Mr. Vadilal's children will work, otherwise not. So long as honour and status belongs to people who work in the office, so long even by conscription you will not get people to do manual work. Even if they do it they will not do it properly. Therefore, if you really want to increase the production of goods in India, give the manual worker, as Mahatma Gandhi says, a status and a privilege. In Great Britain they tried conscription and failed. Give the manual worker a status and a privilege, as they did in Russia where it was only the manual worker who could get all the things that the country could provide, and others did not get them.

I do not wish to go into all this in greater detail, but there is only one point on which I should like to reply to my friend Mr. S. C. Joshi. He says that this clause only compels the working classes to give notice, and why should we feel nervous about giving notice? Sir, I have made it clear, not once but several times, that I am very keen that the working classes should give notice of their intention to go on strike, but what I am opposed to is treating failure to give notice as a criminal offence. You can surely provide that notice should be given; if there is a contract. Every man is bound to give notice, but the lack of notice is only considered to be a civil liability, not a criminal offence. That is the difference between him and myself. If no

[Mr. N. M. Joshi.]

does not realize that there is a difference between a civil liability and a criminal offence, I am helpless. But let me make it clear that I am nervous about making want of notice a criminal offence.

Sir, I have moved my amendment, and now if Mr. S. C. Joshi moves his amendment I shall have no objection to that.

Mr. President: Mr. S. C. Joshi may move his amendment, and I shall not put the amendment of Mr. N. M. Joshi to the House.

Mr. S. C. Joshi: I am very sorry, Sir, that I was not here when I was called by you.

I beg to move:

“That in part (vi) of sub-clause (n) of clause 2 of the Bill—

- (a) the words and comma ‘if any,’ be omitted, and
- (b) the following proviso be added at the end, namely :—

‘Provided that the period so specified shall not, in the first instance, exceed six months but may, by a like notification, be extended from time to time, by any period not exceeding six months at any one time, if in the opinion of the appropriate Government public emergency or public interest requires such extension.’”

The amendment is in the same form as my Honourable friend Mr. N. M. Joshi’s amendment, and if he is prepared to accept it, I do not propose to make any speech.

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

Mr. President: The question is:

“That in part (vi) of sub-clause (n) of clause 2 of the Bill—

- (a) the words and comma ‘if any,’ be omitted, and
- (b) the following proviso be added at the end, namely :—

‘Provided that the period so specified shall not, in the first instance, exceed six months but may, by a like notification, be extended from time to time, by any period not exceeding six months at any one time, if in the opinion of the appropriate Government public emergency or public interest requires such extension.’”

The motion was adopted.

Mr. Vadilal Lalubhai: Sir, I do not want to move the amendments standing in my name.

Miss Maniben Kara: Sir, I beg to move:

“That in sub-clause (q) of clause 2 of the Bill, the following words be added at the end, namely :

‘where such cessation of work occurs in consequence of an industrial dispute.’”

I feel that great and serious consideration should be given to the definitions in this Bill. The little word ‘strike’ is playing a very important part in the entire Bill. The opposition of the representatives of labour is essentially based on the fact that great many restrictions are imposed on the right of strike of the workers. That being the case we are very anxious that serious consideration and serious thought is given to cessation of work which you may call a strike. Sir, the Bill imposes great many restrictions not only on the workers in the public utility services but also on those workers who are engaged in non-public-utility services. When we come to those clauses I will be in a position to explain at length what those serious restrictions are even on the workers engaged in non-essential services. Sir, the Bill seeks to impose certain restrictions because the main object of the Bill is to have industrial peace. Neither in his speech in this House, nor in the Select Committee, nor in the body of the Bill itself, the Honourable Member has ever stated that the object of the Bill is anything else but industrial peace. There is no indication anywhere that this Bill wants to encroach upon the right of demonstration of the working classes.

Sir, cessation of work at certain times is a demonstration by the workers. I will give you an example: The workers regard 1st of May as the day of celebration; they also celebrate the French Revolution; they may want to celebrate a certain day in the memory of some of their own leaders. Now as a result of this definition the workers will not be in a position to stop work in order to give expression either to their political or social views. Sir, I would expect the Honourable the Labour Member to give serious consideration before he rejects the amendment which only goes to show that a strike can be considered a strike for the purposes of this Bill when it is for the furtherance of an industrial dispute. For certain demonstrations, certain declaration of holidays, they are not called holidays. They are called *hartals*. We have schools being closed. The students do not go to their schools. The share bazars are closed, many shops are closed. Why should a particular section of the society, if they choose to express their solidarity with the workers of other industries, or may be of other countries, not be entitled to stop their work, may be for a day, may be for half a day, may be for a couple of hours. Sir, the definition as it stands today will mean that any stoppage of work by workers which is not necessarily in furtherance of an industrial dispute will be subjected to all sorts of penalties as are embodied in this Bill. Sir, I was very happy when my friend, the Honourable Diwan Chaman Lall also advocated the view that he should consider it a wrong thing if a sympathetic strike will be penalised. But, Sir, if we have the definition as it stands today, not only there will be no scope for any sympathetic strike but the workers who are driven to spontaneous sit-down strikes also will be penalised. Sir, I am talking from my personal experience that when the workers stage a sit-down strike, it is often not for a very serious implication but simply because there has been some change of a minor nature which the management has effected to the disadvantage of the worker. The danger of calling every cessation of work under the definition of a strike will amount to an ordinary sit-down strike by the workers as the case may be, an illegal strike. I see no reason, Sir, why a harmless and innocent amendment like the one that I have moved should not be accepted by the other Members and also by my friend, the Honourable the Labour Member. Sir, after all, let us keep the main object of the Bill in view. The main object of the Bill is not any encroachment on the right of expression of the workers on political, social or any other point. That is not the intention of the Bill but by the retention of the definition as it stands today it will result that the workers under no circumstances will be in a position to down their tools legally, either to declare a *hartal* or to celebrate any day which the worker in this country considers it to be a great day for him. For example, on the 1st May I know that workers from many factories and workshops have taken leave by not going back to their factories after their recess time because they have to go in big processions and to reach a particular place at a particular time. Now are we going to consider the cessation of work for that half day as a strike? Are we going to penalise the workers simply because they want to express or celebrate their solidarity with the International working classes? As we all know, the present conditions of the workers is such whereby the workers are not entitled for very many holidays. In such cases, Sir, there is no other way whereby the workers can express or demonstrate their protest than by stopping work. Sir, on this question I would like to say a few words regarding sympathetic strikes. When workers in other Departments of the same industry may be on strike, how are these workers going to help them in any way? They have no funds with which they can help them. Under the present existing Bill before us, they are not in a position even to go and declare a strike. But if the definition of a strike is changed to suit the amendment which I have moved, the workers can demonstrate their solidarity and sympathy with the other sections of the workers of the same industry who may have gone on strike. Sir, Diwan

[Miss Maniben Kara.]

Chaman Lall, a Member of the majority party in this House yesterday stressed the necessity of allowing sympathetic strikes, and I would be perfectly justified at this stage to expect support from him and his party for the amendment which I have moved and I hope the Honourable Member will also accept it.

Mr. N. M. Joshi: They will give support by their speeches not by their votes.

Mr. President: Amendment moved:

"That in sub-clause (g) of clause 2 of the Bill, the following words be added at the end, namely :—

'where such cessation of work occurs in consequence of an industrial dispute'."

The Honourable Mr. Jagjivan Ram: I do not accept the amendment. The effect, if accepted, will be that you may have a strike and still you do not call it a strike. One can understand workers going on strike when they have a dispute with their employers. But one cannot understand workers going on strike in extraneous circumstances.

Miss Kara has talked about right of demonstration. Nobody is taking away the right of demonstration of the workers if they so choose and desire. And then she says that they may go on sit-down strikes on changes of a minor nature. She claims to have worked among the labouring classes for a number of years.

S.P.M. I do not understand why the workers should use their last weapon for "changes of a minor nature", to quote her own words. If there are major changes one can understand the workers using their last weapon by resorting to strike but when there are minor changes, I do not think it is advisable, desirable or wise to ask the workers to go on strike, whether it is sit-down strike or go-out strike. In that view of the matter I oppose the amendment.

Mr. N. M. Joshi: Sir, yesterday, when the Honourable the Labour Member spoke on the motion for consideration of this Bill, he very kindly reminded me of the limited nature of my knowledge of the labour questions. He said in the first place that my knowledge is confined to industrial labour, then he said that particularly my knowledge is limited to factory labour. I am very grateful to him for that reminder, because I feel that it is quite likely that I may begin to feel, if I am not very careful, that I am an omniscient person but I reserve that privilege to the Government benches. They are omniscient. They know every thing and even in this definition of a strike I take it for granted that they know every thing. Just now I shall not mention industrial labour. I shall mention two agricultural wage-earners in Bihar. They work on the field. They were working on a wintry day. I say two of them only, not more and both of them decided on account of the day being very cold that they should not go to work. According to this definition framed by the omniscient Government both these persons will be regarded as having gone on strike.

The Honourable Shri Jagjivan Ram: Never, never.

Mr. N. M. Joshi: Please read the definition. I shall read it out for your knowledge and for the knowledge of the House. "Strike means cessation of work by a body of persons employed in any industry, including agriculture (This is what the Honourable Member reminded me of yesterday.) The Bill also deals with agriculture, acting in combination." These two persons felt the wintry weather in common. They decided not to be present at their work under a "common understanding." The understanding was common because it was a wintry day. "By any number of persons": (two will do) who are or have been employed. But that is not really material. So this omniscient Government, knowing every thing about agriculture (their knowledge is not confined like mine to industrial labour or factory labour only) have framed a definition by which two agricultural labourers working on a farm on a wintry day, on account of bad weather, ceased work and they under this Bill will be regarded as having gone on strike.

Mr. P. B. Gole (Berar: Non-Muhammadan): Is agriculture an industry?

Mr. N. M. Joshi: We shall deal with that later on. Then what follows: They regard this as a strike. We have just passed a clause saying that the food industry can be notified as a public utility service. Naturally I take it that farming or agriculture is a food industry and therefore it will be a public utility service. I think we are all agreed that the food industry is a very important industry and therefore Government is justified, especially if there is a famine, in notifying that it is an essential industry. Therefore what happens on that wintry day? These two people will be required to give notice, if they wanted to absent themselves.

Shri Mohan Lal Saksena (Lucknow Division: Non-Muhammadan Rural):
To whom?

Mr. N. M. Joshi: To their masters. There are farmers, you know. They were expected to give notice. The wintry weather did not give them notice. What could the poor fellows do? The weather came on suddenly. They are guilty of not having given notice.

Mr. Vadlal Lalubhai: Will you call it a strike?

Mr. N. M. Joshi: I won't but your Bill will call it a strike in a public utility. That is the result of the omniscience of the Government of India. They may say that such definitions exist in many statutes. It is a silly definition as a definition but they say that there is some argument that no case can be made without Government's permission and that while sensible governments exist they will not give permission unless the wage-earners happen to be Communists. If they happen to be Communists, they should have to give notice of the bad weather. It is a silly thing. You will admit that your department is not omniscient as you think. If these wage-earners happen to be Communists, you will punish them. The Communists are on the brain of the Government and therefore they are prepared to do anything. I suggest to them not to do this. If you do not like the Communists deal with them as Communists but this is not the way.

Up to this time we did not raise objection to this kind of definition of a strike for a very good reason. We did not raise objection, because these strikes were not made illegal to the extent to which you are doing now. I want the Honourable Member to read the Act of 1929, which my Honourable friend Diwan Chaman Lal had opposed and very rightly too. But even that Act did not go one tenth the distance in making strikes illegal as you are doing now under this Bill. You are making strikes without notice illegal. You are making strikes illegal during four months of the conciliation proceedings. You are making strikes illegal for an indefinite period during proceedings before a tribunal. You are making strikes illegal for one year more during the period during which the settlement has been imposed upon them. It is an indefinite period but still I take it that it is at least two years. This Bill has gone ten times further than the previous Bill. It is because of that that we are thinking of this definition so carefully. We did not think much of the definition in the former Bill because the strike was not made illegal to such an extent. But now we have to be careful about this definition. It is for that reason my Honourable friend Miss Maniben Kara has moved that the strike, when it is in connection with a trade dispute, that is when people cease to work not on account of bad weather but on account of a dispute with the employer, should be regarded as a strike. My Honourable friend the Labour Minister said that he wants all the strikes under trade disputes to be regarded as strikes. He said that he could understand people not going to work on account of trade disputes but that he could not understand their not going to work for extraneous circumstances. What about weather? You do not understand the poor man who has not got your clothes and my cloth abstaining from work on a wintry day. (*An Honourable Member:* "And umbrellas"). Don't you understand? And if you don't understand I

[Mr. N. M. Joshi.]

am sorry for the working classes of this country whose fate has been entrusted in your hands. Sir, I have done.

Sjt. N. V. Gadgil: I want to point out to my Honourable friend Mr. Joshi that the definition of 'strike' here is exactly the same as is given in the Act of 1927. If this was good enough for nearly twenty years I do not see any reason for the addition of the words suggested by Miss Maniben Kara.

Diwan Chaman Lall: Can my Honourable friend say if that Act has not been repealed by the Labour Government?

Sjt. N. V. Gadgil: The Labour Government has repealed the Act, I agree. But that is no argument for us to say that this definition, if it is otherwise good, should not be accepted. The point in putting these words is this. One can understand the labourers acting in combination for a purpose which has some relevance to their own employment. As the definition lays down, if they combine and do not work, or in a concerted manner refuse to work for an object which is certainly not relevant to their employment, it is a 'strike'. It must be called a strike. But every strike is not made illegal or penalised in the present Bill.

Mr. N. M. Joshi: My suggestion is, Sir, make some other law which will be common to all people, for instance to shopkeepers who close their shops—a law which will be applicable to all people. This is a law to be confined to industrial disputes. Don't bring in here extraneous circumstances. That is exactly what I am saying.

Mr. President: Order, order. Let there be no conversation. The Honourable Member may proceed.

Sjt. N. V. Gadgil: The point is simply this. What will be the result of the addition of these words has to be understood and visualised. It means strike for any reason which has no relevance to their employment. In other words it means a general strike; it may mean a political strike. If it means a general or political strike, even under the present Bill my Honourable friend Mr. Joshi will see that it is permissible up to a certain degree. If he refers to clause 24, sub-clause (1) (iii) he will find:

"A strike or lock-out shall be illegal if 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."

If the political or general strike goes up to that point there is no illegality. If it causes severe, general and prolonged hardship upon the community then only it becomes illegal. Therefore I should like to tell my Honourable friend Mr. Joshi that even if these words are not added, a strike which is in sympathy but in a limited sphere and under limited conditions is not barred at all.

Mr. S. O. Joshi: Sir, I would like to point out that this definition of the word 'strike' is in accord with the definition of the word 'lockout'. In the definition of the word 'lockout' in the original Bill there were words: "when the lockout was in consequence of an industrial dispute". Those words have now been omitted and the two definitions, namely, the definition of 'lockout' and the definition of 'strike' have been brought into line. The reason is this. In clause 24 a strike, which is for purposes other than in the furtherance of an industrial dispute or a trade dispute, is declared illegal provided certain conditions as stated in para. (iii) of sub-clause (1) of clause 24 are satisfied. Now, if in the definition of the word 'strike' we include the words as suggested by the Honourable Member, Mr. N. M. Joshi, the result will be that automatically clause 24, sub-clause (1) part (iii) will be redundant and will be useless, because it will not be strikes at all. Therefore, the definition of 'strike' must be wide enough. I am conscious

that Mr. Joshi has given an amendment for deletion of that clause. If he succeeds in convincing the House that that clause should be deleted then there will be no inconsistency. But so long as that clause exists, the definition of 'strike' must be as wide as it is at present. Otherwise that clause will be meaningless, because it will not, in the first instance, be a strike as it is not in consequence of an industrial dispute. Therefore I submit that the definition must be wide enough.

Sir, Mr. Joshi said that he had not objected before to the definition being in such wide form. The definition is the same as it existed in the Act of 1929, which was borrowed from the British Act and also from Acts in other countries. The reason he gave is this, that strikes were not illegal to the extent to which they have been sought to be made illegal in this Bill. Of course, so far as the other illegalities are concerned, strikes must necessarily be strikes which arise out of industrial disputes because, there will be no conciliation and no conciliation board and there will be no tribunal if there is no industrial dispute. Therefore the fact that the strikes were not declared illegal under the Act of 1929 when there was no provision for a tribunal is not convincing. A strike without notice in a public utility service would be illegal when the strike was under that Act not in furtherance of a trade dispute. During the eighteen years that the law has been in force no action has ever been taken against any worker belonging to a public utility service, when he went on strike in the manner in which Mr. Joshi suggested, namely, that there was a severe cold and the poor workers had no clothes as Mr. Joshi himself had, and on that ground two workers decided to stay away and therefore they were prosecuted. Such a course has never been adopted and no Government will be foolish enough to take action against workers in such cases. At the same time, if all the workers decide to go on strike for flimsy reasons or without any reason whatsoever, or on grounds not connected with any industrial dispute, then certainly there must be power to the Government to proceed against those people. Therefore, I submit that it is necessary to have a definition in the form in which it is in the Bill. The definition of 'strike' and the definition of 'lockout' are on the same lines.

Mr. President: The question is:

"That, in sub-clause (q) of clause 2 of the Bill, the following words be added at the end, namely:

'where such cessation of work occurs in consequence of an industrial dispute.'"

The motion was negatived.

Mr. President: There are amendments to the schedule, tabled by the Honourable Member. They have to be taken up at this stage. The clause and the schedule are put together. He may move all these together and for the purpose of voting I shall put them separately. The argument will be common.

Mr. N. M. Joshi: I am quite willing to meet the convenience of the House and your own convenience.

I do not think any of these industries deserve to be put in the schedule. I was willing to put railways in the schedule if my amendment had been in order. At this stage the first point which I would like to ask the Government of India to explain is why they have changed the definition of the Act in 1929, of railway being a public utility. At that time the Government of India was quite satisfied with the railway being made a public utility by notification. They only notified particular railways or particular systems of railways. Why do they now want all railways to be included. There may be some railways which are really small railways carrying stones from the querries which have nothing to do with any passenger traffic or any traffic in any essential matters. There used to be a railway in New Delhi, I don't know whether you Mr. President visited New Delhi at that time, carrying marble stones for these big buildings. This building is a useful building. I am not contesting it now. For instance, these marble

[Mr. N. M. Joshi.]

stones used to be carried for building the Viceroy's palace. I thought that the Government of India would not go to such a length as to carry stones for the Viceroy's palace in a railway and consider that railway to be a public utility. I think the Government of India is going too far.

The Honourable Member knows that there are battalions behind him. They can beat down any opposition. I would suggest that you should not make use of those battalions and if he does, he will be misusing them for a wrong purpose. I feel that all these items here are not necessary at all. You are not going to get larger production by making a law which makes strikes illegal. No country has succeeded by this method and you cannot succeed.

I shall therefore move my first amendment that all these items be omitted and if that amendment does not meet with the favour of Government benches and their supporters I propose moving amendments that these items may be regarded as public utility if they are a nationalised industry. The items are coal, cotton textiles, and so on. When people are carrying on their industries for private profit and black-marketing, please do not penalise the workers. Make sure that your industries have not been exploited for private profit at the expense of consumers. Take the cotton textiles. It is a favourite industry with some Members. They consider that cloth is a necessity and therefore textiles must be made a public utility. When we are compelled to pay three or four times the price for our cloth, why should we penalise the workers. They are exploiting the whole public including the consumers. Let us have some conscience. I take it that the Honourable Member has a conscience. (*An Honourable Member*: "Have you"), I have. If you are doubtful about your own conscience, I cannot help it. By all means do something by which the consumer will not be exploited. Therefore I propose amendments that you can make textiles and all these other industries public utilities if you nationalise them. But for God's sake till then do not regard them as public utilities. Till then, they are the means of exploiting the consumers, workers and everybody else. Therefore, my amendment is that you should nationalise coal, nationalise transport, nationalise textiles and nationalise iron and steel. Nationalise them and I shall agree with you to putting them in the Schedule.

Mr. President: How shall I put these amendments to the House? Will the Honourable Member just suggest to me?

Diwan Ohaman Lal: There are some other speakers who wish to speak on this motion.

Mr. President: I have not yet put the motion to the House and I am not putting the question. I told the Honourable Member (Mr. Joshi) in the beginning that instead of having each of these amendments separately, he should put all of them at the same time as the arguments are common. For purposes of voting, if he so insists, I shall split them up again.

There is also another way if he so likes. He may put only one of them. He has already spoken in respect of all. I will put only one of them to the House and he may not move the others formally.

Mr. N. M. Joshi: With that understanding I am prepared to move one of these amendments.

Mr. President: I was going to suggest to him a third alternative. Have these amendments in a different form, the form being to delete the items in the Schedule. But that seems to me to be rather difficult to be accepted now because one of his amendments for the deletion of the Schedule has been negatived. Therefore the amendment can not be put in form of the deletion of all items in the schedule.

The other alternative will be that "in place of a certain item mentioned in the Schedule, substitute the following," as he says, railways, tramways, bus services, steamships or aeroplanes; nationalised coal industry; nationalised cotton textile industry; and nationalised iron and steel industry. Shall I put it in that form?

Mr. N. M. Joshi: Yes.

Mr. President: I am trying practically to consolidate all these amendments and putting them in that amended form. I am not saying that the items should be deleted.

"That in place of item 1 of the Schedule substitute:

'Railways, tramways, bus services, steamships or aeroplanes which are under public ownership and management';

That in place of item 2 of the Schedule, coal, substitute:

'Nationalised coal industry';

That in place of item 3 of the Schedule, cotton textiles, substitute:

'Nationalised cotton textile industry';

That in place of item 5 of the Schedule, iron and steel, substitute:

'Nationalised iron and steel industry'."

That is the amendment. It does not refer to foodstuffs at all.

Mr. N. M. Joshi: Sir, I move:

"That for item 1 of the Schedule, substitute:

'Railways, tramways, but services, steamships or aeroplanes which are under public ownership and management';

that in item 2 of the Schedule for the word 'coal' substitute:

'Nationalised coal industry.';

that in item 3 of the Schedule for the words 'cotton textile' substitute.

'Nationalised cotton textile industry.'; and

that in item 5 of the Schedule for the words 'Iron and Steel' substitute:

'Nationalised iron and steel industry'."

Mr. President: Amendment moved:

"That for item 1 of the Schedule, substitute:

'Railways, tramways, bus services, steam ships or aeroplanes which are under public ownership and management';

that in item 2 of the Schedule for the word 'coal' substitute:

'Nationalised coal industry.';

that in item 3 of the Schedule for the words 'cotton textiles' substitute:

'Nationalised cotton textile industry.'; and

that in item 5 of the Schedule for the words 'Iron and Steel' substitute:

'Nationalised iron and steel industry'."

Dr. Zia Uddin Ahmad: Sir, I support the motion. I can understand that you can ask the labour to work against their wishes. Even if according to them, they do not get sufficient wages, it is all right to compel them to work if it is in the public interest to do so. But if it is in the interest of the private individuals, then I think it is not fair on the part of the Government to compel the labourers to do this particular work because it smells of indentured labour. Then there are Bolshevik principles of labour. They say nobody can employ labour if the labour produces an income which goes into the pockets of the individuals. You may employ labour which may not yield any income for your personal comfort, but if you employ labour which may yield any income, then that income must go to the State and not to any particular individual. That is the ideal of the Bolsheviks. I am prepared to say that we need not go as far as that. I would like to draw the attention of the Honourable the Labour Member

[Dr. Zia Uddin Ahmad.]

to one thing and that is that he must have one ideal in his mind. You cannot stop short of two alternatives which I mentioned before in this House. One alternative is the Bolshevik method, which I have just explained. The second method by which you can keep the labour contented is to make the labour a business partner in the business itself. That is a principle which the Germans adopted before the Great War. In that case, the labourers were contented because they did the work and they shared the profits. If you do not give them any share in the profits, you simply pay them the wages, and if you exploit the consumers and other people, then the labour is dissatisfied and thinks that it is wrong. Therefore, either of these two principles ought to be accepted both by the Government and by the capitalists. According to the Bolshevik method, you can employ labour for your kitchen and for your household but you cannot employ labour for purposes which produce wealth unless that wealth goes to the chest of the Government.

If we do not adopt the method of making these labourers business partners in various firms, then a time will soon come when the demand for Bolshevik method will be pressed and it will be very difficult to resist it. If you want to save the country from communism, then the only alternative is that you adopt the method which Germany adopted before the Great War. I would rather suggest that it should be legislated that in every factory the share of every worker ought to be fixed and whatever the income may be, it should be divided in suitable proportion between the capitalists, the directors and the workers. I realise that those people who invest their money take some risks because if there are losses they will have to bear them. Because of that risk, they must also have some share in the profit in addition to the Bank rate of interest. Then, the directors, managing directors and other officers must all have some share in it. I understand that some of the companies in Tata's have adopted this method, but it is somewhat different. They allow them to buy shares. Whatever may be the case, you must make the labourers feel that they have got a personal interest in the industry, so that if there is a profit it does not go into the pockets of the capitalist alone but it goes into the pockets of every individual who has helped the industry. The principle which is now being adopted by the capitalists is fundamentally wrong. You may be able to keep it on for a few years more but a time will soon come when there will be a bitter opposition to it in the country. A man buys a share for Rs. 100 and then it becomes a share of Rs. 2,000. That means your workers will have to work much harder in order to give you income not on Rs. 100 but on Rs. 2,000. It is there enacted that you may make big profits and pile up big reserves. You start with a capital of a lakh of rupees, you build up a reserve of 40 lakhs. You build up this reserve in order to avoid income-tax. Every year there is a profit. Instead of honestly paying income-tax on the profit, and paying dividend to share holders they build up reserve of 40 lakhs on which no income-tax had been paid. In this way the whole money becomes the property of the capitalists. I call this cheating, cheating the country, cheating the income-tax authorities, and cheating the labourers and cheating the share holders. I myself am not in favour of communism. I think the capitalist should have his place in the economy of the country. But the capitalist should not exploit the consumers or the workers. That is the principle I stand for. Of course if an industry is nationalised, then it becomes the property of all, of the workmen, the consumer and everybody, it becomes the property of the whole country. So long as the industry is not nationalised, it is not fair to exploit the labourers for the exclusive benefit of the capitalist. Other persons also should have some share in the prosperity of the industry. I have said repeatedly that an industry flourishes not because a certain amount of capital has been invested by a capitalist in that industry, it is flourishing on account of the hard honest work put in by the workmen.

The workmen play the most important part in the prosperity of an industry. Money is only secondary. Bank notes can be produced in crores. After all it is not gold and silver that are invested in an industry. Only currency notes form the capital of the industry. The Finance Member, in the course of an hour can manufacture crores of notes. Instead of putting 'one rupee' on a bank note, he has simply to put 'one crore' and it is valid for a crore. It is therefore desirable that the labourers who form the backbone of an industry should have a share in the profits of the industry. As we have already passed most of the clauses of the Bill, it is desirable that these things should be applied in those industries which are nationalised and in which profits go to the workmen and consumers and everybody and not to those industries in which the whole profit is pocketed by a few persons on the ground that they inherited some money from their forefathers which fortunately or unfortunately they invested in a particular industry. I do repeat that this Bill as it stands on paper should be applied only to those industries which are nationalised and it should not be applied to those industries where the capitalists make enormous profits. I am particularly bitter about the textile industry. Any one who has experience of textile industry knows very well that the textile industry holds every Member of the Government in its pocket. I have been in the legislature for the last 17 years, and I have seen no Finance Member or no Commerce Member who has not been in the pockets of the textile industrialists. I remember Sir Thomas Stewart, then Commerce Secretary and who subsequently became the Governor of Behar, reminding a certain gentleman who came from England for the purpose of starting a certain enquiry that he should be cautious of the textile industrialists. Sir Thomas Stewart warned that gentleman from England that when he went to Bombay, he should not be dazzled by Taj Mahal Hotel, or a Rolls Roys which will be placed at his disposal and all his comforts would be looked after by the textile industrialists, but that he should not go anywhere near those industrialists and that he should not fall into their snares. I am perfectly certain that the Government do not control the textile industry, but it is the textile industry that controls the Government. It is really difficult for any Government Member to escape from the clutches of the textile industry, once he falls into its hands.

Mr. Vadilal Lallubhai: Is the Honourable Member in order in referring to the textile industry in this manner?

Dr. Zia Uddin Ahmad: I am in order.

Mr. President: I believe the Honourable Member has finished his speech.

Dr. Zia Uddin Ahmad: I was speaking that the textile industry should be nationalised at a very early date so that my friends' crores and padams might also come partially into the pockets of commons.

Textile is the first industry which I think should be nationalised. They are the economic criminals in two ways. Firstly they are because they are taking large profits, thereby cheating the consumers, secondly they are killing the cottage industry. Textile industry is the greatest enemy of handloom industry. The cottage industry does not get enough raw materials from the textile mills. It is for these two reasons that the textile industry should be nationalised first and foremost. I may perhaps agree to the postponement of the question of nationalisation with regard to other industries, but so far as the textile industry is concerned, it should be nationalised immediately. I hold strong views that it should be nationalised first.

Sreejut Rohini Kumar Chaudhuri (Assam Valley: Non-Muhammadan): Will my Honourable friend allow some share to get into my pocket or will he pocket all the profits himself?

Mr. President: Let us proceed with the Bill.

Dr. Zia Uddin Ahmad: I am sure the share of my Honourable friend will be three times more than that of mine. The profits will be equally divided among all the people of India.

I finish by repeating that the textile industry is robbing the people three fold. In the first place, the textile industry is exploiting the consumers, it is exploiting the cottage industry, it is cheating income-tax officer. The people engaged in cottage industry on a small scale do not get any yarn or cotton from textile mills. With these words, I resume my seat.

The Honourable Shri Jagjivan Ram: Sir, I will not go into details. But I may remark at the outset that railways have been included in public utility services after the experience which Government have had during the last seventeen years of the working of the Trade Disputes Act, especially at the present time when railways play a very important part in transportation of very important essentials of life, foodstuffs and other things. Railways have therefore to be included in public utility services. I do not think anybody who has the good of the public at large will dispute the inclusion of railways in public utility services. As regards other industries I may make it clear that it is not out of sympathy for those industries or for the industrialists that we want to include them in the schedule. It is purely from the point of view of benefit to the general public that these industries have been included in the schedule. What are these industries? Coal is a basic industry, at the present time it is very necessary for everything that is required for the maintenance of life of the public. Everybody would like that coal which is a basic industry should be nationalised. But are we to leave such basic industries aside so long as they are not nationalised. Today we read the news of the difficulty in Great Britain due to coal shortage; but we know to our own cost that we are not producing as much coal as we require, the necessary consequence of which has been that our production in several respects is greatly suffering. Cotton textiles have been included not because we have any sympathy for the millowners but because we know that there is acute shortage of textiles and cessation of work in the textile mills even for one day deprives seven lakhs of people of their annual quota of cloth. About foodstuffs I need not say anything. About iron and steel I will point out that for the last six or seven years, during the period of the war, building and construction work in our country was all held up,—not only residential quarters but factories and other buildings which would provide more scope in the solution of the unemployment problem in this country. From the point of view of improving the condition of the workers themselves these are very essential. I personally feel that these basic industries like coal and iron and steel should have been nationalised; but, as I have said, we cannot afford to wait and allow things to drift till such time as these industries have been nationalised. Therefore these industries have been included in the Schedule, as we have already decided that these industries are to be declared public utility services only for a limited period in case a public emergency has arisen or when public interest requires. Therefore I do not think any undue advantage will be taken of this Schedule by any of the provincial governments for any other purpose than that for which the Schedule is intended. I therefore oppose the amendment and press for the retention of the Schedule in its present form.

Miss Maniben Kara: Sir, I rise to support the amendment. I have listened to the arguments of the Honourable Labour Member who said that from his experience of 17 years he has come to the conclusion that the time has come when railways also should be included among essential services. Sir, as one actually connected with the trade union movement I have not been able to understand why such a conclusion should have been arrived at. There have not been such numerous strikes in the railways on account of which such a measure was at all called for. My Honourable friend Mr. Guruswami who is actively connected with railway unions made it very clear yesterday that he is not one of those

trade unionists who wants strikes on railways. Our recent experience in the contemplated general strike on railways also shows that when Government came forward with the proposal for a Pay Commission the railway workers did not resort to strike. They are conscious of their responsibility towards the public, and I would challenge any one to prove that the railway workers in this country have acted in a contrary manner. Sir, they have waited very long and they are waiting in patience; they have not given notice of a strike, and from my own experience of 17 years in labour movement I can say that the railway workers have not acted in an irresponsible manner. They have done nothing to deserve to be punished and brought under the essential services. My Honourable friend Mr. Guruswami explained to us this morning that it is not only the railway workers but workers in railway workshops, clerks, chuprassies, and others whose absence from work would not immediately affect the public will also be affected by a measure like kind. I think our amendment goes far to meet the Labour Member's point where we ask him to nationalise those industries which are used by the public, namely, railways, tramways, bus services, steamships and aeroplanes. I ask my Honourable friend whether he himself as a member of a particular party is not committed to the nationalisation of these industries. We are only asking him to fulfil his own commitments; we have brought forth an amendment to which the Labour Member himself is committed to fulfil. Even today he does not say that he is against nationalisation. He says that until the nationalisation of these services is a reality we should accept the guillotine. But, I suggest, why not bring in first measures first? Why not effect nationalisation of the essential services to which you are committed? Certainly he was not committed to this Bill before he accepted office. I therefore think that it would be right to nationalise these services as our amendment seeks to do. I am very glad to see that my Honourable friend Dr. Ziauddin has very ably supported this amendment. He also feels that so long as these industries are not owned and controlled by the public there is no necessity for us to give protection to private enterprise. The Honourable the Labour Member has said that the intention of the Government is not to show concern for private enterprise. I do not dispute the motives of the Honourable Member; I am prepared to accept the motives of the present Government, but let us see the result of such an action. Sir, I am prepared to judge a Bill not from the intentions of the mover as from its results. The result of including these various industries as public utility services will mean protection to the private enterprise by depriving or encroaching upon the birth-right of the workers. I would once again make it very clear that I do not dispute the motives of the Honourable Member, but the fact remains that the industries

4 P.M. run by private enterprise will get support at the cost of workers.

The Honourable Member has pointed out the case of cotton textiles. Now, Sir, regarding cotton textiles, my Honourable friend, Dr. Zia Uddin, has very rightly pointed out that textile magnates of this country have already made immense profits at the cost of the blood and sweat of the workers. In our country thousands go naked; cloth is not as essential as it is in Western countries.

[At this stage Mr. President vacated the Chair which was then occupied by Mr. Deputy President (Khan Mohammad Yamin Khan).]

In Western countries people die because they have not got sufficient cloth around them. I want that every man, woman and child in my country should have sufficient cloth around his or her body, and we are not going to supply that quantity of cloth to four-hundred million people by including the cotton textile industry in one of the essential services; you cannot clothe the naked people of this country by including this industry in the list of public utility services. When the time comes I will put forward my views how best it can be done; but by bringing forward a Bill of this type we are running further and further away from our object of clothing the people. Sir, if the Government thinks that cotton textiles is such an essential service today because of the shortage of cloth that it requires protection from the Government, why should the present Government

[Miss Maniben Kara.]

not ban all exports of cloth? Will the present Government tell us here and now that cloth will not go out of this country for the sake of giving profits to private individuals? I could understand the emergency or the public interest if cotton textiles had not been going out. There is a provision in this Bill that if and when emergency arises these industries will be declared as essential services, but, Sir, I would repeat my argument that we from labouring classes have not that confidence in the Government as it exists today. They say that they stand for capital and labour; they claim that they stand for the oppressor as well as for the oppressed. Under these conditions, we are not prepared to give unlimited powers of discretion to the Government when they may declare a state of emergency or declare a state of public interest in that particular industry. These are the reasons for which we do not want unlimited powers to be placed in the hands of the Government. And yet you will see from our amendment that we go a long way to meet the Honourable the Labour Member and we are prepared to consider them as essential services provided the Labour Member is prepared to own them. We therefore want that until such time as these industries are owned and run by the State in the interest of the public and of the consumers, and not by private enterprise, that they should not be declared as public utility services. When that day comes, I can assure my Honourable friend that we will be one of them, then we will not remain solitary voice in this House as we are today. We do not want to play obstructionist tactics here; we are appealing with arguments; we are trying to show how the passage of this Bill is going to deprive the workers of their right to strike, and it is not only limited to one industry but it is going to be extended to many other industries. That is why I would once again appeal to my Honourable friend that he should accept the amendment of nationalization of these industries, and when that is done, that will be the time for him to bring forward a Bill of this kind. Sir, I understand the seriousness of the amendments, and I know that at this stage my Honourable friend may find it difficult to accept our amendment whereby we have called upon him to put these industries in the schedule only after they are nationalized, but the implication of our amendment at this stage is that he should accept the rejection of the entire Schedule. Sir, I support the motion.

Mr. Krishna Chandra Sharma: At the outset I agree with what my Honourable friend, Mr. Joshi has said that industries should be nationalised. The question at the present moment is that our country needs the essential things of life. Efforts have been made to get certain commodities imported from outside. The attempts are failing. It is not a desirable thing to depend upon things from outside. Producers do not produce what they can under favourable circumstances. Strikes are prevalent on unreasonable grounds. You cannot ignore certain strikes which go beyond the dispute of labour. They have something at the bottom which stands in the way of the production of necessary commodities. The reasons behind those strikes are so fundamental that they are not likely to be dissolved in the near future. So under the present circumstances it is necessary that the mills should produce more and if they are to produce more the strikes must be put an end to. When the industry is nationalised, it would be a better day for every one of us. But industries cannot be nationalised overnight. It is a long process. No Government would be able to do it in a day or two or at a very early stage. India is hardly in a condition to nationalise industries at the present moment. It will take a long time. Till then certain things are to be done and one of the necessary things is that the mill as they stand must produce to their utmost capacity and in order that they may be able to produce to their utmost capacity the strikes must be put an end to. Therefore the Government should be empowered with measures that they can prevent the curtailing of the production and for this measure is necessary.

Mr. Vadilal Lallubhai: My Honourable friend, Mr. Joshi and Miss Maniben Kara have argued on wrong premises in arguing that the industrialist is protect-

ed by this or that the industries require protection. The protection that is being given in this Bill is not to the industries but to the consumers, because whenever an emergency arises, it will not be for the benefit of the industries or the industrialist but for the consumers of the country, so that they are not deprived of these essential articles of everyday life. I would therefore urge upon the Labour Member not to give way to any of these arguments but to see that the consumers in the country's interest are properly safeguarded in times of emergency.

The Honourable Shri Jagjivan Ram: I have nothing much to add. I forgot on that occasion the valuable suggestion which Dr. Zia Uddin had urged. But I fail to understand one thing. He was speaking of profit-sharing bonus in an industry. Whether all the profit is to be divided among capital and labour, depriving society and the community of any income at all. It is a proposition which deserves serious consideration and I do not want to go in detail into this. But I just remark in passing that any such scheme should be put forth only after mature consideration. Whether in all industries the profit or the products or the benefit of the product is to be divided among capital and labour only, or whether something is also to be given to society or to the community or to the nation for running the Government and other things.

Dr. Zia Uddin Ahmad: In the shape of income-tax.

The Honourable Shri Jagjivan Ram: I do not propose to go into the details of this at the moment. But as I have already remarked, I wish these basic industries were nationalised. I wish they will be nationalised as soon as conditions permit. But so long as they are not nationalised—not at the cost of the workers—I do not agree with that view that even if these industries are included in the schedule and are declared to be utility services, the industrialists are to benefit at the cost of the workers. That argument I do not follow and I do not agree with it. It may work in the interests of the workers as well and that is why I am anxious to have them in the Schedule and I oppose this amendment.

Mr. Deputy President: The question is:

“That for item 1 of the Schedule, substitute:

‘Railways, tramways, bus services, steamships or aerodromes which are under public ownership and management’;

that in item 2 of the Schedule for the word ‘coal’ substitute:

‘Nationalised coal industry.’;

that in item 3 of the Schedule for the words ‘cotton textiles’ substitute:

‘Nationalised cotton textile industry.’; and

that in item 5 of the Schedule for the words ‘Iron and Steel’ substitute:

‘Nationalised iron and steel industry.’”

Dr. Zia Uddin Ahmad: On a point of order. The President had said that votes would be taken on each item separately.

Mr. Deputy President: The Honourable Member was not listening when the Honourable the President asked Mr. Joshi to agree to this and he agreed that this whole thing may be put up.

The motion was negatived.

Mr. Deputy President: The question is:

“That Clause 2 and the Schedule as amended, stand part of the Bill.”

The motion was adopted.

Clause 2 and the Schedule, as amended, were added to the Bill.

Mr. Deputy President: Clause 3.

Miss Maniben Kara: Sir, I move:

“That in sub-clause (1) of clause 3 of the Bill, for the words ‘in consultation with’ the words ‘with the consent of’ be substituted.”

[Miss Maniben Kara.]

Sir, the Honourable Member in charge of the Bill is aware that we from labour welcome voluntary agreement. We desire that industrial disputes and various differences arising from day to day working of the workers should be settled between the employers and employees.

Sir, we stand for internal settlement and we do not desire any external interference. That being the case we welcome the formation of Works Committees in all industries. By the formation of these Works Committees the representatives of the workers and the employers will be sitting across the table and as far as possible thrash out their differences.

In all civilised Western countries not only do the workers have their Works Committees but during war time they also had voice in the management of the industry. A manual worker is held in esteem and respect by the employer. The employer realises and accepts the fact that the employee is as essential to the industry as his own capital and as such he holds the worker in respect. He realises that voluntary agreement and settlement reached by giving recognition to trade unions and their representatives helps the industry. I would have welcomed the voluntary formation of such Works Committees without the aid of this Bill. But not being a believer in the theory of the change of heart I am not surprised that such committees are not formed. That theory does not work. From experience those who believe in the theory of change of heart, must learn that the Works Committees are not formed, because employers did not change their hearts and did not encourage the growth of healthy trade unionism. We are told that the employers are going to recognise trade unions. No one will be more happy than us, if that day comes; since the recommendation of the Royal Commission on Labour years back, we waited for that happy day to see trade unions recognised by the employers, but we waited in vain. The present Honourable the Labour Member is now compelled to bring in legislation for a very elementary right which has been conceded in all countries, *viz.*, compulsory recognition of trade unions. If the intention of the Honourable the Labour Member is to see that a healthy trade union movement grows in this country, and that the employers give recognition to the trade unions, then he should have no difficulty in accepting my amendment.

Sir, the Bill as it stands says that these Works Committees will be appointed in consultation with the trade unions. The danger of it is that you will consult the unions but there is no guarantee that having consulted them, you would accept their suggestions. There is also another danger and that danger or fear was rightly expressed by my colleague Mr. Guruswami yesterday. Let us admit this fact that even today there are unions in our country which are sponsored by the employers themselves. They are known in trade union circles as Company Unions or Yellow Unions. Now, Sir, this amendment is brought forward because we want to be assured that consultation with company unions will not take place. Genuine unions alone should be consulted, not only consulted, but their recommendations should be accepted. The word "consulted" once again is kept beautifully vague. As I stated, you may consult the union, but there is no guarantee that after consultation you will accept the recommendation. The choice of selection in the last event, entirely belongs to the employer. It is the employer who will in the end have the right to decide who will be the representatives of the workers. What I am asking for is to transfer that right to the trade unions. If a trade union in that particular industry does not exist, the question does not arise but where it exists, the representatives should be only those who have been recommended by the unions and none others. I would once again say that the principle of the formation of Works Committees is welcome to us.

I was very much grieved yesterday to hear Mr. Griffiths opposing the formation of the Works Committees. He opposed it on the ground that it should not be made compulsory. I am sorry he is not present with us today but my reply to him will be that leaving things for voluntary settlement has not helped. I would

have welcomed voluntary setting up of the Works Committees, provided I was sure that those Works Committees will not be composed of those workers who are elected by the employers themselves; and the Works Committees will not deprive the functioning of a genuine trade union. The reason why we want that a nominee of a trade union alone should be on the Works Committee is to see that these Works Committees do not act as rival to genuine trade unions. In number of cases where employers do not like to have trade unions, they form works committees composed of selected people inside the workshops, with the result that every attempt by the workers to form a union is controlled and checked by these committees. The function of such works committee, in other words, amounts to the liquidation of trade unions. In order to safeguard against that danger, and in order also to get the wholehearted support of my Honourable friend Mr Guruswami, I want that the nominees to these Works Committees should be appointed with the consent of the trade unions. If the object of the formation of these works committees is to have voluntary day to day agreement for their grievances with the employers then I see no reason why my amendment should not be accepted by the Honourable Member and the House.

Mr. Deputy President: Amendment moved:

"That in sub-clause (1) of clause 3 of the Bill, for the words 'in consultation with' the words 'with the consent of' be substituted."

Mr. S. Guruswami: Sir, I support very strongly the amendment moved by Miss Maniben Kara. I hold very strong views on the subject of works committees and my views are based on twenty-two years of experience of their working in different industries and not only the railways. The objection against the works committees is that they are used by the employers as a rival machinery to weaken the functions of the trade unions. The objection is not lessened by the fact that the members of these committees are not nominated members but even elected members. I know in the Buckingham and Carnatic Mills in Madras there is a Welfare Committee where all the members are elected. But although they are elected they do not command the confidence of the workers. They have been used on every possible occasion by the employer to weaken the trade union's activities. If a concession is to be given, these works committees are used as a medium for announcing the concession. If it is a negative reply it is the unions which get the negative reply on their representation. That is why I am very anxious that this clause should be either dropped or the machinery of works committees should be so constituted as to be not a danger to the trade unions. As my friend said, mere consultation does not carry with it the implication that the trade union's suggestions will be accepted. Not only this. Trade unions will view with the greatest jealousy any machinery which will bypass the relations between the employer and the employees. This machinery may be used for that purpose notwithstanding the good intentions of the Government.

Sir, in sub-clause (2) of clause 3 of this Bill pious intentions are mentioned. I am not aware of any similar clause in any other piece of legislation where mere intentions are expressed without any idea as to how those intentions can be carried out. It is said:

"It shall be the duty of the Works Committee to promote measures for securing and preserving amity and good relations between the employer and workmen and, to that end, to comment upon matters of their common interest or concern and endeavour to compose any material difference of opinion in respect of such matters."

These sentences are very vague and not even beautifully vague. The Honourable Member could content himself by a two-clause Bill in which it may be stated "Let there be peace in the industry" and keep quiet without legislating for conciliation board, tribunals or courts of enquiry. Why I stress this aspect of the matter is this. Mere vague generalities will lead us nowhere. Works committees must deal with all questions arising out of employment relations. The machinery for the workers is the trade union, and the works committee should function as a sub-committee or a joint committee of the trade union and the

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employer and not a machinery in which the trade unions have no control. Specially in this country where trade unionism is weak, is still in its infancy, the danger is great, and I would therefore most respectfully appeal to the Government not to proceed with this clause, not because I doubt their good intentions but because I have every feeling of apprehension that with all their good intentions it will be abused and nothing but abused. Specially in industries where there is no union and even in industries where there is trade union this clause will tend to weaken their cause.

Yesterday my friend, Diwan Chaman Lall referred to the recommendations of the Whitley Commission. I have to differ from that recommendation with due respect to Mr. Joshi and Diwan Chaman Lall. That is why I said that I hold very strong views in this matter. Whether members of this committee are elected or constituted in any manner, if they are made to function without the consent and approval of the trade union in that industry, it will constitute a rival machinery, intended to function as a rival union without collecting subscriptions, without redressing grievances, without incurring the obligations which a member incurs by joining a trade union. That will encourage irresponsibility and not tend to industrial peace. That is why I say if the relations between the employer and the workers' union are amicable and good, let there be voluntary machinery for functioning as a joint committee, but let no machinery be imposed by the Government by 'a general or a special order' as is contemplated in clause 3 of this Bill. In the initial stages a committee may do good, but if it is to be free from the control of the trade union it will be bad to the trade union movement and incidentally to the workers. That is why I have been very emphatic in the expression of my opinion that these works committees, whatever might be their history in other countries, will serve as rival bodies to trade unions in this country. Not only that. In the Bill that has been introduced in this House no statutory powers exist for these works councils to function efficiently to discharge their duties. The clause that the number of representatives of the workmen ought to be the same as the number of representatives of the employers has no meaning in actual fact because what is the value of the opinions or decisions reached in this committee if the employer does not agree to them. What are the rights conferred on the members of these committees? In Germany before Hitler came to power, there was a legislation relating to works councils. They had the right to examine accounts; they had the right to call for any documents or material relevant to the investigation of the grievances of the workmen referred to them; they had the right to serve as something of an appellate court in regard to disciplinary cases. Nothing of that kind is prescribed in the proposed legislation. All that is proposed is some pious wishes to be attached to the works committees that may by a general or special order be brought into existence by the appropriate government concerned. In view of this vagueness I have no hesitation in pointing out that there is a danger and not a good thing in introducing this piece of legislation. If it is to be a proper measure we have in a constructive way suggested 'let this machinery be brought into existence with the consent of the trade unions concerned and not independent of them. That is all I have to say and I hope the Honourable Member will revise his views about this machinery.

The Honourable Shri Jagjivan Ram: I know my friend Mr. Guruswami holds very strong views about these Works Committees. I also know that this is due to his bitter experience of the Works Committees in the railways in the past. But I am afraid, Sir, when those Works Committees were formed there was no provision like the present one or provision as to how those Works Committees were to be formed. If we look into this clause, Sir, it will be quite clear that a Works Committee will consist of representatives of employers and workmen in equal numbers. Then further the representatives of the workers are to be selected from among the workers themselves and in the prescribed manner the

amendment is that these works committees should be formed with the consent of the trade unions, if any, in that industry. What possible effect this will have, one has to examine it. Take one industry or a factory where there is a trade union representing ten per cent. of the workers employed in that industry. If this ten per cent. of the workers so desire they may prevent the formation of a works committee even if 90 per cent. of the workers in that industry want to form a works committee in order to settle their day to day differences. I do not think it will be in the interest of the workers themselves to deprive 90 per cent. of the workers to take advantage of this machinery if ten per cent. of the workers do not desire so.

Then the representatives of the workmen are to be elected in the prescribed manner and over and above that, in consultation with the trade unions. One of the prescribed methods may be that the workers in a particular factory will meet together and they by a majority of votes elect their representatives on these works committees. I do not think there is anything wrong in it if the workers themselves by a majority of votes select their own representatives and those representatives are on the works committees. But to safeguard the interest of the unions, even if a trade union may represent only five per cent. or ten per cent. of the workers, the trade union is to be consulted. One of the prescribed methods may be that the trade union will submit a panel of, say, five names, out of which two persons will be taken on the works committees. I do not see how the prestige of the trade union will be undermined. I think it will be enhanced. I therefore think that the clause as it stand safeguards the interest of the workers as well as the trade unions. If the amendment is accepted, it may mean that the representatives will be elected by a minority of the workers and not by the workers themselves. I therefore think that the clause, as it is, is good and in the interest of the workers. I oppose the amendment.

Mr. N. M. Joshi: The idea of Works Committees is not a new one. It has been in existence for a long time. My friend Mr. Guruswami has stated that Works Committees were introduced in Germany by law and they were given statutory functions and definite functions, not the kind of good will mission which this Bill is giving to them. In England they appointed a Royal Commission to consider this question of industrial peace and they recommended the formation of Works Committee and industrial councils. We are not against the idea of either a Works Committee or an industrial council because we feel that the idea of employers and workers meeting together and discussing matters of common concern is a good one but a warning was given by the Royal Commission. It was that if there is to be a conflict between a trade union and a Works Committee or an industrial council, this organisation will never succeed. The Honourable Member thinks that his department is omniscient and he has got people of greater experience than the Royal Commission. Let me tell him that their experience is not worth much. People in England have got greater experience. They considered this for a long time. If we now try a new experiment it is likely to fail.

I am very much interested in industrial peace. I do not like strikes. I have said that a hundred times here but unfortunately industrial peace does not come through foolish and stupid methods. The Works Committee is a good idea but if you once introduce rivalry and antagonism between trade unions and Works Committees, the Works Committees will not succeed. It was tried in many industries. 25 years ago I tried the appointment of these committees without a law. I believe in discussion between employers and workmen but I ask you not to go against the experience of the world. The Honourable Member's department may be a wise one but it is not wiser than the world. It may be wiser than myself. Has he got the confidence of the Labour Minister in Bombay? He has framed a Bill in which he has provided a works

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committee but he makes it quite clear in his legislation that the workers' representatives shall be nominated by the trade unions. Why does our minister not take the experience of the Bombay Minister? Why does he follow this stupid method appointing works committees which will be nothing more than *Aman Sabhas*. I ask you to bear in mind the warning given by the Royal Commission England when it sat to consider the question of works committees and industrial councils. Don't try foolish and stupid methods which will never succeed and which have never succeeded in any part of the world. The Bombay Minister has provided for election. He has provided a works committee in which the representatives of the workers will be elected by the trade unions.

Mr. Vadilal Lallubhai: But that is not compulsory there.

Mr. N. M. Joshi: I am not suggesting anything on that point. I am only speaking on one point and that is, do not start Works Committees when you are likely to have a conflict between a trade union and your Works Committee. Start the Works Committee under good auspices, namely, when the trade union will take part in that Works Committee and there will be no conflict. If you like, do not make your Works Committee compulsory. I am not asking you that you should have Works Committees. That clause was not inserted in the Bill at my request at all. I know that when these Governments pass legislation, they never do it in the right way. They have got some antagonism against a trade union. A trade union is always on their brain. As I said a few minutes ago, the communists are on their brain. Similarly, the trade union is also on their brain. If the consent of the trade union is to be obtained, nothing will happen, but the industrial peace will be established. But by your method you will establish *Aman Sabhas* which the former Government used to establish and these *Aman Sabhas* were used against the Congress. They never produced any good effect. So, your Works Committee may be used against the trade union but it will not produce any effect and the trade unions will go on merrily as before. Therefore, my advice to the Honourable Member is: by all means have Works Committees. I am in favour of them, but I am not in favour of making an experiment which, in my judgment, is bound to fail.

The Honourable Shri Jagjivan Ram: With your permission, Sir, I will not like to speak in the same strain as my Honourable friend Mr. Joshi has spoken, because I hold him in great esteem. As I have explained, the representatives of the workmen are to be elected in a prescribed manner. I made it clear and I gave an illustration that if the trade unions were to submit a panel of names and if out of these names the representatives of the workmen are to be taken, I do not think there will be any scope for a conflict between the trade unions and the Works Committee. Then, of course, the question comes when ten per cent. of the workmen, which form a union, refuse to give their consent to the formation of a Works Committee and when they refuse to send their representatives on the Works Committee. Then a deadlock will be created. Therefore this provision for consultation is quite appropriate and will meet all the objections that have been raised by my friend Mr. Joshi.

Haji Abdus Sattar Haji Ishaq Seth (West Coast and Nilgiris: Muhammadan): Sir, my Honourable friend has said that the representatives of labour on the Works Committee will be selected out of a panel which is to be submitted by the labour union.

The Honourable Shri Jagjivan Ram: It may be one of the manners to be prescribed.

Haji Abdus Sattar Haji Ishaq Seth: Will he prescribe that in the rules?

The Honourable Shri Jagjivan Ram: Yes, that may be prescribed in the rules. That is my idea.

Mr. Deputy President: The question is:

“That in sub-clause (1) of clause 3 of the Bill, for the words ‘in consultation with’ the words ‘with the consent of’ be substituted.”

The motion was negatived.

Mr. Deputy President: The question is:

“That clause 3 stand part of the Bill.”

The motion was adopted.

Clause 3 was added to the Bill.

Clauses 4, 5 and 6 were added to the Bill.

Mr. Deputy President: Clause 7.

Mr. N. M. Joshi: Sir, I move:

“That in sub-clause (3) of clause 7 of the Bill, the following be added at the end, namely:

‘and every member of the Tribunal shall be paid the salary of a Judge of a High Court.’”

The object of this amendment is that the tribunal should be a tribunal which should have weight in the eyes of the parties who will go to it or who will be taken to it. A legislation of this kind exists in many countries. In Australia there are these courts and their legislation goes a little further than what I have suggested. . . .

Mr. Vadilal Lallubhai: I have also an amendment on clause 7, but I should think that Mr. Joshi’s amendment should have precedence over my amendment.

Mr. Deputy President: I do not know if the Honourable Member is aware of the practice of the House. When the Chair puts a question, then it is for the Honourable Member who wants to move his amendment to get up at once. If an Honourable Member who has tabled an amendment and who does not rise in his seat, then the Chair presumes that he is not moving his amendment and the next amendment is taken up.

Mr. Vadilal Lallubhai: Sir, every time I have been asked whether I wanted to move my amendment. There are two amendments on this clause and it is possible that you may give Mr. Joshi precedence.

Mr. Deputy President: As the Honourable Member has not been for long in this House, I will allow him to move his amendment afterwards. But I must point out to the Honourable Members that if an amendment is not moved at its proper time, *ipso facto* it goes out.

Mr. N. M. Joshi: Let my amendment be finished. I am not going to make a long speech on it. I said that in Australia they go a little further. They insist that a Judge of a tribunal of this kind should have the status of a High Court Judge and not only his salary. In Australia a Judge cannot be removed except by an address of both the Houses of Parliament. That is what the Australian practice is.

“The Court consists of a Chief Judge and such other Judges as may be appointed. No Judge may be removed from the office except by the Governor-General in Council on an address from both Houses of Parliament in the same session praying for such removal on the ground of proved misbehaviour.”

These Judges are given very great powers. They are to decide cases and their decisions are to be imposed upon the parties. Therefore, it is not right that persons who do not possess the necessary qualifications and necessary status should be appointed. Your present practice is that any Barrister or any lawyer of ten years’ standing can be appointed, but it is not so in Australia. If

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you want a tribunal whose awards shall be respected and not imposed by law, then certainly have a proper tribunal as they have in Australia. They insist upon the Judges of this tribunal being of the same status as the High Court Judges who cannot be removed by anybody except by both the Houses of Parliament. If you appoint mere advocates of ten years' standing because they are qualified to be Judges on Rs. 500, that sort of tribunal is not likely to carry weight.

Mr. P. B. Gole: The amendment does not indicate that.

Mr. N. M. Joshi: The amendment indicates that they shall be given the same salary as the Judge of a High Court. You always forget that I am a moderate. You always forget that I suggest an amendment which, according to the reasonable people, should be acceptable to the Honourable Member and therefore I did not refer to the status. I hope the Government will accept it.

Mr. Deputy President: Amendment moved:

"That in sub-clause (3) of clause 7 of the Bill, the following be added at the end, namely :—

'and every member of the Tribunal shall be paid the salary of a Judge of a High Court'."

The Assembly then adjourned till Eleven of the Clock on Thursday, the 19th February, 1947.