

THE LEGISLATIVE ASSEMBLY DEBATES

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SECOND SESSION OF THE SIXTH LEGISLATIVE ASSEMBLY, 1946



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LEGISLATIVE ASSEMBLY

Friday, 1st November 1946

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

POLITICAL PENSIONS TO FOREIGN REFUGEES AND OTHERS

†141. *Sardar Mangal Singh: Will the Honourable Member for External Affairs please state:

(a) the amount of political pensions paid to foreign refugees and descendants of those who rendered service abroad or on the frontier; and

(b) the names and description of persons who are now in receipt of these pensions together with the amount of pension paid to every such person?

The Honourable Pandit Jawaharlal Nehru: (a) Apart from Afghan refugees and their descendants no political pensions are being paid to foreign refugees in India. Approximately Rs. 2,27,000 per annum are paid to these persons as allowances for their maintenance and the education of their children.

(b) A detailed statement for the year ending 31st December 1945 is laid on the table.

Statement of Afghan refugees in India in receipt of allowances from Government for the year ending 31st December 1945.

Serial No.	Names	Maintenance and other allowances, if any, paid per mensem
1	2	3
MADRAS Rs. a. p.		
*1	Abdul Hakim Khan	150 0 0 140 0 0 (House rent) 4 0 0 (Educational allowance to one son)
*2	Amin Jan	550 0 0 100 0 0 (House rent)
*3	Ghausuddin Khan	550 0 0 (including house-rent) 16 10 0 (Educational allowances to one son and three daughters)
BOMBAY		
*4	Muhammed Ibrahim	100 0 0
*5	Muhammed Ismail	90 0 0
*6	Taj Muhammad	90 0 0
*7	Muhammed Hassan	100 0 0
8	Ghulam Ahmad	300 0 0
9	Fazal Ahmad	200 0 0
10	Ali Mohammed	200 0 0
11	Fakir Ahmad	100 0 0
12	Musammat Shah Bano	100 0 0

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

1	2	3
BENGAL		
		Rs. a. p.
13	Abdul Aziz Khan	250 0 0
		60 0 0 (House-rent)
14	Saifulla Khan	25 0 0
UNITED PROVINCES		
*15	Sultan Ahmad Khan	330 0 0
		7 15 11 (to meet income-tax)
*16	Sher Ahmad Khan	275 0 0
		6 10 8 (To meet income-tax)
		22 8 0 (Educational allowances to one son and one daughter)
*17	Muhammad Sarwar Khan . . .	270 0 0
		6 10 8 (to meet income-tax)
		12 8 0 (Educational allowance to daughter)
*18	Muhammad Umar Khan (absconding).	200 0 0 (to the family)
		25 0 0 (Educational allowance to two sons)
*19	Nur Ahmad Khan	275 0 0
		6 10 8 (to meet income-tax)
		25 0 0 (Educational allowance to his sons)
*20	Abdur Rashid Khan Khan . . .	165 0 0
		200 0 0 (on account of illness)
*21	Muhammad Akram Khan	400 0 0
22	Muhammad Azam Khan	300 0 0
23	Muhammad Afzal Khan	100 0 0
24	Muhammad Nadir Khan Durrani.	30 0 0 (Educational allowance to his brother and two sisters)
25	Muhammad Hasan Khan	200 0 0
26	Muhammad Umar Khan	100 0 0
27	Gul Muhammad Khan	100 0 0
		50 0 0 (Educational allowance to his son)
28	Abdul Ali Khan	350 0 0
		37 8 0 (Educational allowances to his son and daughter)
29	Abdur Rahim Khan	250 0 0
30	Muhammad Azim Khan	100 0 0

1	2	3
31	Widow of the late Muhammad Umar Khan	Rs. a. p. 10 0 0
32	Ghulam Siddiq	30 0 0
33	Abdul Ghani	4 2 8
34	Shamsud-din	16 10 8 (to his mother)
35	Abdul Rahman Khan	60 0 0
36	Sohrab Khan	15 0 0
37	Ghulam Rasul	12 0 0
38	Miran Shah	15 0 0
39	Mohammad Hasan Khan	28 5 4 (Educational allowances to his sons and daughter)
40	Abdul Aziz Khan	100 0 0
41	Muhammad Aslam Khan	4 0 0
42	Dost Muhammad Khan	30 0 0 4 2 8 (Educational allowance to his son)
43	Ghulam Qadir Khan	96 4 0 52 8 4 (House-rent)
44	Ghulam Dustgir	96 4 0 52 8 4 (House-rent)
45	Muhammad Akbar Khan	96 4 0 52 8 4 (House-rent)
46	Muhammad Akbar Khan	96 4 0 52 8 4 (House-rent)
47	Ali Abbas Khan	4 2 8 (Educational allowance to one son)
48	Ghulam Rasul Khan	15 0 0
49	Ali Raza Khan	15 0 0
50	Ahmad Qasim Khan	15 0 0
*51	Abdur Rahman Khan	220 0 0 (after deducting Rs. 30 paid to his son) 70 0 0 (House-rent)
52	Abdul Azim Khan	30 0 0 4 2 8 (Educational allowance to his son)
53	Muhammad Musa Jan Khan <i>alias</i> Wilfred Khan Musa.	1,600 0 0 208 5 4 (House-rent)

1	2	3	4
54	Abdullah Khan Durrani . . .	Ra. a. p. 20 0 0	(Educational allowance for his two sons)
55	Muhammed Mohsin Khan . . .	150 0 0	(Educational allowance to his two sons)
*56	Ghulam Nabi . . .	69 0 0	(including As. 10 daily diet allowance)
		12 0 0	(House-rent)
*57	Muhammad Din . . .	49 0 0	(including As. 10 daily diet allowance)
*58	Muhammad Jan . . .	60 0 0	
*59	Muhammad Siddique . . .	49 0 0	(including As. 10 daily diet allowance)
		20 0 0	(House-rent)
*60	Abdul Hakim . . .	69 0 0	(including As. 10 daily diet allowance)
		50 0 0	(House-rent to him and his brother)
*61	Abdul Majid . . .	69 0 0	(including As. 10 daily diet allowance)
		30 0 0	(House-rent)
		4 2 8	(Educational allowance to his son)
*62	Khan Baba . . .	80 0 0	(including Re. 1 daily allowance)
63	Abdul Wahab Khan . . .	200 0 0	(to his mother)
64	Abdul Bapi Khan . . .	7 8 0	(to his mother)
65	Agha Ali Muhammad Khan . . .	10 0 0	(Educational allowance to his son)
66	Muhammad Unus Khan . . .	25 0 0	(to his grand-mother)
		25 0 0	(to his brother and sister)
		4 2 8	(Educational allowance to his brother)
67	Ahmad Ayyub Salah Uddin Khan . . .	25 0 0	(Educational allowance)
68	Abdul Aziz Khan . . .	25 0 0	(Educational allowance)
69	Muhammad Asif Khan . . .	4 2 8	(Educational allowance)
70	Yar Muhammed Khan . . .	10 0 0	(Educational allowance)
CENTRAL PROVINCES			
*71	Abdullah Khan . . .	660 0 0	
		120 0 0	(House-rent)
*72	Abdul Hamid Khan . . .	550 0 0	
		100 0 0	(House-rent)
		25 0 0	(Educational allowances to two sons)

1	2	3
*73	Abdul Quaiyum Khan . . .	Ra. a. p. 495 0 0 80 0 0 (House-rent) 25 0 0 (Educational allowance two sons)
*74	Ata Mohammed . . .	60 0 0 30 0 0 (to his mother) 10 0 0 (to his brother) 10 0 0 (to his sister) 8 5 4 (Educational allowances)
*75	Ali Ahmad . . .	74 0 0 (including Re. 1/6 daily diet allowance) 8 5 4 (Educational allowances)
SIND		
76	Mohammed Ali Khan . . .	400 0 0
77	Ali Ahmad Khan . . .	30 0 0
78	Musammat Zebunnisa . . .	25 0 0
79	Musammat Halima . . .	30 0 0
80	Musammat Bakhtunis and her daughter.	26 0 0
81	Musammat Shah Gul Bibi . . .	15 0 0
BALUCHISTAN		
82	Abdul Halim . . .	25 0 0
83	Abdul Rahman Haji . . .	6 0 0
84	K. S. Ahmad Khan . . .	60 0 0
85	Ali Ahmad Khan . . .	50 0 0
86	Dad Muhammad Khan . . .	45 0 0
87	Inayat Ullah . . .	30 0 0
88	Muhammad Hassen Khan . . .	75 0 0
89	Muhammad Yusal . . .	25 0 0
90	Muhammad Usman Khan . . .	70 0 0
91	Daughter of Muhammad Rafiq Khan.	12 8 0
92	Members of the late Shah Nawaz Khansfamily.	84 0 0
93	Abdul Qadir Sahibzada . . .	90 0 0

1	2	3
PUNJAB		
		Rs. a. p.
94	Saulat Jang	10 0 0
95	Abdul Ahad	5 0 0
96	Ahmad Ali Khan	25 0 0
97	Hussain Ali Khan	50 0 0
98	Abdul Azim Khan	250 0 0
99	Abdul Halim Khan	50 0 0
100	Fateh Muhammad	9 0 0 3 0 0 (House-rent)
101	Nazar Muhammad Khan	9 0 0 3 0 0 (House-rent)
102	Usman Khan	9 0 0 3 0 0 (House-rent)
103	Abdul Kadir Khan	500 0 0
104	Abdul Samad Khan	200 0 0
105	Abdul Habib	4 8 0
106	Abdul Hamid	18 0 0
107	Abdul Kadir Khan	300 0 0
108	Abdul Qayum	2 8 0
109	Ali Ahmad	9 0 0
110	Barat Ali	4 8 0
111	Ghulam Muhammad	6 0 0
112	Ghulam Naqshband	17 8 0
113	Khan Sahib Ghulam Raza Khan.	10 0 0
114	Ghulam Sarwar Khan	20 0 0
115	Khair Muhammad	9 0 0
116	Shamsher Khan	27 8 0
117	Yar Muhammad Khan	200 0 0
118	Sher Ali Khan	100 0 0
119	Nur Ahmad Jan	50 0 0
120	Abdul Razah Khan	10 0 0
121	Muhammad Alam Khan	40 0 0
KASHMIR		
122	Abdur Rahman Khan Effendi	2,100 0 0
NORTH WEST FRONTIER PROVINCE		
123	Abdul Latif	20 0 0
124	Nur Mohammad Shah	110 0 0
125	Sarwar Khan	240 0 0

**QUOTA OF REPARATIONS ALLOTTED TO INDIA BY THE REPARATIONS AGENCY,
BRUSSELS**

†142. *Sardar Mangal Singh: Will the Secretary of the Commerce Department please state :

(a) whether the interim Government have considered the question that India should not accept the quota of reparations allotted to her by the Reparations Agency, Brussels ; and

(b) whether any equipment described in the three lists placed on the table of the House on the 20th February 1946 in reply to Mr. K. C. Neogy's Starred Question No. 391 has actually been received by India as advance deliveries ?

The Honourable Mr. I. I. Chundrigar: (a) No.

(b) No. The Inter-Allied Reparations Agency at Brussels who are responsible for allocation of German reparations to claimant countries have so far allocated eleven German Plants to some of those countries. One of these plants, viz., Wagner Plant at Dortmund—No. 6 in the A. C. C. List No. 1 and No. 1008 in I. A. R. A. List No. 1 has been allocated to India subject to arbitration claimed by the United Kingdom in respect of five machines out of this plant, under Art. 7 of Part II of the Paris Agreement on German reparations. The arbitrator's award has been given in favour of the United Kingdom. The question whether the plant despite the removal of five of its machines should be accepted by India is now under the consideration of Government.

FURTHER QUOTA OF REPARATIONS RECEIVED FROM GERMANY

†143. *Sardar Mangal Singh: With reference to the answer to Starred Question No. 391, asked by Mr. K. C. Neogy on the 20th February 1946, will the Secretary of the Commerce Department please state :

(a) the further lists of equipment that have been received ; and

(b) the details as to how the equipment described in the three lists of capital equipment laid on the table of the House on the 20th February, 1946, as also the equipment received thereafter has been disposed of ?

The Honourable Mr. I. I. Chundrigar: (a) and (b). The three lists referred to were circulated by the Allied Control Council in Berlin but later the procedure regarding circulation of lists was changed. German plants declared available for reparations delivery are now placed at the disposal of the Inter-Allied Reparations Agency who circulate lists of available plants to claimant countries. Two lists have so far been received from the I.A.R.A. and most of the plants figuring in the original A.C.C. lists have appeared in these two lists. As regards the present position in respect of allocation of plants to India, I would invite the Honourable Member's attention to the answer given to Part (b) of his Starred Question No. 142.

**RE-EMPLOYMENT OF RELEASED ARMY PERSONNEL BY THE RESETTLEMENT
DIRECTORATE**

†144. *Sardar Mangal Singh: (a) Will the Honourable the Labour Member please state what percentage of the Army personnel released from the Defence forces has been re-employed as a result of the efforts of the Resettlement Directorate ?

(b) Do Government intend to intensify their efforts to re-employ personnel released from the Army ?

(c) Is there any proposal to re-organise the Resettlement Directorate and transfer some sections to the Provincial Administrations ?

The Honourable Shri Jagjivan Ram: (a) The total number of releases from the Indian Army up to the 30th September, 1946, was approximately 8,65,500. Not all the men released require employment assistance. So far 3,21,302 ex-servicemen have asked for employment assistance from the Employment Exchanges and of these 51,824 or 16 per cent. are known to have been placed in

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

employment as the direct result of the efforts of the Employment Exchanges under the Directorate-General of Resettlement and Employment.

(b) Yes, Sir. Every effort is being made to intensify the drive for the re-employment of demobilised personnel. Among the recent measures adopted in this connection is the setting up of the Directorate of Employment in the Directorate-General of Resettlement and Employment. This Directorate is charged with the special responsibility of tapping all available sources of employment in the country and of stimulating the employment-creating activities of employers, both Government and private.

(c) The work of the Resettlement and Employment Organisation in the Labour Department is under constant review and some reorganisation has been effected recently with a view to achieving the maximum results with the minimum cost to the taxpayer. To quote one instance, the Directorates dealing with technical, vocational, disabled and women's training have been amalgamated into one common Directorate.

The question of transferring some section of the Resettlement and Employment Organisation to the Provincial Administrations was recently discussed at a Conference of Provincial Labour Ministers and it was decided that for some time to come central co-ordination and control would be necessary before Employment Exchanges and training schemes are handed over to the Provincial Governments.

CREATION OF A NEW PORTFOLIO TO LOOK AFTER THE INTERESTS OF SCHEDULED CASTES

†145. *Sardar Mangal Singh: Will the Honourable the Leader of the House please state:

(a) whether there is any proposal to create a new portfolio specifically to look after the interests and betterment of the scheduled classes; and

(b) if the answer to part (a) above be in the negative what alternative measures Government propose to take for the betterment of the scheduled classes?

The Honourable Pandit Jawaharlal Nehru: (a) No.

(b) The Honourable Member may rest assured that the interests and welfare of the scheduled classes will be fully safeguarded in all matters concerning the Central Government.

FORWARD POLICY IN CONNECTION WITH THE FRONTIER TRIBES

146. *Pandit Sri Krishna Dutt Paliwal: Will the Honourable Member for External Affairs be pleased to state if Government intend to give up the forward policy in connection with the Frontier Tribes? If so, when?

The Honourable Pandit Jawaharlal Nehru: There is an old argument between advocates of a "forward" policy and those of a "close-border" policy on the North-West Frontier. The present policy has been a compromise between the two; it is now under close and careful consideration.

ESTABLISHMENT OF FRIENDLY RELATIONS WITH THE FAKIR OF IPI

147. *Pandit Sri Krishna Dutt Paliwal: Will the Honourable Member for External Affairs be pleased to state if the Government intend to end the feud with the Fakir of Ipi and establish friendly relations with him?

The Honourable Pandit Jawaharlal Nehru: Government have no desire to carry on a feud with anybody and would welcome friendly relations with the Fakir of Ipi.

Shri Sri Prakasa: Is it a fact that the Fakir of Ipi has written to the Honourable Member asking for an interview or expressing a desire to carry on negotiations?

The Honourable Pandit Jawaharlal Nehru: Well, Sir, I have received a number of letters, some purporting to come from the friends of the Fakir of Ipi and some possibly from the Fakir of Ipi himself. It is a little difficult to be

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

quite certain whether they have come from the Fakir himself or from others. In the course of these letters much has been said to the effect that they would like to have contacts and relations.

Prof. N. G. Ranga: Has the Honourable Member in today's *Hindustan Times* the news that the Fakir of Ipi has said to Khan Abdul Ghaffar Khan that he was prevented from seeing the Honourable Member himself during his recent visit in the tribal areas because of local political agents?

The Honourable Pandit Jawaharlal Nehru: I have not seen this particular item of news in the paper and so I cannot say anything about it.

Seth Govind Das: Did the Honourable Member have any political talks with the political servants of the Frontier when he was on tour with respect to the Fakir of Ipi?

The Honourable Pandit Jawaharlal Nehru: I had no opportunity, but the Fakir of Ipi's name came in the course of talks certainly.

Mr. Muhammad Nauman: The Honourable Member has said that 'possibly' the letter came from the Fakir of Ipi. What are the presumptions by saying that? Why does the Honourable Member say that it was 'possibly' from the Fakir of Ipi?

The Honourable Pandit Jawaharlal Nehru: There is no presumption. I said that a letter comes to me the signature on which it is rather difficult to decipher and I was not quite sure myself. That is why I said that it might be from him.

Shri Sri Prakasa: Will the Honourable Member take the House in his confidence and tell us the nature of the replies, if any, which he has sent to these letters?

The Honourable Pandit Jawaharlal Nehru: I have sent no reply to any recent communication. I have received some—one, I think, reached me when I was in the Frontier and one subsequent to my return. To either of these I have sent no reply in writing. Orally, I mentioned to those people who said they were the friends of the Fakir of Ipi that we will be able to contact with him and to resume friendly relations.

EX-SERVICE W.A.C.(I)'S SEEKING EMPLOYMENT IN CIVIL LIFE

148. *Shri Sri Prakasa : Will the Honourable the Labour Member be pleased to state the number of W.A.C.(I)s ex-service women seeking re-settlement and employment in civil life through Government?

The Honourable Shri Jagjivan Ram: The total number of ex-service women, who have asked for resettlement and employment assistance and been registered at the Employment Exchanges upto 30th September 1946, is 802. The number of ex-service women who have so far applied for training is 160.

Shri Sri Prakasa: Is there any truth in the newspaper reports that the Honourable Member is intending to find suitable husbands for these W.A.C.(I)s as an avenue of employment?

The Honourable Shri Jagjivan Ram: There is no truth in that report, Sir. The Labour Department does not function as a matrimonial bureau, but if my Honourable friend will approach the Government with such a proposal, the Government will consider it.

Shrimati Ammu Swaminadhan: May I ask the Honourable Member what kind of training is being given to these W.A.C.(I) girls who later on have to take to civil life?

The Honourable Shri Jagjivan Ram: They are to be trained in a number of things, such as, tailoring, embroidery, lace work, cookery, beauty culture, hair dressing and other things.

Mr. Vadilal Lalubhai: As a result of this training, will the Honourable Member state how many of these girls have got the employment?

The Honourable Shri Jagjivan Ram: The training has not yet started.

Shri Sri Prakasa: Has the Honourable Member's attention been drawn to a beautiful piece of poem published in a local paper at Benares in which the Honourable Member is described as a prospective mother-in-law of all these W.A.C.(I)s?

Mr. President: Dr. Chatterjee, next supplementary question.

Lt.-Col. Dr. J. C. Chatterjee: Will the Honourable Member consider the desirability of transferring these training departments for the W.A.C.(I)s to the Education Department who are much more qualified to give this training than the Labour Department?

The Honourable Shri Jagjivan Ram: The schemes for their training were discussed in consultation with the Education Department and whenever new schemes are to be started, they will be started after consultation with that Department.

Lt.-Col. Dr. J. C. Chatterjee: Is there not a great deal of overlapping and waste of money and personnel between the Education Department and the Directorate of Re-settlement, which, under this training scheme do not naturally belong to them?

The Honourable Shri Jagjivan Ram: There is no overlapping at all. The whole question was discussed recently in a Conference of the Provincial Labour Ministers, some of whom were Education Ministers as well in their provinces. We are trying to co-ordinate our activities with the Provincial Governments and are trying to avoid any possible overlapping?

Lt.-Col. Dr. J. C. Chatterjee: Have the Education Departments of these Provincial Governments been consulted with regard to these schemes or any educational authorities, not being Government servants, consulted on this most important work of training?

The Honourable Shri Jagjivan Ram: As a matter of fact, so far as the training is concerned, the Provincial Governments are certainly consulted. Not only that, the Provincial Governments contribute towards the cost of this training. As regards consulting non-official bodies, I am not certain. I will inquire into the matter.

Lt.-Col. Dr. J. C. Chatterjee: Have any women's organisations like the All-India Council of Women or the Provincial Councils of Women been consulted on this important matter which very largely concerns and interests them?

The Honourable Shri Jagjivan Ram: I presume they might have been consulted, but I am not sure.

Lala Deshbandhu Gupta: Will the Honourable Member give an idea of the monthly expenditure that is being incurred on the training of these W.A.C.(I)s?

The Honourable Shri Jagjivan Ram: As I said, the training has not yet started.

Shri Mohan Lal Saksena: May I ask what are the qualifications of the Deputy Directoress who was appointed to give training to these W.A.C.(I)s?

The Honourable Shri Jagjivan Ram: She is a very highly qualified lady. She is an M.A. and holds other degrees as well. I have not got the file with me and I cannot give her exact qualifications, but I am sure she possesses requisite qualifications.

SITUATION IN SOUTH AFRICA *re* SATYAGRAHA STRUGGLE.

149. ***Shri Sri Prakasa:** Will the Honourable Member for Commonwealth Relations be pleased to state:

(a) the situation in South Africa with regard to the Satyagraha struggle of our countrymen there;

(b) the nature of the assistance, if any, that the Government of India is giving to our countrymen in South Africa in their struggle; and

(c) if there has been any further correspondence between the Governments of India and South Africa with regard to the position of our countrymen there; and if so, its nature and result?

The Honourable Pandit Jawaharlal Nehru: (a) Government have nothing new to add to the information which is being published from time to time in the press. The passive resistance movement in South Africa is still continuing in the form in which it was started, namely peaceful occupation of land in non-exempted areas in civil disobedience of the provisions of the Asiatic Land Tenure and Indian Representation Act. Passive resisters continue to be arrested and charged under the Riotous Assemblies Act. Official figures show that up to the end of September 738 Indians were convicted and sentenced, and 450 had been released after serving their sentences. For the most part uniform sentences of a fine of £3 or 30 days' imprisonment have been passed. Three months' imprisonment is awarded for the second sentence; and a few leaders have been sentenced to six months' imprisonment. A telegram received from the Passive Resistance Council on the 24th October says that the total number of convictions up to that date was 1,269. At a mass demonstration on the 23rd October, the opening date of the United Nations Organisation Assembly session, a batch of 323 passive resisters courted imprisonment. Recently a section of Indians in South Africa suggested a suspension of the passive resistance movement and a Round Table Conference to consider the whole position; but the bulk of the community appeared to be opposed to this approach. The movement still continues and has caught the imagination of the Indians. It is understood that it has also won the sympathy of the Africans, some of whom have actively joined the movement. Some Europeans have also supported and joined the movement.

(b) The Government of India are not sending any direct material help to the passive resisters but, as my Honourable friend knows, we have taken up the whole case of our countrymen in South Africa in the United Nations Assembly.

(c) No, Sir.

Seth Govind Das: There are some people who are called 'coloured people' in South Africa. Have they also joined the movement?

The Honourable Pandit Jawaharlal Nehru: I do not know what my Honourable friend means by 'coloured people'. I suppose both Indians and Africans might be referred to as 'coloured people' by Europeans there.

Seth Govind Das: There are about a million people in South Africa, who are technically called 'coloured people' and actually are a mixture of South Africans and Europeans there. Have they also joined the movement?

The Honourable Pandit Jawaharlal Nehru: I do not exactly know what they have done.

Sri M. Ananthasayanam Ayyangar: They are called 'bantus'.

Shri Sri Prakasa: With reference to the answer to part (b) of the question, may I know if while not giving any material assistance the Government of India are prepared to say that the movement as such has their moral support?

The Honourable Pandit Jawaharlal Nehru: The whole activity of the Government of India ever since this movement started has been one of giving moral support for this movement.

Shrimati Ammu Swaminadhan: May I know how many women are imprisoned in this movement in South Africa?

The Honourable Pandit Jawaharlal Nehru: I could not give the exact numbers, but I understand that women are taking prominent part in the movement.

Prof. N. G. Ranga: Are any steps being taken to publicise the progress of this movement through our various diplomatic representatives in different countries?

The Honourable Pandit Jawaharlal Nehru: I am afraid the answer to that question will have to be given by my Honourable Colleague the Member in charge of Information Department.

Shri Sri Prakasa: Has the Honourable Member any information about the nature of treatment given to our prisoners in jails there?

The Honourable Pandit Jawaharlal Nehru: Many complaints were made of the bad treatment given in prisons, but subsequently it was stated that the treatment has improved.

Seth Govind Das: Is there any such class as 'political prisoners' in South African jails?

The Honourable Pandit Jawaharlal Nehru: I do not know, Sir.

DETENTION AND INTERNMENT OF AFGHAN PRINCES IN INDIA

150. *Shri Sri Prakasa: Will the Honourable Member for External Affairs be pleased to state:

(a) the number of Afghan princes who are at present in detention and internment in India:

(b) the reasons for their being thus kept;

(c) the amount of money that is being paid to or spent for them and their families by Government for their maintenance; and

(d) if it is the intention of Government to release them and permit them to go back to their country; and, if so, when?

The Honourable Pandit Jawaharlal Nehru: (a) The total number of Afghan personages in India at present under restraint under Regulation III of 1818 is 26. Of these, one is under temporary detention which is likely to end shortly. The rest live in their own houses under surveillance in various parts of India.

(b) For reasons of State connected with India's international obligation to a neighbouring friendly Government.

(c) Approximately Rs. 80,000 per annum is paid by Government on account of the maintenance of these persons and the education of their children.

(d) In accordance with the principle of good neighbourliness and international practice the Government of India have certain obligations to the Afghan Government, in consultation with whom the cases of these persons are in process of review. The Government of India hope that as a result, some of them may be able to return, if they so wish, to their own country, while the restrictions on the movements of others may be relaxed.

Mr. Ahmed E. H. Jaffer: May I know whether he is aware of the fact that most of these Afghan detenus receive a scanty monthly allowance of not more than Rs. 60 a month? If so, will he consider the desirability of increasing their allowance in view of the fact that it is very difficult for them to maintain themselves in these difficult times?

The Honourable Pandit Jawaharlal Nehru: I have placed on the table today a whole list of all the Afghan detenus and others who are paid any allowances in answer to a previous question and the Honourable Member will be able to refer to them. It is true, I think, that in many cases those allowances are very small, they have become smaller and smaller because of the fact that each allowance on the death of the person is divided up among his children and the result is that in most cases the allowance is too inadequate, but my Honourable friend can rest assured that this matter will be considered.

Shri Sri Prakasa: Am I to understand from the Honourable Member's reply to parts (b) and (c) of my question that these Afghan Princes are being kept in custody or in detention at the desire of the Afghan Government conveyed to the Government of India and that the Afghan Government pays Rs. 80,000 that are being spent on the Princes?

The Honourable Pandit Jawaharlal Nehru: So far as I know, the Afghan Government pays nothing at all. The cost is borne entirely by this Government. Any person who is under restraint in India is kept so, because, as I have stated, of international obligations, not because of our wishes in the matter.

Khan Muhammad Yamin Khan: May I ask whether in the case of those Princes whose movements are restricted and who cannot earn their own living, it is not the obligation of the Government of India to pay them sufficient allowances so that they may live a reasonably decent living?

The Honourable Pandit Jawaharlal Nehru: Yes, Sir. I think it is the obligation of the Government in case of people whose movements are restricted to pay them adequate allowance.

Mr. Ahmed E. H. Jaffer: Is it not a fact that an application was submitted by them before the Honourable Member took over charge and his reply to them was that "while it was not possible for him to take any steps in regard to the detention or the maintenance allowance of the petitioners until the Government of India as then constituted was completely changed, he considered that the treatment accorded by that Government to the petitioners was unjust, and unworthy and niggardly" and in view of that fact, will the Honourable Member, now that he has taken over the portfolio of this Department, consider the desirability of giving them full justice?

Mr. President: The Honourable Member is referring to individual cases.

Mr. Ahmed E. H. Jaffer: No, Sir, all of them submitted a general petition to the Honourable Member before he took over charge and his opinion then was that the treatment given to them by the then Government of India was "unjust and unworthy and niggardly". My contention is that now that the Honourable Member has taken over charge of this Department will he very kindly see that full justice is done to them, particularly increase their allowances in keeping with their old status?

Mr. President: That has already been answered.

Shri Sri Prakasa: Is it a fact that sometimes a husband is confined in Quetta and the wife in Dehra Dun and that at the desire of the husband, the wife's allowance is sent to him rather than to her?

The Honourable Pandit Jawaharlal Nehru: I should be very glad if the Honourable Member will supply me with details of this case to enable me to enquire into it.

Shri Sri Prakasa: If the Honourable Member would please look into the files of his department he will find a big correspondence from me on the subject.

ESTABLISHMENT OF INDIAN DIPLOMATIC SERVICE

151. *Sardar Mangal Singh: Will the Honourable Member for External Affairs please state whether it is contemplated to establish a separate Indian Diplomatic Service? If so, what are its rules regarding recruitment, etc.?

The Honourable Pandit Jawaharlal Nehru: It has been decided that a separate Indian Foreign Service should be established. Matters of detail such as the rules for recruitment, etc., are still under consideration.

Sardar Mangal Singh: May I know whether recruitment to these services will be done by open competition?

The Honourable Pandit Jawaharlal Nehru: With regard to this matter some time back a fairly long press statement was issued. I should like to draw the attention of the Honourable Member to that statement. It is proposed to have recruitment for this service probably through the same channels as normal recruitment for what may be the future civil service of India, but probably also with some special courses attached to them.

Lt.-Col. Dr. J. C. Chatterjee: Is it the intention of the Government to combine this new service with the present Indian political service or amalgamate the two?

The Honourable Pandit Jawaharlal Nehru: No, Sir. The new service which is proposed would be entirely new, but a number of people from the existing political service will be taken into it, a number of people from other Government of India services will also be taken and a number of people outside the

services will also be taken. Quite apart from the new recruitment which will be through competitive channels, we have to get a fairly large number to start with, fairly large number of persons of various degrees of seniority and these will have to be taken from the present political service, from the I.C.S. and others who are not in service today.

Lt.-Col. Dr. J. O. Chatterjee: Then is it the intention of Government to continue a separate political service as it now exists?

The Honourable Pandit Jawaharlal Nehru: The present political service consists of those employed in the Indian States, those employed by the External Affairs Department, and some people serving abroad. All these services will have to be changed completely. The foreign service will deal with all representation abroad; it has nothing to do with the Indian States. Commercial representation, diplomatic and consular,—all these will be in the foreign service. So while the present political service will cease to be, as to what is to happen to the Indian States is a different constitutional problem with which we are not concerned now.

Mr. Manu Subedar: Will Government give any special consideration or facilities for the inclusion in this service of those men who have rendered good service during the last five or six years and who are now being sent away but who have been reported well during their period of service? I refer specially to people in the Indian army, navy and air force.

The Honourable Pandit Jawaharlal Nehru: Undoubtedly, Sir.

Shri Sri Prakasa: Sir, before you go on to the next question I should like to be enlightened on a point of procedure. Is it within the rights of an Honourable Member to ask a sixth question as Sardar Mangal Singh has done today and intends to do every day! You already called his name five times before—he being absent at the time—and his quota had thus been finished.

Mr. President: In view of his absence no questions were asked before and so this was his first question.

NON-CO-OPERATION OF MINISTRY OF BENGAL WITH THE PRESENT (INTERIM) GOVERNMENT OF INDIA

†152. **Mr. Sasanka Sekhar Sanyal:** Will the Leader of the House be pleased to state:

(a) whether it is a fact that the present Ministry of Bengal has taken up an attitude of non-co-operation with the present Government of India (known as the Interim Government);

(b) whether Government are aware of the utterances made by the Bengal Ministers to that effect;

(c) in how many meetings or conferences or committees (whether of a formal, informal or other nature) convened or assembled at the instance of the Central Government or of the members or Departments of the Central Government and attended by representatives of Provincial Governments in September and October, 1946, the Bengal Government did not represent themselves;

(d) whether Government or the Ministry or any of the Ministers of Bengal have explained their non-attendance or non-representation in such gatherings; if so, what; and

(e) how the Central Government propose to put into operation their plans and programmes of welfare in Bengal if the Ministry of the Province continues in this policy of isolation and non-co-operation?

The Honourable Pandit Jawaharlal Nehru: (a) and (b). There is no reason to think that the Bengal Government have taken up an attitude of non-co-operation with the Government of India, though certain statements have been made which may have given that impression.

(c) So far as I know the Bengal Government has been represented at meetings or conferences convened at the instance of the Government of India or of Central Departments.

†Answer to this question laid on the table, the questioner having not put up the question.

(d) Yes.

(e) Does not arise.

SUPERFLUOUS OFFICERS IN KARACHI CUSTOMS HOUSE

†153. ***Seth Sukhdev** : (a) Will the Secretary of the Commerce Department be pleased to state whether Government are aware that a superfluous staff of officers is being maintained in the Karachi Customs House since 1943 in connection with the working of the import and export trade control which has necessitated incurring of huge expenditure ?

(b) If the reply to part (a) above is in the affirmative, what steps have been taken or are being taken to reduce the number of officers ?

The Honourable Mr. I. I. Chundrigar : (a) No superfluous staff of officers has ever been maintained in connection with the working of the import and export trade control at Karachi.

(b) Does not arise, but the Staff position is reviewed from time to time.

APPOINTMENT OF SIR PATRICK SPENS, CHIEF JUSTICE OF INDIA AS CHAIRMAN OF CALCUTTA DISTURBANCES COMMISSION

154. ***Mr. K. C. Neogy** : (a) With reference to the appointment of Sir Patrick Spens, Chief Justice of India, as Chairman of the Calcutta Disturbances Commission, has the attention of the Honourable the Leader of the House been drawn to the following Press statement of the Chief Minister of Bengal, published in Calcutta on the 1st September, 1946 :

" I am taking steps to set up such a tribunal and have already requested His Excellency the Viceroy to assist me in securing the personnel that will command the confidence of the public " ?

(b) Was the appointment of Sir Patrick Spens as Chairman of the Commission entirely a matter of negotiation between His Excellency the Viceroy and the Chief Minister of Bengal, or did the question come up for the consideration of the Government of India at the instance of the Government of Bengal at any stage or in any form ? What was the actual procedure followed in this matter, from the initiation of the proposal, to the actual deputation or appointment of the Chairman ?

The Honourable Pandit Jawaharlal Nehru : (a) Yes.

(b) I understand that the Bengal Government approached His Excellency the Viceroy through His Excellency the Governor to secure the services of the Chief Justice of India. The Viceroy's good offices were given in his personal capacity and there was no reference to the Government of India. I have no further information.

EXPANSION AND RE-ORGANISATION OF GEOLOGICAL SURVEY OF INDIA

155. ***Mr. K. C. Neogy** : (a) Will the Honourable Member for Works, Mines and Power be pleased to state the progress made in carrying out the detailed scheme of expansion of the Geological Survey of India referred to by Dr. Ambedkar in a debate in the Legislative Assembly on the 12th March, 1945, and specially indicating the action taken for the establishment of different branches of the Geological Survey to deal with Engineering Geology, Industrial utilisation of minerals, Central mineral development, geophysical work and oil development, respectively ?

(b) Is any comprehensive re-organisation of the superior administrative machinery of the Mines Department contemplated ? If so, will the Honourable Member indicate the approximate time when, and the lines on which, such re-organisation is likely to take place ?

(c) What opinions have been expressed by the different Provincial Governments in the matter of undertaking Central legislation for the purpose of establishing necessary control over minerals, to which reference was made by Dr. Ambedkar on the occasion mentioned above, and what is the Government's programme in this behalf ?

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

(d) Has any action been taken during recent months, or is proposed to be taken in the near future, specially in regard to control over the prospecting for oil and the granting of concessions therein? If so, on what lines has such action been taken or is contemplated?

(e) With reference to the Advisory Board appointed by the Government in January, 1946, to advise them on problems connected with the mineral development of the country, will the Honourable Member please lay on the table of the House a statement showing the various topics on which the advice of the Board has been sought and the purport of the advice tendered by them?

Mr. B. K. Gokhale: (a) A statement showing the various steps taken for the reorganisation and expansion of the Geological Survey of India is laid on the table.

(b) The Mines Inspectorate was recently strengthened by the addition of two more posts of Inspector of Mines and two posts of Junior Electric Inspector of Mines.

(c) The replies of the Provincial Governments who were addressed in July 1945 were generally favourable to the idea of Central co-ordination, provided the income from royalties etc. and the execution of policy was left in the hands of Provincial Governments. A fresh approach to the subject is, however, under contemplation, as the views previously expressed were in many cases those of the Section 98 administrations.

(d) The question of control over the prospecting for oil and the granting of concessions is still under consideration. It may, however, be pointed out that the responsibility rests primarily on the Provincial Governments concerned.

(e) The advice of the Board has not been sought so far on any point. The whole question of mineral policy including Central co-ordination and regulation and Central legislation is under consideration.

REORGANISATION AND EXPANSION OF THE GEOLOGICAL SURVEY OF INDIA

1. In order to enable the Geological Survey of India to undertake extensive exploration of the country's mineral and water resources and thus assist post-war plans for industrial and economic development, the following steps have been taken :—

(i) Fixation of the target for the staff of the Survey, the target to be reached as rapidly as possibilities of recruitment and training of new recruits admit. The first stage of expansion has already begun with the creation of some new posts and recruitment of staff. The following table shows the pre-war strength, the present sanction and the proposed target, excluding the ministerial and other subordinate technical posts.

	Pre-war strength	*Present sanction	Target
Director	1	1	1
Superintending Geologists	3	10	10
Geologists	12	30	34
Assistant Geologists	10	53	80
Geophysicists		2	2
Petroleum Geologist		1	1
Mining Engineer		1	1
Deputy Mining Engineer		1	1
Chemist	1	1	1
Assistant Chemist	1	9	9

* Includes temporary posts.

(ii) Creation of a temporary post of "States Liaison Officer" in the Survey with a view to securing a co-ordinated programme of geological investigations directed towards the orderly exploitation of mineral resources in the various Indian States.

(iii) Expansion of the library organisation so as to ensure proper indexing of all material, and the formation of a properly designed information and publicity organisation. The steps taken in this direction are:—

(a) resumption of Geological Survey of India publications.

(b) opening of library and statistical sections in the Geological Survey of India Office.

(c) formation of a Mineral Information Bureau to give information and advice to industries.

(d) Publication of a quarterly journal called "Indian Minerals" containing articles written mainly in non-technical language on matters relating to the different aspects of mineral development in India and short accounts of such developments in other parts of the world. The first issue of the journal will appear in January 1947.

(e) Publicity in U. K. and other countries under consideration.

(iv) Inclusion in the Geological Survey of branches to deal with mineral development, engineering and water supply problems, geophysical investigations and drilling as indicated below:

(a) formation of mineral development section to carry out exploratory mining.

(b) establishment of a Geophysical Section under an expert Italian Geophysicist with a staff of surveyors and an Italian Technician. Proposals for further strengthening this section are under consideration.

(c) Creation of a separate drilling branch under a Drilling Expert. Proposals for, the necessary staff, purchase of the required number of drills, and the establishment of a base workshop, are under consideration.

(d) Formation of a branch for Engineering Geology and Ground Water Section. The Superintending Geologist incharge of this branch was recently placed on deputation in America to study engineering geological problems.

(e) Expansion and modernisation of the laboratory. The number of chemists has been increased and a large quantity of new instruments have been ordered from abroad.

(f) Placing of indents in U. K., U. S. A., and Italy for a large quantity of equipment for the geophysical section and for the expanded activities of the Survey.

The branches mentioned above will be available for two purposes—advice to the public in carrying forward their own investigation, developments and mining, and the actual pushing forward of field investigations to the stage at which commercial possibilities become apparent.

2. *Recruitment of Staff.*—Two factors militate against the immediate recruitment of personnel—

(i) paucity of suitable geologists and the difficulty of giving field training to a large number of recruits; and

(ii) the necessity of so arranging the expansion as to secure a balanced cadre.

Although a number of posts in the different grade were sanctioned a year ago it has not been possible as yet to get the full complement, with the result that detailed surveys in certain Provinces, e.g., Orissa, Andaman-Nicobar Islands, are being held up.

A certain number of posts in the grade of Superintending geologist and geologist and specialist posts have yet to be filled up. Some of these have been advertised in U. K. and U. S. A. and nominations from these countries are still awaited. Advertisements in India for geologists, geophysicist and petroleum geologist have produced no satisfactory results; it has been decided to re-advertise the required number of geologists during this winter.

As regards Assistant Geologists, all the vacancies available for civilian candidates and a portion of the quota reserved for war service candidates have been filled up. The Federal Public Service Commission are taking steps to fill the remaining 21 vacancies reserved for war service candidates. A few temporary Assistant Geologists have also been recruited through the Commission to fill up the vacancies arising out of the promotion of permanent assistant Geologists as Geologists.

3. *Training of junior officers.*—In accordance with the decision to send all new recruits in the Assistant Geologist grade for training abroad, it was agreed to send about 12 Assistant Geologists during each of the years 1946, 1947 and 1948 to the Melbourne University in Australia for practical training. 8 Assistant Geologists have been sent this year to Australia, and they are expected to return to India after completion of training in November next. It is hoped that by 1948 geological training in the Indian Universities will have improved to the extent required.

4. *Geological Education.*—It is considered necessary to strengthen the geological faculty in the Indian Universities with a view to improve the standard of teaching in Geology so

that recruits from the Universities may be fit for service in the Geological Survey of India. To examine this question a Committee with the following personnel has been appointed :—

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| (1) Dr. Parija—Vice Chancellor, Utkal University (Chairman). | } Members. |
| (2) Dr. West, Director, Geological Survey of India | |
| (3) Dr. Wadia, Adviser on Mineral development | |

The Committee has just submitted its report to Government.

5. *Advisory Board to Assist the Survey.*—The reorganisation of the Survey has, as one of its objects, planning of mineral development. An Advisory Board has been formed of experts to advise on a short-term and long-term planned policy of mineral development.

6. Neither the expansion plan chalked out nor the present target figure of geological staff can be considered as final. The steps so far taken for the expansion and reorganisation of the Survey on modern lines are intended to form the first stage in its progressive development and are designed to enable it to take its place, along with other scientific organisations in the planned economy of the country.

Mr. K. O. Neogy: With reference to part (d) of the question, is it not a fact that control over concessions in such an important article as oil is exercised by the Provincial Governments, simply because of the failure of the Central Government to take necessary legislative authority to regulate such concessions?

Mr. B. K. Gokhale: Under the Government of India Act mineral development comes under the provincial field except to the extent to which regulation and development under federal control is authorised by an Act of the federal Legislature. So far there has been no such Act; and therefore the Honourable Member is quite right in saying that the responsibility is still with the provincial Governments.

Mr. K. O. Neogy: With reference to the reply to part (c) where the Honourable Member said that the provinces had agreed to a measure of central co-ordination, will he refer to the question itself and see that I asked for information regarding central legislation and not central co-ordination? I should like to know whether that aspect of the matter has been brought to the notice of the provincial Governments, namely, the desirability of having central legislation, in terms of the constitution to which the Honourable Member has just referred, enabling the Central Government to assume control in regard to certain matters relating to mineral concessions and developments.

Mr. B. K. Gokhale: The Provincial Governments were generally consulted on all the questions involved; firstly, the question of co-ordination as between different provinces; secondly, the question of regulation of mineral development on an all-India basis; then there were other questions like export and import policy, the possibility of specialised training and research, and finally the question of executive machinery to give effect to the new policy and the legislation required to give effect to the policy as a whole. Provincial Governments were consulted on all these points and a variety of opinions was expressed, some favourable and some unfavourable. But generally what Government felt was that a fresh approach should be made to this question and that approach is now in contemplation. The Honourable Member in charge proposes to have a meeting of provincial Ministers where the whole matter will be placed before them, and the policy including the execution of policy and legislation necessary for the same will be considered.

Mr. Mann Subedar: I understand that Government have also approached the Indian States with a view to central co-ordination. I do not wish to embarrass the Honourable Member but is he in a position to tell the House now to what extent response has come from that quarter for an all-India co-ordination or all-India legislation?

Mr. B. K. Gokhale: It is also proposed to invite to this conference representatives of Indian States. I am not in a position to say what the response is likely to be.

Mr. K. O. Neogy: With reference to the reply to part (e), is the Honourable Member aware of the dissatisfaction that has been expressed from time to time at the non-representative and the unsatisfactory character of the composition of the Advisory Board?

Mr. B. K. Gokhale: That was partly the reason why no meeting of the Board has been held.

EXISTENCE OF MINERAL SOURCES OF ATOMIC ENERGY IN INDIA AND ITS CONTROL AND DEVELOPMENT

156. * Mr. K. C. Neogy : (a) Will the Honourable Member for Works, Mines and Power be pleased to state whether existence of mineral sources of atomic energy has been proved in any part of India, and whether necessary investigation and research in the matter is proceeding at the instance of the Geological Survey of India or any other agency ?

(b) Has any enquiry on this subject been received from the British Government ?

(c) What is the policy of Government in regard to the control and development of such mineral sources ?

Mr. B. K. Gokhale: (a) Uranium and, to a certain extent, thorium are the principal sources of atomic energy according to present information.

Uranium has not been found in India in appreciable quantities. The mineral monazite (one of the thorium-bearing minerals) occurs in notable quantities as beach-sands on the Travancore coast.

At the instance of the Board of Scientific and Industrial Research, an Atomic Research Committee has been established under the Chairmanship of Professor H. J. Bhabha. It is also proposed to establish a special unit for such investigations under the Geological Survey of India.

(b) The Atomic Research Committee as well as the Geological Survey of India hope to work in collaboration with the Department of Atomic Energy, Ministry of Supply of His Majesty's Government.

(c) The policy of Government is to control and develop such resources in the best interests of India.

Mr. Manu Subedar: Have Government been in negotiation with His Majesty's Government and have they sent any men from India in order that they may be taken into confidence with regard to the progress of research as far as it has been made already in the West? My question is need we start right from the beginning? Has Government made any endeavour to get the results of the research so far made so that we can take that as a starting point in India?

Mr. B. K. Gokhale: Two of our officers who had recently been to the United Kingdom have been in touch with His Majesty's Government and, as a result of discussions which they had in England, we are now proposing to have a separate unit under the Geological Survey of India under an eminent Geologist and it is proposed to send him to the United Kingdom for about six weeks and then to organize the unit in the light of whatever advice and information he may receive.

Seth Govind Das: Will the Government see that this energy is utilized in constructive work and not for destructive purposes?

Mr. B. K. Gokhale: That, Sir, is the intention.

Lt.-Col. Dr. J. C. Chatterjee: With reference to part (b) of the reply given by the Honourable Member, is it the intention of the Government to manufacture atomic bombs in India?

Mr. B. K. Gokhale: That question might be addressed to the Defence Department.

Mr. Manu Subedar: Have His Majesty's Government accepted the position that they will share with India the atomic research knowledge as far as it has reached there or have they made any bones about it?

Mr. B. K. Gokhale: That I am afraid is a question for the Defence Department.

Sri M. Ananthasayanam Ayyangar: May I know from the Honourable Member if he is aware that one Mr. Parthasarthy was sent from here—from Dr. Bhatnagar's Institute—to study the effects of atomic bombing in Japan, and if his knowledge has been made use of, or he constitutes one of the members of the Research Committee?

Mr. B. K. Gokhale: I must ask for notice. I have heard something about it, but I am not quite sure.

Sri M. Ananthasayanam Ayyangar: May I know who are the members of the Atomic Research Committee?

Mr. B. K. Gokhale: I said an Atomic Research Committee has been established under the Chairmanship of Prof. H. J. Bhabha. But I must ask for notice, because this does not pertain to my Department. We will have a special unit for Uranium research under the Geological Survey of India. It is proposed that this should be under Dr. Krishnan who is a Superintending Geologist in the Geological Survey, but no other staff will be appointed until Dr. Krishnan goes to England and decides what he is going to do about it.

NUMBER OF CONTROLS UNDER COMMERCE DEPARTMENT

157. *Mr. Vadilal Lallubhai: Will the Secretary of the Commerce Department be pleased to state:

(a) the number of Controls under the Commerce Department which have ceased to be in force after the end of the War;

(b) the number of Controls which still remain in force?

(c) Whether Government propose to reduce the existing controls to a minimum in the immediate future?

The Honourable Mr. I. I. Chundrigar: (a) The Jute (Price Control) Orders, 1945 and 1946, the Lac Export Control Order, 1944 and the portion relating to Oil Cakes in the Vegetable Oils and Oil Cakes (Forward Contract Prohibition) Order, 1944, have been withdrawn by the Commerce Department since the cessation of hostilities.

(b) Control over exports and imports, over the prices of cloth and yarn for export, over enemy trading and controls prohibiting forward trading operations in Vegetable Oils and oil seeds which are edible, as also in spices are still in force.

(c) The operation of the controls mentioned in my answer to part (b) is under constant review so as to ensure that they are not retained a day longer than necessary.

Shri Sri Prakasa: Is it a fact that some of the Provincial Governments by issuing Ordinances have undone the good work of the Commerce Department in withdrawing those controls?

The Honourable Mr. I. I. Chundrigar: I want notice of that question.

Mr. N. M. Joshi: May I ask whether the Government of India consulted the Legislature before withdrawing the controls and as there are now some controls still left whether they will at least now consult the Legislature before removing the controls?

The Honourable Mr. I. I. Chundrigar: There are so many articles under Control that each case has got to be examined on merits and the passing of very early orders is necessary. I think it is very difficult, if not impossible, to consult this House before issuing orders about any specific article.

Mr. N. M. Joshi: May I ask whether the Government of India will appoint a committee of this House which will be consulted before controls on various articles are removed?

The Honourable Mr. I. I. Chundrigar: It is very difficult, as I have already pointed out in answer to the previous supplementary question, to wait until the report of a committee of the House is obtained. The case of every article is examined and it is necessary to pass early orders on the question and so it will be very difficult to consult any committee of the House.

Mr. N. M. Joshi: May I ask whether the Government of India is aware that the removal of these controls has a very serious effect on the economic condition of the people in this country, and if they are aware of that fact will they not find some method by which the Legislature will be consulted or at least a committee of the House will be consulted before these controls are removed?

The Honourable Mr. I. I. Chundrigar: It has come to the notice of Government that the removal of some controls has resulted in increase of prices. Therefore the Government is very anxious to examine each case very minutely and very carefully before orders lifting controls are passed.

Mr. Vadilal Lalubhai: Is the Government aware that due to these controls there has been a lot of corruption, and is the Government taking any steps to check this corruption which is on wholesale scale?

The Honourable Mr. I. I. Chundrigar: So far as the question of meeting corruption is concerned, I understand that a Bill is shortly to be introduced in the House by the Honourable the Home Member and Government is certainly alive to the need of keeping a very vigil eye, and they are keeping a vigil eye, to stop corruption as far as possible.

Mr. Muhammad Nauman: Is Government aware of the fact that after the abolition of control on certain articles the prices have gone up four hundred times and the index prices of decontrolled articles have also gone up hundred times? Has Government looked into that matter?

The Honourable Mr. I. I. Chundrigar: I cannot say about the percentages mentioned by the Honourable Member. Government is aware that prices of certain articles have gone up after the lifting of control and Government is also of opinion that in some cases prices were unduly depressed because of the control. Where the benefit has gone to the agriculturist, Government has no intention to intervene in the matter, but in cases where the consumer is being hit and Government finds that prices have gone up, as they have in case of some luxury articles the case will be examined again for re-imposing control.

Shri Mohan Lal Saksena: Is the Honourable Member aware that there is a Standing Committee for the Commerce Department and will the Honourable Member give it an opportunity to express its opinion regarding decontrolling of articles?

The Honourable Mr. I. I. Chundrigar: On important questions which can stand over for some time, Government will consult the Committee.

Sri T. A. Ramalingam Chettiar: Is the Government aware that the imposition of control has increased the prices in several cases. I will give one very important example: handloom cloth. The price of handloom cloth has increased by 15 to 20 per cent. on account of the control that has been imposed very recently.

The Honourable Mr. I. I. Chundrigar: The increase in the prices of handloom products has not taken place merely because of the imposition of control. There are several factors governing price movements and it cannot be attributed to control measures at all.

Mr. N. M. Joshi: I would like to ask the Leader of the House whether this Legislature is going to have some opportunity of discussing this most important question which affects the economic life of the country during this Session?

Mr. President: The Honourable Member means the question of Government's general policy with regard to controls?

Mr. N. M. Joshi: Yes, Sir.

The Honourable Pandit Jawaharlal Nehru: I can assure the Honourable Member that this question is engaging the attention of Government and we are very much agitated about the vicious circle into which we have been caught. On the one hand we have high prices. If we raise some other prices, it leads to higher prices all round and further inflation, and that again leads to higher prices. Therefore, we have considered them very carefully. I cannot say just now if we can give a particular date for discussion of the subject but we shall certainly try to accommodate the wishes of the House in this matter.

Seth Govind Das: In cases where prices have gone up considerably, will Government think it desirable to re-impose control on such articles?

The Honourable Mr. I. I. Chundrigar: Yes, specific cases of that type will be considered for reimposing control.

POLICY *re* CONTROL ON AFRICAN AND SUDANESE COTTON

158. *Mr. Vadilal Lalubhai: Will the Secretary of the Commerce Department be pleased to state:

(a) if it is a fact that controls on African and Sudanese cottons are more rigidly maintained than as visualised in the policy declared by the Commerce Member in reply to starred question No. 1747, dated the 12th April, 1946;

(b) if it is still the desire of Government to be the sole buyers of African and Sudanese cotton;

(c) if so, are Government aware that this is in contradiction of its policy to licence freely foreign cotton declared by the then Commerce Member in reply to starred question No. 1747, dated the 12th April, 1946, on the floor of this House;

(d) if Government have received any representations protesting against this contradiction of their declared policy; and

(e) if so, what action have they taken in this respect?

The Honourable Mr. I. I. Chundrigar: (a), (b) and (c). As the Honourable Member is no doubt aware, the Government of India have entered into an agreement with the East African and Sudan Governments for the purchase at agreed prices of such quantities of their exportable surplus of cotton as are available for India. Import licences can, as the result of this agreement, only be granted against export licences issued by the exporting country, and the question of the private procurement and the free licensing of those cottons does not at present arise. The policy followed with regard to East African and Sudan cottons is not, therefore, in contradiction to the statement made by my predecessor in April last.

As regards the future, the question of the continuance of a similar agreement is under consideration in consultation with the interests concerned. Government, I may assure the Honourable Member, are only anxious to ensure that the country's requirements of those cottons are made available to the consumer on the most advantageous terms.

(d) No representation protesting against the alleged contradiction in policy has been received in respect of East African and Sudan cottons.

(e) Does not arise.

Mr. Vadilal Lalubhai: Have the Ahmedabad Millowners not sent any representation?

The Honourable Mr. I. I. Chundrigar: No representation containing the allegation in clause (d) of this question *viz.*, the so called contradictory policy of Government is received from them. The representation made by the Ahmedabad Millowners Association is regarding the removal of import restrictions on East African and Sudan cottons, and that is being attended to.

Mr. Vadilal Lalubhai: Will the Honourable Member consider placing East African and Sudan cottons on the same footing as the Egyptian cotton?

The Honourable Mr. I. I. Chundrigar: Different considerations apply, because so far as the East African and Sudan cottons are concerned, it is considered advisable to buy on a Government to Government basis, and the reports, even from the trade channels, are that it would be to the advantage of India to procure supplies of East African and Sudan cotton on a Government to Government basis, and if that is not done, it is possible that India may have to pay a higher price for this cotton.

Mr. Vadilal Lalubhai: Is it a fact that due to cotton being a world commodity, the prices adjust themselves?

The Honourable Mr. I. I. Chundrigar: The report is that if Government had not made the purchases of East African and Sudan cottons on a Government to Government basis, India would have been compelled to pay a much higher price, and even now I may mention that the Cotton Import Advisory Committee has suggested that it would be to the interests of India to enter into a similar agreement for the year 1946-47 and that is under consideration by Government.

Mr. Vadilal Lallubhai: Is it a fact that the distribution of these cottons has been arranged in such a way that some of those mills who are using foreign cotton have been hard hit and that they are not able to stand in competition with other mills who get these cottons?

The Honourable Mr. I. I. Chundrigar: No complaint of that character has been received.

SAGO FLOUR AND THE IMPORT LICENCES ON STARCH

159 ***Mr. Vadilal Lallubhai:** Will the Secretary of the Commerce Department be pleased to state:

(a) if it is a fact that import licences are being freely granted to importers of starch;

(b) if it is a fact that Sago Flour which is purely a sizing material and is not a food material is placed on free list of imports as a result of which great quantities of Sago flour are being dumped in the Indian market;

(c) if so, have Government considered the adverse effect on the nascent industry at home; and

(d) pending the report of the Interim Tariff Board, what do Government propose to do to protect the Indian Starch Industry from the new decontrolled imports of Sago flour which are thus dumping the Indian markets?

The Honourable Mr. I. I. Chundrigar: (a) I invite the Honourable Member's attention to the reply given to part (a) of his question No. 728 on the 6th of March last. I may reiterate for his information that imports of only limited quantities of starch are being permitted in the interests of the Textile Manufacturing Industry.

(b) Government's information is that Sago flour is not purely a sizing material, but is also used as an article of food, and this item was included in the Open General Licence in order to combat the food shortage. Exact figures as to the quantity of Sago flour imported after the inclusion of this item in the Open General Licences are not immediately available. It is not, therefore, possible to judge whether large quantities of this commodity are actually being dumped into this country. Figures of imports are, however, being collected and the point mentioned by the Honourable Member would be examined as soon as these are received.

(c) No Sir, as the question of dumping was not raised so far; the matter is, however, being investigated.

(d) The Tariff Board have been requested to suggest any interim measure of assistance that may be necessary, without prejudicing their final recommendations. The Board's reply is awaited.

Mr. Vadilal Lallubhai: Is the Honourable Member aware that sago pearl is food and not sago flour and that none of the sago flour has come for food purposes?

The Honourable Mr. I. I. Chundrigar: I have already mentioned that the figures are being collected and the matter is being examined.

Mr. Vadilal Lallubhai: I would state for the information of the Honourable Member that sago flour is only a sizing article and not a food article.

The Honourable Mr. I. I. Chundrigar: I have mentioned that we were advised, in consultation with the Food Department, that it may be treated as an article of food.

Mr. Vadilal Lalubhai: Will the Honourable Member enquire as to how many tons of sago flour went for sizing purposes and how many for food purposes?

The Honourable Mr. I. I. Ohundrigar: I have already given the reply that the matter will be investigated.

LOSS TO GOVERNMENT DUE TO UNDERHAND PRACTICES IN THE EXPORT TRADE OF CLOTH

160. *Mr. Vadilal Lalubhai: Will the Secretary of the Commerce Department be pleased to state:

(a) if Government are aware of the many under-hand practices carried on in the export trade of cloth which has resulted in a loss to the country;

(b) if Government have seen the anomaly arising out of the uncontrolled prices of cloth in free ports and at the same time the margin of profits for middlemen being stipulated by the Government at 10 per cent. which has resulted in the middleman taking 100 per cent. more or even higher prices in free ports and showing only 10 per cent. as the margin of profit, due to the said Government regulations;

(c) if Government are aware that similar situation regarding high profits exists in many other countries also to which India exports cloth;

(d) if Government are aware that due to this anomaly the country's Exchequer is being put to considerable loss; and

(e) if so, will Government see to it that this anomaly of prices is put a stop to?

The Honourable Mr. I. I. Ohundrigar: (a) Government have no definite information on the subject.

(b) By 'free ports' the Honourable Member presumably refers to importing countries in which there is no price control on imported cloth. It is true that export price control on exports from India to such countries has been withdrawn and Government have not prescribed any definite profit margins for the middleman in respect of exports to these destinations. However, invoices continue to be checked with a view to ensuring that the export prices are not excessive. The question as to what further measures should be adopted is under the consideration of the department.

(c) No, Sir, Government have no definite information on the subject.

(d) and (e). Do not arise.

Mr. Manu Subedar: Will Government consider the advisability of negotiating barter transactions with a few countries in order that India may get essential articles like food against cloth, and also the advisability of taking up the export of cloth from this country as a State monopoly so that the profits may remain with Government instead of going into private pockets?

The Honourable Mr. I. I. Ohundrigar: The question of barter is being considered in individual cases where Government find that it will be in the interests of India to procure food from some countries. The other question raised by the Honourable Member is a very important question of policy and it will be examined.

Mr. Vadilal Lalubhai: In view of the fact that there are high prices running in other countries, will the Government consider to export this cloth themselves so that Government gets the benefit of this disparity in price?

The Honourable Mr. I. I. Ohundrigar: Government are already considering the question of reducing the price at which cloth is exported to these countries and Government have taken up the question as to the manner in which that control should be imposed.

Seth Govind Das: Is it a fact that most of the countries to which our cloth is exported do not send us any food material?

The Honourable Mr. I. I. Ohundrigar: The question cannot be looked at merely from the point of view of food procurements to India. When we are in a position to manufacture cloth, it is the moral duty of India to supply something to the neighbouring countries who are not able to procure their supplies from elsewhere.

Seth Govind Das: Should we take it that inspite of the fact that we have so much scarcity of cloth, it is our moral duty to send cloth outside?

Mr. President: That is an argument. Order, order.

Next question. Mr. Sanyal.

MANUFACTURE OF BY-PRODUCTS OF COAL

161. *Mr. Sasanka Sekhar Sanyal: Will the Honourable Member for Works Mines and Power be pleased to state :

(a) the by-products of coal that have been undertaken in India (i) before the last Great War, (ii) during the last Great War, and (iii) after the last Great War ;

(b) what other important and valuable by-products can and should be undertaken forthwith ;

(c) what steps are being taken by the present Government so that the existing opportunities for the manufacture of by-products are not wasted and that the collieries are obliged and helped in undertaking industrially and commercially useful by-products immediately ; and

(d) whether Government are consulting scientists and experts in such matter and whether they are taking the assistance of the Indian Science Congress ?

Mr. B. K. Gokhale: The question should have been addressed to the Honourable Member for Industries and Supplies. It has accordingly been transferred to the list of questions for the 6th November, 1946, when it will be answered by the Honourable Member for Industries and Supplies.

EXTENSION OF ELECTRICITY TO RURAL AND SEMI-URBAN AREAS AND NATIONALIZATION OF POWER

162. *Mr. Sasanka Sekhar Sanyal: Will the Honourable Member for Works Mines and Power be pleased to state :

(a) what steps are being taken for the immediate extension and popularisation of electricity in rural and semi-urban areas and for the ultimate nationalisation of power ;

(b) whether it is not possible as a step towards the above, to terminate by legislation or otherwise the leases of the existing licencees and to hand over the running concerns to the municipalities or other existing local bodies, as the case may be ; and

(c) whether it is also not possible to reduce power rates to a maximum of three annas per unit for non-productive consumption and two annas per unit for industrial and manufacturing consumption ?

Mr. B. K. Gokhale: (a) This is primarily a matter for Provincial Governments. New rural and semi-urban electrification schemes are being undertaken by most of the Provinces, notably by Madras and Bengal. The Central Technical Power Board which is under the control of the Government of India has completed a plan for semi-urban electrification covering an area of 2,500 sq. miles in Bengal to the north of Calcutta ; and has a somewhat similar plan under preparation for that Government covering the area to the east of Calcutta. The Board has also been preparing a rural development project for a tract in the Central Provinces.

(b) This is not possible except by legislation of expropriatory nature.

Provincial Governments have, however, been advised to secure the termination of the existing licences by negotiation, wherever possible.

(c) It is not possible under present circumstances, to reduce rates to three annas per K. W. hour for lighting purposes except perhaps in large urban areas. On the other hand, it is understood that two annas per K. W. hour for industrial manufacturing supplies is an extremely high rate and far above the average prevailing at the present time.

Mr. Sasanka Sekhar Sanyal: Is it not the policy of the Government of India to investigate the question of power supply as a proposition of all-India planning?

Mr. B. K. Gokhale: The Central Technical Power Board has been set up expressly for that purpose. But unless and until legislation is undertaken to carry out any policy of electrification, the Government of India have no hand in it. At present there is no such legislation.

Mr. Sasanka Sekhar Sanyal: Is it not a fact that in many cases projects of electric installation in one province have to be helped by supply of power from another province?

Mr. B. K. Gokhale: Yes, Sir.

Mr. Sasanka Sekhar Sanyal: In that case is it left to the two provinces to contact each other, the Government of India coming in for the purpose of co-ordination between the two Provinces?

Mr. B. K. Gokhale: The Central Technical Power Board can and does help in every possible way to co-ordinate the requirements of electrical energy throughout India. Then there is also the Electricity (Supply) Bill which was introduced in this House in March last, under which it is proposed to set up Regional Electricity Boards and that Bill will certainly help in achieving the object which the Honourable Member has in view.

Mr. Sasanka Sekhar Sanyal: Is it not a fact that even today the matter of electricity is covered all over the country by central legislation?

Mr. B. K. Gokhale: I believe it is in the Concurrent List

Mr. Sasanka Sekhar Sanyal: Is it not a fact that the Indian Electricity Act governs the whole of the country?

Mr. B. K. Gokhale: Yes, Sir, but the Indian Electricity Act is purely a safety measure. It does not cover the question of planning, co-ordination and development. That is the object of the Electricity (Supply) Bill, 1946, which was introduced in this House in March last.

Mr. Sasanka Sekhar Sanyal: Will the Honourable Member please state whether in the matter of the proposed legislation which is coming up, the opinions of the provinces have already reached the Government of India?

Mr. B. K. Gokhale: The motion for circulation was unfortunately crowded out in the Budget Session and Government thereupon circulated the Bill by executive order. Certain provinces have sent in their opinions but the most important provinces like Bengal, Bombay, Madras and the Punjab have not yet sent in their opinions and they have asked for more time to express their views.

Mr. Sasanka Sekhar Sanyal: Will the Honourable the Member please state whether any province has expressed the opinion that they were competent to go on with their electricity projects without the aid, assistance or initiative from the Central Government?

Mr. B. K. Gokhale: Yes, Sir. Some of the Provinces are anxious to be allowed to look after their electricity projects themselves without any intervention from the Centre.

Mr. Sasanka Sekhar Sanyal: May I know whether these opinions have been circulated to all the other provinces?

Mr. B. K. Gokhale: I have already explained that some of the Provinces have expressed their opinions and these opinions are being tabulated. The question of their circulation has not yet been considered.

Mr. Sasanka Sekhar Sanyal: I want to know whether those opinions which have been received from some of the provinces, which have a bearing upon some other provinces, have been forwarded to all other provinces?

Mr. B. K. Gokhale: No, Sir. The opinions that have already been received are being tabulated. That is all that has been done so far. We do not go on sending the opinions to other provinces as they are received.

Mr. Sasanka Sekhar Sanyal: What are the provinces that have so far given their opinions

Mr. President: I am afraid these questions on legislation do not arise out of the present question. The Honourable Member is going into too many details.

Mr. Sasanka Sekhar Sanyal: I am asking which of the provinces have expressed their opinions.

Mr. President: That does not arise out of this question.

NATIONALIZATION OF PETROLEUM INDUSTRY

163. *Mr. Sasanka Sekhar Sanyal : Will the Honourable Member for works Mines and Power be please to state :

(a) the places in India where petroleum is at present available and how much of such area is under actual operation ;

(b) whether the capital and the companies operating the area are Indian or otherwise ;

(c) whether these companies have been asked to arrange for Indians getting facilities for training in operating processes ;

(d) the policy of the present Government with regard to the nationalisation of petroleum ; and

(e) if immediate nationalisation is not possible, what steps are being taken as aids to future nationalisation ?

Mr. B. K. Gokhale: (a) A statement is laid on the table based on information collected from Provincial Governments about three months ago. According to our information petroleum is at present produced on a commercial scale in the Lakhimpur District in Assam and the Attock and Jhelum Districts in the Punjab where the areas under actual operation are said to be about 21 sq. miles and 26 sq. miles respectively.

(b) Government understand that they are largely British-owned.

(c) The Government of India have no information, as the Provinces are directly concerned with the companies.

(d) and (e). The regulation of mines and oilfields and mineral development comes under entry 23 of the Provincial Legislative List, except to the extent to which such regulation and development under Federal control is declared by Federal Law to be expedient in the public interest. No such law has yet been passed. The regulation and development of oilfields has, therefore, been generally at the discretion of Provincial Governments. The question of formulating a general mineral policy for India, including the policy for development of oilfields, is at present under the consideration of the Government of India.

Statement showing the area of oil concessions granted in Provinces and States

	Exploratory permits in square miles	Prospecting licences in square miles	Mining leases in square miles
1. Assam (Assam Oil Co. and B. O. C.) .	6,290·00	116·872	21·35
2. Punjab (B. O. C. and Attock Oil Co.) .	57,464·70	386·17	26·94
3. N. W. F. P. (I. B. P. Co. and B. O. C.) .		1,586·38	
4. Sind (B. O. C.) .	26,154·00	...	
5. Tripura State (B. O. C.) .		250·00	
Total .	89,908·70	2,339·422	48·29

Mr. Sasanka Sekhar Sanyal: Will the Honourable Member state whether any such legislation is contemplated?

Mr. B. K. Gokhale: I have said that the whole question of policy is at present under consideration. That includes questions bearing on central co-ordination, regulation and control to the extent to which Provincial Governments may be willing to part with such control. The question of executive machinery to carry out the central co-ordination, regulation and control and the legislation necessary for the same—all these questions are under consideration and the Honourable Member in Charge shortly hopes to have a conference of provincial ministers, at which these questions will be discussed.

Mr. Manu Subedar: Can Government tell this House whether all those people who hold concessions in oil are actually working their concessions or whether some of them are merely holding those concessions without any effort at production and if it is so, will Government take some action?

Mr. B. K. Gokhale: Oil concessions are of three different kinds. There are several companies which have got exploratory permits and these cover a total area of 89,908 square miles in Assam, Punjab, Sind and other Provinces. Then there is another kind of permit which is called the prospecting license. An area of about 2,339 square miles is under prospecting license in all these different provinces. Mining leases which cover actual mining operations are only limited to Assam (21.35 square miles) and the Punjab (26.94 square miles) or a total of 48.29 square miles. Actual mining is going on only in these 48.29 square miles, whereas in other areas prospecting or exploration work is going on.

Mr. Manu Subedar: May I know whether full capacity of production from these areas which are under mining leases has been developed and if not, will Government take steps to stimulate production?

Mr. B. K. Gokhale: The truly oil bearing areas, if my Honourable friend wishes to know, are firstly a belt of rocks in North East Assam passing through Eastern Bengal to the Arakan Coast, a tract of about 800 square miles. Then there is a belt of oil bearing rocks

Mr. Manu Subedar: What I said was this. In the areas where mining leases have been actually given—in these 48.29 square miles which my Honourable friend mentioned—I want to know whether the full capacity to produce oil has been developed. Let us say that the maximum capacity is 'X'. I want to know whether the 'X' capacity has been reached or is it only a quarter 'X' which is being produced. And if it is less than the natural capacity of production, will Government try to stimulate the production of oil? That is a Central subject.

Mr. B. K. Gokhale: In 1942 Government found it necessary to restrict exploration and prospecting in the interests of increased production from existing oil fields. That was a sort of moratorium established under the advice of the Central Government. Actually the Central Government have no powers in this respect; but this advice was given to the provinces and the provinces generally took that advice and established a kind of moratorium by which areas which were not actually being exploited could not be exploited. That moratorium, I understand, will expire some time in February 1947. The question of policy which should be followed from February 1947 onwards is at present under the consideration of the Government of India.

UNSTARRED QUESTION AND ANSWER

CONTACT WITH FOREIGN STATES IN MATTER OF SPORTS AND ATHLETICS

29. Mr. Sasanka Sekhar Sanyal: Will the Honourable Member for External Affairs be pleased to state:

(a) whether Government of India have formulated any policy for bringing this country in contact with foreign states in the matter of sports and athletics; and

(b) whether any fund has been created for encouraging individuals and clubs for the growth and development of sports and athletics?

The Honourable Pandit Jawaharlal Nehru: (a) and (b). No. Most countries leave such matters to be dealt with on a purely voluntary and non-official basis. Government however are prepared to give facilities for international contacts in the matter of sports and athletics. Primarily the Provincial Governments, and especially their Education Departments, are responsible for encouraging sports and athletics. Government are prepared to help in this wherever possible.

SHORT NOTICE QUESTION AND ANSWER

EVICTION OF REFUGEES FROM CHANDPUR STATION BY RAILWAY AUTHORITIES

Mr. Sasanka Sekhar Sanyal: Will the Honourable the Railway Member be pleased to state:

(a) whether his attention has been drawn to the report which appeared at page one of the late city addition of the *Hindustan Standard* (Calcutta) of the 29th October 1946 stating that 20,000 evacuees—victims of lawlessness in Eastern Bengal—who have been stranded at the Chandpur Station of the B. A. Railway for want of transport facilities were forced to leave the station with 24 hours' notice;

(b) whether it is a fact that these included expectant mothers and mothers who had just given birth to children;

(c) the reasons for such action on the part of the authorities; and

(d) what steps have been taken by the Railway authorities for efficient transport and for safe shelter and accommodation and for other essential amenities of such evacuees?

The Honourable Mr. M. Asaf Ali: (a) From a report received from the B. A. Railway, it appears that the number of evacuees at Chandpur, even during the peak period was never more than 15,000. Difficulties in arranging transport were not confined to the railway but were also experienced by the steamer companies, and it was impossible to clear all passengers offering at the same time.

No evacuees were given notice to leave railway premises.

(b) and (c). The Red Cross Society are taking care of expectant mothers and women who have given birth to children and accommodating them in hospitals.

(d) Strenuous efforts have been made by the B. A. Railway authorities to provide transport for evacuees from Chandpur and arrange for their comfort in consultation with the various relief organisations and with the Red Cross Society.

For the evacuation of refugees arriving by steamers at Goalundo from Chandpur, special trains were run to Calcutta in addition to the normal train services, on the 16th, 18th, 19th, 20th, 21st, 22nd and 24th October, 1946, and on two occasions No. 28 Down train which normally terminates at Ranaghat was extended to Calcutta.

The running of further special trains was not considered necessary as the steamers arriving at Goalundo did not carry sufficient passengers to warrant special trains being run.

As regards relief measures for evacuees, the B. A. Railway authorities have made arrangements to accommodate them in waiting sheds, in all available rooms in the railway colony and in Government camps and have formed a Committee to co-ordinate the work of the various relief committees. These committees are attending to the needs of the refugees by meeting them and conveying them in lorries to relief centres where arrangements are made to supply them with food.

The Public Relations Officer of the B. A. Railway is in close contact with private organisers of relief who have expressed their satisfaction with railway arrangements.

Mr. Sasanka Sekhar Sanyal: Will the Honourable Member be pleased to state, in view of his answer that the railway authorities did not give notice to leave the premises, which is the authority which gave that notice?

The Honourable Mr. M. Asaf Ali: I am afraid I cannot answer that question, because I have no information on the subject at all. I was asked to answer the question which was put to me as far as the railway was concerned.

Mr. Sasanka Sekhar Sanyal: Will the Honourable Member be pleased to state whether it is possible for the Government of India to set up direct and independent machinery for giving relief in the matter of food, shelter and medicine to these refugees?

The Honourable Mr. M. Asaf Ali: That again is not a question which can be answered by me.

MOTION FOR ADJOURNMENT

WITHHOLDING OF TELEGRAMS IN BIHAR ON COMMUNAL RIOTS

Mr. President: There is an adjournment motion, notice of which was received by me from the Honourable Member, Mr. Nauman, and, I believe, from Mr. Seth. The motion is to discuss a definite matter of urgent public importance, namely:

“Withholding telegrams in the province of Bihar on the subject of communal riots in Bihar area.”

Who has given this order for withholding telegrams. Is it the Central Government that has passed those orders?

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa : Muhammadan): Yes—the Central Government which is responsible for such orders in that area, because telegrams and telephones are central subjects.

The Honourable Sardar Vallabhbhai Patel (Home Member): So far as the Home Department is concerned, no such order has been passed.

Sir Harold Shoobert (Secretary, Communications Department): Sir, I can assure this Honourable House that no orders have been passed by the Government in the Communications Department or by the Director General of Posts and Telegraphs.

Khan Muhammad Yamin Khan (Agra Division : Muhammadan Rural): Is it in the power of the District Magistrate to order the Posts and Telegraphs Department not to communicate any telegram which he thinks might create some trouble?

The Honourable Sardar Vallabhbhai Patel: That would be a provincial subject. Under the provincial powers, the district magistrate has got such powers.

Mr. President: If the district magistrate has got power, as I think he has—that is why I put the question—the question does not concern the Government of India.

Mr. Muhammad Nauman: May I say one word? Last night I booked a call from Western Court to my own house and Patna told me that they could not get through even a trunk call to my house as there was no instruction of the department itself—he did not say the magistrate or the Bihar Provincial Government.

Mr. President: That is not inconsistent with what is stated in the House. His departmental head might have instructed him under orders from the district magistrate. We need not go into speculations about that. It seems clear that there have been no orders of the Government of India and there is nothing, therefore, for which an adjournment motion can be admitted in this House.

DEMANDS FOR EXCESS GRANTS FOR 1943-44—concl'd.

**DEMAND No. 6-B—WORKING EXPENSES—MAINTENANCE AND SUPPLY OF
LOCOMOTIVE POWER**

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

"That an excess grant of Rs. 14,66,729 be voted by the Assembly to regularise the expenditure chargeable to Railway revenue actually incurred in excess of the voted grant in the year 1943-44 in respect of 'Working Expenses—Maintenance and Supply of Locomotive Power'."

Mr. President: The question is:

"That an excess grant of Rs. 12,64,807 be voted by the Assembly to regularise the expenditure chargeable to Railway revenue actually incurred in excess of the voted grant in the year 1943-44 in respect of 'Working Expenses—Maintenance and Supply of Locomotive Power'."

The motion was adopted.

DEMAND No. 6-E.—WORKING EXPENSES—EXPENSES OF TRAFFIC DEPARTMENT

The Honourable Mr. Liaquat Ali Khan: Sir, I move:

"That an excess grant of Rs. 8,66,220 be voted by the Assembly to regularise the expenditure chargeable to Railway revenue actually incurred in excess of the voted grant in the year 1943-44 in respect of 'Working Expenses, Expenses of Electrical Department'."

Mr. President: The question is:

"That an excess grant of Rs. 8,66,220 be voted by the Assembly to regularise the expenditure chargeable to Railway revenue actually incurred in excess of the voted grant in the year 1943-44 in respect of 'Working Expenses, Expenses of Electrical Department'."

The motion was adopted.

DEMAND No. 6-F.—WORKING EXPENSES—EXPENSES OF GENERAL DEPARTMENTS

The Honourable Mr. Liaquat Ali Khan: Sir, I move:

"That an excess grant of Rs. 29,63,033 be voted by the Assembly to regularise the expenditure chargeable to Railway revenue actually incurred in excess of the voted grant in the year 1943-44 in respect of 'Working Expenses, Expenses of Traffic Department'."

Mr. President: The question is:

"That an excess grant of Rs. 29,63,033 be voted by the Assembly to regularise the expenditure chargeable to Railway revenue actually incurred in excess of the voted grant in the year 1943-44 in respect of 'Working Expenses, Expenses of Traffic Department'."

The motion was adopted.

DEMAND No. 6-G.—WORKING EXPENSES—MISCELLANEOUS EXPENSES

The Honourable Mr. Liaquat Ali Khan: Sir, I move:

"That an excess grant of Rs. 12,64,807 be voted by the Assembly to regularise the expenditure chargeable to Railway revenue actually incurred in excess of the voted grant in the year 1943-44 in respect of 'Working Expenses, Expenses of General Departments'."

Mr. President: The question is:

"That an excess grant of Rs. 22,180 be voted by the Assembly to regularise the expenditure chargeable to Railway revenue actually incurred in excess of the voted grant in the year 1943-44 in respect of 'Working Expenses, Miscellaneous Expenses'."

The motion was adopted.

DEMAND No. 6-H.—WORKING EXPENSES—EXPENSES OF ELECTRICAL DEPARTMENT

The Honourable Mr. Liaquat Ali Khan: Sir, I move:

"That an excess grant of Rs. 22,180 be voted by the Assembly to regularise the expenditure chargeable to Railway revenue actually incurred in excess of the voted grant in the year 1943-44 in respect of 'Working Expenses, Miscellaneous Expenses'."

Mr. President: The question is:

"That an excess grant of Rs. 14,66,729 be voted by the Assembly to regularise the expenditure chargeable to Railway revenue actually incurred in excess of the voted grant in the year 1943-44 in respect of 'Working Expenses, Expenses of General Departments'."

The motion was adopted.

DEMAND No. 8.—INTEREST CHARGES

The Honourable Mr. Liaquat Ali Khan: Sir, I move:

"That an excess grant of Rs. 18,508 be voted by the Assembly to regularise the expenditure chargeable to Railway revenue actually incurred in excess of the voted grant in the year 1943-44 in respect of 'Interest Charges'."

Mr. President: The question is:

an excess grant of Rs. 18,508 be voted by the Assembly to regularise the expenditure chargeable to Railway revenue actually incurred in excess of the voted grant in the year 1943-44 in respect of 'Interest Charges'."

The motion was adopted.

DEMAND No. 10.—APPROPRIATION TO RESERVE

The Honourable Mr. Liaquat Ali Khan: Sir, I move:

"That an excess grant of Rs. 18,508 be voted by the Assembly, to regularise the expenditure chargeable to Railway revenue actually incurred in excess of the voted grant in the year 1943-44 in respect of 'Appropriation to Reserve'."

Mr. President: The question is:

"That an excess grant of Rs. 1,70,41,042 be voted by the Assembly to regularise the expenditure chargeable to Railway revenue actually incurred in excess of the voted grant in the year 1943-44 in respect of 'Appropriation to Reserve'."

The motion was adopted.

CIVIL

DEMAND No. 78.—INDIAN POSTS AND TELEGRAPHS—STORES SUSPENSE—(NOT CHARGED TO REVENUE)

The Honourable Mr. Liaquat Ali Khan: Sir, I move:

"That an excess grant of Rs. 83,13,633 be voted by the Assembly to regularise the expenditure chargeable to Capital actually incurred in excess of the voted grant in the year 1943-44 in respect of 'Indian Posts and Telegraphs—Stores Suspense—(Not charged to Revenue)'."

Mr. President: The question is:

"That an excess grant of Rs. 83,13,633 be voted by the Assembly to regularise the expenditure on loans and advances actually incurred in excess of the voted grant in the year 1943-44 in respect of 'Indian Posts and Telegraphs—Stores Suspense—(Not charged to Revenue)'."

The motion was adopted.

DEMAND No. 81.—INTEREST FREE ADVANCES

The Honourable Mr. Liaquat Ali Khan: Sir, I move:

"That an excess grant of Rs. 2,54,66,133 be voted by the Assembly to regularise the expenditure on loans and advances actually incurred in excess of the voted grant in the year 1943-44 in respect of 'Interest Free Advances'."

Mr. President: The question is:

"That an excess grant of Rs. 2,54,66,133 be voted by the Assembly to regularise the expenditure on loans and advances actually incurred in excess of the voted grant in the year 1943-44 in respect of 'Interest Free Advances'."

The motion was adopted.

Mr. President: The House will now proceed with the Legislative business.

INDUSTRIAL DISPUTES BILL.

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

"That the Bill to make provision for the investigation and settlement of industrial disputes, and for certain other purposes, be referred to a Select Committee consisting of Mr. N. M. Joshi, Mr. S. Guruswami, Mr. R. C. Morris, Sir Cowasjee Jehangir, Prof. N. G. Ranga, Sri T. V. Satakopachari, Shri D. P. Karmarkar, Mr. Vadilal Lallubhai, Sree Satyapriya Banerjee, Sreejiv B. S. Hiray, Mr. Abdur Rahman Siddiqi, Mr. Abdul Hamid Shah, Mr. Muhammad Rahmatullah, Mr. S. C. Joshi, and the Mover, with instructions to report by the 7th November, 1946, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Sir, this Bill is only an amendment Bill introducing certain changes in the Trade Disputes Act, 1929 and I shall therefore confine myself to tendering a brief explanation of the basic principles underlying the more substantial changes introduced in the Act. The provisions of the Trade Disputes Act, 1929, have in the main been reproduced in the Bill. But as the arrangement of the Act would become disjointed if amendments are introduced *ad hoc*, we have considered it would be appropriate to re-enact the Act, as in this Bill, setting out the various provisions in their proper context.

The institutional changes introduced in the Bill relate firstly to the constitution of Works Committees consisting of representatives of employers and workmen, and secondly to the constitution of Industrial Tribunals consisting of independent persons who possess qualifications ordinarily required for appointment as Judges of a High Court. The functions of the Works Committees will be to remove causes of friction between the employers and workmen in the day to day working of the establishment and to promote measures for securing amity and good relations between the employer and workmen. The function of the tribunals will be to adjudicate on disputes referred to them. These two institutions I may point out, will supplement the machinery already provided for in the Act of 1929 for the settlement of trade disputes, namely, Conciliations Officers, Boards of Conciliation and Courts of Inquiry.

The two new modes of settlement of industrial disputes which will be effected by these two new institutions of Works Committees and Industrial Tribunals will be unaided voluntary negotiation and adjudication. Reference to an Industrial Tribunal will lie not only where both parties to a dispute apply for such reference but also where the appropriate Government considers it expedient, in public interest, to make such reference. Voluntary negotiation is not only by far the most satisfactory method for settling the differences between employers and workmen but, I am sure, you will agree should also be the normal method of settlement. As regards the other new mode of settlement of disputes, namely, adjudication, I venture to imagine that none in this House will raise a controversy in so far as it is to be optional. But as regards compulsory adjudication as a method of settlement of disputes, I apprehend that opinion in this House may well be divided. The issue involved is fundamental and that is whether and if so to what extent, Government should intervene in industrial disputes. This, in turn, will raise the further question whether industrial disputes are purely a matter of private law of contract between the employer and his workmen. My answer, Sir, is that inasmuch as the parties to industrial dispute are no longer limited to the aggrieved workmen and the aggrieved employer, and inasmuch as the causes of the industrial dispute are not limited to breaches of the express or implied terms of the contracts of service, industrial disputes cannot be treated as matters purely within the confines of the private law of contract. Trade disputes, Sir, I submit, are in reality a recrudescence of the economic warfare between capital and labour, and in this warfare the community at large is no less affected than the employer and workmen engaged in the industry. Though trade disputes are ostensibly bipartite engagements between capital and labour the public at large is a necessary party to them especially where they affect supplies and services essential to the well-being of the community. To put it concretely, Sir, a strike in a public utility service will involve not only loss of production and profit to the employer and loss of employment and wages to workmen but will involve also loss of services and supplies to the community. Government being responsible for the maintenance of services and supplies essential to the health, safety and welfare of the community and the maintenance of national economy, it becomes imperative for Government to intervene in industrial disputes, especially where in consequence any severe hardship is entailed on the community. The case for Government's intervention in industrial disputes with a view to promoting public interest is, I submit, incontrovertible.

The question, then, arises within what limits should Government's intervention be circumscribed? Should Government content itself merely with providing machinery for the settlement of industrial disputes as in the Act of 1929 and

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leaving it to employers and workmen to make such use of it as they may wish to, or should Government go a step further and attempt to authoritatively regulate the relations between the employer and workmen where they have themselves failed to settle their differences? The Act of 1929 does not provide for the enforcement of the findings of any authority that may be appointed for the settlement of trade disputes but leaves it to public opinion as the ultimate forum to express itself on the merits of the dispute. Pronouncements of public opinion on the merits of industrial disputes, valuable as they may be for promoting industrial peace, will not often prove effective in regulating the relations between employers and workmen.

Whenever industrial relations are disturbed, the solution lies not in the imposition of artificial peace by prohibition of strikes and lockouts, but in effecting a speedy readjustment of the relations between the employers and the workmen either by agreement between them or, where no agreement could be reached, by compulsory adjudication. If, as I have submitted, Government must have power to intervene in industrial disputes, it will hardly be contested that that power must extend to enabling the Government to authoritatively regulate industrial relations where the employers and workmen concerned are unable to settle the disputes themselves. The principle underlying compulsory arbitration, is, thus, I submit, clear and unimpeachable. I may mention that more than anything else, the provisions of Rule 81A of the Defence of India Rules, empowering the Central Government to refer disputes to adjudicators and to enforce their awards, have enabled Government to deal effectively with industrial disputes during the war. And what is more, the results of the adjudication proceedings have in most cases proved satisfactory both to the workers and employers. The present Bill embodies the principles of Rule 81A, but in a more liberalised form. My submission, Sir, is that neither the employers nor workmen have an unrestricted right to wage trade disputes if in consequence public interests are jeopardised. And where public interests are jeopardised, I maintain that it is incumbent on Government to intervene with a view to securing readjustment of the relations between the employer and workmen, if possible, by private negotiation and conciliation and, if necessary, by compulsory adjudication.

In this connection I must explain why the enforcement of the awards of the Industrial Tribunals has been left to the discretion of the appropriate Governments. Adjudication proceedings are essentially judicial proceedings involving determination of the relative merits of the matters in dispute. Being judicial proceedings, the decisions of the Tribunals are entitled to the fullest consideration. But it is necessary to ensure that the enforcement of the decisions of the Tribunals do not involve any disturbing effects on national economy; otherwise adjudication, instead of allaying, may result in accentuating industrial strife. It would, therefore, be salutary that Government who are in a better position than Industrial Tribunals, to assess the possible effects of the enforcement of the awards of Tribunals on national economy should have discretion to decline to enforce such awards as are opposed to public interest or will have upsetting effect on national economy. I must warn that it would be wrong to assume that because the Government have the power to reject the awards, they would not give the fullest consideration to the decisions of the industrial Tribunals.

I must make it clear that in providing for compulsory adjudication our intention is not to oust or in any way minimise the importance of the methods of voluntary negotiation and conciliation in the settlement of disputes. Industrial disputes being disputes on interests rather on rights, I need hardly stress that voluntary negotiation will offer more effective and lasting solution than conciliation or arbitration. Of all the institutions for the settlement of disputes provided for in the Bill, I would myself attach the greatest importance to the Works Committees. But some others might urge that in Works Committees is the possible danger of exploitation to the betterment of workmen by association with such Committees of persons not true representatives of the workers but who are

under the influence of the employer. It is for this reason that I have not made a mandatory provision for setting up Works Committees but only an enabling provision by which the appropriate Government could set up such Committees and this will doubtless be done only where the appropriate Government is satisfied that conditions exist for proper functioning of the Committees. Next to Works Committees, I would place reliance on the conciliation machinery for promoting industrial peace. It is only where conciliation has no reasonable chance of success, that disputes will be referred to adjudication as being a necessary expedient for securing readjustment of industrial relations in establishments where disputes have broken out.

The importance we attach to conciliation as a mode of settlement of disputes is reflected in the provision that it will be compulsory in the case of all public utility services. Lest advantage be taken of the reference of disputes to conciliation machinery to procrastinate with a view to wearing out the opponent or to maintaining unjustly the state of affairs as existed before the dispute broke out, time limits have been fixed for the conclusion of conciliation proceedings—fifteen days in the case of Conciliation Officer and two months in the case of Boards of Conciliation.

The principle has been well established, to quote from the statement of objects and reasons of the Trade Disputes Act, 1929, that 'persons whose work is vital to the welfare of the community generally, should not be entitled to enter into a strike before sufficient time is given to examine the merits of their grievances, and to explore the possibilities of arriving at a peaceful settlement'. It would, I submit, be both logical and legitimate to extend this principle so as to prohibit strikes and lockouts during the pendency of conciliation and adjudication proceedings. This Bill prohibits strikes and lockouts during the pendency of conciliation proceedings and 14 days thereafter, as also during the pendency of adjudication proceedings and two months thereafter. Power has also been given to the appropriate Government to prohibit continuance of strikes and lockouts as soon as a reference is made to a Board of Conciliation or an Industrial Tribunal. No elaborate explanation for these provisions seems necessary. It would suffice to say that the justification for these provisions lies in that the chances of settlement of dispute by conciliation or by speedy determination by adjudication will be gravely imperilled, if during the pendency of conciliation and adjudication proceedings the normal state of affairs as existed at the commencement of the dispute was not restored. Lest these provisions may prove detrimental to the workers, a safeguarding provision has been made prohibiting alteration during the pendency of conciliation and adjudication proceedings of the conditions of service to the prejudice of the workmen.

I feel, I must pointedly invite the attention of the House to the enlargement of the definition of public utility service attempted in the Bill by empowering the appropriate Government to declare for a specified period any industry to be a public utility service provided that public interest or emergency so requires. The definition of public utility service as contained in the Act of 1929 being enumerative in its character is necessarily inelastic. The definition of a public utility service will to an extent depend on the state of national economy at any given time. For example, at present, when there is an acute shortage of cloth in the country, it would I submit, be legitimate to treat the textile industry as a public utility service, but when conditions return to normal and cloth is no longer in short supply, it would probably be difficult to justify inclusion of textile industry within the category of public utility services.

The industrial unrest through which the country is now passing is of unprecedented magnitude. Before we could embark on any large scale industrialisation, we must establish conditions that will ensure industrial peace. The urgency of the proposed legislation is, I submit, therefore unquestionable. I am aware of criticism often expressed that the remedy for restoring industrial peace is the amelioration of working living conditions of industrial labourers rather than any attempt to restrict the rights of the worker to go on strike. I am fully conscious of the great importance one should attach to improving of

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working and living conditions of labour and the Central as well as Provincial Governments are actively engaged in examining and enforcing all possible measures in this direction. We have already effected by legislation reduction in working hours in factories to bring this to the level enforced in countries much more advanced industrially. Other measures relating to welfare and wages of industrial and other classes of workers are also under active consideration. It will be appreciated that such measures cannot be hurried through in a day but every effort is being made towards rapid progress.

It is my belief, Sir, that the machinery provided for in the Bill will, while protecting the public at large from the ill effects of industrial disputes, facilitate speedy redress of the legitimate grievances of the workmen and employers and thereby promote the progressive adjustment of industrial relations between the employers and workmen.

This Bill has been the result of considerable discussions between the representatives of employers, workmen and of Governments, Central and Provincial. The subject was discussed by our Tripartite Standing Labour Committee at its eighth meeting held in March 1946. A small sub-committee of the Standing Labour committee was appointed to examine the proposals in a greater detail and this sub-committee examined the proposals in June 1946. The Honourable Mr. N. M. Joshi our veteran Trade Union leader participated in the discussions of both the Standing Labour committee and its sub-committee and I must acknowledge that we had the benefit of his views in finalising our proposals. Recently I convened a Provincial Labour Ministers' conference for finally vetting the proposals. The Bill as it is presented to you represents a reasonable synthesis of the various view points expressed on the subject by the various interests concerned. I commend to the House that my Motion be accepted.

Mr. President: Motion moved:

"That the Bill to make provision for the investigation and settlement of industrial disputes, and for certain other purposes, be referred to a Select Committee consisting of Mr. N. M. Joshi, Mr. S. Guruswami, Mr. R. C. Morris, Sir Cowasjee Jehangir, Prof. N. G. Ranga, Sri T. V. Satakopachari, Shri D. P. Karmarkar, Mr. Vadilal Lalubhai, Sree Satyapriya Banerjee, Sreejot B. S. Hiray, Mr. Abdur Rahman Siddiqi, Mr. Abdul Hamid Shah, Mr. Muhammad Rahmatullah, Mr. S. C. Joshi, and the Mover, with instructions to report by the 7th November, 1946, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Mr. Ahmed E. H. Jaffer (Bombay Southern Division: Muhammadan Rural):
Sir, I move:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 28th March, 1947."

Sir, I have listened with great interest and attention to the speech just delivered by the Honourable Member for Labour. He has conveniently omitted to point out the urgency for this measure and why he is so anxious that this measure should be pushed through so soon, particularly because he has got at his disposal section 88-A of the Defence of India Rules which has been extended till the end of March 1947. I do not wish at this stage to go into the merits of this Bill. I only want to point out that there is no necessity why this Bill should be rushed through in such a hurry as has been done at present. It was only four days ago that Honourable Members of this House received copies of this Bill. We have had no sufficient time to go through the Bill. I am sure neither the Employers organisations nor the workers organisations have had an opportunity to go through the provisions of this Bill and to see what these are. As a matter of fact, I am surprised that he brought forward the motion for Select Committee the report of which must be submitted by 7th November. In Bombay, a similar measure like this was brought forward and rushed through in spite of the opposition of the Labour members of the House Mr. Dange and Mr. Mirza Akhtar. I am sure that a similar performance is going to be repeated here. From the list of amendments that I see on the agenda paper following mine, I find that labour members in this House also have tabled similar amendments which clearly show that this measure is not going to be a popular one.

They are as keen as we are that this Bill should be circulated and opinions invited not only from employers' and workers' associations but from all public bodies, particularly the consumers. I am surprised to find that the consumer has no voice when decisions are reached in the industry as a result of the adjudicator's award. Even in England in the Wages Board representations are given to consumers in addition to workers and employers. The Trade Unions Bill which was yesterday referred to Select Committee took three or four years before it was so referred; and now a Bill like this which contains 40 clauses is being rushed through in such a great hurry that I fail to understand why it should be so rushed through. I am sure the Honourable Member will agree that nothing will be lost if the Bill is circulated and opinions invited. I may also point out to the Labour Member that in spite of statutory prohibition by law, strikes have taken place. It is the duty of Government to go into the root causes of strikes and not simply to prohibit them under the law. The Trade Disputes Act gives ample machinery to investigate trade disputes and conciliate the parties in dispute. This Act has not been fully exhausted and I see no reason for bringing in this new measure.

Sir, I do not wish to go into the merits of the Bill, but I should like to refer to clause 3 which refers to the Works Committee. No details are mentioned at all; their formation may be good or may be bad. But this matter requires very careful consideration and no hasty legislation is necessary. I am sure the Honourable Member will agree with the feelings of this House that the Bill be circulated and public opinion invited before giving it effect. The Bill should be carefully considered as it is a very important measure.

Mr. President: Amendment moved:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 28th March, 1947."

Mr. N. M. Joshi (Nominated Non-Official): Sir, although the previous speaker has moved his motion for circulation I propose to move my motion also for circulation. The difference between his motion and mine is that he expects that the Muslim community will have sufficient time to consider this important measure and send their opinions by the 28th March 1947. But I myself feel that the principles of this Bill are so fundamental and will affect the life of the working classes of this country, specially their trade union organisations, to such an extent that a hasty consideration of this measure will be harmful. I therefore move:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 31st October 1947."

Mr. President: The Honourable Member may stop here and resume after Lunch.

The Assembly then adjourned for Lunch till a Quarter Past Two of the Clock.

The Assembly re-assembled after Lunch at Quarter Past Two of the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

Mr. N. M. Joshi: Mr. President. When we adjourned for lunch I was saying that I had asked for a longer period for consultation with the Trade Unions in this country as regards the provisions of this Bill. Sir, this Bill contains two fundamental principles which are new to the peacetime labour legislation in this country. These two principles the illegalization of strikes and compulsory arbitration vitally affect the interests of the working classes and also the trade union movement in this country. They are of life and death importance to the movement. I myself being of cautious nature and being slow in my thinking capacity, I take time to come to a decision on matters of this kind. Moreover, I am very anxious that the labour movement in this country and the working classes of our country should not come to a hasty decision on this question. If we once take a wrong decision on these most important questions, it will be very difficult for us to undo the harm

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which may be done. I am very anxious that the Bill should not be hastily passed. Sir, the Honourable Member said that he had consulted the employers and the workers through the Tripartite organisation. It is true that I attended those meetings and had an opportunity of discussing some of these questions in those meetings. But, Sir, in those meetings the proposals of the Government of India had not taken a definite shape. These meetings discussed some vague proposals, and it is for the first time I saw them in their definite shape when the Honourable Member introduced this measure only three or four days ago. Sir, it is for that reason that I do not want this legislation to be hustled. I am hoping that the Honourable Member in charge of the Bill will see the reasonableness of what I have stated, and will agree to the motion of circulation which I have made. In the interest of the Government it is better that people should come to a conclusion on this subject after mature thought. If unfortunately he does not agree to my proposal, it will be my painful duty, and a very unpleasant duty it would be, to oppose the motion which he has made this morning, namely the motion for the appointment of a Select Committee. I assure you, Sir, this is a very painful duty to me. For the first time in the history of our country we have a Government which, with some justification, we call 'National Government'. It is also in some way a representative Government because they have representatives of the National Congress, representatives of the Muslim League and, we are having two representatives of the Scheduled Castes. We are therefore very glad that such a Government has been established at the Centre and we welcome this Government with all our heart. Therefore I consider it to be very unfortunate if it falls to my lot to oppose an important measure brought forward by this Government. But, Sir, the Honourable Member himself has admitted that this is the measure on which there can be difference of opinion, and there can be very honest difference of opinion on it. He holds his views very strongly; I hold my views very strongly, and if it becomes necessary for me to oppose his motion it will be an unfortunate thing, but if I am to be true to my conscience and if I have to act upon my own judgment, Sir, I shall have to do that unpleasant and painful duty.

Sir, I stated that these two principles which are incorporated in this legislation are new to the peacetime labour legislation of our country. It is true that both these principles in some form were incorporated in the war time Defence of India legislation, but, Sir, that legislation was introduced in this country against our wishes. We were not a willing party to that legislation. When the legislation comes before this House we have to consider the whole subject fully and, if possible, approve it; otherwise if we consider that it is not in the interest of the working classes, we have to oppose it.

Now, Sir, what happens is this: Illegalization of strikes and compulsory arbitration gives power to Governments to prevent strikes and to get conclusive decisions as the Statement of Objects and Reasons has stated and the Governments feel that their work is made easy on account of the great power which they possess over the lives of the working classes. Sir, the Governments in this country enjoyed that power over the lives of the workers for the last six years. And you know the nature of Governments, whether it is a Congress Government or a National Government. Their nature is that if they once taste power, they are unwilling to give it up.

Mr. P. J. Griffiths (Assam: European): All Governments.

Mr. N. M. Joshi: All Governments have tasted power. They have the power to prohibit strikes. They have the power to impose decisions on the working class and now they are unwilling to part with that power. In my judgment, the need for such a legislation has not been made out. It is not that in this country there is no legislation at all to provide for conciliation, to provide for some kind of enquiry into these disputes. The Honourable member said that the community has a right to intervene. I say that the community has a right and duty to intervene and that right has been given to

the community by the Act of 1929. Unfortunately, Sir, that Act of 1929 was not even tried sufficiently in this country. I would like the Honourable Member to give some figures regarding the use made by the Governments in this country—the Government of India or the Provincial Governments—of the Act of 1929 during the last 17 years. During the last 17 years I am quite sure there might have been hundreds, perhaps thousands of strikes. I want the Honourable Member to tell me during how many strikes the 1929 Act was used by any of these Governments. Sir, I do not possess exact figures, but I am quite sure that not even during these 17 years was that Act used 170 times.

Sjt. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): Now they are prepared to use it with a vengeance!

Mr. N. M. Joshi: Sir, that is my complaint against the Government. They possessed legislation. They did not make use of that legislation and they complain that the legislation has failed and is not effective. How could it be effective if you do not make use of it? Sir, the Act of 1929 has not failed in that sense. Our Act of 1929 has been based upon British legislation mainly as regards the conciliation machinery. Now, in Great Britain, industrialisation has gone on on a much larger scale and for a much longer period, and if Great Britain could do it with the powers which the British Government possessed during the last 50 years, and if they could deal with industrial unrest in Great Britain, I think a newly industrialized country like India could have easily done with that legislation. We should not have needed any more legislation, but that legislation was not used. Secondly, Sir, if that legislation has failed, it has failed for some other reason. The Governments in this country did not, not only not apply that legislation, but did not make proper use of that legislation. That legislation provided for conciliation machinery and conciliation officers. Now, Sir, the Provincial Governments appointed Conciliation Officers young men of 25, paying Rs. 150. Do you expect a Conciliation Officer getting Rs. 150 and of 25 years of age to succeed in bring about a settlement between such powerful men as my honourable friend, Sir Cowasjee Jehangir and some others?

Pandit Balkrishna Sharma (Cities of the United Provinces: Non-Muhammadan Urban): Like yourself!

Mr. N. M. Joshi: Sir, the machinery was wrongly used. The Government did not like to appoint conciliation officers who had experience and who could succeed in their work. Secondly, under the Act of 1929 they could have appointed a permanent Court of Enquiry so that the machinery could have been used as often as the Government of India wanted. Is there any province where a permanent Court of Enquiry has been appointed? There would have been no difficulty in your appointing such a Court of Enquiry. But you did not do it and now you complain that the Act of 1929 did not succeed. Sir, it is not the fault of that Act. I know that there are defects in that Act. That Act also under certain circumstances make certain strikes illegal. I did not like those provisions. But for the purpose of conciliation that machinery is quite suitable. That machinery has been found useful for its purpose in a country like Great Britain and I have no doubt that if we had made proper use of that machinery it would also have proved useful in our country.

The Honourable Member in pointing out the necessity for this legislation, stated at present our country is going through unprecedented unrest. I am aware, Sir, that at present there is industrial unrest in our country but it is not due to the lack of machinery to settle disputes. That unrest is due to this fact that during the war the working classes in this country suffered terribly. After the war the suffering continues. Even in countries like England, where there was actual war prevailing, the real wages of the working class during the war period went up. In our country, during the war, real wages went down. Nominal wages increased no doubt, but the real wages went down. The real wages are down even now, more than a year after the war had ended.

Sir Oowasjee Jehangir (Nominated Non-Official): Not in all industries?

Mr. N. M. Joshi: In all industries, I say. Sir, leave aside wages. What is the position of housing in our country? Have you any idea how many people are lying during nights on the streets of Bombay for want of housing accommodation? What has been done since the end of the war to provide housing for those people who have no room to live in? Not only that, I will go further. The war ended and some of the factories which could be kept going if they had been adapted for peace-time production, have now been hastily closed down, with the result that hundreds, I would say, thousands of workmen are being thrown on the street. Sir, the working class in this country may be ignorant, may be illiterate. But they have a loyalty to each other and it is this loyalty to each other that keeps them going. And the unrest that we see in our country is due to these causes. Besides that, Sir, the success which the Allied Governments obtained in the war have created hopes in the hearts of people all over the world, especially when working classes in India see that in Great Britain, even during the war, the Government took steps to provide greater social security, and where measures of social security had existed to strengthen those measures of security. They did that even during the war. The Beveridge Report was prepared during the war and even before the war ended they had taken steps to see that these proposals for social security, for providing houses, etc. were considered and began to be carried into practice even during the war. Does the Honourable Member in charge of this department know that today the British people are receiving increased benefits out of the social security measures? What have we done in our country? We have made speeches. The members of the old Government have made speeches suggesting that the Indian workers should have greater social security.

Sjt. N. V. Gadgil: But the birds have flown away!

Mr. N. M. Joshi: Some of the members of the present National Government may have also made speeches but people do not live on speeches. They want action.

The Honourable Shri Jagjivan Ram: Measures are coming very soon.

Mr. N. M. Joshi: Those measures may be coming but today before those measures come you take power into your hands to take away from the working classes the only weapon which they possess by which they can secure their objective.

Sjt. N. V. Gadgil: Only regulating its use.

Mr. N. M. Joshi: I consider that if there is unrest in this country, that unrest is a healthy one that will lead to the improvement of the condition of the working classes. Moreover I feel that the extent of that unrest is exaggerated if you consider the size of the whole country. I want the Honourable Member to give me figures to enlighten us. How many people will come under the purview of this legislation in all? In my judgment this Bill will affect the lives of not less than one crore of working class people in this country, perhaps more. I am sure the number will be larger. There are no doubt strikes in this country but I want to know what is the average number of people who are on strike daily in this country. The number will be extremely small.

Shri Mohan Lal Saksena (Lucknow Division: Non-Muhammadan Rural): Wherefrom does the Honourable Member get his figure of one crore?

Sjt. N. V. Gadgil: Out of a population of 40 crores!

Mr. N. M. Joshi: Out of 40 crores I gave a modest figure.

Shri Mohan Lal Saksena: But this is not according to the Census Report?

Mr. N. M. Joshi: No. But I gave a modest figure, being a modest man . . .

Shri Mohan Lal Saksena: The figure is not modest but on the other side.

Mr. N. M. Joshi: The unrest is exaggerated. We have not got such an unrest as we try to make out. A few thousand people are sometimes on strike. To take the U. S. A. there is greater unrest there than we have in our country and therefore that there is unrest in this country is no justification for hustling this kind of legislation.

I stated that there are two fundamental principles underlying this legislation. The first is prohibition of strikes and the second is compulsory arbitration. I shall take strikes first.

There are people in this country who have a wrong notion of the character of a strike. They consider that a strike is something horrible, heinous or abnormal. I do not consider that a strike is an unnecessary or abnormal activity. A strike is a cessation of activities in common with our friends and that is being done by all kinds of people, not alone the working classes. (Interruption by Mr. P. J. Griffiths). As my friend Mr. Griffiths says, even shops close and barristers have their holidays. Cessation of activity is a normal human activity, not an abnormal one, when we find that the conditions of life and work are not satisfactory to us. A man goes to a shop and he finds that an article is more costly than he is prepared to pay for. He returns from the shop and nobody calls it a strike.

The Honourable Shri Jagjivan Ram: If everybody does it it will be a strike.

Mr. N. M. Joshi: Therefore a strike is not an abnormal activity. It is the normal activity of human beings who are dissatisfied with their conditions. So we need not be horrified when we see a strike. Let me assure all my friends in this legislature that although the working classes resort to strike as other classes of people do, whatever the other classes of people may do, the working classes do not go on strike without thinking of the consequences. They go on strike when they find that other means of obtaining redress have failed. You may think whatever you like of the working classes in this country but they are not such great fools that they do not realise that if they go on strike they are the first people to suffer. Their wages stop and there are not many occasions on which strike pay has been given in this country. The working classes realise that if they go on strike they will suffer more than others. If they go on strike, it is because they find that the employers are not susceptible to ordinary arguments. They also go sometimes on strike because the Government will not help them in negotiations or in coming to a settlement unless and until they go on strike. I have seen employers willing to negotiate when the workers go on strike. I have seen governments willing to intervene when the workers go on strike. But I have found in my experience of many years that Governments refuse to intervene when the workers make an ordinary request. I have seen employers refusing to negotiate when they find that the workers are not strong enough to go on strike. Therefore the workers go on strike, because, in the first place, they find that without going on strike they will not get a chance of negotiation and they resort to strike only as an ultimate weapon.

If any assurance is needed by anyone in this House I may assure him that I myself do not approve of the policy of going on strikes. I am a man of peace. I would like to have my grievances settled without going on strike, if possible. I shall avoid strike as much as I can but if strike becomes inevitable, what can anybody do? People complain that in this country especially, people go on lightning strikes, strikes without notice. Let me assure you again, as a matter of policy I do not support the working classes going on strike without notice. But you must remember that it is not always in the hands of the workers to give notice. At times they suffer from an injustice which they find it difficult to bear and go on strike without waiting for a notice. I do not approve of going on strike without notice, but we must remember that going on strike or cessation of activities without notice is

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only a civil liability. When we pass legislation making strikes illegal on the ground that people go on strike without notice, we forget the fact that not giving notice is only a civil liability, and when we make strikes illegal on the ground that people go on strike without notice, we create a criminal offence out of a civil liability. There is no justification for this. If going on strike without notice is a civil wrong or a civil liability, the workers do not propose to evade that liability. They have never said they are not liable for the civil wrong which they have done. But you cannot be justified to turn that civil liability into a criminal offence. Now, we have a Bill in which not only strikes without notice are made illegal, but even strikes with notice are made illegal. If strikes take place during conciliation proceedings which may last for any length of time, even for a year or for two years. . . .

Sjt. N. V. Gadgil: Two months.

Mr. N. M. Joshi: The strike becomes illegal. My honourable friend Mr. Gadgil for whom I have great esteem tells me that the strike will become legal after two months. Is that what he says?

Sjt. N. V. Gadgil: I will say what I want to say after you finish.

Mr. N. M. Joshi: I can only say that, if he had stated two months, he should read the Bill again before he speaks. The Bill provides for a period of four months maximum for a conciliation in a public utility service. But if a worker happens to be employed in a non-public utility service, you can appoint a board of conciliation and make a strike illegal even if that board takes one year to complete its work; so that the poor man has no chance of going on strike on any day! This is the Bill which has been placed before us.

There is another point which I want to stress as regards making strikes illegal. What is our object in making a strike illegal? We want that a man who is not willing to go to work should go to work; and if he does not go to work, he will be threatened to be sent to jail. I want to ask Honourable Members of this legislature whether this is not a form of compulsory labour. That a man is asked to go to his work against his wishes by the threat of being sent to jail if he does not go to work, I consider, is a form of compulsory labour; and if you will bear with me, compulsory labour has an element of slavery in it, is a form of slavery. I should have thought. . . .

Sjt. N. V. Gadgil: During the war it was there!

Mr. N. M. Joshi: I feel that to make strikes illegal is to introduce in some indirect way a form of compulsory labour, and if I may use that unpleasant word, some form of slavery. I would like therefore that this legislature should not agree to that principle. While justifying his Bill, the Honourable Member did not say much about converting ordinary strikes into criminal offences; but he said something about converting strikes being a criminal offence in public utility services. I recognise that there is some difference between an ordinary industry and a public utility service. . . .

Sjt. N. V. Gadgil: There is no compulsory labour there?

Mr. N. M. Joshi: I shall come to that. But I feel that in principle there is nothing wrong even if a man working in a public utility service says that he would go on strike if he finds that the conditions are not satisfactory. I am, however, prepared to make an exception in those cases where on account of a man's going on strike human life is endangered, human life is made unsafe. I am prepared to consider such work as of public utility. But if you read the Bill any industry can be considered or can be converted into a public utility by the fiat of the government. The government has to say that such an industry is necessary in the interests of the public and it becomes a public utility. This word 'public utility' has been abused by the Government of India. A wrong interpretation has been put upon it. Public utilities are necessary not only in India; they are necessary everywhere. In

our definition of public utility we are including railways. In England, compared to our size, there is a larger railway system than in India. But in England the railways are not regarded as public utilities, while here every railway is a public utility

Sri M. Ananthasayanam Ayyangar (Madras Ceded District and Chittoor: Non-Muhammadian Rural): Are they not?

Mr. N. M. Joshi: Every steamship is a public utility and if we adopt the Bill which the Honourable Member is asking us to adopt, anything can become a public utility. I think that word has been wrongly used.

Secondly, if a service is a public utility it should be really public. But if you read the Bill of the Honourable Member, an electric work which is being conducted not in the interests of the public but for profiteering, if you will allow me to use that word, even that undertaking is to be considered as being a public utility. You may run an electric work and make huge profits by using that electric power not in the interest of the public but for some other industrial purposes (for producing exuries for the rich. Even that will be included as a public utility according to the definition given by the Honourable Member. I can understand a public utility that is a real public utility, but if you say that any electric undertaking any steamship company or any railway is to be a public utility, I cannot understand it. Moreover a public utility must not only be for the public benefit but must be conducted by the public and owned by the public. I can understand your saying that a service is a public utility if it is controlled by, if it is owned by and if it is managed by the public and if it is run in the interests of the public. But that is not what you are providing for. I am not prepared to give the power to the Government to create any service a public utility.

Then, Sir, the Royal Commission on Labour had given some thought to this question of public utility. They found in the Act of 1929 some restrictions were placed upon the power of the working classes to go on strike, without a compensating advantage. The Royal Commission therefore recommended that if you restrict the right of the workers in public utility services to go on strike you should give them some compensating advantage. Is it the fault of the man that he takes work in a public utility service. We say that a man who works in a public utility service is a noble man, is doing essential work and therefore we restrict his freedom. I know when sweepers in municipalities go on strike many people say that the sweepers' work is a noble one. It keeps towns and cities pure and therefore we shall not allow them to go on strike. Therefore the Royal Commission recommended that if you restrict the freedom of workers in public utilities at least you should give them some compensating advantage. I know that the Honourable Member has not entirely forgotten that point of view. I am glad of that but the provision which he has made falls much short of what the Royal Commission would have expected him to do. What he is providing is that his conciliation officers shall consider the grievances of these classes. If he is taking power to appoint boards of conciliation, to appoint tribunals of arbitration, why should he not take upon himself the responsibility of telling the sweepers in the municipalities and workers in other public utilities that if they have a grievance the Government takes upon itself the obligation of having your grievances arbitrated upon or conciliated by boards of conciliation. Has he provided that? (*Sjt. N. V. Gadgil:* Is it barred?) I said it is not provided. The two things are not the same. A lawyer like my honourable friend should understand the difference. It is open to the Government to appoint a board of conciliation, to appoint even an arbitrator but that is not what the Royal Commission recommended. The Royal Commission recommended that if you take away a man's freedom if you restrict his freedom give him a compensating advantage, namely, let the Government take upon itself the obligation, not the discretion, to appoint a board of conciliation or a tribunal to investigate into the complaints. The Government of India does not seem to be prepared to do that.

Sjt. N. V. Gadgil: Make it obligatory.

Mr. N. M. Joshi: I shall come to that. I have finished with strikes in ordinary industries and in public utility concerns. I shall now come to the idea of compulsory arbitration. Nobody can be against the principle of arbitration, that is settling our disputes by peaceful negotiation, by discussion. It is a right method of settling differences. Is there any class of people besides the working classes upon whom we place that obligation of resolving our differences by arbitration and not by any other method? Have the Governments in the world accepted that idea of arbitration? If they had, there would have been no war and we would not have needed large armies to be maintained. Is that principle made obligatory upon others. It is not. Why then throw the responsibility of maintaining peaceful atmosphere in the country upon the poor working classes? Why impose the principle of non-

3 P. M. violence upon the working classes, while the others are not prepared to accept it. I stand by the principle of non-violence but I refuse to stand by that principle while I have no means of redressing my grievances. It is all very well to talk of compulsory arbitration and peaceful negotiations but these require certain necessary conditions. Take our own case of industrial disputes. If you want to introduce compulsory arbitration there, the two pre-requisites are that there must be impartial arbitrators. There must be impartial arbitrators and impartial governments to appoint them. Without these, you have no right to impose compulsory arbitration on the working classes. I do not wish to speak ill or against any party or any Government but it will be admitted that under the present circumstances it is not very easy to get men who are free from class feeling. It is not easy to get even Governments which are free from class consciousness. The legislature was not elected by a working class electorate. It is for this reason that we do not like compulsory arbitration. In many countries where the workers understand their interest, they are against compulsory arbitration. It is for this very reason that the British working classes have been against compulsory arbitration for a very long time and they have not yet accepted the principle of compulsory arbitration although they have their own Government to appoint the arbitrators. You may have heard about Sydney Webb (Lord Passfield) who is a great authority on labour matters and he is not an extremist or a communist. He was a member of Government in England. He has stated very clearly that even in England it is extremely difficult to get an arbitrator who is free from this class feeling against the working classes. Professor Tawny, another very moderate writer, has stated very clearly that it is almost impossible to get people—my friend Mr. Griffiths suggested that word to me—to be impartial arbitrators. It is for that reason that the British labour movement has always stood against the principle of compulsory arbitration. This principle of compulsory arbitration was considered very carefully by the Royal Commission on Labour and they came to the conclusion that the Government of India should not introduce the principle of compulsory arbitration.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): What about Australia and New Zealand?

Mr. N. M. Joshi: Sir, I am asked: What about Australia and New Zealand? I have admitted myself that these are controversial questions. There are two views on this question. Some people have adopted compulsory arbitration, but countries like England have not. Countries like England have developed industries to a much larger extent than Australia or New Zealand have done. England has larger and longer experience than both these countries have. If we are to have a safe guide in this matter, I would certainly make Great Britain as a safer guide than either Australia or New Zealand.

Prof. N. G. Ranga: Australia had Labour Ministry before the last war.

Mr. N. M. Joshi: I am not therefore prepared to accept this principle of compulsory arbitration. Has the Government of India faith in compulsory arbitration? I have seen people proclaiming faith in prohibiting strikes and

in the principle of compulsory arbitration. Whoever those people may be, it is not the Government of India which has faith in the principle of compulsory arbitration.

Mr. President, you are a lawyer and you know what arbitration is. If you have faith in the arbitration, that faith is to be indicated by your being willing to accept the award. That is faith in arbitration. If you are prepared to accept the award of the arbitrators, certainly you have faith in arbitration. Has the Government of India that faith in the principle of arbitration? If they have that faith in the principle of arbitration, it is not shown in this Bill. What does the Bill provide for? The Bill says that the Government of India will appoint Tribunals for arbitration. The Tribunals will report and then what? Then, the Government of India will decide either to reject the award . . .

Sjt. N. V. Gadgil: or to accept it.

Mr. N. M. Joshi: or to accept it wholly or in part. Is that your faith in arbitration? Have you ever heard of an arbitrator's award being rejected? I can even understand that, but have you ever heard that the arbitrator's award can be mutilated by the Government? You are providing that not only you will reject the arbitrator's award but you will mutilate it. You will accept it either wholly or in part. Is that your faith in arbitration? It is easy for the Government of India to talk of the wholesome principle of compulsory arbitration. It is a peaceful method. I told you I believe in it; but it is not easy to accept it today. But the Government is fond of power and they are prepared to impose it upon the working classes and not upon themselves.

Sir Cowasji Jehangir: The same was the attitude of the previous Government.

Mr. N. M. Joshi: Sir, I am not one of those people who make a difference between this Government and that Government. I welcome this Government because it is a national government. I welcome this Government because it is a representative government.

Shri Sri Prakasa (Benares and Gorakhpur Division: Non-Muhammadan Rural): It is an absentee Government as you can see from the empty official benches.

Mr. N. M. Joshi: But, Sir, my confidence stops there. Where a Government makes a mistake in labour matters, it is my duty to point it out and tell them that they are wrong. This Government has no right to impose the principle of compulsory arbitration upon the working classes in this country. Consider what the Government is proposing. Suppose there is a strike on account of the fact that, 20 men have been dismissed by the Manager of a factory and that matter goes to the arbitration. The arbitrator decides that all these 20 men were wrongly dismissed by the employer and then the report goes to the Government of India. What will the Government of India do? The Government of India may say that this arbitrator is a damned fool: these men were rightly dismissed. But if they do not go so far, they may say that out of 20 men, one man was rightly dismissed, but 19 men were wrongly dismissed. Therefore, the Government of India will say that we impose this settlement on you. We decide that one man was wrongly dismissed and he should be re-instated, but the other 19 men, whom the arbitratory recommended as being wrongly dismissed, are not wrongly but rightly dismissed and therefore they must go out of work. Not only that, but if the workers want to go on strike, they cannot do so because the Government have accepted the arbitrator's award in part. They can say: "We have decided that out of 20 men dismissed, one man was rightly dismissed and therefore we have accepted in part the award of the arbitrator. Therefore, the settlement is binding on all the workers for one year and they cannot go on strike during that period." This is the sort of law which we are asked to pass.

Mr. President: Order, Order. I do not wish to interfere with the line of argument which the Honourable Member is following, but looking to the details in which he is going at the present stage, I must invite the attention of the Honourable Members of the House to the limitations of this debate. There is a motion for reference to the Select Committee and there is another motion for circulation and there are two different dates given. The main point, to my mind, appears to be to make suggestions to the Select Committee as to the point on which it may give its consideration and the other point would be to point out such salient features in the Bill as require a longer time for giving consideration without going into the merits of each at any length on this or that particular view.

The whole question of labour policy is not under discussion. If we were to enter into details on the principle of arbitration or other principles in the Bill, then it will become a very lengthy debate, so far as the Motion with the amendments before the House is concerned. The Honourable Member will be perfectly in order in referring to various points of importance pointing out strongly and succinctly the points of difference, honest differences,—or differences whether honest or otherwise and he is entitled to point out that more time is therefore required for consideration or that more time is not required and that the matter may be referred to Select Committee. That would be the scope of discussion that can be permitted at this stage. Otherwise the debate will drag on indefinitely if we were to go into the various problems arising out of the principles in the Bill.

Mr. N. M. Joshi: I have always been an obedient Member of the Assembly prepared to take the hint from the Chair. I was not looking to the clock and that is my mistake. If my Motion for circulation is not accepted, I propose to oppose this Motion for referring the Bill to the Select Committee. I shall have to oppose this Motion, and therefore there is no point in my making suggestions to the members of the Select Committee. I shall not however argue with you on that point at all.

I shall now within a brief period of time point out one or two other defects of this measure. Sir, I have done with this principle of compulsory arbitration and also illegalisation of strikes. The next point that I want to state briefly is that the period during which the conciliation should proceed, the period during which the tribunal should proceed with its work is either too long or unlimited. If an industry is a public utility service, then the proceedings for conciliation may last for four months, but if the case goes to a tribunal there is no time limit for the tribunal to finish its work. After the tribunal finishes its work, then the Government may impose a settlement for one year. Now, Sir, that makes the period indefinite. The Government may make the strike illegal for an indefinite period, in any case not a reasonable period. The Government proposes four months for conciliation, the tribunals period is unlimited. If conciliation has taken four months, let us assume that the tribunal may take eight months so that one year will be passed in conciliation and arbitration and then one more year will be added by Government for the period of imposing this settlement. Sir, this makes a strike practically impossible, but this is about a public utility service which the Government has treated with a light hand and perhaps generously. As regards ordinary industries, the Government has set no limit during which the conciliation proceedings must be ended. The Board of Conciliation may take even a year to finish its work. There is nothing in the Bill to prevent their doing that. The Board of Conciliation may take one year or two years. What is called a Tribunal of Arbitration or a Court of Arbitration may take one year or two years. After that the Government may reject, accept in part and if they accept any part, also they can impose that settlement for a year or more. Sir, the Government will themselves admit that this period is too long.

I do not wish to go into other similar details, but I wish to make one or two general remarks. The first remark which I want to make is this. The

greatest defect of this legislation is that it is a discriminatory legislation. If a community is put to inconvenience by the cessation of work, then the community may want to punish the cessation of the activity, but what about the other classes? I can understand your passing legislation which makes it impossible for any class of people stopping their activities which is in the interest of the public without giving notice or without going through some sort of conciliation. But that is not what you are doing. I do not know, Sir, whether you read the daily papers. I read only this morning in the *Hindustan Times* that Mr. Sarat Chandra Bose is calling a meeting to organise a general strike in Calcutta. If Mr. Sarat Chandra Bose who was once a Member of the Interim Government only a few days ago could organise the citizens of Calcutta, the traders and merchants and all others for a general strike, I am quite sure the community in Calcutta will be inconvenienced. The words 'general strike' are not my words, they are used by the *Hindustan Times*. Will the closure of the shops in Calcutta not inconvenience the community? Are you making that illegal? If you are not making that illegal, why are you passing this legislation against the working classes? Is it because that you cannot very well pass legislation making the closure of shops, especially organised by Mr. Sarat Chandra Bose illegal and you can easily make it illegal if the poor working classes go on strike, not even a general strike, but even an ordinary strike.

Sir, this legislation is discriminatory. My Honourable friend comes from a class in which 90 per cent of the people are wage earners. This legislation is going to apply to them. He may complain about discriminatory treatment to his people, but he should not become responsible for passing legislation which is discriminatory in its character. If you want to make strikes illegal, if you want to make cessation of activities of any class of people illegal, make it illegal for all people. It is wrong for people to say the sweepers work is essential for the community. The sweepers do a public utility service, very useful work to the community and therefore we pass this legislation restricting their activity. The shopkeepers are not so useful and therefore we leave them free to close their shops. The lawyers can organise a strike, but there is no legislation against them, because the lawyers profession is not noble whereas the sweepers profession is noble. That is the sort of argument of the Government. This is a discriminatory legislation and I submit the Honourable the Labour Minister should be the last person to promote a legislation making this discrimination. Sir, my last point is this. He defended this legislation on the ground of the community having a right to intervene in industrial disputes in the interest and the welfare of the community. I agree to that principle. But I would suggest to him that if the community has a right to intervene in the interest of the community itself, has not the community certain duties towards people who are engaged in the industry, specially engaged in public utility services. If you have duties towards them I suggest that you should fulfil those duties first. In most countries in the world the working classes today are given better conditions of life and work than in India. Our hours of work are longer, our housing is bad, our sanitation in the factories is bad and our sanitation in houses is worse. These have to be remedied first. Then again in other countries they have introduced measures of social security, they have got health insurance and unemployment insurance, old-age pensions and widow's pensions, and all kinds of accidents have been provided against. I suggest to the Honourable Member that if he claims that the community has a right to intervene in disputes between workmen and their masters the community should also remember its duties; and I suggest that the duties should be performed first. Let the Honourable Member introduce social security, let him improve the housing, let him improve the conditions of life and work for the working classes, and let him also place the power for securing improvement in the hands of the working classes. Let him see that the working classes in this country are given adult franchise; let him also see that the elections are made easier for them so that power will pass into the hands of the working classes. After

[Mr. N. M. Joshi]

social security is given to them and after they are given political power then it should be time for us to consider whether we should not restrict the activities of the working classes which may be anti-social. I can understand that being done. And therefore I feel that the Honourable Member in charge is putting the cart before the horse. He should first give social security to the working classes and improve their conditions, give them political power and then if he likes introduce all these restrictions. It has one advantage and that is this. If you may impose restrictions on the working classes before they get political power the restriction will be imposed by an outside Government. But if the working classes get political power in their hands and if they introduce these restrictions on their own activities they will be restrictions imposed by them upon themselves and they will willingly have them and tolerate them. Therefore let him not do a thing which is equivalent to putting the cart before the horse. Let him first take all these necessary steps which should come first and then introduce the legislation which we are considering this afternoon.

Mr. President: Amendment moved:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 31st October, 1947."

Mr. P. J. Griffiths: Sir, it was the original intention of this group to oppose the motion for reference to Select Committee and to support Mr. Jaffer's motion for circulation. That position was based not on what might or might not be our view as regards the merits of this measure—indeed it is not our intention even to discuss those merits today—but it arose rather from a strong disapproval on our part of the practice, to which we have grown accustomed in recent years, of rushing through important complicated pieces of legislation such as that which we are now considering. The Bill now under discussion was first presented to this House on Monday and until three days ago no member of this House, except those privileged few who happen to be in the inner circle of Government, had the faintest idea as to the form that it would take or, except in the most vague and general sense, as to what its content would be. The Bill itself consists of 40 clauses of an extremely complicated nature, and of such a nature that for their proper understanding and appreciation we require not merely to study the Bill itself, but to study the practice in other parts of the world, to study the recent Bombay Bill and to compare it with all useful precedents that we can gather from any other parallel part of the world. It is, I venture to say, without any exception the most important legislative measure affecting labour that has yet been introduced into this House. We in this group feel very strongly that, faced with a measure of this kind we must not be asked after three days' study to express a final opinion regarding the principles contained in it, and then a brief few days after that be prepared to discuss it in the utmost detail in the Select Committee. We may perhaps be old-fashioned but in this group we take our duties seriously. We feel that on every member of this House lies a very heavy obligation to scrutinise with the utmost care measures of this degree of importance; and it is fantastic to pretend that any member of this House, be his capacity and knowledge and experience what they may, can arrive at a considered view on a Bill of this nature within a comparatively few days. We felt, therefore, that in seeking to send this Bill to Select Committee at once Government were not treating this House—I will not say with respect, but with consideration. And we felt it so strongly that it was our intention to oppose the present reference to Select Committee. Quite apart from our own position, even if we considered ourselves capable of arriving at considered views on the details of this Bill within a few days, there are others outside this House to be considered. Under the system in which we live, it is true we are not mere delegates; we represent our constituents. We are not bound by their views. Nevertheless prudence suggests that when measures of a highly technical nature are introduced we should avail ourselves of what experience we can get from those of our constituents who are concerned with these practical industrial and labour matters. It seems to us a farce to introduce a Bill of this kind and then three days afterwards expect us to come to this House, armed

with the ripe experience of those whose experience ought to be available to us, and tell you what we think of this Bill.

Mr. President: I should like to intervene here, and perhaps curtail some of the arguments. I have just received an intimation that Government are going to move an amendment to their main motion. One part of the amendment relates to some addition and substitution of names of members of the Select Committee, which is not very material so far as the present discussion is concerned. The other part of the amendment seeks to substitute the 1st February 1947 for the 7th November 1946. The amendment is coming and the Honourable Member may address his remarks in the light of that position.

Mr. P. J. Griffiths: Sir, I welcome that announcement with the most profound satisfaction, if only because it takes away any necessity for any further speech on my part. But I should like to take this opportunity of expressing to the Honourable Labour Member our deep appreciation of this new responsiveness to the wishes of this House. In the past that responsiveness has not always been forthcoming. It heartens us very considerably to feel that the Honourable Labour Member is anxious to take into consideration the wishes of this House and to meet our difficulties. I thank him on behalf of this group most sincerely and—best thanks of all—I avoid inflicting on him any further speech. I support the motion for reference to Select Committee.

Mr. S. C. Joshi (Government of India: Nominated Official): Sir, I beg to move:

“(a) That the name of Mr. P. J. Griffiths be added to the names of members of the Select Committee and the name of Mr. A. C. Inskip be substituted for the name of Mr. R. C. Morris; and

(b) that for the words and figures ‘7th November 1946’ the words and figures ‘1st February, 1947’ be substituted.”

Mr. President: Amendment moved:

“(a) That the name of Mr. P. J. Griffiths be added to the names of members of the Select Committee and the name of Mr. A. C. Inskip be substituted for the name of Mr. R. C. Morris; and

(b) that for the words and figures ‘7th November 1946’ the words and figures ‘1st February, 1947’ be substituted.”

Mr. Abdur Rahman Siddiqi (Calcutta and Suburbs: Muhammadan Urban): Sir, I should like to move a very minor amendment, namely, that the name of Miss Maniben Kara be added to the names of members of the Select Committee. I hope the Honourable Member will accept my suggestion.

The Honourable Shri Jagjivan Ram: Sir, I have no objection.

Mr. President: Will Mr. Siddiqi move that as an amendment?

Mr. Abdur Rahman Siddiqi: I beg to move:

“That the name of Miss Maniben Kara be added to the names of members of the Select Committee.”

Mr. President: The former I thought was a request to the Honourable Member to consider the proposal. Amendment moved:

“That the name of Miss Maniben Kara be added to the names of members of the Select Committee.”

Sir Cowasjee Jehangir: May I make one small suggestion. Would the Honourable Member make it 15th of February instead of 1st of February? I think it will be convenient to him also and it will give the Select Committee a few days of the Budget Session in hand.

The Honourable Shri Jagjivan Ram: No, Sir.

Sri T. A. Ramalingam Ohttlar (Madras: Indian Commerce): I welcome the attempt on the part of the Government to deal with the present state of affairs in India, but I do not think that the proposals they have brought forward are quite enough to bring that peace, contentment and happy working in industry which we all expect should follow. We have been following the practices in the West, especially England, with reference to these industrial matters. We have been thinking of the antagonism between capital and labour so much so that my friend, Prof. Ranga and people of his view always consider ‘capitalist’ as the last word they can use as abuse with reference to any person. They are not

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thinking that we here can proceed in a different way from what is being followed in the West with reference to our industries, as we are doing in other matters. The idea never enters their mind that there need not be antagonism, that there may be co-operation between capital and labour and also the other most important element in industry, namely the *entrepreneur*, the person who initiates, who organizes and who manages and who is probably more important in industry than either labour or capital—all these people should co-operate and should find some means whereby there may not be in the working that antagonism which we are seeing and about which we are talking so loudly. Sir, the first important step I may say has been introduced in this present Bill by way of the appointment of a works committee within the industry itself. It is said that the management and the labour can come together and they can consider what are the reasons for any dispute that might have arisen. Sir, it is only a very minute beginning. That is not the sort of thing which will satisfy or which will bring about the amity which we want in industry. We are to face facts. We should be prepared to say that labour is as important as capital and, as I have said, the *entrepreneur* is as important as either labour or capital. There is to be the idea of co-operative working of all these elements and partnership in management and in profits. That is the only way in which we can deal with this question satisfactorily. Any other step which we may take in this House would be only a half-way or a quarter-way house which will not lead to that happy atmosphere of contentment which is necessary. The country is to benefit by its industry and by its labour. That is the matter which I hope every member here as well as all responsible people outside will seriously consider. Sir, after 30 years of rather active life at the bar I was unexpectedly drawn to undertake the supervision of a mill. The first thing that struck me when I took over the supervision was the antagonism between labour and the so-called capitalist. Sir, I was working all my life in the co-operative field and I have been trying to bring into existence co-operative factories where all persons interested can work together without any feeling that they were being deprived of their just rights. When I undertook the management of the mill, the first idea that struck me was that I should make some proposal whereby this antagonism might be avoided. I made a proposal that a Works Committee may be appointed which will have the right to decide along with the representatives of the management, all matters relating to internal management, and it will also have the responsibility to see to proper production, to guarantee average production that is obtained in such industries outside. It ought to have both the right to manage as well as the responsibility for production. Then I said that when profits are obtained, first we give a certain fair wage to the worker including the *entrepreneur*, then a fair dividend to the capital that is invested, and then, Sir, any extra profits will be divided between capital, labour and the *entrepreneur*. This struck me as possibly the best solution that can be found for the state of affairs in our industries today. It was in the year 1937 that I actually made the proposal to my brother employers. Of course there was no unanimity, but some of them were prepared to consider the proposal. I immediately approached the Leader of the Communist Labour Party in my province, Mr. Ramamurti, and he declined to sponsor this proposal or even to accept it. Then I approached the Honourable Mr. Giri who was then in the Government of Madras. He appreciated the proposal, but he was not prepared to father it. That was the state of affairs before the war started. When the war started, we had to keep quiet. Things have changed very much since the war. We are finding unrest everywhere. My Honourable friend, Mr. Joshi, just now said that among the people employed in industry those who are taking part in strikes or who are striking at a particular movement, are very few. I do not agree with him. Those who are after strike are a very large number. In season and out of season and for no reason they start strike or they threaten strike. What is the state of affairs in a place like Coimbatore? We have got textile mills there. On almost every question there is trouble. If a person is to be appointed, one union comes and says that a person recommended by that union ought to be

appointed; then another union comes and says that a person recommended by that union should be appointed. If we appoint one of the two people, the other union at once strikes. There is any amount of trouble. Well, Sir, it is not always a question of strike. It is the threatening of a strike. It is the mentality that is produced by this idea of strike that stands in the way of production and in the way of anything being done. Unless some method is found for settling disputes, I do not think, Sir, this fever of unrest will stop. As I said, without any reason whatever people will lay down their tools. They will say that they will not work.

I will give you a small case. At about one o'clock one day in the Canteen which was opened by the mill for the benefit of the labourers, a worm was found in the tiffin supplied to one of the persons. At once they downed tools. No amount of explanation nor appeasement made them resume work. That particular shift of people stopped work that day for two hours. It was only the next shift that came on and worked. That is the sort of thing that is going on. Is it proper to allow that?

All that this Bill is proposing to do is to provide for settlement of disputes. In the first place, the question will be whether there can be a strike without a dispute. I know there are strikes without disputes. In a case like that, it cannot be dealt with unless there is some sort of legislation. My friend, Mr. Joshi, for instance referred to a sort of demonstration which is often resorted to, *e.g.*, general strike which is being organized in Calcutta. It is not a strike with reference to any industrial dispute. It is only a matter of demonstration. It cannot possibly come under the provisions of a Bill like this. Those who demonstrate know the liabilities they incur. They will lose their wages for the time they are out of work and they are prepared for it. But this Bill, I take it, refers only to those strikes which are the result of industrial disputes. It is only in that connection this compulsory settlement becomes necessary. As I said, this is only a sort of halfway house and even so, Sir, it ought to be effective. It ought to be efficient to stop the present ferment and unrest and make things easy for the industries concerned.

My friend, Mr. Joshi, was saying it is a discriminatory legislation. It was forced only on the labourers. But he forgets, Sir, that it is not only the labourer that is effected. It is also the employer, whether the employer is a private individual or a Government Department. Whoever it is, whoever is the other party to the dispute, the employer is as much bound by the procedure that is laid down in this Bill as the labourer is. So to say that it is discriminatory and it is going to affect only one of the parties, is not, I beg to submit, quite correct.

Then he has been saying that the Bill does not provide for the amenities that ought to be provided for the labourers like security, pensions, housing and things like that. Sir, those are matters which have to be decided by these conciliatory arrangements. It is for the union to ask for them and if the employer does not give them, then there arises a dispute and that will have to be settled and it will have to be settled with reference to the possibilities of finding money in the industries themselves for these purposes. Whether it is to be made part of a kind of general security for the people will have also to be considered. It is not true that these amenities are not included in the Bill and no provision can be made through this Bill. These are all matters which can be raised by the unions and when the employers do not agree, these matters of industrial dispute can be referred to arbitration. There are two matters in which I agree with him. One is the prolongation of the proceedings. I am anxious that these disputes should not be allowed to continue for long. Already, Sir, we are losing very heavily on account of these strikes everywhere and I know cases where for practically no reason mills have been closed for months. For instance, I may say in one mill in Coimbatore, the Lakshmi Mills—you might have read about it in the papers—the only difference was that the Communists' union in the mill wanted persons of their choice to be appointed and the Congress Union on the other side wanted its nominees to be appointed. For this question of the appointment of either of the nominees, the mills were closed for four months. They would not agree on the persons to be appointed. The Managing Agents

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were powerless. They were told by one party that if the other party-men were appointed, they would strike and *vice versa*. The result was that for several months a textile mill with 40,000 spindles was lying idle—for four months I believe. That is the sort of thing that is happening in the country. We want that such things should not be allowed to continue. We want that there should be a speedy decision with reference to matters in this Bill.

Sir, the provision that is made for the appointment of a Works Committee, then a Conciliation Officer, then a Conciliation Board, then a Court of Enquiry and then a Tribunal are all likely to prolong the whole enquiry. I know it is not necessary for every dispute to go through every one of these channels. It is open to the Government right at the beginning to appoint a tribunal and there end the matter. But ordinarily, we know how things will take their course. When you have a number of institutions like that, they will naturally pass through most of them with the result that there will be long delay in the matter of deciding these issues.

Well, Sir, I would ask the Honourable the Minister to simplify the procedure and allow the tribunal to act as early as possible after enquiry either by the Works Committee, or the Conciliation Officer or the Board of Conciliation. We do not think it should pass through all these bodies. One of them is quite enough. If one of them represents or makes a report to Government or the appropriate authority that it is not possible to come to a settlement, then I think the Government ought to be prepared to refer the matter to the tribunal. That will simplify matters.

The second objection by Mr. Joshi was that the award of the tribunal is not binding. I agree with him. When once a Government appoints a tribunal—and naturally it appoints on it such men as it has confidence in and they are persons who will have the same qualifications as persons who will be appointed to the High Courts—they can be trusted to make a proper award. So if a matter is referred to a tribunal, and the tribunal gives an award, I think that award should be binding on the Government as well as on the parties concerned, and in that way the disputes can be brought to an end. There may not be the same objection as regards prolongation of the proceedings or as regards the ineffectiveness of the award that is given, if these are amended. I think we will be taking a step forward to seeing the end of industrial disputes that may occur.

Sir, as I said at the beginning I welcome this Bill, and personally I would prefer that it went very much further and made the works committee, the arbiter of the internal management and partnership in profits, the natural course of dividing the fruits of labour. Short of that I would welcome a measure like this to end the industrial disputes that are the order of the day at the present time.

Miss Maniben Kara (Nominated Non-Official): Sir, I rise to support the amendment moved by my Honourable friend Mr. Joshi. The amendment which was moved by the Honourable the Labour Member merely amounts to the postponement of the day of the Select Committee. The purpose for which the amendment for circulation was moved is not fulfilled by the amendment of the Honourable the Labour Member. I therefore rise to support Mr. Joshi's amendment. The Trade Disputes Act which is of such grave importance, then will have sufficient time to be discussed by the public as well as by the workers, the peasants and their respective organisations. Mr. Joshi with his very long experience of parliamentary life has very ably pointed out the implications of that Act. I would therefore try and shorten my speech and limit myself only to those aspects which have not been sufficiently stressed by my Honourable friend Mr. Joshi.

I feel that a Bill like the present one, if at all it is passed, will mean in real terms a Black Act for the working classes of this country. The underlying principle of the Industrial Disputes Act is that it is an attempt to make a breach of civil contract a penal offence. Not only the working classes of this country but any person who stands for the democratic right of citizenship will

support this contention of mine. I am not a lawyer. There are others sitting on the benches opposite who are competent enough to understand the serious implications of turning a breach of civil contract into a penal offence, which really amounts to restricting the civil liberties of the people of this country.

When in 1929 the Industrial Disputes Act was passed, let me remind the Honourable Members of this House that it was opposed tooth and nail by the entire working class of this country. There were demonstrations, protest meetings and even strikes against that Act of 1929. Only, at that time we did not have a popular government and we thought that a bureaucratic government was foisting something on the working classes in spite of their protestations and opposition. I will make bold to say that turning this breach of civil contract into a penal offence is a grave violation of the principles of natural justice. I would therefore appeal to the sense of democratic right of citizenship of every member of this House, regardless of their party affiliations or class interests, to try and judge the implications of this Bill on its own merits.

After all, what is a strike? It has been ably explained by my Honourable friend Mr. Joshi. When an employee goes to an employer for a job and he gets the job, the worker has entered into a civil contract with the employer. When the employer and the employee agree on certain terms of work they enter into a civil contract. If that contract is broken, then the employer is at liberty, even under existing conditions and the laws of this country, to prosecute that man and at the most get damages, because that man has broken a civil contract.

Sir Cowasjee Jehangir: Would you support that prosecution?

Miss Maniben Kara: I would.

Sir Cowasjee Jehangir: Do you think you could get a rupee?

Miss Maniben Kara: Sir, the existing law only provides for a breach of contract claim for damages from either party. My Honourable friend Sir Cowasjee Jehangir just now asked me whether the employers can get anything out of the workers. I may also ask him another question. When the Bombay Industrial Disputes Act was passed in spite of the opposition of the working classes by the popular ministry then; it was maintained that the law provided for so-called facilities to the workers, but I have seen from my own experience that when an employer wrongly dismisses an employee, what can the employee do? He goes to the Labour officer. He has to go to a court. I would ask, has the employee got the money? Assuming that he did and that he went through all these processes, what does he get? He may get the satisfaction that an employer has been fined about Rs. 100. But the employee does not get his job back. So the employee is always at a disadvantage. The important point involved in this present act is a matter of the principle of the right of democratic citizenship of this country. A civil contract cannot be turned into a criminal offence by a stroke of the pen by a popular government. We certainly welcome the disappearance of a bureaucratic government from this country but we are going to judge the new popular government by their own acts. I would therefore appeal to them not to come out with a Bill of this kind, which turns a breach of a civil contract into a penal offence. It means that if the workers choose not to work for any particular employer or if workers wish to have a change of master, they cannot have the freedom to do so. They could be put inside the jail for wanting to do so. They can be treated as criminals and thieves. At this stage I would remind my Honourable friends that the District Immigrant Act of 1860, when it was in existence, meant that the workers in plantations simply could not leave their jobs and run away. If they did not like the conditions of work and the exploitation of the planters and if they decided not to live any longer in those places to work, and if they decided to run away, then the entire state machinery—police and everything—could be at the disposal of the employer to bring the workers back to their work. This Act called the District Immigrant Act of 1860 was repealed. It was repealed under the pressure of changing world events. It was considered to be a slavery, and my friends on the opposite benches who are anxious to sponsor this Bill called this

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Act as a slavery because it meant forcing people to work when they did not desire to do so.

Similarly, section 494 of the Indian Penal Code was meant for a breach of civil contract of service outside British India. It meant that those people who were taken outside this country, say to countries like Africa, after indulging into all the expenses of taking the workers outside British India, and if those workers did not want to work, then this section provided that it was a punishable offence. Even the bureaucratic government which existed at that time was compelled to repeal that section 494 in 1920. I want to appeal to my friends—and I hope my appeal will go home to them—let us not in these present days when world events are changing so fast, when the democratic forces in the country are going ahead and the working classes in particular are coming into their own in various countries—let not the first act of the popular government be such whereby not only the liberties of the working classes and their rights are taken away but the very right of citizenship and their democratic rights are taken away from them by turning a breach of civil contract into a penal offence.

An Act of such grave importance, not only for the working classes but for the entire population of this country why should it pass with such great haste? During war time we had to suffer Ordinances. Persons like us who always stood for the victory of the democratic forces accepted those Ordinances because we felt that the destruction of fascism was the ultimate victory of the working classes; and it is as a result of the destruction of fascism that we are glad to see that the bureaucratic government has gone and a popular government has come into power; but apart from that, during war time these measures—81A of the Ordinance was in force and it would have naturally expired by the first of October. Most of my friends sitting here know very well that the Ordinances for controls are fast disappearing. The controls only remain for food and other essential commodities. Ordinances are being withdrawn. Ordinances are withdrawn whereby the upper classes can have all the freedom, but so far as this particular section of the ordinance is concerned, I am surprised to find that it has got an extension of six months. It could not have got that extension for six months but for the consent of the majority party. The ordinance which in the natural course would have expired by the 1st of October—I mean section 81A—has been extended for a further six months, and if I can understand rightly, all this hurry for passing or getting this Bill through is simply to see that a restriction is placed on the workers before the expiry of this ordinance. I for one expect that, with the popular government coming into power, not only all these ordinances will go, but that the Act of 1920 which was imposed by a bureaucratic government will also go, and we will have in this country more civil liberties, more freedom and greater rights of citizenship.

There are in this Bill, as has been pointed out already by my friend Mr. Joshi, very serious implications, and the Bill is one-sided. Some clauses give an appearance of great advantages being granted to workers. What are the advantages that the workers are going to have? The advantages are in the form of workers committees. On behalf of the workers and on behalf of the poorer strata of society, I would say that I would most certainly welcome a measure like this; but even then I would say that I stand for voluntary recognition and the employers accepting the principle of collective bargaining with the workers. Why should not this works committee,—if it gets the status that it deserves, not be able to bring between workers and employers an understanding? It will, but why should their right to strike be taken away from them? I am not one of those who would oppose a good measure like works committee simply because it has been sponsored by a particular party. I have no affiliations in this House—I stand alone here and my loyalty is only to the working classes and to nobody else. I therefore welcome the principle of works committee, but the underlying basic principle of this Bill, which is to deprive the workers of the only weapon of strike which is in their hands.

The Honourable Shri Jagjivan Ram: Question

Miss Maniben Kara: After all why have these restrictions against the workers if they want to strike? As a matter of fact, workers have no bank balances; they have no credits; nobody will give them—even the ration shops will not give them one week's rations unless they paid for it; and if the last Honourable speaker has made out a case that by seeing a rat somewhere the workers go on strike, well, I do not know whether he has any experience of workers. Perhaps he was just making out a case to strengthen his own position. We are not those who want to have strikes for agitational purposes, we cannot afford strikes, we stand for the right of collective bargaining; we believe in voluntary understanding between the employers and the employees.

I have made my position clear even when I spoke on the Trades Union Recognition Bill yesterday, that it is most unfortunate that even at this stage we require legislation for a very elementary right of the working classes, namely, recognition of trade unions.

The blame is not of the workers. It is of the employers and the Government which today have brought the necessity for such a Bill. I once again want to emphasize this fact that we are not people who want strikes. Does the Labour Member really think that by passing this kind of Act he is going to prevent strikes. If the Honourable Member and his friends were not afraid of going to jail, do you mean to say that the workers will be afraid of going to jail. It is no threat. If such a measure is going to be imposed on the working classes, I can tell you that it will be opposed tooth and nail in action and deeds.

Prof. N. G. Ranga: You swallowed it during the last six years.

Miss Maniben Kara: Let me remind my friend Prof. Ranga that even during war time the wages of the workers were not high compared to the cost of living but today nobody can deny that the worker is faced with unemployment, retrenchment, starvation, misery and diseases and add to these, the communal riots. The wanting or not wanting of strikes does not depend upon the whims of the agitators. It is only when the workers cannot get the very necessities of life and it is only when they cannot put up with the atrocities to which they are subjected that they go on strike.

As I said, the workers have no bank balances. The workers are interested in industrial peace and it should be the joint effort of industry and labour to see how we can secure industrial peace in this country. No such peace can come by means of repressive measures. If you want industrial peace, I would ask the Honourable the Labour Member to bring in measures which would relieve the workers of their miseries, the minimum wage Bill, the social securities Bill, the Old Age Pension Bill and so on. There are various other things which the workers want. Bring measures which really improve the economic condition of the working classes and I can assure you that there will be no strikes. Strikes only take place out of sheer necessity. They take place only when the employers get unreasonable and do not listen, in spite of letters, deputations and other things. Is there any machinery by which the worker can get his grievances redressed? No. This Bill provides that after giving notice, an officer will be appointed, a board will be appointed. As was rightly pointed out by Mr. Joshi, this big machinery of the Government will go on functioning and not functioning for two years and even then in the end the decisions of the Industrial Court cannot be enforced. It may be enforced partly. In other words the worker is never in a position to go on strike and we shall be depriving the working classes of this country of the only weapon which is in their hands. Why should this measure be restricted only to the workers. Why does it not apply to share bazaars, cotton bazaars and other similar places. Every time they are closed, it is not called a strike. It is called a demonstration. It may be a demonstration to them but it is not a demonstration to the public. The public is greatly inconvenienced. I say, this is not giving the worker a fair deal. It is all one sided. It is directed against the poorer strata of society. I am not one of those who are asking for the imposition of such a ban. I believe in the democratic right of citizenship but the present Labour Member

[Miss Maniben Kara] has thought it fit and necessary that it was the working classes alone who require this sort of protection in his own understanding.

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

I have said practically all I wanted to say but before I sit down I would once again press this most important point on the attention of the House—that the passage of this Bill will mean that we are turning the breach of a civil contract into a penal offence which effects the lives of the working classes alone. It is an encroachment on the rights of citizenship of this country. I therefore hope that the Bill may be circulated and eventually after getting the views of the representative organisations in this country. I hope the Labour Member will reconsider the thing and withdraw this Bill, because it is going to be opposed by the entire working class of this country.

Mr. Abdur Rahman Siddiqi: Mr. Deputy President, I had not the least intention of entering into this war between capital and labour but being a Muslim and holding to the belief that society should not be divided on an economic basis, I should nevertheless like to draw the attention of the Honourable Member in charge of the Bill to conditions as they exist in the world to-day. I have heard the word 'democracy' mentioned many times. If it is democracy in Washington and London, will the Honourable Members tell me whether it is democracy in Moscow also? I would like the Honourable Member in charge to realise that these democratic notions and this division of society on an economic basis between workers and employers is leading to eternal damnation and constant wars. I see no distinction between conditions as they are in Moscow to-day and as they were in Berlin or Rome before the war or during the war. In this land of imitation and incongruities of ours we are repeating, parrot-like-things which others have thought and others have put into practice. Everything which develops in Europe cannot succeed in this land of castes and many religions. I was hoping that the change that has come over this House would remove not only the political slavery of my countrymen but also the intellectual slavery to which we have been subjected since foreign domination. It is again worthy of consideration of the Honourable Member in charge of the Bill whether it is wise on his part and the part of his colleagues to take advantage of this *interim* period and rush through measures which will affect the whole condition and structure of Indian Society tomorrow. The words 'capitalist' and 'labour' have been used in this debate. There is a suspicion abroad in the country that the Government of India of to-day is capitalist-ridden, that influences from Bombay and other commercial centres have had something to do with the selection and nomination of Members in charge of various Departments. I would earnestly appeal to the Honourable Member in charge to see that this suspicion is removed particularly in view of his enthusiastic ecstasies yesterday over the Conference he had with Congress Ministers in charge of labour in the Congress-governed Provinces.

Some Honourable Members: There were Ministers of all provinces.

Mr. Abdur Rahman Siddiqi: I speak on my book and I do not allow being interrupted. The Congress Ministries and Ministers and the Honourable Member in charge of Labour have decided things. The suspicion is likely to spread that from the Centre the same capitalistic influences will go into the provinces and millions and crores of rupees will go to the undoing of the poorer sections of our people.

He has thought of strikes. I have had something to do with them and have suffered through them. I am neither a capitalist nor a worker; I earn my living by doing a clerical job. But what I should like the Honourable Member in charge and the veteran labour leader and our sister sitting behind me, is this. They take the name of the poor and suffering worker; they talk of the rights of labour; but do you know, Sir, that in my experience—and it is a very long one, perhaps as long as that of any Member in the House to day—

it is not the labourer who conducts the affairs of labour. It is men who have nothing to do with the industry that make use of these strikes for political purposes. Sir, if labour leaders are going to utilise their brain-power and their intellect to undo the poor worker and to run away with his monthly contributions to push on their political mischief, I would rather say that the Bill be dropped altogether. During the postal strike, which made us all suffer, the Postal Union came to terms, but the Trade Union Congress with mighty big names of Presidents and Secretaries held the blunderbuss at our temples. I hope the Honourable Member in charge, who has not had enough time to go into these matters, will also consider the problem of what they have begun to call "sympathetic strikes".

I know the hour is getting late and I should not like to prolong my little contribution to the intellectuality, the outlook and vision of the Honourable Member in charge, but I take this Bill to be Chapter II of the Bill he introduced yesterday. Mr. Deputy President, it did not come with a good grace from the lips of the representative of the Scheduled Castes in this House to run down the idea of communal unions. He knows and we know that in the terrible situation through which we are passing in India, Muslim employees are being kicked out by Hindu organisations and asked to go and find their bread in Pakistan. (Interruption) I am again (Interruption) I am again speaking on my book and would challenge contradiction. Mr. Joshi will perhaps bear me out that in Bombay the millowners have removed your communal brothers and mine, the *Julahas*, who were Muslims from Parsee and Hindu mills. I am again speaking on my book. They were removed one by one and thus they had to start a Muslim Girmi Kamgar Union. Saklatwala came from London in those days and when matters were brought to his notice and after he had investigated them, he had a good few words to tell to the general Girmi Kamgari Union. Those conditions have spread wider to-day. I want peace; I want friendliness; I want mutual consideration and co-operation among our workers. But that will not be obtained by preaching to them "nationalism" and sitting here as a representative of the Scheduled Castes. Either he should not have been here or, if he was here, then he should have protected the rights of those who have been denied every right till now. I can speak with some knowledge that Muslim workers, whether in State organisations, whether in public utility services and whether in private commercial organisation are being picked out and thrown away. The veteran labour leader will have to teach me all over again the meaning of "public utility services". We have also read that word and heard it and sometimes taken part in public utility organisations. To remove railways from public utilities because England has done it and to introduce others leads me to a feeling of hopelessness about our industries and relations between capital and labour in the future.

Public utilities to be owned by the public would indicate railways owned by the State, which in the last analysis is but another name for the public. I would also request the Honourable Member in charge that now that they have secured those Benches, they will not and he will not allow labour unions to be considered as branches of the Indian National Congress and nothing more, that they will not and he will not allow these unions to make discrimination between capitalists, Hindu or Muslim. Let them treat all alike. If a Hindu capitalist is not kind to his workers, he should be punished and the same treatment should be accorded to a Muslim or a European capitalist or employer. But, Sir, my experience tell me that discrimination is being used. My experience has brought cases to me where Muslim employers are alone put to trouble. I would like the Honourable Member in charge to call for lists of membership of all unions in India. If it takes him a year, I would extend to him the date. Let him find out how Muslims, particularly, and perhaps Scheduled Castes people are removed. How many hold any office? How many hold any key positions.

The Honourable Mr. Jagjivan Ram: Many.

Mr. Abdur Rahman Siddiqi: I know what is happening in the East Indian railway and the Bengal Assam Railway unions. He need not accept my statement. Let him enquire and find out and then let him, if he can judge things on merit make decisions justly and equitably. I also belong to India, my community is more labour-minded than a Jagatseth community. His sermon yesterday led me to make these remarks. I have no intention of being in any way offensive. I am appealing to him to show mercy, to show justice, to show kindness for the poor Muslim worker, to whom the veterans of the labour movement have not given any encouragement, have not given any support and whom, wherever possible, they have kicked out. It is therefore that suspicion arises in my mind and I hope it will be removed. If I can induce the Honourable Member in charge of the Bill to accept the Islamic theory of society, nothing would please me better. But in the middle of this 20th century and in a country the people of which do not look at anything sensibly and in their own way but must go to Moscow and to London, must quote from German or French authors, until that habit of imitation, until that parrot-like habit of repetition of foreign theories which will not apply to conditions in our country persists, I can only appeal to the Honourable Member in charge for justice and not even for generosity.

Pandit Balkrishna Sharma: Mr. Deputy President, Sir, after hearing so many speeches for and against the Motion, I feel I must begin by letting the cat out of the bag. The question which is before us today, though purely of a trade union nature, though purely of the nature regulating disputes between employers and employees, is not quite devoid of politics. I have heard with rapt attention the speech which was made by my Honourable friend Mr. Joshi. I have heard the speech of Miss Maniben Kara, and I have also heard my Honourable friend Mr. Abdur Rahman Siddiqi whose speeches are always like a breeze, violent though sometimes, and yet, quite provocative of thought. Well, Sir, the motion before the House from the side of the Muslim League party is that the Bill should be sent for circulation in order to elicit public opinion, and I hope this motion will not be pressed because the Honourable the Labour Member himself has conceded more or less to the demand for more time by accepting the amendment which was moved by Mr. S. C. Joshi, the Chief Labour Commissioner. Therefore, I think, that so far as this Motion is concerned, the motion from the Muslim League party is concerned, it is more or less of a nature the principle of which has been accepted by the Labour Member and I hope that my Honourable friend Mr. Jaffer will be kind enough to withdraw his motion. But certainly so far as the motion of my Honourable friend Mr. N. M. Joshi is concerned, there is something which tells me that his desire to take as much time as possible is not with a view to improve the Bill by eliciting public opinion but it is with a view to sabotage the whole measure.

Mr. N. M. Joshi: How do you know it?

Pandit Balkrishna Sharma: I know it. He himself has very clearly said that in case his motion is not accepted, he will oppose the measure, and because in principle he does not accept the fundamentals which are contained in this Bill, I for the life of me cannot understand what possible advantage he will be able to derive by playing these delaying tactics upon the House. He does not accept compulsory arbitration. I do not think Mr. Joshi is made of such stuff that he will be made to feel the necessity of accepting that principle even after six months' time, if we postpone this measure till then.

Mr. N. M. Joshi: Mr. Deputy President, the Bill is being circulated not for my benefit. It is circulated in order to hear the public opinion, in order that the public in India may know what the measure is.

Pandit Balkrishna Sharma: I will come to that public presently. So far as he himself is concerned, he has definitely said that it is not for his benefit that he wants it to be circulated, but it is for the benefit of the public that he wants it to go into circulation. Let me, Sir, with your permission, take into consideration those principles which generally call for circulation of a Bill. There are more or less three or four considerations which make it incumbent upon

Government to get a Bill circulated for eliciting public opinion. Firstly, that the legislation should be well considered; secondly, that all sections should be consulted; and thirdly, that we should not legislate in a hurry. So far as these principles are concerned, it is better that we should see whether all these things are not meant for those times when we could go with easy steps and whether they should be made applicable to such times through which we are passing. I am reminded of a very famous saying of the late Lord Lloyd-George who said that there are times when the world spins so leisurely that it seems to remain at a stand-still for centuries, and then again there are times when the world moves with such a giddy pace that the distances of centuries are covered within days. Today we are passing through those times when we cannot wait for these dilatory tactics of sending Bills into circulation; and for very good reasons. Those who are aware of the history of legislation during the last 18 months in Great Britain will know how many laws have been passed in succession quickly. They did not wait for all these niceties.

Mr. N. M. Joshi: You bring forward such legislation, I will support you.

Pandit Balkrishna Sharma: That is the kind of legislation we are bringing forward now; this is part of that legislation. And those who talk in that strain are really people who want to do the workers in the eye. There was a time in my own province when the provincial Government came out with a proposal for the abolition of zamindari. Some people came forward and said, "Well, you are abolishing zamindari, why do you not abolish capitalism itself?"—which means a sure way of sidetracking all our activities.

Mr. N. M. Joshi: You bring forward a Bill tomorrow for the abolition of zamindari and you will have my fullest support.

Pandit Balkrishna Sharma: I am quite confident that Mr. Joshi will support such a Bill but unfortunately zamindari is not his subject but a subject of the provinces; and my province and other Congress provinces are quite capable of tackling the problem and they are doing it. But, as I said, these are the three considerations which guide us in sending a Bill into circulation. But I think we should not in any way allow ourselves to be sidetracked and we should not allow our activities to be confounded by such tall talks. The time-factor is not necessarily a *sine quo non* of producing good legislation. As the Honourable the Labour Member has already said, he or the Government of India, have been at it for the last so many months; all the employers have been consulted, when they assembled here in the tripartite conference. Similarly labour leaders have also been consulted. But because there is a section of people in the country who want to take advantage of the poor ignorant workers and who want to create difficulties in the way of the smooth working of national Governments in the various provinces, they are coming forward and condemning every legislation that we bring forward for the welfare of the workers. My Honourable friend Miss Kara said that she accepted all these restrictions on workers during the six years of war because she and men of her way of thinking were the people who were very anxious for the victory of the democratic forces of the world. Well, 'democratic forces' is all right, but may I know if this was the only noble principle which inspired them to keep mum during the last six years and allow the workers to be thrown to the wolves? Was that the only thing or was there something else? A tangible Rs. 13,000 a month; why should she forget it? There is a character in Dickens who says, "Come, dear, let us talk fustian and gull them". She cannot go on talking fustian like this.

Miss Maniben Kara: What about your getting lakhs from the millowners?

Pandit Balkrishna Sharma: My Honourable friend Mr. Joshi said that by this legislation we are illegalising strikes and forcing workers to accept arbitration. And then he made such funny remarks about this that I was really at a loss to understand whether Mr. Joshi was serious. He said we want to force the workers to accept arbitration. Well, he said, the arbitrator must be an impartial man; and who will be the authority that will appoint that arbitrator? Naturally, the Government, and if the Government, as it is constituted today, appoints the arbitrator naturally the Government is not impartial and therefore

[Pandit Balkrishna Sharma]
the arbitrator who will be appointed will be also partial. Therefore, ultimately, from Mr. Joshi's own arguments, it is proved that the principle of compulsory arbitration is humbug and therefore in no circumstances should this principle be accepted. (Interruptions by Mr. N. M. Joshi.) I do not give in, Sir.

[At this stage Mr. President (The Honourable Mr. G. V. Mavalankar) resumed the chair.]

Mr. President: Let both the Honourable Members resume their seats. Mr. Joshi.

Mr. N. M. Joshi: Sir the Honourable Member is misrepresenting me.. What I said was that when there will be a Government based on adult suffrage in which all sections will be properly represented certainly the working classes will have confidence in the impartiality of that Government.

Pandit Balkrishna Sharma: Let me say that if there is adult suffrage the provincial legislatures and the central legislature will not be changed beyond recognition from what they are today. Such men always harp on the principle of adult suffrage and because adult suffrage cannot come today they stand in the way of a legislation which is in the interest of the workers.

Mr. N. M. Joshi: Sir, the Honourable Member is again misrepresenting me. He says I am opposing all measures. There is the Health Insurance Bill coming up; I shall support it. I may try to amend it but I certainly do not propose to oppose all the Bills.

Pandit Balkrishna Sharma: I did not say all measures but such measures as affect labour and such measures about which he does not receive sanction from some organisation in the country to which he owes loyalty.

Mr. N. M. Joshi: Sir, he is again misrepresenting me. I owe loyalty to no one. I owe loyalty to myself first and then to the working classes of this country and to nobody else.

Pandit Balkrishna Sharma: If this principle is adopted that so long as Government is not impartial, so long no principle of compulsory arbitration should be introduced in any legislation, then I submit that till Doomsday we are not going to get such Government. If this Government is not there and another Government comes in, that Government may be a labour Government, and my capitalist friends will stand up and say that that is not an impartial Government and so they cannot accept any principle of compulsory arbitration. That is what it comes to, and therefore to go on saying and harping upon this thing that we cannot have any compulsory arbitration these days is an argument the validity of which I have not been able to understand.

And then again he said you have declared the strikes illegal. I say I have not. By this Bill we are only going to regulate the strikes and not to declare them illegal. That is the position of the Bill.

Sjt. N. V. Gadgil: We are more anxious to make the strikes successful.

Pandit Balkrishna Sharma: Because we are the men of the people. We are Mr. Joshi's colleagues and Mr. Joshi knows it, and therefore we would be the last persons to come in the way of healthy, strong trade unions developing in this country, and by this Bill we are giving a fillip to the trade union movement and we are trying to bring it to its own and we are trying to get it out of the clutches of those people who have exploited labour for so many years. Let me assure everyone present here that we are not in the least anxious to come in the way of healthy development of labour. We want that our people should gain strength, we want that all classes, particularly those who are exploited, should come to their own, and I think, Sir, this Bill which is before us today is the one measure by which we will be able to eliminate the activities of such of the people in labour movement who are trying to discredit our governments in various provinces and who are trying to create confusion in the public mind.

Mr. N. M. Joshi: Whose Government?

Pandit Balkrishna Sharma: Peoples' Governments in the provinces. I may also point out that so far as the strikes are concerned, in my own province I had experience of dealing with these strikes for the last 20 years and more, and I know how interested people in the name of popular front have tried to take advantage of creating confusion in the public and of creating disorder in the society. I know it to my cost and the result is today that I am supporting this measure by which we shall be in a position to approach our workers and tell them how they should behave and how they should proceed and how they should protect themselves against those who come and talk of their interest but actually want to forward their own party interests in the name of the labour. And, therefore, Sir, I give my wholehearted support to the amended motion which the Honourable the Labour Minister has placed before us.

There are one or two points which I would like to make clear before I resume my seat. I have heard Mr. Joshi saying, well, if the strikes today are there in the country then naturally there must be some very grave causes. Naturally there are causes. Ill housing—all right. In-sufficient wages, all right. I say this is an eternal problem. This problem of poverty of our masses has been unfortunately with us for the last 150 years and we are not going to solve that problem in the twinkling of an eye. If strikes were the only way of achieving that objective, I shall be the first man to go with Mr. Joshi, but, unfortunately, we know that strikes are not the way to achieve that objective. We have to increase our production, we have to regulate our distribution, we have to industrialize our provinces, and therefore it is not by merely going on strikes that the workers will be able to get what they want, and if in their despondency and in their despair they go on strike, then it is up to us, who are their well wishers, who are their servants, to go to them and tell them that the steps that they are taking are disastrous and that they cannot go on like that in future.

Mr. President: Is the Honourable Member going to the other point?

Pandit Balkrishna Sharma: Yes, Sir.

Mr. President: He may resume his speech on the next day when this Bill is taken up for consideration.

The Assembly then adjourned till Eleven of the Clock on Monday the 4th November 1946.

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