

under rule 215, last fortnight. But it had not deserved your consideration. In connection with this occasion, I would submit that Government may be pleased to give consolidated information on the number of incidents that have taken place in respect of all the French possessions in India and as to how many persons were shot dead in these incidents by the French Police.

Mr. Speaker: The information cannot be had in two or three days. All this information will be collected and naturally it will take some more time. I should have no objection at all to Government collecting all the information that they possibly can, but then the hon. Members will not be quite right in expecting the information in two or three days, as the hon. Deputy Minister stated.

Shri Anil K. Chanda: We shall supply as detailed a report as possible and as early as possible.

Shri Punnoose: Are we to understand from what the Deputy Minister stated, namely, "I have received these notices only a quarter of an hour ago and I am asking for information", that Government have not got any information from their representatives so far?

Mr. Speaker: I do not think we need discuss that point. They must, I am sure, be in daily touch, and perhaps hourly touch, with what is going on there, but to make a statement on an authoritative basis they would naturally require confirmation from our Consul-General as also from the Madras Government.

FACTORIES (AMENDMENT) BILL
—Concid.

Mr. Speaker: Now, we will proceed with legislative business and take up further consideration of the following motion moved by Shri V. V. Giri on the 27th April 1954, namely:

"That the Bill further, to amend the Factories Act, 1948, be passed."

We have taken, I think, sufficient time on it and I shall have to call upon the hon. Minister to reply. This is the third reading stage.

The Minister of Labour (Shri V. V. Giri): Mr. Speaker, I do not wish to take a good deal of the time of the House in replying to the debate during the third reading of the Bill. I take the opportunity of thanking the Members who have taken part in the debate for placing before the House constructive suggestions. However, I would like to say that I heard with great attention and respect the two speeches made by Professor Mukerjee and Professor Sharma. In the course of the debate, it has been stated by my esteemed friend, Mr. More, that the Government's attitude towards labour was maximum sympathy and minimum action. My hon. friend, Professor Sharma, said that it was maximum sympathy and maximum action. I would humbly say in reply that the Government's attitude is rational sympathy and rational action, and I am glad to say that luckily for us, the fundamental rights adumbrated in the Constitution have guaranteed certain amenities to the people—right to work, right to live and all those amenities that will make life bearable. I do not say that a good deal has been done in arriving at this ideal, but to say that nothing has been done is not a correct proposition. If it is said that more has to be done, I entirely agree with the critics to whichever side of the House they may belong. If I may be allowed to state a few instances in the matter of social legislation for industrial workers as to what has been done, I may humbly submit that the Employees State Insurance is one such and will be put into complete action—and we are likely to put it in the shortest time possible—in the course of the next one or two years. Two and a half million industrial workers will be benefited by that beneficent legislation in the shape of accident benefits, medical benefits, sickness benefits, maternity benefits, and so on. Not only that, but almost immediately we are considering the proposition

[Shri V. V. Giri]

that not only the industrial workers as such should be benefited by that legislation, but their families as well, which might practically absorb about 10 million people among the industrial population. Take, again, the Provident Fund institution that we have got, which is now dealing with more industries and we have collected crores of rupees which are also utilised for providing housing for industrial workers. Provident Fund, in one shape or other, if I may say so, is a sort of insurance for workers during old age. It may be insufficient.

[MR. DEPUTY-SPEAKER in the Chair]

I quite agree, but it is tending towards the establishment, if I may say so, of an old age pension. So also, in the recent legislation on lay-off and retrenchment for the first time, we have set up the ideal of providing some unemployment benefit during the course of the off-period. Not only that. Without having to subscribe on a mutual basis, the workers, who are thrown out of employment, get a sort of unemployment benefit in the shape of half a month's wage for every year of service. I do not wish to claim any praise for what has been done. Much has to be done, but I would like humbly to submit that with the willing co-operation of all sections of the House and public opinion in the country, we shall march on, if I may say so, towards the formation of even a classless society in this country. At the same time, as I said yesterday, all depends upon the careful organisation of democratic trade unions on the right basis which would bring for Government, for employers and all concerned, the necessity of implementing beneficent legislation and for quick progress. Therefore, we should not forget that weakness also lies in the workers and their organisations. The sooner they have organisations of a kind where there is discipline, where there is strength, where there are sanctions, it will be easier for them to achieve the results that they desire.

I do not wish to say anything further except to clear certain misconceptions that might have arisen on account of my not explaining myself about either the labour policy of Government or the bi-partite or tri-partite agreements. I have said, and I want to make it clear, that I am a believer in bi-partite and tri-partite agreements and also in labour legislation. Whatever the structure of society be, whether it is mixed economy private sector or public sector, or a classless society, if everything can proceed on agreements it would be very good indeed. Even in non-capitalistic countries, there may be disagreement between supervisors, managers and the workers. It is always good that the management on the one side and the workers on the other know their mutual difficulties with regard to an issue and if they could come to agreements as to the manner in which the issue should be tackled and agreements arrived at, it is really good for peace in industry, in whatever class of State it may be. To that extent, therefore, I say that I believe that by having bi-partite and tri-partite agreements it will facilitate the bringing into existence of labour legislation which could not only be understood in a proper manner, but which could be implemented also in a proper manner. What is generally agreed, to be put in the form of legislation is always easier of implementation than otherwise.

For instance, there was certainly right propaganda in this House as well as in the other House that the lay-off and retrenchment benefits should be applied to the plantation workers. I took the earliest opportunity of calling a tri-partite meeting of the Indian Labour Conference in Calcutta and it was agreed unanimously that not only leave and retrenchment measures should be applied for the benefit of the plantation workers but they also came to the conclusion as to how the Plantation Act should be implemented at a Conference attended by, as I have said, the highest form of trade union leadership representing all the sections of the trade union movement as well as those of

employers. Do you not think that an agreement of that character will be most useful and facilitate peace in industry? That is what I mean by bipartite and tri-partite agreements and I do not wish to say that I am against labour legislation. Certainly not. But labour legislation based on the knowledge of facts and agreements would be far more abiding than otherwise. I wanted to make that position quite clear.

Somebody said that we should not feel that because there is a lesser amount of direct action the workers are contented. I quite agree with the proposition. I do not say because there are lesser number of strikes there is greater contentment in labour. But what I say is that the belief of the workers at least during the last two or three years is of such a character that they feel and have great faith in bipartite and tri-partite agreements and they also feel that strike should be the last resort before other attempts at compromise or settlement of disputes is made. I am very glad of that. That is my attitude too—that strike should be the last resort. Collective bargaining should be the basis of the settlement of disputes between workers and employers. I hope I have made my position quite clear and I am sure if only the trade unions and their leaders realise their sense of responsibility, strengthen the trade unions, create sanctions behind them, put forward reasonable demands to employers their course, and the stages through which should pass, are quite clear.

All that I can say is that I have believed in these maxims for a very long time and I am not ashamed to feel that the views that I held thirty or thirty-five years ago have stood the test of time. Those who laugh last laugh best.

Mr. Deputy-Speaker: The question is:

“That the Bill be passed.”

The motion was adopted.

PREVENTION OF DISQUALIFICATION (PARLIAMENT AND PART C STATES LEGISLATURES) AMENDMENT BILL.

The Minister of Law and Minority Affairs (Shri Biswas): I beg to move:

“That the Bill to amend the Prevention of Disqualification (Parliament and Part C States Legislatures) Act, 1953, as passed by the Council of States, be taken into consideration.”

This is a very short Bill consisting only of one clause...

Shri S. S. More (Sholapur): And very innocent too...

Shri Biswas: By that clause it is proposed to extend a certain time-limit from the 30th April 1954 to 31st December 1954. The time-limit prescribes the period up to which membership of various committees referred to in Act I of 1953 will be immune from disqualification. As the House knows, in the last session, Parliament passed a Bill in terms of article 102 of the Constitution. That article lays down:

“A person shall be disqualified for being chosen as, and for being a Member of, either House of Parliament, if he holds any office of profit under the Government of India or the Government of any State other than an office declared by Parliament by law not to disqualify its holder.”

So, although the disqualification was created by a substantive provision in this article, power was reserved to Parliament to make relaxations in certain specified cases. Now in exercise of this power Parliament did enact the law last year, Act I of 1953, that is, the Prevention of Disqualification (Parliament and Part C States Legislatures) Act, 1953. If hon. Members refer to that Act they will find that the scheme of the Act was this. In certain cases permanent removal of disqualification was granted. In other cases exemption only for a temporary period was allowed. Disqualification was re-