

connection with the allotment of time for those Bills. The time that is allotted for each Bill is also stated in the report. I move that the report be agreed to by the Lok Sabha.

Mr. Chairman: The question is:

"That this House agrees with the Forty-fourth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 22nd February, 1956."

The motion was adopted

INDIAN PENAL CODE (AMENDMENT) BILL

(Insertion of new section 170A)

Dr. N. B. Khare (Gwalior): I beg to move for leave to introduce a Bill further to amend the Indian Penal Code, 1860.

Mr. Chairman: The question is:

"That leave be granted to introduce a Bill further to amend the Indian Penal Code, 1860."

The motion was adopted

Dr. N. B. Khare: I introduce the Bill.

INDIAN PENAL CODE (AMENDMENT) BILL

(Insertion of new section 427A)

Shri Raghunath Singh (Banaras-Distt. Central): I beg to move for leave to introduce a Bill further to amend the Indian Penal Code, 1860.

Mr. Chairman: The question is:

"That leave be granted to introduce a Bill further to amend the Indian Penal Code, 1860."

The motion was adopted

Shri Raghunath Singh: I introduce the Bill.

PROCEEDINGS OF LEGISLATURES (PROTECTION OF PUBLICATION) BILL*

Shri Feroze Gandhi (Pratapgarh Distt.—West cum Rae Bareil Distt.—East): I beg to move for leave to introduce a Bill to protect the publication of reports of proceedings of Parliament, State Legislatures and their Committees.

Mr. Chairman: The question is:

"That leave be granted to introduce a Bill to protect the publication of reports of proceedings of Parliament, State Legislatures and their Committees."

The motion was adopted

Shri Feroze Gandhi: I introduce the Bill.

MOTOR VEHICLES (AMENDMENT) BILL

(Substitution of section 65, etc.)

Mr. Chairman: Shri M. L. Dwivedi and Shri S. V. Ramaswamy are not present here. So, we shall take up the further consideration of the following motion moved by Shri T. B. Vittal Rao on the 16th December, 1955:

"That the Bill further to amend the Motor Vehicles Act, 1939, be taken into consideration."

Out of two hours allotted for discussion of this Bill, two minutes were taken on the 16th December, 1955, and therefore, one hour and 58 minutes are still available. Shri T. B. Vittal Rao may continue his speech now.

Shri T. B. Vittal Rao (Khammam): This Bill seeks to regulate the conditions of work of the workers in motor transport. The principal Act refers only cursorily to the working conditions and the hours of work of the workers in this industry. There is no further provision for transport workers. Under the existing conditions in India today, there is a lot of scope for the development of road transport in view of the fact that the railway transport system has not been able to catch up with both industrial and agricultural development of the country. Even railway transport, from the figures that I will present before the Sabha, is comparatively meagre. Only the other day, the Chairman of the Railway Board, while addressing the Institute of Engineers at Bhopal, has given the following facts. The facts are very revealing. He has compared the route mileage of railway transport in India to that of various other countries. In India, for an area of 1,000 sq. miles, we have 27 miles of railway. In the United States, it is 74, that is, three times that of India. In the United Kingdom, it is 204 which is 7.6 times. I have got the figures for Canada, France and Japan which

* Published in the Gazette of India Extraordinary, dated 24-2-1956, pp. 39 to 42.

[Shri T. B. Vittal Rao]

are definitely more than that of India. If you take road transport in India, you will find that we are far behind the times. Of course, I am not unaware of the facts that we have to contend with great difficulties, but the position is this. The ratio of population to the motor vehicle in Italy is 66; in the United Kingdom it is 50; in the USSR it is 107. In India it is 1,188. Even in Japan it is 203. In Canada there is one motor vehicle per every 4.9 of the population and in the USA, it is 3:0. This is the position in regard to transport. In a fast developing economy like that of ours, there is very great scope for the development of the road transport industry, because the railways have not been able to carry the goods and the passenger traffic of the size obtaining here. If you just have the figures compared with other countries, you will find that for India, for one lakh of population, we have got a railway route mileage of 9. In the United States of America, it is 138, which is just 15 times more than that of India. In the United Kingdom it is 37, which is four times. In Canada it is 272 which is 30 times. In France it is 60, that is, 6.6 times more than ours. In Japan it is 14, that is 1.6 times more than that of India. This gives us an idea as to what extent the road transport system could play in the economy of our country.

Even regarding *per capita* passenger miles, it is only 103 in India as against 181 in the United States of America, 406 in the United Kingdom, 184 in Canada, 384 in France and 599 in the USSR. The position is the same regarding goods traffic. So, until and unless the road transport is developed we will not be able to progress. Today, in our country, there are nearly four lakhs of workers in the road transport system and of this very nearly 80,000 are employed in the nationalised undertakings of the various State Governments. Then, about three lakhs of workers are employed under the private operators. It is very amazing to see that though the International Labour Organisation adopted a recommendation—No. 67—concerning the regulation of work and rest periods in road transport as long ago as 1939 with subsequent modification, this ILO convention was not ratified by our Government. Also, when we raised this issue in the Lok Sabha two years ago, we were told by the then Labour Minister that he would be bringing forward a very comprehensive Bill. When we asked him about the ratification of the con-

vention also, he said the same thing. But today nearly after 10 years after the modification, our Government have not yet thought fit either to ratify that convention or improve the working conditions of the workers. I cannot understand how these workers were neglected. In our country, as long as four years ago, we brought in a legislation modifying the old Mines Act, 1923, which covered about eight lakhs of workers employed in the mining industry. Similarly, we brought in the Plantation Labour Act in which I am told nearly 11 lakhs of workers are covered. Though the implementation of the Plantation Labour Act has been very halting and even though the rules have not yet been framed notwithstanding the fact the Act was passed five years ago. Yet, Government thought it necessary that an Act should be enacted. But, unfortunately, nothing has been done for these workers though they are doing a very important work. If we take the figures giving the taxes on the various constituents that go to make the road transport service, we will know how much they are. Tax on motor spirit has brought Rs. 37 crores; tax on motor vehicles has brought Rs. 13 crores and so on, and the total amount comes to Rs. 56 crores. Yet, nothing has been done by the Government for the welfare of these people. Since we are advancing towards a socialist pattern of society, I hope that at least within the coming few months, something practical and real will be done to the workers, so that the workers will really feel that a socialist pattern of society has been inaugurated.

Coming to the other aspects, the various labour legislations existing in the country like the Payment of Wages Act, Standing Orders under the Industrial Employment Act, Employees' Provident Fund Act etc. are not enforced in the case of the workers in many States, even though road transport has been nationalised there. One has merely to look at the profits made by these nationalised undertakings; they are so huge and we fail to understand why no legislation has been enacted for the workers. Recently, I was going through a report published by the State Government of Mysore. There they have given some figures of gross earning etc., in the road transport service. In 1948-49 they had a capital of Rs. 17.76 lakhs invested in the road transport service in the Mysore State and the gross earnings during that period amounted to Rs. 13.17 lakhs. With a little increase of Rs. 4 lakhs in the capital—the capital

went up to Rs. 21 lakhs—the gross earnings increased to nearly 3½ times. The capital was increased by one-fifth only, but the gross earnings increased to nearly 3½ times. The story is the same even with Hyderabad State. Hyderabad was the first State in India which nationalised road transport as long ago as 1932. Even after 24 years, the conditions of the workers are not regulated by any statutory provisions. Because the road transport services were integrated with the railways, some of the rules and regulations applicable to the railways are automatically applied there to the road transport workers also. Therefore, the condition of the road transport workers in Hyderabad is a little better than in other States, but much more has to be done. The same is the case with the various other State Governments also, like Madhya Pradesh or West Bengal. They have been making good profits. Similarly, the private enterprises also have been making good profits. A man who started his motor service with one lorry or bus, within a few years owns 10 lorries and 25 buses and becomes a big magnate in that part of the country. This is the story of every private businessman. They have been making huge profits at the cost of the workers. The wages of the workers are very low. The average earning of a driver is Rs. 45 to Rs. 55 a month. This is the average for the whole country; let not the Minister take the case of Hyderabad and say that it is higher there. For conductors, the average is Rs. 35 to Rs. 45 per month. Of course, in some motors transport systems like the T.V.S. there is some sort of amenities for the workers. But, taking the whole of India, one finds that though the private operators or the nationalised undertakings have been making good profits, there is not much progress towards improving the conditions of the workers. The wages have been so low. In 1946 the Rege Committee went into the conditions of the various industrial workers in the country, including the conditions and wage-scales of workers in road transport services. But he also failed to give any award on the ground that the services are so widespread. Therefore, a free hand has been given to the owners to exploit these workers. Let us take into consideration the improvement that has taken place in the transport system. For example, a driver who was only driving a 32 or 28 seater bus, has now to drive a 52 or 45 seater double decker or omnibus; but he is not paid any extra allowance. Nothing has been done to

improve his conditions and the same conditions continue. I could not understand how these workers came to be neglected in this fashion deliberately. Instead of improving the conditions, our Minister for Transport, Shri L. B. Shastri, introduced a Bill in the last session to amend the Motor Vehicles Act. What has he done? There are various clauses, but I will refer to the clauses which affect the workers. In that amending Bill, he has provided for increasing the licence fee and the renewal fee for a driver from Rs. 5 to Rs. 11, and has also enhanced the punishment for accidents. There is no security for these workers who are engaged in this very hazardous profession; on the other hand, the Bill provides for enhancing the licence fee, not only that, but also for enhancing the punishment for accidents.

The other day I was present at the meeting of the Labour Panel called by the Planning Commission. There we were discussing the chapter that is going to be included under labour policy in the Second Five Year Plan. There in one clause it was stated that legislation would be brought for regulating the conditions of work in the construction industry as well as road transport. When I enquired of the Chairman, Shri Gulzarilal Nanda, when the legislation will be brought, whether it will be brought in the beginning or at the fag end of the Plan period, he declined to give me any assurance. He said that the Planning Commission is concerned only with Plan period and whether it is enacted in the first year or the last year of the Plan, they are not concerned with it. After that, our organisation, the All India Trade Union Congress, received the agenda of the subjects that are going to be considered in the Standing Labour Committee meeting which is to be called in the month of April. This Standing Labour Committee has not met since August 1954. Though it is supposed to meet every six months, for eighteen months there was no sitting of this Committee. Now this Bill will be discussed in that Standing Labour Committee. Here again the halting and indifferent attitude of the Government towards the transport workers is revealed by the fact that the legislation they propose to bring forward during the Plan period will only cover those workers engaged in nationalised undertakings but not those under the private owners.

In the Bill which I have brought forward I have made a provision that no

[Shri T. B. Vittal Rao]

worker operating the vehicle, that is, drivers as well as conductors shall have to do more than seven hours' work I have deviated from the Factories Act and the Mines Act because of the fact that the responsibilities which a driver or a conductor has to discharge in the performance of his duties are slightly different. That is why I have made it 7 hours instead of 8 hours. These drivers, when they drive omnibuses and double-deckers, get exhausted quickly and when they have to drive in the roads with heavy traffic they will have to drive with great care and all the sense organs have to be active. They will have to do things with mathematical precision whether it is in applying the brake or stopping the vehicle. They have to do that with care. That is why I have provided for 7 hours a day.

Then, it is a common thing in a factory or in a mine to pay overtime wages. On the same basis, just as we pay double the normal rates for overtime work done, I have also made a provision that overtime work should be paid at double the rate.

I have also provided for a weekly 'off'. It is very disgusting to note that even in well flourishing nationalised undertakings, which have been spending huge sums of money for the construction of big offices, the workers are not given a weekly off. There were some cases where off was given once in 21 days. Just as the 30 lakh workers who are covered by the Factories Act enjoy weekly off, I have also provided for weekly off. Even under the Minimum Wages Act, wherever minimum wages are applicable, weekly off is given; not only given, but they are paid for. I have not brought any extraordinary provision in this Bill.

I have provided that work during night should be paid for at double the rate. I think I need not elaborate this point. The motor drivers have to be more careful during night than daytime.

Absolutely there is no provision for medical attendance. Though under the various Acts like the Plantation Labour Act, Mines Act and other Acts some sort of provision is made for the workers, here these people are left to their fate or to their own resources to fall back upon.

Just like other workers these workers also should have canteens.

Then I have asked for the provision of rest houses for these workers. During the night when these workers go about 50 to 60 miles away from the headquarters, sometimes even 100 and 150 miles, they will be able to return only the next day or the next night. During the night they are compelled to sleep in their buses or in their lorries. When it is a lorry, they are exposed to the atmosphere. This is nothing unusual. The railway workers are provided with rest houses. Our Railway Minister only yesterday with a little amount of gusto announced the establishment of holiday homes.

Shri Nambiar (Mayuram): But he is absent today though he is the Minister for Transport.

Shri Nambiar (Mayuram): But he holiday homes for the employees of the railways where the railway workers can spend their holidays with little expenditure. But here I am not asking for holiday homes for the transport workers though they richly deserve it in view of the work that they have to do. I am asking that they should be provided with rest homes so that they can sleep properly and they can take the steering quite refreshed so that they can drive carefully without any accident.

Today transport workers, especially those who are under the private owners, do not have facility for leave at all. I have made provision in this Amending Bill for leave. It is quite natural after putting a service of a year or a few months, in order to discharge his domestic responsibility or to perform certain social functions or even for health recuperation, to take some leave. Today these workers do not get any leave. They are left to the whims and fancies of the owners or the master under whom they serve.

After serving in this industry for a period of 15 or 20 or even 25 years, when he is unable, in his old age, to carry on his duties, he is simply thrown out, without any provision being made either for pension or provident fund. There are several thousands of workers, in the nationalised industries, for instance in Hyderabad there are 5,200 workers; it cannot be more than 20,000 workers, who enjoy the benefits which accrue from the Employees Provident Fund Act. Sometimes, some form of gratuity is provided. I have suggested a provision that the employees in this industry should be made members of the Employees provident fund. There are today

only 14 lakh workers who are covered by the Employees Provident Fund Act. The Labour Minister is thinking of extending this Act to those industries covered under the Factories Act and having 10,000 workers. I earnestly hope and trust that the Minister will agree that this should be done.

Coming to gratuity, of course, I have got another Bill here, which has not been so successful as this Bill to get a priority in the ballot, that all workers should be given a gratuity. There are some industries where a gratuity is provided, however meagre it may be. In some factories, at least 15 days' wages are given as a gratuity for every year of service rendered. They get it when they retire. The workers in this industry should also be given this benefit.

Finally, I have made a provision for insurance. These workers, because they have to perform hazardous and dangerous duties, easily come across accidents, bodily injuries and other things. I have inserted a provision that these people should be insured by the employers. As I have pointed out earlier, the Government is getting nearly Rs. 56 crores by way of taxes and various things. In view of the fact that the road transport industry has to play a very important and vital role in the economic development of the country, unless and until the workers who are manning this huge road transport system are looked after and statutory provisions made regulating their conditions of work, I am afraid, it will lead to a lot of heart burning and a number of industrial disputes. Already, we are having a number of industrial disputes. Unless the conditions in regard to bonus, hours of work, holidays, wages, etc., are improved, the transport system, I am afraid, will be dislocated and thereby, our Second Five Year Plan will be in jeopardy. Therefore, I make a fervent appeal to our Labour Minister, . . .

Shri Nambiar: He is not here.

Shri T. B. Vittal Rao : He is represented by the Deputy Labour Minister.

Shri Nambiar: Of course, his representative is here.

Shri T. B. Vittal Rao: I appeal to the Labour Minister who has been the President of the road transport workers in his province. I hope he will see that a judicial committee at least is appointed to go into the wages obtaining in this industry. We have been appointing

a number of tribunals. We have a Coal tribunal for the coal workers, a Bank tribunal for the bank Employees. We are going to have wage boards for other workers. I would appeal to the Minister to appoint a committee to enquire into the wage-scales obtaining in this industry. This Bill has not come a day too early. There is urgent need for this and the time is ripe. As the nerve system of our entire economy is concerned, I hope and trust that the Labour Minister will agree to this Bill.

Mr. Chairman: Motion moved:

"That the Bill further to amend the Motor Vehicles Act, 1939 (Section 65) be taken into consideration."

Shri Bansilal (Jaipur): I want to oppose the Bill.

The Bill which has been moved seeks to get section 65 of the Motor Vehicles Act amended and it is desired that certain provisions be inserted in the place of the present section 65. The Mover of the Bill has laid stress upon the pitiable conditions of the workers employed by the various transport owners. I doubt if any piecemeal legislation or an amendment here or there in the Motor Vehicles Act can improve the position. A few days back, the Government have taken the decision—a welcome action—about the nationalisation of insurance business in the country. I submit that nationalisation of motor transport is not the least important. It is overdue. I think that is the only way whereby the pitiable conditions of the workers, could be improved. I associate myself with the feelings expressed by the hon. Member, but I disagree with him and oppose the Bill on the ground that any amendment of this sort will not help in any way. It is high time that the Government take steps for the nationalisation of the whole motor transport business in the country. The hon. Member made a point that instead of the State Governments, the power should be taken by the Central Government.

Shri T. B. Vittal Rao: No, no. I did not say that.

Shri Bansilal: I thought that was one of the objects of the Bill. Any way, the purpose of the amending Bill is that certain facilities should be given to the transport workers.

But, I think, my hon. friend the Mover of the Bill has seen only one side of the picture. I may remind him

[Shri Bansilal]

that all the transport owners are not big capitalists holding a number of buses or trucks. I have got some experience of the rural side in this connection. There are transport vehicle owners who own only one bus or one truck and they are eking their livelihood out of that. Another trouble recently has been—I would like to draw the attention of the Government—that permits are recklessly issued.

On some routes there is business only for one or two buses, but permits have been given for 10, 15 or 20 buses with the result that the man gets a turn once in a week or so. If all the facilities that are provided under this Bill are to be given to the driver of that one bus, I doubt if that man who somehow or other got a permit for running the bus and gets a turn to put his vehicle on the road once a week or so will be able to run the bus on that route.

So, this piece of legislation cannot help. It will rather confuse the issues and will bring difficulties to so many small bus owners that it will completely ruin the transport on the rural side.

We have not arrived at a stage when people are very anxious to run the buses in the rural side, particularly in rough areas of the rural side, and they have to be encouraged. Of course, the conditions in the cities are different where big transport companies are running their buses. So far as the cities are concerned, the spirit of this amendment is all right, but my friend should not forget the conditions in the rural side.

But the difficulty is there because millions of persons throughout the country are employed in this transport business and their fate, their comforts, their amenities and their lives are not as happy as they should be. My friend has suggested that there should be compulsory insurance for these workers. But there are so many things which have to be examined, what facilities can be given to these workers and what cannot. All that cannot be done now looking to the nature of the work. It is only possible to help the transport workers when Government nationalises it.

So, I submit that this Bill will not help in any way to ameliorate the conditions of the transport workers. The only remedy lies in the immediate nationalisation of the transport system of the country.

Shri A. K. Gopalan (Cannanore): I only wish to add a few words to what has been said by the Mover of this Bill.

My friend said just now that there should be nationalisation of transport and then only all these evils can be remedied. We are also not against nationalisation of transport. But I have to point out to my friend that there are certain States in India where transport has been nationalised where the condition of the workers is not any the better. Conditions in the different States where transport has been nationalised, as for example Madras and Travancore-Cochin State, are different. There must be certain statutory provisions so that there may be uniform conditions. Nationalisation of transport is, of course, good, but before that something has to be done because it is this section of workers that has been neglected for which nothing has been done for the last so many years.

Road transport occupies an important position in the development of the economy of our country. It can provide transport at a cheap rate to the remote areas. We have set apart some amount in the Second Five Year Plan for transport. So, it is very necessary that the condition of transport workers should be looked into.

The British were not interested in road transport. They did not care for it because their interest was only to supplement railway by road transport. The railway being a dominant British concern, it got patronage from the Government, and road transport was neglected. That was the reason why they enacted a law called the Motor Vehicles Act of 1939. Before transport is nationalised this Act of 1939 has to be substituted by another Act.

There are two reasons for this. Section 65 of the Act of 1939 provides for 54 hours of work in a week and 9 hours a day. Workers in other factories do not have to work for 9 hours a day. Not only that. There is also a spread over, so that before starting and after finishing the work the worker has to spend some time, so that the over-all time comes to about 12 hours a day.

The second reason is that arbitrary powers have been given in the Act of 1939 to the police, so that it is impossible to run the buses. On any small issue saying that the speed is more or that the break is not good, they can

stop the running of buses, with the result they have to be bribed from top to bottom. A person who owns about ten buses told me that he has to spend regularly Rs. 120 per day because he has to bribe everybody. If he does not do that, he will have to spend more money. So, this is misused also. They can spend some money and get favours under this Act.

So, these powers given to the traffic and police constables may be taken away and some other administrative body may be set up.

In many cities even where there is nationalisation, ordinary laws applicable to other workers like the Industrial Disputes Act and the Payment of Wages Act, are not applicable to the transport workers. That is another reason why this Bill has been brought.

I understand the difficulty mentioned by my friend about small motor owners, but this practice can be adopted, which has been done in other parts also, of 20 or 30 people forming a union so that the expense of the union as a whole will be less than what otherwise the men will have to incur.

My next point is in regard to the provision of rest-houses. In the interior parts of the country—I can speak for my part of the country—very often, the buses have to halt at places where there will not even be a tea-shop where the driver can have some tea. Sometimes, the drivers and conductors have to sleep for the night also in those very places. And as you know, they will not be able to sleep well in those interior places, because the mosquito trouble might be there, the area might be a malaria-ridden area and so on. In the absence of any rest-houses in those places, the drivers and conductors are obliged to sleep in the open; this not only affects the health of the transport workers, but also the running of the buses and the safety of the passengers. It is very necessary therefore that there must be rest-houses provided at the termini for the convenience of the transport workers.

I now come to sickness leave and sickness benefit. In other countries, there are sanatoria where the transport workers and the railway workers are compulsorily asked to go and take rest for at least one month in a year. Similar

benefits should be extended to our workers also. This is what has been provided for in clause 16 which reads :

“... every transport worker shall be entitled to obtain from his employer sick leave with full wages for a period of fifteen days and half wages for any period over fifteen days and upto one month provided a qualified medical practitioner certifies to that effect.”

The benefit of the provident fund and gratuity also should be extended to our transport workers. The Bill seeks to provide that the provisions of the Employees' Provident Fund Act shall be made applicable to the transport workers. A similar provision has been put in for gratuity also. As the Mover has pointed out, in the transport industry, huge profits are being made, and therefore, these benefits can easily be extended to the workers.

There should also be compulsory insurance of all motor transport workers. As has been stated in the memorandum regarding delegated legislation, there are greater chances of accidents in motor transport, and therefore it is necessary that all transport workers are insured. The rules for the same relating to premium, periods of contribution etc. may be framed after full consultation with all parties concerned.

These are some of the important points to which I would like to draw the attention of Government. Either they should accept this Bill, or they should bring forward their own Bill making provision for all the important benefits to be provided to motor transport workers. Road transport workers have been neglected very much for a long time, and it is therefore high time that Government do something for them.

It was when the Britishers were there that this Motor Vehicles Act of 1939 was passed. And there are so many loopholes in that Act. Some of its provisions also run counter to the provisions of some of the Acts that we have passed after 1947. Today we are an independent country and we are thinking of national reconstruction. I would therefore request Government to consider the question in a new light, and either accept this Bill or bring forward their own Bill embodying the provisions of this Bill.

[SHRI BARMAN *in the Chair*]

श्री आर० आर० शास्त्री (जिला कानपुर—मध्य) : मैं आनरेबिल मेम्बर (माननीय सदस्य) विट्ठल राव जी को इस बात के लिये बधाई देता हूँ कि उन्होंने इस महत्वपूर्ण विषय की ओर इस सदन का ध्यान आकर्षित किया है। उन्होंने मोटर वैहीकिल्स ऐक्ट (मोटर गाड़ी अधिनियम) सन् १९३६ की धारा ६५ में संशोधन रखा है और इस संशोधन द्वारा उन्होंने मोटर व्यवसाय में काम करने वाले कर्मचारियों की दशा पर विचार किया है। मेरा ख्याल यह है कि जो संशोधन उन्होंने रखा है और जो मांग उन्होंने इस विधेयक के जरिये से सदन के सामने पेश की है मेरा विश्वास है कि उसमें कोई ऐसी चीज नहीं है जो कि दूसरे व्यवसायों में काम करने वाले कर्मचारियों को प्राप्त न हों, या गवर्नमेंट ने जिस पर ख्याल न किया हो कि यह चीज मजदूरों को मिलनी चाहिए। सबाल यह उठता है कि जब दूसरे व्यवसायों के सम्बन्ध में यह विचार किया जा सकता है कि उनको इतवार की छुट्टी मिलनी चाहिए, अगर उनसे ज्यादा काम लिया जाये तो उनको ओवर टाइम मिलना चाहिए, अगर वह घायल हो जायें तो उनको कम्पेन्सेशन (क्षतिपूर्ति) मिलनी चाहिए, और जहाँ कहीं वह काम करते हैं वहाँ उनके उठने बैठने के लिए ठीक जगह होनी चाहिए, अगर वे बीमार पड़ जाते हैं तो उनको छुट्टी मिलनी चाहिए, अगर दूसरे व्यवसायों में काम करने वाले कर्मचारियों के लिए यह समझा जाता है कि एक इन्सान की जिन्दगी के लिए और खास तौर से एक मजदूर और कर्मचारी की जिन्दगी के लिए ये चीजें आवश्यक हैं, तो कोई बजह नहीं मालूम होती कि ट्रांसपोर्ट (परिवहन) में काम करने वाले कर्मचारियों के जीवन के लिए ये चीजें क्यों आवश्यक नहीं समझी जातीं। मैं माननीय सदस्य का भाषण बड़े ध्यान से सुन रहा था और सोच रहा था कि इस विषय में पता नहीं माननीय मंत्री जी क्या विचार रखते हैं।

हम द्वितीय पंचवर्षीय योजना को शुरू करने जा रहे हैं और द्वितीय पंचवर्षीय योजना में सबसे बड़ा काम हमारे सामने यह है कि हम देश का उत्पादन बढ़ावें, देश का व्यवसाय बढ़ावें, और देश में जो उत्पादन हो उसको सुदूर गांवों तक पहुंचा सकें, और इस के लिए आप इस बातको मानेंगे कि ट्रांसपोर्ट का व्यवसाय ही ऐसा है कि जिसके जरिये से हम दूर दूर देहातों तक अपने माल को पहुंचा सकते हैं। जब कभी यहाँ पर परिवहन मंत्री जी का भाषण हुआ है उन्होंने

इस बात पर जोर दिया है और वास्तव में इस विषय पर उनका ध्यान आकर्षित हुआ है और वह विश्वास करत हैं कि द्वितीय पंचवर्षीय योजना में ट्रांसपोर्ट का एक बहुत महत्वपूर्ण हिस्सा होगा। फिर सबाल यह उठता है कि अगर ऐसी हालत है तो क्या बजह है कि इस व्यवसाय में काम करने वाले कर्मचारियों की दशा की ओर क्यों ध्यान न दिया जाय। जो सन १९३६ का मोटर वैहीकिल्स ऐक्ट है उसमें बहुत सी और बातों की व्यवस्था है लेकिन जहांतक कर्मचारियों का सम्बन्ध उनके केवल काम के घंटों के बारे में तो व्यवस्था है लेकिन और किसी बात के बारे में कोई व्यवस्था नहीं है कि उनकी क्या हालत हो यहाँ तक मान लिया गया है कि व्यवसाय के प्रबन्ध में भी कर्मचारियों का हिस्सा होना चाहिए और आज देश में समाजवाद की धूम मची हुई है। आज यह कहा जा रहा है कि व्यवसाय में मेहनत करने वाला इन्सान समाज में उच्च स्थान प्राप्त करेगा। ऐसी स्थिति में ट्रांसपोर्ट व्यवसाय में काम करने वाले कर्मचारियों ने उम्मीद की थी कि जब सन् १९३६ के मोटर वैहीकिल्स ऐक्ट में सरकार संशोधन करेगी तो इस बात का जरूर ध्यान रखेगी कि कर्मचारियों की अवस्था में सुधार किया जावे। पर अफसोस कि मोटर वैहीकिल्स ऐक्ट सन् १९३६ जब संशोधन के लिये सदन के सामने सरकार द्वारा लाया गया तो उसमें यह चीज तो की गयी कि उनके लाइसेंस को बढ़ा दिया जाये, सजायें बढ़ा दी जायें, पुलिस को ज्यादा पावर्स दी जायें, लेकिन आश्चर्य है कि सरकार का ध्यान इस व्यवसाय में काम करने वाले कर्मचारियों की ओर नहीं गया, उसने यह नहीं सोचा कि ये भी इन्सान हैं, इनके भी बालबच्चे हैं। और उसी का यह नतीजा है कि आज आप देश के किसी हिस्से में जायें और ट्रांसपोर्ट व्यवसाय में काम करने वाले कर्मचारियों से बात करें तो आपको मालूम होगा कि उनमें असंतोष है। हिन्दुस्तान में मजदूरों की रक्षा करने के लिए बहुत से कानून बने हुए हैं लेकिन उनमें से कोई भी कानून इन ट्रांसपोर्ट कर्मचारियों को लागू नहीं होता। अगर ये लोग अपनी मुसीबत को दूर कराने के लिए आवाज उठाते हैं तो कोई सुनवाई नहीं होती, अगर वे संघर्ष करते हैं तो उनको दंडित किया जाता है। अब प्रश्न यह है कि उनके झगड़ों को किस तरह से तय किया जाये। ट्रेड्स डिस्प्यूट्स ऐक्ट उनको लागू नहीं होता। ऐसी हालत में उनके लिये दो ही रास्ते रह जाते हैं। या तो जो जुल्म उन पर होता है और उनका जो शोषण होता है उसको वे चुपचाप सहन करत

रहें, और या उसके खिलाफ आवाज उठाकर दंड भोगें। जब ऐसी स्थिति पैदा हो जाती है और कर्मचारियों की कहीं सुनवाई नहीं होती तो वे निराश हो जाते हैं और उनमें असंतोष पैदा हो जाता है और वे सोचते हैं कि एक एक करके आवाज उठाने से हमारी सुनवाई नहीं होगी इसलिए हम सब मिल कर आवाज उठाएँ ताकि सरकार का ध्यान हमारी ओर आकर्षित हो।

4 P.M.

यही वजह है कि ट्रान्सपोर्ट के कर्मचारियों में भी अभी जागृति आई है और उन्होंने यह महसूस किया है कि जब तक सारे देश के कर्मचारी एक साथ अपनी दशा की ओर जनता का ध्यान आकर्षित नहीं करेंगे तब तक शायद सरकार का ध्यान भी आकर्षित नहीं होगा। इसलिए सन् १९५५ में प्राइवेट सेक्टर के लोगों ने और पब्लिक सेक्टर के कर्मचारियों ने भी जो कि ट्रान्सपोर्ट व्यवसाय में लगे थे, उन्होंने अपना एक अलग इंडिया संगठन (अखिल भारतीय) बनाया। मैं सिर्फ एक बात पर ध्यान दिलाना चाहता हूँ और जोर देना चाहता हूँ कि आज ट्रान्सपोर्ट के कर्मचारियों की तरफ कोई ध्यान नहीं दिया जाता और उनके प्रति उपेक्षा का व्यवहार बर्ता जाता है और इस नाते लोकसभा के अन्दर इस विधेयक को पेश करके माननीय सदस्य ने गवर्नमेंट का ध्यान उनकी समस्या की ओर दिलाया है। अब समय आगया है जब सरकार को उनकी हालत में सुधार करने के लिए आवश्यक कदम उठाने चाहियें क्योंकि अगर सरकार का ध्यान उनकी ओर आकर्षित नहीं हुआ और किसी वक्त में परेशानी की हालत में उन्होंने अपनी आवाज उठाई, अगर कोई देशव्यापी प्रदर्शन किया तब गवर्नमेंट यह कहेगी कि प्रजातंत्रवाद के इस युग में समाजवाद के इस युग में इन प्रदर्शनों की क्या आवश्यकता है। इसलिए आज जब वह अपनी आवाज उठाते हैं और हाथ पैर जोड़ कर अपनी बात कह रहे हैं तो सरकार को यह उचित है कि अगर उनकी बात जायज है तो उसकी ओर ध्यान दे और उनको राहत पहुँचाये और इसकी कोई वजह नहीं है कि जब वह प्रदर्शन करें और देशव्यापी आन्दोलन करें, तभी गवर्नमेंट उनकी बात को सुने, यह बात मुनासिब नहीं है। मैं तो समझता हूँ कि जो बात जायज है, गवर्नमेंट को उस बात को तुरन्त सुनना चाहिए। हमारा स्थल यह है कि प्राइवेट सेक्टर के कर्मचारियों ने भी अपनी क्लॉन्डो की ओर अपनी मांगों का मस्बिदा तयार किया और हमारा स्थल है कि उसको उन्होंने सरकार के पास भेजा होगा। पब्लिक

सेक्टर के कर्मचारियों ने भी अपना अखिल भारतीय सम्मेलन बुलाया और मुझे उम्मीद है कि वहाँ पर जो प्रस्ताव पास हुए होंगे, उनको सरकार के पास पहुँचाया होगा और मैं यह भी उम्मीद करता हूँ कि दोनों तरफ के कर्मचारियों ने जो अपने प्रस्ताव भेजे होंगे, उन पर सरकार ने विचार किया होगा, इसलिए मैं यह नहीं कह सकता हूँ कि अखिल को जो यह विधेयक पेश किया गया है उसके सम्बन्ध में सरकार की राय क्या है। मुमकिन है कि सरकार यह कहे कि विधेयक जिस रूप में पेश किया गया है वह मुनासिब नहीं है, या उसका तरीका गलत है और उसकी जगह पर वह जो खुद विधेयक लायेगी, वह इससे बहुत ज्यादा अच्छा होगा, तो मुझे इसमें भी कोई ऐतराज नहीं है अगर हमारे माननीय सदस्य श्री टी०वी० विट्ठल राव की मेहनत का यह नतीजा निकले कि गवर्नमेंट इस विधेयक को न स्वीकार करे और वह यह आश्वासन दे दे कि वह स्वयं अपनी ओर से इस सम्बन्ध में एक विधेयक लोकसभा में पेश करेगी। सरकार अगर इस तरह की घोषणा यहाँ पर कर सके कि वह खुद एक ऐसा विधेयक यहाँ पर ला रही है जिसके जरिए देश भर में ट्रान्सपोर्ट के जितने कर्मचारी हैं, उनकी सर्विस कंडिंशंस (सेवा की शर्त) रेगुलेट (विनियमित) होंगी और उनको सुविधाएं दी जायेंगी, तो मैं समझता हूँ कि हमारे माननीय सदस्य ने जो इस विधेयक को तयार करने में मेहनत की है वह सफल समझी जायगी। सारे देश के ट्रान्सपोर्ट के कर्मचारी बड़ी उत्सुकतापूर्वक देख रहे होंगे कि इस विधेयक के जरिए लोकसभा में जो हमारी आवाज पहुँचायी गयी है, उसके बारे में गवर्नमेंट का क्या जवाब है। मैं सरकार से और माननीय मंत्री से केवल एक ही अपील करूँगा कि हमारे और उनके बीच आवश्यक व्यवस्था करने के सम्बन्ध में उसके डिटेल्स के बारे में तो फर्क हो सकता है लेकिन अगर आप उनकी बात को सही समझते हैं तो आपको उसको स्वीकार करना चाहिए और आपको आश्वासन देना चाहिए कि वास्तव में इस सम्बन्ध में सरकार क्या करना चाहती है।

आज हम देखते हैं कि बन्दरगाहों, खानों और दूसरे उद्योगों में लगे हुए कर्मचारियों के बास्ते तो हम तयदे कानून बनाते हैं और उनकी सर्विस कंडिंशंस मौजूद हैं, फिर क्या वजह है कि हम कोई एक ऐसा अखिल भारतीय कानून नहीं बना सकते जिसके जरिये से इस व्यवसाय में काम करने वाले कर्मचारियों की दशा में कोई सुधार हो सके। आज हालत यह है कि अलग अलग राज्यों में अलग अलग क्रायदे कानून बने हुए

[श्री भार० भार० शास्त्री]

हैं और एम्पलायर्स (नियोजकों) की मरजी पर है कि जिस तरीके से चाहें उनके साथ सलूक करें, मनमाने ढंग से उनके साथ बर्ताव करें और अगर कोई उनके रवैये के खिलाफ़ धावाज़ बुलन्द करे तो उसको जिस तरीके से चाहे दंडित करें और जिसका नतीजा यह होता है कि कर्मचारी लोग सज़ा भी पाते हैं और उनमें निराशा और परेशानी की भावना फैलती है और यह मानी हुई बात है और इस सिद्धान्त को सभी मानते हैं और सरकार भी मानती है कि जो काम करने वाला व्यक्ति है अगर उसके जीवन में सुख और शान्ति न हो, और उसके दिल में आनन्द न हो, तो उसको काम करने में उत्साह पैदा नहीं हो सकता। आप चाहे देश-भक्ति और देश संकट में है के कितने ही नारे बुलन्द क्यों न करें लेकिन यह निश्चित जानिये कि जो मेहनत करने वालों इंसान है, अगर उसके जीवन में सुख नहीं और शान्ति नहीं तो उसे अपने काम को करने की प्रेरणा नहीं मिल सकती। सारे देश में इस चीज़ को स्वीकार किया जा चुका है कि अगर देश का उत्पादन बढ़ाना हो और व्यवसाय की तरक्की करनी हो तो आवश्यकता इस बात की है कि जो मेहनत करने वाले लोग हैं जो श्रमजीवी वर्ग हैं, उनको संतुष्ट रक्खा जाये और उनको काम करने के लिए प्रोत्साहन और प्रेरणा मिलनी चाहिए।

इस विधेयक में हमारे काम के घंटों की बाबत कहा गया है कि हमारे काम के घंटे निश्चित किये जायं जिससे आज जो हमारे कर्मचारियों से ज्यादा काम लिया जाता है, वह न हो सके। यह क्या इंसफ़ है कि दूसरे व्यवसायों में जो काम करने वाले लोग हैं वह तो थोड़े घंटे काम करें लेकिन ट्रान्सपोर्ट विभाग में जो काम करने वाले कर्मचारी हैं वे ज्यादा घंटे काम करें? क्या मंत्री महोदय या सरकार यह समझती है कि ट्रान्सपोर्ट में काम करने वाले कर्मचारियों का काम अपेक्षाकृत बहुत हल्का है और उसमें कोई ज्यादा मेहनत नहीं है? अगर सरकार का ऐसा स्थाल बना हुआ है, तो मैं उनको कहना चाहता हूँ कि आप बहुत बड़े भ्रम में हैं और ऐसा सोच कर आप ट्रान्सपोर्ट में काम करने वाले कर्मचारियों के साथ बहुत अन्याय कर रहे हैं। आप स्वयं भ्रंदाक्ष लगायें कि जो डाइवर इंजन चलाता है या जो डाइवर मोटर चलाता है उसका काम कितना जोखिम और मुश्किल है। हर क्षण उसकी निगाह चौकभी रहती है कि कहीं कोई ऐक्सिडेंट (दुर्घटना) न हो जाय और वह अपने काम से एक क्षण के लिये भी

गाफिल नहीं हो सकता क्योंकि उसकी एक क्षणकी जरा सी गफ़लत से काफ़ी जान और माल का नुकसान हो सकता है। यह बहुत जरूरी है कि उनसे ज्यादा घंटे काम नहीं लिया जाय। इस विधेयक के जरिए उनके काम के घंटे निश्चित करने की व्यवस्था की जा रही है। इसके अतिरिक्त इस विधेयक द्वारा यह भी मांग पेश की गई है कि हफ़्ते में एक रोज़ की उनको छुट्टी मिलनी चाहिए और मेरा स्थाल है कि माननीय मंत्री इससे इंकार नहीं कर सकते कि एक इंसान जो रोज़ाना लगातार ६, १० घंटे काम करे तो उसको सप्ताह में एक दिन का अवकाश न मिले। और अगर हफ़्ते में एक दिन की छुट्टी की मांग उनकी ओर से की जाती है तो क्या उसे गैरकानूनी या नामुनासिब समझा जायगा। हफ़्ते में एक दिन का आराम बिलकुल सही तौर पर वे मांगते हैं और इसलिए मांगते हैं ताकि वह बाकी दिनों में ज्यादा मेहनत और दिल लगाकर काम कर सकें। इस विधेयक के जरिए वे चाहते हैं कि उनकी दवादारू का भी इन्तज़ाम हो। आज सब जगह पर इस बात की आवश्यकता उठाई जा रही है कि अगर काम करने वाले कर्मचारियों का सेवा कार्य करते हुए स्वास्थ्य खराब हो जाता है तो उनके इलाज और दवादारू का प्रबन्ध होना चाहिए, तो अगर ट्रान्सपोर्ट के कर्मचारी अपने लिए दवादारू के प्रबन्ध की मांग करते हैं, तो इसमें मुझे कोई अनुचित बात मालूम नहीं होती है।

कल रेलवे मिनिस्टर साहब ने जब यहां पर स्पीच दी तो उन्होंने रेलवे कर्मचारियों को दी जाने वाली चिकित्सा आदि सुविधाओं का जिक्र किया और बतलाया कि कर्मचारियों के इलाज के लिए एक टी० बी० अस्पताल खोला जायगा और हमें यह सब सुन कर बड़ी खुशी हुई कि वे रेलवे कर्मचारियों को चिकित्सा और अन्य सुविधायें देने जा रहे हैं और उनकी दशा सुधारने में प्रयत्नशील हैं। लेकिन साथ ही आश्चर्य भी इस बात से होता है कि हालांकि वही रेलवे मिनिस्टर ट्रान्सपोर्ट के भी मिनिस्टर हैं, उन्होंने रेलवे के कर्मचारियों की दशा में सुधार करने के लिए जो योजना बतलाई और चिकित्सा आदि सुविधाओं का जिक्र किया, उससे सारे सदन को प्रसन्नता हुई और उनकी घोषणा का सारे देश को लोगों ने स्वागत किया है, लेकिन उनका ट्रान्सपोर्ट के कर्मचारियों की दशा सुधारने की ओर ध्यान न जाय, किसी तरह का उनके लिए कानून न बनाया जाय और किसी तरह का प्रबन्ध न किया जाय तो यह आश्चर्य और दुःख की बात है। साथ ही साथ कर्मचारी चाहते

हैं कि उनको "हालिडेज विद पे" (वेतनसहित छुट्टियां) मिलें। काफ़ी संघर्षों के बाद मुल्क के मजदूरों को यह छुट्टी का हक़ मिला और यह माना गया कि छुट्टी तनख़्वाह के साथ मिले। अब अगर ट्रांसपोर्ट में काम करने वाले इस मांग को पेश करते हैं तो इसमें कौन सी अनुचित बात है और ऐसी कौन सी ग़लत बात है जिससे इंकार किया जा सकता है। साथ ही साथ में अगर काम करने के सिलसिले में वे घायल हो जाते हैं, चोट लग जाती है और अस्पताल में दाख़िल हो जाते हैं तो अगर उन दिनों का पेंसा वे अपने एम्प्लॉयर्स से मांगते हैं तो क्या बेजा मांगते हैं। वर्कमेन कम्पेनसेशन ऐक्ट यहां पर पास हुआ और माननीय मंत्री ने यहां पर आश्वासन दिया कि हम कम्पेनसेशन ऐक्ट में शीघ्र सुधार करना चाहते हैं। उन्होंने यह भी बतलाया कि अपनी ड्यूटी अंजाम देने के सिलसिले में अगर कोई कर्मचारी घायल हो जाता है और अस्पताल में भर्ती हो जाता है, तो उसके इलाज के अलावा हम उसको कुछ कम्पेनसेशन या मुआविज़ा देने की व्यवस्था रखने का ख़्याल रखते हैं तो क्या बजह है कि ट्रांसपोर्ट के कर्मचारी अगर यह अपनी मांग पेश करते हैं कि चोट लग जाने पर हमारा इलाज करने का इन्तज़ाम हो और उतने दिनों की छुट्टी वेतन सहित दी जाय तो क्या अनुचित मांगते हैं।

इसके अतिरिक्त प्राविडेंट फंड और ग्रेचुइटी की भी बात इस विधेयक में कही गई है। आप देखते हैं कि हमारे देश में ओल्ड ऐज पेंशन (वृद्धावस्था निवृत्ति वेतन) का कोई कानून नहीं है जिसका नतीजा यह होता है कि वह इंसान जो सारी जिन्दगी देश और समाज की सेवा करता है बूढ़ा हो जाने के बाद अपने को असहाय पाता है और उसके लिए कोई व्यवस्था नहीं की गई है। ऐसी हालत में प्राविडेंट फंड (भविष्य निधि) और ग्रेचुइटी (उपदान) की मांग जो हम लोगों ने रखी है वह नितान्त आवश्यक है और सरकार को उसको मंज़ूर करने में कोई आपत्ति नहीं होनी चाहिए। प्राविडेंट फंड और ग्रेचुइटी के रूप में बची हुई रक़म बुढ़ापे में मूसीबत के वक़्त उसके काम में आयोगी और इस चीज़ की व्यवस्था करने के बारे में यहां अगर ट्रांसपोर्ट के कर्मचारी मांग करते हैं तो मैं समझता हूँ कि वे कोई अनुचित मांग नहीं पेश करते हैं जब कि यहां पर कहा गया कि दूसरे व्यवसायों में लगे कर्मचारियों को इन की सुविधा प्राप्त है। फिर ट्रांसपोर्ट के कर्मचारियों के लिये ही हमारे देश में चाहे कोई कानून न हो, लेकिन

इस बात को आप मानेंगे कि संसार के दूसरे हिस्सों में, संसार के दूसरे देशों में, ट्रांसपोर्ट कर्मचारियों की ओर उनकी सरकारों का ध्यान गया। अभी जैसा बतलाया गया इंटरनेशनल लेबर ऑर्गेनाइज़ेशन (अन्तर्राष्ट्रीय श्रम संगठन) ने एक कन्वेंशन बनाया। उस में जहां कर्मचारियों की ओर ध्यान गया वहां उनका ध्यान ट्रांसपोर्ट कर्मचारियों की ओर भी गया और उनके संबंध में भी प्राई० एल० ओ० ने विचार किया। मैं माननीय मंत्री जी से जानना चाहूंगा कि कौन सी बजूहात हैं जिनकी वजह से इंटरनेशनल लेबर ऑर्गेनाइज़ेशन के इस कन्वेंशन (समझौता) की बातों को हम ने ट्रांसपोर्ट कर्मचारियों के संबंध में नहीं माना ?

अभी मैं एक माननीय सदस्य का व्याख्यान सुन रहा था, और उन की बात सुन कर मुझे बड़ा अश्चर्य हुआ। उन्होंने इस आधार पर इस विधेयक का विरोध किया कि वह चाहते हैं कि पहले इस व्यवसाय का राष्ट्रीयकरण हो जाय। जब राष्ट्रीयकरण हो जायेगा तो उस के कर्मचारियों की दशा में सुधार होगा। यहां पर यह सवाल उठता है कि जहां पर ट्रांसपोर्ट का राष्ट्रीयकरण हो चुका है वहां भी कर्मचारियों की ओर से मांगें पेश की जा रही हैं, वहां पर भी कर्मचारियों की मूसीबतों को पेश किया जा रहा है, लेकिन उन स्थानों पर भी उन की मांगों को पूरा नहीं किया गया है। मैं यह जानना चाहता हूँ कि क्या जब तक सारे देश के ट्रांसपोर्ट का नेशनलाइज़ेशन (राष्ट्रीयकरण) न हो जाय तब तक ट्रांसपोर्ट कर्मचारियों की छोटी छोटी मांगों को, जैसे हफ़्ते में उन को छुट्टी दी जाय, बीमार पड़ जायें तो छुट्टी दे दी जाए, अगर घायल हो जायें उनकी दवादारू का इन्तज़ाम किया जाय, न माना जाय ? अगर ऐसी बात है तो मैं पूछना चाहता हूँ कि जब अब तक सारे देश के दूसरे व्यवसायों का राष्ट्रीयकरण नहीं हुआ है तो उन में काम करने वाले कर्मचारियों के लिये छुट्टी का प्रबन्ध क्यों किया गया ? उन की दवादारू का प्रबन्ध क्यों किया गया ? उन की हफ़्ते की छुट्टी का इन्तज़ाम क्यों किया गया ? जिन व्यवसायों का अब तक राष्ट्रीयकरण नहीं हुआ है अगर उन में कर्मचारियों के जीवन को सुधारने की चीज़ें की गई हैं तो कोई बजह नहीं है कि राष्ट्रीयकरण न होने के कारण ट्रांसपोर्ट कर्मचारियों की ओर ही सरकार का ध्यान न जाय।

मैं माननीय मंत्री जी से बरखास्त करता हूँ कि वास्तव में यह बड़ा अहम (महत्वपूर्ण)

(श्री धार० धार० शास्त्री)

मसला (समस्या) है। यह व्यवसाय सारे देश में फैला हुआ है। यह कुल दस या बीस हजार मजदूरों का ही सवाल नहीं है बल्कि जैसा बताया गया, जो पब्लिक सेक्टर (सरकारी उद्योगक्षेत्र) है, नेशनलाइज्ड सेक्टर है, उस के अन्दर भी कोई ८० या ९० हजार आदमी काम करते हैं, प्राइवेट सेक्टर (गैर सरकारी उद्योगक्षेत्र) में काम करने वाले जो लोग हैं उन की संख्या भी काफी है। वहाँ पर भी तीन या चार लाख आदमी काम करते हैं जो कि देश की अर्थ-व्यवस्था में इतना महत्वपूर्ण स्थान रखते हैं, अगर उन को मालिक की मर्जी पर छोड़ दिया जाय और उन के दिल में असन्तोष पैदा हो, तो यह राष्ट्र के हित में नहीं होगा, उस से तो देश का अहित ही होगा। इस लिये इस महत्वपूर्ण विषय की ओर माननीय मंत्री जी को अवश्य ध्यान देना चाहिये। मैं उम्मीद करूंगा कि जो विधेयक यहाँ पर पेश किया गया है उस को वह स्वीकार कर लेंगे।

इस बात के अन्दर कुछ कठिनाई हो सकती है, मैं इस बात को मानता हूँ। जैसा कि ध्यान दिलाया गया, बस ओनर्स (मालिक) और मोटर ओनर्स कोई बड़े पूंजीपति नहीं हैं, यह सही बात हो सकती है, बहुत से ओनर्स छोटे छोटे आदमी भी हैं, लेकिन बूक छोटे छोटे आदमी मोटरों के मालिक होते हैं, पूंजीपति नहीं होते हैं, इस कारण उन के कर्मचारियों का बीमार पड़ने पर इलाज न किया जाय, उन को इतवार की छुट्टी न दी जाय, उन को दूसरी सुविधायें न दी जायें, यह मुनासिब बात नहीं है। और अगर इस में कोई कठिनाई आती भी है तो उस की ओर आप ध्यान दीजिये। जिस तरह से आप दूसरे मसलों को हल करते हैं, मुझे उम्मीद है कि इस मसले को भी हल कर सकते हैं। अगर गवर्नमेंट इसको हाथ में न ले सके और एक अच्छी चीज की न भी स्वीकार कर सके, तो भी मैं माननीय मंत्री जी से इतना जरूर कहूंगा कि वह इस बात पर प्रकाश डालें कि ट्रांसपोर्ट कर्मचारियों के संबंध में सरकार क्या करने जा रही है और क्या कदम उठा कर उनकी दशा में सुधार करना चाहती है। वह क्या कुछ करने जा रही है जिस से इस ब्यवस्था में लगे तीन चार लाख आदमियों की दशा अच्छी हो सके और वह बेहतर जीवन बिता सकें।

Shri Namblar: I am here to support the Mover and I feel there is no case on the part of the Government to refuse to accept the amending Bill. Of course, they argue that there is no meaning in

accepting this piecemeal legislation when a comprehensive legislation is likely to come

Mr. Chairman: Just a word. The Government side and the Mover of the Bill together would need about half an hour and we have just got three quarters of an hour left, within which time I wish to provide for a Member on this side also. I would request the hon. Member to be short in his speech. Further this is a simple Bill and it has been very thoroughly discussed.

Shri Namblar: Very well, Sir. We heard about this comprehensive legislation that is yet to come. I discussed the same thing some two years back during the Budget time and the hon. Minister for Transport was kind enough to say that the whole question was under consideration. Of course, we hope that the question will be considered by the next Parliament which is to come by the beginning of next year. There is no reason why the Government should not come forward with a legislation which would accept the minimum elementary rights of a worker. When every other section of the workers in the country, I mean the industrial workers, has got provision under one law or another to get the minimum rights accepted, why should the road transport worker suffer? Is there a justification or reason for denying these elementary rights?

As regards working hours, the demand of the Mover is that seven hours per day may be accepted. But unfortunately it is nine hours now and that is the statutory provision at present. The Mover may perhaps be thinking of having a compromise if at least it could be reduced to eight hours per day. Even in that respect, the Government is not prepared to accept it. In the year 1939 the International Labour Conference definitely ruled and even advised that the maximum may be 48 hours per week, that no driver may drive for any continuous period of more than five hours without a break, that there should be a day off in a week. Unfortunately, even the Government could not think it fit to accept the recommendations of the I.L.O. They say that they are prepared to accept it, if it is so, in other matters, but with regard to labour in particular, they have not got a good heart. I need not go into the details of the socialistic pattern or by whatever name it is called—now it has come to be known as socialist pattern at the Amritsar Session, that is the change

from the Avadi Session to Amritsar Session and it may change into communism one of these days . . .

Shri Venkataraman (Tanjore): And you will be unemployed then.

Shri Nambiar: We will join together. Unfortunately, nothing is done towards reducing the minimum working hours for a driver. As a passenger I have understood what is a journey in a bus like. In New Delhi, to travel in the peak hours in the morning or in the evening, the driver of a big bus like the Pullman Bus with its diesel engine, has to struggle very hard, and it is an agony to see the suffering of the driver. He works for eight hours and even then he is not given the right to claim rest. In Madras City, I know that in peak hours the conductor naturally could not collect the money from the passengers. He cannot move about. As a passenger travelling in the bus for half an hour in the evening, I know I had to take rest for about 24 hours. This is as a passenger . . .

Shri K. K. Basu (Diamond Harbour) : If you leave back any of your clothes . . .

Shri Nambiar: Not only clothes, but personal property also is lost. I am not exaggerating at all. Everyone of us has experienced this in the cities like Madras, Delhi, Bombay or Calcutta. In these circumstances, think for a moment about the condition of a conductor, and also think for a moment about the condition of a driver. There must be a human heart to accept the sufferings and giving them the minimum legitimate rights. That is what I expect of the Government to do. They may say that a comprehensive legislation is going to come, that the labour panel is under discussion and that they are thinking of so many things. But we do not want all these empty promises. So far as the road transport worker is concerned, we want something ready in our hand straight-away. We have suggested certain improvements through these amendments and the Mover has very carefully and very moderately claimed these things. Let us look into the position.

He says that there must be seven hours of work per day. With regard to the security of service, I submit that the road transport worker has no security of service. I have not heard of a case where a bus driver or conductor, under normal conditions gets back his job after he is discharged for any reason that his employer gives. Even in the

State sector it is so. I have once attended a conference of road transport workers in Trivandrum. There, I have heard for hours and days the workers speaking about the conditions prevailing there. That is supposed to be an advanced State where transport is on a better footing. If that is so there think about the private owner who does not give even the minimum rights. Therefore, security of service has to be ensured in whatever manner it is possible. Whether Government accept this amendment or not, they should give a guarantee to that effect.

I also support the proposal to give some weekly rest for the driver and other workers. Every day he has to work in shifts. Holiday is a thing which he cannot know. It may be *Deepavali*, *Holi* or non-*Holi* day but for the transport worker every day is a working day. It is our duty to see that he gets some paid holidays in a year. He gets no bonus, no gratuity, no house, no hospital and no protection. He gets victimised. He gets challaned by the police for anything, for putting a cap or not putting a cap, for driving right or left, for stopping or not stopping. That is the state of affairs and it must be changed. Four lakhs of Indian workers are on the road—half the number of railway workers. At least in 1956, after seven years of Independence, they should get their rights. Therefore, the hon. Labour Minister and the hon. Transport Minister who are conspicuous by their absence today—there is the Deputy Minister of Labour who is concerned—I am told—with trade unions in this country—should have some sympathy and a kind heart for the poor worker and do something for accepting this Bill at least.

Shri Venkataraman: I have the greatest sympathy for the idea underlying this Bill.

Shri Nambiar: Very good.

Shri Venkataraman: I congratulate my esteemed friend, Shri Vittal Rao, for the pains he has taken in preparing a fairly comprehensive code which would benefit the transport workers. As early as 1948, our esteemed friend, the then Minister of Labour, Shri Jagjivan Ram, promised that one of his first duties would be to introduce legislation governing the conditions of employment and other facilities for transport workers. It has also been pointed out by several speakers before me that we are members of the ILO and we are bound in honour,

[Shri Venkataraman]

if not by the ratification of the convention, to enforce those conditions accepted by the ILO Convention in regard to the transport workers. So far as the Government and the Congress Party are concerned, there could be no difference of opinion on this question, particularly on matters relating to labour welfare.

Shri Rao has tried to put in a number of things in an Act which is not really intended to cover all those conditions which are necessary to secure welfare of labour. In my view, it is necessary that a separated Bill like Plantation Labour Act should be brought forward for the transport workers. The reason for a separate Act of this kind is obvious. The nature of the duties of the transport workers differs very widely from that of the industrial worker in a factory or for that matter a commercial employee in a firm. Certain prerequisites for proper legislation have to be examined and decided upon.

As I may not have much time, I will only refer very briefly to one or two things. In a factory we say the hours of work are eight. It commences from 8 in the morning and goes till 12 in the noon and then after a break, let us say, from 1 to 5. Actually the time during which the worker attends to his duty is taken in the calculation of the hours of work. But so far as transport is concerned, if you take the case of a bus driver, the time that is necessary to clear in the bus and start it comes in. He has to do all the preliminary work and that time will have to be calculated as part of the work or part of the time for the transport worker.

In 1940 in the State of Madras we had a very big industrial dispute between the workers in the transport service and the private owners of the bus at that time. They insisted that according to section 65 of the Motor Vehicles Act, the time that a driver was actually at the wheel alone would be calculated as the hours of work even though he had to do at least half an hour's preliminary work before he could start the bus. In those days we had charcoal buses which required a little more time and it took at least 45 minutes before the man can take the wheel. These are peculiar problems to the transport industry and so we cannot, straightaway by saying that the hours of work should be reduced to seven hours, do real justice to the transport worker.

Then the transport worker is going from one place to another place or he may not be able to return to his home on the same day. Then the time he is necessarily obliged to keep away from his home will have to be accounted as part of the time which he is on duty and necessary provision has also got to be made for that kind of contingency.

We have a number of other problems, as for instance, the constant clash between the traffic department and the workers. My friend, Shri Nambiar, referred to the constant irritation that is provided by the police to the employees in the transport service. We know of very many cases in which the transport employees are harassed on account of either a faulty vehicle which has been given to him by the employer or on account of any petty bickerings the police may have against the employer. We have to safeguard the rights of the transport worker in very many more ways than we generally do in a factory.

As the time is short, I would wind up by saying that the Bill is, as brought by my esteemed friend, though very good in its intention, will not serve the purpose which he intends it to serve.

An hon. Member: Improve it.

Shri Venkataraman: It is up to the Government to bring forward a comprehensive Bill dealing with all aspects of the conditions of employment of transport workers.

I am quite sure that the Government will give an undertaking.

Shri Nambiar: In this session ?

Shri Venkataraman: I would join my friend in insisting that it should be not only in this session but even tomorrow, if it is possible, but it is subject to the exigencies of Government work. It should be done as early as possible. I support the principle of the Bill and I would urge on the Government to give an undertaking that a comprehensive Bill dealing with the conditions of employment of the transport workers would be brought forward as early as possible.

The Deputy Minister of Labour (Shri Abid Ali): It seems there is some confusion in the minds of some hon. Members with regard to the administration of this particular subject. The Labour Minister is in charge of this subject and not the Transport Minister. The amending Bill which has been introduced by the Transport Minister pertains to the

regulation of traffic, licensing of vehicles and driving licences. The Transport Minister has nothing to do with the matters connected with labour.

About the amendment proposed in the Bill under discussion, I may submit that this matter has been under consideration of Government for more than two years. In 1954 there was a question in Rajya Sabha also and there I myself promised that we were ourselves thinking of bringing forward a Bill which would contain provisions with regard to the subjects which have been mentioned in the Bill under consideration. Much has been done since then. It is not that this matter has been taken up after the Bill was introduced by Shri A. K. Gopalan or after the present Bill which has been introduced by Shri T. B. Vittal Rao. The Bill which we propose to bring forward will contain most of the subjects mentioned in the Bills of these two hon. Members, like hours of work, rest period, spread-over, weekly day of rest, overtime, medical facilities, welfare amenities like canteen, rest houses, recreation facilities and provision of uniform, annual leave with pay, sick leave, minimum age for employment, medical examination of young persons and other special provisions for such persons. This item has already been placed before the Standing Labour Committee which is scheduled to meet on the 10th of April. As I have said on previous occasions also, labour being a concurrent subject, the Government of India has to consult the State Governments with regard to any amendment which we may be bringing forward in the existing enactments or in new Act.

Also we have to consult all the interests concerned as we have given such an undertaking. This matter has been discussed for more than two years, at various levels, and it is necessary to devote some more time to it. Shri Nambiar asked whether a comprehensive Bill could be brought forward in this session and my friend Shri Venkataraman said he would be happier if it could be done. But the Sabha may remember that a very important Bill concerning the amendment to the Industrial Disputes Act which has been introduced by us in September has not up to this time come forward for discussion here. Again, more than three dozen Bills are pending. So, satisfaction cannot be attained only by the introduction of this Bill. It should also be passed. Because of delay in passing of legislation here, we also are a bit slack in introducing

Bills. So, I may request the hon. Members who are on the Business Advisory Committee to become a little more realistic and resolve to have shorter number of hours for consideration of the Bills so that there may be some movement of the Bills towards quicker legislation.

Much has been said about payment of taxes. I do not know how these things are inter-related. Taxes are paid, after all, by the passengers. Of course, as my good friend, Shri Venkataraman said we have complete, full, sympathy with the suggestions which have been made and that this matter should be taken up actively. I hope hon. Members opposite are convinced that we are proceeding with sufficient speed and it would be possible to introduce a Bill before long and that it will also be possible to pass the Bill with good speed.

Some hon. Members have been saying that no Act in India is applicable to the workers in the transport industry. It is very surprising. They know that the Industrial Disputes Act is applicable to the transport workers. The Minimum Wages Act is applicable to them. The Workmen's Compensation Act, about which Shri R. R. Shastri made a reference, is also applicable to them. One hon. Member was saying that in Bombay there is no safeguard for these workers if they are victimised. The Bombay Industrial Relations Act is applicable so far as the B.E.S.T. workers are concerned. Any worker who has a grievance need not go to the Government for reference of the matter to an adjudicator. He can go direct to the labour court and get the matter decided there. The workers in the transport industry are highly organised and are sufficiently intelligent. I was simply amazed when I was hearing the Members opposite saying that they were badly treated. Hon. Member Shri Nambiar said that he has been told that I was connected with labour movement. Yes, I was connected with transport workers also.

Shri Nambiar: Very glad.

Shri Abid Ali: I was connected with the transport workers for a long number of years. My feeling is, as I have submitted, the workers in this industry are very highly organised and it will be very difficult for any one to misbehave with them. Not only the BEST but the State transport in the whole State of Bombay is very well organised and the workers have got protection of several

[Shri Abid Ali]

Acts. They have got a good union of their own. Some hon. Members said that they are low-paid, this and that, though it is a nationalised industry there. But, as a matter of fact, when the private buses were taken over by the State Corporation in Bombay, some of the employees of the previous management got more than double the wages. Though it may not have been favourable to a great extent, in other States the workers have been considerably benefited. In Uttar Pradesh also, they are sufficiently organised. In Punjab, the transport workers are well organised.

An appeal has been made that workers should be given provident fund benefits. Of course they should get it. The workers in this industry also should get all the benefits which the workers in other industries are getting. There is no doubt about it. There cannot be two opinions on this question.

The Provident Fund scheme which we are making applicable to other industries will be made applicable to the transport industry also even before the Bill, which we propose, is introduced in this Sabha. But it is not that the workers in the transport industry are not getting provident fund benefits today. A large number of them are enjoying that benefit. Maybe that some small employers here and there may not be paying. But I know, as a matter of fact, that there are a very large number of transport workers who are benefited by the provision of provident fund enactments, both directly and indirectly.

Shri Velayudhan (Quilon *cum* Mavelikkara—Reserved—Sch. Castes): It is not so in Travancore-Cochin.

Shri Abid Ali: That is unfortunate; it is because the leadership there is not good. Workers there are not organised on proper lines. If they are organised and led on trade union lines, they will get what is legitimately due to them. But, they go about shouting in the streets about matters which do not concern them directly

Shri Velayudhan: During the last tour of the Minister, could he find any proper leadership there? Could he himself create any leadership? Is the hon. Minister aware that we have got one of the best transport unions in the Travancore-Cochin State?

Shri Abid Ali: I am not yielding, because time is very short and I have to say much. I was only saying it so

far as political exploitation was concerned and not about the Trade Unions. That is my opinion; he may not agree with me.

Shri Nambiar: It may be your opinion, but it is not a fact.

Shri Abid Ali: With regard to this particular amending Bill, section 65 is sought to be amended. As the hon. Member Mr. Venkataraman said, this is not the proper place to bring it in. I have already promised a separate Act containing most of the provisions about which I have made a reference.

With regard to the I.L.O. Convention, the question was asked as to why we have not ratified it. The reason is simple. We have not ratified it, because there is no enactment at present in India which takes care of the provisions of the Convention. Unless we have an enactment to see that these are implemented, there is no use ratifying the Convention. After the Bill which we are bringing forward becomes law, consideration will be given to the ratification of the Convention.

Shri Nambiar: Is it because of bad leadership?

Shri Abid Ali: A memorandum was received from the Indian National Transport Workers' Federation some time back. It was received long before the hon. Member introduced his Bill. A reference was made to that memorandum by some hon. Member and therefore I am giving this information. Whatever has been stated in that representation is also receiving the consideration of the Government.

Shri Nambiar mentioned something as to what should be the cap and so on. Certainly the Bill which we are proposing to bring forward will not take care of these things, because these are matters of discipline and are connected with what is mentioned in the main Motor Vehicles Act. Certainly, as far as the discipline side of the drivers and conductors is concerned, we want it to be maintained.

I hope that after the assurance I have given, namely, that we ourselves are thinking of bringing forward an amending Bill before long containing the provisions which have been mentioned by me, the hon. Member will not press for the consideration of this Bill.

Shri T. B. Vittal Rao: Mr. Chairman, I have heard the hon. Deputy Minister's reply and also the speech of my friend

Mr. Venkaraman with close attention. Yesterday, in the course of his reply to the debate on the President's Address, our Prime Minister talked about the international status of our country. May I ask the hon. Deputy Minister how our delegates—both workers and Government—would feel in the International Labour Organisation session when the question of the ratification of the I.L.O. Conventions or the adoption of the I.L.O. recommendations comes up?

Shri Abid Ali: Our position there is respectable as compared to many other advanced countries with regard to ratification and implementation of conventions.

Shri Velayudhan: Why not compare with ourselves instead of with other countries?

Shri T. B. Vittal Rao: I hope the Labour Minister will attend the session this time. Whenever this question is taken up, the Director-General as well as the other members impress that the Conventions should be ratified. Otherwise, there is no use of passing this Convention or adopting any recommendations if the member-countries are not going to implement them. In a way our international status will depend upon what respect we have for these international organisations and their resolutions.

The Deputy Minister referred to certain Acts being applied to the workers. I am aware of that fact, but those Acts are applied only for the employees in the nationalised industries. The workers in the private enterprises do not get the benefits of these Acts. Of course in Hyderabad State, they are applied. But in the other States, there is a regular, recurring and continuous dispute between the bus-owners and the workers. There is no security of service for the workers and if any worker organises a union and submits representations, he is sacked. We cannot deny that these Acts are not enforced in the private sector, except in some big companies like the T.V.S. in Madras. But, by and large, these Acts are not enforced in the private sector. I will ask the hon. Deputy Minister whether there are any inspectors who go and check up the conditions in the private sector? I have not found any inspector, labour commissioner or conciliation officer going about.

Shri Abid Ali: The workers and their union representatives come to us.

Shri T. B. Vittal Rao: All these things happen after long agitation. Mr. Venkaraman referred to the assurance given by Shri Jagjivan Ram when he was Labour Minister. When that assurance was given, we were having a mixed economy. But now an assurance is given by the hon. Deputy Minister after the Government have declared the establishment of a socialist pattern of society as their goal; we will see how soon the assurance is implemented, because it is made after having a second Five Year Plan and the socialist pattern of society as our objective. I have got a very bitter experience of these assurances. In 1948 there was a non-official Bill brought forward by an hon. Member, Mr. R. K. Sidhwa, belonging to the Congress Party. Then also, an assurance was given that the Government was considering the matter and would very soon bring in a legislation for the enforcement of the Provident Fund Act.

What has happened? The Provident Fund Act was passed in 1952. Immediately after it was passed, in 1953 an amendment was brought modifying the original Act. Certain industries were removed from the Schedule under the original Act. About the police *julum* against the drivers,—I understand the unions are strong and it does not happen in the cities—even in the nationalised services in the villages, they are subjected to maltreatment by the police. So many cases have been there. We have gone on strikes, token strikes, lightning strikes for 4 hours or 6 hours to bring it to the notice of the Ministers there. It is not an exaggeration; it is a fact. This is happening in the rural areas.

My hon. friend over there said that some operators will become unemployed. But, the statistics show otherwise. There are a very few such operators, not millions as he said, who will not be able to observe all these things. There are 45,000 operators all over India. Buses have got to be registered, and lorries have got to be registered. We know the figures. There are monopolies which have got 50, 100, 200, 300 vehicles. The small owners are very few. In those cases we could do something. Or they could sell their buses and go in for an alternative employment. I agree with Shri Venkataraman that the Bill that I have brought needs to be redrafted, etc. We can do all that improvement in the comprehensive Bill which the Minister is going to bring. Since 1953, we have been hearing this comprehensive Bill. As the Deputy Minister

[Shri T. B. Vittal Rao] admitted, it has been here since 1954. I would appeal to the Minister, as an earnest of the promise to bring a comprehensive Bill, to accept this modification at least now.

Shri Namblar: To start with; then the comprehensive Bill will come.

Mr. Chairman: The question is:

"That the Bill further to amend the Motor Vehicles Act, 1939 be taken into consideration."

The motion was negatived.

DEMANDS FOR SUPPLEMENTARY GRANTS

The Minister of Revenue and Defence Expenditure (Shri A. C. Guha): On behalf of the Finance Minister, Shri C. D. Deshmukh, I beg to present a statement showing Demands for Supplementary Grants in respect of the Budget (General) for 1955-56.

Some Hon. Members: Was it on the Order Paper?

Mr. Chairman: It is not in the Order Paper. Because of its urgency it is being placed. It will be circulated and consideration will come up later.

SHRI KASHI VISWANATH MANDIR BILL MANDIR BILL

Shri Raghunath Singh: (Banaras Distt.—Central): Sir I beg to move:

"That the Bill to provide for the better administration and governance and for the preservation of Shri Kashi Viswanath Mandir, known as the Golden Temple of Banaras, be taken into consideration."

मैं एक ऐसे विधेयक को आप के सम्मेलन प्रस्तुत करता हूँ जिसमें यहाँ कहा गया है कि काशी विश्वनाथ मंदिर का इंतजाम पंडों के हाथ से लेकर एक ऐसी कमेटी के सुपुर्ष किया जाय जिस कमेटी में पब्लिक का विश्वास हो और जो प्राधुनिक कानून हम ने पास किये हैं उन के अनुसार काशी विश्वनाथ मंदिर का इंतजाम किया जा सके।

आप को मालूम है कि जब हमने भारत का संविधान पास किया तो उस में जो प्रस्तावना रखी उस में लिखा "और उपासना की स्वतंत्रता" भारत के संविधान की प्रस्तावना में उपासना की स्वतंत्रता सभी व्यक्तियों को दी। उस में यह नहीं लिखा कि यह उपासना की स्वतंत्रता ब्राह्मणों को रहेगी। हरिजनों को नहीं रहेगी। उस के पश्चात् उसी संविधान के अनुच्छेद १७ में यह भी कहा गया।

"अस्पृश्यता का अन्त किया जाता है और उसका किसी भी रूप में आचरण निषिद्ध किया जाता है। अस्पृश्यता से उपजी किसी नियोग्यता को लागू करना अपराध होगा जो विधि के अनुसार दंडनीय होगा।"

इस अनुच्छेद को भी इस लिये रक्खा कि अस्पृश्यता को सिद्धांत को भारतवर्ष नहीं मानता। फिर भी हमारी समस्या हल नहीं हुई। हमने शायद मई में एक दूसरा विधेयक पास किया जिस को कहते हैं "अनटर्चबिलिटी अफेन्सेज ऐक्ट, १९५५। (अस्पृश्यता अपराध विधेयक १९५५) इस ऐक्ट की धारा २ और उसकी उपधारा (डी) में हम ने लिखा:—

"Place of public worship" means a place by whatever name known which is used as a place of public worship or which is dedicated to . . . etc."

उस के पश्चात् अगर इस धारा के सिद्धांत की अवहेलना हो तो उसी ऐक्ट की धारा ३ के अनुसार जो ६ महीने की सजा रखी गई। अर्थात् अगर कोई इस कानून का अतिक्रमण करे तो उस को ६ महीने तक की सजा होगी। इस सदन को मालूम है, सारे भारतवर्ष को मालूम है, कि बाबजूद हमारे संविधान के, बाबजूद इस १९५५ के कानून के, आज काशी विश्वनाथ मंदिर में हरिजन का प्रवेश नहीं हो सकता है। मनु की सतान हरिजन भी हैं और मनु की ही सतान ब्राह्मण भी हैं, क्षत्री भी हैं, लेकिन आज भी उस मंदिर में हरिजन भाइयों का प्रवेश नहीं हो सकता। जब वे प्रवेश करने के लिये जाते हैं तो उन पर डेले मारे जाते हैं, लाठी मारी जाती है। वहाँ पर हरिजन घायल हो रहे हैं। शायद आज भारतवर्ष के कानून में इतनी शक्ति नहीं है कि इस गुंडेशाही को रोक सके। अतएव मेरे सामने कोई दूसरा चारा नहीं था सिवा इस के कि जब हमारा कानून हरिजनों के अधिकार की रक्षा करने में असमर्थ है, मानवता के अधिकार की रक्षा करने में असमर्थ है, तो मैं इस विधेयक को आपके सम्मुख लाऊँ।

मैं अब बतलाना चाहता हूँ कि भारतीय संस्कृति, हिंदू संस्कृति, के अनुसार जितने मनुष्य हैं, मनु सब से श्रेष्ठ थे, अग्रज थे। उन्हीं की संतान पुरुखा ने जो कि मनु के प्रपात्र थे काशी नगर की स्थापना की। उन की सातवीं पीढ़ी में काश्य राजा हुए जिनके नाम पर काशी का नाम रक्खा गया।