

In spite of the arguments advanced by my hon. friends who have opposed this Bill, I submit that I do not consider any one of those arguments to be sound. I congratulate some of our hon. Members who have come to the help of the fair sex. But I may remind them what my sister Shrimati Jayashri said on the last occasion. Hon. Member wants to give them special protection and want us to have some sympathy for them. But I submit that under the present circumstances it is against the self-respect of woman to ask for discrimination. These are the words which were used by my sister, Shrimati Jayashri:

"I would like to say that we are willing that man and woman should be put on an equal footing."

Mr. Deputy-Speaker: But today two ladies have spoken against it.

Shri Dabhi: Whether they subscribe to this or not, I subscribe to this view. The Minister in the Ministry of Home Affairs gave some reasons. At first he said that we not only want *ekapati vrat* but *eka patni vrat* also. Therefore, I say that if we believe in *eka patni vrat* and *eka pati vrat*, those who do not observe *eka pati vrat* should also be punished. Why do you want to punish only men? I do not understand the logic behind this. Then, the hon. Minister said that the reason or the ground given by the authors of the Penal Code was that polygamy was extensive at that time and so they did not think it was proper to punish the women. Some of the hon. Members including the hon. Minister seem to think that still polygamy exists to a very large extent, but I have here the authority of the Census report of 1951, that is even before the Hindu Marriage Act was passed. It is stated at page 75, Census of India, Volume I, Part I-A as follows:

"Polygamy though it exists is known to be very rare. Out of

every 10,000 persons in India, there are 2,353 males for every 2,357 married females."

So, practically it is non-existent.

Shrimati Shivrajvati Nehru: But men may have unmarried wives.

Shri Dabhi: Everybody knows that that argument does not hold good.

Mr. Deputy-Speaker: The time allotted has already been exceeded. We should not indulge in this.

Shri Dabhi: Anyhow, though my sisters have appealed to me to withdraw this Bill, I think they would also respect my conviction. The hon. House is at liberty to reject my Bill, but I am convinced it is absolutely necessary that this discrimination should be done away with. With due respect to them I do not withdraw my Bill.

Shrimati Jayashri said that section 497 should be done away with. The hon. Minister seems to think that as it is a social offence and as adultery as an offence does not exist in so many countries, the whole section should be done away with which makes adultery an offence. I do not quite agree with that, but let either this discrimination be removed or if the hon. Minister is amenable let them do away with the section.

Mr. Deputy-Speaker: That could be considered if the hon. Member brings a fresh Bill.

The question is:

"That the Bill further to amend the Indian Penal Code, 1860, be taken into consideration."

The motion was negatived.

UNEMPLOYMENT RELIEF BILL

Mr. Deputy-Speaker: We now proceed to the next Bill. Shri V. P. Nayyar.

The Deputy Minister of Labour (Shri Abid Ali): On a point of order.

Shri V. P. Nayar (Chirayinkil): Let me move the motion. You can raise the point of order afterwards. Do not be in a hurry.

Mr. Deputy-Speaker: Let the motion be moved.

Shri V. P. Nayar: I beg to move:

"That the Bill to provide relief to unemployed workers, be circulated for the purpose of eliciting opinion thereon by the end of October, 1956."

Shri Abid Ali: Under article 117(3) the President's recommendation which was necessary has not been obtained. Also, a similar Bill was introduced in 1953 by Shri Gopalan and the President's recommendation was sought for, but it was refused. This being a similar Bill, it requires the recommendation of the President. So my submission is that it should not be taken up for consideration at this stage.

Shri V. P. Nayar: I am really glad that this point has come up, because it will settle the question by a ruling once and for all. I was rather amazed to hear the hon. Deputy Minister refer to article 117(3), more so because I found him in consultation with the Law Minister a little while ago. What is article 117(3)? He knows...

Mr. Deputy-Speaker: He ought to be as brief as the hon. Minister has been.

Shri V. P. Nayar: Yes Sir, but it is a very delicate point. The Minister knows that the Constitution makes a distinction between money bills and financial bills. A money bill is defined but a financial bill is not defined as such, although by implication we can have its definition. Article 117(3) says:

"A Bill which, if enacted and brought into operation, would

involve expenditure from the Consolidated Fund of India shall not be passed....

—underline the word "passed"—

"...by either House of Parliament unless the President has recommended to that House the consideration of the Bill."

I submit that this Bill if enacted might involve expenditure and I also agree that the President's recommendation is not with me. This is all the more reason why I wanted to get the support of the entire country behind me and then get the President's sanction. The hon. Minister cannot get up and say that we will not get the President's recommendation even if public opinion is in my favour.

There is also another small point which I wish you to take into consideration. My hon. friend seems to confuse the "stages" of the Bill. The motion before the House which I have just moved is a motion for circulating the Bill. It is not a motion for consideration. If it were a motion for consideration merely for the purposes of argument I might concede that his contention will hold good. Sir, you will be pleased to refer to our rules of procedure which distinguish between the stages of the Bill. For the information of the hon. Minister and other Members I may read out with your permission rule 92:

"When a Bill is introduced, or on some subsequent occasion, the member in charge may make one of the following motions in regard to his Bill, namely:—

- (i) that it be taken into consideration; or
- (ii) that it be referred to a Select Committee of the House; or
- (iii) that it be referred to a Committee of the Houses with the concurrence of the Council; or

(iv) that it be circulated for the purpose of eliciting opinion thereon:"

It is abundantly clear from this distinction drawn in our rules that when a motion is moved for circulation of a Bill for the purpose of eliciting opinion thereon it is not a stage which can be called "consideration" which will come within the mischief of article 117(3).

Firstly I contest the position that this is a Bill which will come under article 117(3) and requires the recommendation of the President, and secondly I submit that in so far as our rules of procedure have drawn a distinction between the various stages of the Bill and in so far as circulation of a Bill is separately provided for, the contention of the hon. Minister cannot hold good. I may now be allowed to continue my speech.

The Minister of Legal Affairs (Shri Pataskar): I only came to know of it just now, but it raises really a very important question which I would like to place before you what I think of the matter apart from the merits of the Bill. This Bill is called Unemployment Relief Bill and it wants to throw the burden of making payments to persons who do not find employment on the Government. It may be a very laudable object, I have nothing to say about that, but if I am correct probably it will throw the burden on Government of several crores of rupees and that could be done only under article 110.

Mr. Deputy-Speaker: The hon. Member has not contested the point that it involves some expenditure. He has only argued that the motion for circulation does not require President's recommendation.

Shri Pataskar: What I mean is it cannot even be introduced. Of course, it has been introduced, but that is another matter. This is a very important matter and let us look into it. I am not interested in the merits of the Bill.

Mr. Deputy-Speaker: I only wanted to tell the hon. Minister that the Mover has not contested that the Bill involves some expenditure of moneys which would be drawn from the Consolidated Fund of India. Whether the amount to be drawn is small or great is of no consequence. It does involve some expenditure, which would be covered by these provisions.

The Minister of Legal Affairs might go on with this argument now.

5 P.M.

Shri Pataskar: What I mean is that under article 110, this is a money Bill. There is no doubt about that. If it is a money Bill, then under article 117(1),—apart from what article 117(3) says—

"A Bill or amendment making provision for any of the matters specified in sub-clauses (a) to (f) of clause (1) of article 110 shall not be introduced or moved except on the recommendation of the President...."

So, it is really a matter of very great constitutional importance. Whenever a money Bill has to be introduced, the Constitution has laid down in article 117(1)—article 117(3) is quite different—that it must have the previous recommendation of the President.

Shri V. P. Nayar: That is another point of order.

Shri Pataskar: Now, it may be argued that the Bill has already been introduced. But that apart, if really the introduction itself has not been warranted under the Constitution, I do not know how that can be of any use. This is a matter worth considering.

I do not know what happened at the time the Bill was introduced, and whether it was opposed at all, and if it was not opposed, why it was not opposed. Even granting that no objection was raised at that

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time, we cannot do anything which the Constitution itself forbids us from doing. Apart from the merits of this Bill, this is a point worth considering. In spite of the fact that a Bill is a money Bill, if by chance such a Bill happens to get introduced, then it is open to me to draw your attention to the fact that it is a money Bill, even the introduction of which was not warranted by the Constitution.

Mr. Deputy-Speaker: I would like to draw the attention of the Minister to the wording of article 110(1) which says:

“...a Bill shall be deemed to be a Money Bill if it contains only provisions dealing with all or any of the following matters, namely.....”.

Is it the contention of the Minister that this Bill deals only with those matters?

Shri Pataskar: Virtually, I think that is what it practically means. It relates to ‘appropriation of moneys out of the Consolidated Fund of India’ mentioned under item (d) of article 110(1). I think this Bill contains very little excepting that. It says that money should be paid out of the Consolidated Fund even to unemployed persons.

Shri V. P. Nayar: Even that “very little” is sufficient to say that it is not a money Bill.

Mr. Deputy-Speaker: As the hon. Member himself has just observed, even this very little is enough to take this Bill beyond that ‘only’, and on that, this could be discriminated from a money Bill. If the hon. Minister certainly contends that it contains only those provisions, then that might be a different thing.

But now, two objections have been taken as regards this Bill. The first is that under article 110, it ought

not to have been allowed to be introduced. That is what is being said by the Minister. It was an irregularity, so to say, so far as his contention goes.

But if we look at article 122(1), we find:

“The validity of any proceedings in Parliament shall not be called in question on the ground of any alleged irregularity of procedure.”.

Shri Pataskar: I am not challenging it.

Mr. Deputy-Speaker: If any irregularity or any other defect has occurred when this Bill was introduced, then we shall not take that into account at the present time and question it.

Shri Pataskar: May I say a word? I am not challenging the validity of the proceedings of Parliament. Supposing I had an occasion to challenge it in some court or some other place, that would be a different thing. What the article says is that the validity of any proceedings of Parliament shall not be called in question on the ground of any irregularity or defect. I am not challenging the validity of the proceedings here. What I mean to submit is that what has happened is something—of course on that we might differ—which is entirely inconsistent with the provisions of the Constitution. If so, then I am appealing to you to consider this. I am not challenging the validity of the proceedings. So, you may just consider this point.

Mr. Deputy-Speaker: Practically, that would come to the same thing. The contention is that it was not a Bill which could have been introduced. But it has been introduced, and Parliament has permitted it. If there was some defect in that, now, we cannot call that in question.

The second objection is that article 117 (3) of the Constitution is a bar to our proceeding with this Bill. That article reads:

"A Bill which, if enacted and brought into operation, would involve expenditure from the Consolidated Fund of India shall not be passed by either House of Parliament unless the President has recommended to that House the consideration of the Bill."

The wording here is 'shall not be passed'. I do not think it is the contention of the Minister that this word 'passed' would include even this motion that it should be circulated for eliciting public opinion thereon.

I am certainly strengthened in this view by a previous ruling of the Speaker, where it has been held that the motion for circulation is a distinct one, it is a different one, and article 117 (3) does not stand in the way of that motion being made. So, I have to abide by that. Moreover, I am also of that view. Therefore, there is no obstacle so far as this motion is concerned, and we can proceed with it.

As has been argued by the hon. Mover himself, after we have received opinions,—that is to say, if Parliament agrees to the motion for circulation—from our countrymen, the President might think it advisable to give his recommendation. Therefore, this plea also that in 1953, a similar Bill was introduced, in respect of which the recommendation of the President was sought for, but was refused, should not, in my opinion, stand in the way of this Bill having its course.

Shri V. P. Nayar: I can understand the anxiety of the Deputy Minister of Labour, because normally one would have expected this bill to have been brought by Government. As you know, Sir, this Bill was submitted.....

Mr. Deputy-Speaker: The Committee on Private Members' Bills and 418 L.S.D.

Resolutions has not fixed any time for this Bill. So, it is for the House to fix the time. The Committee has not fixed any time, because it was thought there as well that perhaps this motion might not be assented to or might not be allowed to be proceeded with. Therefore, now, we have to fix the time. I suppose 1 hour will do for this.

Shri Feroze Gandhi: One hour will do.

Shri V. P. Nayar: It is a very important Bill.

Shri Sadhan Gupta: It is an important Bill, and therefore, more time should be given.

Shri V. P. Nayar: We discussed an amendment to the Indian Penal Code for 2 hours. And this Bill deals with a much more important matter.

Shri Feroze Gandhi: This motion is only for circulation. So, 1 hour will do.

Mr. Deputy-Speaker: Exactly. That distinction is there. This is not the consideration or the passing stage. It is only a motion for circulation to elicit public opinion. I would certainly be guided by the opinion of the House.

Shri Abid Ali: 45 minutes will do.

Shri Satya Narayan Sinha: Half an hour would do.

Shri V. P. Nayar: We had asked for four hours originally. So, at least, two hours may be given.

Dr. Rama Rao: Two hours may be allotted.

Mr. Deputy-Speaker: On one side, there is a demand for 2 hours, and on the other, there is the concession of half an hour only. Let us have one hour.

Shri Satya Narayan Sinha: Will it go up to six o'clock?

Mr. Deputy-Speaker: It may finish even earlier, because we started this at 4.54.

Shri V. P. Nayar: I am very sorry that the Minister of Parliamentary Affairs is not charitable enough even to allow one hour, for this important Bill.

Mr. Deputy-Speaker: Now, the hon. Member might proceed with his speech.

Shri V. P. Nayar: As you know, Sir, this Bill was submitted for introduction in 1953.

Shri Satya Narayan Sinha: So, this will finish at 5.54 P.M.?

Mr. Deputy-Speaker: Yes.

Shri V. P. Nayar: You will also find that what is started in the Statement of Objects and Reasons remains unchanged even today.

This is a very simple Bill. In the main, it seeks only to provide for some relief to the unemployed. The Government of India's policies, as enunciated quite often in this House, and expounded elsewhere, indicate that this Government are not in favour of giving reliefs or doles to the unemployed workers. The reason which they give is that it will cause a mental anxiety or a feeling of distress in the workers' minds when they get doles and will also create a psychological fear that they will not get jobs. This is, to say the least, according to me, a bogus explanation. It is trying to get away from facts. We know that unemployment today is a national malady. It is chronic. It is growing. Even with the First Five Year Plan, we have not been able to eradicate it to any appreciable extent. If we go through the chapter on labour policy in the Second Five Year Plan, we find—there is some account of unemployment; it is not a complete account; the Planning Commission did not have all the necessary data to give us a complete account—that unemployment even after the Second Five Year Plan is completed will remain in colossal proportions.

What is the loss of human energy to the nation which is going forward with programmes of production and construction? I am not going to tire the House with all the details. I will submit for the consideration of hon. Members that, according to the version of the Planning Commission, today in our country an agricultural population amounting to over 35 million people are unemployed for more than 150 days in the year. The Planning Commission calculates that there are at least 17.6 million agricultural families finding no work for over 160 days in the year. What is the manpower which is lost to the country as a result of this one factor alone?

I have made some calculations which the hon. Minister may be interested to know. Assume, for example, that an agriculturist family consists of only two members; that is the irreducible minimum in any family. If we take 17.6 million families to have only two members per family and if the Planning Commission's version is to be believed, that is, they do not get work for 160 days in the year, according to me, these 35 million people could put in, which they do not put in now because there is no work, about 5,600 million man-days of work. This is not a joke for this country which claims to be moving towards progress in production and construction. It is about 45,000 million man-hours which the country is losing by unemployment, only in the agricultural sector. It is not my figure; it is the figure of the Planning Commission itself. This is not because our people have no enthusiasm to support the Plan. They have enthusiasm; they have not merely enthusiasm; they want to do their work. But where is the work?

We very often hear the talk being repeated that the Government of India is committed to usher in an egalitarian society or what they call a socialist pattern. If there had been any sincerity in making such pledges for ushering in a socialist pattern, I submit unemployment relief was one

of the measures which should have had top most priority. But what do we find?

Sir, there is also a provision in the Constitution, which we all know. The State shall strive to ensure economic justice. Where is economic justice when in the agricultural sector alone, 17.6 million families of agricultural labourers are not having work for half the year round? Millions of our educated people are today without jobs. They are not having any economic justice. They are in complete economic disequilibrium, a factor which has not even been taken into consideration by this Government which talks tall about a socialist pattern. It has been the consistent position of this Government to oppose us in any measure calculated to bring in some relief to labour; whether it is in the form of a resolution, which we had, or in the form of a Bill, which is being stoutly opposed by the Labour Minister who himself was, once upon a time, a labour leader.

Shri Abid Ali: Not labour leader, but a worker himself.

Shri V. P. Nayar: I leave it to his choice.

In the pledge of the Government in the First Plan, what did they say? I am not denying Sir, that in the First Plan, there has been some little improvement this way or that. I concede that there has been, for example, an improvement in industrial production, to the tune of 40 to 45 per cent. I also concede that in the First Plan, we have had giant undertakings. Many new factories have been started, both in the public and private sectors. I concede that also. But what is the picture of our economy as at the end of the First Plan? On the one hand, we have been investing money in huge undertakings. We have been increasing our output in industry to the extent of 43 or 45 per cent. But we must look at the other side of the picture. On the other side, I find from details collected by me from the *Labour Gazette*

and *Monthly Abstract of Statistics* that at the end of the Plan—I am giving a brief account of what the real picture of our economy is like—that the net income from factory industries which was only Rs. 550 crores in 1950 rose to Rs. 760 crores in 1954. During the same period, wages, which were only Rs. 193 crores in 1950, rose only to Rs. 207 crores, a very small percentage of rise. As regards salaries, in 1950 they were Rs. 39 crores; they rose to only Rs. 42 crores. But then, look at the profits. In 1950, the total profits, as calculated by the Government of India—not by any one of us—were Rs. 318 crores, but in 1954 they swelled up to Rs. 511 crores. If percentage is required, the share of wages and salaries as at 1950 just before the Plan was launched, was 42 per cent, while at the end of 1954, it dwindled to 33 per cent. of the national income. On the other side, the share of profits which was 58 per cent. in 1950, rose to 67 per cent. at the end of 1954. This is the economy which we have got from the First Five Year Plan.

I do not want to give many more figures. But you will find that apart from the contention of Government that there is better industrial position today, that there is better industrial production, which can be calculated at 40 or 45 per cent, there is retrenchment, there is under-employment and there is unemployment even in sectors which, we considered as well organised and safe for labour.

What do we find today? Even the hon. Minister cannot dispute when I say that in industries like cotton textiles, in jute or in sugar, the overall employment position is steadily on the decline. It was only very recently that a committee of experts in U.P. studied the labour problems in the U.P. sugar mills and found that in the sugar mills alone there was a surplus labour of not less than 10,000! You will remember Sir, that consequent on the rationalisation of the jute mills, even the most conservative esti-

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mate by the Indian Jute Mill Association indicated that about 40,000 workers would necessarily have to be thrown out of employment. I know, about 20,000 have already been thrown out.

What is the position in the cotton textile industry? The Government says that it is 'rationalisation without tears'. Fantastic nonsense, if it is anything, because if it is rationalisation without tears here.....

An Hon. Member: Without tears to the millowners.

Shri V. P. Nayyar: ... it is rationalisation with a flood of tears in other places. Take, for instance, the handloom industry. They are introducing under the Second Five Year Plan, 35,000 to 36,000 powerlooms. A powerloom is said to be able to produce about 60 or 70 yards a day as against 8 or 10 yards which can be produced by a handloom. We have got about 4 or 5 lakh registered handlooms. Where is the chance of absorbing all this production? We are certainly not against rationalisation in so far as it will not dislodge the workers. But today, if you put 35,000 or 36,000 powerlooms, each producing 7 or 8 or 10 times more than what handlooms can do, when in the country the demand for handloom cloth is not expanding appreciably, when the handloom industry itself has not come up to its pre-war position, I submit the introduction of powerlooms, without providing for corresponding employment to those who will naturally be thrown out of employment from the handloom industry, will certainly mean an addition to the unemployed labour force.

There is also another aspect which I want hon. Members to consider in a very objective manner. I am not speaking for or against prohibition. But we know that the Government is committed to a policy of prohibition. I am not going into the ethics of it. It might satisfy the views of certain puritan moralists.

I am not going into that; but let us look at another side of prohibition. All along, we know that tens of thousands of families have been living, by tapping. It is well and good to say that there will be prohibition. What is the new employment provided to the tappers who for generations did nothing else except tapping? In our country several thousands of them have already been thrown out of employment. What is it that we have been doing for them? It is all very good to say that we must not drink and that there should be no tapping. But, this is the position.

Then again, I understand—I have not been able to make any estimate of it so far—that if rationalisation as proposed by the magnates of the textile industry is brought about, it will certainly result in several thousands of workers being thrown out of employment. Have the Government any plan to absorb them? For those people who have already been unemployed we have not been able to find work in spite of our First Five Year Plan and also the schemes contemplated in the Second Plan.

I want you to consider the wage position of the ordinary worker in our country. Is it the hon. Minister's contention that the average wages earned by workers today will amount to a living wage? I do not think that even the hon. Minister will contend that the workers in India today get what we can call a living wage.

Shri T. B. Vittal Rao (Khamman): Not even a fair wage.

Shri V. P. Nayyar: As my friend, Shri Vittal Rao says, not even a fair wage. Let us look at the position of the worker who for some years has been working at the sweat of his brow, who, when at the age of 50 or 55—when old age compels him to retire from arduous work, goes home. What does he get; what are the social securities provided for a retiring worker? I concede that of

late one or two small measures have been introduced and passed by Government. But when a worker retires from work at the age of 55 or 60, incapable of doing any more work and without having set apart anything to fall back upon, because he did not have enough to make both ends meet, because he does not even have a fair or living wage, where is he to go? When he goes back after 60 or 55, probably he might have educated his children; he may have a daughter who might have passed her English School Leaving Certificate examination or a boy who might have graduated. But all that means nothing because there is so much of educated unemployment. Therefore, the worker who has worked even breaking his spine during the best part of his life and who goes home after the completion of his employment, will find to his dismay that he will be a burden. Have Government thought about this condition?

I was going through certain other details and I find that Government have a sort of insuperable aversion for doing anything which is fundamentally good for the worker. If they did not have that aversion, I am sure, having got notice that a Bill like this will be sponsored by the Opposition, they would themselves have come out with a Bill like this. I understand—speaking subject to correction—that very recently at the instance of the Labour Ministry of the Government a study was made by a team of experts on working out a scheme of insurance for the workers. After the study, the team of experts submitted their recommendations. This Government have not been able to put through even a very small measure which would have in some little way lessened the grievances of the workers; but for that they could find out a reason. Unfortunately, it happened that among the recommendations there was one which made it necessary for Government to collect a small contribution from the workers. We, certainly, are against any contribution being taken from the workers. But can't the Govern-

ment find out the little money to meet this lacuna of not raising contribution from the workers themselves? That they have not done. When we are thinking of a socialist pattern, when we are going on borrowing what is good from all patterns, whether it is capitalist or socialist from countries all over the world, I find to my dismay that Government are conveniently ignoring what is happening in the I.L.O. of which India is a member.

I find from this publication, *Unemployment Insurance Schemes*, published from Geneva in 1955 by the International Labour Organisation—the latest that I could lay my hands upon—that about 22 countries have unemployment benefit schemes. In 1955, according to this Report, Austria, Belgium, Canada, Federal Republic of Germany, Greece, Ireland, Italy, Japan, Netherlands, Norway, Switzerland, Union of South Africa, United Kingdom, United States, Yugoslavia, Denmark, Finland, Sweden, Australia, France, Luxembourg and New Zealand, all these countries have unemployment benefit schemes. It is mentioned here—

“..... brief mention should be made of the Social Security (Minimum Standards) Convention, 1952, adopted by the International Labour Conference in 1952. This Convention lays down minimum standards in respect of nine principal forms of social security and deals in one of its parts with unemployment benefit. Countries ratifying the Convention must undertake to provide at least three types of social security benefits, of which unemployment benefit may be one. The Convention defines the contingency for which unemployment benefit should be provided, indicates the minimum proportion of persons to be protected, and prescribes the minimum benefit levels and minimum potential duration periods. The Convention came into force on 27 April

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1955, and by the middle of 1955 had been ratified in respect of unemployment benefit by Sweden, the United Kingdom, Norway, Yugoslavia and Denmark."

Sir, I ask the hon. Minister, why is it that India which participated in this Convention, India which is a member of the I.L.O. could not adopt this and put it into practice. After all, it is not such a revolutionary measure. It is a measure which was agreed upon by all the countries, and adopted at the Convention, implemented by some countries, a measure which will be consistent with what is obtaining in 25 or 26 countries today. This is why I say Sir, that even when the Government think of borrowing all good things, be it from the capitalist camp or be it from the socialist camp, when the workers' interests are concerned, they turn away and do not even adhere to the decisions taken by international organisations of which they are members and in which they do send regular representatives.

I submit.....

Mr. Deputy-Speaker: The hon. Member should not exhaust the whole time because others have also to speak.

Shri V. P. Nayar: I submit, it has not been possible for me to give more elaborate details in view of the time restriction which was rather unexpected and I would say that Government must take the initiative. I knew that Government will oppose. That is why I submitted the Bill in its present form. I am sure, although the hon. Minister can now say that the Bill should not be considered because it does not have the President's recommendation, when once the House gives the direction that this shall be circulated for eliciting public opinion before the end of October 1956, I am certain that the public will respond and backed by the strength of public opinion, when I

request the President, I am certain that the President will give the recommendation which may be necessary.

I once again request the hon. Minister not to treat this as a Bill which comes from the Opposition or from my party. It is a Bill which is very necessary, which is very essential, which is imperative in the present context, a Bill which should at least make a beginning to give some protection in social securities, to the workers. I therefore commend to the House my motion for circulation of this Bill for eliciting public opinion.

Mr. Deputy-Speaker: Motion moved:

"That the Bill to provide relief to unemployed workers be circulated for the purpose of eliciting opinion thereon by the end of October, 1956."

Shri Sadhan Gupta (Calcutta South): It is amazing that the Government, instead of giving serious attention to this Bill, has come out with an obstructive attitude, first by way of taking technical objections which are unsustainable and then by way of trying to restrict the time limit.

We know that with their present brute majority, they will succeed in stifling discussion on this Bill by restricting time because it is a Bill dealing with an aspect that does not do any credit to the Government that exists today.

Shri Nayar has given us the figures to illustrate the gravity of the unemployment problem, how many workers are going to be thrown out of employment in the jute, textile and other industries. Those figures speak eloquently and much more eloquently than the dry figures on the paper speak of the human beings whom we notice all around us and who together make up these figures.

We, as Members of Parliament, know how many people we see around us in the towns we represent, in the villages we represent, desperately looking for jobs in a frustrated mood, in a miserable position and with an attitude to life which is devoid of all hopes and expectations. Now this is the position. Under these circumstances all that Shri Nayar's motion seeks to do is to elicit public opinion, and nothing more, on the necessity of giving unemployment relief. We call it "unemployment relief". I understand the Government has objected to the idea of giving an unemployment dole to the workers. I want to point out with all the emphasis at my command that these words "reliefs" or "dole" are complete misnomers. The point is that these words "unemployment relief" or "unemployment dole" as it is often called, have been invented by capitalists to hide their utter incompetence in doing their duty to the workers whom they exploit. The unemployment benefit is not a dole or relief. It is what the worker can demand legitimately for himself because it is the duty of every State to give any person, who is able to work and who is willing to work, an employment which will sustain his life. No one can deny that this country is not fulfilling its duty in that respect. Therefore, it is high time that some sort of a measure was introduced and enacted by this House, as the representative of the people, in order to provide for unemployment relief to our rural population, to big agricultural labour population and small peasants as also unemployment relief to the working classes and middle classes inhabiting the urban areas.

Shri Nayar wants to have this Bill circulated for the purpose of eliciting public opinion. By eliciting public opinion, valuable suggestions might be received, and, therefore, I see no possible objection to the mere circulation of the Bill for the purpose of eliciting public opinion. But I know that the fate of even this motion will

be no better as the brute majority will stifle it down.

Dr. Rama Rao (Kakinada): They are going to accept it.

Shri Sadhan Gupta: Then I will withdraw my word.

Mr. Deputy-Speaker: Then, why say it in advance?

Shri Sadhan Gupta: That is my apprehension from the attitude of the Government in stifling the discussion and in raising technical objections. It will be well if it is circulated; it deserves to be circulated because by sending it to the country, by sending it for eliciting public opinion, very valuable suggestions might be obtained for improving the Bill, and at least something may come out of it which will give much-needed relief and protection to the working people, the toiling masses of this country, both in the villages and in the urban area.

Therefore, I would request the House not to throw it out unceremoniously as it is a Bill which is so important to the life of the people, to the life of millions of our countrymen; I would request the House at least to give it the consideration which it deserves and send it to the country and then see what can be done in the light of the opinion given by the country.

Shri T. B. Vittal Rao: I commend the motion of my hon. friend, Shri V. P. Nayar that this Bill be circulated for eliciting public opinion, for the acceptance of the House.

I am just now reminded of those few sentences which Shri V. V. Giri, when he was Labour Minister, said while closing the Thirteenth Session of the Indian Labour Conference at Mysore. We brought this question of unemployment; we discussed it there for some time; then finally when we asked him what was his opinion, he said that when he was a Labour Minister of the Madras Government in the year 1937 under the leadership of Shri C. Rajagopalachariar, the Chief Minister of Madras Government asked him to draft a Bill of that nature.

[Shri T. B. Vittal Rao]

We asked him whether it would not be possible to do it now. Then he replied that if he were to draft a Bill of that nature, he would have no place in the present Cabinet as it is constituted.

Shri V. P. Nayar: As it ultimately happened.

Shri T. B. Vittal Rao: The social security measures for the prevention of want have come to occupy an important place in the social legislation of modern times. As has been previously pointed out, there are today unemployment insurance schemes obtaining in 22 countries and they are all members of the International Labour Organisation. Why is it not possible for our country to institute a scheme of this nature? Of course, some people without knowing what this unemployment insurance scheme is simply ridicule and criticise that it is like giving doles to unemployed persons. This is not exactly like that. In unemployment insurance schemes, for an unemployed person the Government takes the responsibility for a limited period of time during which he is unemployed and he is given a limited allowance during that period. It is not that the unemployed person will be paid for all time an unemployment relief from the insurance scheme. It is not so. It is only for a limited period and again only a limited amount will be given to him. When this scheme operates, it brings pressure on the Government to find out employment to the unemployed persons. Only the other day Shri J. C. Ghosh, Member of the Planning Commission, said that every day nearly 12,000 new mouths have to be fed and nearly 5,000 persons are added to the labour force. In our country there is unemployment which has been recognised, but to what extent the Government takes the responsibility to remove unemployment can only be indicated if there is a proper unemployment insurance

scheme. As it is, today in the Constitution, the right to work is not recognised. It is necessary to relieve to some extent the problem of unemployment and also to make Government responsible for finding out employment to these unemployed. There was a great debate in this House on a resolution moved by Shri Gopalan on unemployment insurance and then Government appointed a committee consisting of representatives from the Ministries of Labour, Finance and Commerce and Industry. It took about one year and then submitted a scheme. Instead of improving that scheme or sending it to all the trade unions or other public organisations or the employers' federation and getting their opinions on the scheme, Government turned it down.

Our industrial production during the First Plan has increased by 22 per cent.; our agricultural production, by 18 per cent. The real earnings of the industrial workers have not correspondingly increased. If you compute the real earnings from the wages, salaries etc. of the employees and workers they come to the level of what they were in 1939. The enormous increase in the national wealth was not properly distributed. In order to have a scheme of this nature, those who have made huge profits during these years should contribute. There will not be much difficulty. Actually, the profits during the First Plan period have risen considerably. Many of the industrialists have benefited. Without going into the figures, I have seen so many industrialists during the last few years purchasing so many mines, plantations and factories from the Europeans. So many English factories, Burns, Braithweight and Jessops, for instance, have changed hands and gone to the Indian industrialists. Therefore, the national wealth which has been created during this period was not equitably distributed. Earnings have not increased correspondingly. Due to rationalisation, there

has been retrenchment. Therefore, if a scheme of this nature is instituted, it will restrain the employers from retrenching the workers and it will also make the Government responsible for finding employment to the unemployed. With these words, I commend the motion.

श्री अश्विभ दश्री : उपाध्यक्ष महोदय, इस बिल के सम्बन्ध में मुझे सबसे पहले तो यह निवेदन करना है कि एक मेम्बर साहब ने जो ब्रूट मैजोरिटी का इस बारे में जिक्र किया है, वह बहुत ही नामुनासिब चीज है।

Shri V. P. Nayar: All of us who spoke do not understand whether the hon. Minister speaks Hindi or Urdu. Will he kindly speak in English? Unless he does not want us to appreciate, there is no other reason.

Mr. Deputy-Speaker: That is for the Minister to choose his medium. I cannot compel him.

Shri Abid Ali: It is unfortunate that the hon. Members opposite while making criticism, use language which they should better avoid. The brute majority has not been nominated by anybody. It is an insult to the electorate to say so. The same electorate which elected them also elected us.

Shri Sadhan Gupta: By a minority of votes.

Shri Abid Ali: There was free vote and every group, party or individual had complete liberty to go and explain the programme. If the voters chose to elect us, it is not proper for anybody in this House who has been elected by the same voters to come and abuse them. I hope this will be the last time when that word is used.

I was myself the President of a Convention Committee constituted by the International Labour Organisation. When returns came from member countries, our place was sufficiently high among the countries

which had implemented them. So, it is not proper to say that we lag behind in honouring the conventions of the I. L. O.

Then, about prohibition. If it is bad, it is bad and if it is good, it is good. If it is bad, it must go. There can be no argument about it. Bombay and some other States where prohibition has been introduced have taken considerable care within the limitations of the economy of the State, to employ persons who became unemployed due to the introduction of prohibition. Alternative employment, as far as possible, has been found in industries like sugar-making from toddy, etc.

It is impossible to accept the Bill in the present form. It says that a person who has attained the age of 16 should be entitled to employment as soon as he registers himself in the employment exchange; if it is not possible to secure an employment for him, then he should be paid unemployment relief. To have such an organisation in different parts of the country and to give unemployment relief, nearly Rs. 2,000 crores will be required during the Second Plan period.

Shri T. B. Vittal Rao: Who estimated it?

Shri V. P. Nayar: The Planning Commission report does not suggest that.

Shri Abid Ali: That amount will be required to establish this machinery in different parts of the country as envisaged in the Bill and to give unemployment relief. We do not believe in giving doles, (Interruptions.)

Shri V. P. Nayar: Relief is contemplated for how many millions?

Shri Abid Ali: It is left to totalitarian countries or capitalist countries to do that. Here we believe in democracy and we want to have a Government established on a democratic basis. (Interruptions).

An Hon. Member: How does it come here?

Mr. Deputy-Speaker: Order, order. One or two questions may be put to him. There should not be a running commentary.

Shri Abid Ali: Here, we want the right to work. We want to provide ample work for everyone. That is what the Second Plan envisages Rs. 7,500 crores will be invested during the Second Plan period, both in the private and the public sectors to find additional employment opportunities. By this method, we will be able to have more and more employment opportunities so that everyone who is able and willing to work should get work, and that too on a fair wage system. Every citizen in the country should make all possible attempts, should endeavour his utmost, to see that the country is prospering and he should be entitled to his due share in the prosperity of the country. It is not for any particular class of people that this prosperity is planned, it is for every citizen. Therefore, the objections that have been raised by the hon. Mover about some particular class of people having the gains of this prosperity of the country are entirely misplaced and misconceived. It is a misconception of what is happening in the country. So far as we are concerned, our minds are clear and I am sure the people know it very well. If again the hon. Member wants to respect the expression "brute majority" he may have occasions even after the general elections are over, because the people have ample confidence in us in our sincerity and the way in which we are working to gain our objective. They are one with us and we are one with them.

There is no question of torture on anybody. There is no question of suppression of any point of view as the hon. Member stated. Our cards

are open and will remain always open.

The charge with regard to employment opportunities going down has been refuted many a time and again and again hon. Members opposite feel—I do not know how and why—that their interests are better served by going on making charges which have no basis. He has also mentioned that there is rationalisation in the textile mills. Of course, there is rationalisation but without any retrenchment. That has been made clear many a time, not only so far as statements are concerned but also so far action is concerned. There has been no retrenchment.

Then, so far as lay-off and retrenchment compensation is concerned, hon. Members know that if a person working in an establishment is laid off he gets lay-off compensation. Similarly, in the case of retrenchment also he gets retrenchment compensation. There is also Provident Fund introduced by this Government. For sickness period also we have compensation scheme through which persons who fall ill, not only due to injury during employment period but those who fall ill also, are taken care of to the extent that any wealthiest man in this country can secure treatment in hospitals.

Shri T. B. Vittal Rao: You go to Calcutta.

Shri Abid Ali: I have gone to Calcutta not once but many times and I will go again and again. Calcutta is as much my own as of any Bengali. The people there love me and I love them.

Shri T. B. Vittal Rao: The Employees State Insurance Corporation recommended 130 kinds of drugs but the Government has sanctioned only 50 kinds of drugs. That is the situation there. They are going on strike within the next few days.

Mr. Deputy-Speaker: But, can that be cited just now? Let us hear the hon. Minister. The time is up.

Shri Abid Ali: I was submitting that so far as the insurance scheme is concerned, the workers get the best hospitals available.

Shri T. B. Vittal Rao: Read the Sub-Committee's report.

Shri Abid Ali: I have read the Sub-Committee's report. But the difficulty is, the hon. Member reads good for bad and bad for good. I cannot help that.

I was submitting that the best hospitals available in the places where this insurance organisation is functioning have been reserved for the workers in the factories.

Shri Sadhan Gupta: On paper.

Shri Abid Ali: Of course on paper also.

Shri Sadhan Gupta: On paper only.

Shri Abid Ali: The workers who are injured get the benefit of unemployment and sickness relief. It is not only in respect of fever and other things, but any ailment is treated through this organisation, as I submitted, in the best available hospitals and in localities where wealthy persons are living.

Therefore, Sir, I oppose this Bill, which does not mean anything.

Shri T. B. Vittal Rao: Even the motion for circulation?

Shri Abid Ali: I oppose its circulation, because it puts a burden on the country in this Plan period and the Five Year Plan envisages plenty of opportunities for employment which should be considered quite sufficient for the time being at least.

Shri Sadhan Gupta: May I know what is the burden in circulating a Bill?

Shri V. P. Nayar: Sir, I want to ask one question.

Mr. Deputy-Speaker: It cannot be permitted that a speech be made while standing and then another while sitting. That should not continue every time.

Shri V. P. Nayar: Sir, I have a right to reply.

Mr. Deputy-Speaker: The hon. Member may have two minutes.

Shri V. P. Nayar: Sir, I was really amazed when I heard my hon. friend, because I thought he will at least come to certain points and he kept away from that. What is his objection? I cannot understand even now, why does he not agree to circulate a Bill like this. Is he afraid that the public.....

Shri Abid Ali: I am not afraid of anything.

Shri V. P. Nayar: Then why not accept this bill as a challenge?

Shri Abid Ali: We have accepted the challenge in 1952 and again we will have it in 1957.

Mr. Deputy-Speaker: These challenges and counter-challenges cannot be allowed in this House.

Shri V. P. Nayar: He has succeeded in the challenge by going to the Upper House.

Mr. Deputy-Speaker: Order, order. Only one Member should speak at a time.

Shri V. P. Nayar: Sir, I only wanted to say that some of us cannot understand how a motion for circulation of an important measure on which we can react can be opposed.

The hon. Minister said that everything is provided for the workers in the matter of treatment. I happen to know several of these workers who do not get anything from the employment insurance scheme. He said that they are being allowed treatment in the best hospitals. I go very occasionally to the Irwin Hospital but I do not find any worker in

[Shri V. P. Nayar]

the pay ward. I go to the Welling-don Hospital and there also I do not find any worker. Probably, the workers get a very good treatment in certain hospitals, which are, probably, the creations of his imagination, or on paper as my friend here said. Shri Vittal Rao pointed out a specific case. He has information about that and there was also a report that, when under the scheme drugs were being asked for—very important drugs like chloromycetin—they were not supplied. The workers will be treated by the old methods and nobody cares for them. May I ask the hon. Minister how many workers have been X-rayed?

Shri Abid Ali: Thousands.

Shri V. P. Nayar: Of course, thousands have T. B. and by paying their own money they get X-rayed. I want him to give me the figures for this, if he can, as to how many workers have been treated for tuberculosis under this scheme and how many workers have been treated for other major diseases. May I know how many families of the workers have been treated under this scheme in the best hospitals? Sir, it is idle to score a debating point and then say that it is Rs. 2,000 crores. I want the hon. Minister to tell me, if he can, how he calculated this figure of 2,000 crores. He says it is on employment exchanges.

Shri T. B. Vittal Rao: Or the authority may be quoted.

Shri V. P. Nayar: Let him at least point out whether the Planning Commission has calculated or his Ministry has calculated this figure. We do not rely on his arithmetic; it is bound to be faulty, because if he had any correct arithmetical sense he would not have said Rs. 2,000 crores. I want him to tell me, if he can, how much of these Rs. 2,000 crores is expected to be given as relief and how many millions of workers are proposed to be covered by this amount. Can he at least tell us how many millions.....

Mr. Deputy-Speaker: The hon. Member has to address the Chair and not get the answer direct from the Minister.

Shri V. P. Nayar: I would request him to inform the House as to how many millions of people are estimated to be covered by this.

Mr. Deputy-Speaker: The hon. Member should conclude now. We have a half-an-hour discussion at six o'clock.

6 P.M.

Shri V. P. Nayar: I would be very grateful if the hon. Minister can furnish us, at least privately,—because there is no time now,—figures showing the number of millions of people whom the Government consider are unemployed and are deserving of such help, and who will come within this scheme for which Rs. 2,000 crores are provided.

I once again request the hon. Members kindly to support the motion for circulation of the Bill. Let us have the public opinion, and if public opinion is against it, we are all prepared to throw it out.

Mr. Deputy-Speaker: I shall put the motion to the vote of the House.

The question is:

“That the Bill to provide relief to unemployed workers, be circulated for the purpose of eliciting opinion thereon by the end of October, 1956”.

The motion was negatived.

WOMEN'S AND CHILDREN'S INSTITUTIONS LICENSING BILL

Shrimati Kamlendu Mati Shah
(Garhwal Distt.—West cum Tehri
Garhwal Distt. cum Bijnor Distt.—
North): I beg to move:

“That the Bill to regulate and license institutions caring for