

first class magistrates. How much law he knows it is for those who appoint him. I am afraid, my hon. friend has not caught the implication. If his amendment is pursued and is accepted it will mean a reflection upon our honorary magistrates. There are many honorary magistrates, with perfect competence, who are doing their job without any stipend, we should encourage that type of institution. I sympathise with my hon. friend but his remedy lies elsewhere.

**Shri Raghunath Singh:** I am not pressing it.

**Mr. Deputy-Speaker:** The question is:

"That clause 10 stand part of the Bill."

*The motion was adopted.*

*Clause 10 was added to the Bill.*

*Clauses 11 and 12 were added to the Bill.*

**Clause 1.— (Short title etc.)**

**Amendment made:** In page 1, line 3.

for "1952" substitute "1953".

—[Shri Karmarkar]

**Mr. Deputy-Speaker:** The question is:

"That clause 1, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 1, as amended, was added to the Bill.*

*The Title and the Enacting Formula were added to the Bill.*

1 P.M.

**Shri Karmarkar:** I beg to move:

"That the Bill, as amended, be passed."

**Mr. Deputy-Speaker:** The question is:

"That the Bill, as amended, be passed."

*The motion was adopted.*

## COLLECTION OF STATISTICS BILL

**The Minister of Commerce (Shri Karmarkar):** I beg to move:

"That the Bill to facilitate the collection of statistics of certain kinds relating to industries, trade and commerce, be taken into consideration."

As hon. Members are aware, in respect of a part of the field covered by the Bill, industrial statistics, there is already a statute on the Statute Book, the Industrial Statistics Act of 1942. In a controlled economy like ours, at present, accurate statistics become the basis of all correct conclusions. Unless we have the right sort of data, we cannot find a proper solution for many of the problems and the collection of such statistics has to be from the whole of the economic field, including both industry, commerce and trade. There is a very close relationship between industry and commerce. We cannot be content with having powers to collect industrial statistics without also attending to commercial statistics. No doubt, we have at the moment various sources from which we collect our statistics, statistics of foreign trade, for instance. We want power, naturally, to be in a position to collect statistics of the whole field of commerce and industry and any proper action by the Government could only be taken on the basis of proper statistics. It will not only be helpful to us in matters of legislation, but also in executive action.

For instance, we had a small difficulty recently. I may cite one instance only where the necessity for an Act of this kind was felt. Last year Government issued a notification, as this House is aware, calling upon commercial undertakings to furnish statistics regarding Indian and foreign nationals employed by them. Some of the firms did not respond to the request, though by and large a majority of the firms did respond. That was an anomalous position. Such statistics could not be considered as

[Shri Karmarkar]

complete. Unless we have the powers to do so, we cannot always be sure that correct statistics have been compiled. It is felt therefore that Government should have powers to call for any statistical information required by them from all firms engaged in trade and industry in the country. As I said, there is already a statute on the Statute Book. This Bill will replace the Industrial Statistics Act of 1942. That Act empowers the Provincial Governments to collect statistics only with regard to factories. The Bill now before the House is wider in scope and gives powers to the Central Government as well as the State Governments to collect statistics with regard to any matter concerning any industry or class of industries, commercial or industrial concerns including factories, relating to welfare of labour and conditions of labour, etc. In other respects, this Bill clearly follows the pattern of the Industrial Statistics Act of 1942 which has well stood the test of time. The appropriate Government will make the necessary rules under clause 14 of the Bill, for the purpose of carrying out the objects of this Bill. Clause 12 gives power to the Central Government to give direction to the State Governments as to the carrying into execution of this Act in the States.

I do not propose to take the time of the House by dilating on the details of the provisions of the Bill, as the pattern of this Bill follows closely the pattern of the old Act. Similar powers are being sought. The principal change being made is that the field of our enquiry and collection of statistics is sought to be enlarged. I need not take the time of the House, by stressing the importance of such statistics. In modern economic life, as the House is doubtless aware, statistics are the fountain source of correct governmental and public action. For instance, in the U.S.A., weekly or fortnightly—I forget which it is—statistics are available regarding the retail sales in the case of a specified

product in the whole of the country. Development to that extent may not be possible in our country; but, to the extent possible, we should have powers to make as large an effort as possible for the collection of proper statistics in respect of industry, commerce and trade. In view of the fact that the measure is a very simple one, the advisability of which is very patent in the economic interests of the country, I do not propose to dilate any further and I commend the Bill for the acceptance of the House.

**Mr. Deputy-Speaker:** Motion moved:

"That the Bill to facilitate the collection of statistics of certain kinds relating to industries, trade and commerce, be taken into consideration."

**Shri N. C. Chatterjee (Hooghly):** Last year the Commerce Ministry took some steps in the right direction although they were not strong enough. On the eve of India's Independence, there was a feeling both among Indian firms and among foreign companies operating in this country that in the new dispensation there would be more Indianisation of the executives, who are operating or functioning in British or European firms. Unfortunately, after 1949 there has been a very great disappointment. Not only there has been no progressive Indianisation but there has been reverse of Indianisation or if I may say so, de-Indianisation. There has been an influx from other countries of British personnel who have been ejected from places like the oil installations in Persia and from China under the new regime. Burma and Ceylon have closed their doors to foreign commercial personnel, excepting genuine technicians and these foreigners came to India. The result was victimisation of unfortunate Indians, who have been working in responsible positions. During the last war, as you know and as many hon. Members know, many non-Indian executives had been conscripted and Indians were given a chance to justify themselves and responsible per-

sons justified the choice. Unfortunately in Independent India foreign firms are not dealing fairly with the Indian executives. Last year when the hon. Minister was in Calcutta, I had the opportunity of discussing this matter with some of the men affected and I issued a statement along with my hon. friend Prof. Hiren Mukerjee. I also forwarded a copy of the statement to the hon. Minister requesting him to do something to improve the position of Indian executives in foreign firms. I also pointed out that the questionnaire issued was not good enough and I requested that an enquiry should be made. I found that a gentleman who was a Britisher and who had been serving in China had written a letter to the *Amrita Bazar Patrika* as follows:

"I hope that New Delhi and 'Clive Street' will give the statement the attention it deserves. Indo-British cordiality must not only be preserved but strengthened. In its own interests, and also those of Britain, the Government of India should look into this matter and restrain, if necessary, those British concerns, who, with their shortsighted policies of discrimination, are neglecting the interests of the Commonwealth of which our two countries are equal members, and also the interests of what is left of the free world."

If you will look into the statement of Objects and Reasons you will find that in para. (2) the hon. Minister himself says:

"Recently, in order to assess the extent to which foreign owned and controlled firms engaged Indians and foreign nationals, a notification calling upon all undertakings to furnish the statistics was issued. . . . The response to the notification has not, however, been very satisfactory."

This Bill is, therefore, welcome and I want it to be put on the Statute Book. But the Statute should not remain a dead letter. Powers taken

should be used firmly, and powers should be utilised also for the purpose of redressing victimisation and preventing discrimination against Indians.

The hon. Minister who has just spoken has told us that not only has the response been not satisfactory, but some of the firms did not even respond, they non-co-operated with the Government. They have a guilty conscience, that is, why they did not do it. You will be surprised to know that a Chamber of Commerce functioning in Calcutta sent round a circular to the different firms operating in Calcutta and in Bengal and tried to help them in answering the questionnaire so as to avoid the real issue. Therefore, it is a very important matter. It is a matter which is of first class national importance. We can never build up a free India unless we train up young men and save them from despondency, save them from demoralization, and rescue them from unfair treatment. It is vital that all conditions that foster any kind of inferiority complex should be stopped and should be changed, and anything which deadens initiative should also be stopped. Anything which drains the power of resourcefulness should also be checkmated. We want that this Bill, which is on the right lines, should enable the Government to get the powers to make the firms submit correct returns and give the answers which the Government needs, and give correct data about the Indian executives, the unfortunate people who are serving in these firms.

You will be amazed to know that in one British firm which is operating in India today, the General Manager dismissed a responsible Indian, and gave a testimonial to him. The testimonial is to this effect:

"Although this gentleman's services were excellent, his engagement had to be terminated in order to make room for a newly engaged European from the United Kingdom."

That was the certificate—not that he was not needed, not that the post

[Shri N. C. Chatterjee]

was not needed for the concern, but because somebody from a foreign country had come. And it is an amazing thing in Calcutta—I take it in Bombay also it is happening—that raw youths are being recruited, and they work under senior Indians for a few months, or may be a year, and immediately after that they supersede the Indians under whom they were serving, and that leads to a great deal of heart burning. These things are happening.

There is also discrimination with regard to emoluments and other amenities, and these things ought to be looked into. The hon. Minister took the right step in getting at the necessary data to put pressure and to do something. Some people snapped their fingers at him, and that is why this Bill is necessary. It is very vital for redressing this very unsatisfactory situation, and we welcome it. We are

simply appealing that it should not be merely taking up of power. They should exercise the power.

I shall make more detailed submission when the clauses come. For example, in regard to clause 6—Right of access to records or documents—I think even larger powers, if necessary, should be taken by Government.

I have not finished, and it is 1-15. I hope, Sir, you would allow me to continue tomorrow.

**Mr. Deputy-Speaker:** Is the hon. Member likely to take some time?

**Shri N. C. Chatterjee:** Yes, Sir.

**Mr. Deputy-Speaker:** He may then continue tomorrow.

*The House then adjourned till a Quarter Past Eight of the Clock on Thursday, the 6th August, 1953.*

---