

Penal Code. Under those circumstances, I submit that this Bill cannot be introduced at all.

**Mr. Deputy-Speaker:** I have not got the Bill here. What has the hon. Member to say? When did he find those words in the Indian Penal Code?

**Shri Sadhan Gupta:** Must be before 1955.

**Shri D. C. Sharma:** I submit very respectfully, Sir, that I am trying to substitute something specific for what is there, something particular for what is general, something which can be limited....

**Mr. Deputy-Speaker:** There need not be so many "some things". I wanted only to know whether according to the hon. Member the words "transportation for life" are there still in the Indian Penal Code.

**Shri D. C. Sharma:** I want to say...

**An Hon. Member:** No "say".

**Mr. Deputy-Speaker:** Order, order. Cannot the hon. Member help me?

**Shri D. C. Sharma:** The words "transportation for life" were there. I do not know from where my hon. friend has got this information.

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** Sir, the words "transportation for life" have been removed and the words "imprisonment for life" are there. There are no words "transportation for life" in the Indian Penal Code. The Code was amended in 1956.

**Mr. Deputy-Speaker:** Then why is he trying to bring this Bill?

**Shri D. C. Sharma:** All right, I am not moving.

**Shri Datar:** Sir, we oppose the introduction.

**Mr Deputy-Speaker:** There is no need now. That attempt is already abortive, I suppose.

**Shri Sadhan Gupta:** I am not opposing the introduction.

**Mr. Deputy-Speaker:** He does not want leave now.

**Shri Sadhan Gupta:** Can he put the motion at all before the House?

**Mr. Deputy-Speaker:** It is not being put. Shri D. C. Sharma may now move for leave to introduce his next Bill

**Shri D. C. Sharma:** I am not moving

**Mr. Deputy-Speaker:** I am asking him about his next Bill. Is he scared away and he is not moving his next Bill also?

**Shri D. C. Sharma:** I am not moving for leave to introduce my two Bills seeking to amend the Indian Penal Code. I am moving for leave to introduce my next Bill.

15-58½ hrs.

### CHILD MARRIAGE RESTRAINT (AMENDMENT)\* BILL

(Amendment of sections 2 and 3) by  
Shri D. C. Sharma

**Shri D. C. Sharma (Gurdaspur):** Sir, I beg to move for leave to introduce a Bill further to amend the Child Marriage Restraint Act, 1929.

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

"That leave be granted to introduce a Bill further to amend the Child Marriage Restraint Act, 1929."

The motion was adopted.

Shri D. C. Sharma: Sir, I introduce the Bill.

14.59 hrs.

MINIMUM WAGES (AMENDMENT)  
BILL—contd.

(Amendment of section 14) by Shri Balmiki

Mr. Deputy-Speaker: The House will now resume further discussion of the motion moved by Shri Balmiki on the 27th November, 1959 that the Bill further to amend the Minimum Wages Act, 1948 be taken into consideration.

Out of two hours allotted for the discussion of the Bill, 33 minutes have already been taken up on the 27th November, 1959 and 1 hour and 27 minutes are now available.

Shri S. M. Banerjee may now continue his speech. I find that Shri S. M. Banerjee is not present. That speech would be deemed to have been concluded.

15 hrs.

Shri T. B. Vittal Rao (Khammam): Mr. Deputy-Speaker, Sir, I rise to support the Bill moved by my hon. friend, Shri Balmiki. I congratulate him for bringing up this measure. Government themselves should have moved in this direction, but we know how the Ministry of Labour and Employment works in these matters. This measure simply provides for computing the overtime allowance at double the ordinary rate of wages where the State Governments have not framed any such rule. From the annual report on the working of the Minimum Wages Act I find that almost all the State Governments have framed rules as enjoined by section 30 of the Act. I am referring to the annual report for the year ending 1955. In that report it was stated that only certain State Governments like Himachal Pradesh, Bhopal and Kutch had not framed those rules. But now,

Himachal Pradesh is a Union Territory. Therefore, the rules made by the Central Government apply to Himachal Pradesh. Also, Bhopal has been merged in Madhya Pradesh. Therefore, the Madhya Pradesh rules govern that State. Kutch has been merged with Bombay. So, there is no State Government which has not yet framed rules on this matter. Anyhow, this provision should be there so that there need not be any doubt.

For instance, in the schedule to the Minimum Wages Act, various employments are given as coming under this Act. All those employments are more or less covered either by the Plantation Labour Act, Mines Act or the Factories Act. But there is one important industry, the motor transport industry, wherein there is no legislation as yet. About that legislation, we were told that the Government was bringing a measure in this session. In the Parliamentary Bulletin we have been told that notice to introduce a Bill to that effect has been given. But I do not know when the Government will introduce that measure and when that will be passed. Till such time that it is brought in and passed, a measure amending the Minimum Wages Act providing for double the rate of normal wages for overtime work is very necessary. Otherwise, the two lakhs of workers who are employed in the road transport industry will be denied overtime wages.

What has been asked for by Shri Balmiki in this Bill is what is already obtaining under the Plantation Labour Act, the Mines Act and the Factories Act, and he wants that a similar benefit should be extended under the Minimum Wages Act. Therefore, Government should not have any difficulty in accepting this measure. This is a very simple measure to see that the sweated labour, for whom the Minimum Wages Act applies, is benefited. Why we have passed the Minimum Wages Act is because we wanted to see that these workers should not be exploited. But today the position is this. There are certain