

possible and not to wait till the dead line is reached so that the articles may be shifted there and arranged in a proper order. I know that if the hon. Minister takes a little interest he can get things done, because once when I referred to him about the delay in the construction of the Mining Institute building at Kothagudam he wrote to the State Minister and things got moving quickly and the building was completed. I would, therefore appeal to him to see that the Act is brought into force as early as possible and the building is completed early.

Shri Narasimhan: Sir, while congratulating the Minister.....

Shri T. B. Vittal Rao: In spite of your opposition?

Shri Narasimhan: While congratulating the hon. Minister on the easy passage of the Bill, I want to make one request. Since there are going to be a couple of national museums and already there are fully statutorily protected museums in Calcutta and other places—this one inclusive—it is very necessary for the Government to have an officer of the status of Director-General of Museums, so that all these may be kept under good condition and great efficiency. That is my humble suggestion.

Mr. Chairman: The question is:

“That the Bill, as amended, be passed.”

The motion was adopted.

15.50 hrs.

MOTOR TRANSPORT WORKERS BILL

RAJYA SABHA AMENDMENTS

Mr. Chairman: The House will now take up the Motor Transport Workers Bill.

The Deputy Minister of Labour (Shri Abid Ali): I beg to move:

“That the amendments made by Rajya Sabha in the Bill to provide for the welfare of motor transport workers and to regulate the conditions of their work, be taken into consideration.”

Most of the amendments which have been circulated are of a formal nature. I may, however, explain one amendment, and that is with regard to the extension of the date for the implementation of the provisions of the proposed Act from 31st December 1961 to 31st March 1962. The original Bill did not contain any date by which the State Governments should implement its provisions in their respective States. But in the Select Committee, a suggestion was made that some date should be fixed and, as a matter of compromise, I accepted the 31st December, 1961. This was done early in November 1960 when we thought by the end of the current year it would be possible to complete all the formalities. Now, six months have already passed because of the discussion here and in the other House. I am not suggesting that the date should be extended up to June or July 1962 but only up to 31st March 1962. Even there, it is not necessary for the State Governments to wait till the 31st March. If such of the State Governments as are in a position to implement the provisions of the Bill they are welcome to implement them earlier. We would impress upon them to take up the work immediately. But they have also their difficulties. They have to provide a certain machinery for this purpose, rules are to be framed and finalised after gazetting and all that. That takes time. Therefore, hon. Members will appreciate that this suggestion of mine is quite reasonable and, I am sure, it will be accepted without much discussion.

Mr. Chairman: Motion moved:

“That the amendments made by Rajya Sabha in the Bill to provide for the welfare of motor transport

[Mr. Chairman]

workers and to regulate the conditions of their work, be taken into consideration."

Shri S. M. Banerjee (Kanpur): I am really surprised at the way in which the date of coming into force of the Act has been extended. Sir, this Bill was passed on the 15th December. Then it was stated that it shall come into force on such date as may be fixed by the Government, but not later than the 31st December 1961. This Bill came before this House after a long delay and it was discussed in this House. It was long overdue and because of the sustained agitation of the transport workers it was brought here. Now I am afraid that those workers who rejoiced when this Bill was introduced here, considered and passed may feel disappointed and the fear now lurking in their mind is that ultimately another amendment may be brought forward and the implementation of this Bill will be delayed further by the State Government. So, I want to know from the hon. Deputy Minister the reason for the postponement of its implementation. Were the State Governments not a party to this Bill? Was this matter not discussed with them? If, in fact, it was discussed with them and it was properly discussed and passed by this House, what is the purpose of moving an amendment at this stage for extending the date? Now they are seeking to extend the time from 31st December to 31st March 1962. The hon. Deputy Minister wanted to console us by saying that though the original suggestion was that it should come into force in June or July 1962, with great eloquence he has been able to persuade those people who opposed its earlier implementation to agree to the date 31st March 1962.

I oppose this amendment and I say that it would defeat the very purpose of this Bill. So, I would request him not to press this amendment which is absolutely unnecessary. If the State

Governments are sincere about its implementation, it should come into force immediately. If it is left to the whims of the State Governments to implement this when they are ready, it is absolutely wrong. I am sure they will not implement it unless a certain deadline is fixed.

Shri T. B. Vittal Rao (Khammam): Sir, you might be aware of the fact that in several Bills we do not fix the dead-line. I was a member of the Joint Committee and there we specifically wanted that a certain date should be fixed. The Committee was fully aware of the influence of the transport operators and transport owners and it felt that no date will be fixed unless pressure was brought to bear upon the Government.

Therefore we insisted on this so that this may not take a long time because it was long overdue. We insisted that that date should be kept. We insisted on July, 1961 as the date by which the State Governments should be able to implement this legislation.

I would place a few facts before the House in this connection. It was as long ago as the 20th February, 1956, when the labour policy during the Second Five-Year Plan was to be evolved that there was a tripartite meeting. In that tripartite meeting there were the employers' representatives, the employees' representatives and the representatives of the State and Central Governments. In that it was agreed that legislation should be undertaken for regulating the conditions of service of transport workers. From the 20th February, 1956 onwards all along we have been demanding that this legislation should be undertaken. If you read the proceedings of this House, even of the First Lok Sabha as also of the Second Lok Sabha, you will find how many discussions were held criticising the Government for not coming forward with the legislation.

Then what had happened was that an expert committee was appointed in which all the interests were represented. They submitted a report. Then this Bill came. It took them five long years to draft the Bill. Then what happened? When this Bill was before the Joint Committee evidence was invited from everyone. The evidence was taken. The State Governments' representatives were there. The States Road Corporations' representative came and stated their case. Similarly, the private owners stated their case. It was made clear to them that this thing should be done quickly. Therefore we suggested this date and insisted on it in the Joint Committee. We were very glad that the hon. Deputy Labour Minister as the Chairman of the Committee accepted that. Now he has suddenly changed saying that there was delay and he has not advanced any convincing reasons for this.

Everybody knew that this legislation was coming. Every State Government knew that. Then why was it delayed? Why we insisted that this should be done was because we know the influence that the transport owners in the various States exercise on the State Governments. May I draw the attention of the hon. Deputy Minister to the judgement delivered in the High Court wherein it is said how a Minister tried to influence a transport owner. The transport owner had taken it up. The Minister had to resign. The resignation was not accepted. It was referred to the hon. Prime Minister. The hon. Prime Minister referred it to the hon. Law Minister. The hon. Law Minister said that he need not resign.

I am pointing out these things only to show the influence that the transport operators exercise upon the various State Governments. Therefore we wanted to fix a deadline. These people who would not like to spend something for the benefit of the labour spend money on writ petitions in the Supreme Court when a route is taken

over. How do they spend that? The best of lawyers are appointed. They are paid Rs. 1,800 to Rs. 2,000 a day to argue their case. They can afford money for these writ petitions and other expenditure. But when it comes to the question of giving facilities to the workers time is required. If the State Governments have not made proper provision in the Budget for the appointment of additional inspectors, they could have brought forward a supplementary demand and get it done. Therefore I strongly oppose this amendment for the extension of time.

Mr. Chairman: Any other hon. Member who wishes to speak? None. Then the hon. Minister.

The Deputy Minister of Labour (Shri Abid Ali): Madam, I am as usual very much interested in the compliments coming from the other side whenever any such matter is discussed here. This question of influence is pure imagination of the hon. Members who have just now spoken. About the influence on the State Governments and their writing to us, I may try to remove this doubt from their minds by saying that no employer or organisation of employers have written or approached us in this behalf. No State Government has written to us or made any suggestion with regard to the extension of the date. It originated from me and only from myself.

16 hrs.

Shrimati Benu Chakravarty (Basirhat): Why?

Shri Abid Ali: I thought the explanation I gave earlier would have satisfied hon. Members. Perhaps hon. Members have not heard it. The reason was that this matter was discussed in the Select Committee early in November. When I agreed to this we had 18 months at our disposal. I expected that this Bill would be through both Houses of Parliament by the end of November, and so

[Shri Abid Ali]

it would leave us 13 months. That was in the month of November. Now we are in May. If this amendment is not accepted, State Governments will be having less than six months at their disposal to complete the preliminaries, to draft the rules, to finalise them and to establish the required machinery. It is impossible. Any person who has a little idea of the requirements will immediately accept that six months are not at all sufficient for any Government to complete these preliminaries.

Therefore, first in the Rajya Sabha I had suggested the middle of 1962. But there also some hon. Members said that that will be too much and, therefore, as a matter of compromise, I accepted 31st March. To say that we are too much influenced by these transport employers, hon. Members know, is not correct. Because, we are not like our friends in the opposition. They are influenced; they accept compromises and settlements with the employers through the unions which are communist influenced. How many such compromises and settlements have been accepted to the detriment of the workers, is well known. The notorious agreement which was accepted by the Kerala Government with a very well-known industrialist, which slaughtered the interests of the workers, will always remain among the other black marks which the Communist Party has got to its discredit. It is not proper to come forward on every occasion and say that because of such influences the Congress Government is doing wrong things.

There is not such a great difference between 31st December 1961 and 31st March 1962. But there is so much work to do in the mean-time. Of course, their objection I can appreciate. Their reasoning I can appreciate. But to say that because of the transport employers we have done this is a thing which is not only wrong but unfair, incorrect, improper, and that too from persons who only behave in that way.

I hope after hearing this hon. Members would be convinced that there is a good case for the extension.

Mr. Chairman: The question is:

"That the amendments made by Rajya Sabha in the Bill to provide for the welfare of motor transport workers and to regulate the conditions of their work be taken into consideration."

The motion was adopted.

Mr. Chairman: The question is:

Clause 2

"That at page 4, lines 2-3, for the words 'required to work or is engaged directly or through any agency, in a professional capacity on a transport vehicle or who attends' the words 'employed in a motor transport undertaking directly or through an agency, whether for wages or not, to work in a professional capacity on a transport vehicle or to attend' be substituted." (4)

"That at page 4, line 7, after the word 'time-keeper' the word 'watchman' be inserted." (5)

The motion was adopted.

Mr. Chairman: The question is:

Clause 18

"That at page 9, line 38, for the words 'each adult motor transport worker' the words 'motor transport worker' be substituted (6).

The motion was adopted.

Mr. Chairman: The question is:

Clause 20

"That at page 10, line 23, for the words 'holidays' the words 'days of rest' be substituted." (7).

The motion was adopted.

Mr. Chairman: The question is:

Clause 28

"That at page 13, line 3, after the word 'wages' for the days on which he worked during the

month immediately preceding his leave,' be inserted." (8)

The motion was adopted

Mr. Chairman: Now, I shall put amendments Nos. 2 and 3 to clause 1, together to vote.

Shri T. B. Vittal Rao: May I request that amendment No. 2 may be put to vote first separately and then amendment No. 3 may be put to vote?

Mr. Chairman: The question is:

Clause 1

"That at page 1, line 6, for the

figure '1960' the figure '1961' be substituted." (2)

The motion was adopted.

Mr. Chairman: The question is:

"That at page 1, line 10, for the figures and words "31st day of December, 1961, the figures and words "31st day of March, 1962" be substituted" (3).

The Lok Sabha divided.

Shri Palaniyandy (Perambalur): The light indicating the vote of some hon. Member is not there on the board.

Shri Bibhuti Mishra rose—

Division No. 5]

AYES

[16-11 hrs.

Agadi, Shri
 Agarwal, Shri Manakbhau
 Ambalim, Shri Subbiah
 Aney, Dr. M. S.
 Anjanappa, Shri
 Arunugam, Shri S. R.
 Asthana, Shri Lila Dhar
 Babunath Singh, Shri
 Bajaj, Shri Kamalnayan
 Farupal, Shri P. L.
 Basappa, Shri
 Bhagat, Shri B. R.
 Bhakt Darshan, Shri
 Bhatkar, Shri
 Birbal Singh, Shri
 Borooah, Shri P. C.
 Brahm Prakash, Ch.
 Brajeshwar Prasad, Shri
 Chaturvedi, Shri
 Choudhry, Shri C. L.
 Das, Shri K. K.
 Das, Dr. M. M.
 Dasappa, Shri
 Dwivedi, Shri M. L.
 Facharan, Shri V.
 Ganapathy, Shri
 Ghosh, Shri M. K.
 Gupta, Shri Ram Krishan
 Harvani, Shri Anwar
 Hazarika, Shri J. N.
 Heda, Shri
 Jangde, Shri
 Jedhe, Shri G. K.
 Jinachandran, Shri

Joshi, Shri A. C.
 Kamble, Dr.
 Kasliwal, Shri
 Kedaria, Shri C. M.
 Keahava, Shri
 Keskar, Dr.
 Khan, Shri Osman Ali
 Kistaiya, Shri
 Krishna, Shri M. R.
 Madhok, Shri Bal Raj
 Mahadeo Prasad, Shri
 Malhotra, Shri Indez J.
 Mehta, Shrimati Krishna
 Mishra, Shri R. R.
 Morarka, Shri
 Muniawamy, Shri N. R.
 Murty, Shri M. S.
 Muthukrishnan, Shri
 Narayanasamy, Shri R.
 Negi, Shri Nek Ram
 Nehru, Shrimati Uma
 Oza, Shri
 Padam Dev, Shri
 Pahadia, Shri
 Palaniyandy, Shri
 Pande, Shri C. D.
 Pandey, Shri K. N.
 Pangarkar, Shri
 Patel, Sushri Maniben
 Patel, Shri P. R.
 Patel, Shri Rajeshwar
 Patil, Shri R. D.
 Patil, Shri T. S.
 Radha Raman, Shri

Rai, Shrimati Sahodrabai
 Ram Saran, Shri
 Ramaswamy, Shri K. S.
 Rane, Shri
 Rao, Shri Thurumala
 Reddy, Shri Ramakrishna
 Sathu Ram, Shri
 Sahu, Shri Rameshwar
 Saigal, Sardar A. S.
 Samanta, Shri S. C.
 Shah, Shrimati Jayaben
 Shankaraiya, Shri
 Sharma, Shri D. C.
 Shree Narayan Das, Shri
 Siddananappa, Shri
 Singh, Shri D. N.
 Singh, Shri K. N.
 Singh, Shri M. N.
 Sinha, Shri Anirudh
 Sinha, Shri Gajendra Prasad
 Sinha, Shri Jhulan
 Sinha, Shri Satya Narayan
 Sinha, Shrimati Tarkeshwari
 Srinhasan Singh, Shri
 Sonavane, Shri
 Subramanyam, Shri T.
 Sumat Prasad, Shri
 Tariq, Shri A. M.
 Thimmaiah, Shri
 Tagi, Shri
 Ulke, Shri
 Upadhyay, Pandit Manohar Dutt
 Vedakumari, Kumari M
 Wodeyar, Shri

NOES

Assar, Shri
 Banerjee, Shri S. M.
 Barua, Shri Hem
 Braj Raj Singh, Shri
 Chakravarty, Shrimati Renu
 Dharmalingam, Shri
 Ghosal, Shri Aurobindo

Jadhav, Shri Yadav Narayan
 Katti, Shri D. A.
 Kadiyan, Shri
 Kunhan, Shri
 Mahagaonkar, Shri
 Menon, Shri Narayanankutty
 Mishra, Shri Bibhuti

Panigrahi, Shri Chintamon
 Patil, Shri Balasheb
 Ramam, Shri
 Rao, Shri T. B. Vittal
 Sampath, Shri
 Sangamati, Shri
 Warior, Shri

Mr. Chairman: The result of the division is as follows: Ayes 102; Noes 21. The 'Ayes' have it. The 'Ayes' have it.

The motion was adopted.

Shri Bibhuti Mishra rose—

Mr. Chairman: Order, order. I am sorry I should have asked earlier. But now I have announced the result of the division. One or two votes do not make any difference.

Shri B. P. Sinha (Monghyr) rose—

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): May I submit that this procedure should be followed in future? If a mistake is committed, it may go as a mistake. It does not look nice that we should go on correcting such mistakes.

Shri T. B. Vittal Rao: We fully support the Minister of Parliamentary Affairs.

Mr. Chairman: I am afraid the decision on the general question will have to be taken by the hon. Speaker himself.

Shri Braj Raj Singh (Firozabad): It has already been decided that whatever has been done once will not be corrected. But it is not enforced.

Shri Bibhuti Mishra: It has always been corrected. In fact, I rose before your announcement.

16.14 hrs.

[MR. DEPUTY SPEAKER in the Chair]

Shri Tyagi: A few votes do not matter. My Party can be generous.

Mr. Deputy-Speaker: The announcement has been made and the amendment has been carried.

श्री बिभूति मिश्र : उपाध्यक्ष महोदय, मैं चेयरमैन साहब के एनाउंसमेंट करने में पहले खड़े हुए था, लेकिन उन्होंने धर देखा ही नहीं, मैं क्या करूँ ?

उपाध्यक्ष महोदय : यह तो श्री जी यादा वजह है कि अब इस में दुस्ती नहीं की जा सकती। जब माननीय सदस्य चेयरमैन साहब के एनाउंसमेंट करने से पहले खड़े हुए और उन्होंने करेक्ट करने की इजाजत नहीं दी, तो अब इजाजत नहीं दी जा सकती है।

Enacting Formula

Mr. Deputy-Speaker: The question is:

That at page 1, line 1, for the words "Eleventh Year" the words "Twelfth Year" be substituted.

The motion was adopted.

Shri Abid Ali: Sir, I move:

"That the amendments made by the Rajya Sabha in the Bill be agreed to."

Mr. Deputy-Speaker: The question is:

"That the amendments made by the Rajya Sabha in the Bill be agreed to."

The motion was adopted.

16.16 hrs.

REPORT OF THE UNIVERSITY GRANTS COMMISSION

The Minister of Education (Dr. K. L. Shrimall): Sir, I beg to move:

"That this House takes note of the Report of the University Grants Commission for the period April, 1959—March, 1960, laid on the Table of the House on the 17th February, 1961."

Since the time at the disposal of the House is limited I do not like to make any preliminary remarks.

Mr. Deputy-Speaker: Order, order. Those hon. Members who want to go out might move out slowly, silently and without disturbing others.

Dr. K. L. Shrimall: I should like to reserve my remarks while replying