

[Mr. Chairman.]

I shall not therefore be able to attend the 18th Session of the Rajya Sabha. I request that I may be permitted to absent myself for the whole of the 18th Session."

Is it the pleasure of the House that permission be granted to Kakasaheb Kalelkar for remaining absent from all meetings of the House during its current Session?

(No hon. Member dissented.)

MR. CHAIRMAN: Permission is granted.

ANNOUNCEMENT REGARDING SITTING ON SATURDAY, THE 17TH AUGUST 1957, AND EXTENSION OF SESSION.

MR. CHAIRMAN: I have to inform hon. Members that there will be no sitting of the House on Saturday, the 17th August 1957, and the current Session of the Rajya Sabha will be extended up to September 13, 1957. There will also be the Question Hour during the extended period of the Session

REQUEST FOR A DEBATE ON FOREIGN AFFAIRS

SHRI BHUPESH GUPTA (West Bengal): Sir, I have a submission to make. Since you have been good enough to extend the period of this Session I would request you to fix two days or at least a day for debating foreign affairs. Generally we do not have any opportunity here and we would like to have that opportunity during this Session.

MR. CHAIRMAN: We are going to have it when you can take up your Oman question also. You may mention it in the foreign affairs debate. Mr. Abid Ali.

SHRI BHUPESH GUPTA: Before the British attack.

THE MINIMUM WAGES (AMENDMENT) BILL, 1956—Continued

THE DEPUTY MINISTER OF LABOUR (SHRI ABID ALI): Sir, yesterday the House discussed the Minimum Wages (Amendment) Bill. In that connection criticism was levelled against it, most of which was not very much relevant. But that is the practice here with some of the hon. Members opposite, who are accustomed to say things which could better be avoided. There was this particular charge that because of the influence of the landlords and because some of the Ministers in the States were under their clutches the implementation of the Minimum Wages Act, has been delayed considerably. Also some other things were said which should not have been said. So I would request hon. Members, while making criticism, to make a little study of the papers which we circulate, the reports which we send to hon. Members and place in the library. In that case the Members themselves would have felt that in the things that they said they were not fair either to the Central Government or to the State Governments. When one hon. Member was making the criticism I was reminded of what was said in the Bombay Legislative Assembly by a spokesman of the landlords when the Tenancy Bill was under discussion there and Mr. Morarji Desai was piloting that Bill. The spokesman of the landlords said that "this" was a sinful piece of legislation, it was a sin to the extent of a father having sexual intercourse with his own daughter. Now that is the feeling of the landlords and what an hon. Member was saying here yesterday was another side. These are the two extremes. Fortunately the spokesman of the landlords and the hon. Member and the like are all wrong. So far as we are concerned the hon. Members also know that every sincere and earnest attempt has been made to implement the pro-' visions of the Minimum Wages Act, and all that was possible has been done. It is true . . .

SHRI M. BASAVAPUNNAIAH (Andhra Pradesh): I would ask: Is it sincerity that in ten years out of 10,000 villages in Andhra in only 14 villages minimum wages could be fixed? Is it sincerity? That I want to know from the hon. Minister.

SHRI ABID ALI: I said that all sincere and earnest attempts have been made. Under the circumstances I am convinced nobody else could do better than what has been done by us. Now one hon. Member has classified this Bill as useless. Another said that it was harmful and a third hon. Member was complaining about the delay in bringing this amendment before this House.

DR. R. B. GOUR (Andhra Pradesh) : Who said that it is harmful and useless? Let him quote the debate instead of making insinuations.

SHRI ABID ALI: My friend Shri Raj Bahadur Gour leaves the House after he has spoken. He was not present when his colleagues there were speaking.

DR. R. B. GOUR: I was here.

SHRI ABID ALI: Then read the proceedings again and you will find them.

DR. R. B. GOUR: Either you quote your speeches or withdraw the statement you made.

SHRI ABID ALI: I am not going to withdraw anything. What I am stating is a statement of fact.

Now they said that in some parts this Act was implemented to the detriment of the labour because the minimum wages which were fixed were below the wages which were being paid to the workers in that area and an hon. Member said that it was harmful to the interests of the workers . . .

DR. R. B. GOUR: Not that the Act is harmful but your action in not applying it.

SHRI ABID ALI: Now every Member opposite was attacking us because there was a little delay. I wish that these hon. Members here had a little contact with their counterparts who are attending the labour conferences and labour committees. Whatever we are bringing here, fortunately, these days, is very much discussed in the committees and conferences and the decisions there are unanimous and the counterparts of the hon. Members on that side who are making the criticisms here are present in those conferences since the demand is made here that these Bills, that any legislation that Government propose to bring forward in this behalf should be discussed in the conferences and committees, that there should be tripartite discussion first and then we should bring it up here. When we do that there is a little delay and because there is delay they criticise us. They say that this is not the way to . . .

DR. R. B. GOUR: May I know from the hon. Minister in which Labour Conference this was discussed?

SHRI ABID ALI: In my opening speech yesterday I made a mention of the conferences and committees in which this provision was discussed.

Now my friend Shri Das from Orissa complained that I did not inform the House about the views of the State Governments. Sir, here I may repeat these three lines which I said yesterday:

"The Labour Ministers' Conference held in November 1955 recommended that, despite the various difficulties, process of wage fixation in agriculture should be continued."

This was decided unanimously in the Conference of the State Ministers and that conveys the views of the States

I appreciate that there was plenty of fire works in reserve because the-

[Shri Abid Ali.] House met only yesterday and when my senior colleague Shri Govind Ballabh Pant announced that the Government had recommended to the President to withdraw the ordinance, hon. friends there perhaps felt that all "the fire-works that they had thought of using should be used during the discussion of this innocent Bill.

My friend, Dr. R. B. Gour, said that the Government want to crush the trade union movement and that they bring ordinances when there is talk of strike, but so far as this Bill is concerned I can say it is for the good of the workers. In the case of those who are covered by the Minimum Wages Act there is no question of ordinance. There shall not be any ordinance; there has never been any ordinance. We also want that the trade union movement should be strong; it should be healthy; it should be for the good of the workers but it should not be for crushing the life of the society or the country. It should not be for the detriment of the nation and when such an occasion arises, certainly, the Government also must do its duty and the moment there is ...

SHRI BHUPESH GUPTA (West Bengal): The Government want to go Fascist for a change.

SHRI ABID ALI: . . . evidence of good sense prevailing, and actually when good sense prevailed the ordinance has also been withdrawn. Therefore it would have been better if hon. Members there had not referred to the ordinance.

SHRI BHUPESH GUPTA: But the Bill is there. What about the Bill?

Ms. CHAIRMAN: It is not for him to answer that.

SHRI ABID ALI: Now, Sir, as I said, we want the trade union movement to be good, strong and healthy. "We want that the workers should get -all that they deserve, of course within

the limitations that the respective industries may have. But of course it is the practice everywhere that those who have no case, those who have no argument, they start abusing but abuse never argues a case. That should always be remembered.

Now, Sir, I come to some of the suggestions. The hon. Lady Member referred to clause 22. I may submit that the Act says imprisonment of either description. When we say imprisonment, it may be simple or it may be rigorous. Therefore the clause that has been proposed in the amending Bill, I think, covers both simple and rigorous imprisonment. If it is said simple imprisonment, then of course, it cannot be rigorous. I hope therefore the hon. Lady Member will be satisfied.

With regard to 1958 and 1959, it is not as if the implementation of the provisions should be delayed till December 1959. What we are suggesting is that minimum wages— where they can be made applicable— may be made applicable as soon as possible but certainly before December 1959. So if some of the States are able to take action immediately, we will be happy.

Then there was a complaint that this Act has not benefited the workers. When the provisions of the Minimum Wages Act have been made applicable to 17 lakhs of workers and when they have been benefited, still to say that the Act has not benefited a single worker, is rather strange; it may be pleasing to the hon. Members there.

SHRI M. BASAVAPUNNAIAH: Out of eight crores of agricultural workers, how many thousands have been covered by this Act during the last ten years? That is the specific question and if he answers it we will know.

SHRI ABID ALI: Firstly, there are not eight crores of agricultural workers; there are only 3.5 crores.

SHRI M. BASAVAPUNNAIAH: Yes; out of 3.5 crores.

SHRI ABID ALI: From eight crores to 3.5 crores, to that extent the hon. Member is right or wrong.

Now, about the agricultural workers, it was said that nowhere any authority had been appointed so far as the agricultural workers were concerned to look to the implementation of the provisions of the Minimum Wages Act. I may submit that Bihar has got Labour Officers and Chief Inspectors of Agricultural Wages; Madhya Pradesh has got Inspectors for enforcing the Act in agricultural employment; Vindhya Pradesh has got Tahsildars and Naib Tahsildars and Panchayat Inspectors in respect of agricultural employment. All this information is being supplied to hon. Members in the various pamphlets which we send to them from time to time but it seems they do not even open the cover and . . . (Interruptions) . . . they come here with this criticism.

Now, about the suggestion made by my friend, Shri Sonusing Dhansing Patil that we should go cautiously and about what Shri Das said, that is quite true. The State Governments themselves are aware of the difficulties and the dangers and are taking into consideration all these; they must go ahead.

About sugar, hon. Members are aware that in many States there have been adjudications and wages for the workers in sugar mills have been regulated. Also as has been announced some time back, we are appointing a Wage Board for the sugar industry and that will be covering the workers all over the country. That will be a tripartite Wage Board and I am sure the workers will get all that is due to them.

About cycle rickshaws, the policy of the Government is to reduce the number of rickshaw pullers gradually. We cannot stop it all at once. It is not

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proper to do that because a large number of people will become unemployed suddenly. We are encouraging them to have auto-rickshaws, to have their own co-operatives and also to go for the taxi trade wherever it is possible to do so. The State Governments have been advised not to give any licences for rickshaws or rickshaw pullers. They have also been asked to see that the area in which the rickshaw plies is gradually reduced so that their number could be reduced. The State Governments have agreed with these suggestions which we have made.

SHRI V. K. DHAGE (Bombay): What about cycle rickshaws?

SHRI N. R. MALKANI (Nominated): You should also limit the load carried; there is no limit now.

SHRI ABID ALI: With these remarks I submit that the Bill be taken into consideration.

SHRI V. K. DHAGE: What about cycle rickshaws which are . . .

श्री आदि अनी : वही जो आदमी
चलाता है, आटो रक्शा नहीं ।

MB. CHAIRMAN: The question is:

"That the Bill further to amend the Minimum Wages Act, 1948, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN: We shall now take up clause by clause consideration.

Clause 2 was added to the Bill.

Clause 3—*Amendment of section 3*

SHRI K. L. NARASIMHAM (Madras) : Sir, I move:

6. "That at page 1, line 16, for the figure '1959' the figure '1958' be substituted."

(The amendment also stood in the name of Shri M. Basavapunnaiah and Shri V. Prasad Rao.)

MR. CHAIRMAN: The clause and the amendment are before the House.

SHRI K. L. NARASIMHAM: The hon. Minister in reply to the general criticism given in the general discussion. He has not said clearly how many agricultural workers are covered by this Act. Our complaint is that this Act has not been applied to the agricultural labourer in most of the provinces. In provinces where it was applied it covered only very few persons. As far as Andhra State is concerned, it was applied only in fourteen villages, that too in villages of Srikakulam district and some villages in Chittoor district, and it was never implemented in practice. The Government never cared to explain it and the Minister now in his reply said that some of the Members of this group who were in the committees at the State-level or in the Central Labour Advisory Board have considered these points and with their approval alone this Bill has been brought forward. It happened that I being a member of the Andhra State Labour Advisory Board raised this question in several of the meetings held at the State-level.

MR. CHAIRMAN: Are you speaking about the amendment?

SHRI K. L. NARASIMHAM: On this Bill. We raised this question of extending this to the villages in other parts of the State and the State Government said that they could not do it because the original Act stipulated a time limit up to 1954. And they cannot revise it because unless they do it within five years, they will not be competent to extend this to other places. Now, this amending Bill seeks to replace 1954. The figure 1959 is added. Now, the Minister says that the State Governments are allowed to implement this before 1958 and I do *not see* any reason why he refuses to accept our amendment that it should be before the end of December 1958. By 1958, if they are serious they can do it. They agree in principle that this

Act should apply to agricultural labour. This Act is intended to fix minimum wages to sweated labour and that too to the agricultural labour who are paid wages varying from even eight annas to ten annas. They can do it immediately at least in the case of farms where a particular landholder owns acreage between twenty to fifty acres. They can fix it immediately. There is no harm and no difficulty at least in the commercial crop section, in the tobacco plantation, in the farms. They can apply it. There is no difficulty. The committee is there. The Agricultural Labour Enquiry Committee enquired into this question and the material is at their disposal. Now, why they want it to be extended up to 1959. We do not know and no answer is given here giving us the reason why it should be 1959. Apart from the question of applying it to agricultural labour, even to fix the wages for the employments in the First Schedule, they want to take time up to 1959. Though they accept this in principle, in practice they want to deny fixation of the minimum wages. And we want that it should be limited up to December 1958 alone instead of 1959.

SHRI ABID ALI: Sir, I have already explained that it is not that we are extending the period up to 1959 so that the implementation should be in December, 1959. What I submit is that it is open to the State Governments to implement it in September 1957 itself. If they cannot do it in 1957, if they cannot do it in 1958, then by December 1959 they must do it. That is the enabling clause. It is not compulsory that they should wait till December 1959.

With regard to the implementation concerning agricultural labour, I have already replied that in my remarks, earlier. And about this date of 1959, as I have stated yesterday, it is again a unanimous decision of the Tripartite Labour Committee in which the hon. Member's organisation's representatives were present. It is not open to* them to question that here.

MR. CHAIRMAN: The question is:

"That at page 1, line 16, for the figure '1959' the figure '1958' be substituted."

The motion was negatived. MR.

CHAIRMAN: The question is:

"That clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

Clause 4—Substitution of new section for section 5

SHRI K. L. NARASIMHAM: Sir, I move:

4. "That at page 3, after line 10, the following be inserted, namely:-

'Provided further that where the concerned labour interests demand the revision of wages by the mode specified in clause (a) of sub-section (1), the appropriate Government shall do so:

Provided also that in fixing minimum rates of wages in respect of any scheduled employment for the first time under this Act the appropriate Government shall do so by the mode specified in clause (a) of subsection (1):

Provided also that the committees and sub-Committees appointed under clause (a) of sub-section (1) shall always be tripartite in nature'."

(The amendment also stood in the name of Dr. R. B. Gour).

MR. CHAIRMAN: The clause and the amendment are before the House.

SHRI K. L. NARASIMHAM: Sir, my amendment is very important from one point of view. In the principal Act section 5 deals with the fixation of rates of minimum wages and section 6 and 10 deal with the revision of the minimum rates of

wages fixed previously under this Act. Now, in this amending Bill they are clubbing all these things into one and in this section they are giving authority to fix or revise wages by suggesting a particular procedure. Now, if you would take the Act as a whole, the main defect of deciding or stating the principles by which minimum wages are to be fixed being not laid down, still continues in this amending Bill also, when there are no fixed principles to fix a minimum rate of wages for any employment either in the agricultural sector or in the sweated industries as they enumerated in the First Schedule. Now, the procedure to be followed in fixing the wages is, one, by appointing committees to enquire into the conditions and with their advice fixing the wages; and, two, by notification in the Official Gazette. That means, the executive officers will publish and announce that this is the proposed wage fixed in a particular sector and if they get suggestions then they consider and they will be referred to as suggested in this section, that is, consult the Advisory Board also. The Advisory Boards, how they are functioning at the State sector will be illustrated by

one example. I have been a member of this Board and it met thrice. The work that was carried on there was giving tea and then asking us to come-next time. And whenever there was a change in the Labour Ministry, some more names would be added and then they served tea. And we were asked to go and appear for the next meeting at a place they fixed suitably in accordance with their party activities. Here the revision is an important question. Now, under the old Act, in the composite Madras State they fixed minimum wages to all categories of the employments mentioned in the First Schedule. If I may illustrate this in the short time at my disposal, the minimum wage fixed to the tobacco workers in the old Andhra State was not in operation because one court gave a decision that it was not fixed properly and it is not in operation. And in the carpet weaving section, because they

[Shri K. L. Narasimham] could not decide whether it is the wage for a master-weaver or a weaver, the court gave a decision and that wage is not in operation. In the public motor transport because they could not decide about the dearness allowance and the procedure to be followed—to increase or decrease—that was also quashed by a court and it is not in operation. In the stone breaking operation and in the quarries that is not in operation. Again, the wages they fixed for the employments in Part I of the Schedule are not in operation. In regard to Part II of the Schedule, they have not fixed most of the villages, particularly in the deltaic areas where forty per cent, are agricultural labourers, where they work in big farms. Now, this Bill first gives an opportunity to revise the wages. That is a welcome feature. They can do it now. But the procedure they are suggesting is again the same old procedure, by notification in the Official Gazette, publishing it and getting information. My amendment seeks only to follow one particular procedure. In the case of revising the wages, appoint committees. Take their opinion and then revise them. There must be provision here for that procedure and that procedure, I think, can be met by accepting my amendment. If the labour representatives want a committee to be appointed to go into the question of the wages, then it should be done. For instance the wage of Municipal workers in the old Andhra State was fixed at Rs. 25 per month, all inclusive. And in the case of any revision of wages, if it is left to the executive officers to fix them as they like, I think that would not be proper, and I therefore hope that the hon. Minister will accept my amendment with regard to the procedure to be followed. If the labour representatives want a tripartite committee to go into the question, I think it should be allowed, and there must be some such provision in this Bill. My amendment seeks to do that.

SHRI ABID ALI: Sir, at present also the minimum wages are fixed after getting a recommendation from

a committee or by notification to be issued by the Government concerned.

[MR. DEPUTY CHAIRMAN *in the Chair.*]

Now this amendment suggests that the revision of wages also may become possible by notification. Sometimes the Government feels that in a particular industry wages are too low. Then revision may become necessary. If a committee is appointed, it takes time. It is in the interest of the workers themselves that the Government should have power to revise the minimum wages also by notification, and generally, Sir, this is done to the advantage of the workers.

SHRI K. L. NARASIMHAM: No, Sir. It is a wrong way of doing things.

SHRI ABID ALI: You can point out one instance where the Government have fixed the minimum wage which was detrimental to the workers—by notification.

(*Interruptions.*)

MR. DEPUTY CHAIRMAN: Order, order.

SHRI K. L. NARASIMHAM: At least some sense should prevail.

MR. DEPUTY CHAIRMAN: Order, order. The hon. Minister should be allowed to have his say.

SHRI ABID ALI: Sir, the method suggested by the hon. Member is that the State Governments should appoint their own party men to committees and go by their advice and allow the parties to flourish.

SHRI K. L. NARASIMHAM: Sir, I take serious objection to this. I never said that.

SHRI ABID ALI: If these things are so unpleasant and so bitter, why mention them here? If they mention these things here, they should also be prepared to get an appropriate reply. If the truth goes home and it annoys them, then they should better avoid such things, because this is not

a public platform where they have got the audience which will always clap them, whatever they say. They should not forget that this is the Rajya Sabha. They speak so much about democracy!

(Interruptions.)

MR. DEPUTY CHAIRMAN: Order, order.

SHRI ABID ALI: Sir, what I was submitting is that if the cap fits someone else, I am not to reply.

MR. DEPUTY CHAIRMAN: The question is:

"That at page 3, after line 10, the following be inserted, namely: —

Provided further that where the concerned labour interests demand the revision of wages by the mode specified in clause (a) of sub-section (1), the appropriate Government shall do so:

Provided also that in fixing minimum rates of wages in respect of any scheduled employment for the first time under this Act the appropriate Government shall do so by the mode specified in clause (a) of sub-section (1):

Provided also that the committees and sub-committees appointed under clause (a) of sub-section (1) shall always be tripartite in nature'."

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

"That clause 4 stand part of the BUI."

The motion was adopted.

Clause 4 was added to the Bill.

Clauses 5 to 16 were added to the Bill.

Clause 17—Amendment of section 31 SHRI

ABID ALI: Sir, I move:

3. "That at page 8, line 35, for the figure '1956' the figure '1957' be substituted."

MR. DEPUTY CHAIRMAN: The clause and the amendment are now before the House. I will now put the amendment to vote.

The question is:

"That at page 8, line 35, for the figure '1956' the figure '1957' be substituted."

The motion was adopted.

MR. DEPUTY CHAIRMAN: The question is:

"That clause 17, as amended, stand part of the Bill."

The motion was adopted.

Clause 17, as amended, was added to the Bill.

Clause 18—Amendment of the Schedule.

DR. R. B. GOUR: Sir, I move:

5. "That at page 9, after line 14, the following be added, namely: —

'and after item 12, under the said Part I, the following item shall be inserted and shall be deemed always to have been inserted, namely: —

13. "Employment in shops and establishments covered by the shops and Establishments Acts in force in the various States.""

MR. DEPUTY CHAIRMAN: The clause and the amendment are now before the House.

DR. R. B. GOUR: Mr. Deputy Chairman, I have moved this amendment which seeks to extend the benefits of this measure to the employees in shops and establishments covered by the Shops and Establishments Acts in force in the various States. Sir, this particular

[Dr. R. B. Gour.] section of employees has been agitating for inclusion under the purview of the Minimum Wages Act. The employees of shops, hotels, restaurants, cinemas etc., who are covered by the Shops and Establishments Acts in the various States have no protection under the Minimum Wages Act. These employees are also placed in the same category as the employees in tobacco manufacture, bidi manufacture, in the rice mills and in the flour mills who are covered by Part I of the Schedule given in the Minimum Wages Act. Sir, the question will be raised, I am sure, that the Schedule could be amended even by a State Government, because this particular enactment comes under the Concurrent List. But, Sir, an attempt was actually made in the erstwhile Hyderabad State to amend the Minimum Wages Act in order to include shops' establishment, cinema employees etc. And the Labour Minister then, who happily happens to be the General Secretary of the I.N.T.U.C. now, promised us on the floor of the Assembly there that a more comprehensive legislation will be enacted not only to include the employees in the shops, hotels, restaurants, presses and cinemas, but also the domestic labour. He went to that extent. And when the matter was raised in the Labour Advisory Committee in the State, it was suggested there that the Government of India could be approached and shall be approached for suitably amending the Central Act itself to include these employees. On this occasion, therefore, I would request the hon. Deputy Labour Minister to amend the Schedule so as to include these employees also. He may, of course, try to misquote us and he may say that I have said something which I have not actually said, and fortunately for him there would not be that verbatim record available now. Therefore I can only request him to suitably amend the Schedule and accept my amendment.

SHRI ABID ALI: Sir, there is no question of misquoting or anything

like that. (*Interruption.*) With regard to this particular amendment, the hon. Member is in a safer position. It is not necessary at all to amend the Act because section 27 empowers the State Governments to bring in these employees. So they can do it by notification. It is therefore already covered by the main Act

DR. R. B. GOUR: It is not covered by the main Act.

SHRI ABID ALI: The State Governments have got the power to add to the Schedule.

DR. R. B. GOUR: But they are not adding. Why not you do it?

MR. DEPUTY CHAIRMAN: He says, it is not necessary. It is for the State Governments to do it or not to do it.

SHRI ABID ALI: Even if we mention it in the Schedule, and if any State Governments may not be inclined to apply the provisions, they are at perfect liberty not to implement the provisions. And now if they are inclined to bring in these employees they have got the authority to do so. Therefore, the acceptance of this amendment does not bring any advantage to the workers concerned.

DR. R. B. GOUR: If the labourers there were strong enough to force their own Government to implement this thing . . .

MR. DEPUTY CHAIRMAN: You cannot have another speech now. I will put it to the vote.

The question is:

"That at page 9, after line 14, the following be added, namely: —

'and after item 12, under the said Part I, the following item shall be inserted and shall be deemed always to have been inserted, namely: —

13. "Employment in shops and establishments covered by the Shops and Establishments

Acts in force in the various States.

DR. R. B. GOUR: Sir, I would like to have the votes counted.

MR. DEPUTY CHAIRMAN: (After *taking a count*) There are 7 for and 39 against.

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

"That clause 18 stand part of the Bill."

The motion was adopted.

Clause 18 was added to the Bill.

Clause 1—Short title

SHRI ABID ALI: Sir, I move:

2. "That at page 1, line 4, for the figure '1956' the figure '1957' be substituted."

MR. DEPUTY CHAIRMAN: The clause and the amendment are now before the House.

The question is:

"That at page 1, line 4, for the figure '1956' the figure '1957' be substituted."

The motion was adopted.

MR. DEPUTY CHAIRMAN: 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.

Enacting Formula

SHRI ABID ALI: Sir, I move:

1. "That at page 1, line 1, for the word 'Seventh' the word 'Eighth' be substituted."

MR. DEPUTY CHAIRMAN: The Enacting Formula and the amendment

are now before the House. The question is:

1. "That at page 1, line 1, for the word 'Seventh' the word 'Eighth' be substituted."

The motion was adopted.

MR. DEPUTY CHAIRMAN: The question is:

"That the Enacting Formula, as amended, stand part of the Bill."

The motion was adopted.

The Enacting Formula, as amended, was added to the Bill.

The Title was added to the Bill.

SHRI ABID ALI: Sir, I move:

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

MR. DEPUTY CHAIRMAN: Motion moved:

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

SHRI BHUPESH GUPTA: Mr. Deputy Chairman, in the course of the debate a number of speeches have been made from our side discussing the various problems connected with this Bill. But it seems that most of what we had said h's been completely lost on the hon. Deputy Minister, although unlike Dr. Raj Bahadur Gour he happened to be all the time in this House. I have begun to wonder whether there is any intrinsic virtue in the House when such good things said could be lost. Now, Sir, the hon. Minister did not miss the opportunity of reminding us of certain tripartite agreements that had been reached where according to him some representatives of our Party—I do not think there was any representative of the Communist Party, but I do know that some representatives of the Kisan Sabha—were present. He thinks that such agreements are not kept when we come to this House. But, Sir, I feel that the boot is on the other leg because it had been pointed out by many representatives sitting on those committees that it is the Government

[Shri Bhupesh Gupta.] and the State Governments in particular which refuse to carry out the recommendations and the proposals of such committees. Therefore I think that it is the Minister who requires a little heart-searching about this matter instead of trying to accuse others of some imaginary things. I think he had also said that we did not read the papers that were sent to us which were supposed to contain facts. But if you would carefully read the brief speech made yesterday by Shri Basavapunniah you would find that many of the facts which are sometimes stated in the reports of the Government have been quoted in support of the proposition that Shri Basavapunniah wanted to establish in this House. I would like to know what the hon. Minister has got in answer to rebut the points that had been made very validly by a speaker from our side. Therefore it is no use telling us that we don't read things. We read most of the things that you send us but much of what you write is pure non-sense but even then we read them because we have to deal with non-sensical situations in certain matters.

Then he said many things about labour and other things. What speakers from this side made out was that for the last 7 or 8 years this measure has been in operation but the remedy has not been forthcoming even within the framework of the provisions of the law. I think the Government owes an explanation to this House and to the country as to why such provisions are made dead letters by the State Governments, evaded and avoided by the authorities whose business is to implement them. I would like to know it because everyone knows in the country that the agricultural labourers for whom this measure was originally intended suffer from agony, poverty, destitution and suffering and that during the 10 years or so of independence the number of agricultural labourers has swelled and their conditions have become still more appalling. These are the facts of our economic life which no one

! with eyes to see, can fail to see. Then during the ten years again, side by side with the existence of this measure, hundreds of thousands of agricultural labourers had been driven to utter destitution and many have been evicted from the land to swell their ranks. Is it a fact or is it not a fact? Is it not a fact that an American Professor, I think the professor is a lecturer of the Delhi University, wrote a book in which he said that during the ten years or the few years of Congress rule, more peasants have been evicted from the land than in the preceding 100 years under the British rule. I don't know to what extent the statement is exactly true or not but that is the volume of opinion in the country and I think that this is something which indicts the Government and its policy. Therefore every available fact, unless that fact is precon-cocted and coloured and is meant for propaganda purposes of the Congress or for the self-elation of the Ministers, points to the singular conclusion that the agricultural labourers in our country are crying for bread when the Government is neglecting them and driving them continually to destitution and poverty. This is what I say.

Many other reports had been prepared by various bodies and some of them had been sent by Congressmen. What do these reports say? Do they not bring in the same story of unaccountable sorrow to the agricultural labour? Can you deny it? Is he not aware that articles have appeared in the A.I.C.C. Economic Review where very strong indictments have been made because of the failure of the Government to tackle this question of agriculture in general and agricultural labourers in particular? Can he deny it? I think the Minister reads the publications of the Party to which he happens to belong for the time being. I say for the time being' because you never know when one changes sides.

Sir, these are some of the observations that I wanted to make. I think the time has come for the Government to frontally face the issue, instead of

trying to make insinuations against the various parties in the opposition. Of course, we work amongst the agricultural labourers. Members of our party function and live amongst them. Therefore, they are conversant with the problem. It may be that their understanding of the situation and of the problem is something different from yours; but that is no reason why there should not be a serious effect on the part of the Government to understand the point of view of the other parties, the point of view of those who are working among the agricultural labourers. It is necessary for the Government to do so. But nothing of the kind is done.

Here the question of minimum wages comes in. Everyone knows that our agricultural labour is living in sub-human conditions. With prices rising and taxes going up, their condition has become even more intolerable. It is evident that there should be a steep rise in the minimum wages. But what has the Government done to bring this about? It has been pointed out by speakers on our side that in most of the places this measure had not been implemented at all. What sort of a government is it which passes a measure in Parliament only *to* ignore it when it comes to putting it into practice? We have seen how this Government within a matter of 24 hours could come out with a big stick, namely, the Essential Services Bill, when it came to a question of crushing the working classes.

MR. DEPUTY CHAIRMAN: Mr. Gupta, all that is not necessary here.

SHRI BHUPESH GUPTA: But Sir, he referred to this Bill.

MR. DEPUTY CHAIRMAN: At the third reading stage we are not concerned with all that.

SHRI BHUPESH GUPTA: I am speaking about the attitude of the Government. In that case there was no delay. My point is about the delay that occurs in these matters . . .

MR. DEPUTY CHAIRMAN: Do not go to the Central Services. We are concerned with agricultural labour.

SHRI BHUPESH GUPTA: Sir, I understand your point. I am only trying *to* impress upon the Government that there should be no delay.

MR. DEPUTY CHAIRMAN: We are now at the third reading stage.

SHRI BHUPESH GUPTA: Sir if we feel hungry, we can adjourn now and after food we can have a "bite".

MR. DEPUTY CHAIRMAN: I want the Leader of the Opposition to be relevant.

SHRI B. K. MUKERJEE (Uttar Pradesh): He is consistently irrelevant.

SHRI BHUPESH GUPTA: I can see the I.N.T.U.C. gentlemen speaking something from that side. He should join me in this. Such measures like this remain on the Statute Book and they are not implemented. We will be passing this measure; but what guarantee is there that whatever good provisions are there in this measure will be implemented? There is no guarantee whatsoever. That is why they want to extend the time limit up to 1959. When the suggestion was made that the period should be restricted to 1958, the facile answer was, "What prevents the State Governments from implementing it within that period?" I say, nothing prevents except the State Government itself, its collusion with the big landlords and other people. Therefore, what I want to make clear is that such a measure like this should be implemented within a period of time. That period I want to make as short as possible and if that is not done, then the Government will stand accountable to the bar of public opinion and on the floor of this House. That is why we have suggested this amendment. Do not give us this nursery tale that the Government would be implementing these things this year or next year. We have known what it means. We have seen enough of this Government. We know its procrastinations and its dilatory tactics.

[Shri Bhupesh Gupta.] when it comes to a question of implementing measures in the interests of the people. We have also seen how it acts swiftly and with lightning quickness when it comes to a question of crushing the people with a heavy hand.

Everybody knows that the minimum wage in our country where it has been fixed is below the prevailing average minimum. Everybody knows that in this country. Why are we having this measure? Is it for raising the earnings of the agricultural labourer, or are we having it to peg it at a level much below the prevailing minimum in the country? That is a simple question. It is most unfortunate that this measure seeking to fix minimum wages should have encouraged some of the landlords and other elements to keep wages very low. This is what we have seen. What is most important is to formulate a policy with regard to the standards and to have norms for minimum wages. The agricultural labourer should have a minimum wage and a decent standard of life. Any wage which prevents him from having it, which does not offer a decent standard of life to him and his family is not worth the attention either of the Government or the public. That is what I say. Therefore, it is not a question of just somehow or the other, statutorily or by regulation, providing some figure or arriving at certain figures. What is important in the context of our economy where most of our agricultural labourers do not get enough wages even to go round for three months of the year, is to raise constantly the earnings of the labourers, the wages, of these agricultural labourers. That is what is needed. But you are not doing anything of that kind. It has become just a show. It is a kind of an advertisement to the world, that we are going to fix minimum wages, whereas really the wage remains at a very low level, a level which does not bring any relief at all to the agricultural labourer to whom these measures are intended. This is another stubborn fact which

has to be faced. I do not know why the hon. Deputy Minister who has been on those benches for so many years does not see this simple question. Is this how you are going to raise the standard of life of the working classes and improve the standard of life of the agricultural labourers? It is no use giving us certain monetary figures, certain arithmetical figures, for every body knows that side by side, the cost of living index is going up and whatever the agricultural labour has to buy is sold to him at a very high price and whatever he sells fetches him very little. This is the reality of the situation. Therefore, the Government should explain these things.

It has been our complaint against this Government that whenever we make suggestions, they are immediately twitted, as if they are politically coloured or they are made with the intention of doing something political. Nothing of that kind. These are social problems, economic problems. They may have certain political implications, but certainly they are fundamentally economic and social problems and it is possible to face them in a broad-minded way, provided you rise above pettiness and all kinds of bias and prejudices that come in the way. That is very important. Therefore, I would say that the suggestions that have been made, the criticisms that have been made, should be taken a little more seriously than the hon. Minister is accustomed to, when the criticisms come from this side of the House. I think it would make him a better Labour Minister if he listened a little more to our suggestions and criticisms.

MR. DEPUTY CHAIRMAN: No repetitions, please.

SHRI BHUPESH GUPTA: Therefore, I ask him to listen to us a little more and to take our suggestions seriously. We have not said that this measure is absolutely worthless. That is not our contention. The whole thing is, whatever you passed were not adequate. Then again, the provisions of the measure had not been

implemented because of certain other policies and practices of the Government. I only want to counter these policies and practices and this attitude of the Government that come in the way of even implementing your own measures.

I think this is a lesson which the Government should take from us and it would be good if the Government did a little self-criticism in such matters and re-examined their case in the light of the criticism that we make and took adequate steps so that the situation is improved. This is all that we have tried to make in the course of the debate and we will be very sorry if this gets lost on the Government.

MR. DEPUTY CHAIRMAN: Mr. Abid Ali, any reply?

1 P.M.

SHRI ABID ALI: I have a few words to say. There is not much to say because the hon. Member, in his usual shouting mood, went on saying things which he knew were much beside the point. All that which deserves consideration is given consideration. One of the things he said was by way of giving a certificate to the hon. Mr. Gour that he was present in the House during the discussion period.

MR. DEPUTY CHAIRMAN: We need not go into all that.

SHRI BHUPESH GUPTA: I did not say that.

SHRI ABID ALI: When Mr. Bhupesh Gupta was himself not present in the House, how can he say about others?

SHRI BHUPESH GUPTA: I never said that.

MR. DEPUTY CHAIRMAN: Anyway, that is a small matter.

SHRI ABID ALI: I did not say that all Members do not read the papers that are circulated to them. Certainly some of them read and read them with earnestness and enthusiasm and they study them properly but there are some who do not. Reports are

circulated and they contain information as to what has been done and still when some of the hon. Members say that this has not been done or that has not been done, I say that the reports contain all the information and if they are not aware of it, then I take it that they do not read the reports sent to them. He talked about change of heart and of change of sides also. It has been my fortune that I belong to this organisation since childhood. I may assure them that I shall remain belonging to it till the last breath leaves my body. It is he who has been changing sides. I have never changed sides. He knows how many sides he has changed and let me hope that the hon. Member changes sides soon and for the good also.

SHRI BHUPESH GUPTA: When' you come here.

SHRI ABID ALI: As far as earnestness on the part of the Central Government in regard to this measure is concerned, most of the industries that could be covered by the Act have already been covered insofar as the Central sphere is concerned. Now, in the States, democratically elected Governments are in office and whatever is passed here is communicated to them; whatever suggestions come here, we send them and it is left to them to implement them. Most of them, as I submitted earlier, have brought in agricultural workers also and we will write to them again that, as far as possible, this should be done as early as possible. That is what we can do. Does the hon. Member make a suggestion that we should dismiss some of the State Governments? He would have done it last year but he will not do it now, I am sure. It does not please me to say things which displease them but if they do not want to have things which displease them, they should remain confined to the subject matter which is before the House and should not go beyond that. Crushing the workers and all that may be very good phrases for Members opposite but they are far from facts. They know that we stand for

[Shri Abid Ali.] workers; they know that we want them to progress; they know that we want them to get what they deserve and this applies not only for today. He has appealed to me personally. I am very much thankful to him but he knows that I have been a worker myself and I have been working for their good . . .

SHRI BHUPESH GUPTA: Or, for their goods.

SHRI ABID ALI: . . . from even before the birth of the hon. Member himself. I have reminded him once and I will remind him whenever he says this. The angle is different. He wants chaos but we want peace and progress. We will go on progressing and the country will become rich and whatever the country achieves will belong.

DR. R. B. GOUR: . . . belong to the capitalists.

SHRI ABID ALI: Capitalists of the type sitting on that side. How many capitalists have they got in their ranks? They know that more than I do. So, when there is prosperity and well-being in the country, it will be shared by everyone equally.

SHRI BHUPESH GUPTA: What about Tatas' ten lakhs?

SHRI ABID ALI: He should know more about it.

MR. DEPUTY CHAIRMAN: The question is:

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

The motion was adopted.

MR. DEPUTY CHAIRMAN: The House stands adjourned till 2.30 P.M.

The House then adjourned for lunch at five minutes past one of the clock.

The House reassembled after I lunch at half past two of the clock, j MK. DEPUTY CHAIRMAN in the Chair.

THE NAVY BILL, 1957

MOTION FOR REFERENCE TO JOINT COMMITTEE

THE MINISTER OF DEFENCE (SHRI V. K. KRISHNA MENON): Mr. Deputy Chairman, I beg to move:

"That this House concurs in the recommendation of the Lok Sabha that the Rajya Sabha do join in the Joint Committee of the Houses on the Bill to consolidate and amend the law relating to the government of the Navy, and resolves that the following Members of the Rajya Sabha be nominated to serve on the said Joint Committee: —

1. Dr. R. K. Mookerji
2. Dr. W. S. Barlingay
3. Dr. Raghubir Sinh
4. Shri Sonusing Dhansing Patil
5. Shrimati K. Bharathi
6. Shri T. S. Pattabiraman
7. Sardar Raghbir Singh Panj-hazari.
8. Shah Mohamad Umair
9. Shri Mahabir Prasad
10. Shri B. K. Mukerjee
- 11. Shri H. N. Kunzru
12. Shri V. Prasad Rao
13. Shri V. K. Dhage."

Sir, this Bill as introduced in the Lok Sabha has been circulated on the 1st of June 1957 and as set out in the Statement of Objects and Reasons it is a Bill to consolidate some of the existing legislation in regard to the Navy as well as to fill in some lacuna that exists in the general procedure governing naval discipline and other naval matters. Since the Bill is going to be referred to a Joint Committee in accordance with the procedure of this House it is not my intention to traverse this Bill clause