

provisions relating to joint family. I have retained the existing provisions in the Bill. But let not the hon. Members think the possibility of a change escaped my attention. If two Hindus marry, why should they be severed from the joint family? That is a legitimate question. I referred to that in my speech today. But then on these matters I simply reproduced the provisions of the existing Act in the Bill in order to give the public the fullest opportunity of expressing their views. I wanted to take the public into confidence. And that is why, Sir, I adopted this procedure. Sir, there are only two minutes left and I will therefore not take any further time of the House.

PANDIT S. S. N. TANKHA: On a point of information, Sir. May I know from the hon. mover if he has tabulated the opinions received so far?

MR. DEPUTY CHAIRMAN: They have all been circulated.

SHRI C. C. BISWAS: I have for myself tabulated a statement. I did not place it before the Members.

PANDIT S. S. N. TANKHA: How many are for and how many against?

MR. DEPUTY CHAIRMAN: The hon. Member can look into the opinions. I will now put the motion to the House.

The question is:

"That the Bill to provide a special form of marriage in certain cases, and for the registration of such and certain other marriages be referred to a Joint Committee of the Houses consisting of 45 Members, 15 Members from this Council, namely:—

1. Dr. Shrimati Seeta Parmanand
2. Shrimati Savitry Nigam
3. Shrimati Violet Alva
4. Khwaja Inait Ullah
5. Shri M. Valiulla
6. Dr. P. C. Mitra

7. Shri R. P. Tamta
8. Shri B. K. Mukerjee
9. Shri Rama Rao
10. Shri H. N. Kunzru
11. Principal Devaprasad Ghosh
12. Shri V. K. Dhage
13. Shri Rajendra Pratap Sinha
14. Shri Amolakh Chand and
15. Shri C. C. Biswas.

and 30 Members from the House of the People;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of Members of the Joint Committee;

that in other respects, the Rules of Procedure of this Council relating to Select Committees will apply with such variations and modifications as the Chairman may make;

that this Council recommends to the House of the People that the House do join in the said Joint Committee and communicate to this Council the names of Members to be appointed by the House to the Joint Committee; and

that the Committee shall make a report to this Council within two months after its appointment."

The motion was adopted.

#### HALF-AN-HOUR DISCUSSION

##### APPOINTMENT OF CENTRAL TRIBUNAL FOR DEALING WITH DISPUTES BETWEEN NEWS-AGENCY MANagements AND THEIR EMPLOYEES.

MR. DEPUTY CHAIRMAN: We now take up the Half-an-hour discussion. Mr. B. V. Kakkilaya.

THE MINISTER FOR LABOUR (SHRI V. V. GIRI): Sir, before the hon. Member addresses the House on this subject, I may be allowed to make a statement which may clarify the

[Shri V. V. Giri.]

position and shorten the discussion. With your permission I would like to make a statement.

MR. DEPUTY CHAIRMAN: Would it not be better if your statement is made after his speech?

SHRI V. V. GIRI: My statement would shorten the discussion and clarify the position.

SHRI B. V. KAKKILAYA (Madras): I have no objection to the hon. Minister making his statement.

MR. DEPUTY CHAIRMAN: All right.

SHRI V. V. GIRI: Mr. Deputy Chairman, Sir, I have no doubt that my hon. friend who has raised this discussion has done so out of a genuine sense of disappointment that an adequate machinery has not been made available for looking into the grievances or a body of men who play an extremely vital role in the governance of the modern State. Without prompt and reliable news, public administration must come to a virtual stand-still. Life has become so complex and developments on the various fronts so fast and quickly-changing that if the supply of current news does not keep pace with happenings, it would be no exaggeration to say that life and property might well be in constant jeopardy. So I say that these men who supply us with the basic data required for day-to-day administration are themselves an important source of strength to that administration and are entitled to every reasonable consideration and protection in the matter of their terms and conditions of employment.

I am, therefore, approaching the problem raised by my friend not in the spirit of a lawyer narrowly interpreting the law to suit the occasion, but as one who, having been closely associated with many journalist friends throughout a life-time of public service, considers himself their friend and well-wisher intent on seeking some remedy for their ills. And yet we cannot ignore the law as it stands even though we are entitled, and, in

fact, required, to see whether that law needs any change. Under clause (a) of Section 2 of the Industrial Tribunals Act, the "appropriate Government for dealing with disputes between a news-collecting and distributing agency, such as the P. T. I., and its employees is the State Government. A question was rightly asked on the previous occasion as to which that State Government which was entitled to deal with the present dispute. I am afraid, my answer to that question must be somewhat disappointing, for I would say that it is the State Government within the jurisdiction of which a dispute arises, that must take steps to settle it, if need be, by a reference to an industrial tribunal for adjudication. Let me be more precise. In an industrial dispute between an employer and his employees, a State Government has jurisdiction only in so far as the employees situated in that State are concerned so much so that a tribunal set up by one State Government has no jurisdiction to give relief to employees stationed in another State. Thus in the case of the P. T. I., a number of State Governments may have to refer for adjudication the disputes relating to the employees stationed within their States. I can realise the difficulties which a federation of employees claiming membership from all States has to face and yet there is at present no ready remedy. I will, of course, be asked why the law should not be changed so as to bring such an establishment with branches in the various States within the Central sphere for purposes of settlement of disputes. If the P. T. I. were the only organization of that kind, it would have been easy enough to accept the suggestion, but there are many big establishments with branches spread over several States. Practically every big industrial or commercial establishment in the country has branches in more than one State. That

the case, for instance, with the main oil distributing countries, the more important manufacturers and distributors of textiles, cigarettes,

chemicals and various other commodities and transport and river navigation companies operating in several States. Inter-State trade and commerce are so widespread these days that if the Central Government decide to bring within their jurisdiction disputes in all establishments with branches in more than one State, they will have to take over an unmanageably large portion of the work now shouldered by State Governments. This, let me be frank, will inevitably lead to administrative delays, practical inconvenience to parties in having to go to distant places to meet Central Government Officers and agencies for the settlement of disputes, and consequent widespread dissatisfaction. We have had experience of all these. On top of these difficulties or perhaps, I should say, in view of them, the general consensus of opinion among State Governments and central organizations of workers and employers is that the Central Government's jurisdiction in the matter of industrial relations should not be unduly enlarged.

(*Shri B V Kakkilaya rose in his seat*)

**SHRI V V GIRI** If you will kindly hear my whole statement, you will be able to appreciate all the suggestions, the constructive suggestions, that I am making. I shall certainly hear the other point of view.

When I have said all these, I do realise that in the case of what might be called a truly all-Indian employment or establishment—in the sense that it has employees stationed not merely in two or three States but in the large majority of the more important States—the question of providing a unified machinery for the settlement of disputes between the employer and employees will arise. Whether the providing of such a machinery will necessitate the bringing of the employment or establishment within the Central sphere is a matter which has to be further examined. In evolving any such arrangement, one should bear in mind

the important consideration I have already mentioned, namely, that greater centralisation will inevitably mean greater delays and inconvenience to the parties. The advantages and the disadvantages, have, therefore, to be balanced before a final decision is taken. In the light of these observations, Government will re-examine the position. I feel, however, that I should not be rushed to conclusions or forced to take any immediate or precipitate action. If I find it possible to evolve any proposals I shall include them in the Industrial Relations Bill which is soon coming up here.

For the present, however, it is not legally permissible for the Central Government to set up a Central Tribunal to deal with the disputes between the P T I and their employees. At the same time I know that the difficulties of adjudication in half a dozen or more States are immense. I would, therefore, suggest a practical solution which, however, can be put into effect only if management and employees actively co-operate with each other. The parties must first try out the possibilities of mutual negotiation over the entire range of dispute. If this fails, or has already failed they might agree to the adjudication of the dispute in the State which has the largest number of P T I employees. The parties must simultaneously agree that such of the findings of the Tribunal as are of universal application would, subject to the provisions of appeal, be extended to employees in all other States. There will be other items in respect of which local adjustments may be necessary. The parties must also agree that in all such matters they will abide by the advice tendered by the original Tribunal. Binding agreements should then be entered into between the parties in respect of employees in the other States, based on the adjudication and the advice tendered by the Tribunal. All this requires a lot of give and take, but I have no doubt that the necessary measure of accommodation will be forthcoming from the parties if they

[ Shri V. V. Giri ]  
realise that they are engaged in the common task of serving the country in a particularly important way. I would request my friend who has raised the discussion and others like him interested in the maintenance of this public utility service at a high pitch of efficiency to exert their influence in favour of an amicable and reasonable settlement.

SHRI B. V. KAKKILAYA. The hon. Minister has made my work very easy, but I find that the different parts of his statement contradict one another. The hon. Minister in the beginning alluded to the difficult task that the journalists of our country are performing and the deplorable conditions in which they have to work today, but he made certain suggestions which to put in practice will take, I think, at least six months or one year. Now, knowing the legal position, the management of the P. T. I. have already started to take measures of vendetta against the employees. Only recently when the representatives of the Employees' Federation met the management, I am told that the Chairman of the Board of Directors threatened them. He told them, I understand, that he would rather preside over the liquidation of the P. T. I. than concede the demands of the employees. Perhaps he is under the impression that such an important institution as the P. T. I. which serves more than 177 newspapers in the country and which gives us foreign news and which takes our country's news abroad, can be liquidated at the whims and fancies of any individual who happens to preside over the institution for the time being.

Now, Sir, when the entire institution is placed in the hands of certain individuals like these who are having their own chain services to feed their papers, who are running their own chains of newspapers, certainly the interests of the institution and the interests of the employees will not be well looked after. These Directors

who are today managing the P. T. I. have their own chain services, their own correspondents and sources of supply of news to their papers all over India and they are given licenses to have their own teleprinters. I am also told that some of these bosses who have their own teleprinters use these machines not only for *bona fide* transmission of news but also for transmission of their private affairs and commercial communications and make profit out of that. That is a question which Government should look into and if they find out that *mala fide* use of these transmission machines is being made, then, of course, Government must bring these people to book and take necessary action. But this is a different matter. As far as P. T. I. is concerned, these people are certainly not interested in the welfare of the P. T. I. as a whole or of the employees because the P. T. I. today serves mostly the interests of the smaller newspapers in our country. The bigger news papers have their own correspondents and their own chain services. The small newspapers contribute the largest amount towards the revenue of the P. T. I. and they get the smallest service. They get minimum service but they contribute the largest amount and these big bosses who preside over the destinies of the P. T. I. are interested in seeing that the P. T. I. does not work efficiently and does not cater to the needs of the smaller papers properly so that the efficiency of the smaller papers goes down and the smaller papers die and these big bosses can have a monopoly over the press in India. So the management of the P. T. I. today are trying to see that the demands of the P. T. I. employees are not complied with and that the P. T. I. employees are disrupted and put down. For example, recently, after the P. T. I. employees put forward their demands before the management, I am told that the management have come forward with a new proposal. It seems that for the last 29 years even before this concern became P. T. I., the company itself was bearing the cost of the

revenue stamp which were to be affixed on the receipts of the employees for their salaries. Now the management have come forward and said that the employees must bear the cost. Of course, I have no objection to the employees paying for their own revenue stamps, but the management have chosen this occasion to bring forward this proposal just to compel the employees to pay for the stamps as a measure of vendetta against them for being bold enough to put forward their demands before the management.

The hon. Minister suggested that the Government of the State, where largest number of employees are working, should appoint a Tribunal and the dispute could be considered by that Tribunal and the award of that Tribunal could be applied to the other States also. This is not a practicable solution. It will lead to enormous difficulties later on. We don't know whether the awards will be implemented in all the States when it is entirely left to the State Governments themselves. We know many cases where industrial disputes were referred to tribunals and the awards given by the tribunals were not implemented by the State Governments.

Again, the hon. Minister said that there are several all-India concerns and if we appoint a Central Tribunal, all the other industrial concerns also will come forward, the employees of other concerns also will come forward and say that Central Tribunal must be appointed and that will mean a heavy burden on the Central Government and the Labour Department. This argument is not correct. There is no comparison between other all-India industrial or commercial concerns and the P. T. I. All these concerns also have their branches throughout India; that is true. 1 P.M. But these branches function, more or less, as autonomous units. They are not very much dependent upon each other. The position of the different branches of the P. T. I. is not like

that. The P. T. I. has different branches throughout the country and all these branches entirely depend upon one another every minute. Every branch supplies news to the other branches and to the head office, and the head office supplies news to all the branches. Therefore if there is dislocation in any branch, that would disrupt the entire news service of the P. T. I. So the entire P. T. I. concern must be taken to be one single unit. You cannot compare it with other industrial or commercial concerns which have branches throughout the country, as those branches function as autonomous units. This is a special case where the Central Government has to come in and it is a special case which can be handled only by the Central Government.

Another thing to which I want to invite the attention of the hon. Minister is this. The hon. Minister just now said that the management and the employees themselves should come together and arrive at an amicable settlement. Sir, it is very good to say that; but is very difficult to bring that about. It is difficult to bring together the management and the employees. I have already stated that the management of the P. T. I. treat their workers with vindictiveness and they are not prepared to come to terms with the employees. But I am sure, if the hon. Minister for Labour or the Prime Minister who has also evinced so much interest in the welfare of the employees of the P. T. I. and other journalists in our country would exert their influence over the management, then the management may come forward and sit round the table with the representatives of labour and an amicable settlement may be possible. But if the Central Government keep themselves away, if they say—you come together and arrive at an amicable settlement, then that will not be possible, and the hon. Minister would only be giving this excuse to shirk his responsibility for settling this dispute.

SHRI V. V. GIRI: Not at all.

**SHRI B. V. KAKKILAYA:** I would request the hon. Minister to use his good offices and urge upon the management of the P. T. I. to come forward and meet the representatives of the Federation and come to an amicable settlement. While doing this, I would also request the hon. Minister to look into another matter. The hon. Minister said that it was not possible to amend the law immediately and that we have to work under the existing law. That is true. But you might remember that when the dispute between the management and the employees of the Bharat Bank came up, certain State Governments appointed tribunals, certain other State Governments did not and there was some trouble about it. The Central Government came forward with an Ordinance to enable the appointment of a Central Tribunal to go into the dispute between the management of the banks and their employees. I ask the hon. Minister why can he not take the same stand now regard to disputes between management and the employees of a news service? The hon. Minister can come forward with an Ordinance which will empower him to refer this dispute to a Central Tribunal, an Ordinance which will also include the working journalists in the definition of workmen. It will also define the Central Government as the appropriate government to refer disputes between the managements and the employees of news services of an all-India character to a Central Tribunal. If the hon. Minister brings forward such an Ordinance, nobody in this House or in the country will ever say that he is bureaucratic, that he is taking the law in his own hands.

Certainly, everyone will support him. In the coming session of Parliament this can be incorporated in the Industrial Disputes Act and everything can be regularised. So, I request the hon. Minister to clarify the position as to whether the Government is prepared to bring forward an Ordinance to enable the Central Government to appoint a Central Tribunal.

**MR. DEPUTY CHAIRMAN:** Four hon. Members have given their names and they can put one question each.

**SHRI C. G. K. REDDY (Mysore):** Is there a limit on questions, Sir?

**MR. DEPUTY CHAIRMAN:** "Any member who has previously intimated to the Chairman may be permitted to put a question for the purpose of further elucidating any matter of fact".

**SHRI J. R. KAPOOR (Uttar Pradesh):** "A question" is not limited to one question. It means "any question."

*(Interruption.)*

**MR. DEPUTY CHAIRMAN:** Order, order.

**SHRI B. RATH (Orissa):** Supporters of the proposal must be persons who are interested.

**MR. DEPUTY CHAIRMAN:** They must give intimation.

**SHRI C. G. K. REDDY:** I hope then, Sir, that I will be allowed to make a very complex sentence. I do not want to waste the time of the House.

**MR. DEPUTY CHAIRMAN:** Mr. Reddy, there are three more Members. If you want a reply from the hon. Minister you must give him time.

**SHRI V. V. GIRI:** I would try to reply to all the points.

**MR. DEPUTY CHAIRMAN:** You must put the question in such a way as to give opportunity to the others.

**SHRI C. G. K. REDDY:** I should like to ask, Sir, whether Government are aware that in other countries where national news agencies operate, the government takes a very active interest in the growth and the good state of that industry and, if so, in what manner Government have been giving sustenance and support to or exercising superintendence over the P. T. I.; and whether Government

are satisfied that the management of the P. T. I. is in safe hands, or whether they think it is in hands which are exploiting the P. T. I., a national organisation, for their own ends; and also whether they think that this organisation is of such vital public interest that mere legalistic and technical obstructions should not stand in the way of seeing to it that this dispute which has developed into such an acute conflict and which threatens the very life line of this industry which is essential for the whole country, is settled and that they should intervene immediately and effectively in the matter?

MR. DEPUTY CHAIRMAN: Mrs. Alva is not here.

SHRIMATI VIOLET ALVA (Bombay): Yes, Sir.

MR. DEPUTY CHAIRMAN: You have changed your seat, Madam.

SHRIMATI VIOLET ALVA: Sir I just want a clarification. I want to know whether Government is aware that after the recent change in the P. T. I. it really has no effective head? The other point is that this news-agency which is really a National news-agency is in the hands of a few men who are also interested in daily news-papers. What would be the dangers of that? I want a clarification from the Minister on these two points.

PROF. G. RANGA: Sir, in view of the fact that the hon. Minister himself has admitted that it is a public utility concerned and it is now stated by our other friends that there is no visible executive head for this very important all-India service.....

SHRI C. G. K. REDDY: Evil head, there is.

PROF. G. RANGA: .....not only at the Centre but also in the various State offices of theirs, would it not be possible for my hon. friend and also for the Government to consider this as a special case not only in their attempt to deal with it as a matter of employer and employee problem

but also as matter of public utility of a very great importance for the dissemination of news in the country and whether by way of an ordinance as has been suggested or by way of special legislation, dealing not only with the P. T. I. but other All-India News Services and news service of other countries which are operating in this country in order to see that the public interest is safeguarded and also the interests of the employers, as also the relationship between these services and their employers are properly safeguarded?

SHRI RAMA RAO (Madras): While thanking the hon. Minister.....

MR. DEPUTY CHAIRMAN: No speech, Mr. Rao.

SHRI RAMA RAO: While thanking him, I am trying to construct a complex and compound sentence.

MR. DEPUTY CHAIRMAN: We have only five minutes left, Mr. Rama Rao. If you want the hon. Minister to reply.....

SHRI RAMA RAO: Up to now, no thanks have been given to the Labour Minister for what he has said. While expressing our profound thanks to the hon. the Labour Minister, with regard to the first part I would ask the following. Do the Government realize the great national danger in the P. T. I. employees not working at a certain stage out of a sense of frustration? Will Government suggest what methods the employees may adopt to persuade the employers to come to reason? In the alternative, what will they do to smash the racket that is now controlling the P. T. I.? In the opinion of the Government is the so-called administrative difficulty leading to greater centralization much more difficult to deal with than the necessity to give justice to the employees without which there may be a breakdown and Parliament may go unreported, Government may go unreported and then there might be a complete collapse of the news service of this country? Do the Government consider this as a problem inasmuch as this

[Shri Rama Rao.]

is not like any other industry, inasmuch as this has vital bearing on all aspects of public life, even including those of the employers who have brought about the racket?

SHRI V. V. GIRI: Sir, I am very grateful to the hon. Members on both sides of the House for their illuminating suggestions and I assure them that they will all receive Government's earnest consideration. I want to say, Sir, that all my life, my public life of 35 years, I have been a trade unionist and I have been getting on in that capacity more than as a Minister. The members of the P. T. I. trade union came to me from time to time and discussed with me and in fact as a trade unionist I made them certain suggestions. I have today clarified the present position of the law on the subject. On the other hand I made it quite clear that I shall see how far the present law could be amended to suit the requirements of the P. T. I. and other such organizations. In fact I told the leaders of this organization that they must proceed as trade Unionists in a methodical manner. I said, "First go to the Director-General or whoever he may be and make representations regarding the demands and grievances, putting them forward in a reasonable and respectful manner" and if the Director-General refuses to concede or discuss them, then certainly they were perfectly entitled to go and apply before a tribunal. I said, "As constitutionalists make an application before every tribunal in all the provinces where the P. T. I. employees are found." Then I said also, and I am saying it to the House today, that if the P. T. I. employees union in every State file an application before a tribunal putting forward the same demands the various States may feel "The demands are the same. What shall we do?" The Labour Minister may feel, "Here is a matter which is represented to the various State Governments and to the various tribunals in the very same way." Why

not he suggest to all the State Ministers that in view of this fact they should have one adjudicator to go into all matters raised in all the States? There are such things happening. We must believe in negotiations and in mutual settlement. There is no use thinking that nothing can be done that way. Everything can be solved that way. That has been my view during the last 35 years and certainly I as a Minister representing the Central Government, not as a trade unionist, when such applications are made, would certainly tell the Director of the P. T. I. "My dear friend, here are all these demands. Why don't you settle the demands across the table? If you cannot do so, agree to having one tribunal going into all these matters." All these can be done. In fact I gave these suggestions to the leaders of the P. T. I. and I am sure they will bear me out that I did say this. As regards the Constitution and the way in which things are managed and all that, all that must be directed to my hon. colleague who will be in a better position to explain the situation.

SHRI C. G. K. REDDY: But he did not take any interest in this at all.

SHRI V. V. GIRI: No, he is taking interest. But for his support I could not have made the statement that I did. In fact, I sent my statement to my hon. colleague and he actually approved the statement before I made it here. Therefore you cannot accuse my hon. colleague that he is not taking any interest. In fact, he is taking greater interest than my humble self.

SHRI C. G. K. REDDY: His absence was conspicuous.

SHRI V. V. GIRI: Therefore so far as the Government is concerned, I can assure you that in this matter as my hon. friend Mr. Ranga said, a special case, if the things that I have stated are gone through, you can rest assured that the Government will not be indifferent to the interests of the P. T. I. workers.

SHRI B. RATH: What about the Ordinance?



SHRI V. V. GIRI: The Ordinance, I am afraid, is nothing but a counsel of despair. The Ordinance is not necessary if what I have stated comes to pass. Therefore let my friends proceed in the way I have suggested and I do think that even without an Ordinance things could be done as if an Ordinance had been promulgated. An Ordinance should not be promulgated unless there is absolute necessity.

I think I have tried to clear all the points raised and I assure you that I will take an abiding interest in this matter and try and see how far the workers can be helped.

**EXTENSION OF SESSION AND  
TIME OF SITTINGS OF THE  
COUNCIL**

MR. DEPUTY CHAIRMAN: The session of the Council of States has

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been extended up to Wednesday, the 23rd September 1953. From tomorrow, 17th September 1953 onwards the Council will also sit in the afternoons from 4 P.M. to 7 P.M. During the extended period, i.e., from the 21st to the 23rd September, there will be no question hour.

According to the present programme, the present session of the Council will adjourn on Wednesday, the 23rd September 1953.

The Council stands adjourned till 8.15 A.M. tomorrow morning.

The Council then adjourned till quarter past eight of the clock on Thursday, 17th September 1953.