

## LABOUR IN INDIA

### SCOPE OF NEW BILL

#### MORE POWERS FOR CENTRE PROPOSED

NEW DELHI, Jan. 26. The Labour Relations Bill which the Labour Minister, Mr. Jagjivan Ram, is likely to introduce in the first session of the Indian Republican Parliament next month, will replace the Industrial Disputes Act and the Industrial Employment (Standing Orders) Act while the Indian Trade Unions Act will be suitably amended, it is learnt.

Incorporating the views expressed at the Labour Ministers' Conference, the Bill will deal not merely with industrial workers and their disputes with their employers, but with certain other classes of employees and employments and labour disputes generally.

Excluding the armed forces, police, civil servants and domestic servants from the purview of the legislation, the Act will give power to the Provincial Governments to exempt any unit of employment in which less than ten persons are employed. Though labour is placed in the Concurrent List, because of conflicting factors, the Centre is likely to take over direct control of labour relations in certain centrally controlled or regulated industries. Provision will be made to enable the Centre to assume such control. Disputes in banks, insurance companies and inter-provincial transport services will be the concern of Centre and provision is likely to be made for giving necessary powers to the Central Government for the exercise of their jurisdiction. While consultation with Provincial Governments will be prescribed in the Bill, the right of appeal will not be vested with the Provincial Governments. The Centre will, therefore, be vested with the power to assume executive authority after consulting the Provincial Governments.

#### LABOUR COURTS

Two new authorities are proposed to be created, namely, labour courts and the appellate tribunal. The labour courts will be presided over by persons roughly of the status of subordinate judges and proceedings before the court can be initiated only by a registered trade union or representative elected by workers. Provision for appeals from the decisions of the courts to the tribunals will be made, but the appeals can only relate to matters of law. An all-India appellate tribunal is also proposed to be established having appellate and revisional authority over courts and tribunals all over the country.

A new chapter will be included in the Bill incorporating the provisions of the Industrial Employment (Standing Orders) Act.

The new Bill will clarify in clear terms the question of reinstatement of employees, a subject to which both employers and employees attach very great importance. While the tribunal will be empowered to protect employees against victimisation, particularly for trade union activities, and order reinstatement where principles are offended, the discharge of workmen with a view to maintaining discipline and bona fide retrenchment of workmen for economic reasons will not come within the purview of the tribunals. It is also proposed to provide that where retrenchment takes place as a result of victimisation, the employer will be given the option either to reinstate the employee or to pay him adequate compensation to be fixed by the tribunal.

#### NEGOTIATION PROCEDURE

The Bill seeks to evolve a new procedure for negotiation and conciliation of disputes designed to avoid the misuse of lightning strikes. In every case, whether in a public utility service or not, the Bill considers that a labour dispute between them and their employers has arisen, or is likely to arise, they will be required to send a notice to the employer stating their demands and asking him to negotiate with them within seven days. In respect of public utility services, the employer must, on pain of prosecution, start negotiations within a week.

The process of negotiation must be completed within 14 days in the case of public utility services and seven days in any other case. In case of failure of the negotiations, nothing will prevent the employees from going on strike, while in the case of public utility services, the employees must give 14 days' notice of strike.

Where an employer has grievances against the employees and contemplates a lock-out, he must go through precisely the same procedure as is proposed for the employees. Other features of the Bill are provisions relating to collective bargaining as an alternative to those relating to negotiations and conciliation, procedure for referring disputes to tribunals and the effects of the decisions and awards of labour courts and appellate tribunals.

Complaint by an employer that employees or certain sections are following a 'go-slow' policy will be deemed a labour dispute.

Political strikes and lock-outs calculated to inflict general hardship upon the community will be prohibited. A strike or lock-out declared in sympathy with an illegal strike or lock-out will also be banned. It is proposed to provide a penalty clause for non-implementation of the awards of tribunals with six months' imprisonment and a fine.

Where an employer has refused to carry out the terms of an award, the Provincial Government will issue directions to the employer for the implementation of the award and, on failure to get the award implemented, Government can exercise such measures of control over the undertaking as it thinks fit.

Certain effective safeguards have been introduced to ensure that this power is not lightly used.

Provincial Governments will have to exercise the power of control under the Act only with the concurrence of the Central Government. The Central Government will be empowered to issue directions to Provincial Governments as to the carrying into execution of the provisions of the Act.—P.T.I.

### EVACUEE PROPERTY ORDINANCE

NEW DELHI, Jan. 26. A new section has been incorporated in the Administration of Evacuee Property Ordinance, 1949, by which persons in possession of evacuee property without the approval of the Custodian have been asked to submit information regarding such property within 60 days from January 19, 1950, according to a Press Note issued by the Rehabilitation Ministry to-day.

Information should include the date from which or the period during which such property have been occupied, supervised or managed and a detailed account of the total rents, profits, income or other benefits received from them.

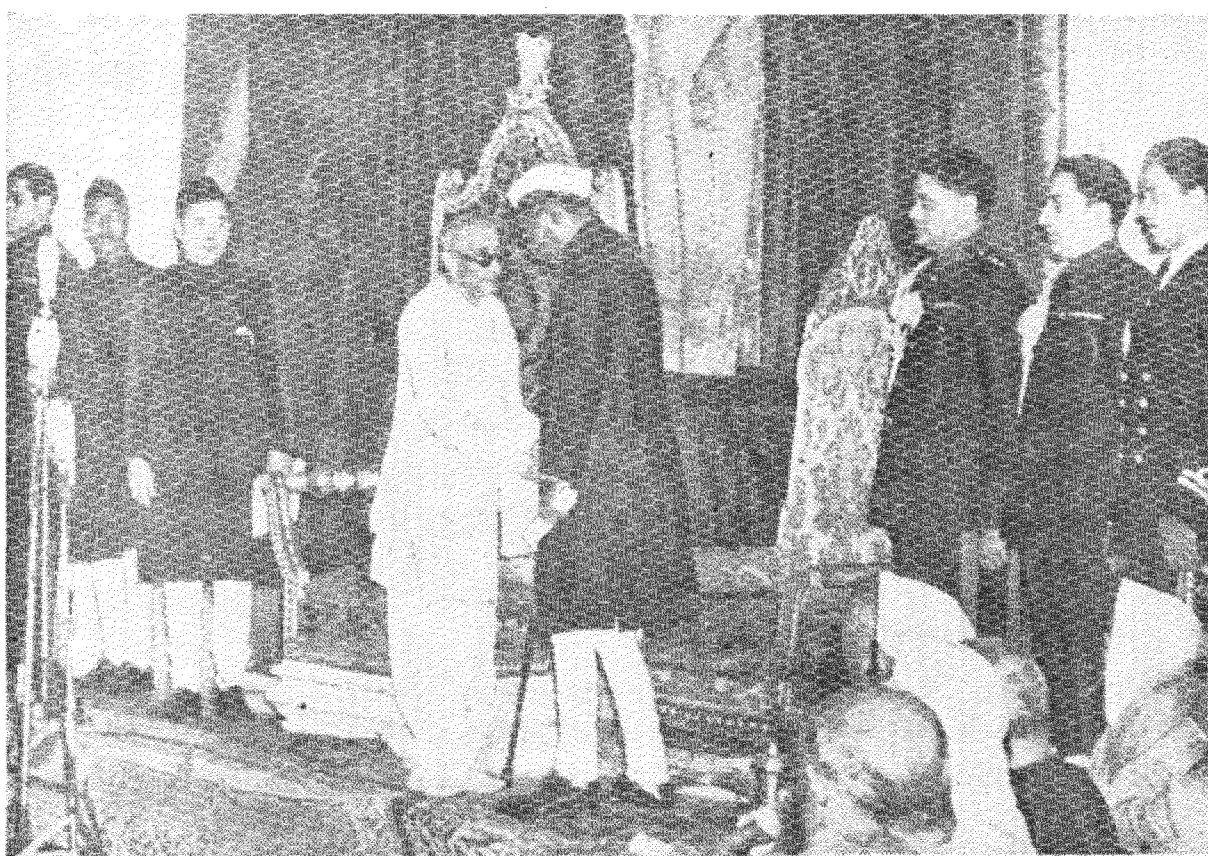
Persons failing to furnish this information, the Press Note adds, will be liable to punishment which may extend to imprisonment for a period of six months, or with fine, or with both.—P.T.I.

### TEHERAN-KARACHI RAIL LINK

KARACHI, Jan. 26. Mr. Ghazanfar Ali Khan, Pakistan's Ambassador to Persia, said here yesterday that the Persian Government planned within the next three years a rail link between Teheran and Karachi, a distance of 1,300 miles. The project was included in Persia's seven-year development plan, he said.—P.T.I.-Reuter.

### CHIEF COMMISSIONER OF COORG

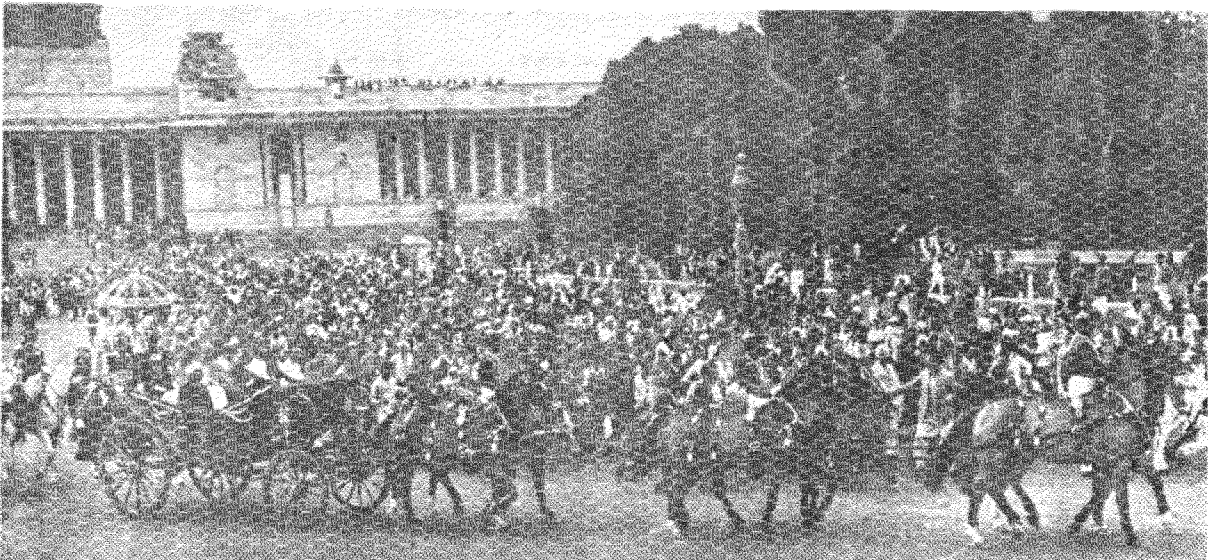
NEW DELHI, Jan. 26. Lt.-Col. D. S. Bedi, I.P.S., at present High Commissioner for India in Australia, has been selected for appointment as Chief Commissioner of Coorg in succession to Mr. C. T. Mudaliar, says a communiqué. Lt.-Col. Bedi is likely to assume charge of his new appointment early in March next.—P.T.I.



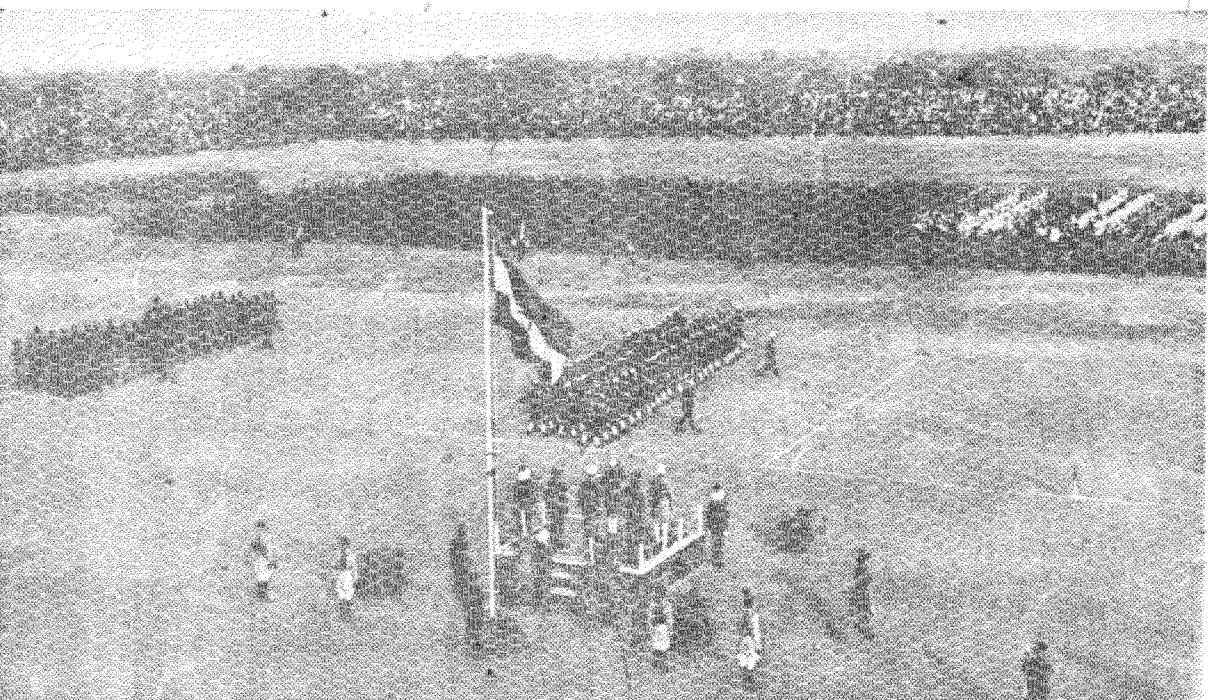
Dr. Rajendra Prasad, being led to the Presidential Chair by H.E. the Governor-General.



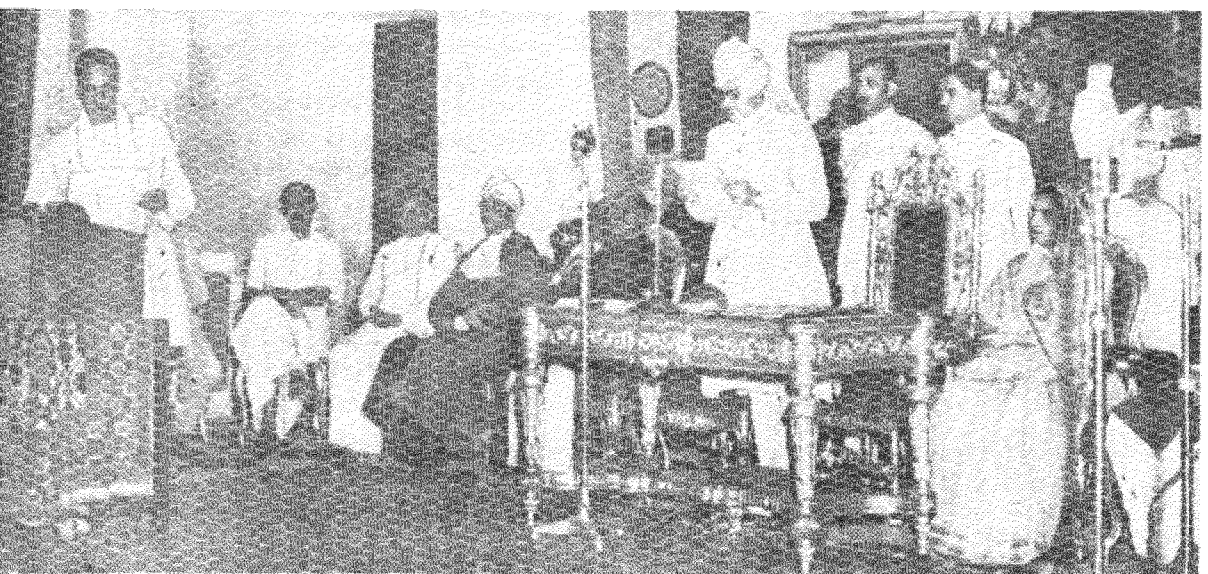
Dr. Rajendra Prasad was sworn-in as the First President of the Republic of India. Photo shows Dr. Rajendra Prasad taking the oath administered by the Chief Justice of India on Thursday.



Dr. Rajendra Prasad driving in State on the evening of Thursday.



A general view of the Military Review and Flag Hoisting by the President, Dr. Rajendra Prasad at Irwin Stadium.



The scene at Rajaji Hall, Mount Road, at the swearing-in ceremony on Thursday morning.

## PUSHTOONISTAN DEMAND

### PAKISTAN MUST REVISE POLICY

#### AFGHAN ENVOY CRITICISES NOEL-BAKER'S STATEMENT

NEW DELHI, Jan. 26. Sardar Najib-ullah Khan, Afghan Ambassador in New Delhi, told Pressmen here that the Afghans "do not agree with Mr. Noel-Baker, who takes the Durand Line as the international border."

Sardar Najib-ullah Khan, who was referring to the statement made by the British Secretary of State for Commonwealth Relations at Karachi, said, "The Afghan people consider that Mr. Noel-Baker's recent declaration is far from helpful for a peaceful solution of the Pushtoonistan problem. It will be wise on the part of the democratic, freedom-loving Government in Great Britain to attract the attention of inexperienced circles of Karachi to the past mistakes and sorrowful results of British colonial policy towards the Pushtoons of Afghanistan and the Frontier. We think that to be the heir of an imperialistic Government or to claim the same right that a vanishing system had before in these parts is not a very flattering legacy for Pakistan."

The Afghan Ambassador said, "The Pakistan authorities are continuously denying the existence of the movement of Pushtoons and accusing Afghanistan of following a hostile attitude towards Pakistan, notwithstanding the fact that the national movement in the tribal area for an independent Pushtoonistan is increasing day by day and in the last few days, two more regional Pushtoon Assemblies have been formed in Bajor and Waziristan. They call all these facts a mere imagination of Kabul Radio and Afghan statesmen. We do not think it worthwhile to reply to those insults."

"There was and there is a nationalist movement not only in the tribal area, but also in the North-west Frontier Province and the Pushtu-speaking regions of the former British Baluchistan for the creation of an independent and free Pushtoonistan. The Pakistan authorities succeeded in straining this movement in the administered area by force, but they could not do the same in the case of the independent tribal area."

#### "NO HOSTILITY TOWARDS PAKISTAN"

"Afghanistan has no hostile policy towards Pakistan but, knowing the spirit of the Pushtoons and considering the previous clashes between the Pushtoons and the British forces, is favouring the realisation of Pushtoonistan on the basis of the right of the people to freedom and self-determination for the sake of justice, peace and security in this part of the world. Notwithstanding the historic links of Pushtoons of Frontier and Baluchistan with Afghanistan and their right to independence after the change of the previous conditions which gave birth to Pakistan itself, Afghanistan restrained the tribal people who got excited and wanted to take up arms and win their freedom by force. The British authorities are aware of the peaceful and friendly policy of Afghanistan."

"Afghanistan is not claiming the return of the territories which were severed from Afghanistan by the British forces in the 19th century after the first and second Afghan wars, but she wants that those Afghans who have a separate nationality and culture and some of whom remained independent even during the British rule in India and have been increasingly in a state of war with the British, should be accorded the right to have their own free State. Why the British authorities, who recognised the right of the people of India, Pakistan, Burma and Ceylon to their freedom acted otherwise in the case of the Pushtoons is one of the enigmas of British foreign policy. Perhaps the future will explain it, but in any case it was not in accordance with the rights of nations, the charter of the United Nations and all the principles for which Great Britain and the democratic people fought the last war. The Pushtoonistan movement becomes anti-Pakistan only if Pakistan claims to be the heir of the British Empire. In the North-West Frontier and Baluchistan, the inhabitants fought against the British empire for their freedom and, naturally, they will fight against those who follow in the footsteps of their predecessors."

"Legally, there is no international border now between Afghanistan and the North-West Frontier Province and this matter was declared by the Afghan Government more than two years ago to Pakistan and to the British Government."

The Ambassador thought that the British Government did realise all the efforts of the Afghan Government to establish very friendly and close relations with Great Britain and Pakistan on the basis of recognition of the people's rights, mutual respect and confidence. "Considering this and the peaceful policy followed by Afghanistan in the two world wars, this statement of a member of a British Government and the policy followed by Great Britain seems to us quite strange."—P.T.I.

#### "SARVODAYA DAY"

BOMBAY, Jan. 26. The All-India Congress Committee has issued a directive to all Provincial Congress Committees calling upon them to observe the anniversary of Mahatma Gandhi's death falling on January 30 in a spirit of solemnity and dedication to the ideals of the "Father of the Nation."

The A.I.C.C., in a Circular, said: "About two years have passed since the passing away of Mahatma Gandhi. The anniversary of his death, January 30, should be solemnly observed all over the country as 'Sarvodaya Day', a day specially dedicated to Mahatma Gandhi and his ideals. The mind of the whole nation should be directed to Gandhi's great message of unity and goodwill among all through non-violence. The day should be observed in a prayerful manner worthy of his sacred memory and should include sacrificial spinning and social service."

#### NEW SAURASHTRA CABINET

RAJKOT, Jan. 26. The new Saurashtra Cabinet, headed by Mr. U. N. Dhebar and consisting of six Ministers, was sworn in to-day by the Rajpramukh of Saurashtra, the Jamsahb of Nawanganar. There is only one change in the Cabinet. Mr. Daya Shankar Dave replaces Mr. Samaldas Gandhi.—P.T.I.

#### MERGER OF SIROHI STATE

NEW DELHI, Jan. 25. The Abu Road and Dilwara Tehsils of Sirohi, excepting a few villages, have been merged in Bombay Province and the rest of the State in the United States of Rajasthan, the Ministry of States announced to-day.

The Governor-General has appointed Mr. Justice Herbert Ribton Meredith to be the permanent Chief Justice of the Patna High Court with effect from January 25, 1950, in the vacancy caused by the resignation of Mr. Justice Clifford Monmohan Agarwal, says a Ministry of Home Affairs Press Note.

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