

As regards the second Resolution, namely, the protection of women and children against lead poisoning, the matter is an extremely simple one. So far as we are concerned, in India we have very few trades in which there is any possibility of lead poisoning occurring. Lead smelting has been started in Burma and steps are being considered for the starting of lead smelting in India itself. If lead industries be started in India, we shall have to take effectual steps to protect women and children who are likely to be exposed to lead poisoning, and with that in view we are suggesting a clause in the new Bill amending the Indian Factories Act for consideration next month.

If the Assembly, therefore, approves of this, namely, that we should take steps to protect women and children against lead poisoning, I think we shall have satisfied the League of Nations for the time being.

The question is that the Resolutions be accepted.

The motion was adopted.

RESOLUTION *RE* ESTABLISHMENT OF GOVERNMENT HEALTH SERVICES.

The Honourable Sir Thomas Holland: Sir, I beg to move the following Resolution :

'This Assembly recommends to the Governor General in Council that he should examine the possibility of giving effect to the Recommendation concerning the establishment of Government Health Services adopted by the General Conference of the International Labour Organization of the League of Nations convened at Washington on the 29th October 1919.'

I should like, in speaking on this question, to refer, if I may, in order to save speeches on my part and to limit the strain on your patience, very briefly to the amendment which Mr. Joshi proposes to move that instead of examining the possibility of giving effect, we should take steps at once to give effect to this recommendation regarding the Government Health Services.

If Mr. Joshi will stir his memory for a little, I think he will probably confirm the ideas I arrived at with regard to the amending of that recommendation, that it was introduced at a time when the Conference at Washington was discussing unhealthy processes—the employment of women and children in connection with unhealthy processes. The recommendation reads as follows: (after the usual formalities)

'having decided upon the adoption of certain proposals with regard to women's employment: unhealthy processes, . . . and having determined that these proposals shall take the form of a recommendation, we recommend that a Government service shall be charged with the duty of safeguarding the health of the workers, which will keep in touch with the International Labour Office.'

I take it, therefore, that, although the wording is not quite clear, it was the intention of the Conference at Washington that this recommendation should apply only to and follow on that dealing with the question of the employment of women and children in connection with lead and other unhealthy processes. But it does not apply to workers as a whole, because the question of the health of workers as a whole is a wider one that is dealt with by our ordinary Medical Service in India and by sanitary and Public Health Departments as in other countries. I fancy, therefore, that Mr. Joshi has overlooked at this long distance the sequence of events at Washington which, as I said, is not very clearly stated except in this special paragraph 2, from which it would appear that the Conference was considering specifically the question of unhealthy processes when

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they asked for the institution of a special Government Health Service. I think it is right that we should in due course inquire into the necessity and the possibility of establishing this service, and we are already moving in the direction of doing something with regard to providing medical aid for the women, and inquiries are now being made by Miss Broughton, who has been attached to the Labour Bureau of the Central Government and has had a great deal of experience of women and children's labour under the Ministry of Munitions during the war. We are also in touch with the Infant Welfare movement in the hope that we shall be able to join forces with them in the question, not of inspection from the legal point of view, but of inspection with a view of helping the women and children in the closely congested industrial areas. But my point now is that Mr. Joshi might accept my suggestion that the recommendation refers specially to unhealthy processes. And the reason why I think Mr. Joshi has partly forgotten the fact is that on turning up the proceedings of the Conference, when that question was put to the full conference, I find that Mr. Joshi did not vote at all. So that apparently at the time he did not consider that, from the point of view of India, there was anything very important in these Government Health Services. They are not, so far, very important, because, as I say, we have not yet started these unhealthy processes in industries.

The Honourable the President: The question is that :

'This Assembly recommends to the Governor General in Council that he should examine the possibility of giving effect to the Recommendation concerning the establishment of Government Health Services adopted by the General Conference of the International Labour Organization of the League of Nations convened at Washington on the 29th October 1919.'

Mr. N. M. Joshi: Sir, I am quite aware of the circumstances which brought forward this recommendation before the Washington Conference. I know that it arose out of the discussion of unhealthy processes. But, at the same time, I do not accept the theory that simply because this question arose out of a discussion of unhealthy processes, the recommendation should be confined only to the dangerous trades or unhealthy processes.

There is no word in the recommendation which limits its application. It applies to all workers, and I therefore feel that the joining together of these two things, viz., dangerous trades and the establishment of Health Services, is only accidental.

Then, Sir, this question of the establishment of Health Services is very important, and it does not also involve heavy expenditure upon Government. I do not think there is much to be considered in this question. Not only that, but this question of appointing some medical officers has already been considered by a Committee appointed in the year 1906, and I shall read what they say on this question.

The Honourable the President: Is the Honourable Member moving his amendment?

Mr. N. M. Joshi: Yes, Sir. I wish to move my amendment. I beg to move :

'That for the words 'examine the possibility of giving', the word 'give' be substituted.'

The amendment is very small indeed, and it only asks Government to give effect to the Recommendation regarding the Establishment of Health Services. I shall read now the words of the Textile Factory Labour Committee of 1906 :

‘ With regard to the fifth question put before them whether a separate staff of Medical Inspectors should be appointed, the Committee were quite agreed on the desirability of such appointments.

They are of opinion that a number of Medical Officers should be assigned to separate areas, these to depend on the number of works and the facilities for reaching them, and that their whole time should be devoted to the work of Factory Inspection.’

Sir, although we may not have factories which are very dangerous or the processes of which are very unhealthy, still we have a number of factories which are such—even the textile factories are such—that if a man works there for a long time, he suffers in health. Look at a mill hand in Bombay, and you will find him pale. He is more liable to suffer from consumption than people who work in offices. If this is the case then, it is absolutely necessary that there should be some officers who will look after the health of the workers, and who will examine the health conditions of factories. I know that Government appoint Factory Inspectors. But unfortunately, among these Factory Inspectors, there are many who know nothing about sanitation and hygiene. It seems that, perhaps, when making these appointments Government consider it a disqualification for a man to know anything about hygiene. I therefore strongly feel that this recommendation should be given effect to without much delay. This will not involve great expenditure. Let the Government, in the beginning, appoint a few Medical Officers in each Presidency, and if they really want to economise, I shall recommend to them to appoint Indian medical graduates instead of European I. M. S. officers. Certainly that won't cost much. I therefore move my amendment and I hope that this Assembly will accept it.

Mr. B. Venkatapatiraju : Sir, I regret to oppose the amendment of

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Mr. Joshi, for the simple reason whether we have got enough Medical Officers to attend to the persons who are already suffering in the country and whether we can spare any of them to attend to the factories. The other question is whether the general taxpayer is to provide medical help for these workmen, or whether the factory owners should provide these officers. These are questions which the Government have to consider. Further, Sir Thomas Holland is perfectly right in saying that Government should take these into consideration when making provision, and there is no use of saying that the Government should provide it. We have to provide it and we are in a position to provide it, and, therefore, I think it is better that we should accept the original proposal as proposed by Sir Thomas Holland.

Mr. J. Chaudhuri : Sir, I beg to support Mr. Joshi's amendment. It is absolutely necessary that the Medical Services should not be appointed by the factory owners, and it is one of the obligations of the State to see that proper conditions of health are preserved in all factories. As Mr. Joshi said there may be cases of phthisis, and of course, the factory owners will try to economise and they would not try to appoint the right sort of medical men. Besides this, there is another element, and that is, that the Medical Services that will be provided should include lady doctors because women and children form a large part of the labour population in large factories, and there should be female medical officers who should look after the comforts and health of these women and

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children. These are the duties of the State. I would further suggest that it is obligatory on the factory owners to provide for education also, as regards which, when the Factory Bill comes, we shall make suggestions. Two things are absolutely necessary in this country to improve the lot of the labouring classes. One is education and another is health, and both these things ought to be looked after by the State, not merely in the interests of the labouring classes, but if the labouring classes are better educated that will increase the efficiency of labour and increase the production which will be as much to the interests of the country as to the interests of the factory owners. Therefore I most heartily support the amendment that has been moved by my Honourable friend, Mr. Joshi, and I appeal to Honourable Sir Thomas Holland to accept this amendment, and Government may at once give effect to the recommendations of the International Labour Organisation in this respect.

3-35 P.M.

Mr. N. M. Joshi: Sir, I rise to give an explanation.

My amendment does not recommend that Government should provide medical help for all factory workers. It only asks Government to appoint some health officers to enquire into the health conditions of factories and also to look generally after the health of the workers. But I did not mean that Government should establish a separate Medical Service in order to treat every patient in all factories.

Mr. Chaudhuri Shahab-ud-Din: I have stood up to support the amendment of Mr. Joshi. So far as I have been able to gather the real object of the recommendations of International Labour Organisation, as well as of the Resolutions put before this Assembly by the Honourable Mover, is the protection of health and manhood of Indian labourers.

I for one think that any scheme or arrangement, which does not make a very sufficient and efficient provision for protecting the health of labouring classes shall remain incomplete.

The objection, that the cost of creating a Health Department, or, making any other arrangements for the protection of health, should not be borne by the taxpayer, does not appeal to me. It is in the interests of manhood of India that we are considering this question. In fact legislation is going to be proposed for this very purpose next month. I think India's revenues should bear the cost of protecting the health of her labouring classes. If we are to follow the recommendations of the International Labour Organisation, we should follow it as it is made, and should not nullify or modify its effect by introducing the words 'examine the possibility of giving'. The words of the recommendation, on which this Resolution is based, are as follows:

'The General Conference recommends that each Member of the International Labour Organisation, which have not already done so, should establish, as soon as possible, not only a system of efficient factory inspection, but also, in addition thereto, a Government service especially charged with the duty of safeguarding the health of the workers which will keep in touch with the International Labour Office.' [Page 109, Bulletin No. 4—The International Labour Organisation.]

So, if we are to accept the recommendation, we must accept it in its entirety and should not, by introducing the qualifying words, nullify its very essence.

For these reasons, I strongly support the sound and sensible amendment proposed by the Honourable Mr. Joshi.

Mr. Harchandrai Vishindas: I also rise to support the amendment of Mr. Joshi as against the proposition which Sir Thomas Holland has put forward, for these considerations. To say 'examine the possibility of giving effect to' as distinguished from 'giving effect to' leaves a loophole open for not giving effect to the recommendation. The ground for adopting a Resolution of that nature would be that we are in a state of doubt as to whether circumstances have arisen to give effect to the recommendation or not. But I think that we are not in any doubt at the present moment that these institutions should be started. Therefore, I think the sense of the House will be that Mr. Joshi has hit the right nail on the head and that, instead of waiting and tinkering with the question, by examining into the possibility, we should give effect to this recommendation at once.

Then, as regards the objection which has been taken by Mr. Venkata patiraju on the ground that the Government have to contemplate the consideration of the question whether the cost will be borne by the State or by the factory owners, I think that question does not arise; it has no bearing upon the issue at all. The Resolution does not speak of the cost being borne by one party or another, and on that point I think Mr. Chaudhuri's remarks also are hardly relevant. Therefore, I respectfully urge that Mr. Venkata-patiraju's objection does not deserve any consideration. The point that is taken in the Resolution itself by Sir Thomas Holland is that:

'This Assembly recommends to the Governor General in Council that he should examine the possibility of giving effect to the recommendation concerning the establishment of Government Health Services adopted by the General Conference of the International Labour Organization of the League of Nations, etc., etc.'

It will be seen that in this there is no question of which party should bear the cost. Therefore, I submit, Sir, that the objections which have been taken by Mr. Venkatapatiraju and Mr. Chaudhuri do not arise in this connection at all.

Mr. R. A. Spence: Sir, in opposing the amendment, may I point out that the Resolution merely asks that we should learn to walk before we run, and that it is much better that the whole question should be carefully examined before definite orders are issued concerning this recommendation.

Rai Bahadur Bakhshi Sohan Lal: Sir, I also support the amendment moved by Mr. Joshi. The hot climate of this country and the unhealthy conditions surrounding factories in this country, together with the unwholesome and insufficient food supplied to the workers and the length of the hours during which labourers in this country are engaged by the masters of factories, necessitate the establishment of health services such as have been recommended by the General Conference, to safeguard the health of these labourers among whom are to be found children and women of weakly constitution. With these words, I support the amendment to the Resolution.

Rao Bahadur T. Rangachariar: Sir, I am sorry that I have to oppose this amendment. Much as I wish that medical relief should be given to safeguard the health of the workers, I feel sure it would be too much of a burden to throw upon the Government at this stage to ask them to establish at Government expense health services charged with this duty. We

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are now concerned with the health of a few thousands of labourers. What about the millions in the villages who die of malaria and various other diseases: are we able to carry medical relief to their doors? Is it not the complaint everywhere that we have not got enough money, enough men. When we have to think of the health of millions of our countrymen, what is this solicitude about the health of a few thousand labourers engaged in industry? It is just a misplaced sympathy for industrial labour, because this labour counts for much in European countries. In this country also the cudgels are taken up by those who pose as philanthropists. But what about the agricultural labourers who die in millions and hundreds of thousands all over the country? We have not got enough funds, or enough men. Where are the medical schools and colleges to train men for this work? The old system of medical science has died out and we have not got even assistant surgeons to look after the health of the villagers. We need funds very badly in order to give medical relief to millions in this country, and I think we ought not to be persuaded by this false cry of philanthropy for the health of the industrial labourer. When, Sir, we have to consider the interests of millions, let us not waste our funds by merely misplaced leniency in these matters.

Mr. Jamnadas Dwarkadas : Sir, I cannot see eye to eye with my 3-45 P.M. Honourable friend, Mr. Rangachariar, in the arguments he has advanced against the amendment of my Honourable friend, Mr. Joshi. His argument amounts to this: It is not possible for Government, he says for us, to look after the millions; therefore, we should not look after the health of a few who are entrusted to our care and who toil from morning till evening for the purpose of increasing our wealth. I do not see any force in that argument at all. I grant that it is the duty of Government to see that the health of everyone in the country is properly looked after. But if the Government has so far failed to look after the health of the millions, then by all means propose legislation to compel Government to look after the health of these millions, to whose rescue my Honourable friend, Mr. Rangachariar would go.

But to use that for the purpose of preventing help being reached to the labourers is, I think, an argument which cannot hold much water in this House. Now, Sir, I think that there is a good deal of force, however, in the argument advanced by my Honourable friend, Mr. Venkatapatiraju. I do not think that the intention of Government in moving the Resolution in the form in which it has been moved is to shelve the question or to evade it altogether. It is really, I think, for the purpose of going into the question thoroughly and finding out how far it is possible for them to give effect to the recommendation of the Washington Conference. I think, there is, as I said, a good deal of force in the arguments advanced by my Honourable friend, Mr. Venkatapatiraju. There are already organizations in all provincial Governments to look after the health of the population. It is also not quite proper to ask the Government of India to take this up and to make the people pay for it. If a scheme can be devised whereby the mill-owners, the factory owners, could be made to pay for it, I do not think that it will meet with any kind of disapproval from the mill-owners themselves because as a matter of fact they themselves engage medical men to look after the health of

their employees. However, I do think that the function ought to be fulfilled not through the factory owners but through the State at the cost, I think, of the mill and factory owners. To decide this question, the Government is required to go thoroughly into the details of the question, and, therefore, to accept Sir Thomas Holland's Resolution would, I think, be advisable for us.

Mr. J. P. Cotelingam: Sir, I may inform Mr. Rangachariar, if he does not know it already, that throughout the country to care for the health and welfare of the millions of people that may require such help we are starting health and welfare associations. In South India, at any rate, we have begun to form these health and welfare associations to care for the people in villages and in the rural tracts. Honorary services are now being requisitioned and I have no doubt, before long, we shall have a number of organisations throughout the country caring for the health and welfare of the millions of people in our land. Of late, there has been a hue and cry raised that our schools and colleges have not been inspected by medical men and provision has been made throughout the country for the medical inspection of schools and colleges, and I see, therefore, no reason why some effort should not be made at least for the inspection of the labouring classes. All that the Convention has asked for is not only that we should have a system of efficient factory inspection, but also in addition thereto a Government service specially charged with the duty of safeguarding the health of the workers. Therefore, Sir, I am in hearty sympathy with the amendment moved by Mr. Joshi. And, in doing so, I should like to point out to Sir Thomas Holland what he himself pointed out to us this morning, when he asked us not to accept the amendment moved by Mr. Majumdar.

What he himself pointed out to us this morning when he asked us not to accept the amendment moved by Mr. Majumdar, was this. He said, that if we appoint a committee, it would take a long time before effect could be given to its recommendations and that it would be a round-about way of getting what we want. Mr. Joshi goes straight to the point, and I think in this matter he has the support of the House. He says that instead of the words 'examine the possibility of giving effect,' etc., etc., the words 'the time has come when we shall be able to give effect to the recommendations made by the Washington Conference' should be inserted. Therefore, Sir, I beg to support heartily the amendment moved by Mr. Joshi.

Sir Frank Carter: Sir, I agree with Mr. Spence. I do not think that there is any urgency in this matter, and I think we can safely leave it to Government. I heartily support the Resolution moved by Sir Thomas Holland as I think that it would be far better to examine the possibility of giving effect to this Resolution than to actually give effect to it. Government have already said that they will increase the number of medical men in areas where unhealthy industries are situated, and I think we can safely leave it at that.

Munshi Iswar Saran: Sir, I am afraid, I have got that vice of philanthropy to which a reference has been made by one of my Honourable friends. We are told that we should not attempt to run before we have learnt to walk. There are some people, Sir, who, having been endowed with a peculiar frame of mind, can never run; either they walk, or they limp or sit down. Now, this matter, to be serious, is so simple that,—I think the Honourable Sir Thomas Holland will pardon me for saying so,—the mighty Government which he

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represents should be able to make up its mind quickly rather than ask this Assembly to give them time to think and to examine the possibility of giving effect to the proposal contained in this clause. The matter is very simple and the question is, are you going to afford protection to these poor factory workers? We have been told that honorary workers have now begun to take an interest in the welfare of these workers. In a way, I have been an honorary worker myself, having been connected with several educational institutions. But I should feel very sad indeed if all these poor, unfortunate workers depended for protection on honorary workers such as I was or such as many of my friends were. We want an organization,—I would much rather accept the remark of my Honourable friend, Mr. Jamnadas,—supported out of funds supplied by the rich and wealthy mill-owners. As far as we are at the present moment concerned, it does not matter where the money comes from. What we are concerned with is that there ought to be a service whose responsibility should be to look after the comforts and convenience of the workers and the sanitary conditions of the factories. An argument has been advanced which, I must say, is simply irresistible. My learned and Honourable friend says : ‘ Oh, millions are dying in the villages, you do not care for them ; why bother about these few unfortunate creatures ’.

The argument of my friend reduces itself to this : ‘ If we allow these unfortunate men in the villages to die like flies, what does it matter to us if the number is increased by a few more ’. I take strong exception to this view. I submit, Sir, it is the clear duty of Government to take steps—the Assembly is perfectly clear on this point—to organize a service in order to look after the factories and the labourers employed therein. As regards questions regarding funds, personnel, etc., I submit, the Assembly at present is not called upon to express any opinion. I shall appeal to the Honourable Sir Thomas Holland not to wait, think and cogitate. Before he runs, let him run straight off and not remain stationary.

The Honourable Sir Thomas Holland : Mr. President, I fancy that we have been talking as if we differed when we really are all in substantial agreement. All the same, it has given rise to a very interesting discussion, and for that reason I did not want to intervene before. But now, I think, as we are beginning to get a repetition of ideas, it might be of advantage if I suggested an opportunity for closing the discussion.

It is not correct to say that we are merely going to sit down and think. It is not correct to say that we have done nothing so far. The Government has been at work already laying the foundation to carry out the spirit of this recommendation, at any rate. We have already attempted to get out experts from home to undertake a systematic survey of the atmospheric conditions of our factories, especially with regard to humidification and the quantity of carbonic acid in them. That is a matter which will require a considerable amount of research work of a detailed kind before we can undertake to lay down rules or to insist upon a form of inspection that will be fair and effective. It is for that reason that the Government hesitates to use anything more definite than the expression used in the Resolution I have moved. We cannot move in these matters at a moment's notice. There is no use galloping if we are going in the wrong direction. There is no use taking any measures until we know that they are going to be effective and useful.

Now the proposition before us is the establishment of a Government service, especially charged with the duty of safeguarding the health of workers. We have done a great deal already in other ways in helping the workers, and I hope that the ordinary Government health services will do a great deal more. But they are not specially set apart for that work and for that work only. We have been doing what we can in this direction and we are pushing on; but we shall not be able, before the next meeting of the International Labour Conference, to say that we have actually established a Government service specially charged with this duty, and for that reason the Government has taken a cautious line in the wording of this Resolution. If it will help Mr. Joshi, I am quite prepared, on behalf of Government, to recommend the Local Governments to employ medical women to assist in the inspection of factories, and whenever Government are able to do so, to employ whole-time medical men. But we must remember that in this Assembly that we cannot issue orders if the Local Governments have to pay the bill. The Factories Act is administered by the Local Governments and they have to pay the bill. It is all very well for us to pass Resolutions here, but it is not so easy for us to force our will upon the Local Governments. Under the Reform Scheme they have a perfect right to do as they think best in such matters, as they have to pay the bill. We will recommend that on behalf of the Government of India if Mr. Joshi will withdraw his amendment. Or, alternatively, if he will not, I will accept it. I don't mind which the difference between us is really negligible.

Mr. N. M. Joshi : Sir, in view of the assurance given by the Honourable

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Sir Thomas Holland, I shall not be right in pressing my amendment. But, in withdrawing it, I shall make one remark. The Assembly knows that we are now in the days of provincial autonomy. The provinces have come into their own. I think it is better that we should treat them with consideration.

The amendment was, by leave, withdrawn :

The question is that the Resolution, which runs as under, be accepted :

'This Assembly recommends to the Governor General in Council that he should examine the possibility of giving effect to the Recommendation concerning the establishment of Government Health Services adopted by the General Conference of the International Labour Organization of the League of Nations convened at Washington on the 29th October 1919.'

The motion was adopted.

RESOLUTION *RE* MINIMUM AGE OF ADMISSION OF CHILDREN IN INDUSTRIAL EMPLOYMENT.

The Honourable Sir Thomas Holland : Sir, I beg to move the following Resolution :

'This Assembly recommends to the Governor General in Council—

(a) that he should ratify the Draft Convention fixing the minimum age of admission of children in industrial employment adopted by the General Conference of the International Labour Organization of the League of Nations convened at Washington on the 29th of October 1919, subject to the following reservations :—

(i) that it shall not apply to factories employing more than 10 but less than 20 persons unless the Local Government so directs ;

(ii) that transitional regulations shall be made regarding children between the ages of 9 and 12 already lawfully employed in factories.