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*** The Motor Vehicles (Drivers) Amendment Bill**

The Honourable Dr. B.R. Ambedkar (Labour Member):
Sir, I move :

“That the Bill to amend the Motor Vehicles (Drivers)
Ordinance, 1942, be taken into consideration.”

This is a simple measure. As the House will remember, there have been several Ordinances by which the services of several persons have been requisitioned by Government.

An Honourable Member : How many in all ?

The Honourable Dr. B.R. Ambedkar : I am afraid I have not got the information but I think the general fact is quite well known. The Ordinance which requisitions the services of motor drivers is one of those. After the Ordinance was passed, it was discovered that there was one provision which was present in other Ordinance, but was absent in the Motor Drivers Ordinance. That provision was that there was not anything in the Ordinance requiring the owner to re-employ a motor driver after his services were dispensed with by the authority which had requisitioned his services. It is to fill this gap that the present Bill has been brought in. The purposes of the amendment are three-fold. The amendment declares the employer's liability to re-employ a driver where his services have been dispensed with by Government. Secondly, it lays down a method for the settlement of disputes as to the liability of the employer. The Bill provides reference to authority nominated by the Provincial Government on their behalf; and thirdly, there is a penalty for non-compliance with the orders passed by the authority. Other provisions in the Bill relate to the limitations on the right of employment which has been given to a motor driver and they are two-

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fold. In the first place, a motor driver must have been in continuous service for a period of six months before he can claim the right to re-employment. Secondly, he must have applied for re-employment within two months from the date of discharge from the national service. These conditions being satisfied, this present Bill puts him on the same level with other persons whose services have been requisitioned. I have nothing more to say with regard to this Bill. With these remarks, Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): The question is :

“That the Bill to amend the Motor Vehicles (Drivers) Ordinance, 1942, be taken into consideration.”

The motion was adopted.

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Mr. President (The Honourable Sir Abdur Rahim) : Clause 2.

***Sir Cawasjee Jahangir** (Bombay City : Muhammadan Urban) : Sir, this is the main clause of the Bill, clause 2, so far as I can make out. I see that the reason for the Bill is to find Employment for such motor drivers as may have been requisitioned by Government for war purposes and the attempt is to make the previous employer employ that motor driver under two conditions, provided he has been in the employment of the original employer for six months and he applies for employment within two months..... If the Honourable Member will take these points into consideration, he may take time over it. I think the Honourable Member will be doing well by the public and this Honourable House.

The Honourable Dr. B.R. Ambedkar : With regard to the observations which have fallen from my Honourable friend, Sir Cowasjee Jehangir, I am bound to say that he has really given a very big and a dark colour to what is likely to happen when an employer is called upon to reinstate his former driver. He seems to think that this matter, once it becomes a subject matter of dispute, would assume a form which lawyers call a long civil suit. But I am sure it will be shorter than a shortcoat. We have made provision that the Provincial

Government will appoint an authority and I have no doubt that that authority will be an authority which would be satisfactory to both sides.

Sir Cowasjee Jehangir : How are we to know that ?

The Honourable Dr. B.R. Ambedkar : We must trust the Provincial Government to do its best.

Sir Cowasjee Jehangir : Does not the Honourable Member know that when such an authority is appointed, the rules and regulations are very elaborate and that it always causes considerable inconvenience, however simple the issue may be.

The Honourable Dr. B.R. Ambedkar : It cannot be so inconvenient as to make it difficult for people to settle the matter expeditiously and I therefore think that there is really no very great substance so as to compel me to withhold this measure. I think the points that may arise will be points of very small dimensions which could be settled without much difficulty or worry to either side.

Mr. President (The Honourable Sir Abdur Rahim): The question is :

“That clause 2 stand part of the Bill.”

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3 was added to the Bill.

Clause 1 was added to the Bill.

The Tide and the Preamble were added to the Bill.

The Honourable Dr. B. R. Ambedkar : Sir, I move that the Bill be passed.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

“That the Bill be passed.”

The Motion was adopted.